

Chapter 17.04 GENERAL PROVISIONS

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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. (Ord. 07-093 § 1; Ord. 99-025 § 2).

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. (Ord. 07-093 § 1; Ord. 99-025 § 2).

17.04.030 Applicability.

The provisions of this title shall apply to all lands, buildings, structures and uses classified under this title. (Ord. 07-093 § 1; Ord. 99-025 § 2).

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 require 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 a 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. (Ord. 07-093 § 1; Ord. 99-025 § 2).

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. (Ord. 07-093 § 1; Ord. 99-025 § 2).

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. (Ord. 07-093 § 1; Ord. 99-025 § 2).

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. (Ord. 07-093 § 1; Ord. 99-025 § 2).

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. (Ord. 07-093 § 1; Ord. 99-025 § 2).

17.04.090 Administration.

Recodified at RIMC 17.70.010.

17.04.100 Enforcement.

Recodified at RIMC 17.70.020.

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Chapter 17.16 GENERAL REGULATIONS

Sections:

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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. (Ord. 07-093 § 1; Ord. 99-025 § 2).

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 as 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. (Ord. 07-093 § 1; Ord. 99-025 § 2).

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 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 15 feet along the road right-of-way and 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 nonresidential 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. (Ord. 07-093 § 1; Ord. 99-025 § 2).

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 RIMC 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. (Ord. 07-093 § 1; Ord. 99-025 § 2).

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 no time shall any recreational vehicle be parked within the first 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. (Ord. 07-093 § 1; Ord. 99-025 § 2).

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. 07-093 § 1; 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. (Ord. 07-093 § 1; Ord. 99-025 § 2).

17.16.080 Yard sales.

Within the residential zoning districts, each residence can hold up to three yard sales each year, provided the following standards are followed:

- A. Only one yard sale is allowed for each calendar quarter;
- B. The yard sale shall only last a total of three consecutive days, including the time used to set up;
- C. No storage of yard sale items shall last beyond the three 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. (Ord. 07-093 § 1).

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