

ORDINANCE NO. 2651

AN ORDINANCE AMENDING CHAPTER 18.20 OF THE MOSES LAKE MUNICIPAL CODE ENTITLED "RESIDENTIAL ZONES"

THE CITY COUNCIL OF THE CITY OF MOSES LAKE, WASHINGTON ORDAINS AS FOLLOWS:

Section 1. Chapter 18.20 of the Moses Lake Municipal Code entitled "Residential Zones" is amended as follows:

18.20.050 Development Standards for Residential Zones:

- A. Purpose: This section establishes the site requirements and development standards for uses in the residential zones. The standards and rules are established to provide flexibility in project design, prevent fire danger, provide adequate access and circulation, reduce incompatibilities, and prevent overloading of infrastructure due to the impacts of development.
- B. Explanation of table: Development standards are listed down the left column of the table and the residential zones are identified across the top row. The matrix cells contain the requirements of each zone. The footnotes identify particular requirements applicable to a specific use, standard, or zone.

TABLE 2: DEVELOPMENT STANDARDS IN RESIDENTIAL ZONES				
Development Standards	R-1	R-2	R-3	R-4
Minimum lot size (in square feet) ¹	7000	7000	6000	32,670
Minimum lot size for a corner lot (in square feet)	7700	7700	6600	32,670
Minimum lot size for a two-family dwelling (in square feet) ¹	----	8000	6000	----
Additional lot area per dwelling unit in excess of 2 dwelling units (in square feet)	----	----	1200	----
Minimum lot depth	100'	100'	NS	150'
Minimum lot depth on an arterial	120'	120'	120'	150'
Minimum lot width ²	65'	65'	NS	100'
Minimum lot width, corner lot	70'	70'	NS	150'
Minimum lot width for a two-family dwelling	----	70'	NS	----
Minimum street frontage for flag lots	20'	20'	20'	40'
Front yard setback ³	25'	25'	15'	25'
Interior side yard setback ³ (each side)	----	----	5'	20'
If lot is 65' wide or less	5'	5'	----	----
If lot is more than 65'	7'	7'	----	----
Exterior side yard setback ³ for lots 65' or greater in width	25'	25'	15'	25'

TABLE 2: DEVELOPMENT STANDARDS IN RESIDENTIAL ZONES				
Development Standards	R-1	R-2	R-3	R-4
Exterior side yard setback ³ for lots less than 65' in width ⁴	20'	20'	15'	----
Rear yard setback ³	25'	25'	5'	25'
Rear yard setback ³ , corner lot less than 70' in width	10% of lot depth	10% of lot depth	5'	----
Rear yard setback ³ , corner lot 70' or greater in width	15% of lot depth	15% of lot depth	5'	25'
Setback from the ordinary high water mark of Moses Lake ⁵	20' or 20% of lot depth, which ever is less	20' or 20% of lot depth, which ever is less	20' or 20% of lot depth, which ever is less	20' or 20% of lot depth, which ever is less
Maximum lot coverage for multi-family structures	----	----	50%	----
Minimum open space for multi-family	----	----	1000 SF + 100 SF per unit ⁶	
Maximum height of primary structure ⁷	30' ⁸	30' ⁸	40' ⁹	30' ¹¹
Maximum height of detached accessory structure	16' ¹⁰	16' ¹⁰	16' ¹⁰	35' ¹¹
Minimum width of narrowest portion of main residential structure	20'	20'	20'	20'
Minimum roof pitch of main roof of residential structure (vertical:horizontal)	3:12	3:12	3:12	3:12
Maximum height of floor level above grade (single level residential structures)	18"	18"	18"	18"
Minimum required number of covered ¹² parking spaces	1	1	0	1

NS= No Standard

Footnotes for Table 2

1. Exceptions:

- A. In the R-1 and R-2 zone, lots platted prior to 1961 shall have a minimum lot size of six thousand (6000) square feet.

- B. In the R-1, R-2, and R-3 zone, a building permit may be issued to a platted non-conforming lot that contains at least five thousand (5000) square feet and otherwise meets the underlying performance standards of the zone in at least eighty percent (80%) of the minimum bulk dimensions of width, depth, and building setback line.
2. In the R-1 and R-2 zone, lots platted prior to 1961 shall have a minimum lot width of sixty feet (60').
3. Setbacks
 - A. Within the setback area shown in Table 2, no building or structure (as defined in 18.06) shall be allowed, except flagpoles, signage, fencing, slope stability structures, and open steps and platforms having no roof covering. Eaves, cornices, and awnings may project into the required setback no more than two feet (2').
 - B. The setbacks shown in the table are zoning setbacks. Larger setbacks may be required by the State Building Code, State Fire Code, sight distance requirements, or landscaping requirements (MLMC 18.57).
 - C. There shall be no side yard setback requirement for single family dwelling units sharing a common wall or attachment when each dwelling is on its own lot of record.
 - D. To determine the interior side setback requirement in the R-1 and R-2 zones, the lot width shall be measured at the front setback line for rectangular lots. For all other lot shapes, the average of the width at the front setback line and rear setback line shall be used to calculate the required interior side setback.
 - E. Within the setback area shown in Table 2, attached appurtenances such as, but not limited to, awnings, porch covers, and pergolas may encroach into the required rear yard setback no more than fifteen feet (15'). Any such attached appurtenance shall remain open and shall not be enclosed with walls for the purpose of creating habitable living space.
4. Except that residential structures in the R-1 and R-2 zone may conform to existing structures within two hundred feet (200') along either street but in no case shall a building be permitted less than fifteen feet (15') from a property line abutting a street.
5. Setback from the ordinary high water mark of Moses Lake:
 - A. This setback does not apply to water-dependent structures such as docks or boathouse. Structures located within a lakefront rear yard shall be in compliance with Chapter 18.45 entitled C-R Zone and the Shoreline Master Program.
 - B. Lawfully existing structures built prior to the adoption of this ordinance shall not be required to comply with this setback. Building permits for lots in subdivisions approved prior to the adoption of this ordinance shall not be required to meet this setback. Subdivisions approved after the adoption of this ordinance and the request for building permits on lots in these subdivisions shall meet this setback.
6. Open space shall not include parking areas or driveways and shall be usable outdoor area for recreation and landscaping. The smallest dimension of the open space area shall be not less than fifteen feet (15').
7. The following structures are exempt from the building height restriction and may be erected higher than thirty feet (30') so long as the structure permitted is a distance from all property lines not less than its height and it meets any additional conditions as noted:

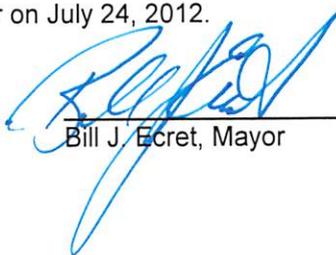
- A. Church spires, steeples, and bell towers. Other portions of a church building may exceed thirty feet (30') if addressed as part of the conditional use permit for the building.
 - B. Flag poles.
 - C. Non-commercial antennas and towers related to wireless transmissions and relays, if permitted by law, so long as those towers are no higher than necessary to reasonably accommodate the use including the use of the shortest structure possible and crank-up or telescoping devices are used whenever possible.
 - D. Water reservoirs.
8. In the R-1 and R-2 zones, a primary structure may be constructed up to thirty-five feet (35') in height under the following conditions:
- A. The interior side yard setback must be at least ten feet (10') with one additional foot of setback for each additional foot of building height over thirty feet (30') to a maximum required setback of fifteen feet (15').
 - B. A minimum lot size of twelve thousand five hundred (12,500) square feet.
9. In the R-3 Zone a primary structure may be constructed up to forty feet (40') in height under the following conditions:
- A. The rear yard and interior side yard setback must be at least ten feet (10') with one additional foot of setback for each additional foot of building height over thirty feet (30') to a maximum required setback of fifteen feet (15').
 - B. A minimum lot size of twelve thousand five hundred (12,500) square feet.
10. A detached accessory building in a residential zone may exceed sixteen feet (16') in height under the following conditions:
- A. Minimum lot size of fifteen thousand (15,000) square feet.
 - B. Minimum lot width of eighty feet (80').
 - C. Accessory building, primary structure, and impervious surfaces combined do not cover more than fifty percent (50%) of lot.
 - D. Any building over sixteen feet (16') in height must be consistent with the exterior of the primary structure in architectural style, siding, paint, roof pitch, and roofing material. If the primary structure has multiple roof pitches, the accessory building need only match one of them.
 - E. Interior side yard and rear yard setbacks as required by current code plus one additional foot for each additional foot in height over sixteen feet (16').
 - F. Building to be no taller than 26' or the height of the house, whichever is less.
 - G. Blank wall facades created by an accessory building over sixteen feet (16') in overall height and twenty-four feet (24') in width or length will require one window, with one (1) additional window required for each additional twelve feet (12') in width or length. Window trim shall match the window trim on the front of the house.

11. In the R-4 Zone, a primary or accessory structure may be constructed up to thirty-five feet (35') when the interior side yard setback is increased by one foot (1') of setback for each additional foot of building height over thirty feet (30').

12. In a garage or carport constructed to the standards of the State Building Code.

Section 2. The City Council declares that an emergency exists and this ordinance is deemed a public emergency ordinance necessary for the protection of public health, public safety, public property, or public peace and shall take effect immediately as provided by law upon one reading if a majority plus one of the whole membership of the City Council vote in favor of passage.

Adopted by the City Council and signed by its Mayor on July 24, 2012.



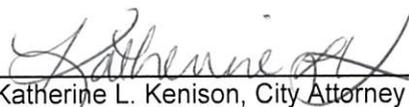
Bill J. Ecret, Mayor

ATTEST:



W. Robert Taylor, Acting Finance Director

APPROVED AS TO FORM:



Katherine L. Kenison, City Attorney