

ORDINANCE NO. 5__-2019

AN ORDINANCE AMENDING ELECTRIC CITY MUNICIPAL
CODE CHAPTER 18.47, TITLED “LANDSCAPE BUFFER AND
SCREENING REQUIREMENTS”

THE CITY COUNCIL OF THE CITY OF ELECTRIC CITY, WASHINGTON ORDAINS AS
FOLLOWS:

Section 1. Amendment. Section 18.47.020, titled “Applicability” is amended as follows:

18.47.020 Applicability.

(1) New or Expanded Structures. The provisions of this chapter shall apply to all new or expanded structures which are located in ~~C-1 or C-2~~ all commercial zones, including parking lots so far as they are not otherwise covered under Chapter 18.45

ECMC, and includes all new structures and all intensified, modified, expanded, repaired or altered existing uses and structures when the cost of such intensification, modification, expansion, repairs or alteration exceeds 50 percent of the existing value of said use or structure. Parking lots are included within the application of this chapter to permit the administrator to proceed to give notice to the owners of such properties and require compliance with this chapter or Chapter 18.45 ECMC within the time limits provided in this chapter.

(2) Existing Structures. These standards are encouraged for all structures existing as the date of adoption of the ordinance codified in this title.

(3) The buffer and screening requirements of this chapter shall be required for every property line that is adjacent to, contiguous to, abuts, adjoins, fronts or borders a public street, public right-of-way, or public highway, including railroad rights-of-way, or a residential zone

Section 2. Amendment. Section 18.47.040, titled “Buffer and screening requirements” is amended as follows:

18.47.040 Buffer and screening requirements.

The buffer and screening requirements of this chapter shall include a combination of the following:

(1) The provisions of this title shall not apply to vacant or undeveloped lots even though they are located wholly or in part in a ~~C-1 or C-2~~ commercial zone.

(2) The purpose of this title shall be to allow the city to provide a means of review and implementation of sight-obscuring devices in connection with activities which are conducted, allowed or carried on in the affected zones. Specifically, the intent of this title is to provide for the screening from general public of garbage containers and solid waste compaction or collection devices; outdoor storage of equipment, materials, supplies or products, other than for commercial sale in limited and reasonable numbers including new vehicle display lots, truck working yards, gravel pits, equipment repair yards, mill yards, factory yards, loading docks, delivery depots, salvage yards, junk yards, any area where loading, unloading, storage, manufacturing or processing is conducted on a continuous or frequent basis and recycling facilities; the direct view into operating or non-operating facilities, mills, plants, shops, pits, hoists, or ramps; storage

areas and holding areas in ~~C-3~~ any commercial zone, and, like commercial or industrial activities which the administrator determines to be of such a nature as to require screening under this title. Parking lots and parking facilities related to commercial and industrial operations shall be screened and/or landscaped as provided in the zoning and land use portions of this code.

(3) Landscaping. A landscaping buffer and screening is required for every property line referred to in ECMC 18.47.020. All such landscaping buffer and screening plantings shall be to a depth of sufficient amount to permit the passage of pedestrians along streets abutting the property line and to permit safe sight lanes at intersections and driveways, which shall be determined by the city at the time of plan review and approval. All landscaping buffers and screening shall be accomplished by a continuous planting of evergreen trees and/or shrubs, except driveways and pedestrian walks, that will close together and produce a dense, sight- obscuring screen at least eight feet in height within three years of planting and shall be allowed to grow no higher than can be permitted to maintain the stability of the plantings during high winds and to avoid contact with any overhead cables, wires, or lines. The horizontal sight area shall be no less than 70 percent obscured in less than three years.

(4) Fence. A solid fence, solid wall or chain link fence with filler strips is required for every property line referred to in ECMC 18.47.020 and shall be constructed and maintained of appropriate colors and materials as a backdrop to the landscaping buffer and screening plantings unless the administrator determines that landscaping alone will be sufficient to provide the buffering required by this chapter. If the fencing requirement is waived on the condition landscaping will provide an adequate buffer and the landscaping is not developed, is allowed to die or is not maintained as initially indicated to the administrator, the administrator can require the installation of fencing as provided in this chapter. In addition to the provisions of this chapter, all fences or walls required by this chapter shall also comply with the other provisions of this code.

(5) Any new or expanded use or structure shall be subject to correction and compliance with ECMC 18.47.020(B), but only after the administrator has provided written notice of the need to comply with the provisions of this chapter. In that event, the property owner shall have no less than one year from the date of the notice to come into compliance with the provisions of this chapter.

Any property owner feeling aggrieved by a directive from the administrator to bring an existing structure or use into compliance with the provisions of this chapter shall have the right within 10 days of the receipt of the written notice from the administrator to bring the property into compliance to appeal this determination to the hearing examiner. In such an appeal, the burden shall be upon the property owner appealing the directive of the administrator to establish that the property in question is not required to comply with the provisions of this chapter. (Ord. 416 § 1, 2009)

Section 3. Effective date. This ordinance shall be in full force and effect five days after its passage and publication of its summary as provided by law.

PASSED by the City Council of the City of Electric City, Washington, this 13th day of August, 2019.

John T. Nordine II, Mayor

ATTEST:

Russell D. Powers, City Clerk

APPROVED AS TO FORM:

Katherine L. Kenison, City Attorney

PASSED the 13th day of August, 2019.
APPROVED the 13th day of August, 2019.
PUBLISHED the 21th day of August, 2019.