WHEREAS, the Washington State Growth Management Act mandates the City of Rock Island adopt a comprehensive plan and implementing development regulations; and

WHEREAS, the schedule established by the Growth Management Act in RCW 36.70A.130(4) mandates that the City review and, if necessary, revise its comprehensive plan and development regulations to ensure compliance with the Growth Management Act; and

WHEREAS, the City adopted and implemented a Public Participation Program by resolution in February of 2006; and

WHEREAS, the State Department of Community, Trade and Economic Development provided a “Development Regulations Checklist: Technical Assistance Tool” to aide in compiling a work plan to meet said schedule; and

WHEREAS, the City completed the checklist to determine which Development Regulations were in need of revisions; and

WHEREAS, the City adopted and implemented a Work Plan identifying which Development Regulations were to be reviewed during the 2006 Update; and

WHEREAS, the City Council and County Citizens Planning Committee met at regular and special public meetings to review proposed changes, including a duly advertised public hearing on July 26, 2007, to review and take comment on the proposed amendments; and

WHEREAS, all persons desiring to comment on the proposal were given a full and complete opportunity to be heard; and

WHEREAS, all comments from the 60-day, conducted along with an appropriate review pursuant to the State Environmental Policy Act, were reviewed and considered; and

WHEREAS, the City Council finds that the proposed amendments to Title 17 Zoning are consistent with the City’s comprehensive plan; and

WHEREAS, the City Council finds that the amendments to Title 17 Zoning are consistent with the Growth Management Act and the city has completed its obligation for a periodic review and update pursuant to RCW 36.70A.130;
NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ROCK ISLAND, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Amendments. The amended Title 17 is adopted hereby as set forth in Exhibit A.

Section 2. Ordinance to be transmitted to Department. Pursuant to RCW 36.70A.106, this Ordinance shall be transmitted to the Washington Department of Community, Trade and Economic Development as required by law.

Section 3. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 4. Effective Date. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after publication.

Passed by the City Council of the City of Rock Island, the 26th day of July, 2007.

CITY OF ROCK ISLAND

__________________________________________
Russell Clark, Mayor

ATTEST:

__________________________________________
Bonny Malone, City Clerk

APPROVED AS TO FORM:

__________________________________________
Chuck Zimmerman, City Attorney

Passed this ________________ day of July, 2007
Approved this ________________ day of July, 2007
Published this ________________ day of August, 2007
Title 17
ZONING

Chapters:
17.04 General Provisions
17.08 Use Districts Designated
17.12 Use Districts Maps and Boundaries
17.16 General Regulations
17.20 Low Residential District (R-L)
17.24 Recreation Mixed Use District (M-R)
17.26 Tourist Commercial District (C-T)
17.28 General Commercial District (C-G)
17.30 General Industrial District (I-G)
17.34 Public Facilities District (PF)
17.38 Planned Developments
17.40 District Use Chart
17.42 Off-Street Parking and Loading
17.44 Landscaping
17.46 Signs
17.50 Conditional Uses
17.54 Variances
17.58 Nonconforming Uses
17.68 Amendments
17.70 Administration and Enforcement
Chapter 17.04
GENERAL PROVISIONS

Sections:
17.04.010 Authority.
17.04.020 Purpose.
17.04.030 Applicability.
17.04.040 Interpretation – Conflicting provisions.
17.04.050 Relationship to other regulations.
17.04.060 Compliance.
17.04.070 Severability.
17.04.080 Definitions.

17.04.010 Authority.
This title is adopted pursuant to Chapters 35A.63 and 36.70A RCW which empower a city to enact a zoning ordinance and provide for its administration, enforcement and amendment.

17.04.020 Purpose.
The purpose of this title is to further the goals and policies of the comprehensive plan for the physical development of the city. The objectives of this title are to protect the public health, safety and welfare; encourage the orderly growth of the city; promote compatible uses of land; provide desired levels of population density and intensity of land use; facilitate adequate levels of community services and utilities; and to provide workable relationships between land uses, the transportation system, and the environment.

17.04.030 Applicability.
The provisions of this title shall apply to all lands, buildings, structures and uses classified under this title.

17.04.040 Interpretation – Conflicting provisions.
A. The provisions of this title shall be held to constitute the minimum requirements for the protection of the public health, safety and welfare of the citizens of the city. It is not the intent of this title to interfere with, abrogate or annul any private easement, covenant or other agreement between parties; provided, that where this title or other applicable codes or ordinances impose greater restriction upon the use of land or buildings, or requires a larger space than is imposed or required by said private codes, the provisions of this code shall control.
B. Except for RIMC Title 14, Development Permit Procedures and Administration, other RIMC chapter and section headings, captions, illustrations and references to other sections or titles are for reference or explanation only and shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning, or intent of any section. In case of any ambiguity, difference of meaning or implication between the text and any heading, caption or illustration, the text shall control. All applicable requirements shall govern a use whether or not they are cross-referenced in text section or land use table.
C. In the event a particular use is not referenced in a text section or land use table, the mayor or his/her designee shall, after considering all relevant factors of the use, determine which use it is most like and classify it accordingly.
17.04.050 Relationship to other regulations.
Other applicable federal, state, or local statutes, regulations, ordinances, and plans have a direct impact on the development of land in the city. The number and type may vary from time to time. Where provisions of other applicable federal, state or local statutes, regulations, ordinances and/or plans overlap or conflict with provisions of this title, the more restrictive provisions shall govern.

17.04.060 Compliance.
A. No building, structure or land use activity shall be established, enlarged, constructed, altered, moved or otherwise changed except in conformance with this title.
B. Creation of or changes to lot lines shall conform with the use provisions, dimensional and other standards, and procedures of this title and Chapter 58.17 RCW as now exist or as may be hereafter amended.
C. All land uses and development authorized by this title shall comply with all other regulations and/or requirements of this title as well as any other applicable local, state or federal law.
D. Where more than one part of this title applies to the same aspect of a proposed use or development, the more restrictive requirement shall apply.

17.04.070 Severability.
Shall any chapter, section, subsection, paragraph, sentence, clause or phrase of this title be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portion of this title.

17.04.080 Definitions.
Words, terms and phrases used in this title are defined in Chapter 14.98 RIMC, as now exists or as may be hereafter amended, and as supplemented herein.
Chapter 17.08
USE DISTRICTS DESIGNATED

Sections:
17.08.010 Zoning districts and map designations.
17.08.020 Zoning district and map designation purpose.

17.08.010 Zoning districts and map designations.
In order to accomplish the purposes of this title and Chapters 35A.63 and 36.70A RCW, the following zoning district designations and zoning map symbols are established:

<table>
<thead>
<tr>
<th>Abbreviation/Map Symbol</th>
<th>Zoning Designation</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-L</td>
<td>Low Residential</td>
</tr>
<tr>
<td>M-R</td>
<td>Recreation Mixed Use</td>
</tr>
<tr>
<td>C-T</td>
<td>Tourist Commercial</td>
</tr>
<tr>
<td>C-G</td>
<td>General Commercial</td>
</tr>
<tr>
<td>I-G</td>
<td>General Industrial</td>
</tr>
<tr>
<td>PF</td>
<td>Public Facilities</td>
</tr>
</tbody>
</table>

17.08.020 Zoning district and map designation purpose.
The purpose statements for each zoning district and map designation set forth in the respective chapters shall be used to guide the application of the districts and designations to all lands within the city of Rock Island. The purpose statements shall also guide interpretation and application of development regulations within the districts and designations, and any changes to the range of permitted uses within each district through amendments to this title.
Chapter 17.12
USE DISTRICTS MAPS
AND BOUNDARIES

Sections:
17.12.010 Districts established – Dating of map – Copy on file.
17.12.020 Interpretation of zoning maps.
17.12.030 District boundaries – Adjustment.
17.12.040 Areas not specifically shown.
17.12.050 Zoning of land upon annexation.

17.12.010 Districts established – Dating of map – Copy on file.
The location and boundaries of the districts designated in Chapter 17.08 RIMC are established as shown on the map entitled “Official Zoning Map of the City of Rock Island.” The official zoning map shall be dated with the effective date of the ordinance adopting this title, and signed by the mayor of the city of Rock Island and the city clerk. The signed copy of the zoning map shall be maintained on file with the clerk of the city of Rock Island and is made a part of this title.

17.12.020 Interpretation of zoning maps.
Where uncertainties exist as to the location of any district boundaries, the following rules of interpretation shall apply:
   A. Where boundaries are indicated as paralleling the approximate centerline of the road right-of-way, the zone shall extend to each adjacent boundary of the right-of-way centerline.
   B. Where boundaries are indicated as approximately following lot lines, the actual lot lines shall be considered the boundaries.
   C. Where boundaries or portions thereof are indicated as following municipal corporation lines, topography or natural boundary lines, lines of ordinary high water, or government meander line, the lines shall be considered to be the actual boundaries. If these lines shall change, the district boundaries shall change correspondingly.
   D. When a zoning district line purposely divides a land parcel, such parcel shall be subject to the procedures and requirements of the respective districts as applied.
   E. If none of the rules of interpretation described in subsections A through D of this section apply, then the zoning boundary shall be determined by map scaling.

17.12.030 District boundaries – Adjustment.
Where a district boundary divides a parcel of land under single ownership into two or more districts, the entire parcel shall be classified for the less restrictive use by the administrative adjustment of the boundaries by the mayor or his/her designee; provided, that the administrative adjustment is a distance of less than 20 feet. If the adjustment involves a distance greater than 20 feet, the procedures for a district reclassification shall be followed.

17.12.040 Areas not specifically shown.
All areas not specifically shown on a zoning map as part of a zoning district shall be deemed to be classified in the district most appropriate to the land use designation of the comprehensive plan.

17.12.050 Zoning of land upon annexation.
At the time of initiating any proposed annexation of property to the City, the City Council shall stipulate precisely the zoning classification or classifications of the area to be annexed. The zoning classification or classifications applied to the newly annexed area or areas shall be consistent with and as shown on the land use designations map in the Rock Island Comprehensive Plan.
Chapter 17.16
GENERAL REGULATIONS

Sections:
17.16.010 Purpose and intent.
17.16.020 Access.
17.16.030 Development standards.
17.16.040 Residential performance standards.
17.16.050 Storage standards.
17.16.060 Public transit.
17.16.070 Stormwater drainage.
17.16.080 Yard Sales

17.16.010 **Purpose and intent.**
The purpose of the general regulations is to provide a general, concise reference to requirements that are common to many different zoning districts, thereby providing a more efficient utilization of this title.

17.16.020 **Access.**
A. No building shall be erected or moved onto any lot, tract or parcel of land unless the lot, tract or parcel of land has reasonably efficient access for emergency vehicles and has been legally subdivided. Standards of development for access shall be as required by RIMC Title 19 Development Standards.
B. Lots created adjacent to public streets designated as arterials by the adopted comprehensive plan shall either be provided access from another adjoining public street (not designated an arterial) or by a joint access established through a private easement; provided, that the easement will be utilized by two or more properties and is not located within 150 feet of another joint access easement or public street or road intersection.

17.16.030 **Development standards.**
A. **Swimming Pools.** Swimming pools shall be enclosed by a solid or woven wire fence at least 42 inches high, with a locking entry gate, and must meet the minimum yard requirements of the applicable district.
B. **Fence.** In any use district, no fence shall exceed the following in height:
   1. Front yard: 48 inches maximum height from the ground level within 10 feet of the front property line, at which point it may be a maximum of six feet in height from the ground level. On corner lots, both sides adjacent to a street right-of-way shall be considered front yards. Fencing shall also comply with subsection D of this section, Clear View Triangle;
   2. Side yard: 48 inches maximum height from ground level within 10 feet of the front property line, at which point it may be a maximum of six feet in height from the ground level; and
   3. Rear yard: Six feet maximum height from the ground level.
C. **Building Height Exceptions.** The following types of structures or structural parts are not subject to the building height limitations of this title: aerials, belfries, chimneys, church spires, cupolas, domes, fire and hose towers, flagpoles, monuments, radio or television antennas, water towers, windmills and other similar projections.
D. **Clear View Triangle.** In any use district, a clear view triangle shall be maintained at all intersecting public and/or private streets and alleys to maintain unobstructed sight corridors for transportation safety.
   1. This area can be determined as follows:
a. At street intersections it shall be determined by measuring twenty-five (25) feet from the point of intersection of the two property lines, along the property lines adjacent to each street. The third side of the triangle shall be a line connecting the end points of the first two sides of the triangle.

b. At a driveway intersection with a street right-of-way it shall be determined by measuring fifteen (15) feet along the road right-of-way and fifteen (15) feet along the edges of the driveway, beginning at the respective points of the intersection. The third side of the triangle shall be a line connecting the end points of the first two sides of the triangle.

2. No sign, structure, fencing, associated landscaping or any other sight obstruction shall be placed within this triangle which exceeds the height of 42 inches from the street grade.

3. Trees within the clear view triangle shall have their branches removed at the trunk from ground level to a minimum height of eight feet above the ground. In cases in which the clear view triangle will not provide adequate sight distance, the city mayor or his/her designee shall determine the required area needed to reduce hazards to the traveling public.

E. Clearing and grading for development shall be topographically suited to such use without major earth movement that may result in unsafe or unsightly cut or fill slopes.

F. Utilities. All utilities shall be extended/provided to the subject property pursuant to the current design standards adopted by the city. Adequate provisions shall be made for sanitary sewer, domestic water for public use, irrigation water for landscape maintenance, and/or other health and safety related concerns as deemed necessary.

G. All development activity shall meet the minimum provisions for fire suppression pursuant to applicable fire codes.

H. New residential land divisions and all non-residential development shall meet the following minimum standards:
   1. Sidewalks. Perimeter curbs, gutters and sidewalks shall be installed along all public streets in conformance with the current design standards adopted by the city.
   2. Lighting. Parking lot lights, security lights, or any exterior lighting shall be directed towards the site and/or shall be shielded to keep light from directly projecting over property lines.
   3. Development shall not disseminate dust, smoke, fumes, or obnoxious odors nor degrade air quality standards in accordance with state regulations.
   4. No use shall exceed the maximum environmental noise level established by the applicable provisions of the RIMC or applicable state RCW or WAC provisions.
   5. Sidewalks. Perimeter curbs, gutters and sidewalks shall be installed along all public streets in conformance with the current design standards adopted by the city.

17.16.040 Residential performance standards.
All residential dwellings permitted in the city of Rock Island shall meet the following provisions. Manufactured home placement within manufactured home parks, in existence prior to adoption of the ordinance codified in this chapter, are excluded from these provisions:

A. Minimum Width. The minimum width of the main body of a residence on a site shall not be less than 24 feet, as measured across the narrowest portion of the dwelling;
B. Minimum ground floor area: 950 square feet;
C. Minimum roof pitch: three feet vertical distance for every 12 feet horizontal distance (3:12);
D. Foundation. A manufactured home shall have a foundation or skirting that is similar in appearance to foundations of housing built on-site;
E. Floor Level. The first finished floor level of a single story residence shall be 15 inches or less above the exterior grade of the lot. Manufactured homes shall be recessed (pit set) to achieve this;
F. Siding materials shall be wood, masonite, masonry, stucco or other comparable materials. Residential structures shall be completely enclosed between the bottom of the exterior walls and adjacent ground level; and,

G. As allowed in Section 17.40.020 District Use Chart, a designated manufactured home or a manufactured home located on an individual lot, parcel or tract of land shall be no more than 10 years past the date of manufacture at the time a permit is requested to place the home on said, lot, parcel or tract of land.

17.16.050 Storage standards.

A. General. All storage (including storage of recyclable materials) within all zoning districts shall be wholly within a building or shall be screened from view of the surrounding properties and shall be accessory to the permitted use on the site. There shall be no storage in any required front yard.
   1. Storage of scrap lumber, metals, glass and other material sold or offered for sale are prohibited unless authorized elsewhere in this title.
   2. No more than a total of five cars, trucks, boats and recreational vehicles, or a combination thereof, per dwelling may be located outside of an enclosed building on any lot in the R-L district.
   3. The storage of inoperable and/or not currently licensed vehicles must be within a six-foot, sight-obscuring fence, hedge, shrubs or maintained landscaped berm along side and rear property lines, or within a completely enclosed building with doors.

B. Recreational Vehicles. Off-street storage/parking shall be provided for all recreational vehicles, including boats, motor homes, travel trailers, or similar type RV uses. At not time shall any recreational vehicle be parked within the first ten (10) feet of any front property line. In order to avoid interference with safe, efficient traffic flow, to reduce hazards associated with vision impairment and to prevent encumbrances of street maintenance activities, including but not limited to repairs and snow removal, the parking and storage of recreational vehicles is prohibited on a public right-of-way.

17.16.060 Public transit.
Property owners and/or developers of proposed residential subdivisions, developments or other types of land uses which generate more than 500 average weekday vehicle trips as determined by the mayor or his/her designee shall negotiate with the public transit authority for provision of facilities that would enhance the area for public transit. Improvements may include bus shelters, pull outs, transit stops, and/or other necessary facilities to offset impacts to the transportation system. (Ord. 99-025 § 2).

17.16.070 Stormwater drainage.
All development within the city shall make provisions for stormwater runoff to be retained and disposed of on-site, or disposed of in a system designed for such runoff and which does not flood or damage adjacent properties. Systems designed for runoff retention and control shall be designed by a professional engineer, licensed in the state of Washington, using a Type 2 SCS model, as defined in “USDA Soil Conservation Service Manual TR-55,” as now exists or as may be hereafter amended, for a storm event equal to or exceeding two inches of rainfall in a 90-minute time period. Stormwater retention, collection and disposal systems shall be reviewed and approved by an engineer designated by the mayor.

17.16.080 Yard Sales.
Within the residential zoning districts, each residence can hold up to 3 yard sales each year, provided the following standards are followed:
   A. Only 1 yard sale is allowed for each calendar quarter;
B. The yard sale shall only last a total of 3 consecutive days, including the time used to set up;
C. No storage of yard sale items shall last beyond the 3 days; and
D. At the conclusion of each yard sale, all items shall be removed to an enclosed building, and shall not be left in view from the public streets and rights-of-way.
Chapter 17.20
LOW RESIDENTIAL DISTRICT (R-L)

Sections:
17.20.010 Purpose.
17.20.020 Permitted, Accessory, Conditional and Prohibited uses.
17.20.030 Standards.

17.20.010 Purpose.
The R-L district is intended to preserve residential neighborhoods, promote efficient use of land within such neighborhoods, protect the community water system and to encourage development of land areas in accordance with the comprehensive plan and any subsequent sub-area plans. (Ord. 99-025 § 2).

17.20.020 Permitted, Accessory, Conditional and Prohibited uses.
Permitted, Accessory, Conditional and Prohibited uses in this district shall be as identified in Chapter 17.40, District Use Chart, of this ordinance. Said uses shall be allowed, as indicated in the district use chart, only after the provisions of this chapter and all other applicable City of Rock Island rules and regulations are complied with.

17.20.030 Standards.
All development in this zone shall meet all of the applicable provisions and requirements of this title and the RIMC, including the following:

A. Maximum density: two dwelling units per acre, except as provided in RIMC Chapter 17.38; upon installation of a sanitary sewer system the density shall be 5 units per acre;
B. Minimum lot size, single-family or duplex dwelling: 20,000 square feet, except as provided in RIMC Chapter 17.38; upon installation of a sanitary sewer system the minimum shall be 8,500 square feet;
C. Minimum lot width: 60 feet;
D. Building height: 30 feet, which shall be measured from the average, existing, natural grade of the building perimeter to the ridge line of the roof;
E. Lot coverage: 35 percent; and
F. Yard Requirements.
   1. Front Yard.
      a. No building or structure shall be erected closer than 55 feet from the centerline of any public or private, street, road or highway, nor 25 feet from the front property line, whichever is greater. In residential subdivisions where sidewalks have been installed, the setback shall be 25 feet from the front property line. Corner lots shall be viewed as having two required front yards;
      b. Irregular shaped lots or lots located on a cul-de-sac shall maintain a front yard setback of 25 feet from the front property line or at the point the subject lot measures 60 feet in width, whichever is greater;
   2. Side Yard. No building or portion thereof shall be erected closer than five feet to any side property line;
   3. Rear Yard.
      a. No building or structure used for residential purposes shall be erected within 15 feet of any rear property line. Corner lots shall maintain one rear yard;
      b. Detached garages or other detached structures pertinent to any residence may be erected within five feet of any rear property line if said structure is a distance of 10 feet from any residential building and not more than 50 percent of the required rear yard is covered with structures;
4. Cornices, eaves, gutters, sunshades and other similar architectural features may project not more than two feet into a required yard. Chimneys are considered a part of the structure of the building and are not permitted to project into a required yard; and
5. No building or structure used as a residence shall be erected closer than 20 feet to a public or private alley. Accessory structures (i.e., carports, garage, etc.) may be erected within 10 feet from a public or private alley. (Ord. 99-025 § 2).

G. Livestock/poultry. The keeping of livestock and poultry is subject to the following provisions:
   1. The property ownership is a minimum of two acres in size;
   2. A minimum of one-quarter acre in maintained pasture is provided per hoofed animal. Pasture shall be defined as that area which is enclosed within a perimeter fence and shall not include that portion of the property used for residential purposes. Pasture areas shall be maintained with a permanent uniform top cover (vegetation) and shall not include noxious weeds;
   3. Twelve poultry per acre not to exceed a maximum of 36 per property ownership;
   4. The property shall be maintained in a clean, sanitary condition so as to be free from offensive odors, fly breeding, dust and general nuisances, and to be in compliance with the Chelan-Douglas health district regulations; and
   5. Adequate measures shall be taken for proper and regular disposal of animal wastes. Accumulation of animal waste shall be prohibited from being stored closer than 100 feet from any property line, domestic and/or irrigation well.

H. Accessory Buildings & Structures
   1. Attached garages shall accommodate no more than four vehicles;
   2. Detached accessory structures shall not exceed a cumulative total of 2,000 square feet of gross floor area.

I. Adult family homes shall provide proof of current Washington State adult family home license and shall obtain an annual City of Rock Island business license.

J. Family home day care providers shall provide proof of current Washington State license and shall obtain an annual City of Rock Island business license.
Chapter 17.24
RECREATION MIXED USE DISTRICT

17.24.010 Purpose.
17.24.030 Standards.

17.24.010 Purpose
The purpose of the M-R recreation mixed use district is to supply sufficient areas arranged in a concentrated form that allow a mix of recreational and residential land uses. This district will be designed and developed in a concentrated form with a combination and variety of recreational development as the primary uses, with additional low intensity commercial, residential and multifamily development. New development will be people-oriented and will provide for the needs, activities and interests of a variety of people. It is intended to provide areas suitable for recreational uses where it may also be desirable for multiple residences and summer homes, resorts, motels or other uses which accommodate tourists and vacationers. The district shall be applied and implemented consistent with the goals, policies and land use designations of the comprehensive plan.

Permitted, Accessory, Conditional and Prohibited uses in this district shall be as identified in Chapter 17.40, District Use Chart, of this ordinance. Said uses shall be allowed, as indicated in the district use chart, only after the provisions of this chapter and all other applicable City of Rock Island rules and regulations are complied with.

17.24.030 Standards.
All development in this zone shall meet all of the applicable provisions and requirements of this title and the RIMC, including the following:
A. Maximum density:
   1. Single family and duplex development: two dwelling units per acre, except as provided in RIMC Chapter 17.38; upon installation of a sanitary sewer system the density shall be 5 units per acre.
   2. Multi family development: two dwelling units per acre, except as provided in RIMC Chapter 17.38; upon installation of a sanitary sewer system the density shall be 10 units per acre;
B. Minimum lot size:
   1. Single-family or duplex dwelling: 20,000 square feet, except as provided in RIMC Chapter 17.38; upon installation of a sanitary sewer system the minimum shall be 8,500 square feet;
   2. Multi family development: 20,000 square feet, except as provided in RIMC Chapter 17.38; upon installation of a sanitary sewer system the minimum shall be 15,000 square feet for the first two units and 2,500 square feet per unit thereafter.
   3. Non-residential development: Sufficient size to accommodate the use(s) and minimum provisions in this title for such requirements relating to access, off-street parking, landscaping, storm drainage, minimum yards, etc.
C. Minimum lot width:
   1. Residential development: 60 feet.
   2. Non-residential development: Sufficient size to accommodate the use(s) and minimum provisions in this title for such requirements relating to access, off-street parking, landscaping, storm drainage, minimum yards, etc.
D. Maximum building height: 30 feet, which shall be measured from the average, existing, natural grade of the building perimeter to the ridge line of the roof.
E. Maximum Lot coverage: 50 percent.
F. Yard Requirements.
1. Residential development shall comply with the minimum yard and setback requirements set forth in RIMC Section 17.20.030;

2. Non-residential development shall comply with the minimum yard and setback requirements set forth in RIMC Section 17.26.030.

G. Parking and Loading Standards. All parking and loading areas shall meet the requirements set forth in Chapter 17.42 RIMC.

H. Sign Standards. All signs shall meet the requirements set forth in Chapter 17.46 RIMC.

I. Landscaping Standards. Landscaping shall meet the requirements set forth in Chapter 17.44 RIMC.

J. Refuse Storage. All outdoor trash, garbage and refuse storage areas shall be screened on all sides from public view and at a minimum, be enclosed with a five and one-half foot high wood, concrete or masonry wall, or sight obscuring fence and landscaping on all sides.

K. Display/Exhibits. The display of products or outdoor exhibits for public view or show is permitted, provided that products for sale or rent may be stored or displayed outdoors only during business hours and that such products are not located within any right-of-way, pedestrian walkway or parking areas.

L. Utilities. All utilities shall be extended/provided to the subject property pursuant to the current design standards adopted by the city. Adequate provisions shall be made for sanitary sewer, domestic water for public use, irrigation water for landscape maintenance, and/or other health and safety related concerns as deemed necessary.

M. All development activity shall meet the minimum provisions for fire suppression pursuant to applicable fire codes.

N. New residential land divisions and all non-residential development shall meet the following minimum standards:

1. Open Space. At least 20 percent of a development site shall be kept free of buildings, structures, hard surfacing, parking areas and other impervious surfaces.

2. Lighting. Parking lot lights, security lights, or any exterior lighting shall be directed towards the site and/or shall be shielded to keep light from directly projecting over property lines.

3. Where a particular development site is located adjacent to a residential district, buffering shall be required in a form adequate to provide site screening, noise attenuation, safety separation and reduction of light and glare. Acceptable methods of buffering include undulated berms, plantings, sight-obscuring fencing, security fencing or any combination thereof. At least two buffering methods shall be used to off-set impacts to surrounding properties.
Chapter 17.26
TOURIST COMMERCIAL DISTRICT (C-T)

Sections:
17.26.010 Purpose.
17.26.030 Standards.

17.26.010 Purpose.
The purpose of the tourist commercial district is to supply sufficient areas arranged in a concentrated form that allow recreational land use activities that serve the traveling public and surrounding community. It is also the intent of this district to promote and support the development of commercial activities that are oriented to the recreational and open space opportunities of Rock Island, particularly those associated with the lake system.

The district shall be applied and implemented consistent with the goals, policies and land use designations of the Rock Island comprehensive plan. The district shall be located near major transportation corridors in such a fashion as to provide safe and convenient access without promoting strip development. (Ord. 01-062 § 2).

Permitted, Accessory, Conditional and Prohibited uses in this district shall be as identified in Chapter 17.40, District Use Chart, of this ordinance. Said uses shall be allowed, as indicated in the district use chart, only after the provisions of this chapter and all other applicable City of Rock Island rules and regulations are complies with.

17.26.030 Standards.
All development in this zone shall meet all of the applicable provisions and requirements of this title and the RIMC, including the following:

A. Minimum lot size: sufficient size to accommodate the use(s) and minimum provisions in this title for such requirements relating to access, off-street parking, landscaping, storm drainage, minimum yards, etc.
B. Minimum lot width: Sufficient size to accommodate the use(s) and minimum provisions in this title for such requirements relating to access, off-street parking, landscaping, storm drainage, minimum yards, etc, except that corner lots shall be a minimum of 150 feet of contiguous frontage, with no less than 70 feet of frontage on any one right-of-way.
C. Maximum building coverage: 50 percent.
D. Maximum building height: 40 feet.
E. Yard Requirements.
   1. Front yard: 40 feet from the centerline of any public street right-of-way or 10 feet from the property line, whichever is greater.
   2. Side/rear yard setback: 10 feet from any side or rear property line, except buildings may be adjoined with a common wall if both property owners agree and the types of uses and structures proposed are identified as such within the building permit application(s).
   3. Setback from State Highway. No building or structure shall be erected closer than 50 feet from the state highway right-of-way. This may be reduced to 25 feet provided the minimum landscaping required is increased by 50 percent.
   4. No off-street parking spaces shall be located closer than five feet to any property line.
F. Parking and Loading Standards. All parking and loading areas shall meet the requirements set forth in Chapter 17.42 RIMC.
G. Sign Standards. All signs shall meet the requirements set forth in Chapter 17.46 RIMC.
H. Landscaping Standards. Landscaping shall meet the requirements set forth in Chapter 17.44 RIMC.
I. Refuse Storage. All outdoor trash, garbage and refuse storage areas shall be screened on all sides from public view and, at a minimum, be enclosed on three sides with a five-and-one-half-foot high concrete block or masonry wall, or sight-obscuring fence with a sight-obscuring gate for access.
J. Display/Exhibits. The display of products or outdoor exhibits for public view or show is permitted, provided that products for sale or rent may be stored or displayed outdoors only during business hours and that such products are not located within any right-of-way, pedestrian walkway or parking areas.
K. Open Space. At least 20 percent of a development site shall be kept free of buildings, structures, hard surfacing, parking areas and other impervious surfaces.
L. Lighting. Parking lot lights, security lights, or any exterior lighting shall be directed towards the site and/or shall be shielded to keep light from directly projecting over property lines.
M. Where a particular development site is located adjacent to a residential district, buffering shall be required in a form adequate to provide site screening, noise attenuation, safety separation and reduction of light and glare. Acceptable methods of buffering include undulated berms, plantings, sight-obscuring fencing, security fencing or any combination thereof. At least two buffering methods shall be used to off-set impacts to surrounding properties.
N. Provisions shall be made to limit access to the site to a maximum of two points, unless additional access points are deemed necessary in order to protect the public health, safety and welfare.
Chapter 17.28
GENERAL COMMERCIAL DISTRICT (C-G)

Sections:
17.28.010 Purpose.
17.28.020 Permitted, accessory, conditional and prohibited uses.
17.28.030 Standards.

17.28.010 Purpose.
The purpose of the general commercial district is to encourage the development of commercial facilities in well-defined and integrated centers. This district is designed to implement the general commercial element of the comprehensive plan.

17.28.020 Permitted, Accessory, Conditional and Prohibited uses.
Permitted, Accessory, Conditional and Prohibited uses in this district shall be as identified in Chapter 17.40, District Use Chart, of this ordinance. Said uses shall be allowed, as indicated in the district use chart, only after the provisions of this chapter and all other applicable City of Rock Island rules and regulations are complied with.

17.28.030 Standards.
All development in this zone shall meet all of the applicable provisions and requirements of this title and the RIMC, including the following:
A. Minimum lot size: Sufficient size to accommodate the use(s) and minimum provisions in this title for such requirements relating to access, off-street parking, landscaping, storm drainage, minimum yards, etc.
B. Minimum lot width: Sufficient size to accommodate the use(s) and minimum provisions in this title for such requirements relating to access, off-street parking, landscaping, storm drainage, minimum yards, etc, except that corner lots shall be a minimum of 150 feet of contiguous frontage, with no less than 70 feet of frontage on any one right-of-way.
C. Maximum building coverage: 60 percent.
D. Maximum building height: 50 feet.
E. Yard Requirements.
   1. Front yard: 40 feet from the centerline of any public street right-of-way or 10 feet from the property line, whichever is greater.
   2. Side/rear yard setback: 10 feet from any rear property line nor 5 feet from any side property line, except buildings may be adjoined with a common wall if the type of use and structure proposed are identified as such within the building permit application.
   3. Setback from State Highway. No building or structure shall be erected closer than 50 feet from the state highway right-of-way. This may be reduced to 25 feet provided the minimum landscaping required is increased by 50 percent.
   4. No off-street parking spaces shall be located closer than five feet to any property line.
F. Parking and Loading Standards. All parking and loading areas shall meet the requirements set forth in Chapter 17.42 RIMC.
G. Sign Standards. All signs shall meet the requirements set forth in Chapter 17.46 RIMC.
H. Landscaping Standards. Landscaping shall meet the requirements set forth in Chapter 17.44 RIMC.
I. Refuse Storage. All outdoor trash, garbage and refuse storage areas shall be screened on all sides from public view and, at a minimum, be enclosed on three sides with a five-and-one-half-foot high concrete block or masonry wall, or sight-obscuring fence with a sight-obscuring gate for access.
J. Display/Exhibits. The display of products or outdoor exhibits for public view or show is permitted, provided that products for sale or rent may be stored or displayed outdoors only during business hours and that such products are not located within any right-of-way, pedestrian walkway or parking areas.

K. Lighting. Parking lot lights, security lights, or any exterior lighting shall be directed towards the site and/or shall be shielded to keep light from directly projecting over property lines.

L. Where a particular development site is located adjacent to a residential district, buffering shall be required in a form adequate to provide site screening, noise attenuation, safety separation and reduction of light and glare. Acceptable methods of buffering include undulated berms, plantings, sight-obscuring fencing, security fencing or any combination thereof. At least two buffering methods shall be used to off-set impacts to surrounding properties.

M. Provisions shall be made to limit access to the site to a maximum of two points, unless additional access points are deemed necessary in order to protect the public health, safety and welfare.
Chapter 17.30
GENERAL INDUSTRIAL DISTRICT (I-G)

Sections:
17.30.010 Purpose.
17.30.020 Permitted, Accessory, Conditional and Prohibited Uses
17.30.030 Standards.

17.30.010 Purpose.
The purpose of the general industrial district is to supply sufficient area organized in a concentrated form for activities which promote a broad range of industrial uses, and subordinate commercial uses. The district shall be located and implemented consistent with the goals, policies, and criteria of the comprehensive plan. Development and operation standards are intended to provide compatibility with and protection to surrounding properties by minimizing traffic congestion, noise, glare, vibration, odors, airborne particulate and toxic substances.

Permitted, Accessory, Conditional and Prohibited uses in this district shall be as identified in Chapter 17.40, District Use Chart, of this ordinance. Said uses shall be allowed, as indicated in the district use chart, only after the provisions of this chapter and all other applicable City of Rock Island rules and regulations are complies with.

17.30.030 Standards.
All development in this zone shall meet the provisions and requirements of this title and the RIMC, including the following:
A. Minimum lot size: Sufficient size to accommodate the use(s), but in no event less than 20,000 square feet, and provided it meets the minimum provisions of this chapter.
B. Minimum lot width: 100 feet of continuous frontage along a private/public street or road providing primary access.
C. Maximum building coverage: 60 percent.
D. Maximum building height: 50 feet.
E. Minimum Yard. The minimum yards and setbacks for permitted, accessory and conditional uses in the I-G general industrial district shall be:
   1. Front Yard. 40 feet from centerline of any public street right-of-way or 10 feet from property line whichever is greater.
   2. Side and Rear Yard. No building or structure shall be erected closer than 10 feet from any rear property line, nor 5 feet from any side property line, except when the property abuts another zoning district; then the rear and/or side yard setback shall be increased to 30 feet.
   3. Flanking Street Yard. A 10-foot setback shall be maintained from the edge of any private roadway or access easement for all buildings and structures.
   4. Off-Street Parking. No off-street parking spaces shall be located closer than five feet from any property line.
   5. Setback from State Highway. No building or structure shall be erected closer than 50 feet from the state highway right-of-way. This may be reduced to 25 feet provided the minimum landscaping required is increased by 50 percent.
F. Parking and Loading Standards. All parking and loading areas shall meet the requirements set forth in Chapter 17.42 RIMC.
G. Signage Standards. All signage shall meet the requirements set forth in Chapter 17.46 RIMC.
H. Landscaping Standards. Landscaping shall meet the requirements set forth in Chapter 17.44 RIMC.
I. Lighting. Parking lot lights, security lights, or any exterior lighting shall be designed to project toward the property or shall be shielded to keep light from directly projecting over property lines.

J. Fences. Fences located within the general industrial district shall not exceed a height of eight feet, unless otherwise provided by federal, state law or this code, and may be located on the front property line pursuant to RIMC 17.16.030(D), Clear View Triangle.

K. Storage Standards. Storage of all raw materials, machinery and equipment located in the I-G general industrial district shall be screened on all sides from public view by landscaping and sight-obscuring fencing.

L. Refuse Storage. All outdoor trash, garbage and refuse storage areas shall be screened on all sides from public view.

M. Where a particular development site is located adjacent to a residential district, buffering shall be required in a form adequate to provide site screening, noise attenuation, safety separation and reduction of light and glare. Acceptable methods of buffering include undulated berms, plantings, sight-obscuring fencing, security fencing or any combination thereof. At least two buffering methods shall be used to off-set impacts to surrounding properties.

N. All industrial development shall have access to a public road with right-of-way no less than 60 feet in width. Ingress and egress to lots, parcels or tracts shall be located a minimum of 150 feet from the centerline of all public road intersections. A maximum of two ingress-egress points may be permitted for each industrial parcel.

O. The traffic generated by the proposed building, land use or occupancy permit will be mitigated so as not to unduly burden the traffic circulation system in the vicinity. A traffic analysis may be required for all proposed development, as determined by an engineer designated by the mayor ("city engineer.")

1. The traffic analysis should include, but is not limited to, traffic generated by the proposal, turning movements, distribution patterns and mitigation measures, as required by the city engineer.

2. The traffic analysis shall be conducted by a licensed transportation engineer approved by the mayor of Rock Island; and submitted in a form and approved by the city engineer.

3. All improvements and mitigation measures required shall be completed to the city engineer’s specifications prior to final approval of the proposed development; or financial assurance in an amount and form acceptable to the city engineer and city attorney and subject to the requirements of Chapter 14.90 RIMC, shall be posted.
Chapter 17.34
PUBLIC FACILITIES DISTRICT (PF)

Sections:
17.34.010 Purpose.
17.34.020 Permitted, Accessory, Conditional and Prohibited uses.
17.34.030 Standards.

17.34.010 Purpose.
The purpose of the public facilities district (PF) is to preserve areas for public facilities owned by governmental agencies where such facilities are used by the general public and/or serve the needs of the community. The PF district is intended to be applied to lands owned by the city and other governmental entities for such uses as municipal buildings, public parks and recreation facilities, and similar uses.

17.34.020 Permitted, accessory, conditional and prohibited uses.
Permitted, Accessory, Conditional and Prohibited uses in this district shall be as identified in Chapter 17.40, District Use Chart, of this ordinance. Said uses shall be allowed, as indicated in the district use chart, only after the provisions of this chapter and all other applicable City of Rock Island rules and regulations are complied with.

17.34.030 Standards.
All development in this zone shall meet all of the applicable provisions and requirements of this title and the RIMC, including the following:

A. Minimum lot size: Sufficient size to accommodate the use(s) and minimum provisions in this title for such requirements relating to access, off-street parking, landscaping, storm drainage, minimum yards, etc.
B. Minimum lot width: 60 feet. Corner lots shall be a minimum of 150 feet of contiguous frontage, with no less than 70 feet of frontage on any one right-of-way.
C. Maximum building coverage: 60 percent.
D. Maximum building height: 40 feet.
E. Yard Requirements.
   1. Front yard: 55 feet from the centerline of any public street right-of-way or 25 feet from the property line, whichever is greater.
   2. Side and Rear Yard. No building or structure shall be erected closer than 10 feet from any rear property line, nor 5 feet from any side property line, except when the property abuts another zoning district; then the rear and/or side yard setback shall be increased to 30 feet.
   3. Setback from State Highway. No building or structure shall be erected closer than 50 feet from the state highway right-of-way. This may be reduced to 25 feet provided the minimum landscaping required is increased by 50 percent.
   4. No off-street parking spaces shall be located closer than five feet to any property line.
F. Parking and Loading Standards. All parking and loading areas shall meet the requirements set forth in Chapter 17.42 RIMC.
G. Sign Standards. All signs shall meet the requirements set forth in Chapter 17.46 RIMC.
H. Landscaping Standards. Landscaping shall meet the requirements set forth in Chapter 17.44 RIMC.
I. Refuse Storage. All outdoor trash, garbage and refuse storage areas shall be screened on all sides from public view and, at a minimum, be enclosed on three sides with a five- and-one-half-foot high concrete block or masonry wall, or sight-obscuring fence with a sight-obscuring gate for access.
J. Where a particular development site is located adjacent to a residential district, buffering shall be required in a form adequate to provide site screening, noise attenuation, safety separation and reduction of light and glare. Acceptable methods of buffering include undulated berms, plantings, sight-obscuring fencing, security fencing or any combination thereof. At least two buffering methods shall be used to off-set impacts to surrounding properties.
Chapter 17.38
PLANNED DEVELOPMENT

Sections:

17.38.010 Purpose and description
17.38.015 Where permitted – permitted uses.
17.38.020 Protection of critical areas – provision of on-site recreation.
17.38.025 Dedicated lands.
17.38.035 Density credits.
17.38.040 Binding site plan.
17.38.050 Project description.
17.38.060 Association documents.
17.38.070 Phased developments.
17.38.080 Required certificates and approval.
17.38.090 Recording required.
17.38.095 Minor Adjustments and Amendments
17.38.100 Expiration.
17.38.110 On-site recreation and/or open space design requirements.
17.38.120 Minimum development standards.

17.38.010 Purpose and description

The purpose of a planned development (PD) is to allow a more flexible use of land by encouraging the careful application of design components to achieve the creation of innovative developments and a more efficient utilization of public facilities in exchange for public benefits that achieve comprehensive plan goals. The PD can also be used to protect wetlands, floodways, and other critical areas from development. A PD is one that: permits diversity in the location and type of structures; promotes the efficient use of land by facilitating a more economical arrangement of buildings, streets, utilities, and land use; preserves as much as possible critical areas and natural landscape features; reduces development impacts to adjacent neighborhoods through design and mitigation.

Designation of a property as a PD binds the property owners and their successors to the development described and depicted in the application, binding site plan and approval of the PD, and applicable development standards of this chapter. The PD designation confirms the PD is consistent with the purpose of and provisions for planned developments, and the comprehensive plan and provides the standards by which subsequent development permits, including building permits, shall be reviewed. All provisions, conditions and requirements of the binding site plan shall be legally enforceable on the purchaser or any other person acquiring a lease or other ownership interest of any lot, parcel or tract recreated pursuant to the binding site plan that depicts the PD.

A PD shall be reviewed according to the provisions for a “quasi-judicial review of applications” process as described in the RIMC Title 14 Development Permit Procedures and Administration, except as otherwise provided for in this chapter.

There are established by this chapter two types of planned developments, as identified below. Unless otherwise specifically stated, all provisions of this chapter shall apply to both types of planned developments.
A. **Residential Planned Development (RPD):** This is a PD devoted solely to full-time residential uses. It is intended to promote more economical and efficient use of the land, while providing a harmonious variety of housing choices within a single residential project.

B. **Mixed Use Planned Development (MUPD):** This is a PD that is intended to provide for a variety of different residential, recreational and tourist/resort-related land uses within a single development area. It is intended to promote the mix of these uses in an integrated, coordinated and comprehensively designed development project that offers a high level of urban amenities and preserves the natural and scenic qualities of open spaces and critical areas.

17.38.015 Where permitted – permitted uses.

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.

A. An RPD may be permitted within the R-L low residential zoning district located within the Rock Island urban growth area, provided it is consistent with the comprehensive plan and the minimum project size is at least one acre.

B. An RPD may include the following uses, which uses shall be specifically identified and approved in the development permit application review and approval process:

1. A combination of residential dwellings such as single family attached, single family detached, modular homes, duplexes, townhouses, and other similar dwellings in accordance with this chapter and the Rock Island Zoning Code;

2. Manufactured homes are also allowed to be part of an RPD, however the placement of manufactured homes shall be specifically included and approved as part of the initial development permit application;

3. Accessory uses specifically designed to meet the needs of the residents of the RPD such as garages, carports, personal and recreational vehicle storage, and other similar noncommercial uses;

4. Developed recreational facilities for the residents of the RPD, such as clubhouses, tennis or racquetball courts, ball fields, trails, sports fields, spa facilities, horse arenas and riding academies, parks, undeveloped recreational areas, open space areas and other similar type uses; and

5. Shared boat docks, launch facilities, and marinas for the residents of the RPD compatible with the purposes of this chapter and the City of Rock Island shoreline master program.

C. An MUPD may only be permitted in the M-R recreation mixed use district, provided it is consistent with the comprehensive plan and provided the following minimum project size is met:

1. An MUPD that includes a mix of full-time residential units shall be at least two acres in size;

2. An MUPD that incorporates only recreational, resort-related facilities and/or commercial uses (no full-time residential uses) shall be one acre. The specific uses proposed for an MUPD shall be specifically identified and approved in the development permit application review and approval process.

D. An MUPD may include the following uses, which uses shall be specifically identified and approved in the development permit application review and approval process:

1. A combination of residential dwellings such as single family attached, single family detached, modular homes, duplexes, townhouses, full-time and time-share condominiums and other similar dwellings in accordance with this chapter and the Rock Island Zoning Code;
2. Accessory uses specifically designed to meet the needs of the residents of the MUPD such as garages, carports, personal and recreational vehicle storage, and other similar noncommercial uses;
3. Developed recreational facilities, such as clubhouses, tennis or racquetball courts, ball fields, trails, sports fields, spa facilities, horse arenas and riding academies, parks, undeveloped recreational areas, open space areas and other similar type uses;
4. Shared boat docks, launch facilities, and marinas compatible with the purposes of this chapter and the City of Rock Island shoreline master program;
5. Hotels, motels, guest ranches, and other similar resort facilities with a primary focus on visitor accommodations and recreational opportunities that capitalize on the area’s natural environment and amenities; and
6. Accessory uses specifically designed to meet the needs of the users of the MUPD such as resort-related retail sales, micro-breweries, wineries, restaurants and drinking establishments within multi-use buildings, personal services, game, card and arcade rooms, exercise facilities, etc.

17.38.020 Protection of critical areas – provision of on-site recreation.
The following standards apply to both an RPD and an MUPD:
A. Where critical areas exist on a site subject to a PD, the benefits derived from the PD, including without limitation decreased lot sizes and increased densities as provided for in this chapter, shall be achieved in exchange for a dedicated protection of another portion of the property containing critical areas; provided that:
   1. The critical areas to be protected are dedicated in perpetuity, and all future rights for development are traded in exchange for the rights to derive benefits from the PD process; and
   2. Land protected by trading development density shall be protected from encroachment and maintained free of fill material, building and construction wastes, yard wastes and other debris that would diminish the property characteristics that the dedication was intended to protect. Any use of the critical areas on-site shall be governed by the Rock Island Critical Areas Code;
   3. Where critical areas within the development account for less than 25% of the overall area of the development, additional on-site recreation and open space areas, as provided for in this chapter and in the applicable zoning code provisions, shall be provided in addition to retention of critical areas in an amount that achieves a total area in critical areas/open space/on-site recreation use of at least 25%.
B. Where no critical areas exist on a site subject to a PD, the benefits derived from the PD, including without limitation decreased lot sizes and increased densities as provided for in this chapter, shall be achieved in part, in exchange for a dedication of another portion of the property as on-site recreation and/or open space areas, consistent with the provisions of this chapter and other applicable sections of the zoning code, that total at least 25% of the overall development; provided that:
   1. The on-site recreation may include a combination of natural areas, parks, landscaped areas, trails, and/or visual corridors, provided that a minimum of ten thousand square feet or sixty percent of the on-site recreation, whichever is greater, is contiguous useable space;
   2. The on-site recreation area/areas are dedicated in perpetuity, and all future rights for development are traded in exchange for the rights to derive benefits from the PD process.

17.38.025 Dedicated lands.
All lands dedicated for the preservation of critical areas, creation of open space or establishment of recreation facilities shall be protected in perpetuity by recorded covenants, approved by the City, which
restrict uses to only those specified in the approved Planned Development site plan and provide for the maintenance of the open space in a manner which assures its continuing use for the intended purpose. Dedicated open space may be held in common interest by all of the property owners within the planned development, a public or private entity empowered to manage and maintain the open space, or by other appropriate legal measures that ensure the continuation of the open space/recreation areas. Perpetual restrictions shall be placed upon the title to all dedicated areas and on the face of the binding site plan indicating that:

A. All land uses and development shall be limited to the stated purpose of the dedicated property.
B. If the open space/recreation areas are held in common interest by all of the property owners within the planned development, then all property owners within the planned development shall be mutually responsible for the maintenance and preservation of the dedicated lands.
C. That dedicated lands shall be maintained free of any liens or encumbrances that could interfere with the stated purpose of the dedication.

17.38.035 Density credits.
The following standards apply to both an RPD and an MUPD:
A. The maximum number of dwelling units permitted per acre for a PD shall be determined by utilizing the maximum density levels established by the comprehensive plan and zoning regulations, and the amount of public benefit or design elements provided within the proposed development. In all districts, exceeding the maximum density permitted with the district requires the connection to a domestic water and sanitary sewer system.

B. In no case shall the overall density of the PD exceed the following:
1. 8 units/acre in the R-L zone;
2. 15 units/acre in the M-R zone;
3. Where allowed by the particular zoning district, the density of a manufactured home park shall not exceed six units per acre.

C. Additional density shall be achieved by incorporating at least 11 of the following 20 items into the design and construction of the PD:
1. The applicant shall use a design/development team that at a minimum consists of a licensed architect, engineer, surveyor, landscape architect, and licensed building contractor throughout the design and construction phases of the project.
2. On-site stormwater drainage retention facilities are integrated as usable recreation areas with a slope ratio not exceeding 4 units horizontal to 1 unit vertical.
3. Where a PD is proposed along an existing transit route, transit stops and the construction of shelters, pull-outs and other associated transit systems shall be integrated into the project.
4. Trees shall be planted adjacent and along the entire frontage of public and/or private street rights-of-way on the property being developed. Planting areas shall be a minimum of five feet in width and consist of a minimum of 60% deciduous trees at least four feet high at the time of planting on no greater than fifty foot centers. Suitable groundcover including grasses and/or low growing shrubs to complement the trees shall also be provided.
5. At least two covered parking spaces shall be provided for all residential dwelling units. Covered parking shall be in the form of carports, garages, or above/below ground parking garages.
6. Where a proposed PD consists of more than 10 units, parking areas that are kept small (ten to twenty spaces) in any group and interspersed with landscaping, recreation features, structures, or other similar uses when applicable.
7. Provisions shall be made for bicycle, pedestrian and/or natural trail systems, the majority of which are physically and functionally separated from motor vehicle traffic by a distance of ten feet or more. Separation may include such features as landscaping, undulated berms,
natural features, topography, open space, or other similar features. Trail systems shall encompass the entire development and may be incorporated as part of the on-site recreation required. The trail system components shall connect all public open space, drainage ways, shoreline areas and other trail systems designated in the comprehensive plan. Trail system components shall be a minimum of eight feet wide and improved with an all-weather surface suitable for the type of trail proposed.

8. Natural drainage ways shall be incorporated into the overall PD design and left undisturbed or enhanced with native ornamental landscaping when applicable.

9. Significant existing natural features shall be maintained on the site, including without limitation, topography, significant tree stands, or particularly noteworthy trees, view points or other important natural features found on-site.

10. The PD project shall contain a facility for a child day care center, pursuant to applicable provisions of the Rock Island Zoning Code. The daycare facility shall be of sufficient size to serve the projected demand for such services generated by the project.

11. Significant recreational areas shall be developed and equipped with such features as swimming pools, tennis courts, commercial grade playground equipment, community center or other significant features.

12. At least twenty-five percent of the site shall incorporate duplex, multifamily or zero-lot-line dwelling units.

13. Where a proposed PD incorporates the development of duplexes, multifamily units and zero-lot-line lots, disperse their locations throughout the PD.

14. Solar design and access considerations shall be incorporated into the design of the development and proposed buildings. This may include using topographical features of the development, siting criteria for structures, or specific structure design requirements for solar use.

15. Accessory features such as benches, trash cans, tables and other similar attributes to enhance the character of the open space or other features shall be provided in the development. This shall not include primary garbage disposal areas. Trash cans shall be forty-two inches high with a total radius of two feet or less. The accessory features shall be consistent to the overall design of the development.

16. An area shall be designated and developed with each PD phase for the storage of personal property and/or recreation vehicle storage. Storage areas shall be sized and designed for the sole use by the residents within the development. Common features shall include perimeter landscaping to screen them from view, accessibility to all residents, minimal lighting, and similar architectural features as the proposed residential structures. Signs for advertising purposes are prohibited.

17. Pedestrian access, open space and recreation amenities shall be provided and incorporated into the PD, when the PD adjoins cultural/historical sites or water bodies such as ponds, creeks, rivers or lakes, when applicable.

18. Landscape decks/garden porches shall be incorporated into the design of all duplexes and multifamily units.

19. The PD shall be a secured, gated community.

20. The PD shall incorporate some other unique site and/or design features not listed above that distinguish it from a typical subdivision. The Hearing Examiner shall determine the applicability and appropriateness of this provision during the review process for each PD.

17.38.040 Binding site plan.
A binding site plan is required for all PDs and shall include the following:
A. All information required on a preliminary plat;
B. The location of all existing and proposed structures;
C. A detailed landscape plan indicating the location of existing vegetation to be retained, location of vegetation landscaping structures to be installed, the type of vegetation by common name and/or taxonomic designation, the installed and mature height of all vegetation;

D. Schematic plans and elevations of proposed building(s) with samples of all exterior finish material and colors, the type and location of all exterior lighting, signs and accessory structures;

E. Utility, street and storm water drainage plans that indicate the facilities, lay-out and capacities necessary to serve the entire PD;

F. Inscriptions or attachments setting forth the limitations and conditions of development; and

G. The provisions ensuring the development will be in conformance with the site plan.

17.38.050 Project description.
A detailed written explanation of the design concept, planned features of the development, measures taken to meet the purposes of the PD, the proposed sequence and timing of development, the provisions of ownership and management when developed, and covenants or other controls which might influence the development, operation or maintenance of the PD shall be submitted with the binding site plan.

17.38.060 Association documents.
An outline of the documents of the owners association, by-laws, deeds, covenants and agreements governing ownership, maintenance and operation of the PD shall be submitted with the binding site plan if applicable to the development. PD covenants shall include a provision whereby unpaid taxes on all property owned in common shall constitute a proportioned lien on all property of each owner in common. The city may require that it be a third party beneficiary of certain covenants with the right but not obligation to enforce the same.

17.38.070 Phased developments.
If a PD is planned to be completed in more than two years from the date of site plan approval, the PD will be divided into phases or divisions of development, numbered sequentially in the order construction is to occur. The binding site plan for each phase shall be approved separately through a “Type II application” process pursuant to the Entiat Permit Review Procedures, Title 14, and shall be consistent with all provisions of the PD.

17.38.080 Required certificates and approval.
Recording a binding site plan shall include all of the certificates required for a final plat.

17.38.090 Recording required.
A binding site plan of a PD and accompanying documents, together with covenants running with the land, binding the site to development in accordance with all the terms and conditions of approval, shall be recorded by the Douglas County auditor.

17.38.095 Minor Adjustments and Amendments
A. Minor adjustments to an approved PD shall be reviewed according to the provisions for a “limited administrative review of applications” process as provided for in RIMC Title 14, Development Permit Procedures and Administration. “Minor adjustments” are characterized by those which may affect the precise dimensions, siting of buildings or lot lines, but which do not: affect the type, character and/or architectural style of buildings, increase the total amount of building floor area; increase the number of dwelling units, decrease or substantially change the location of required buffers; decrease the amount of required parking; decrease on-site recreation or open space areas and/or increase the number of points of ingress and egress to the site.
B. Modifications that exceed the conditions of a PD approval, are inconsistent with the intent of the approved PD, and/or are not “minor adjustments”, as determined by the City, shall be considered a request for a major revision to the PD and shall be reviewed and approved in accordance with the procedures of this chapter as a new application. The new application shall be reviewed according to the applicable regulations in effect at the time of new application.

17.38.100 Expiration.
A binding site plan for a PD expires unless final approval is obtained from the city and recorded by the Douglas County auditor within two years from the date of approval. For a PD that includes phases as permitted by this chapter, the PD shall expire unless final approval is obtained for the first phase from the city, with subsequent phases falling within the identified phasing schedule, and recorded by the Douglas County auditor within two years from the date of approval. Minor revisions to the phasing schedule of a PD that has not expired pursuant to this section may be granted by the city provided the schedule is consistent with the overall timeframe anticipated for build-out of the PD. An applicant who files a written request with the city within 30 days before the expiration date shall be granted a one year extension upon a showing of a good faith effort to file the site plan.

17.38.110 On-site recreation and/or open space design requirements.
The following are minimum design requirements for PDs that incorporate on-site recreation and/or open space:

A. The following areas shall not be calculated in whole or in part as a portion of the required on-site recreation or open space:
   1. Public and/or private streets, parking lots and storm drainage, except as specifically enumerated within this chapter;
   2. Slopes in excess of forty-five percent, geologically hazardous areas, water bodies, and/or submerged or marshy/boggy land, except that these areas may be used to satisfy a maximum of 50% of the open space requirements.

B. The location, shape, size and character of the open space shall be configured appropriate to the scale and character of the planned density, expected population, and topography of the area. On-site recreation areas shall be centrally located in the development and designed for active and passive recreation unless otherwise approved by the hearing examiner.

C. A minimum of sixty percent of the on-site recreation or open space shall be concentrated and/or connected into large usable areas. The remaining forty percent may be designated as buffers, entry features, recreation facilities, streetscape, and/or used for a natural trail system or other uses approved by the hearing examiner.

D. On-site recreation areas or open space may contain such complimentary structures and improvements as are necessary and appropriate for the benefit and enjoyment of residents of the PD, provided that the building coverage of such buildings or structures shall not exceed fifty percent of the minimum on-site recreation or open space required.

E. At least sixty percent of the on-site recreation area or open space required shall be reasonably level to accommodate active recreational uses with slopes no greater than fifteen percent. On-site recreation areas shall be located on a public or private street with a minimum frontage width of thirty feet if the site is two acres or less in size and sixty feet of frontage width for areas larger than two acres.

17.38.120 Minimum development standards.
Within an RPD and an MUPD the following minimum standards shall apply:
A. Yard, Setback, and Width Requirements. The minimum yard, setback, and width requirements otherwise applying to the development in the zoning district may be modified from the standards of the district, provided:

1. The minimum front, side and rear yard requirement on the exterior boundaries of the proposed PD shall not be less than twenty feet and the minimum front yard setback within the interior of the PD shall not be less than fifteen feet. Interior yards and setbacks shall be as approved on the PD binding site plan and each development will be reviewed to ensure adequate provision of light, air and life safety for all structures.

2. All buildings that are not attached or do not have common walls shall be separated by a minimum distance of ten feet.

3. Each lot utilized for residential purposes shall have a minimum width of not less than thirty feet on an interior public or private street. Lots located on an exterior perimeter street shall comply with the normal minimum lot width of the district.

B. Minimum Lot Size. The minimum lot size within a PD may be modified from the normal standards of the district, and reduced by thirty-five percent of the district requirement unless located on an exterior perimeter street. Lots located on the exterior perimeter boundary or along an exterior street of the PD shall be reduced by not less than ten percent of the normal minimum lot size requirement of the zoning district. Regardless of reduced minimum lot sizes, at no time shall the overall density of the development exceed the maximum densities identified in this chapter.

C. Maximum Lot Coverage. The maximum lot coverage may be increased by twenty-five percent of the normal district requirement.

D. Maximum Building Height. The maximum building height within a PD shall be the same as permitted in the district. The maximum building height within a MUPD shall be proposed and approved during the review and approval process, but in no case shall building heights exceed 60 feet. Whenever possible, development of the PD shall be designed to maximize views for each dwelling unit and to ensure that the views of surrounding properties have been considered.

E. Landscaping. Landscaping shall be required at entries into a PD, 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.

F. Buffer. A buffer shall be required when a PD 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.

G. Parking Requirements. Parking shall be provided in the same ratio as required for the district and shall meet the minimum provisions established in Chapter 18.46 of the Entiat Zoning Code and the following:

1. For each ten multifamily dwelling units, four additional parking spaces shall be required for visitor parking when on-street parking is unavailable. Special considerations may be given to low traffic generators such as senior citizen or assisted living housing.

2. Additional parking/storage areas shall be required for recreational vehicles (RVs) such as campers, boats, trail bikes, motor homes and other similar vehicles unless these types of vehicles are precluded by the developer in the form of covenants or other restrictions, approved by the director. When thirty or more dwelling units are proposed, one parking space shall be provided for every ten dwelling units. The size of the parking/storage area shall be based on the following:
   a. Parking/Storage Stalls. Minimum of ten feet wide by twenty-eight feet long;
   b. Access Driveway. Minimum of thirty feet in width;
c. Parking/Storage Lot. The minimum area requirement for each space, together with access and maneuvering area shall not be less than seven hundred square feet.

H. Special Areas. A PD that is adjacent to any lake, river, drainage or other waterway shall provide pedestrian or vehicular access in accordance with the Entiat Critical Areas Code, Chapter 17.10.

I. Flexible Standards. A PD may allow development standards different from those imposed under the Entiat Zoning Code, except as provided in the applicable district in relation to permitted uses and provided a clear description of the approved development standards is provided with the binding site plan that is recorded pursuant to Section 18.38.090. Any approved development standards that differ from that otherwise required by the City shall not require any further zoning district reclassification, variance from the Entiat Zoning Code or other city approval apart from the PD and any subsequent, associated construction plan approvals. The development standards as approved through the PD shall apply to and govern the development and implementation of each PD site in lieu of any conflicting or different standards or requirements elsewhere in the City’s zoning code.
Chapter 17.40
DISTRICT USE CHART

Sections:
17.40.010 Purpose.
17.40.020 District use chart.

17.40.010 Purpose.
A district use chart is established and contained herein as a tool for the purpose of determining the specific uses allowed in each use district. No use shall be allowed in a use district that is not listed in the use chart as a permitted, accessory or conditional use, unless otherwise provided for within this title.

17.40.020 District use chart.
The district use chart located on the following pages is made a part of this section. The abbreviations contained in the district use chart shall mean the following:
- PRM=Permitted use
- ACC=Accessory use
- CUP=Conditional use
- HOP=Home occupation permit
- PD=Planned Development

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### Agricultural Uses

<p>| Agriculture Building, Commercial                  | PRM |
| Ag-Related Industry                               | PRM |
| Ag Market, Ag-tourism facility                    | PRM |
| Feed Store                                        | PRM |
| Kennels, Commercial                               | CUP |
| Livestock/Poultry for personal use only           | ACC |
| Agricultural Building, Private, provided property is at least 1 acre | ACC |
| Animal Clinic, Hospital                           | CUP |
| Commercial Composting                             |     |
| Farm Equipment Sales/Service                       | PRM |
| Feed Lot                                          | PRM |
| Home Fruit Stand                                  | ACC |
| Horse Boarding/Training, Riding Stable            | CUP |
| Kennels, Hobby                                    | ACC |
| Livestock, Commercial                             |     |
| Nursery, Commercial/Retail, provided property is at least 1 acre | CUP |
| Nursery, Wholesale, provided property is at least 1 acre | CUP |
| Poultry, Commercial                               |     |</p>
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<td>Tree Fruit Production, provided property is at least 1 acre</td>
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<td>Vineyard, provided property is at least 1 acre in size</td>
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**COMMERCIAL USES**

<p>| Accessory Buildings, Structures | ACC | ACC | ACC |
| Arts and Crafts, Antique Sales |
| Convenience Store, Excluding Fuel Sales | PRM | PRM | PRM |
| Convenience Store, Including Fuel Sales | PRM | PRM | PRM |
| Cultural and/or Historical Facilities | PRM | PRM | PRM | PRM |
| Dry Cleaners, Laundromats | PRM |
| Farmer’s Market | PRM | PRM | PRM |
| Financial/Lending Institution (Bank, Etc.) | PRM |
| Guest Ranches, Lodging Facilities | PRM | PRM | PRM |
| Hardware/Garden Store - Lumber Yard | PRM | PRM | PRM |
| Hotels/Motels | CUP | PRM | PRM |
| Manufactured Home, Sales |     |     | PRM |
| Marine and/or Fishing Supplies Sales | PRM | PRM | PRM |
| Merchandise, Furniture, Home Furnishings, Department Retail Sales and Service | PRM |
| Museums, Art Galleries | PRM | PRM | PRM | PRM |
| Parking Lots - Commercial or Public | CUP | CUP |
| Pharmacies | PRM |
| Pet Services | HOP | PRM | PRM |
| Personal Services (Barber, Salon, Etc.) | HOP | PRM | PRM |
| Professional Services (Lawyer, Psychiatrist, Etc.) | HOP | PRM |
| Repair Services, Electronics/Appliances | PRM | PRM | PRM |
| Restaurant, Food/Beverage Service | ACC | PRM | PRM |
| Retail Stores (Grocery, Food, Etc.) | PRM | CUP | PRM |
| Retail - Textiles, Sporting Goods | PRM | CUP | PRM |</p>
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**INDUSTRIAL USES**

| | | | | | |
| Above/Below Ground Storage of Critical Material | | | | | |
| Accessory Buildings, Structures | | | ACC | | |
| Asphalt Paving Plant | | | | | |
| Apparel Manufacture | | | PRM | | |
| Bakery, Wholesale | | | PRM | | |

² within 50' OF Hwy 28
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<th>R-L</th>
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<td>Machinery/Heavy Equipment Manufacture/Assembly</td>
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<td>Truck, Freight Terminals</td>
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<td>Vehicle, Boat Building &amp; Repair</td>
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<td>Wholesale Trade/Storage of durable and Non-Durable Goods (Auto Parts, Tires, Furniture, Lumber)</td>
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<td>Canning/Packing Foods</td>
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**RECREATIONAL USES**

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* shall be consistent with CUP requirements for recreational vehicle park or campgrounds
Chapter 17.42
OFF-STREET PARKING AND LOADING

Sections:
17.42.010 Purpose.
17.42.020 Applicability.
17.42.030 Required off-street parking.
17.42.040 Off-street loading.
17.42.050 Off-site parking facilities.
17.42.060 Performance standards.
17.42.070 Development standards.
17.42.080 Reduction of off-street parking requirements.
17.42.090 Nonconforming parking.

17.42.010 Purpose.
It is the purpose of this chapter to provide adequate numbers of off-street parking spaces, vehicular ingress, egress and loading facilities in order to reduce on-street parking, increase traffic safety, maintain smooth traffic flow and reduce the visual impact of parking lots.

17.42.020 Applicability.
A. Off-street parking and loading facilities shall be available prior to occupancy of a site, commencement of commercial/industrial activities, changes in use or major alteration/enlargement of the site, use or structure. All required parking spaces shall be permanently available and maintained for parking purposes only.
B. For the purposes of these requirements, “major alteration or enlargement” shall mean a change of use or an addition that would increase the number of parking spaces or loading berths required by this chapter by more than 10 percent of the total number required prior to the alteration or enlargement.

17.42.030 Required off-street parking.
A. The total number of off-street parking spaces required shall be calculated based on the total floor area of the proposed use (unless otherwise specified). The total floor area is defined as the gross floor area minus the following spaces:
1. Elevator shafts and stairways;
2. Public restrooms;
3. Public lobbies, common mall areas, atriums and courtyards provided solely for pedestrian access to the building from the exterior, and/or for aesthetic enhancement or natural lighting purposes;
4. Permanently designated corridors.
B. The following categories shall be used in defining various types of land uses and activities:
1. Residential: single-family and multifamily dwelling units.
2. Community services: churches, funeral homes, convalescent/nursing homes, clubs, lodges, grange halls, museums, art museums, municipal buildings, etc.
3. General retail: grocery store, pharmacies, hardware, liquor, furniture, department, clothing stores, etc.
4. General service: mini-marts, gas/service stations, beauty salons, espresso stands, eating and drinking establishments, etc.
5. Transient services: hotels, motels, bed and breakfasts, boarding houses, etc.
6. Professional office: law, doctor, real estate, accounting, insurance offices, financial institutions, etc.
Industrial facilities: wholesale trade, warehousing, processing and manufacturing plants, auto recycling and heavy equipment repair shops, etc.

C.  The required number of parking spaces for each land use/activity category shall be as follows:

<table>
<thead>
<tr>
<th>Land Use/Activity</th>
<th>Required Parking Spaces</th>
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</thead>
<tbody>
<tr>
<td>Residential</td>
<td>2 spaces/unit</td>
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<tr>
<td>Community services</td>
<td>1 space/200 square feet</td>
</tr>
<tr>
<td>General Retail</td>
<td>1 space/300 square feet</td>
</tr>
<tr>
<td>General Service</td>
<td>1 space/100 square feet</td>
</tr>
<tr>
<td>Transient services</td>
<td>1 space/room</td>
</tr>
<tr>
<td>Professional office</td>
<td>1 space/200 square feet</td>
</tr>
<tr>
<td>Industrial facilities</td>
<td>1 space/500 square feet of retail area and 2 spaces/1,000 square feet of gross floor area</td>
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</table>

1. Off-street parking requirements for uses not specifically defined above shall be determined by the city based upon the requirement for similar uses.
2. In calculating the required number of parking spaces for facilities containing more than one use, the ratio for each use shall be applied to the total square footage for each use and then added together for the required number of parking spaces.

17.42.040 Off-street loading.
Off-street loading shall be provided for all commercial/industrial establishments which are engaged in retailing or wholesaling of merchandise requiring frequent loading or unloading from trucks or other large vehicles.

A. Loading Space Size. The required space shall be of adequate size to accommodate the maximum size of vehicles loading or unloading at the site.

B. Loading Space Location. The required loading and related maneuvering space shall be located on the property served and in no case shall be allowed on public right-of-way.

17.42.050 Off-site parking facilities.
If the required off-street parking is proposed off-site, the applicant shall provide a written contract with affected landowners stating that required off-street parking will be provided in a manner consistent with the provisions of this chapter. All contracts shall be approved by the city and then recorded with the Douglas County auditor as a deed restriction encumbering the title(s) of all properties involved.

17.42.060 Performance standards.
Parking areas associated with single-family dwellings shall be exempt from the provisions of this chapter, except as provided in RIMC 17.42.030.

A. Lighting. Lighting shall illuminate any off-street parking or loading spaces used at night. When provided, lighting shall be directed toward the property only.

B. Barrier Free Parking. Accessible parking shall be provided, in accordance with the Washington State Barrier Free Code.

C. Maintenance. The owner of a required parking area shall maintain the paved surface and required landscaping, irrigation and drainage facilities in a manner complying with this chapter and the approved site plan.

17.42.070 Development standards.
All off-street parking areas shall be constructed in the following manner:

A. Surfacing. Off-street parking areas shall be surfaced with asphalt, concrete, or similar pavement.
B. Parking space dimension: nine feet in width by 18 feet in length. The minimum area requirement for each parking space, together with access and maneuvering areas shall not be less than 400 square feet per parking space or stall (see figures 1 and 2 at the end of this chapter).

C. Stormwater Drainage. All stormwater shall be accommodated pursuant to RIMC 17.16.070.

D. Border/Barricades. Each parking space adjacent to buildings, walls, landscaped areas, street rights-of-way and/or sidewalks shall be provided with a concrete curb or bumper at least six inches in height at or within two feet of the front of such space.

E. All parking spaces shall be marked by durable painted lines at least four inches wide and extending the length of the stall or by curbs or other means approved by the reviewing official to indicate individual parking stalls. Directional arrows shall be clearly drawn on paved surfaces in order to provide a safe pattern of traffic movement.

F. Entrances and Exits.
   1. All points of ingress and egress to parking area shall have a minimum separation of 100 feet and are subject to approval by the mayor or his/her designee.
   2. In all commercial, industrial and multifamily developments, parking areas shall be arranged to avoid any vehicles from backing onto any street or public right-of-way.

17.42.080 Reduction of off-street parking requirements.
Any development which dedicates additional right-of-way for transit facilities, or provides transit facilities on site, may reduce the off-street parking requirements by 15 percent. Local transit improvements may include, but are not limited to, shelters, benches, bus turnouts and similar improvements which directly benefit the users of the development. All improvements, including any dedication of right-of-way, shall be approved by the local transit authority prior to receiving a reduction in parking requirements.

17.42.090 Nonconforming parking.
Any use which, on the effective date of the ordinance codified in this title is nonconforming in terms of the off-street parking spaces or facilities required may continue in the same manner as if it were conforming. However, the number of existing off-street parking spaces shall not be reduced.

   A. When an existing structure with nonconforming parking is expanded, or a nonconforming use is changed to another use, and additional parking is required, the additional parking spaces shall be provided in accordance with the provisions of the RIMC. For building enlargements not involving a change of use, the number of additional spaces shall be computed only to the extent of the enlargement, regardless of whether or not the number of previously existing spaces satisfies the requirements of this chapter.

   B. When the use of an existing lot or structure with nonconforming parking is changed to another use listed in RIMC 17.42.030 and 17.42.040, the nonconformity shall cease and the new use shall provide all the required off-street parking in accordance with the provisions of this chapter.
CHAPTER 17.44
LANDSCAPING STANDARDS

Sections:
17.44.010 Purpose
17.44.020 Applicability
17.44.030 Landscape Plan
17.44.040 Landscape Standards
17.44.050 Landscape Types
17.44.060 Adjustment of Landscape Requirements
17.44.070 Performance Assurance

17.44.010 Purpose.
The purpose of the landscaping and screening requirements of this chapter include the following:
A. Increase compatibility between different intensities of land uses by providing visual barriers that interrupt the barren expanse of paved parking lots;
B. Screen undesirable views of surrounding properties;
C. Provide a visual separation and physical buffer between varying intensities of abutting land uses;
D. Reduce the impact of erosion and stormwater runoff;
E. Provide pervious surfacing to allow natural groundwater recharge;
F. Reduce heat, air and noise pollution;
G. Promote safety through reduced glare and reduction of congestion;
H. Provide visual separation between pedestrian and traffic movement; and
I. Preserve and enhance the ecology of the region and the natural character of the community.

17.44.020 Applicability.
This chapter shall apply to all permitted, accessory and conditional uses, as identified elsewhere in this title, and except as described below. Landscape plans shall be submitted with a development permit application prior to the issuance of any building permit or other land use action.

A. This chapter does not apply to:
   1. Farms and accessory uses associated with farming;
   2. Single-family residential dwellings, duplexes and their accessory uses when not developed as part of an overall development, i.e. subdivisions or planned developments, and while used for those purposes;
   3. Subdivision(s) and short subdivision(s), except subdivision entrance signs, or landscape design standards required elsewhere in the City regulations;
   4. Remodels representing less than fifty percent of the valuation of the structure as determined by using the most recent ICBO construction tables, or remodels adding less than twenty percent of gross floor area, whichever is greater; and
   5. Changes or expansions in use(s) requiring less than five parking stalls or less than ten percent of the required parking stalls.

B. The City shall review and may approve, approve with modifications or disapprove the landscape plans for all developments in accordance with the provisions of this chapter. The City may permit alternative landscaping, as set forth in Section 17.44.060, when the overall site development plan, as proposed by the applicant, provides equal or better results than required by this chapter. The City may adopt a Tree Standards Manual that describes appropriate species, planting and maintenance techniques applicable to the Rock Island area.

C. “Landscaping” shall mean an area devoted to or developed and maintained with plantings, lawn, ground cover, gardens, trees, shrubs, and other plant materials, decorative outdoor landscape elements, garden ponds or pools, fountains, water features, paved or decorated surfaces of
rock, stone, brick, block, or similar material (excluding driveways, parking, loading, or storage areas), and sculptural elements.

D. All required landscaping shall be maintained by the landowner or, in the case of street scape landscaping, by the adjacent landowner, unless it is part of a City maintenance program.

17.56.030 Landscape Plan.

All landscape plans shall be a scaled drawing submitted to and approved by the City and shall be consistent with the provisions of this chapter. At a minimum, the landscape plan shall contain the following:

A. A plant list indicating the type, size and quantity of proposed plant materials:
B. The landscape design shall include the location and size of all existing and proposed planting areas on the site. An irrigation system plan shall also be submitted. Where utilized, the following items shall also be shown:
   1. Indication of screening and buffer plantings required by ordinance;
   2. Impervious surfaces;
   3. Natural or man-made features and water bodies;
   4. Existing or proposed structures, fences, and retaining walls;
   5. Location and spacing of each plant to be planted, shown to scale;
   6. Designated recreational open space areas, pedestrian plazas, or green areas; and
   7. The location of all proposed lighting shall be included.
C. The landscape plan shall be submitted with the development application and approved prior to the issuance of a building permit or in conjunction with the development permit.

17.44.040 Landscape standards.

A. General Landscape Standards. The following minimum standards shall apply to all landscaped areas required by this title:
   1. All landscaping shall be maintained for the life of the completed development.
   2. The applicant and/or landowner shall follow accepted nursery standards and practices in the planting and maintenance of vegetation required by this chapter. During site development, care shall be taken not to compact the planting areas and compacted soils shall be loosened.
   3. A permanently installed irrigation system shall be provided with adequate water pressure and coverage to serve all landscaped areas, except for areas with existing native species that are incorporated into the approved design.
   4. The property owner shall keep the landscaped areas free of weeds and trash, and shall replace any diseased, damaged, unhealthy or dead plants in conformance with the approved landscape plan. All landscape materials shall be pruned and trimmed as necessary to maintain a healthy growing condition. If the city determines the maintenance required under this subsection has not been performed, the City shall take enforcement action pursuant to the provisions of Title 14 RIMC.
   5. Planting areas shall be clearly separated from parking spaces and driveways by a raised curb, earthen berm or other suitable formal separation permanently affixed to the ground. Planting areas shall not have artificial impervious material underlying the top soil.
   6. The plant materials that are chosen shall be those best suited to the climate within the Rock Island area;
   7. Trees:
      a. Where required, trees shall be at least 6 feet in height at the time of planting;
      b. Street trees shall be planted adjacent to the right-of-way, but not closer than three feet to a public sidewalk or curb. In no case shall sight-obscuring landscaping be located within the clear view triangle area as set forth in this title.
c. Trees shall be of a variety approved by the city so as not to cause damage to sidewalks or streets as a result of root growth.

d. It shall be the responsibility of the owner(s) of the lot adjacent to the street-scape area to maintain the trees and planting area in good growing condition and to replace dead or dying trees with similar tree or shrub species. The City shall have the right to prune and maintain trees and shrubs within the lines of the right-of-way, clear view triangle and other public areas as may be necessary to ensure public safety.

8. Shrubs: Where required, shrubs shall be at least one and one-half feet in height at the time of planting;

9. Ground Cover: Where required, ground cover shall consist of grass, shrubs, vines, or other similar living ground cover, provided that where only a portion of the landscaped area is to be covered with living ground cover, the remaining area may be covered with bark, rock or other similar material.

10. All landscaped areas shall be designed, consistent with the requirements of this title, and implemented so that the area will be covered within five years.

11. All landscaped islands must have a minimum depth of topsoil of two feet for shrubs and four feet for trees, unless poor drainage conditions exist which would require modifications as approved by the City.

12. All landscaping shall be installed prior to issuance of the certificate of occupancy unless financial surety is posted in a form in an amount acceptable to the city of Rock Island as set forth in Chapter 14.90 RIMC.

B. District Landscaping Designations and Minimum Width. Landscaping shall be provided in all developments subject to this chapter and as set forth below, except as otherwise enumerated within the regulations of the City. The following standards listed below indicate the type and width of landscaping required for various proposed uses, depending on the zoning district, type of use and zoning of adjacent parcels, or as enumerated elsewhere in this title.

1. The minimum landscaping width along the rear and side yards may be reduced to an amount approved by the city, but in no case shall it be less than five feet, if an ornamental wall or fence is constructed in conjunction with the landscaping required.

2. The city may increase the minimum width of a landscaped area and type of planting if the use is located adjacent to a lower intensity use.

3. Where side and rear yards are not required to have landscaping, the provision of landscaping shall be at the owner’s discretion. If provided, all landscaped areas shall be properly maintained in a weed-free, healthy growing condition.

4. If existing, well-established trees that have a trunk diameter of six inches or greater, as measured four feet above ground level, and/or vegetation (excluding noxious weeds and grasses) can realistically be utilized, they should be preserved and incorporated into the overall landscape program.

5. General Commercial C-G and General Industrial I-G Districts.

<table>
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<tr>
<th>Yard/Area</th>
<th>Landscape Width</th>
<th>Landscape Type</th>
</tr>
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<tbody>
<tr>
<td>a). Front Yard</td>
<td>6 feet</td>
<td>Type II</td>
</tr>
<tr>
<td>b). Side and rear yards, only where adjacent to any residential and/or recreation district</td>
<td>10 feet</td>
<td>Type I</td>
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<th>Yard/Area</th>
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<tr>
<td>a). Front, Rear and Side Yards</td>
<td>6 feet</td>
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<td>6 feet</td>
<td>Type I</td>
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</tbody>
</table>

C. Landscape Standards for Parking Areas. All required off-street parking facilities in the General Commercial C-G, Tourist Commercial C-T, Recreation Mixed Use M-R, Public Facilities P-F and General Industrial I-G, as well as those off-street parking facilities required in association with Planned Developments and Conditional Uses shall provide landscaping consistent with the Type III Parking Area Landscaping requirements established herein.

D. Landscape Standards Adjacent to State Highway. Development adjacent to a state highway shall provide a landscaped strip along the entire state right-of-way frontage. The strip shall measure a minimum of 30 feet in width and be landscaped with trees, shrubs and ground cover. The landscape berm shall be reviewed and revised, as required by the City, to ensure safe sight distance for the traveling public is not impaired as a result of the landscape berm.

17.44.050 Landscape Types.

A. “Type I: Screen”. Type I landscaping is intended to provide a very dense sight barrier to significantly separate incompatible uses and/or zoning districts. Existing natural buffers are encouraged but may need additional width or to be augmented with additional landscaping features to provide the required sight barrier. Type I landscaping shall contain the following minimum elements:
1. All plant materials and living ground cover must be selected and maintained so that the entire landscaped area will be covered a minimum of seventy-five percent within five years, with maximum coverage in eight years.
2. Any combination of trees (deciduous or evergreen), shrubs, earthen berms and related plant materials or design are allowed, provided that the resultant effect is sight-obscuring from adjoining properties.
3. All trees and shrubs must be capable of growing to a minimum six feet and three and one-half feet in height respectively.

B. “Type II: Perimeter Landscaping”. Type II landscaping is intended to provide landscaping on the perimeter boundary of a site and to provide a visual separation of uses from adjacent uses and parking areas. Type II landscaping shall contain the following minimum elements:
1. A combination of deciduous and/or evergreen trees, shrubs, and ground cover shall be provided.
2. No more than sixty percent of the trees shall be deciduous;
3. Trees shall be planted at intervals no greater than thirty feet on center, unless plantings are clustered into groups, then the planting intervals shall be planted at intervals no greater than ninety feet;
4. Plant materials shall be planted so that the ground will be covered a minimum of seventy-five percent within five years;
5. Of the ground cover provided, at least 50% shall be living ground cover.

C. “Type III: Parking Area Landscaping”. Type III Landscaping is intended to provide visual relief and shade in parking areas. Up to one hundred percent of the required trees proposed for the parking area may be deciduous. Type III landscaping shall contain the following minimum elements:

1. Required Amount.
   a). Parking areas with fewer than 20 parking stalls are exempt from these provisions.
   b). A parking area with more than 20 but less than one hundred parking spaces: at least seventeen and one-half square feet of landscape area must be provided as described in this section for each parking stall proposed.
   c). If the parking area contains more than one hundred parking spaces at least thirty-five square feet of landscaping must be provided as described in this section for each parking stall proposed.

2. Each area of landscaping must contain at least one hundred square feet of area and dimension and shall not be less than six feet in any direction. The area must contain at least one tree six feet in height at the time of planting. The remaining ground area must be landscaped with plant materials.

3. A landscaped area must be placed at the interior end of each parking row in a multiple lane parking area. Each area must be at least four feet wide and must extend the length of the adjacent parking stall(s).

4. One shade tree shall be planted within the interior of the off-street parking area for every ten parking stalls. The first priority in meeting this provision is to preserve existing, well-established trees that do not interfere with the safety, operation and functioning of the parking lot. The trees shall be capable of providing shade to an area equal to thirty percent of the parking facility within fifteen years of planting.

5. All landscaped islands shall be planted with a combination of shade trees, shrubs or living ground cover. This area may contain ornamental trees and shrubs if appropriate. All planting must be in the central portion of the island.

6. Screen planting of a dense evergreen material not less than five feet in height at the time of maturity shall be provided in any locations where lights from vehicles within the off-street parking area and/or where overhead illumination may shine directly into windows of adjacent residential buildings. In lieu of screen planting, up to fifty percent of the required landscaping may be subtracted when a solid rock, masonry or wood fence is constructed, provided the fence is at least forty-two inches high, but does not exceed five feet in height.

7. Provisions shall be made to ensure that adequate pedestrian paths connecting the parking lot with the public right-of-way are provided throughout the landscaped areas.

8. All areas in a parking facility not used for driveways, maneuvering areas, parking spaces or walks shall be permanently landscaped with suitable materials and shall be permanently maintained, pursuant to a maintenance program submitted by the applicant and approved by the city.

9. Except within fifteen feet of a driveway, landscaped areas may include berming, ornamental block walls and similar techniques that provide variations and/or modulations in elevation, texture and similar characteristics.

10. To increase the parking lot landscaped area, a maximum of two feet of the parking stall depth may be landscaped in lieu of asphalt while maintaining the required parking dimensions.

11. All parking facilities shall be permanently maintained in such a way that dust is not emitted from the parking lot, and shall be free of weeds, litter, debris and graffiti. Parking lots shall be striped biannually.
12. Where lighting is provided, it shall be of low intensity and the lighting shall be shielded in such a way that light and glare is directed only onto the subject property.

17.44.060 Adjustment of Landscape Requirements.
   A. An alternative landscaping plan for an overall site may be submitted and approved by the City when the landscaping plan as proposed meets the minimum standards and general intent of this chapter. The landscaping plan shall be processed simultaneously with the overall site development plan.
   B. The City may authorize reduced or expanded widths of plantings or may waive or require supplementation of some of the landscaping requirements in the following instances:
      1. When the inclusion of significant existing vegetation located on the site would result in as good as or better satisfaction of the purposes of this section;
      2. When the landscaping would interfere with the adequate flow of stormwater runoff, as determined by the City engineer along drainage easements and/or when the landscaping would interfere with the adequate treatment of stormwater in grassed percolation areas;
      3. Requests for modifications to landscape plans under this subsection are classified in accordance with “limited administrative reviews” as set forth in Title 14 CMC.

17.44.070 Performance Assurance.
   A. The required landscaping shall be installed prior to occupancy or the issuance of an occupancy permit, whichever occurs first, unless the director determines that a performance assurance device, will adequately protect the interest of the City. In no case may the property owner/developer delay performance for more than one year, unless a time schedule is developed to phase in the landscaping and is approved by the director.
   B. The City may require performance assurance as a warranty of plant survival. Such an assurance shall, if required, be in effect through one complete growing season following planting.
   C. If a performance assurance device is required it shall be in a form acceptable to the City Attorney, and in an amount that is 150% of the estimated cost of installation.
Chapter 17.46
SIGNS

Sections:
17.46.010 Purpose.
17.46.020 Permit requirements.
17.46.030 Exemptions.
17.46.040 Signs prohibited.
17.46.050 Performance standards.
17.46.060 General standards.
17.46.070 District regulations.
17.46.080 Nonconforming signs.
17.46.090 Termination of signs.
17.46.100 Definitions.

17.46.010 Purpose.
The purpose of this chapter is to accommodate and promote sign placement consistent with the character and intent of individual zoning districts by providing minimum standards to safeguard life, health, and visual quality of the public.

17.46.020 Permit requirements.
A. No sign shall be erected, structurally altered or relocated by any person, firm or corporation without a permit from the city of Rock Island.
B. No building permit shall be required for repainting, cleaning, or other normal maintenance and repair of a sign, or for sign face and copy changes that do not alter the size or structure of the sign.
C. A sign permit shall be considered as a limited review action as set forth in RIMC Title 14.

17.46.030 Exemptions.
The following signs are considered exempt:
A. Official flags, emblems, or insignia of the United States, or other governmental unit; and flags of internationally and nationally recognized organizations.
B. Official and legal notices by any court, public body, persons or officer in performance of a public duty, or in giving any legal notice.
C. Directional, warning, regulatory, or information signs or structures required or authorized by law; or by federal, state, county, or city authority.
D. Political signs which, during a campaign, advertise a candidate for public elective office, a political party, or promote a position of a public issue, provided such signs are removed within 15 days following the election.
E. Construction and real estate signs not exceeding 32 square feet in area provided such signs are removed within 15 days following completion of the construction project or closing of sale or lease of the real estate.
F. All temporary signs, provided such signs shall not be displayed for more than 60 days, and provided they do not exceed 32 square feet in area, except portable signs.
G. Structures intended for a separate use such as phone booths, Goodwill containers, or other similar structures.
H. Painting, repainting of an advertising structure or the changing of the advertising copy or message thereon shall not be considered erecting or altering which requires a sign permit, unless structural change is made.
I. Signs less than four square feet in area provided there is only one sign which meets RIMC 17.46.050, Performance standards.

J. Product identification signs, provided they do not exceed 10 square feet in area.

K. Grand openings and special event signs which would include banners, streamers and temporary signs (except portable signs), provided they do not exceed a period of more than 35 days, and provided it does not obstruct pedestrian or vehicular travel.

L. City directory signs that are placed at the city’s discretion on city-owned property and/or right-of-way displaying the names, phone numbers and/or addresses of businesses and/or public/semi-public uses in nearby areas.

17.46.040 Signs prohibited.
The following signs are prohibited within any zoning district:

A. Signs which purport to be, are an imitation of, or resemble an official traffic sign or signal, or which obstructs the visibility of any such signal; or which could cause confusion with any official sign or signal.

B. Signs attached to utility poles, street lights, and traffic control standard poles.

C. Swinging, projecting signs.

D. Signs in a dilapidated or hazardous condition.

E. Flashing signs.

F. Portable signs.

G. Beacons.

H. Off-premises signs, except those located within 50 feet of the State Highway, as regulated below.

17.46.050 Standards.
The following standards are applicable to all signs in all districts as established under this title:

A. Single or multiple occupancy buildings which have street frontage on two streets with customer entrances on each street are permitted one freestanding sign per street frontage; provided, that each freestanding sign is located on different street frontages and are separated by more than 100 feet. No signs shall be permitted on streets abutting residential districts.

B. Signs attached to a building shall not exceed three feet above the roof line of any building or structure to which it is attached.

C. A clear view triangle, as established by this title, shall be maintained at all intersecting public or private streets, driveways, and/or curb cuts for vision safety purposes.

D. All freestanding signs shall include as part of their design, landscaped areas at least four feet in diameter to improve the overall appearance of the installation, and shall have other approved devices around their base so as to prevent vehicles from hitting the sign.

E. Projecting and awning signs shall maintain a minimum clearance of eight feet above the finished grade.

F. Off premises signs allowed by this chapter are strictly limited to the following standards:
   1. Shall be no higher than 10 feet,
   2. Shall contain no more than a total of 32 square feet of sign face/area,
   3. Shall be setback at least 10 feet from the right-of-way line, and
   4. Shall be constructed as a monument sign and shall include as part of their design landscaped areas with a radius around the perimeter of the sign base of at least 3 feet.

G. Setback. Freestanding signs may be permitted anywhere on the premises, except in a required side yard, or within 10 feet of a street right-of-way.

H. Illumination. All lighted signs shall be internally lit or provided with direct illumination so as not to project light across property lines.
I. Computations. The following principles shall control the computation of sign area and sign height:

1. Area of Individual Signs. The area of a sign face (which is also the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed; but not including any supporting framework, bracing, or decorative fence or wall that is clearly incidental to the display itself.

2. Area of Multi-faced Signs. The sign area shall be computed by adding together the area of all sign faces. When two identical sign faces are placed back to back, the sign area shall be computed by the measurement of one of the faces. No greater than two faces are permitted per freestanding sign.

3. Height. The height of a sign shall be computed as the distance from the base of the sign at the existing, natural grade to the top of the highest attached component of the sign. In cases in which the normal grade cannot reasonably be determined, or the property is improved with curbs and gutters, sign height shall be computed on the assumption that the elevation of the normal grade at the sign is equal to the elevation of the sidewalk.

17.46.070 District regulations.
This section shall apply to all districts and conditional uses designated in the zoning ordinance.

A. R-L Low Residential, M-R Recreation Mixed Use and PF Public Facilities District.
   a. Each use is permitted one freestanding or monument sign having a maximum sign area of 32 square feet. The sign structure together with the sign shall not exceed a height of five feet. One additional freestanding or monument sign is permitted if there is more than one front property line.
   b. One flush-mounted wall sign having a maximum sign area of 12 square feet. In lieu of a freestanding or monument sign the attached sign may be increased in area to the total square footage of the freestanding or monument sign plus the square footage of the attached sign for a total of 44 square feet.

2. Home Occupations. Signs relating to home occupations as defined in Chapter 14.98 RIMC shall be an unlighted, flush mounted wall sign and shall not exceed four square feet in area.

3. Residential Subdivisions, Residential Multifamily, and Planned Residential Developments. Decorative subdivision or area name signs of a permanent character at the street entrance or entrances to the housing development which identify said development only shall be permitted, subject to the following conditions:
   a. One monument sign may be permitted per entrance from an access street to the property, provided said sign does not exceed 32 square feet and is six feet or less in height, or as approved by the reviewing authority at the time of preliminary subdivision approval.
   b. The sign shall consist of decorative masonry walls or wood with name plates or letters, and shall be located in a maintained landscaped area.

B. C-G General Commercial, C-T Tourist Commercial and I-G General Industrial.
   a. One freestanding or monument sign not exceeding a maximum area of 70 square feet nor a height of 20 feet.
   b. One attached sign, unlighted or with low intensity lighting, placed flat against the wall of the main building, having a surface area not greater than 32 square feet, is permitted.
c. In lieu of a freestanding or monument sign, the attached sign may be increased in area to the total square footage of the freestanding or monument sign plus the square footage of the attached sign for a total of 100 square feet.

2. Multiple (Two or More) Offices or Businesses within a Structure of a Planned Commercial/Industrial Park.
   a. One freestanding sign not exceeding 120 square feet, nor exceeding a height of 20 feet.
   b. Identification signs may list the names of the occupants of the multiple structure/park. (Individual occupancy or buildings are not allowed a separate freestanding sign.)
   c. One additional freestanding sign is permitted per center if the premises extends through a block to face on two or more arterial streets.
   d. One wall identification sign shall be permitted for each principal building or occupancy which does not exceed an area of 32 square feet. Identification signs shall be attached flat against the building and shall not project above the eaves of the roof or the top of the parapet or beyond the eave lines or beyond the outer limits of the wall.
   e. Individual occupancy signs within a multiple occupancy or building complex shall be consistent with the building architecture and similar in color, design, size, and graphics.

3. Community Bulletin Board Signs. One community bulletin board sign is permitted when associated with a public school, park, recreation facility, grange, fire station, church or other similar type uses provided they meet the following:
   a. Only one sign is permitted and shall not exceed 50 square feet in area. Freestanding signs shall not exceed a height of 15 feet and shall meet the minimum setback set forth in RIMC 17.46.060(A).

17.46.080 Nonconforming signs.
Any sign lawfully existing under all codes and regulations prior to the adoption of the ordinance codified in this title may be continued and maintained as a legal nonconforming sign, provided:
A. No sign shall be changed in any manner that increases its noncompliance with the provisions of this chapter.
B. If the sign is structurally altered or moved, its legal nonconforming status shall be void and the sign will be required to conform to the provisions of this chapter.
C. The sign is not hazardous or abandoned.
D. The burden of establishing the legal nonconformity of a sign under this section is the responsibility of the person or persons, firm, or corporation claiming legal status of a sign. The approval of an asserted nonconformity is a limited administrative function of the mayor.
E. The provisions of Chapter 17.58 RIMC may govern certain nonconforming signs.

17.46.090 Termination of signs.
By destruction, damage, obsolescence or danger, the right to maintain any sign shall terminate and shall cease to exist whenever the sign is:
A. Damaged or destroyed beyond 50 percent of the cost of replacement, as determined by the mayor as a limited administrative review responsibility; and/or
B. Structurally substandard to the extent that the sign becomes a hazard or a danger to the public health, safety, and welfare as determined by the mayor as a limited administrative review responsibility.

17.46.100 Definitions.
The following definitions are applicable to this chapter:
A. "Abandoned sign" means any sign located on property that is vacant and unoccupied for a period of six months or more, or any sign which pertains to any occupant, business or event unrelated to the present occupant or use.
B. “Changing message center sign” means an electronically controlled sign where different automatic changing messages are shown on the lamp bank. This definition includes time and temperature displays.

C. “City Directory sign” means a sign that is specifically authorized by the city on city-owned property and/or right-of-way that displays, in a uniform manner and design, the names, addresses and/or phone numbers of businesses and/or public/semi-public uses located in nearby areas. City Directory signs do not include any advertising of products or services, nor do they include any business logos.

D. “Construction sign” means any sign used to identify the architects, engineers, contractors, or other individuals or firms involved with the construction of a building; and to show the design of the building or the purpose for which the building is intended.

E. “Directional/incidental sign” means signs indicating entrances, exits, service areas, loading only, and parking areas; and which do not contain advertising or promotional information.

F. “Flashing or blinking sign” means an electric sign or a portion thereof (except changing message centers) which changes light intensity in a sudden transitory burst, or which switches on and off in a constant pattern in which more than one-third of the light source is off at any one time.

G. “Freestanding sign” means any sign supported by one or more uprights, poles or braces in or upon the ground and that are independent from any building or other structure.

H. “Illuminated sign” means an electric sign or other sign employing the use of lighting sources for the purpose of decorating, outlining, accentuating or brightening the sign area.

I. “Nonconforming sign” means a sign which was legally installed under laws or ordinances in effect prior to the effective date of the ordinance codified in this chapter or subsequent revisions, but which is in conflict with the current provisions of this chapter.

J. “Portable sign” means any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels, signs converted to A- or T-frames, menu and sandwich board signs, balloons used as signs, and/or umbrellas used for advertising.

K. “Monument sign” means a ground-mounted sign with a message on a maximum of two sides and which is attached to the ground by means of a wide base of solid appearance.

L. “Multiple building complex” means a group of structures containing two or more retail, office, and/or commercial uses sharing the same lot, access and/or parking facilities, or a coordinated site plan. For purposes of this section, each multiple building complex shall be considered a single use.

M. “Multiple tenant building” means a single structure housing two or more retail, office, or commercial uses. For purposes of this section each multiple tenant building shall be considered a single use.

N. “Off-premises sign” means a sign which advertises or promotes merchandise, service, goods, or entertainment which are sold, produced, manufactured or furnished at a place other than on the property on which the sign is located.

O. “On-premises sign” means a sign incidental to a lawful use of the premises on which it is located, advertising the business transacted, services rendered, goods sold or products produced on the premises or the name of the business, person, firm, or corporation occupying the premises.

P. “Residential sign” means any sign located in a residential district that contains no commercial message except advertising for goods or services legally offered on the premises where the sign is located, if offering such service location conforms with all requirements of this title.

Q. “Temporary sign” means any sign, banner, pennant, valance, or advertising display constructed of cloth, paper, canvas, cardboard, and/or other light, nondurable materials. Types of displays included in this category are signs for grand openings, special sales, special events, and garage sales.
R. “Wall sign” means any sign attached to or painted directly on the wall, or erected against and parallel to the wall of a building, not extending more than 12 inches from the wall.
Chapter 17.50
CONDITIONAL USES

Sections:
17.50.010 Purpose.
17.50.020 Authorization.
17.50.030 Evaluation criteria.
17.50.040 Governing standards.
17.50.050 Minimum landscaping standards.
17.50.060 Alterations to existing uses.
17.50.070 Revisions to permits.
17.50.080 Compliance.
17.50.090 Home occupations.
17.50.100 Day-care center/mini-day-care center.
17.50.110 Churches, schools, clinics, hospitals, and municipal buildings.
17.50.120 Utilities, communication and transmission facilities.
17.50.130 Dependent care housing.
17.50.140 Vehicle repair, supply and service shops.
17.50.150 Recreational vehicle park or campgrounds.
17.50.160 Essential public facilities.
17.50.170 Mineral extraction.

17.50.010 Purpose.
Conditional uses are those uses and activities that may be appropriate, desirable, convenient or necessary in the district within which they are allowed, however, due to inherent characteristics of the use, may be injurious to the public health, safety, welfare or interest unless appropriate conditions are established. This chapter describes the criteria for review, authority for action on and minimum conditions applied to certain uses. The requirements of this chapter and the authorization to conduct a conditional use do not supersede, and rely upon, other requirements and standards of this title and other provisions of the RIMC.

17.50.020 Authorization.
A. The hearing examiner is authorized to approve, approve with conditions or deny permits for conditional uses as specified in this chapter. Uses designated in this title as conditional shall be permitted, enlarged or altered only upon approval of the hearing examiner in accordance with the standards and procedures specified in this title and other applicable provisions of the RIMC.
B. The city shall not accept an application for a conditional use permits which was the subject of a previous application, which was denied during the previous 12 months, unless there has been substantial modification or reduction in the intensity of the proposal, as determined by the city.
C. An application for a conditional use permit shall be considered as an action subject to quasi-judicial review as set forth in RIMC Title 14.

17.50.030 Evaluation criteria.
A. The proposed use will be harmonious and in accordance with the general and specific objectives of the comprehensive plan.
B. The proposed use will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity of the area.
C. The traffic generated by the proposed use shall be mitigated so as not to unduly burden the traffic circulation system in the vicinity.

D. The proposed use will be serviced adequately by essential public facilities such as highways, streets, law enforcement, fire protection, drainage, refuse disposal, water and sewers, and schools; or that persons or agencies responsible for the establishment of the proposed use shall provide adequate services.

E. The proposed use will not create excessive additional requirements at public cost for public facilities and services.

F. The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or general welfare by reasons of excessive production of traffic, noise, smoke, fumes, vibration, glare, or odors.

G. The proposed use will have vehicular approaches to the property that shall be so designed to meet the standards adopted by the city.

H. Adequate buffering devices such as fencing, landscaping, or topographic characteristics shall be in place in order to mitigate and protect adjacent properties from adverse affects of the proposed use, including adverse visual or auditory effects.

I. Conditional use permits shall comply with this title and all local, state, or federal regulations pertinent to the activity pursued.

17.50.040 Governing standards.

A. A conditional use shall ordinarily comply with the standards of the district within which the use is located and with the other applicable provisions of the RIMC, except as modified by the approval of the conditional use permit and the standards of this chapter or as otherwise specified in this code.

B. The hearing examiner, in addition to the standards and regulations specified in the RIMC, may establish other conditions found necessary to protect the health, welfare, safety and interest of surrounding property, the neighborhood and the county as a whole. These conditions may address the following:
   1. Increasing the required lot size or yard dimensions;
   2. Limiting the coverage or height of buildings because of reduction of light and air to adjacent property or obstruction of views;
   3. Mitigating traffic impacts through on-site and off-site improvements;
   4. Increasing the number of off-street parking and loading requirements;
   5. Limiting the number, location, design and size of signs and illumination devices;
   6. Increasing required landscaping components to reduce noise and visual impacts including glare;
   7. Specifying time limits for construction and operation;
   8. Requiring performance surety;
   9. Specifying time frames for compliance review;
   10. Other conditions deemed appropriate to address the requirements and intent of this chapter, the RIMC and the comprehensive plan.

17.50.050 Minimum landscaping standards.

All conditional uses shall at a minimum meet the landscaping standards of RIMC Chapter 17.44.

17.50.060 Alterations to existing uses.

A change in use, expansion or contraction of site area, or alteration of structures or uses which are classified as conditional and existed prior to the effective date of this title shall conform to the provisions of this chapter.
17.50.070 Revisions to permits.
A. Minor revisions to a conditional use approved by the hearing examiner may be approved by the city when the revisions may affect the precise placement or dimensions of buildings but do not change approved uses, affect the basic building character or arrangement, increase the site area, increase the total floor area or required off-street parking spaces by more than five percent, increase the density or intensity of residential or recreational uses or alter specific conditions of approval.
B. Requests for revisions determined by the city not to be minor in nature shall be reviewed by the hearing examiner as a new request for a conditional use permit.

17.50.080 Compliance.
The property owner/operator of any conditional use shall comply with the standards of this title and of the conditional use permit at all times. Violations of the terms of the permit and/or requirements of the zoning district not expressly modified by the permit shall be processed as a violation of this title subject to enforcement and penalties as set forth in RIMC Title 14, as now exists or as may be hereafter amended.

17.50.090 Home occupation – Type B.
A home occupation – type B shall comply with the following standards:
A. The use of the property for a home occupation shall be clearly incidental and subordinate to its use for residential purposes.
B. Home occupations shall occupy not more than 25 percent of the total floor area of all buildings/structure improvements.
C. Any occupation which may produce waste products of a quality or quantity not normally associated with residential use shall not qualify as a home occupation.
D. No exterior structural alterations are made to the building which changes its character from a residential dwelling or other structures normally associated within the zoning district.
E. No merchandise, stock, equipment, or materials shall be sold, displayed, stored, altered or repaired in any exterior portion of the premises which is associated with the home occupation and/or building.
F. The home occupation shall not generate greater traffic volumes than would normally be expected in the residential neighborhood.
G. The home occupation shall be conducted in a manner that will not alter the normal residential character of the premises by the use of color, materials, and lighting; or the emission of noise, vibration, dust, glare, heat, smoke, or odors.
H. A minimum of two off-street parking spaces shall be provided for the occupation in addition to the required spaces for the existing use. Additional parking space may be required depending on the type of business.
I. The sign indicating such proposed use shall not be more than four square feet in area (576 square inches) with only one sign permitted.

17.50.100 Day-care center/mini-day-care center.
A day-care center and mini-day-care center shall comply with the following standards:
A. Landscaping, screen planting or fencing in required yard areas of types, quantities and locations as prescribed by the hearing examiner. Said screen shall be sufficient to provide visual separation from adjacent residences and to ensure child safety.
B. The gross floor area of the room(s) used shall provide at least 35 square feet per child.
C. Any likely inconvenience or nuisance generated by the facility such as noise, dust, lighting shall be considered and adequate measures taken to protect nearby uses.
D. Any outside play area must be completely enclosed with a minimum four-foot fence and shall comply with the minimum provisions set forth in RIMC 17.16.030.

E. An appropriate off-street loading area shall be designated and located on the same lot as the facility for the purposes of providing a safe loading and unloading zone for children using the facility.
   1. Loading areas shall be designed and located so vehicles using these spaces do not project into any public right-of-way.
   2. Loading areas shall be easily accessible.

F. Current Washington State day-care license.

G. Current city of Rock Island business license.

17.50.110 Churches, schools, clinics, hospitals, and municipal buildings.
Churches, schools, clinics, hospitals and municipal buildings shall comply with the following standards:
   A. The minimum lot size shall be 20,000 square feet.
   B. The facility shall be located within one block of a designated collector or arterial street.
   C. Ingress and egress to the facility shall be subject to the approval of the city.
   D. Minimum lot frontage shall be 100 feet.
   E. Signage as set forth in Chapter 17.46 RIMC.
   F. Off-street parking as set forth in Chapter 17.42 RIMC.

17.50.120 Utilities, communication and transmission facilities.
Utilities, communication and transmission facilities shall comply with the following standards:
   A. If possible, shall be completely enclosed within buildings which conform to and harmonize with surrounding buildings as to type of architecture, and landscaping and that complies with the setback requirements of the district. No outside storage shall be permitted;
   B. If the use is of an outdoor nature, such as a neighborhood electric substation, it shall be screened and landscaped with a combination of fencing, trees, shrubs and ground cover. Landscaping standards set forth in RIMC 17.50.050 shall be required;
   C. The site shall be maintained in a clean and orderly manner free of weeds; and
   D. The minimum lot size of the district may be waived by the hearing examiner on finding that the waiver will not result in adverse impact from noise, light, glare, drainage or other detrimental effects to adjacent property. The minimum lot size may be reduced to that necessary to accommodate the use and compliance with applicable provisions of the RIMC including, without limitation, minimum required yards/setbacks and area required for landscaping, parking, drainage control, street improvements, etc. The waiver shall not be construed as an exemption from the requirements of RIMC Title 16 and Chapter 58.17 RCW.

17.50.130 Dependent care housing.
Dependent care housing shall comply with the following standards:
   A. Dependent care housing may be provided as a temporary use to assist in the care of persons in need of special assistance by reason of advanced age, infirmity or disability.
   B. The second residence shall be a manufactured home only, as defined in Chapter 14.98 RIMC.
   C. The property owner shall reside in either the existing dwelling or the second dwelling.
   D. The manufactured home shall meet all applicable building, health and zoning codes, except those relating to density, home size and home width of the district in which it is located. The hearing examiner may also waive or prescribe alternatives to requirements for perimeter masonry foundation during the time the manufactured home is used for dependent care purposes.
   E. Only one dependent care manufactured home shall be permitted on a lot, tract or parcel under ownership by the care provider or recipient.
F. A written statement by a licensed physician and by the care provider shall be submitted with the application attesting that the recipient of the dependent care is physically or mentally incapable of caring for themselves and/or their property.

G. Utilities from the dependent care manufactured home shall be connected with those of the permanent residence, unless certified by the appropriate agency that the connection to the primary residence is not feasible.

H. No rent, fee, payment or charge in lieu thereof may be made between the care provider and the recipient for the use of the primary dwelling or the manufactured home.

I. The hearing examiner may establish conditions to assure home placement is harmonious with residential use in the district. Such conditions may address, without limitation, the provision of amenities normally befitting a single-family residence including landscaping and required off-street parking.

J. Annual renewal shall be required and administered by the city of Rock Island without requiring a new hearing. The city council may establish a renewal licensing fee by way of resolution.

K. When the original need for the manufactured (mobile) home ceases, then a residence shall be removed within 30 days.

L. Upon approval for dependent care housing and prior to the issuance of a manufactured home placement permit, the applicant shall submit documentation that a notarized statement by the owner of the property has been filed with the city clerk and county auditor acknowledging:
   1. That the placement of the manufactured home is temporary.
   2. That the use of the primary residence and the manufactured home is for the owner and care provider/recipient.
   3. The manufactured home cannot be transferred with the property shall it be sold, leased or transferred, unless the property is divided in accordance with this title and other applicable provisions of the RIMC.
   4. The manufactured home shall be removed within 30 days after the need for the dependent care housing ceases.
   5. Other acknowledgments determined by the hearing examiner as appropriate to the specific permit.
   6. The statement shall include the legal description of the property, the assessor’s parcel number and the conditional use permit file number.

17.50.140 Vehicle repair, supply and service shops.
Vehicle, supply and service shops shall comply with the following standards:
   A. All repair of vehicles shall occur inside an enclosed building.
   B. All vehicles and parts shall be stored within a sight-obscuring fence (placed within the required landscaping) a minimum of six feet in height.
   C. All storage is prohibited within any required yard setback.

17.50.150 Recreational vehicle park or campgrounds.
Recreational vehicle park or campgrounds shall comply with the following standards:
   A. The minimum site size for a recreational vehicle park or campground shall be five contiguous, nonsubmerged acres.
   B. Maximum units per acre shall be eight, and each recreational vehicle stall shall have no side measuring less than 20 feet.
   C. For recreational vehicle parks, the standards governing the length of stay allowed for a recreational vehicle shall be as described below; provided, that each site is clearly designated as to the allowable length of stay on the city approved site plan for the recreational vehicle park. The provisions governing the length of stay for the short-term and temporary sites described below may not be circumvented by rotating a particular recreational vehicle to different sites.
throughout the park. The recreational vehicle shall be removed from the park, for a period of at least 30 days, prior to being relocated in the park.

1. Short-Term Sites. A minimum of 30 percent of the permitted recreational vehicle stalls shall be limited to stays no longer than 21 days. These stays may not be renewed, and a particular recreational vehicle shall not be allowed to return to these designated sites for a period of at least 30 days.

2. Temporary Sites. No greater than 30 percent of the permitted recreational vehicle stalls shall be limited to stays no longer than 21 days, with renewals of the spaces rented permitted up to a maximum of six months. After renewals every 21 days that total six months, any recreational vehicle that must leave the park shall not be allowed to return to any short-term or temporary site within the park for a period of at least 30 days.

3. Extended Stay Sites. No greater than 40 percent of the permitted recreational vehicle stalls may be used for extended, unlimited stays, provided the following minimum standards are met for the designated extended stay sites:
   a. An annual fee, in an amount as established from time to time by the city council, shall be paid to the city for each designated “extended stay site”;
   b. Alterations to the recreational vehicle that would make the unit less mobile are prohibited including but not limited to removing the wheels, removing the towing apparatus, etc.;
   c. Recreational vehicle parks containing “extended stay sites” shall install an approved domestic water and sewage disposal system according to the applicable federal, state and/or local regulations; and
   d. Each extended stay site shall be required to have full hook ups to utilities, including without limitation power, water and sewer, and each recreational vehicle parked in an extended stay site shall be connected to those utilities at all times.

D. The minimum frontage on a public road or street shall be 125 feet.

E. Traveled roadways on site shall be a paved surface with a minimum width of 24 feet, unless approved by the city.

F. The recreational vehicle park or campground shall have access from a public road or street. Ingress and egress points shall be located so as not to divert traffic onto residential streets classified as local access by the adopted comprehensive plan.

G. Entrances and exits to the recreational vehicle park shall be designed for safe and convenient movement of traffic into and out of the park and to minimize marginal friction with free movement of traffic on adjacent streets. All traffic into or out of the park shall be through such entrances and exits.

H. Accessory uses including management headquarters, recreational facilities, restrooms, dumping stations, showers, laundry facilities and other uses and structures customarily incidental to operation of a recreational vehicle park are permitted, provided all applicable health and safety regulations are complied with, including without limitation regulations governing potable water, sewage disposal and fire safety. One caretaker’s residence will be allowed for each recreational vehicle park and/or campground.

I. A minimum of 20 percent of the gross site area for the recreational vehicle park or campground shall be set aside and developed as common use areas for open space. Up to eight percent may be used for enclosed recreation facilities. Recreational vehicle stalls, private roadway, storage area or utility sites shall not be used for meeting this requirement.

J. Every application for the construction, operation, maintenance and occupancy for a recreational vehicle park shall be accompanied with plans, specifications and dimensions, fully setting out the vehicle stalls (spaces), motor vehicle parking spaces, the interior road circulation and design, open space and enclosed spaces for recreational opportunities, landscaping plans and utility infrastructure.
K. Sight-obscuring landscaping, berm or any combination thereof meeting the standards set forth in Chapter 17.26 RIMC, as the same exists now or may hereafter be adopted or amended, shall be required to assure compatibility with adjacent uses. All landscaping, recreational and open space areas shall be maintained free of weeds and trash, and any diseased, damaged, unhealthy or dead plants shall be replaced in accordance with the approved landscape plan.

L. Recreational vehicle parks and campgrounds shall be kept in a neat, orderly fashion, and shall be subject to all other provisions of the RIMC, including without limitation public nuisance, storage, and abandoned vehicle regulations.

**17.50.160 Essential public facilities.**

Essential public facilities (EPFs) shall comply with the following review criteria and requirements:

A. Conformance with the comprehensive plan:
   1. Facility siting and design shall be based on supporting the needs of the 20-year projected population;
   2. Facility siting and design shall be in accord with state and federal siting standards;
   3. A fiscal analysis of the long-term and short-term public costs shall be submitted by an EPF applicant and shall include a strategy to mitigate identified disproportionate financial burdens on the city of Rock Island that may result from facility siting;
   4. Compatibility of the facility with surrounding land use, existing zoning classification, and the present and projected population density of surrounding areas;
   5. An analysis of the likelihood of associated development being induced or precluded by the siting of an essential public facility shall be submitted by an EPF applicant and shall include an analysis of the urban nature of the facility, the existing urban growth near the facility site, the compatibility of the facility to continued urban growth and the location of the facility in relation to any near-by urban growth areas;
   6. Essential public facilities shall not be located on designated resource lands or critical areas, open spaces and historic, archaeological and/or cultural sites unless it can be demonstrated that facility design and operation will not be incompatible to these designated areas;
   7. Facility, design and operation for specific facilities shall include mitigation measures necessary to alleviate identified adverse environmental impacts;
   8. EPF shall not adversely impact existing public facilities and services;
   9. EPF that are appropriate for location outside of urban growth areas due to exceptional bulk or potentially dangerous or objectionable characteristics shall be self contained or served by governmental services in a manner that will not promote sprawl through further service extension or connection;
   10. Public hearings for permits required by the county, federal or state laws shall be combined with any public hearings required by the city whenever feasible; and
   11. Effective and timely notice and an opportunity to comment on a proposed EPF shall be provided to citizens in accord with notice requirements of this title, to affected agencies and to municipalities when an EPF is proposed to locate within five miles of the urban growth boundary within which the municipality is located.

**17.50.170 Mineral extraction.**

Mineral extraction shall comply with the following standards:

A. The applicant shall submit documentation prepared by a licensed engineer, and/or geologist as deemed appropriate by the hearing examiner, that the operation(s) will not create hazardous conditions, adversely impact lands and transportation systems in the vicinity, impair the slope stability or cause lateral movements such as slump, creep or landslide, or cause soil erosion or sedimentation;
B. A water supply and management plan shall be submitted for approval in conjunction with the application that discloses the source and volume of water necessary and available for dust control and associated mineral extraction, and how waste water from operations and stormwater retention will be accomplished. The plans shall be implemented through all phases of the operation(s);

C. A dust abatement plan shall be submitted for approval that specifies dust control measures to be employed throughout the life of the operation to assure that fugitive dust from all sources does not escape on-site containment. The dust abatement plan shall identify the names and telephone numbers of persons responsible for dust control on a 24-hour basis;

D. Adequate buffering measures shall be taken to screen the project from public view. Such devices may include landscaping or topographic characteristics or a combination thereof as approved by the hearing examiner;

E. Site illumination shall be designed and located so that lighting sources are not directly visible from residential uses or public roads. Lighting shall not cast glare on adjacent properties;

F. Hours of operation and duration of the project shall be established by the hearing examiner;

G. Drainage and stormwater runoff control shall be designed and implemented in accordance with RIMC 17.16.070 as approved by an engineer selected by the mayor;

H. Haul route agreements for internal access and external ingress and egress to, and travel on, public roads shall be required between the operator and the city prior to commencing any operations. The city shall consult with other affected agencies such as the state of Washington and Douglas County as may be appropriate for the intended haul route(s);

I. The hearing examiner may establish minimum setbacks and other requirements for the excavation area, structures, buildings or non-mobile machinery associated with extraction, washing, sorting or crushing that will be adequate to minimize potential adverse impacts to adjoining properties or public road rights-of-way;

J. The maximum height of stock piles shall be determined by the hearing examiner and at no time shall exceed a height of 30 feet. Appropriate measures identified in the dust abatement and water management plans shall be implemented;

K. All top soil shall be retained on-site for the reclamation of the mineral extraction operation and shall not be sold or otherwise disposed of unless it can be demonstrated that there is sufficient top soil to cover the area disturbed by the mineral operation to a minimum depth of three feet and as approved by the hearing examiner at the time of application review;

L. A reclamation plan shall be submitted that provides for:

   1. Top soil retained and set aside from the operation for subsequent use during reclamation. The stock piles shall be revegetated during the time period it is reserved to prevent erosion;
   2. Reclamation in two-acre to 10-acre increments, as appropriately responsive to the size and intensity of the particular excavation activities. Revegetation of the reclaimed areas excavated shall be accomplished annually by September 30th;
   3. Reclaimed side slopes that at no time shall be greater than one and one-half feet horizontal to one-foot vertical;
   4. The final topography of the site to be consistent with the surrounding area and graded to a maximum of a four-foot horizontal to one-foot vertical slope; and

M. The hearing examiner may require financial assurance in accordance with Chapter 14.90 RIMC to guarantee/warranty compliance with permit conditions, completion of the reclamation, protection of public facilities and conformance with other applicable requirements of the RIMC.
Chapter 17.54
VARIANCES

Sections:
17.54.010 Authorization.
17.54.020 Evaluation criteria.
17.54.030 Action on variances.

17.54.010 Authorization.
A. The hearing examiner is authorized to grant variances from the requirements of this title where it can be shown that, owing to special and unusual circumstances related to specific property, the literal interpretation or specific application of this title would cause undue or unnecessary hardship.
B. 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 or create lots with less than the minimum size required by the district.
C. An application for a variance shall be considered as an action subject to quasi-judicial review as set forth in RIMC Title 14.

17.54.020 Evaluation criteria.
Variances may be granted if it can be demonstrated that all of the following criteria are met:
A. The strict application of the bulk, dimensional or performance standards set forth in the applicable district or in this title precludes a reasonable permitted use of the property;
B. The hardship asserted by the applicant is specifically related to the property and is the result of unique conditions such as irregular lot shape or size, topography or natural features over which the applicant has no control;
C. The hardship asserted by the applicant results from the application of this title to the property and not the result of deed restrictions or the actions of the applicant or owner;
D. The requested variance will not constitute a grant of special privilege not enjoyed by other properties in the same neighborhood or district, and is the minimum relief necessary for the preservation of a property right substantially the same as possessed by owners of property in the same neighborhood or district; and
E. The granting of the variance will not be detrimental to the purposes of this title, be injurious to property in the same neighborhood or district in which the property is located, cause substantial adverse effect on the public interest or be otherwise detrimental to the objectives of the comprehensive plan.

17.54.030 Action on variances.
The hearing examiner may approve, conditionally approve or deny a request for a variance. The hearing examiner may, in granting a variance, establish conditions determined necessary to:
A. Protect the interests of surrounding properties and the general public health, safety, welfare and interest;
B. Accomplish the objectives and intent of this title, other applicable regulations and the comprehensive plan;
C. Mitigate potential adverse impacts of the proposal.
Chapter 17.58
NONCONFORMING USES

Sections:
17.58.010 Purpose.
17.58.020 Establishment.
17.58.030 Nonconforming applicability.
17.58.040 Nonconforming lot.
17.58.050 Nonconforming use.
17.58.060 Nonconforming buildings/structures.
17.58.070 Nonconforming mineral extraction.
17.58.080 Procedures for reconstruction – Change of use – Expansion.
17.58.090 Discontinuance.
17.58.100 Completion of a building/structure/ activity.
17.58.110 Nonconforming manufactured home park.

17.58.010 Purpose.
The purpose of this chapter is to address the legal status of nonconforming uses, buildings/structures or lots by creating provisions through which a nonconformance may be maintained, altered, reconstructed, expanded or terminated. Ultimately it is the intent of this chapter to encourage the discontinuance or termination of nonconformity and the changing of a nonconformity to a conforming or more conforming use, building, or lot.

17.58.020 Establishment.
The burden of establishing that any nonconformity is a legal nonconformity as defined herein shall, in all cases, be upon the owner of such alleged nonconformity and not upon the city. Determination of the nonconforming status of a lot, use, building or structure is an administrative function of the mayor or his/her designee (“director”). Property owners asserting nonconforming status shall submit such information as the director deems necessary to substantiate or document the claim to the nonconformance. Documentation submitted by the property owner must ascertain the date the nonconformity was established and that it conformed to the applicable development regulations in effect at that time. Documentation may consist of such historical items as utility statements, property tax bills, real estate contracts, leases, building permits, dated photographs, newspaper clippings and other relevant documentation, when applicable. Unsubstantiated anecdotal evidence cannot be accepted for the determination of nonconforming status.

17.58.030 Nonconforming applicability.
A. Provisions contained within this chapter do not supersede or relieve a property owner from compliance with:
   1. The requirements of the uniform codes adopted pursuant to RIMC Title 15; and
   2. The provisions of the development regulations that are beyond the specific nonconformance addressed by this chapter.
B. Single residential dwellings lawfully permitted and established within a commercial district prior to adoption of this chapter may be maintained, repaired, or reconstructed in accordance with the provisions of this chapter, provided the dwelling meets the applicable standards of Chapters 17.16 and 17.20 RIMC.
C. The sale or transfer of a nonconforming use or building/structure does not alone affect the right to continue the nonconforming use or use of a nonconforming building/structure.
D. Buildings/structures, lots, required improvements, uses and/or developments which were not legally established or existing as of the effective date of the ordinance adopting this title retain
their illegal status and must be abated or fully conform and comply with the procedural and substantive provisions of the RIMC.

E. The term nonconforming use refers only to a single existing use and does not include all uses to which the property could have been used for under a prior zoning ordinance or zoning classification.

17.58.040 Nonconforming lot.
In any district, any permitted use or building/structure may be erected on a nonconforming lot of record, existing on the effective date of the ordinance codified in this title, if the uses permitted in that district and the lot was created in conformance with the development regulations existing at the time of creation. This provision shall apply, even though such lot fails to meet the requirements for lot area or width, or both, that are generally applicable in the district. The building/structure shall conform to all other current regulations of the zoning district in which such lot is located, including without limitation, required yards/setbacks, lot coverage, density, parking, storm drainage, landscaping, access and road improvement.

17.58.050 Nonconforming use.
A. Generally. A nonconforming use lawfully established under the RIMC and which became or becomes nonconforming by amendment to RIMC Title 17 may continue as long as it remains otherwise lawful. Any change or expansion of the nonconforming use shall be made in accordance with the provisions of RIMC 17.58.020 and 17.58.080.
B. Continuation When Damaged or Destroyed. The following provisions shall apply when a nonconforming use is damaged, demolished or destroyed by any means:
1. When a nonconforming use and associated building/structure are damaged by any means, and reconstruction costs do not exceed 75 percent of the value of the building/structure determined by using the most recent ICBO construction tables, the nonconforming use may be replaced as it was prior to the damage. If the building/structure was also nonconforming, the building/structure may be rebuilt as it was immediately prior to the damage or in a manner that is more conforming in accordance with RIMC 17.58.060(C).
2. When the reconstruction costs of a nonconforming use and associated building/structure exceed 75 percent of the value of the building/structure determined by using the most recent ICBO construction tables, the hearing examiner shall determine whether or not the nonconforming use shall be allowed to continue in accordance with the provisions of RIMC 17.58.080.

17.58.060 Nonconforming buildings/structures.
A. Generally. Any legal nonconforming building/structure may continue so long as it remains otherwise lawful. A nonconforming building/structure other than a required site improvement may be included in and/or changed as a part of any development, or modification to development, subject to review and approval under the procedures and provisions of this title; provided, that nothing in this section shall authorize the expansion or change of a nonconforming structure except as otherwise provided for in this chapter. Required site improvements, including parking and signs, are subject to the more specific policies on nonconforming parking and signs in Chapters 17.42 and 17.46 RIMC, respectively, which shall govern and control.
B. Maintenance of a Nonconforming Building/Structure. Nothing in this chapter shall be construed to restrict normal structural repair and maintenance of a nonconforming building/structure, including the replacement of walls, fixtures and plumbing; provided, that the value of work and materials in any 12-month period does not exceed 25 percent of the value of the building/structure prior to such work determined by using the most recent ICBO construction
tables. This chapter is not intended to apply to the rehabilitation of dwelling units when such rehabilitation does not expand the number of dwelling units or physically expand the building/structure.

C. Reconstruction of a Nonconforming Building/Structure When Damage Does Not Exceed 75 Percent of Its Value. When a nonconforming building/structure is damaged, demolished or destroyed by any means and reconstruction costs do not exceed 75 percent of the value of the building/structure determined by using the most recent ICBO tables, the department may issue a development permit(s) allowing the building/structure to be rebuilt as it was immediately prior to the damage or in a manner that is more conforming; provided, no reconstruction of a nonconforming building/structure shall be performed without issuance of a development permit(s) as appropriate. The property owner shall provide the information necessary to reasonably assure the review authority that the reconstruction complies with this section. The review authority may approve reconstruction in conformance with the submitted and verifiable plans or in a manner that is more conforming to the applicable provisions of the RIMC and the district in which the building/structure is located. If the review authority determines that the proposed reconstruction amounts to an expansion of the nonconforming building/structure, the owner must file an application for review by the hearing examiner under the provisions of RIMC 17.58.080.

D. Reconstruction of a Nonconforming Building/Structure When Damage Exceeds 75 Percent of Its Value. The following provisions shall apply when the reconstruction costs for a damaged, removed, demolished or destroyed nonconforming building/structure exceeds 75 percent of its value determined by using the most recent ICBO construction tables:

1. When a damaged, removed, demolished or destroyed nonconforming building/structure was used for an approved or existing use, any reconstruction of the building/structure shall occur in accordance with the provisions of this title and other applicable development regulations of the RIMC.

2. When a damaged, removed, demolished or destroyed nonconforming building/structure was used for a nonconforming use it may be replaced as it was before or in a manner that is more conforming upon approval by the hearing examiner in accordance with RIMC 17.58.080.

E. Expansions to structures that are nonconforming with respect to a required yard may not encroach any further into the required yard, and are limited to extensions adding no more than 25 percent of the length of the existing wall, subject to other applicable requirements of the RIMC.

17.58.070 Nonconforming mineral extraction.

A. Nonconforming mineral extraction and/or mining may continue operations, provided the following provisions have been submitted for review by the mayor or his/her designee.

1. Documentation verifying the nonconformity asserted;

2. Site, grading and operation plans disclosing the boundaries of the mineral extraction operation, phasing plan, and restoration plan.

B. The expansion of mineral extraction areas including the enlargement of the perimeter boundary, change in access or addition of processing shall be permitted only upon the review and approval of the hearing examiner in accordance with this chapter. Requests for expansion are classified pursuant to RIMC 14.08.050 and subject to the standards of RIMC 17.50.170.

17.58.080 Procedures for reconstruction – Change of use – Expansion.

The following procedures shall be followed to change a nonconforming use to a different nonconforming use, expand a nonconforming use throughout a building/structure, expand a nonconforming structure or use throughout a lot or onto an adjoining lot, or replace a nonconforming use and/or building/structure
damaged by any means beyond 75 percent of its predamaged value as determined by using the most recent ICBO construction tables:

A. Applications submitted under this section are classified for quasi-judicial review described in RIMC 14.08.050.

B. The hearing examiner may grant the relief requested if he/she finds all of the following:
   1. That the expansion, change, reconstruction or replacement requested would not be contrary to the public health, safety or welfare;
   2. That the proposed expansion, change, reconstruction or replacement is compatible with the character of the neighborhood; and, in the case of an expansion or change, does not significantly jeopardize future development of the area in compliance with the provisions and the intent of the zoning district;
   3. That the significance of the hardship asserted by the applicant is more compelling than, and reasonably overbalances, the public interest resulting from the denial of the relief requested;
   4. That the use or building/structure was lawful at the time of its inception;
   5. That the nearby properties will not be significantly adversely impacted by approving the requested expansion, change, reconstruction or replacement.

C. The hearing examiner shall deny the proposed expansion, change, reconstruction or replacement if he/she finds that one or more of the provisions in subsection B of this section are not met.

D. When approving a change in, or the expansion, reconstruction or replacement of a nonconforming use or building/structure, the hearing examiner may attach conditions to the proposed change, expansion, reconstruction or replacement or any other portion of the development in order to assure that the development is improved, arranged, designed and operated to be compatible with the objectives of the comprehensive plan, applicable development regulations and neighboring land uses and transportation systems.

17.58.090 Discontinuance.

A. A nonconforming use or building/structure shall be discontinued when it is:
   1. Succeeded by another use or building/structure that is more conforming;
   2. Discontinued and not re-established within six months;
   3. Damaged and a complete application for reconstruction or replacement is not made within six months of such damage;
   4. Damaged, demolished, removed or destroyed, by any means, to the extent that reconstruction or replacement costs exceed 75 percent of its value determined by using the most recent ICBO construction tables and the reconstruction or replacement of the nonconforming use and/or building/structure is denied by the hearing examiner in accordance with the provisions in RIMC 17.58.080.

B. When a nonconforming use becomes discontinued, it shall be deemed that such use has ceased to exist and thus loses its status as a legal nonconforming use. Any subsequent use shall conform to the provisions of the district in which it is located.

17.58.100 Completion of a building/structure/activity.

Nothing contained in this chapter shall require any change in plans, construction, alterations, or designated uses of a building/structure specified in a complete application for a development permit submitted prior to the effective date of the ordinance codified in this title. Improvements and uses authorized by a signed document of the city council, or any permit issued by the city prior to the effective date of this title may be developed as set forth in the permit. If the permit becomes invalid prior to development of improvements or uses, the provisions of this chapter shall then be in full force and effect on the subject property.
17.58.110 Nonconforming manufactured home park.
The city recognizes there are existing nonconforming manufactured home parks on the effective date of
the ordinance codified in this title, which for the purposes of this chapter are defined as containing three
or more manufactured homes on a rent or lease basis and operated as a single development. In the
event manufactured home(s) within these nonconforming manufactured home parks are removed,
damaged or destroyed, the owner of the manufactured home park may replace or repair the
manufactured home(s); provided, that the total number of manufactured homes does not exceed the
total number of manufactured homes in places or lots ready to be sited with manufactured homes on
the effective date of the ordinance codified in this section.
Chapter 17.68
AMENDMENTS

Sections:
17.68.010 Applicability
17.68.020 Procedures
17.68.030 Review of Decision

17.68.010 Applicability
The regulations, restrictions, and boundaries set forth in this ordinance may from time to time be amended, supplemented, modified, or repealed in accordance with the following procedures provided that no change shall be approved that is inconsistent with the Rock Island Comprehensive Plan.

17.68.020 Procedures
A. Amendments, supplementations, modifications, or repeals of or to this ordinance may be initiated by the following:
   1. The Rock Island City Council
   2. Property owners by:
      a. Filing with the City Clerk a petition signed by one or more property owners within the city setting forth the proposed change and the reasons therefore, and;
      b. Payment of the fee to help defray the cost of processing the petition;
      c. The petition must be filed at least thirty days prior to the date of the public hearing where the petition will be considered.

B. Proposed amendments, supplementations, modifications, or repeals of or to this ordinance shall be heard at a public hearing by the City Council within ninety days of the time that the petition was filed. No request for a zone boundary or zone classification amendment to this ordinance shall be reconsidered within the twelve month period immediately following a previous denial of such request, except where, in the opinion of the City Council, such a hearing is warranted by new evidence or a substantial change of circumstances.

C. Proposed amendments to this title shall be as provided for and applicable to “Legislative Review”, pursuant to Title 14 Development Permit Procedures and Administration. ions within the city where public announcements are typically to be found.

17.68.030 Review Of Decision
Any decision approving or disapproving any amendment, modification or repeal of or to this ordinance shall be reviewed in the Superior Court of Douglas County on the basis of unlawful, arbitrary, or capricious action or non-action by writ of review or mandances, provided that the application for such writ shall be made to the court within twenty one days from the date of the decision sought to be reviewed.
Chapter 17.70
ADMINISTRATION AND ENFORCEMENT

Sections:
17.70.010 Administration
17.70.020 Permits and Conformance Authorizations
17.70.030 Enforcement
17.70.040 Violations and Penalties

17.70.010 Administration
The mayor of the city of Rock Island or his/her designee (hereinafter “administrator”) shall have the authority and duty to administer the provisions of this title. The administrator may adopt, and revise as required, such forms as are necessary to carry out the provisions of this title.

17.70.020 Permits and Conformance Authorizations
No representative of the city shall issue a use and occupancy permit or give other authorization, including a special exemption, for any use or occupancy that would not be in full compliance with this ordinance. This includes, without limitation, the following:
A. No license or other permit shall be issued until the plans, specifications, occupancy and use of the structure conforms to the requirements of this title.
B. No building permit or other permit shall be issued until the conditions of approval, if any, plans, specifications, occupancy and use of the structure conform to the requirements of this title.
C. No license, permit or approval shall be granted until all fees and expenses required and incurred under this title have been paid.

17.70.030 Enforcement
A. The mayor, or his/her designee, shall be responsible for the enforcement of this title. In addition to the provisions for enforcement that may be identified in this title, RIMC Title 14 provisions for enforcement shall also apply.
B. The enforcing official or his/her designee may enter, at reasonable times, with the permission of the owner, any building, structure or premises in the town to perform any duty imposed upon him by this title.
C. The enforcing official of this ordinance shall investigate any charge of violation of this ordinance within ten days of being brought to his or her attention. Upon verifying the appearance of a violation of this ordinance, the enforcing official shall serve notice to the property owner and occupant, if applicable, to comply with the ordinance within thirty days or such lesser period as he/she shall deem reasonable or appropriate. The administrator shall re-inspect the premise at the termination of the compliance period and if the apparent violation is still in evidence, shall institute appropriate enforcement and penal proceedings against the violation.

17.70.040 Violations and Penalties
Any person, partnership, association, firm or corporation who violates or fails to comply with this title is guilty of a civil infraction and is subject to the civil penalties and remedies and corrective actions as set forth in the applicable provisions of RIMC Title 14 Development Permit Procedures and 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 RIMC Title 17 Zoning is declared to be a public nuisance, subject to abatement or injunctive relief in accordance with the laws of the state of Washington.
City of Rock Island
Official Zoning Map

Legend
- City Limits
- Urban Growth Area
- Parcels
- Water
- Utility Corridor
- Roads
- Railroads

Zoning Districts
- Low Residential (R-L)
- General Commercial (C-G)
- Tourist Commercial (C-T)
- Recreation Mixed Use (M-R)
- General Industrial (C-G)
- Public Facilities (PF)

Disclaimer:
Data is from the best available source; however, it is subject to change and should not be used as an accurate measurement. Alliance Consulting Group, Inc. July 2007

Mayor Signature
___________________________

Clerk Signature
___________________________

Ordinance___________________

Date_______________________