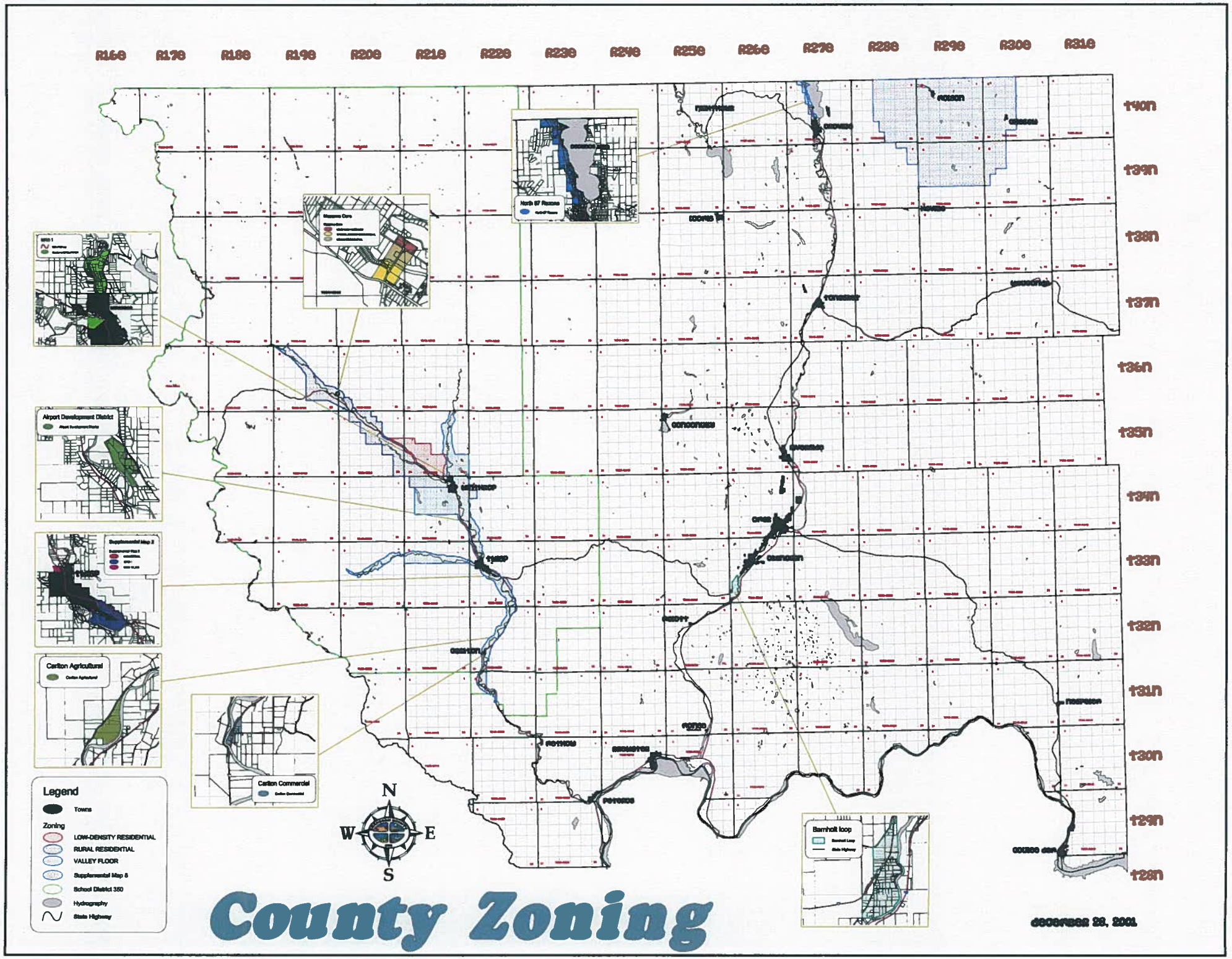
Appendix 6: Prior Zoning Map and Text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Title 17
ZONING

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Chapter 17.02
GENERAL PROVISIONS

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17.02.010 Short title.

This title shall be known as the "Okanogan County zoning code." (Ord. 92-12 § 5 (App. A), 1992).

17.02.020 Repealer.

Okanogan County Zoning Ordinance 79-8, as amended, and interim amendments to Okanogan County Zoning Ordinance 79-8 codified as Okanogan County Code, Title 17, Ordinance 90-5 and Ordinance 92-2, are repealed. (Ord. 92-12 § 5 (App. A), 1992).

17.02.030 Purpose.

The purpose of this title is to implement the Okanogan County comprehensive plan (as amended) and promote the general public health, safety and welfare of present and future inhabitants of Okanogan County. Any provision of this code may be amended to improve, update or clarify its purpose by following amendment procedures contained in Chapter 17.37 OCC. The following policies are intended to guide development and implementation of this title. These policies include, but are not limited to:

A. Recognizing that the land and its associated environmental quality is the county's most valuable natural resource;

B. Promoting public and private land use decisions and actions that are consistent with the goals and policies of Okanogan County comprehensive plan;

C. Establishing a land use pattern that reflects the needs of Okanogan County residents and that considers existing land uses, structures, and their associated intensities in both urban and rural areas;

D. Encouraging the location and use of structures and land for commerce, industry, residences and recreational opportunities where they are most compatible with existing land uses and identified environmental constraints;

E. Encouraging development in areas where adequate public services are available including domestic water and sanitary sewer systems (or where private or public on-site systems can be effectively provided), sheriff and fire protection, roads and utilities, and

schools, and limiting development in areas where these facilities or services cannot be adequately provided;

F. Encouraging innovative site design that is responsive to both the human and natural environment;

G. Providing cost-efficient governmental services;

H. Providing for adequate privacy, space, light, air, view, open space and fire separation;

I. Protecting existing land uses and property values from adverse impacts of adjacent developments;

J. Promoting development and public improvements that are cost-effective to build and maintain (evaluation of benefit/cost analysis specifically excludes land prices that are unusually high or speculative);

K. Reducing traffic danger and congestion on roads and highways;

L. Minimizing public and private losses due to wildfire, flood or geological hazards;

M. Reducing the time required for public review of proposed projects;

N. Encouraging the development of recreational opportunities, such as, trail systems, access corridors, trail heads, parks and other support facilities;

O. Promote the goals of the Memorandum of Understanding for Protection and Enhancement of Mule Deer and Other Wildlife Populations in the Methow Valley;

P. Providing protection for natural resource lands including agricultural, forest and mineral lands of long-term commercial significance; and provide protection for critical areas including wetlands, aquifer recharge areas, fish and wildlife habitat conservation areas, frequently flooded areas and geologically hazardous areas. (Ord. 92-12 § 5 (App. A), 1992).

17.02.040 Authority.

This code is adopted pursuant to Chapter 36.70 RCW. The Okanogan County planning director, hereafter referred to as the administrator, is vested with the duty of administering the provisions of this code and may prepare, and require the use of, such forms as are essential to its administration. In addition to that authority set forth in Chapter 17.21 OCC, the administrator may issue such orders, requirements, decisions or determinations concerning the application of this code. Appeals of the administrator's actions shall be under Chapter 17.35 OCC. (Ord. 92-12 § 5 (App. A), 1992).

17.02.050 Relationship to subdivision and platting.

Any proposed subdivision or platting action under OCC Title 16 must be in accordance with the zoning on the subject property. Any proposed subdivision which is not in compliance with the zoning will not be processed, except that a rezone application may be processed simultaneously with a proposed subdivision. (Ord. 92-12 § 5 (App. A), 1992).

17.02.060 Other permits issued by the county.

The issuance of any permit or license by any department or agency of the county shall not in any way make lawful a use of land or structure otherwise in violation of this code. Any permit or license issued for a use of land or structure thereon which violates this code shall be and is null and void. (Ord. 92-12 § 5 (App. A), 1992).

17.02.070 State Environmental Policy Act coordination.

All development projects and land uses proposed within Okanogan County shall be reviewed for their consistency with SEPA, Chapter 43.21C RCW, SEPA Guidelines, Chapter 197-11 WAC, and the Okanogan County SEPA Code. Mitigation of significant adverse impacts may be required, as a condition of project and/or land use approvals. (Ord. 92-12 § 5 (App. A), 1992).

17.02.080 Interpretations.

In interpreting and applying this code, the provisions shall be held to be minimum requirements adopted for the protection of the public health, safety, morals and general welfare. Except as specifically provided herein, it is not intended by this code to repeal, abrogate, annul, or in any way impair or interfere with any existing provisions of law, ordinance, resolution, regulation, rule or permit previously adopted or issued, or which shall be adopted or issued pursuant to law, relating to the use of buildings or land or relating to the erection, construction, establishment, moving, alteration, or enlargement of any building or improvements; nor is it intended to interfere with or abrogate or annul any easement, covenant or other agreement between parties; provided, that whenever this code imposes greater restrictions upon the erection, construction, establishment, moving, alteration or enlargement of buildings, or the use of any building, or of any of the districts established by this code, than are imposed or required by such existing provisions of law or regulation, rule or permit, or easement, covenant or agreement, then the provisions of this code shall control.

A. The provisions of this code shall be liberally construed to further its purposes.

B. Whenever a provision of this code or of any other law, rule, contract, resolution or regulation of the state or federal government or of Okanogan County, of any kind, contains restrictions covering the same subject matter, the more restrictive requirement or higher standard shall govern.

C. Reference to any existing provisions of law includes reference to any amendments to such provision that may occur subsequent to adoption of this code. (Ord. 92-12 § 5 (App. A), 1992).

17.02.090 Scope.

This code shall apply to all public and private lands situated within the unincorporated portions of Okanogan County over which Okanogan County has jurisdiction under the constitutions and laws of the state and of the United States and shall set forth minimum standards in addition to such other standards that may be applicable including, but not limited to, health district regulations, Shorelines Management Act, Okanogan County subdivision regulations, State Environmental Policy Act, comprehensive plan, Okanogan County SEPA ordinance or critical areas regulations. (Ord. 92-12 § 5 (App. A), 1992).

17.02.100 Notice and appeal period.

Any notice or appeal period established under the authority of this title, which expires on a holiday or weekend, shall be extended to the close of business of the next county business day. (Ord. 92-12 § 5 (App. A), 1992).

17.02.110 Severability.

If any provision of this title is for any reason held to be invalid, the remainder of this title shall not be affected. If any provision of this title is adjudged invalid as applied to a particular person or circumstance, that provision of this title shall not be affected as to other persons or circumstances. (Ord. 92-12 § 5 (App. A), 1992).

Chapter 17.04
DEFINITIONS

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17.04.351 Zoning adjustor/yard variance.

17.04.005 Definitions generally.

Whenever the words and phrases set forth in this chapter appear in this title, they shall be given the meaning attributed to them by this chapter. When not inconsistent with the context, words used in the present tense shall include the future; singular includes the plural and the plural the singular; "shall" is always mandatory and "may" indicates a use of discretion in making a decision. (Ord. 92-12 § 5 (App. A), 1992).

17.04.007 Accessory building or use.

"Accessory building or use" means a subordinate building or use which is located on the same lot with the principal building or use. For example, housing or labor camps for workers are considered accessory buildings in some zones. (Ord. 92-12 § 5 (App. A), 1992).

17.04.009 Acre.

"Acre" means a measurement of land surface area containing 43,560 square feet. (Ord. 92-12 § 5 (App. A), 1992).

17.04.011 Administrator.

"Administrator" means the Okanogan County office of planning and development director or the director's designee. (Ord. 92-12 § 5 (App. A), 1992).

17.04.012 Advertising sign.

"Advertising sign" means any device, structure, fixture or placard that is visible from a public right-of-way or surrounding properties and which uses graphics, symbols or written copy for the purpose of advertising or identifying any establishment, product, goods or service. (Ord. 92-12 § 5 (App. A), 1992).

17.04.013 Agricultural resource lands.

"Agricultural resource lands" means land primarily devoted to the commercial production of horticultural, viticultural, floricultural, dairy, apiary, vegetable or animal products, or of berries, grain, hay, straw, turf, seed Christmas trees not subject to the excise tax imposed by RCW 84.33.100 through 84.33.140, or livestock, and that has long-term commercial significance for agricultural production. (Ord. 92-12 § 5 (App. A), 1992).

17.04.014 Agriculture.

"Agriculture," pertaining to farming, means and includes the raising of livestock and crops. (Ord. 92-12 § 5 (App. A), 1992).

17.04.015 Airport.

"Airport" means a runway having any or all of the following characteristics: facilities for storage; supply and maintenance of aircraft; commercial uses and services such as flight instruction, charter or air freight service; passenger service; agricultural services

including herbicide or pesticide application; and facilities maintained or operated by governmental units, agencies or private corporations. (Ord. 92-12 § 5 (App. A), 1992).

17.04.016 Airport clear zone.

"Airport clear zone" means that area surrounding an airport to be clear of obstructions per Federal Aviation Administration Regulations. (Ord. 92-12 § 5 (App. A), 1992).

17.04.020 Airstrip.

"Airstrip" means a runway without normal airport facilities maintained for the private use of the owner of the property on which it is located. (Ord. 92-12 § 5 (App. A), 1992).

17.04.022 Amateur radio.

"Amateur radio" means a communication service carried out by person(s) licensed by the Federal Communications Commission solely with a personal aim and without pecuniary interest. (Ord. 96-7 § 2, 1996).

17.04.024 Approach surface.

"Approach surface" means a surface longitudinally centered on the extended runway centerline and extending outward and upward from such end of the primary surface. An approach surface is applied to the end of each runway based upon the type of approach available or planned for that runway end. (Ord. 92-12 § 5 (App. A), 1992).

17.04.025 Aquifer recharge areas.

"Aquifer recharge areas" means area with a critical recharging effect on aquifers used for potable water where an aquifer that is a source of drinking water is vulnerable to contamination that would affect the potability of the water. (Ord. 92-12 § 5 (App. A), 1992).

17.04.026 Automobile wrecking yard.

"Automobile wrecking yard" means any facility for the dismantling or wrecking of motor vehicles or trailers, or the storage, sale or dumping of dismantled or wrecked vehicles and/or their parts. (Ord. 92-12 § 5 (App. A), 1992).

17.04.027 Average grade level.

"Average grade level" means the average of the finished ground level taken at the center of all exterior walls of a building. In instances where an exterior wall of the building is within five feet of a sidewalk adjacent to a street, the sidewalk shall be considered the finished ground level. (Ord. 92-12 § 5 (App. A), 1992).

17.04.028 Awning or marquee sign.

"Awning or marquee sign" means a sign attached to a shelter which shelter is supported by posts or the exterior wall of a building or any combination thereof. (Ord. 2000-1 § 2, 2000).

17.04.029 Batch plant (asphalt/concrete).

"Batch plant (asphalt/concrete)" means a manufacturing facility for the production of paving and/or construction materials, usually temporary in nature, and normally

associated with specific construction projects or mineral resource extraction facilities. (Ord. 2000-1 § 2, 2000; Ord. 92-12 § 5 (App. A), 1992. Formerly 17.04.028.).

17.04.030 Bed and breakfast.

"Bed and breakfast" means an owner-occupied single-family dwelling in which not more than two bedrooms are rented to the traveling public (tourists). For the purposes of this title, this use is not considered a commercial use. This use shall have the outward appearance of a single-family residence and food service in accordance with WAC 246-215-180. See Chapter 17.28 OCC for specific regulations. (Ord. 92-12 § 5 (App. A), 1992).

17.04.032 Billboard.

"Billboard" means a sign, including both the supporting structural framework and attached billboard faces, used principally for advertising a business activity, use, product or service unrelated to the primary use or activity of the property on which the billboard is located. This definition excludes off-premises directional and/or temporary real estate signs. (Ord. 92-12 § 5 (App. A), 1992).

17.04.035 Binding site plan.

"Binding site plan" means:

A. A drawing or drawings to a scale of not less than one inch to 100 feet which:

1. Identifies and shows the areas and locations of all streets, roads, drainage systems, improvements, utilities, open spaces, dedications, lots, tracts, spaces and any other matters specified in this title and any other applicable code or ordinance;

2. Contains inscriptions or attachments setting forth such appropriate limitations and conditions for the use of the land as are established by the Okanogan County agency having authority to approve the site plan; and

3. Contains provisions making any development upon land covered by the plan, be in conformity with the site plan.

B. An alternative method of land segregation pursuant to Chapter 58.17 RCW, regulated by Okanogan County Code, Ordinance 86-6. (Ord. 92-12 § 5 (App. A), 1992).

17.04.040 Board.

"Board" means the Okanogan County board of county commissioners. (Ord. 92-12 § 5 (App. A), 1992).

17.04.045 Building.

"Building" means any permanent structure built for the shelter or enclosure of persons, animals, chattels or property of any kind and not including advertising signboards or fences. (Ord. 92-12 § 5 (App. A), 1992).

17.04.052 Building yard setback.

"Building yard setback" means a required minimum distance measured from, perpendicular to, and level with a specified property line, exclusive of the pipestem portion (if any) of a lot, to the nearest point on the building footprint or foundation. (Ord. 92-12 § 5 (App. A), 1992).

17.04.055 Campgrounds.

"Campgrounds" means a development providing facilities for outdoor recreational activities, including structural improvements such as covered cooking areas, group facilities, self-contained travel trailer/motor home sites, tent sites, restroom and shower facilities, and laundry facilities for the convenience of temporary occupants. This definition includes camping clubs when developed in accordance with applicable state laws and this title. (Ord. 92-12 § 5 (App. A), 1992).

17.04.060 Commercial.

"Commercial" means facilities used or established to provide goods, merchandise or services for compensation or exchange, excluding facilities for the growth, production or storage of agricultural products. (Ord. 92-12 § 5 (App. A), 1992).

17.04.065 Commercial auto parking lot.

"Commercial auto parking lot" means spaces for lease or rent on an hourly, daily or monthly basis. (Ord. 92-12 § 5 (App. A), 1992).

17.04.067 Communication facility, commercial.

"Commercial communication facility" means a communication facility for transmission and reception of UHF and/or VHF television signals or FM and/or AM radio signals; two-way and/or citizen band (CB) radio signals; point-to-point microwave signals; cellular radio signals; signals through FM radio translators; or signals through FM radio boosters over 10 watts effective radiated power. (Ord. 92-12 § 5 (App. A), 1992).

17.04.068 Community advisory committee.

"Community advisory committee" means a citizen advisory committee representative of a cross-section of the community appointed by the Okanogan County board of commissioners for the purpose of review and recommendation on specific projects in a specific area. Review by community advisory committee is supplementary to the required public review. (Ord. 92-12 § 5 (App. A), 1992).

17.04.069 Conditional use.

"Conditional use" means a use permitted in one or more zones by this code, but which because of characteristics peculiar to each such use, or because of size, technological processes or equipment, or because of the exact location with reference to surroundings, streets, and existing improvements or demands upon public facilities, requires a special degree of control to make such uses consistent with and compatible with other existing or permissible uses in the same zone or zones. Conditional uses require a conditional use permit (see Chapter 17.33 OCC). (Ord. 92-12 § 5 (App. A), 1992).

17.04.070 Condominium.

"Condominium" means an apartment building in which the apartments are owned individually, or an apartment in such a building. The condominium concept usually involves some elements of common ownership of the underlying property and often some portions of the building together with participation in an ownership association. (Ord. 92-12 § 5 (App. A), 1992).

17.04.071 Critical areas.

"Critical areas" means and includes the following areas and ecosystems: wetlands; areas with a critical recharging effect on aquifers used for potable water; fish and wildlife habitat conservation areas, as may be adopted based on the Washington Department of Wildlife priority habitat and species (PHS) maps; frequently flooded areas, as represented on the adopted FEMA 100-year floodplain maps; and geologically hazardous areas. (Ord. 92-12 § 5 (App. A), 1992).

17.04.073 Day care.

"Day care" means an establishment for group care of nonresident adult(s) or children. Day care may include adult day health centers or social day cares as defined by the Washington State Department of Social and Health Services, nursery schools for children under the minimum age for education in public schools, private kindergartens or prekindergartens when not a part of a public or parochial school, and programs covering after-school care for school children. (Ord. 92-12 § 5 (App. A), 1992).

17.04.075 Dedication.

"Dedication" means the transfer of property interest, via a written instrument, to a public agency/entity for a specific use or purpose (e.g., roads, parks or trails, open space, fishing access), or to encumber such property with a perpetual restrictive covenant providing for such use. (Ord. 92-12 § 5 (App. A), 1992).

17.04.077 Density.

"Density" means an expression of the intensity of use of property usually indicated in the following manner:

A. For residential uses: minimum acreage or square footage required for each residential unit;

B. For nonresidential uses: maximum amount of use and/or floor area expressed as a percentage or fraction of the size of the lot. (Ord. 92-12 § 5 (App. A), 1992).

17.04.080 Development.

"Development" means any construction or activity which changes the basic character, use or intensity of use of the land on which the construction or activity occurs. Development includes subdivision of land for the purpose of sale or lease which requires platting under the Okanogan County subdivision code. (Ord. 92-12 § 5 (App. A), 1992).

17.04.083 Dormitory.

"Dormitory" means a residential building that provides sleeping quarters (but not separate dwelling units), and may include common dining, cooking and recreation or bathing facilities. Dormitories are usually associated with resorts, schools, recreational camps, etc. (Ord. 92-12 § 5 (App. A), 1992).

17.04.085 Dwelling, group (dormitory, hostel and hospice).

"Group dwelling (dormitory, hostel and hospice)" means a supervised residence hall or large room with a number of beds for individuals or groups, and without individual

private baths. This type of facility may include central kitchen facilities. (Ord. 92-12 § 5 (App. A), 1992).

17.04.090 Dwelling unit.

"Dwelling unit" means one or more rooms designed for occupancy by a person or family for living and sleeping purposes, containing kitchen facilities and rooms with internal accessibility for the sole use by the dwelling's occupant; including, but not limited to, bachelor, efficiency and studio apartments, factory-built housing and mobile homes, apartments and detached single-family homes. (Ord. 92-12 § 5 (App. A), 1992).

17.04.095 Dwelling, multiple-family.

"Multiple-family dwelling" means a building containing two or more dwelling units with accessory use facilities limited to any office, laundry and recreational facilities used by the occupants, and off-street parking. (Ord. 92-12 § 5 (App. A), 1992).

17.04.097 Environmentally sensitive area.

"Environmentally sensitive area" means an area designated and mapped by the county under WAC 197-11-908. Certain categorical exemptions do not apply within environmentally sensitive areas. (Ord. 2000-1 § 2, 2000; Ord. 92-12 § 5 (App. A), 1992. Formerly 17.04.110.).

17.04.099 Facade sign.

"Facade sign" means any sign which is erected (including painted) on the wall of a building or other structure whose face is generally parallel to that wall or other structure and whose face does not extend outward more than 12 inches in a direction perpendicular to that wall or other structure. (Ord. 2000-1 § 2, 2000).

17.04.101 Feedlot.

"Feedlot" means any area used for the continuous feeding of 400 or more head of cattle, confined at a density of less than 500 square feet per head for six months or more. This shall not be interpreted to include dairy operations with a Washington State grade A license. (Ord. 2000-1 § 2, 2000; Ord. 92-12 § 5 (App. A), 1992. Formerly 17.04.111.).

17.04.103 Fence.

"Fence" means a barrier for the purpose of enclosing space or separating lots. Fences are not structures for the purposes of this code. (Ord. 2000-1 § 2, 2000; Ord. 92-12 § 5 (App. A), 1992. Formerly 17.04.112.).

17.04.105 Fence (Washington legal).

A "lawful fence" shall be of at least four barbed, horizontal, well-stretched wires, spaced so that the top wire is 48 inches, plus or minus four inches, above the ground and the other wires at intervals below the top wire of 12, 22 and 32 inches. These wires shall be securely fastened to substantial posts set firmly in the ground as nearly equidistant as possible, but not more than 24 feet apart. If the posts are set more than 16 feet apart, the wires shall be supported by stays placed no more than eight feet from each other or from the posts (RCW 16.60.010).

All other fences as strong and well-calculated as the fence discussed above are also considered lawful fences (RCW 16.60.011). (Ord. 2000-1 § 2, 2000; Ord. 92-12 § 5 (App. A), 1992. Formerly 17.04.113.).

17.04.107 Fish and wildlife habitat conservation areas.

"Fish and wildlife habitat conservation areas" means areas of local importance that include a seasonal range or habitat element with which a given species has a primary association, and which, if altered, may reduce the likelihood that the species will maintain and reproduce over the long-term. These might include areas of high relative density or species richness, breeding habitat, winter range, movement corridors, and areas of limited availability or high vulnerability to alteration, such as cliffs, talus and wetlands. (Ord. 2000-1 § 2, 2000; Ord. 92-12 § 5 (App. A), 1992. Formerly 17.04.114.).

17.04.109 Flood hazard area.

"Flood hazard area" means areas identified by the Federal Insurance Administration in the report entitled "The Flood Insurance Study for the Okanogan County Area," as amended/updated, with accompanying flood insurance maps. (Ord. 2000-1 § 2, 2000; Ord. 92-12 § 5 (App. A), 1992. Formerly 17.04.115.).

17.04.111 Floodplain.

"Floodplain" means that portion of a river or stream channel and adjacent lands subject to flooding in a given flood situation. A 100-year floodplain is that portion of a river or stream channel and adjacent lands subject to a one percent chance of flooding in any given year as identified on the flood hazard maps prepared by the Federal Emergency Management Agency (FEMA). (Ord. 2000-1 § 2, 2000; Ord. 92-12 § 5 (App. A), 1992. Formerly 17.04.116.).

17.04.113 Floodway.

"Floodway" means the regular river or stream channel together with that portion of the floodplain which has been defined as floodway on the flood hazard maps prepared by the Federal Emergency Management Agency (FEMA). (Ord. 2000-1 § 2, 2000; Ord. 92-12 § 5 (App. A), 1992. Formerly 17.04.117.).

17.04.115 Floor area.

"Floor area" means the total surface area of all floors, including garage space, within a structure or structures to be erected on a property. (Ord. 2000-1 § 2, 2000; Ord. 92-12 § 5 (App. A), 1992. Formerly 17.04.118.).

17.04.117 Forest resource lands.

"Forest resource lands" means land that is primarily useful for growing trees, including Christmas trees subject to the excise tax imposed under RCW 84.33.100 through 84.33.140, for commercial purposes, and that has long-term commercial significance for growing trees commercially. (Ord. 2000-1 § 2, 2000; Ord. 92-12 § 5 (App. A), 1992. Formerly 17.04.119.).

17.04.119 Freestanding sign.

"Freestanding sign" means a sign supported by one or more uprights, poles or braces in or on the ground, and not supported by a building. (Ord. 2000-1 § 2, 2000).

17.04.120 Frequently flooded areas.

"Frequently flooded areas" means areas in the floodplain subject to a one percent or greater chance of flooding in any given year. (Ord. 92-12 § 5 (App. A), 1992).

17.04.121 Fruit stand.

"Fruit stand" means a single-story structure used seasonally for marketing fresh fruits/vegetables, dairy products and other agricultural products. (Ord. 92-12 § 5 (App. A), 1992).

17.04.122 Geologically hazardous areas.

"Geologically hazardous areas" means areas that are not suited to siting commercial, residential or industrial development consistent with public health or safety concerns, because of their susceptibility to erosion, sliding, earthquake or other geological events. Types of geologically hazardous areas including:

A. Erosion hazard areas: contain soil types, according to Soil Conservation Service's soil classification system, that may experience severe to very severe erosion;

B. Landslide hazard areas: have the potential of risk of mass movement resulting from a combination of geologic, topographic and hydrologic factors;

C. Seismic hazard areas: are subject to severe risk of damage as a result of earthquake-induced ground shaking, slope failure, settlement or soil liquefaction;

D. Mine hazard areas: are directly underlain by, adjacent to or affected by mine workings such as edits, tunnels, drifts, or air shafts;

E. Volcanic hazard areas: include areas subject to pyroclastic flows, lava flows, and inundation by debris flows, mud flows, or related flooding resulting from volcanic activity. (Ord. 92-12 § 5 (App. A), 1992).

17.04.123 Gravel pit.

"Gravel pit" means land from which sand, gravel or quarried rock is extracted, but does not include extraction of metals, minerals or fossil fuels (see Mining, OCC 17.04.185). (Ord. 92-12 § 5 (App. A), 1992).

17.04.124 Guest house.

"Guest house," for the purposes of OCC 17.14.115, means a small living unit accompanying the main residence permitted on a lot of minimum size or larger for the purpose of housing guests, friends and relatives, and having its own kitchen and toilet facilities. The total floor area of such a unit shall be a minimum of 500 square feet and not exceed 50 percent of the total area of the main residence. The main residence shall be occupied by the property owner. (Ord. 92-12 § 5 (App. A), 1992).

17.04.125 Height, building.

"Building height" means the average height of the four sides of a structure, measured from existing grade highest point of the roof. (Ord. 92-12 § 5 (App. A), 1992).

17.04.126 Helipad.

"Helipad" means a designated touchdown spot for short-term occasional use by helicopters. (Ord. 92-12 § 5 (App. A), 1992).

17.04.127 Heliport.

"Heliport" means all helicopter landing sites, except for helipads as defined in OCC 17.04.126 or a site for one, privately owned, noncommercial helicopter. The heliport may include ancillary maintenance facilities. (Ord. 92-12 § 5 (App. A), 1992).

17.04.130 Home occupation.

"Home occupation" means a business carried on as an accessory use to a principal residential use of the subject property, involving the manufacture, provision, or sale of goods and/or services, which is conducted by the members of the family residing on the premises plus not more than two nonresident employees. Home occupations must comply with Chapter 17.29 OCC. (Ord. 96-14 § 2, 1996; (Ord. 92-12 § 5 (App. A), 1992).

17.04.131 Hospital.

"Hospital" means an institution specializing in giving clinical, temporary and emergency services of a medical or surgical nature to human patients and licensed by state law to provide facilities and services in surgery, obstetrics and general medical practice. (Note: This definition excludes treatment of mental and nervous disorders and drug/alcohol abuse, but not excluding surgical and post-surgical treatment of these cases). (Ord. 92-12 § 5 (App. A), 1992).

17.04.132 Hotels and motels.

"Hotels" and "motels" means establishments for housing the traveling public on an overnight or short-term basis. Accessory restaurant and recreational facilities are usually available to nonguests as well as guests. (Ord. 92-12 § 5 (App. A), 1992).

17.04.135 Improved public road.

"Improved public road" means a roadway used by the public and having a level of improvement accepted by Okanogan County. (Ord. 92-12 § 5 (App. A), 1992).

17.04.137 Industrial.

"Industrial" means activity including manufacturing, processing, warehousing, storage, distribution, shipping and other related uses. (Ord. 92-12 § 5 (App. A), 1992).

17.04.140 Inns, lodges and guest ranches.

"Inns, lodges and guest ranches" means establishments for housing and providing either organized entertainment (both active and passive) or recreational opportunities for stays, generally, several nights in duration. This type of facility either provides all recreational opportunities on-site or as part of an organized or duly licensed and/or permitted recreational activity on public or private lands in the vicinity of the inn, lodge or guest ranch. (Ord. 92-12 § 5 (App. A), 1992).

17.04.143 Kennel, commercial.

"Commercial kennel" means an establishment or place, other than an animal or veterinary hospital or clinic or animal shelter, where a combination of 11 or more dogs and/or cats over six months of age are housed, groomed, bred, boarded, trained or sold commercially or as pets. (Ord. 92-12 § 5 (App. A), 1992).

17.04.144 Kennel, private.

"Private kennel" means the domicile of a person or persons, who own or breed five or more dogs and/or cats, but less than 11 dogs and/or cats, over six months of age, primarily for personal recreational use, such as participation in recognized conformation shows, field or obedience trials, racing, scenting, pulling, specialized hunting or working trails, and water trails, search and rescue, tracking, and for the purpose of improving the physical soundness, temperaments and conformation of a given breed to a standard. (Must be in compliance with Chapter 17.29 OCC, Home Occupation.) (Ord. 92-12 § 5 (App. A), 1992).

17.04.150 Lodging unit.

"Lodging unit" means one or more rooms in addition to kitchen or bath facilities within a building intended or designed for the occupancy of guests. (Ord. 92-12 § 5 (App. A), 1992).

17.04.155 Lot.

"Lot" means a fractional part of subdivided lands having fixed boundaries, and being of sufficient area and dimension to meet minimum zoning requirements for width and area. The term includes tracts and parcels. (Ord. 92-12 § 5 (App. A), 1992).

17.04.158 Lot, corner.

"Corner lot" means a lot situated at the intersection of two or more streets. Front yard setback standards apply to each street frontage of a corner lot. (Ord. 92-12 § 5 (App. A), 1992).

17.04.160 Lot coverage.

"Lot coverage" means that portion of a lot which, when viewed directly from above, would be covered by building(s) and/or structure(s) and/or impervious surfaces. The portion of the lot covered by the roof projection or eaves beyond the wall of the building(s) and/or structure(s) is not included as lot coverage. (Ord. 92-12 § 5 (App. A), 1992).

17.04.165 Lot width.

"Lot width" means the horizontal distance between the side lot lines measured at right angles to the line comprising the depth of the lot at a point midway between the front lot line and the rear lot line. (Ord. 92-12 § 5 (App. A), 1992).

17.04.168 Manufactured home.

"Manufactured home" means a structure that can be transported on a wheeled-axle in one or more parts and is constructed to U.S. Housing and Urban Development Standards. (Ord. 92-12 § 5 (App. A), 1992).

17.04.169 Manufacturing, heavy.

"Heavy manufacturing" means industrial enterprises and activities which possess potential nuisance or hazard components or place exceptional demands upon public facilities and services. Such facilities generally involve manufacturing, assembly, fabrication and processing, bulk handling, storage, warehousing, and heavy trucking activity and normally require sites of larger size to accommodate these uses. (Ord. 92-12 § 5 (App. A), 1992).

17.04.170 Manufacturing, light.

"Light manufacturing" means a manufacturing use, in which goods are produced without using heavy machinery, such as machine loaders, foundry machinery, metal, presses, etc., and without chemically processing materials. Light manufacturing activities include, but are not limited to, the following activities:

A. Manufacture, assembly, finishing, and/or packaging of small items from component parts. Examples include, but are not limited to, pottery, clothing, assembly of clocks, electrical appliances or medical equipment;

B. Production of items made from materials derived from plants or animals including, but not limited to, leather, premilled wood, paper, wool or cork; or from textiles, semiprecious or precious metals or stones, or plastics;

C. Production or bottling of beverages for human consumption including, but not limited to, beer, wine and soft drinks. (Ord. 92-12 § 5 (App. A), 1992).

17.04.175 Marinas.

"Marinas" means a facility which provides boat launching, storage, supplies and services for small pleasure craft. There are two basic types of marinas; open-type construction (floating breakwater and/or open pile work) and solid-type construction (bulkhead and/or landfill). (Ord. 92-12 § 5 (App. A), 1992).

17.04.180 Medical/dental clinic.

"Medical/dental clinic" means a structure for the medical examination and treatment of human patients, but without provision for keeping such patients overnight on the premises. (Ord. 92-12 § 5 (App. A), 1992).

17.04.182 Mineral resource lands.

"Mineral resource lands" means lands primarily devoted to the extraction of minerals or that have known or potential long-term commercial significance for the extraction of mineral. (Ord. 92-12 § 5 (App. A), 1992).

17.04.183 Mini-storage.

"Mini-storage" means storage bins/lockers/rooms for rent for lease to the general public. Such storage facilities are generally within an enclosed building, although this definition also encompasses outdoor storage of autos, boats, recreational vehicles, equipment, etc. (Ord. 92-12 § 5 (App. A), 1992).

17.04.185 Mining.

"Mining" means the act of extracting from the earth minerals and/or ores via open pit, shaft, leaching, hydraulic or other methods, except dredging and sand and gravel. Note that mining activities are subject to zoning regulation and approval processes; however, prospecting and exploration activities that are conducted with minimal disturbance of the subject property are not considered mining and are not restricted by zoning. Surface mining operations are also regulated by the Department of Natural Resources. (Ord. 92-12 § 5 (App. A), 1992).

17.04.186 Mobile home.

"Mobile home" means structure that can be transported on a wheeled-axle, placed upon blocks, and is constructed to U.S. Housing and Urban Development standards. (Ord. 92-12 § 5 (App. A), 1992).

17.04.187 Mobile home park.

"Mobile home park" means a parcel of land designed, developed and improved to accommodate two or more mobile homes. Pads or spaces are generally leased or rented, and the period of occupancy generally extends beyond 30 days. (Ord. 92-12 § 5 (App. A), 1992).

17.04.188 Modular home.

"Modular home" means a structure moved to a lot in one or more parts, placed upon a foundation, and is constructed to Uniform Building Code standards. (Ord. 92-12 § 5 (App. A), 1992).

17.04.189 Nightly rental.

"Nightly rental" (for the purposes of Chapters 17.12, 17.14A, 17.14B, 17.15, 17.16 and 17.17 OCC) means tourist accommodation in guest houses, recreational homes or cabins, or part-time residential homes. See definitions of guest houses, recreational homes or cabins, and part-time residential homes for additional details concerning each type of use. (Ord. 2005-4 § 1, 2005).

17.04.190 Nonconforming structure.

"Nonconforming structure" means a lawful structure existing at the effective date of the adoption of this code that could not be built under the terms of this code or any amendment thereto. (Ord. 92-12 § 5 (App. A), 1992).

17.04.195 Nonconforming use.

"Nonconforming use" means any preexisting use of land, a structure, or a building conflicting with the provisions of this code, or any amendment thereto. (Ord. 92-12 § 5 (App. A), 1992).

17.04.200 Nursery.

"Nursery" means the land, building, structures or combination thereof for the storage, cultivation, transplanting of live trees, shrubs or plants offered for retail sale on the

premises including products used for gardening or landscaping. (Ord. 92-12 § 5 (App. A), 1992).

17.04.205 Office.

"Office" means a use intended for the purpose of providing services rather than the production, distribution and/or retail sales of goods or commodities. The services provided are generally professional, educational, administrative, financial or governmental in nature. (Ord. 92-12 § 5 (App. A), 1992).

17.04.210 Open space, common.

"Common open space" means land within or related to a development, not individually owned (undivided interest), which remains undeveloped (except for approved trails and accessory structures approved by the Department of Fish and Wildlife) and that is dedicated to one or more of the following purposes: historical/architectural preservation and/or wildlife habitat and/or recreation. (Ord. 94-10 § 2, 1994; Ord. 92-12 § 5 (App. A), 1992).

17.04.212 Open space, individual ownership.

Land within or related to a development owned individually, which remains undeveloped (except for trails) and that is dedicated for use in the development and is retained or restored to its native state or used for agricultural or recreational purposes, e.g., part of an organized trail system, structure approved by the Department of Fish and Wildlife, and structures of historical/architectural preservation significance or used as designated wildlife open space. (Ord. 94-10 § 2, 1994).

17.04.215 Open space, public.

"Public open space" means any land which has been acquired, set aside, dedicated, designated or reserved for general public use or enjoyment. (Ord. 92-12 § 5 (App. A), 1992).

17.04.220 Open space, conservation.

Land retained in an open or unimproved condition, which has been set aside, dedicated, designated, or reserved for fish and wildlife preservation or enhancement purposes. Mechanisms for preservation of wildlife open space include but are not limited to subdivision, planned development (PD), or planned destination resort (PDR) process. Lands within this type of an open space dedication may include portions and combinations of forest, agricultural and grazing lands, priority fish and wildlife habitats, on-site watersheds, 100-year flood plains, county shorelines or shorelines of state-wide significance and riparian areas and wetlands. Land so designated shall not include areas of human impact referred to in OCC 17.19.037 and shall contain no structures, or impervious surfaces or other than those which are approved by the administrator, e.g., part of an organized trail system, structure approved by the Department of Fish and Wildlife, and structures of historical/architectural preservation significance or used as designated wildlife open space. This definition applies to the incentive features (OCC 17.19.030) where percentage points can be earned by dedicating conservation open space within the PD. (Ord. 94-10 § 2, 1994; Ord. 92-12 § 5 (App. A), 1992).

17.04.224 Overnight lodging.

"Overnight lodging" means rental for transient or tourist use on a nightly, weekly or other basis less than month-to-month rental. (Ord. 2005-4 § 1, 2005).

17.04.226 Part-time residential home.

"Part-time residential home," for the purposes of OCC 17.14.115, means a home which is not occupied year round, but is occupied by the owner at least three months of the year. (Ord. 92-12 § 5 (App. A), 1992).

17.04.230 Persons.

"Persons" means any individual, partnership, corporation, association, company or other public or corporate body including the federal government and including any political subdivision, agency, instrumentality or corporation of the state. (Ord. 92-12 § 5 (App. A), 1992).

17.04.235 Planned destination resort (PDR).

"Planned destination resort (PDR)" means a recreational development which provides visitor-oriented accommodations and recreational facilities for resort visitors and residents, consistent with the comprehensive plan and approved under Chapter 17.20 OCC. (Ord. 92-12 § 5 (App. A), 1992).

17.04.240 Planned development (PD).

"Planned development (PD)" means land on which a variety of housing types and/or related commercial and industrial facilities are accommodated in a preplanned environment under flexible standards, such as lot sizes and setbacks, different than those restrictions that would normally apply to subdivision in the underlying zone. Planned development standards contain requirements in addition to those of the standard subdivision, such as building design principles and landscaping plans. A planned development is processed as a rezone. (Ord. 92-12 § 5 (App. A), 1992).

17.04.242 Portable.

"Portable" means capable of being carried or moved about, not permanently affixed to the ground. (Ord. 96-4 § 2, 1996).

17.04.243 Projecting sign.

"Projecting sign" means a sign which is attached to or supported by a wall or overhang of a building or structure other than an awning or marquee and which extends beyond the wall surface more than 12 inches in any direction. (Ord. 2000-1 § 2, 2000).

17.04.244 Recreational homes or cabins.

"Recreational homes or cabins," for the purposes of OCC 17.14.115, means those units which are the only living unit on a lot used by the owner periodically for extended stays and vacation periods but are otherwise vacant. (Ord. 92-12 § 5 (App. A), 1992).

17.04.245 Recreational vehicle (RV) park.

"Recreational vehicle (RV) park" means a tract of land under single ownership or unified control developed with individual sites for rent and containing roads and utilities to accommodate recreational vehicles or tent campers for vacation or other similar short-stay purposes. (Ord. 92-12 § 5 (App. A), 1992).

17.04.247 Recycling collection center.

"Recycling collection center" means a receptacle, facility or area used for the collection of recyclable materials (generally paper, glass, cans, etc.) for bulk transfer to a recycling processing center. (Ord. 92-12 § 5 (App. A), 1992).

17.04.250 Recycling processing center.

"Recycling processing center" means a facility where discarded household products such as aluminum and tin cans, glass, paper and other similar individual consumer products are deposited and stored for future reprocessing, including crushing, breaking, sorting and packaging operations, but not a junkyard. (Ord. 92-12 § 5 (App. A), 1992).

17.04.252 Residential transient tourist accommodation.

"Residential transient tourist accommodation," for the purposes of OCC 17.14.115, means overnight lodging spaces for the traveling public. These facilities may include, but are not limited to: guest houses, recreational homes or cabins, or part-time residential homes, campgrounds, recreational vehicle (RV) parks, dormitories/hostels/hospices, bed and breakfasts, lodges/inns, cabins, hotel/motels. See individual definitions for additional detail concerning each type of use. (Ord. 92-12 § 5 (App. A), 1992).

17.04.255 Riparian areas.

"Riparian areas" means areas adjacent to perennial or intermittent streams, lakes, ponds or standing water. (Ord. 92-12 § 5 (App. A), 1992).

17.04.260 Salvage (junk) yards.

"Salvage (junk) yards" means any lot, parcel, tract of land, building, structure or part thereof used for the storage, collection, processing, purchase, sale or abandonment of wastepaper, rags, scrap metal, vehicular parts, glass, used building materials, household appliances, brush, wood or other scrap or discarded goods, materials, machinery or five or more unregistered, inoperable motor or recreational vehicles or any other type of junk. (Ord. 92-12 § 5 (App. A), 1992).

17.04.261 Sandwich board sign.

"Sandwich board sign" means a sign which consists of two panels, hinged or attached at the top or side, designed to be movable and stand on the ground. (Ord. 2000-1 § 2, 2000).

17.04.265 Sawmill.

"Sawmill" means a mill where timber or logs are sawed into lumber or boards. (Ord. 92-12 § 5 (App. A), 1992).

17.04.270 Sawmill, portable.

"Portable sawmill" means a small, self-contained sawmill which is moved to the site where the timber is to be sawn and then moved on to another location. (Ord. 92-12 § 5 (App. A), 1992).

17.04.272 Seasonal.

"Seasonal" means a temporary use or permit (see OCC 17.04.297), the duration of which is related to an identifiable climatic, cultural or recreational period (i.e., summer, winter, fall, spring, Christmas, ski season). (Ord. 92-12 § 5 (App. A), 1992).

17.04.275 Shoreline.

"Shoreline" means the line at which the surface of the body of water of any lake, stream or river meets the land. (Ord. 92-12 § 5 (App. A), 1992).

17.04.280 Shoreline management.

"Shoreline management" means having to do with the Washington State Shoreline Management Act of 1971 (Chapter 90.58 RCW) and/or the Okanogan shoreline management master program administered under OCC Title 18. (Ord. 92-12 § 5 (App. A), 1992).

17.04.281 Sign.

"Sign" means any letter, figure, design, symbol, trademark, or other device which is intended to attract attention to any activity, service, place, firm, corporation or merchandise, except:

A. Traffic signs not visible from the public right-of-way or adjacent properties;

B. Signs on moving vehicles;

C. Newspapers or other printed materials intended for individual use or distribution to members of the public;

D. Government flags, or flags and bunting exhibited to commemorate national and patriotic holidays; and banners announcing charitable or civic events. (Ord. 2000-1 § 2, 2000).

17.04.282 Sign area.

"Sign area" means the entire background of one face of a sign upon which information of any kind can be displayed unless otherwise certified in this title, but does not include posts, foundations, roofs or landscaping. Sign measurement shall be based upon the entire area of the sign with a single continuous perimeter enclosing the extreme limits of the sign surface, but excluding posts, supports, foundations, roofs or landscaping. For a sign attached to or painted on a building, the area shall be considered to be 120 percent of the smallest rectangle which encompasses all of the letters, symbols, and any background color that is different than the natural color or finish of the building. (Ord. 2000-1 § 2, 2000).

17.04.283 Sign height.

The height of any sign shall be measured from the average grade at the base of the sign to the top of the sign. Any sign over or adjacent to a walkway shall be a minimum of eight feet above the walkway. (Ord. 2000-1 § 2, 2000).

17.04.285 Solid waste transfer station.

"Solid waste transfer station" means a government or private facility operated under government approval or franchise, where privately and or commercially transported solid waste and refuse is reloaded into larger vehicles for final transportation to a permanent disposal location. (Ord. 92-12 § 5 (App. A), 1992).

17.04.287 Special event.

"Special event" means any event (excluding those events allowed through the festival permitting process) that happens for more than three consecutive days per event and no more than twice a year. (Ord. 96-4 § 2, 1996).

17.04.289 Special event camping.

"Special event camping" means any 10 or more recreational vehicles, tents, or temporary structures designed for temporary habitation, or any combination thereof, limited to the duration of the special event (whether related to a special event or not) and one week before and one week after. (Ord. 96-4 § 2, 1996).

17.04.295 Structure.

"Structure" means anything constructed in the ground, or anything erected which requires location on the ground or water, or is attached to something having location on or in the ground, but not including fences or paved areas, or standard roof-mounted antennas. (Ord. 92-12 § 5 (App. A), 1992).

17.04.297 Temporary.

"Temporary" means a use or permit having a specific, short-term duration (see Seasonal, OCC 17.04.272). (Ord. 92-12 § 5 (App. A), 1992).

17.04.299 Temporary use.

"Temporary use" means a use that is limited in scope, duration and frequency. (Ord. 96-4 § 2, 1996).

17.04.299.1 Tourist accommodation.

"Tourist accommodation" means overnight lodging for the traveling public. (Ord. 2005-4 § 1, 2005).

17.04.300 Tract.

"Tract" means a parcel of land, or contiguous parcels under common ownership. (Ord. 92-12 § 5 (App. A), 1992).

17.04.304 Transient use.

"Transient use" means a business that lasts or stays only a short time and/or a business that travels from place to place covering a circuit. (Ord. 96-4 § 2, 1996).

17.04.305 Transitional surface.

In reference to an airport, "transitional surfaces" are located on both sides of the approach and primary surfaces. These surfaces extend outward and upward at right angles to the runway centerline at a slope of seven feet horizontal for every one-foot vertical rise from the sides of the primary and approach surfaces until it reaches 160 feet above the highest point on the runway. (Ord. 92-12 § 5 (App. A), 1992).

17.04.315 Underlying zone.

"Underlying zone" means a zoning district (found in Chapters 17.05 through 17.18 OCC) which is applied directly to the land as identified on the official zoning map, the regulations of which apply in addition to those general requirements set forth in this code. (Ord. 92-12 § 5 (App. A), 1992).

17.04.318 Use.

"Use" means the legal enjoyment of property that consists in its employment, exercise, or practice. (Ord. 96-4 § 2, 1996).

17.04.320 Variance.

"Variance" means an adjustment in the application of the regulations of a zoning ordinance to a particular piece of property, in a situation where the property, because of special circumstances found to exist on the land, is deprived as a result of the imposition of the zoning regulations of privileges commonly enjoyed by other properties in the same vicinity and zone. A variance shall be limited to only that adjustment necessary to remedy the disparity in privilege. A variance shall not be used to convey special privileges not enjoyed by other properties in the same vicinity and zone and subject to the same restrictions. Economic hardship is not grounds for a variance. (Ord. 92-12 § 5 (App. A), 1992).

17.04.325 Veterinary clinic.

"Veterinary clinic" means a place used for the care, grooming, diagnosis and treatment of the sick, ailing, infirm or injured animals, and those who are in need of medical or surgical attention, and may include overnight accommodations on the premises for the treatment, observation and/or recuperation. (Ord. 92-12 § 5 (App. A), 1992).

17.04.330 Warming huts/way stations.

"Warming huts/way stations" means a temporary shelter from adverse weather conditions or overnight layovers on longer trips. These shelters are not intended for extended stays or permanent residential occupancy. Further, these uses are permitted only as an ancillary use to a planned, recognized and/or duly authorized recreational program. (Ord. 92-12 § 5 (App. A), 1992).

17.04.345 Wetlands.

"Wetland" or "wetlands" means areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas. Wetlands do not include those artificial wetlands intentionally created from nonwetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities. However, wetlands may include those artificial wetlands intentionally created from nonwetland areas created to mitigate conversion of wetlands, if permitted by the county or city. (Ord. 92-12 § 5 (App. A), 1992).

17.04.346 Window sign.

"Window sign" means a sign placed inside a building within two horizontal feet of the window or on a window. This term does not include merchandise. (Ord. 2000-1 § 2, 2000).

17.04.350 Zoning adjustor.

"Zoning adjustor" means the individual designated and appointed by the board of county commissioners to hear and decide zoning adjustor yard variances as set forth in OCC 17.34.120. (Ord. 92-12 § 5 (App. A), 1992).

17.04.351 Zoning adjustor/yard variance.

"Zoning adjustor/yard variance" means the administrative variances established in OCC 17.34.120 which allows the reduction of required yard setbacks up to 25 percent of the code requirement subject to the requirements of OCC 17.34.070. (Ord. 92-12 § 5 (App. A), 1992).

Chapter 17.05
MINIMUM REQUIREMENT DISTRICT (MD)

Sections:

17.05.010 Purpose of classification.
17.05.020 Permitted uses.
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17.05.080 Required yard setbacks.
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17.05.100 Lot coverage.
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17.05.110 Special provisions.

17.05.010 Purpose of classification.

The purpose of the minimum requirement district is to maintain broad controls in preserving rural character and protecting natural resources. (Ord. 92-12 § 5 (App. A), 1992).

17.05.020 Permitted uses.

Permitted uses are as indicated on the district use chart (see Chapter 17.21 OCC). (Ord. 92-12 § 5 (App. A), 1992).

17.05.030 Conditional uses.

Conditional uses are as indicated on the district use chart (see Chapter 17.21 OCC). (Ord. 92-12 § 5 (App. A), 1992).

17.05.040 Accessory uses.

Accessory uses are as follows:

A. Normal accessory uses customary and incidental to the permitted and/or conditional use of the property;

B. Additional residential units for extended family members or employees of a farm upon which they live and work (for example, guest houses, employee housing and seasonal worker cabins). Note: Additional residential units are not allowed in association with multi-family housing or mobile home park;

C. Bed and breakfasts. (Ord. 92-12 § 5 (App. A), 1992).

17.05.050 Prohibited uses.

Prohibited uses are as indicated on the district use chart (see Chapter 17.21 OCC). (Ord. 92-12 § 5 (App. A), 1992).

17.05.060 Lot area and width.

Lot area and width requirements are as follows:

A. The minimum lot area is one acre, except where health regulations require larger parcels to accommodate on-site sewage treatment.

B. When structures for manufacturing, commercial, and industrial uses exceed 35 feet, minimum lot area is five acres.

C. Minimum lot width is 100 feet. (Ord. 94-3 § 2, 1994; Ord. 92-12 § 5 (App. A), 1992).

17.05.070 Density.

Density restrictions are as follows:

A. Minimum of one acre single-family unit;

B. Minimum 9,600 square feet per multifamily unit or mobile home park unit. (Ord. 92-12 § 5 (App. A), 1992).

17.05.080 Required yard setbacks.

A. For all permitted structures, except manufacturing, commercial, and industrial structures, shall have the following required yard setbacks:

1. Front, minimum is 25 feet;
2. Side, minimum is 5 feet;
3. Rear, minimum is 25 feet.

B. Manufacturing, commercial, or industrial structures: yard setbacks from all property lines shall not be less than two feet horizontal for every one foot of vertical height, or the setback established in this section, whichever is greater. (Example: A 65-foot tall structure shall be required to be set back 130 feet from all property lines.) (Ord. 94-3 § 2, 1994; Ord. 92-12 § 5 (App. A), 1992).

17.05.090 Height.

Height restrictions are as follows:

A. Maximum height for all uses in the zone shall be 35 feet except as noted in subsections B through G of this section.

B. Maximum height shall be 50 feet for: appurtenances and decorative nonstructural architectural components on roofs of single- and multiple-family dwelling units and on roofs of accessory agricultural buildings.

C. Maximum height for agricultural uses shall be 65 feet, except as noted in subsection E of this section.

D. Maximum height for the following uses shall be 65 feet, unless otherwise limited by condition of a conditional use permit, PD, or by a county commissioner-sanctioned community advisory committee, as identified in the district use chart: agricultural wind machines; aircraft hangars; asphalt or concrete batch plants; barns and silos; cement, lime or gypsum manufacturers; chimneys not attached to dwellings; church steeples, spires, belfries, cupolas, and domes; community centers, sports facilities and complexes; cooling towers; county administrative and criminal justice buildings (governmental services); crosses and other religious and civic monuments; drive-in movie theater screens; elevator penthouses; fertilizer manufacturing; gas holders or other similar structures; hose towers; mining, milling, and associated facilities; parapet walls; performing arts centers (theaters); petroleum storage tanks; sawmills and pulp mills;

school auditoriums and theaters; smokestacks. (Note: Manufacturing, commercial and industrial uses can only be placed on lots five acres and larger, if the structures exceed 35 feet in height. See Lot area and width in OCC 17.05.060.

E. Maximum height for the following list of uses is 100 feet: grain elevators; private communication towers; single-family residential windmills; water tanks.

F. Maximum height for electric transmission and distribution towers and poles shall be 150 feet.

G. Maximum height for communications facilities (commercial and public agency radio and TV, microwave or other antennas for transmitting and receiving) shall be 200 feet. (Ord. 96-1 § 2, 1996; Ord. 94-3 § 2, 1994; Ord. 92-12 § 5 (App. A), 1992).

17.05.100 Lot coverage.

Lot coverage is not applicable (see required setbacks in OCC 17.05.080). (Ord. 92-12 § 5 (App. A), 1992).

17.05.105 Parking.

Parking requirements area as indicated in Chapter 17.25 OCC. (Ord. 92-12 § 5 (App. A), 1992).

17.05.110 Special provisions.

A. The density of RV parks, campgrounds, hotels, motels, etc. shall be determined by Okanogan County health district standards for on-site treatment.

B. The following subarea overlay requirements have been established within the minimum requirement district, Molson subarea overlay:

1. The subarea boundaries shall be the same as the boundaries of Okanogan Fire District No. 11 as they existed on the date of approval of this code.

2. Specific provisions applicable within this subarea shall supersede all requirements and allowances of the minimum requirement district are as follows:

a. The minimum lot size for all new subdivision shall be 20 acres or 1/32 of a section. Existing legal lots having less than 20 acres may be used as building sites subject to compliance with on-site treatment regulations of the health district and minimum setbacks for the zone.

b. The maximum density for permitted uses shall be one dwelling unit per lot, except, one residential accessory structure is permitted on each residential lot (see OCC 17.05.040).

c. The seller of subdivided land shall be required to provide one-half the cost of a Washington State legal perimeter fence around such land and shall inform purchasers of their obligation to maintain the fence. (Ord. 92-12 § 5 (App. A), 1992).

Chapter 17.07
AGRICULTURE DISTRICT (AD)

Sections:

17.07.010 Purpose of classification.
17.07.020 Permitted uses.
17.07.030 Conditional uses.
17.07.040 Accessory uses.
17.07.050 Prohibited uses
17.07.060 Lot area and width.
17.07.070 Density.
17.07.080 Required yard setbacks.
17.07.090 Height.
17.07.100 Lot coverage.
17.07.105 Parking.

17.07.010 Purpose of classification.

The purpose of this district is to protect land and water resources for production of food, feed, fiber and to protect agricultural uses and facilities. In addition, this district is intended to establish use requirements so that utilization of lands having the above-mentioned characteristics will not occur in such a way as to decrease their importance and economic value as agricultural land. (Ord. 92-12 § 5 (App. A), 1992).

17.07.020 Permitted uses.

Permitted uses are as indicated on the district use chart (see Chapter 17.21 OCC). (Ord. 92-12 § 5 (App. A), 1992).

17.07.030 Conditional uses.

Conditional uses are as indicated on the district use chart (see Chapter 17.21 OCC). (Ord. 92-12 § 5 (App. A), 1992).

17.07.040 Accessory uses.

Accessory uses are as follows:

A. Normal accessory uses customary (for example barn, sheds and seasonal worker cabins) and incidental to the permitted and/or conditional use of the property;

B. Additional residential units for extended family or full-time employees of a farm upon which they work and live;

C. Home occupations;

D. Bed and breakfasts. (Ord. 92-12 § 5 (App. A), 1992).

17.07.050 Prohibited uses

Prohibited uses are as indicated on the district use chart (see Chapter 17.21 OCC). (Ord. 92-12 § 5 (App. A), 1992).

17.07.060 Lot area and width.

Lot area and width requirements are as follows:

A. The minimum lot area is 20 acres.

B. The minimum lot width is 100 feet. (Ord. 92-12 § 5 (App. A), 1992).

17.07.070 Density.

Density restrictions are as follows:

A. Minimum of 20 acres per unit except as provided under OCC 17.07.040(B). (Ord. 92-12 § 5 (App. A), 1992).

17.07.080 Required yard setbacks.

Required yard setbacks are as follows:

A. Front: minimum is 50 feet.

B. Side: minimum is 50 feet.

C. Rear: minimum is 50 feet. (Ord. 92-12 § 5 (App. A), 1992).

17.07.090 Height.

Height restrictions are as follows:

A. Maximum height for all uses in the zone shall be 35 feet except as noted in subsections B through G of this section.

B. Maximum height shall be 50 feet for: appurtenances and decorative nonstructural architectural components on roofs of single-family dwelling units and on roofs of accessory agricultural buildings.

C. Maximum height for agricultural uses shall be 65 feet, except as noted in subsection E of this section.

D. Maximum height for the following uses shall be 65 feet, unless otherwise limited by condition of a conditional use permit, PD, or by a county commissioner-sanctioned community advisory committee, as identified in the district use chart: agricultural wind machines; barns and silos; church steeples, spires, belfries, cupolas, and domes; crosses and other religious and civic monuments; fire towers; fruit and vegetable packing facilities; gas holders or other similar structures; hose towers; petroleum storage tanks; school auditoriums and theaters.

E. Maximum height for the following list of uses is 100 feet: amateur radio poles or antennas; grain elevators; single-family residential windmills; water tanks.

F. Maximum height for electric transmission and distribution towers and poles shall be 150 feet.

G. Maximum height for communication facilities (commercial or public agency radio and TV, microwave or other antennas for transmitting and receiving) shall be 200 feet. (Ord. 96-7 § 2, 1996; Ord. 94-3 § 2, 1994; Ord. 92-12 § 5 (App. A), 1992).

17.07.100 Lot coverage.

Lot coverage is not applicable (see required setbacks in OCC 17.07.080). (Ord. 92-12 § 5 (App. A), 1992).

17.07.105 Parking.

Parking requirements are as indicated in Chapter 17.25 OCC. (Ord. 92-12 § 5 (App. A), 1992).

Chapter 17.08
AGRICULTURAL-RESIDENTIAL DISTRICT (A-R)

Sections:

17.08.010 Purpose of classification.
17.08.020 Permitted uses.
17.08.030 Conditional uses.
17.08.040 Accessory uses.
17.08.050 Prohibited uses.
17.08.060 Lot area and width.
17.08.070 Density.
17.08.080 Required yard setbacks.
17.08.090 Height.
17.08.100 Lot coverage.
17.08.105 Parking.
17.08.110 Special provisions.

17.08.010 Purpose of classification.

The purpose of the agricultural-residential district is to maintain the existing character of the neighborhood, to maintain the agricultural-residential cultural values and the economic value of the area and to protect the land and water resources within the area. (Ord. 92-12 § 5 (App. A), 1992).

17.08.020 Permitted uses.

Permitted uses are as indicated on the district use chart (see Chapter 17.21 OCC) for agricultural-residential/Barnholt and agricultural-residential/ Oroville (see related zoning maps in the Appendix to this title). (Ord. 92-12 § 5 (App. A), 1992).

17.08.030 Conditional uses.

Conditional uses are as indicated on the district use chart (see Chapter 17.21 OCC) for agricultural-residential/Barnholt and agricultural-residential/Oroville (see related zoning maps in the Appendix to this title). (Ord. 92-12 § 5 (App. A), 1992).

17.08.040 Accessory uses.

Accessory uses are as follows:

A. Normal accessory uses customary and incidental to the permitted and/or conditional use of the property;

B. Additional residence units for extended family members and employees of a farm upon which they work and live;

C. Home occupations;

D. Bed and breakfasts. (Ord. 92-12 § 5 (App. A), 1992).

17.08.050 Prohibited uses.

Prohibited uses are as indicated on the district use chart (see Chapter 17.21 OCC). (Ord. 92-12 § 5 (App. A), 1992).

17.08.060 Lot area and width.

Lot area and width requirements are as follows:

A. The minimum lot area is two acres.

B. The minimum lot width is 100 feet. (Ord. 92-12 § 5 (App. A), 1992).

17.08.070 Density.

Density restrictions are as follows:

A. Minimum of two acres/unit. (Ord. 92-12 § 5 (App. A), 1992).

17.08.080 Required yard setbacks.

Required yard setbacks are as follows:

A. Front: minimum is 25 feet.

B. Side: minimum is 25 feet.

C. Rear: minimum is 25 feet. (Ord. 92-12 § 5 (App. A), 1992).

17.08.090 Height.

Height restrictions are as follows:

A. Maximum height for all uses in the zone shall be 35 feet except as noted in subsections B through G of this section.

B. Maximum height shall be 50 feet for: appurtenances and decorative nonstructural architectural components on roofs of single- and multiple-family dwelling units and on roofs of accessory agricultural buildings; parapet walls.

C. Maximum height for agricultural uses shall be 65 feet, except as noted in subsections D and E of this section.

D. Maximum height for the following list of uses shall be 65 feet, unless otherwise limited by condition of a conditional use permit, PD, or by a county commissioner-sanctioned community advisory committee, as identified in the district use chart: agricultural wind machines; barns, silos; church steeples, spires, belfries, cupolas, and domes; crosses and other religious and civic monuments; elevator penthouses; fire towers; fruit and vegetable packing facilities; hose towers; school auditoriums and theaters.

E. Maximum height for the following list of uses is 100 feet: amateur radio poles or antennas; grain elevators; private communication poles or antennas; single-family residential windmills; water tanks.

F. Maximum height for electric transmission and distribution towers and poles shall be 150 feet.

G. Maximum height for communication facilities (commercial or public agency radio and TV, microwave or other antennas for transmitting and receiving) shall be 200 feet. (Ord. 96-7 § 2, 1996; Ord. 94-3 § 2, 1994; Ord. 92-12 § 5 (App. A), 1992).

17.08.100 Lot coverage.

Maximum lot coverage is 20 percent. (Ord. 92-12 § 5 (App. A), 1992).

17.08.105 Parking.

Parking requirements are as indicated in Chapter 17.25 OCC. (Ord. 92-12 § 5 (App. A), 1992).

17.08.110 Special provisions.

All uses requiring public review in this district will be referenced to the community advisory commission for their comment and recommendation. (Ord. 92-12 § 5 (App. A), 1992).

Chapter 17.09
SUBURBAN RESIDENTIAL DISTRICT (SR)

Sections:

17.09.010 Purpose of classification.
17.09.020 Permitted uses.
17.09.030 Conditional uses.
17.09.040 Accessory uses.
17.09.050 Prohibited uses.
17.09.060 Lot area and width.
17.09.070 Density.
17.09.080 Required yard setbacks.
17.09.090 Height.
17.09.100 Lot coverage.
17.09.105 Parking.

17.09.010 Purpose of classification.

The purpose of this district is to provide medium-density residential development near existing urban centers and to assure a transition between this district and high-density residential areas, and to buffer commercial areas from less intense districts. (Ord. 93-1 Attch. A, 1993; Ord. 92-12 § 5 (App. A), 1992).

17.09.020 Permitted uses.

Permitted uses are as indicated on the district use chart (see Chapter 17.21 OCC) for suburban residential and suburban residential/Oroville. (Ord. 93-1 Attch. A, 1993; Ord. 92-12 § 5 (App. A), 1992).

17.09.030 Conditional uses.

Conditional uses are as indicated on the district use chart (see Chapter 17.21 OCC) for suburban residential and suburban residential/Oroville. (Ord. 93-1 Attch. A, 1993; Ord. 92-12 § 5 (App. A), 1992).

17.09.040 Accessory uses.

Accessory uses are as follows:

A. Normal accessory uses customary and incidental to the permitted and/or conditional use of the property;

B. Additional residence units for extended family members only if a demonstrated family hardship exists (see OCC 17.33.135);

C. Home occupations;

D. Bed and breakfasts. (Ord. 93-1 Attch. A, 1993; Ord. 92-12 § 5 (App. A), 1992).

17.09.050 Prohibited uses.

Prohibited uses are as indicated on the district use chart (see Chapter 17.21 OCC). (Ord. 93-1 Attch. A, 1993; Ord. 92-12 § 5 (App. A), 1992).

17.09.060 Lot area and width.

Lot area and width requirements are as follows:

A. The minimum lot area is 20,000 square feet with on-site sewage treatment (larger if required by health district).

B. The minimum lot area is 9,600 square feet per unit if on a public sewer.

C. Minimum lot width is 75 feet. (Ord. 93-1 Attch. A, 1993; Ord. 92-12 § 5 (App. A), 1992).

17.09.070 Density.

Density restrictions are as follows:

A. Minimum of 20,000 square feet per unit with on-site sewage treatment or 9,600 square feet per unit (five dwelling units per acre) when served by a public sewer system. (Ord. 93-1 Attch. A, 1993; Ord. 92-12 § 5 (App. A), 1992).

17.09.080 Required yard setbacks.

Required yard setbacks are as follows:

A. Front: minimum is 25 feet.

B. Side: minimum is five feet.

C. Rear: minimum is 25 feet. (Ord. 93-1 Attch. A, 1993; Ord. 92-12 § 5 (App. A), 1992).

17.09.090 Height.

Height restrictions are as follows:

A. Maximum height is 35 feet. (Ord. 96-7 § 2, 1996; Ord. 94-3 § 2, 1994; Ord. 93-1 Attch. A, 1993; Ord. 92-12 § 5 (App. A), 1992).

17.09.100 Lot coverage.

Lot coverage restrictions are as follows:

A. Maximum lot coverage is 40 percent. (Ord. 93-1 Attch. A, 1993; Ord. 92-12 § 5 (App. A), 1992).

17.09.105 Parking.

Parking requirements are as indicated in Chapter 17.25 OCC. (Ord. 93-1 Attch. A, 1993; Ord. 92-12 § 5 (App. A), 1992).

Chapter 17.10
COMMERCIAL DISTRICT (C)

Sections:

17.10.010 Purpose of classification.
17.10.020 Permitted uses.
17.10.030 Conditional uses.
17.10.040 Accessory uses.
17.10.050 Prohibited uses.
17.10.060 Lot area and width.
17.10.070 Density.
17.10.080 Required yard setbacks.
17.10.090 Height.
17.10.100 Lot coverage.
17.10.105 Parking.

17.10.010 Purpose of classification.

The purpose of this district is to provide for commercial, retail, wholesale and light industrial activities and to assure compatibility of uses within those areas. This district is intended to be used in urbanizing areas or commercial portions of communities when consistent with comprehensive planning policies for preventing strip development. (Ord. 93-1 Attch. A, 1993; Ord. 92-12 § 5 (App. A), 1992).

17.10.020 Permitted uses.

Permitted uses are as indicted on the district use chart (see Chapter 17.21 OCC) for commercial and commercial/Oroville. (Ord. 93-1 Attch. A, 1993; Ord. 92-12 § 5 (App. A), 1992).

17.10.030 Conditional uses.

Conditional uses are as indicated on the district use chart (see Chapter 17.21 OCC) for commercial and commercial/Oroville. (Ord. 93-1 Attch. A, 1993; Ord. 92-12 § 5 (App. A), 1992).

17.10.040 Accessory uses.

Accessory uses are as follows:

A. Normal accessory uses customary and incidental to the permitted and/or conditional use of the property;

B. One attached or detached dwelling unit for the private use of the business owner or operator shall be permitted on the same site as the business. (Ord. 93-1 Attch. A, 1993; Ord. 92-12 § 5 (App. A), 1992).

17.10.050 Prohibited uses.

Prohibited uses are as indicated on the district use chart (see Chapter 17.21 OCC). (Ord. 93-1 Attch. A, 1993; Ord. 92-12 § 5 (App. A), 1992).

17.10.060 Lot area and width.

Lot area and width requirements are as follows:

A. The minimum lot area is 5,000 square feet.

B. The minimum lot width is 50 feet. (Ord. 93-1 Attch. A, 1993; Ord. 92-12 § 5 (App. A), 1992).

17.10.070 Density.

Density is not applicable. (Ord. 93-1 Attch. A, 1993; Ord. 92-12 § 5 (App. A), 1992).

17.10.080 Required yard setbacks.

Required yard setbacks are as follows:

A. Front: none;

B. Side: none, except minimum is 10 feet when abutting a residential or agricultural district and the five-foot portion of such setback adjacent to the property line shall be landscaped with a type II visual buffer per OCC 17.27.030(B);

C. Rear: none, except minimum is 25 feet when abutting a residential or agricultural district and the five-foot portion of such setback adjacent to the property line shall be landscaped with a type II visual buffer per OCC 17.27.030(B). (Ord. 93-1 Attch. A, 1993; Ord. 92-12 § 5 (App. A), 1992).

17.10.090 Height.

Height restrictions are as follows:

A. Maximum height for all uses in the zone shall be 65 feet, except as noted in subsections B through D of this section.

B. Maximum height for the following list of uses is 100 feet: amateur radio poles or antennas; water tanks.

C. Maximum height for electric transmission and distribution towers and poles shall be 150 feet.

D. Maximum height for communication facilities (commercial or public agency radio and TV, microwave or other antennas for transmitting and receiving) shall be 200 feet. (Ord. 96-7 § 2, 1996; Ord. 94-3 § 2, 1994; Ord. 93-1 Attch. A, 1993; Ord. 92-12 § 5 (App. A), 1992).

17.10.100 Lot coverage.

Lot coverage is not applicable. (Ord. 93-1 Attch. A, 1993; Ord. 92-12 § 5 (App. A), 1992).

17.10.105 Parking.

Parking requirements are as indicated in Chapter 17.25 OCC. (Ord. 93-1 Attch. A, 1993; Ord. 92-12 § 5 (App. A), 1992).

Chapter 17.11
INDUSTRIAL DISTRICT (I)

Sections:

17.11.010 Purpose of classification.
17.11.020 Permitted uses.
17.11.030 Conditional uses.
17.11.040 Accessory uses.
17.11.050 Prohibited uses.
17.11.060 Lot area and width.
17.11.070 Density.
17.11.080 Required yard setbacks.
17.11.090 Height.
17.11.100 Lot coverage.
17.11.105 Parking.

17.11.010 Purpose of classification.

The purpose of this district is to provide areas for manufacturing, processing, assembling, research, wholesale trade, storage and distribution facilities. Certain types of commercial usage which could be considered supportive of industrial uses are also included in this district. (Ord. 92-12 § 5 (App. A), 1992).

17.11.020 Permitted uses.

Permitted uses are as indicated on the district use chart (see Chapter 17.21 OCC). (Ord. 92-12 § 5 (App. A), 1992).

17.11.030 Conditional uses.

Conditional uses are as indicated on the district use chart (see Chapter 17.21 OCC). (Ord. 92-12 § 5 (App. A), 1992).

17.11.040 Accessory uses.

Accessory uses are as follows:

A. Normal accessory uses customary and incidental to the permitted and/or conditional use of the property;

B. One attached or detached dwelling unit for the manager and/or night watchman shall be permitted on the same site as the business. (Ord. 92-12 § 5 (App. A), 1992).

17.11.050 Prohibited uses.

Prohibited uses are as indicated on the district use chart (see Chapter 17.21 OCC). (Ord. 92-12 § 5 (App. A), 1992).

17.11.060 Lot area and width.

Lot area and width requirements are as follows:

A. The minimum lot area is 10,000 square feet.

B. The minimum lot width is 50 feet. (Ord. 92-12 § 5 (App. A), 1992).

17.11.070 Density.

Density restrictions are as follows:

A. Maximum floor area equals lot area, subject to setbacks in OCC 17.11.080. (Ord. 92-12 § 5 (App. A), 1992).

17.11.080 Required yard setbacks.

Required yard setbacks are as follows:

A. Front: 25 feet;

B. Side: none, except minimum is 25 feet when abutting a residential or agricultural land district and the five-foot portion of such setback adjacent to the property line shall be landscaped with a type II visual buffer per OCC 17.27.030(B);

C. Rear: none, except minimum is 25 feet when abutting a residential or agricultural district and the five-foot portion of such setback adjacent to the property line shall be landscaped with a type II visual buffer per OCC 17.27.030(B). (Ord. 92-12 § 5 (App. A), 1992).

17.11.090 Height.

Height restrictions are as follows:

A. Maximum height is 65 feet, unless the manufacturing process requires a taller structure. (Ord. 96-7 § 2, 1996; Ord. 92-12 § 5 (App. A), 1992).

17.11.100 Lot coverage.

Lot coverage restrictions are as follows:

A. Maximum lot coverage is 70 percent. (Ord. 92-12 § 5 (App. A), 1992).

17.11.105 Parking.

Parking requirements are as indicated in Chapter 17.25 OCC. (Ord. 92-12 § 5 (App. A), 1992).

Chapter 17.12
AIRPORT DEVELOPMENT DISTRICT (AP)

Sections:

17.12.010 Purpose of classification.
17.12.020 Permitted uses.
17.12.030 Conditional uses.
17.12.040 Accessory uses.
17.12.050 Prohibited uses.
17.12.060 Lot area and width.
17.12.070 Density.
17.12.080 Required yard setbacks.
17.12.090 Height.
17.12.100 Lot coverage.
17.12.105 Parking.
17.12.106 Special provisions.

17.12.010 Purpose of classification.

The purpose of this district is to provide for future airport expansion; to set aside lands adjacent to airports for future uses compatible with air transportation; and to protect airport facilities by the establishment of development standards. (Ord. 92-12 § 5 (App. A), 1992).

17.12.020 Permitted uses.

Permitted uses are as indicated on the district use chart (see Chapter 17.21 OCC). (Ord. 92-12 § 5 (App. A), 1992).

17.12.030 Conditional uses.

Conditional uses are as indicated on the district use chart (see Chapter 17.21 OCC). (Ord. 92-12 § 5 (App. A), 1992).

17.12.040 Accessory uses.

Accessory uses are as follows:

A. Normal accessory uses customary and incidental to the permitted and/or conditional use of the property. (Ord. 92-12 § 5 (App. A), 1992).

17.12.050 Prohibited uses.

Prohibited uses are:

A. Indicated on the district use chart (see Chapter 17.21 OCC);

B. Any use which is in conflict with the requirements listed in OCC 17.12.106, special provisions. (Ord. 92-12 § 5 (App. A), 1992).

17.12.060 Lot area and width.

Lot area and width requirements are as follows:

A. The minimum lot area is 10,000 square feet.

B. The minimum lot width is 50 feet. (Ord. 92-12 § 5 (App. A), 1992).

17.12.070 Density.

Density restrictions are as follows:

A. Maximum floor area equals lot area. (Ord. 92-12 § 5 (App. A), 1992).

17.12.080 Required yard setbacks.

Required yard setbacks are as follows:

A. Front: minimum is 10 feet except when facing outward on the perimeter of the airport district, in which instance the setback shall be a minimum of 25 feet, and shall be landscaped with a type III see-through buffer per OCC 17.27.030(C);

B. Side: minimum is 10 feet except when abutting a residential or agricultural land district, in which instance the setback shall be a minimum of 25 feet and the 15-foot portion of such setback adjacent to the property line shall be landscaped with a type II visual buffer per OCC 17.27.030(B);

C. Rear: none, except minimum is 25 feet when abutting the perimeter of the airport district and the 15-foot portion of such setback adjacent to the property line shall be landscaped with a type II visual buffer per OCC 17.27.030(B). (Ord. 92-12 § 5 (App. A), 1992).

17.12.090 Height.

Height restrictions are as follows:

A. Maximum height is 65 feet, however, no obstruction (structural or natural) shall extend into the transitional, approach, horizontal or conical surfaces of the runway (see safety standards in Chapter 17.32 OCC).

B. Maximum height shall be 100 feet for: air traffic control towers; communication facilities (amateur radio poles or antennas, commercial or public agency radio and TV, microwave or other antennas for transmitting and receiving); fire towers; hose towers. However, no obstruction (structural or natural) shall extend into the transitional, approach, horizontal or conical surfaces of the runway, unless the structure is absolutely essential to the operation of the airport (see safety standards in Chapter 17.32 OCC). (Ord. 96-7 § 2, 1996; Ord. 92-12 § 5 (App. A), 1992).

17.12.100 Lot coverage.

Lot coverage restrictions are as follows:

A. Maximum lot coverage is 70 percent. (Ord. 92-12 § 5 (App. A), 1992).

17.12.105 Parking.

Parking requirements are as indicted in Chapter 17.25 OCC. (Ord. 92-12 § 5 (App. A), 1992).

17.12.106 Special provisions.

A. No use shall be permitted within this district which creates electrical interference with navigational signals or radio communications between the airport and aircraft.

B. Any use which would foster an increased bird population and thereby increase the likelihood of a bird strike problem shall provide a waste management/bird control plan as part of their development proposal.

C. There shall be no emission of smoke, fly ash, dust, vapor, gases or other forms of air pollution that may conflict with any present or planned operations of the airport.

D. All uses within the airport development district shall be directly served by safe and usable access, as determined by the county department of public works.

E. Building materials shall not produce glare which may conflict with any present or planned operation of the airport.

F. Storage of flammable substances such as fuel or petroleum products shall be in conformance with current laws. Mobile aviation fuel trucks and lubricating oil shall be permitted.

G. A site plan review and approval is required prior to the development and operation of any use.

H. Those uses not specifically identified in the district use chart as allowed or allowed by conditional use permit, but which are similar uses, shall only be allowed by the administrator subject to the provisions of Chapter 17.21 OCC if they are related to air transportation.

I. Signs shall be indirectly illuminated, made of nonglare materials, and be no larger than 32 square feet.

J. Unless necessary for safe and convenient air travel, sign lighting and exterior lighting shall not project into the runway, taxiway or approach zone or areas. (Ord. 92-12 § 5 (App. A), 1992).

Chapter 17.14
METHOW REVIEW DISTRICT (MRD)[1]

Sections:

17.14.010 Purpose of classification.
17.14.020 Permitted uses.
17.14.030 Conditional uses.
17.14.040 Accessory uses.
17.14.050 Prohibited uses.
17.14.060 Lot area and width.
17.14.070 Density.
17.14.080 Required yard setbacks.
17.14.090 Height.
17.14.100 Lot coverage.
17.14.105 Parking.
17.14.110 Special provisions.
17.14.115 Residential transient tourist accommodations (nightly rentals).

17.14.010 Purpose of classification.

District Purpose. The purpose of this district is to protect the sensitive environmental, aesthetic and economic qualities of the Methow Valley through review and the imposition of more stringent development and subdivision standards. (Ord. 94-10 § 2, 1994).

17.14.020 Permitted uses.

Indicated on the district use chart. (Ord. 94-10 § 2, 1994).

17.14.030 Conditional uses.

Indicated on the district use chart. (Ord. 94-10 § 2, 1994).

17.14.040 Accessory uses.

A. Normal accessory uses customary and incidental to the permitted and/or conditional use of the property.

B. On lots which meet or exceed the minimum size requirement of the districts, one additional attached or detached accessory dwelling with a floor area of 50 percent or less of the primary structure is allowed. The dwelling may be for guests, relatives, employees or for rent as a transient tourist accommodation (see OCC 17.14.115) and must be clustered near the primary structure. A site plan shall be submitted to the office of planning and development for review of conformity with maximum lot coverage.

C. On nonconforming lots, additional residential units for extended family members only if a demonstrated family hardship exists (See OCC 17.33.135). (Ord. 94-10 § 2, 1994).

17.14.050 Prohibited uses.

Indicated on the district use chart. (Ord. 94-10 § 2, 1994).

17.14.060 Lot area and width.

A. Uplands MRD 20.

1. Minimum lot area is 20 acres.

2. When the height of structures for permitted manufacturing, commercial, and industrial uses exceed 35 feet minimum lot area is 20 acres. These structures cannot be placed on lots that are less than minimum size.

3. Minimum lot width is 100 feet.

B. Valley Floor MRD 5.

1. Minimum lot area is five acres.

2. When the height of structures for permitted manufacturing, commercial, and industrial uses exceeds 35 feet minimum lot area is five acres. These structures cannot be placed on lots that are less than minimum size.

3. Minimum lot width is 100 feet.

C. Valley Floor MRD 1.

1. Minimum lot area is one acre.

2. When the structures for permitted manufacturing, commercial, and industrial uses exceed 35 feet minimum lot area is five acres.

3. Minimum lot width is 100 feet .

D. Valley Floor MRD 12,500.

1. Minimum lot area is 12,500 square feet.

2. When the structures for permitted manufacturing, commercial, and industrial uses exceed 35 feet minimum lot area is five acres.

3. Minimum lot width is 100 feet. (Ord. 94-10 § 2, 1994).

17.14.070 Density.

A. Uplands MRD 20.

1. Minimum of 20 acres/unit with an allowance for a second unit per OCC 17.14.040(2).

B. Valley Floor MRD 5.

1. Minimum of five acres/unit with an allowance for a second unit per OCC 17.14.040(2).

C. Valley Floor MRD 1.

1. Minimum of one acre/unit.

D. Valley Floor MRD 12,500.

1. Minimum of 12,500 square feet/unit. (Ord. 94-10 § 2, 1994).

17.14.080 Required yard setbacks.

A. Uplands MRD 20.

1. Front: minimum is 50 feet;

2. Side: minimum is 50 feet;

3. Rear: minimum is 50 feet;

4. Manufacturing, commercial, or industrial structures: yard setbacks from all property lines shall not be less than two feet horizontal for every one foot of vertical height; or, the setback established in this section, whichever is greater. (Example: A 65-foot tall structure shall be required to be set back 130 feet from all property lines).

B. Valley Floor MRD 5.

1. Front: minimum is 25 feet;
2. Side: minimum is 25 feet;
3. Rear: minimum is 25 feet;
4. Manufacturing, commercial, or industrial structures: yard setbacks from all property lines shall not be less than two feet horizontal for every one foot of vertical height; or, the setback established in this section, whichever is greater. (Example: A 65-foot tall structure shall be required to be set back 130 feet from all property lines).

C. Valley Floor MRD 1.
1. Front: minimum is 25 feet;
2. Side: minimum is 15 feet;
3. Rear: minimum is 25 feet;
4. Manufacturing, commercial, or industrial structures: yard setbacks from all property lines shall not be less than two feet horizontal for every one foot of vertical height; or, the setback established in this section, whichever is greater.(Example: A 65-foot tall structure shall be required to be set back 130 feet from all property lines).

D. Valley Floor MRD 12,500.
1. Front: minimum is 25 feet;
2. Side: minimum is 5 feet;
3. Rear: minimum is 25 feet;
4. Manufacturing, commercial, or industrial structures: yard setbacks from all property lines shall not be less than two feet horizontal for every one foot of vertical height; or, the setback established in this section, whichever is greater. (Example: A 65-foot tall structure shall be required to be set back 130 feet from all property lines). (Ord. 94-10 § 2, 1994).

17.14.090 Height.

Height restrictions are as follows:

A. Maximum height for all uses in the zone shall be 35 feet, except as noted in subsections B through F of this section.

B. Maximum height for the following list of uses shall be 50 feet: appurtenances and decorative nonstructural architectural components on roofs of single-family dwelling units, multifamily dwelling units, inns, lodges and on roofs of accessory agricultural buildings.

C. Maximum height for the following list of uses shall be 65 feet: agricultural wind machines; barns, silos, hay storage sheds; church steeples, spires, belfries, cupolas, and domes; county administrative and criminal justice buildings; drive-in movie theater screens; elevator penthouses; fire towers; fruit and vegetable packing facilities; gas holders or other similar structures; hose towers; parapet walls; performing arts centers (theaters, community centers, sports facilities and complexes); petroleum storage tanks; school auditoriums and theaters.

D. Maximum height for the following list of uses shall be 100 feet: amateur radio poles or antennas; grain elevators; private communication poles or antennas; single-family residential windmills; water tanks.

E. Maximum height for electric transmission and distribution towers and poles shall be 150 feet.

F. Maximum height for communication facilities (commercial or public agency radio and TV, microwave or other antennas for transmitting and receiving) shall be 200 feet. (Ord. 96-7 § 2, 1996; Ord. 94-10 § 2, 1994).

17.14.100 Lot coverage.

A. Uplands MRD 20.

1. Single-family development: maximum lot coverage is 5 percent;
2. All other development: maximum lot coverage is 10 percent.

B. Valley Floor MRD 5.

1. Single-family development: maximum lot coverage is 10 percent;
2. All other development: maximum lot coverage is 40 percent.

C. Valley Floor MRD 1.

1. Single-family development: maximum lot coverage is 30 percent;
2. All other development: maximum lot coverage is 40 percent.

D. Valley Floor MRD 12,500.

1. Single-family development: maximum lot coverage is 35 percent;
2. All other development: maximum lot coverage is 40 percent. (Ord. 94-10 § 2, 1994).

17.14.105 Parking.

As indicated in Chapter 17.25 OCC. (Ord. 94-10 § 2, 1994).

17.14.110 Special provisions.

A. Multifamily dwellings and mobile home parks are allowed only by planned development. (See Chapter 17.19 OCC for density and other standards).

B. Short subdivision shall be subject to planned development standards in OCC 17.19.060, but not eligible for density bonuses.

C. Inns, lodges or guest ranches as defined in OCC 17.04.140, and campgrounds as defined in OCC 17.04.055 and RV parks as defined in OCC 17.04.245 shall be approved by planned development and shall incorporate the following additional design standards:

1. The minimum lot size for this use is 35 acres in order to provide for on-site recreation. However, the required lot size may be reduced on the following bonus system basis if such reductions are consistent with comprehensive plan goals; however, in no instance shall the lot size be decreased below 20 acres.

a. Decrease required lot size by five acres if 90 percent or more open space will be provided as part of the project.

b. Decrease required lot size by five acres if located on and participates in maintenance and operation of an organized trail system or other recreational opportunity involving more properties than the subject property;

c. Decrease required lot size by five acres if project site contains conservation easements granted to a public entity.

d. Decrease required lot by five acres if the project contains innovative conservation measures, such as water/energy conservation, recycling or composting.

2. Intensity. Such uses shall be reviewed as commercial rather than residential. The specific number of rental rooms or camping spaces may vary depending on the nature and design of the proposal, but cannot be used as justification for varying any of

the other requirements for a planned development and is operated in a manner that is not a nuisance to neighboring properties and residents. For the purposes of this section, one dwelling unit shall equal a unit with or without kitchen facilities, containing four or fewer rental bedrooms, or a maximum of 10 occupants. The number of camping spaces cannot exceed the number allowable by Okanogan County health district on-site sewage standards.

3. Signage. Only indirectly illuminated signs made of natural material shall be allowed. Signs shall be no larger than 32 square feet.

4. Setback from Public Roads. Setback from property line (right-of-way line) for structures, campsites and other areas of intense use shall be 75 feet.

5. Screening by type II visual buffer per 17.27.030(B) shall be required.

D. Construction in Flood Hazard Areas. No structures for human habitation or any sewage disposal facilities shall be constructed or placed in areas inundated by the 100-year flood. (Ord. 94-10 § 2, 1994).

17.14.115 Residential transient tourist accommodations (nightly rentals).

A. Purpose and Intent. The purpose of this section is to promote the goals of the comprehensive plan to maximize the attractiveness of residential areas by retaining rural character, the feeling of openness, and the environmental quality of the valley. The intent of this section is to implement regulations governing the nature and scope of nightly rentals by providing for occasional, periodic nightly rental of guest houses, recreational homes or cabins, and part-time residential homes which serve as alternatives to hotels/motels. It is the further intent of this section that standards established herein for the operation of nightly rentals be complementary with and be supplemented by other local regulations which apply to their operations, including, but not limited to those governing dog control, air quality emissions from stoves, and other applicable regulations.

B. Residential Transient Tourist Accommodation Permit Required. A permit issued under provisions of this section is required in order for any land owner to operate a residential transient tourist accommodation (nightly rental). Land owners operating nightly rentals at the time of the adoption of the ordinance codified in this chapter must obtain a permit and are subject to standards herein. Permits must be renewed annually prior to the anniversary date of original issuance of the permit. A nightly rentals permit is not automatically transferable as part of the sale of property. A permit application from the new property owner must be approved to continue as a transient tourist accommodation. Application for continuance of a nightly rental by a new owner must be made within one year of acquiring the property.

C. Application for Nightly Rental Permit.

1. Posting of Application Notice by Applicant – Content of Application. The applicant shall post and maintain notice of application at two locations on or in the vicinity of the proposed nightly rental for a period of 10 days from the date of application. Posting shall be in locations readily visible to adjacent landowners and residents of the general area in which the nightly rental is to be located. One of the postings shall be clearly visible from a major travel route through the area. An application for a nightly rental permit shall consist of all fees as set forth in Appendix A attached to the ordinance codified in this chapter or as modified hereafter according to subsection (E)(3) hereinafter, the property

owner list for properties within 300 feet of the subject property boundaries, a site plan, and a narrative of ability to meet the following standards:

a. Only one dwelling may be rented per owner. Each property owner may rent only one nightly rental regardless of the number of properties owned. A nightly rental permit is required for a single dwelling on a lot of record or for a second dwelling on a lot of minimum size for the zone in which it is located. For a second dwelling on a parcel to be rented as a transient tourist accommodation, the owner must live in the main residence. No permit shall be issued to the holder of an existing bed and breakfast license for a nightly rental structure on the same property. In no case shall the main residence and the guest house be rented at the same time;

b. The outward appearance of a single- family residence shall be retained;

c. The nightly rental structure shall be rented for no more than 90 days per calendar year.

d. No more than one sign shall be provided on the premises. The sign shall be made of natural materials not exceeding two square feet in area and, if illuminated, shall be indirectly illuminated;

e. Mobile homes, manufactured homes, travel trailers, or recreational vehicles shall not be used for residential transient tourist accommodations (nightly rentals). A modular home may be used as a nightly rental when its owner is in possession of a valid building permit.

f. The maximum number of individuals served by a residential transient tourist accommodation is 10.

g. The owner or operator shall possess a current, valid Okanogan County health district permit to operate the facility according to the applicable standards set forth in county Resolution No. 42-84 as currently existing or hereafter amended or recodified and adopted into health district codes.

h. Occupancy and operation of a nightly rental shall be in a manner that is compatible with the surrounding neighborhood character. Factors upon which compatibility will be judged include but are not limited to noise, traffic, light and glare. Complaints from neighbors that the occupancy and operation of a nightly rental is not compatible with surrounding neighborhood character shall be considered as possible reasons for revocation or denial of a nightly rental permit.

i. Provide a currently valid uniform business identification number.

2. Procedure.

a. An applicant for a nightly rental permit shall submit a complete permit application to the administrator or designee.

b. The administrator or designee shall determine the completeness of the application. Incomplete applications shall be returned to the applicant with a letter specifying deficiencies.

c. After the administrator or designee determines that an application is complete, the administrator or designee shall mail notice to all land owners within 300 feet of the subject property within two weeks of receipt of application.

d. The administrator or designee shall review all new permit applications for compliance with the standards established in 17.15.065(D). The administrator designee shall approve, approve with conditions directly related to the purpose and intent of this chapter, or deny the permit application.

e. In the event complaints are received and deemed valid by the administrator that operating nightly rentals are not in compliance with provisions of this section, the permit may be revoked, or the administrator may place conditions thereon.

3. Fees charged in Appendix A may be changed at the discretion of the administrator of planning and development with the approval, by motion of the board of county commissioners. Changes in fees charged shall reflect changes in actual cost to the department for services rendered.

D. Sunset Clause. Applications for new nightly rentals under provisions of this section will not be accepted after April 1, 1995. Provisions of this section shall remain effective for all nightly rentals approved prior to April 1, 1995. (Ord. 94-10 § 2, 1994).

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[1] Prior legislation: Ords. 92-12, 94-3 and 94-8.

Chapter 17.14A
RURAL RESIDENTIAL DISTRICT (RRD)

Sections:

17.14A.010 Purpose of classification.
17.14A.020 Permitted uses.
17.14A.030 Conditional uses.
17.14A.040 Accessory uses.
17.14A.050 Prohibited uses.
17.14A.060 Lot area and width.
17.14A.070 Density.
17.14A.080 Required yard setbacks.
17.14A.090 Height.
17.14A.100 Lot coverage.
17.14A.105 Parking.
17.14A.110 Special provisions.
17.14A.115 Signs.

17.14A.010 Purpose of classification.

The purpose of this district is to implement the Upper Methow Valley Comprehensive Plan (in particular, section 8, Community Image and section 9, Land Use Element) through project review and the imposition of more stringent development standards. (Ord. 2000-1 § 2, 2000).

17.14A.020 Permitted uses.

Permitted uses are as indicated on the district use chart, Chapter 17.21 OCC. (Ord. 2000-1 § 2, 2000).

17.14A.030 Conditional uses.

Conditional uses are as indicated on the district use chart, Chapter 17.21 OCC. (Ord. 2000-1 § 2, 2000).

17.14A.040 Accessory uses.

Accessory uses are as follows:

A. Normal accessory uses customary and incidental to the permitted and/or conditional use of the property.

B. On lots that exceed five acres, one additional or detached accessory dwelling with a floor area of 50 percent or less of the primary structure is allowed. The dwelling, which must be clustered near the primary structure (see OCC 17.19.037), may be used for guests, relatives, or employees. A site plan shall be submitted to the office of planning and development for review of conformity with maximum lot coverage.

C. On nonconforming lots, additional residential units for extended family members may be permitted only if a demonstrated family hardship exists (see OCC 17.33.135). (Ord. 2000-1 § 2, 2000).

17.14A.050 Prohibited uses.

Prohibited uses are as indicated on the district use chart, Chapter 17.21 OCC. (Ord. 2000-1 § 2, 2000).

17.14A.060 Lot area and width.

Lot area and width requirements are as follows:

A. The minimum lot area is five acres.

B. The minimum lot width is 100 feet. (Ord. 2000-1 § 2, 2000).

17.14A.070 Density.

Density restrictions are as follows:

Minimum of five acres/dwelling unit. Accessory dwelling units may be permitted subject to provisions of OCC 17.14A.040(B). (Ord. 2000-1 § 2, 2000).

17.14A.080 Required yard setbacks.

Required yard setbacks are as follows:

A. Front: minimum is 25 feet;

B. Side: minimum is 25 feet;

C. Rear: minimum is 25 feet;

D. Commercial structures: yard setbacks from all property lines shall not be less than two feet horizontal for every one foot vertical height; or, the setback established in this section, whichever is greater. (Ord. 2000-1 § 2, 2000).

17.14A.090 Height.

Height restrictions are as follows:

A. Maximum height for all uses in the zone shall be 35 feet, except as noted in subsections B through G of this section.

B. When the height of structures for permitted uses exceeds 35 feet as provided for in subsections C through G of this section, minimum lot area is five acres. These structures cannot be placed on lots that are less than the minimum size.

C. Maximum height for the following list of uses shall be 50 feet: appurtenances and decorative nonstructural architectural components on roofs of single-family dwelling units, inns, lodges and on roofs of accessory agricultural buildings; crosses and other religious or civic monuments.

D. Maximum height for the following list of uses shall be 65 feet: barns, silos, and hay storage sheds; church steeples, spires, belfries, cupolas and domes; county administrative and criminal justice buildings; fire towers; fruit and vegetable packing facilities; gas holders or other similar structures; hose towers; parapet walls; performing arts centers (theaters, community centers, sports facilities and complexes); school auditoriums and theaters.

E. Maximum height for the following list of uses shall be 100 feet: amateur radio poles or antennas; private communication poles or antennas; single-family residential windmills, water tanks.

F. Maximum height for electric transmission and distribution towers and poles shall be 150 feet.

G. Maximum height for communication facilities (commercial or public agency radio and TV, microwave or other antennas for transmitting and receiving) shall be 200 feet. (Ord. 2000-1 § 2, 2000).

17.14A.100 Lot coverage.

Lot coverage restrictions are as follows:

A. Single-family uses: maximum lot coverage is 10 percent.

B. Conditional uses and all other permitted use types exclusive of single-family uses: maximum lot coverage is 40 percent. (Ord. 2000-1 § 2, 2000).

17.14A.105 Parking.

Parking requirements are as indicated in Chapter 17.25 OCC. (Ord. 2000-1 § 2, 2000).

17.14A.110 Special provisions.

A. Multifamily dwellings and mobile home parks are allowed only by planned development. (See Chapter 17.19 OCC for density and other standards.)

B. Short subdivisions shall be subject to planned development standards in OCC 17.19.060, but not eligible for density bonuses.

C. Inns, lodges or guest ranches as defined in OCC 17.04.140, and campgrounds as defined in OCC 17.04.055 and RV parks as defined in OCC 17.04.245 shall be approved by planned development and shall incorporate the following additional design standards:

1. The minimum lot size for this use is 35 acres in order to provide for on-site recreation. However, the required lot size may be reduced on the following bonus system basis if such reductions are consistent with comprehensive plan goals. However, in no instance shall the lot size be decreased below 20 acres.

a. Decrease required lot size by five acres if 90 percent or more open space will be provided as part of the project;

b. Decrease required lot size by five acres if located on and participates in maintenance and operation of an organized trail system or other recreational opportunity involving more properties than the subject property;

c. Decrease required lot size by five acres if project site contains conservation easements granted to a public entity;

d. Decrease required lot size by five acres if the project contains innovative conservation measures, such as water/energy conservation, recycling or composting.

2. Intensity. Such uses shall be reviewed as commercial uses. For the purposes of this section, one dwelling unit shall equal a unit with or without kitchen facilities, containing four or fewer rental bedrooms, or a maximum of 10 occupants. The number of camping spaces cannot exceed the number allowable by Okanogan County health district on-site sewage standards.

3. Signage. See OCC 17.17.110.

4. Setback from Public Roads. Setback from property line (right-of-way line) for structures, campsites, and other areas of intense use shall be 75 feet.

5. Screening by Type II visual buffer per OCC 17.27.030(B) shall be required.

D. Construction in Flood Hazard Areas. No structures for human habitation or any sewage disposal facilities shall be constructed or placed in areas inundated by the 100-year flood.

E. Light and Glare. Outdoor lighting, including street and parking lot lighting, shall be directed downward and shielded to minimize potential glare to motorists and off-site residents. No exterior light with a direct source visible from a neighboring property shall be installed. Indirect sources and horizontal cut-off fixtures are recommended to reduce glare and provide general ambient light. Holiday lighting is exempt from these requirements.

F. Notwithstanding general provisions of this code to the contrary, in areas of this district platted for residential (noncommercial) airport-related uses, the following uses are allowed outright, and do not require a conditional use permit:

1. Aircraft hangars and noncommercial airport-related service structures in areas platted for residential (noncommercial) airport-related uses. With respect to individual residential lots within such plat, such structures shall be set back no less than 10 feet from the taxiway serving such residential lots, and shall comply in all other respects with lot coverage restrictions pertinent to this district.

2. Aircraft fuel pumps and fuel storage; provided, that any such fuel pumps and/or fuel storage facilities shall comply with all state and federal laws and regulations regarding such facilities.

G. Preapplication consultation with the Mazama advisory committee, or other entity established by the county, and office of planning and development is mandatory for all uses requiring a conditional use permit (Chapter 17.33 OCC) or planned development (Chapter 17.19 OCC) approval. Within 30 days of receiving a request for preapplication consultation, the office of planning and development will set a meeting date, time and place for the preapplication consultation. The purpose of the meeting is to assist the applicant in identification of site development and design considerations and suggest potential solutions where possible. The local review board or other entity established by the county shall base its comments and recommendations on guidelines established pursuant to the county comprehensive plan. These comments and recommendations shall be provided to the applicant and the office of planning and development within 14 days of the preapplication consultation meeting. (Ord. 2000-1 § 2, 2000).

17.14A.115 Signs.

Any sign advertising a business or organization not located on the parcel containing the business or organization is prohibited except those signs erected by the state of Washington or Okanogan County. (Ord. 2000-1 § 2, 2000).

Chapter 17.14B
LOW DENSITY
RESIDENTIAL DISTRICT (LDRD)

Sections:

17.14B.010 Purpose of classification.
17.14B.020 Permitted uses.
17.14B.030 Conditional uses.
17.14B.040 Accessory uses.
17.14B.050 Prohibited uses.
17.14B.060 Lot area and width.
17.14B.070 Density.
17.14B.080 Required yard setbacks.
17.14B.090 Height.
17.14B.100 Lot coverage.
17.14B.105 Parking.
17.14B.110 Special provisions.
17.14B.115 Signs.

17.14B.010 Purpose of classification.

The purpose of this district is to implement the Upper Methow Valley Comprehensive Plan (in particular, section 8, Community Image and section 9, Land Use Element) through project review and the imposition of more stringent development standards. (Ord. 2000-1 § 2, 2000).

17.14B.020 Permitted uses.

Permitted uses are as indicated on the district use chart, Chapter 17.21 OCC. (Ord. 2000-1 § 2, 2000).

17.14B.030 Conditional uses.

Conditional uses are as indicated on the district use chart, Chapter 17.21 OCC. (Ord. 2000-1 § 2, 2000).

17.14B.040 Accessory uses.

Accessory uses are as follows:

A. Normal accessory uses customary and incidental to the permitted and/or conditional use of the property.

B. On lots, which meet or exceed the minimum size requirement of the districts, one additional attached or detached accessory dwelling with a floor area of 50 percent or less of the primary structure is allowed. The dwelling, which must be clustered near the primary structure (see OCC 17.19.037), may be used for guests, relatives, or employees. A site plan shall be submitted to the office of planning and development for review of conformity with maximum lot coverage.

C. On nonconforming lots, additional residential units for extended family members only if a demonstrated family hardship exists (see OCC 17.33.135). (Ord. 2000-1 § 2, 2000).

17.14B.050 Prohibited uses.

Prohibited uses are as indicated on the district use chart, Chapter 17.21 OCC. (Ord. 2000-1 § 2, 2000).

17.14B.060 Lot area and width.

Lot area and width requirements are as follows:

A. Minimum lot area is 20 acres.

B. Minimum lot width is 100 feet. (Ord. 2000-1 § 2, 2000).

17.14B.070 Density.

Density restrictions are as follows:

Minimum of 20 acres/dwelling unit. Accessory dwelling units may be permitted subject to provisions of OCC 17.14B.040(2). (Ord. 2000-1 § 2, 2000).

17.14B.080 Required yard setbacks.

Required yard setbacks are as follows:

A. Front: minimum is 50 feet.

B. Side: minimum is 50 feet.

C. Rear: minimum is 50 feet.

D. Commercial structures: yard setbacks from all property lines shall not be less than two feet horizontal for every one foot vertical height; or, the setback established in this section, whichever is greater. (Ord. 2000-1 § 2, 2000).

17.14B.090 Height.

Height restrictions are as follows:

A. Maximum height for all uses in the zone shall be 35 feet, except as noted in subsections B through F of this section.

B. Maximum height for the following list of uses shall be 50 feet: appurtenances and decorative nonstructural architectural components on roofs of single-family dwelling units, multifamily dwelling units, inns, lodges and on roofs of accessory agricultural buildings; crosses and other religious or civic monuments.

C. Maximum height for the following list of uses shall be 65 feet: barns, silos, hay storage sheds; church steeples, spires, belfries, cupolas, and domes; county administrative and criminal justice buildings; fire towers; fruit and vegetable packing facilities; hose towers; parapet walls; school auditoriums and theaters.

D. Maximum height for the following list of uses shall be 100 feet: amateur radio poles or antennas; agricultural wind machines; grain elevators; private communication poles or antennas; single-family residential windmills; water tanks.

E. Maximum height for electric transmission and distribution towers and poles shall be 150 feet.

F. Maximum height for communication facilities (commercial or public agency radio and TV, microwave or other antennas for transmitting and receiving) shall be 200 feet. (Ord. 2000-1 § 2, 2000).

17.14B.100 Lot coverage.

Lot coverage restrictions are as follows:

A. Single-family uses: maximum lot coverage is five percent.

B. Conditional uses and all other permitted use types exclusive of single-family uses: maximum lot coverage is 10 percent. (Ord. 2000-1 § 2, 2000).

17.14B.105 Parking.

Parking requirements are as indicated in Chapter 17.25 OCC. (Ord. 2000-1 § 2, 2000).

17.14B.110 Special provisions.

A. Multifamily dwellings and mobile home parks are allowed only by planned development. (See Chapter 17.19 OCC for density and other standards.)

B. Short subdivisions shall be subject to planned development standards in OCC 17.19.060, but not eligible for density bonuses.

C. Inns, lodges or guest ranches as defined in OCC 17.04.140, and campgrounds as defined in OCC 17.04.055 and RV parks as defined in OCC 17.04.245 shall be approved by planned development and shall incorporate the following additional design standards:

1. The minimum lot size for this use is 35 acres in order to provide for on-site recreation. However, the required lot size may be reduced on the following bonus system basis if such reductions are consistent with comprehensive plan goals. However, in no instance shall the lot size be decreased below 20 acres.

a. Decrease required lot size by five acres if 90 percent or more open space will be provided as part of the project;

b. Decrease required lot size by five acres if located on and participates in maintenance and operation of an organized trail system or other recreational opportunity involving more properties than the subject property;

c. Decrease required lot size by five acres if project site contains conservation easements granted to a public entity;

d. Decrease required lot size by five acres if the project contains innovative conservation measures, such as water/energy conservation, recycling or composting.

2. Intensity. Such uses shall be reviewed as commercial uses. For the purposes of this section, one dwelling unit shall equal a unit with or without kitchen facilities, containing four or fewer rental bedrooms, or a maximum of 10 occupants. The number of camping spaces cannot exceed the number allowable by Okanogan County health district on-site sewage standards.

3. Signage. See OCC 17.17.110.

4. Setback from Public Roads. Setback from property line (right-of-way line) for structures, campsites, and other areas of intense use shall be 75 feet.

5. Screening by Type II visual buffer per OCC 17.27.030(B) shall be required.

D. Construction in Flood Hazard Areas. No structures for human habitation or any sewage disposal facilities shall be constructed or placed in areas inundated by the 100-year flood.

E. Light and Glare. Outdoor lighting, including street and parking lot lighting, shall be directed downward and shielded to minimize potential glare to motorists and off-site residents. No exterior light with a direct source visible from a neighboring property shall be installed. Indirect sources and horizontal cut-off fixtures are recommended to reduce glare and provide general ambient light. Holiday lighting is exempt from these requirements.

F. Notwithstanding general provisions of this code to the contrary, in areas of this district platted for residential (noncommercial) airport-related uses, the following uses are allowed outright, and do not require a conditional use permit.

1. Aircraft hangars and noncommercial airport-related service structures in areas platted for residential (noncommercial) airport-related uses. With respect to individual residential lots within such plat, such structures shall be set back no less than 10 feet from the taxiway serving such residential lots, and shall comply in all other respects with lot coverage restrictions pertinent to this district.

2. Aircraft fuel pumps and fuel storage; provided, that any such fuel pumps and/or fuel storage facilities shall comply with all state and federal laws and regulations regarding such facilities.

G. Preapplication consultation with the Mazama advisory committee, or other entity established by the county, and office of planning and development is mandatory for all uses requiring a conditional use permit (Chapter 17.33 OCC) or planned development (Chapter 17.19 OCC) approval. Within 30 days of receiving a request for preapplication consultation, the office of planning and development will set a meeting date, time and place for the preapplication consultation. The purpose of the meeting is to assist the applicant in identification of site development and design considerations and suggest potential solutions where possible. The local review board or other entity established by the county shall base its comments and recommendations on guidelines established pursuant to the county comprehensive plan. These comments and recommendations shall be provided to the applicant and the office of planning and development within 14 days of the preapplication consultation meeting. (Ord. 2000-1 § 2, 2000).

17.14B.115 Signs.

Any sign advertising a business or organization not located on the parcel containing the business or organization is prohibited except those signs erected by the state of Washington or Okanogan County. (Ord. 2000-1 § 2, 2000).

Chapter 17.15
URBAN RESIDENTIAL DISTRICT (UR)

Sections:

17.15.010 Purpose of classification.
17.15.020 Permitted uses.
17.15.030 Conditional uses.
17.15.040 Accessory uses.
17.15.050 Prohibited uses.
17.15.060 Lot area and width.
17.15.070 Density.
17.15.080 Required yard setbacks.
17.15.090 Height.
17.15.100 Lot coverage.
17.15.105 Parking.
17.15.110 Special provisions.

17.15.010 Purpose of classification.

The purpose of this district is to provide areas of high density single and multifamily dwellings. It is further the intent of this district to buffer existing commercial areas from less intense districts. (Ord. 92-12 § 5 (App. A), 1992).

17.15.020 Permitted uses.

Permitted uses are as indicated on the district use chart (see Chapter 17.21 OCC). (Ord. 92-12 § 5 (App. A), 1992).

17.15.030 Conditional uses.

Conditional uses are as indicated on the district use chart (see Chapter 17.21 OCC). (Ord. 92-12 § 5 (App. A), 1992).

17.15.040 Accessory uses.

Accessory uses are as follows:

A. Normal accessory uses customary and incidental to the permitted and/or conditional use of the property. (Ord. 92-12 § 5 (App. A), 1992).

17.15.050 Prohibited uses.

Prohibited uses are as indicated on the district use chart (see Chapter 17.21 OCC). (Ord. 92-12 § 5 (App. A), 1992).

17.15.060 Lot area and width.

Lot area and width requirements are as follows:

A. The minimum lot area is 5,000 square feet.

B. The minimum lot width is 50 feet. (Ord. 92-12 § 5 (App. A), 1992).

17.15.070 Density.

Density restrictions are as follows:

A. Single-family: minimum 5,000 square feet per unit;

B. Multifamily: minimum 3,600 square feet per unit. (Ord. 92-12 § 5 (App. A), 1992).

17.15.080 Required yard setbacks.

Required yard setbacks are as follows:

A. Front: minimum is 15 feet;

B. Side: minimum is five feet;

C. Rear: minimum is 15 feet;

D. When the development abuts lower density residential or agricultural land the setback adjacent to the property line shall be landscaped with a type II visual buffer per OCC 17.27.030(B). (Ord. 92-12 § 5 (App. A), 1992).

17.15.090 Height.

Height restrictions are as follows:

A. Maximum height for all uses in the zone shall be 50 feet, except as noted in subsection B of this section.

B. Maximum height shall be 65 feet for: church steeples, spires, belfries, cupolas, and domes; elevator penthouses; fire towers; hose towers; parapet walls; school auditoriums and theaters. (Ord. 96-7 § 2, 1996; Ord. 94-3 § 2, 1994; Ord. 92-12 § 5 (App. A), 1992).

17.15.100 Lot coverage.

Lot coverage restrictions are as follows:

A. Maximum lot coverage is 45 percent. (Ord. 92-12 § 5 (App. A), 1992).

17.15.105 Parking.

Parking requirements are as indicated in Chapter 17.25 OCC. (Ord. 92-12 § 5 (App. A), 1992).

17.15.110 Special provisions.

A. Preapplication consultation with the local review board, or other entity established by the county, and office of planning and development is mandatory for all new construction projects, except for proposed single-family construction, in which case a preapplication consultation is recommended. Upon receiving a request for preapplication consultation, the office of planning and development will set a meeting date, time and place for the preapplication consultation. The purpose of the meeting is to assist the applicant in identification of site development and design considerations and suggest potential solutions where possible. The local review board or other entity established by the county shall base its comments and recommendations on guidelines established pursuant to the county comprehensive plan.

B. Signs: See OCC 17.17.110.

C. Light and Glare: See OCC 17.17.110(B). (Ord. 2000-1 § 2, 2000).

Chapter 17.16
NEIGHBORHOOD USE DISTRICT (NU)

Sections:

17.16.010 Purpose of classification.
17.16.020 Permitted uses.
17.16.030 Conditional uses.
17.16.040 Accessory uses.
17.16.050 Prohibited uses.
17.16.060 Lot area and width.
17.16.070 Density.
17.16.080 Required yard setbacks.
17.16.090 Height.
17.16.100 Lot coverage.
17.16.105 Parking.
17.16.110 Special provisions.

17.16.010 Purpose of classification.

The purpose of this district is to provide areas for limited uses that serve the everyday needs of the neighborhood residents. This district will accommodate retail sales, services and officers oriented to residents living in and around the immediate vicinity of the neighborhood use district. Residential development is allowed and encouraged on the second floor of structures in this district. (Ord. 92-12 § 5 (App. A), 1992).

17.16.020 Permitted uses.

Permitted uses are as indicated on the district use chart (see Chapter 17.21 OCC). (Ord. 92-12 § 5 (App. A), 1992).

17.16.030 Conditional uses.

Conditional uses are as indicated on the district use chart (see Chapter 17.21 OCC). (Ord. 92-12 § 5 (App. A), 1992).

17.16.040 Accessory uses.

Accessory uses are as follows:

A. Normal accessory uses customary and incidental to the permitted and/or conditional use of the property. (Ord. 92-12 § 5 (App. A), 1992).

17.16.050 Prohibited uses.

Prohibited uses are as indicated on the district use chart (see Chapter 17.21 OCC). (Ord. 92-12 § 5 (App. A), 1992).

17.16.060 Lot area and width.

Lot area and width requirements are as follows:

A. The minimum lot area is 5,000 square feet.

B. The minimum lot width is 50 feet. (Ord. 92-12 § 5 (App. A), 1992).

17.16.070 Density.

Density restrictions are not applicable (see lot coverage, OCC 17.16.100). (Ord. 92-12 § 5 (App. A), 1992).

17.16.080 Required yard setbacks.

Required yard setbacks are as follows:

A. Front: none;

B. Side: none. When adjacent to residential or agricultural a minimum of a 10-foot setback is required and the five-foot portion of such setback adjacent to the property line shall be landscaped with a type II visual buffer per OCC 17.27.030(B).

C. Rear: none, except 10 feet when abutting a residential or agricultural land district and the five-foot portion of such setback adjacent to the property line shall be landscaped with a type II visual buffer per OCC 17.27.030(B). (Ord. 92-12 § 5 (App. A), 1992).

17.16.090 Height.

Height restrictions are as follows:

A. Maximum height for all uses in the zone shall be 50 feet, except as noted in subsections B and C of this section.

B. Maximum height shall be 65 feet for: church steeples, spires, belfries, cupolas, and domes; elevator penthouses; fire towers; hose towers; parapet walls; school auditoriums and theaters.

C. Maximum height shall be 100 feet for performing arts centers (theaters, community centers, sports facilities and complexes). (Ord. 96-7 § 2, 1996; Ord. 94-3 § 2, 1994; Ord. 92-12 § 5 (App. A), 1992).

17.16.100 Lot coverage.

Lot coverage restrictions are as follows:

A. Maximum lot coverage is 90 percent, subject to compliance with required yard setbacks. (Ord. 92-12 § 5 (App. A), 1992).

17.16.105 Parking.

Parking requirements are as indicated in Chapter 17.25 OCC. (Ord. 92-12 § 5 (App. A), 1992).

17.16.110 Special provisions.

A. All residential units must be above the ground floor.

B. Preapplication consultation with the local review board, or other entity established by the county, and office of planning and development is mandatory for all new construction projects. Upon receiving a request for preapplication consultation, the office of planning and development will set a meeting date, time and place for the preapplication consultation. The purpose of the meeting is to assist the applicant in identification of site development and design considerations and suggest potential solutions where possible. The local review board or other entity established by the county shall base its comments and recommendations on guidelines established pursuant to the county comprehensive plan.

B. Signs: See OCC 17.17.110.

C. Light and Glare: See OCC 17.17.110(B). (Ord. 2000-1 § 2, 2000; Ord. 92-12 § 5 (App. A), 1992).

Chapter 17.17
SPECIAL REVIEW COMMERCIAL

Sections:

17.17.010 Purpose of classification.
17.17.020 Permitted uses.
17.17.030 Conditional uses.
17.17.035 Preapplication consultation required.
17.17.040 Accessory uses.
17.17.050 Prohibited uses.
17.17.060 Lot area and width.
17.17.070 Density.
17.17.080 Required yard setbacks.
17.17.090 Height.
17.17.100 Lot coverage.
17.17.105 Parking.
17.17.110 Special provisions.

17.17.010 Purpose of classification.

The purpose of this district is to provide an area for community and tourist-oriented commerce in the Upper Methow Valley. Areas designated "special review commercial" should develop with emphasis on pedestrian traffic. Residential development is allowed and encouraged on the second floor of structures in this district. (Ord. 2000-1 § 2, 2000).

17.17.020 Permitted uses.

Permitted uses are as indicated on the district use chart, Chapter 17.21 OCC. (Ord. 2000-1 § 2, 2000).

17.17.030 Conditional uses.

Conditional uses are as indicated on the district use chart, Chapter 17.21 OCC. (Ord. 2000-1 § 2, 2000).

17.17.035 Preapplication consultation required.

Preapplication consultation with the Mazama advisory committee, or other entity established by the county, and office of planning and development is mandatory for all new construction projects. Within 30 days of receiving a request for preapplication consultation, the office of planning and development will set a meeting date, time and place for the preapplication consultation. The purpose of the meeting is to assist the applicant in identification of site development and design considerations and suggest potential solutions where possible. The Mazama advisory committee or other entity established by the county shall base its comments and recommendations on guidelines established pursuant to the county comprehensive plan. These comments and recommendations shall be provided to the applicant and the office of planning and development within 14 days of the preapplication consultation meeting. (Ord. 2000-1 § 2, 2000).

17.17.040 Accessory uses.

Accessory uses are as follows:

A. Normal accessory uses customary and incidental to the permitted and/or conditional use of the property. (Ord. 2000-1 § 2, 2000).

17.17.050 Prohibited uses.

Prohibited uses are as indicated on the district use chart, Chapter 17.21 OCC. (Ord. 2000-1 § 2, 2000).

17.17.060 Lot area and width.

Lot area and width restrictions are as follows:

A. Minimum lot area is 5,000 square feet.

B. Minimum lot width is 50 feet. (Ord. 2000-1 § 2, 2000).

17.17.070 Density.

Density restrictions are not applicable (see lot coverage, OCC 17.17.100). (Ord. 2000-1 § 2, 2000).

17.17.080 Required yard setbacks.

Required yard setbacks are as follows:

A. Front: none;

B. Side: none, except 10 feet when abutting a residential or agricultural district and the five-foot portion of such setback adjacent to the property line shall be landscaped with a Type II visual buffer per OCC 17.27.030(B);

C. Rear: none, except a minimum of 25 feet when abutting a residential or agricultural district and the five-foot portion of such setback adjacent to the property line shall be landscaped with a Type II visual buffer per OCC 17.27.030(B). (Ord. 2000-1 § 2, 2000).

17.17.090 Height.

Height restrictions are as follows:

A. Maximum height is 35 feet.

B. Maximum height shall be 50 feet for: commercial parking garages; hotels/motels; inns and lodges. (Ord. 2000-1 § 2, 2000).

17.17.100 Lot coverage.

Lot coverage restrictions are as follows:

A. Maximum lot coverage is 50 percent, subject to compliance with required yard setbacks. (Ord. 2000-1 § 2, 2000).

17.17.105 Parking.

Parking requirements are as indicated in Chapter 17.25 OCC. (Ord. 2000-1 § 2, 2000).

17.17.110 Special provisions.

A. Signs. No signs shall be erected within this zone which do not comply with the regulations contained herein.

1. Design and Materials. Signs shall be constructed from wood or natural appearing materials and colors. No fluorescent materials or reflective materials shall be allowed except for official signs for public safety. Signs should be reflective of the natural forest and rustic theme and may include the uses of wrought iron.

2. Allowed Public Signs. The following signs, which are generally public in nature, are allowed outright:

a. Signs erected or posted and maintained for public safety and welfare or pursuant to any governmental law or regulation.

b. A bulletin board, either one or two-sided with no face exceeding 20 square feet in display area, associated with any church, museum, library, school or similar public use; provided, that the top of such sign is less than eight feet high and meets all other provisions of this chapter.

c. Directional signs indicating ingress or egress where display area does not exceed three square feet.

d. Banners, not exceeding 30 square feet in area, or sandwich boards not exceeding 12 square feet in area, displayed by nonprofit or community organizations are not required to be displayed on the premises of the business or organization. Signs may be displayed for a maximum of two periods not exceeding 14 days total within any calendar year.

3. Allowed Private and Residential Signs. The following signs, which are primarily private and residential in nature, are allowed outright:

a. Mailbox and address signs displaying address numbers shall not exceed two square feet of area. An additional sign not exceeding two square feet is allowed to display a name associated with the dwelling.

b. Window signs not exceeding 25 percent of the individual window area and a maximum total area of four square feet.

c. A single sign, not exceeding 24 square feet in area, mounted between posts, at a height not exceeding 20 feet above grade, displaying the name of a farm.

d. An agricultural products sign, allowed at each street frontage, advertising products grown on or produced at the subject property. Signs shall be erected for a period not exceeding 10 days prior to the availability of the products for sale and removed when the products are no longer available for purchase. The maximum sign area shall not exceed 10 square feet for each face of a single or two-faced sign.

e. Garage sale signs on site and off site not to exceed three square feet per sign face and placed no more than two days before the sale and removed within one day after the sale.

f. Election signs; provided, that they are removed within seven days after the final election for the named candidate or election issue. No election signs are allowed in public right-of-way.

g. For sale, rent or lease signs are allowed only on property being sold or rented. One sign not exceeding eight square feet is allowed on each street frontage. Such sign shall be removed within seven days after sale, rental, or lease of the property.

h. Signs relating to trespassing and hunting, each sign not exceeding four square feet of area.

i. Residential developments of five parcels or more may have a single freestanding identification sign with a maximum sign area of 10 square feet.

j. Multifamily residential developments of 10 or more may have a sign with a maximum sign area of 24 square feet at one vehicular entrance on each street frontage.

k. Home occupations may have a single or two-sided sign that identifies the service provided. Such sign shall not exceed six square feet.

4. Allowed Commercial Signs. The following commercial signs are allowed:

a. Facade Signs.

i. Buildings may have one facade sign for each tenant not more than 12 square feet with dimensions not to exceed six feet in length or three feet in height.

ii. Facade signs shall be located less than 20 feet above grade.

b. Directory Sign. A single directory sign, combining the name of the commercial complex and the individual names of businesses located within is allowed, provided no other facade signs on the building exceed 20 square feet. Maximum sign area of this directory is 48 square feet.

c. Freestanding Signs. No more than one freestanding sign shall be allowed per building. The sign shall not exceed 32 square feet on any single surface nor a total of 64 square feet if two-sided. Maximum height shall not exceed 12 feet above the natural grade. Setbacks for signs will be a minimum of five feet from walkways and 10 feet from curb cuts.

i. No signs shall be allowed in the shoreline area as described by the Okanogan County shoreline master program.

ii. A freestanding identification sign combining the name of the commercial complex and the individual names of businesses located within if there are more than two businesses or tenants, with a maximum sign area of 40 square feet on any single surface and a total of 40 square feet if two-sided. No individual tenant freestanding signs may be erected on the same property that contains this freestanding sign.

d. Canopy or Awning Signs. Instead of a facade sign, one canopy sign is permitted per principal business, not exceeding 20 square feet per tenant, provided the lowest point of the awning or canopy is at least eight feet above the sidewalk. The sign shall not be higher than the eave line or parapet of the principal building and the awning shall have a dark background if lit from behind.

e. Projecting Signs. A business is allowed one projecting sign that will be supported by the facade of the building. Signs can project over the walkway provided they are at least eight feet above the walk. If walkways are covered, the sign can be hung from a roof beam provided it meets the other requirements for projecting signs. Projecting signs must not be more than four feet from building facade and a minimum of eight feet from the walkway grade and not be higher than the eave line or parapet of the building. Maximum allowable square footage is not to exceed eight square feet for a building identification sign.

f. Sandwich Board Signs. One nonilluminated sandwich board sign with each face not exceeding 12 square feet in area is allowed per business. Sign shall be a minimum of 39 inches high and a maximum of 48 inches high.

g. Window Signs. One window sign not exceeding eight square feet in area is allowed.

5. Prohibited Signs. The following signs are prohibited:

a. No sign, except for a traffic regulatory or informational sign, shall use the words "Stop", "Caution", or "Danger", or shall incorporate red, amber or green light resembling traffic signals or shall resemble "Stop" or "Yield" signs or shape or color.

b. Flashing signs, roof signs, signs containing moving parts or appearing to move, and signs that sparkle or twinkle in the sunlight.

c. Billboards, streamers, pennants, ribbons, spinners, or other similar devices shall not be constructed, posted, or erected in any zone.

d. Any sign advertising a business or organization not located on the parcel containing the business or organization is prohibited except those signs erected by the state of Washington.

6. Historical and Interpretive Signs. Signs that do not advertise a product, community directory signs and general information signs shall conform to style and design as detailed in guidelines published by the local review board, or other entity established by the county, and office of planning and development.

7. Illumination Standards. The following standards apply to lighting of signs:

a. Signs, except for facade signs, may only be illuminated externally by light sources shielded so that the lamp is not visible from adjacent properties or the public right-of-way.

b. Lights illuminating signs shall project illumination toward the face of the sign.

c. No sign may flash, rotate, have motorized parts, or have exposed electrical wires.

d. No sign shall be illuminated between the hours of 10:00 p.m. and 6:00 a.m. unless the premises on which it is located is open for business.

e. A facade sign may be internally illuminated provided that:

i. The background does not emit light.

ii. The background constitutes a minimum of 80 percent of the sign area.

iii. The illumination source is shielded.

8. Nonconforming Signs. Any sign which does not conform to the regulations herein and which lawfully existed at the time of adoption of the ordinance codified in this chapter may continue unchanged. Said sign cannot be enlarged, reworded, redesigned or altered in any way except to conform to the requirements of this chapter.

B. Light and Glare. Outdoor lighting, including street and parking lot lighting, shall be directed downward and shielded to minimize potential glare to motorists and off-site residents. No exterior light with a direct source visible from a neighboring property shall be installed. Indirect sources and horizontal cut-off fixtures are recommended to reduce glare and provide general ambient light. Christmas lighting is exempt from these requirements. (Ord. 2000-1 § 2, 2000).

Chapter 17.18
AUTO-ORIENTED COMMERCIAL DISTRICT (AC)

(Repealed by Ord. 2000-1)

Chapter 17.19
PLANNED DEVELOPMENT (PD)[1]

Sections:

17.19.010 District purpose.
17.19.020 Effect on allowed uses.
17.19.030 Minimum area, maximum density, open space, height and setbacks.
17.19.035 Specific requirements for Methow Review District.
17.19.037 Clustering requirements.
17.19.039 Individually owned open space standards.
17.19.040 Common open space standards.
17.19.050 Underground utilities.
17.19.060 Planned development standards.
17.19.070 Preapplication consultation.
17.19.080 Application for planned development (PD).
17.19.090 Board of county commissioner's action.
17.19.100 Final plan – Submittal.
17.19.110 Final plan and program requirements.
17.19.120 Final plan review and board action.
17.19.130 Building permits.
17.19.140 Modifications to development plan and program.
17.19.150 Final planned development – Action on nondevelopment.
17.19.160 Damaged building restoration.

17.19.010 District purpose.

The purpose of the planned development district is to enhance and diversify development opportunities in Okanogan County by:

A. Encouraging flexibility in the design of land use activities so that they are conducive to a more creative approach to development which will result in a more efficient, aesthetic and environmentally responsive use of the land;

B. Encouraging creativity in the design and placement of buildings, clustering, use of required open spaces, provision of on-site circulation facilities, off-street parking, landscaping and other site design elements that better utilize the potentials of special features, such as sensitive fish and wildlife habitats, geography, topography, vegetation, drainage features, size or shape, etc.;

C. Facilitating the provision of cost efficient and adequate public improvements, such as streets and utilities;

D. Minimizing and/or mitigating the impacts of development on valuable natural resources and unique natural features such as agricultural soils, critical areas including wetlands, areas of critical recharging effect on aquifers used for potable water, fish and wildlife conservation areas, frequently flooded areas and geologically hazardous areas and resource lands including agriculture, forest and mineral lands;

E. Encouraging the incorporation of public access to public recreational opportunities as a part of development activities;

F. Encourage non-motorized transportation systems within and adjacent to PDs;

G. It is further the intent of this chapter that it is applicable to all types of land uses, including, residential, commercial, industrial and any "mixture" of these land use categories. (Ord. 94-10 § 2, 1994).

17.19.020 Effect on allowed uses.

The rezoning of an area to a "Planned Development" (PD) has the effect of altering the type of allowed uses, the intensity of uses, setbacks, and a number of other regulatory and defined uses, processed, and procedures that may be applicable to the underlying zoning. Mixed use PDs may include residential, commercial, agricultural, and other uses, and may have additional requirements as may be needed and necessary to ensure appropriate integration into the surrounding community. The planned development review process allows for flexible interpretation of the zoning regulations, while at the same time requiring strict review for compliance with the provisions of the comprehensive plan(s). As well, mitigation for identified impacts may be required. This process may create a preplanned area, which has differences from that which is normally found in the underlying zone. Those uses, which are allowed within PDs, must be supported or identified within the comprehensive plan, the appropriate sub-area plan(s), and any modifications made thereto. Mitigation may be required for those impacts which can be defined or expected from the establishment of the PD. Impacts may be in the form of economic impacts from commercial uses, visual impacts to the surrounding area, an expected change to community character, etc. Mitigation may include, but is not limited to, strict design review of structures, landscaping, off-site traffic impacts, signage, etc. (Ord. 2007-4 § 2, 2007; Ord. 94-10 § 2, 1994).

17.19.030 Minimum area, maximum density, open space, height and setbacks.

A planned development is an alternative to traditional subdivision, and may serve as an alternative method to fulfill the requirements of subdivision set forth in Chapter 58.17 RCW, which allows and encourages clustered or common structures, shared access roads and utilities, increased provision of open space and protection of significant environment features to produce a more economical and environmentally sensitive development.

A. Specifications.

1. In Methow Review District 5 (MRD 5) and Methow Review District 20 (MRD 20), Rural Residential and Low-Density Residential zone districts, planned developments shall require twice the minimum lot area of the underlying district.

2. In Methow Review District 1 (MRD 1), Methow Review District 12,500 (MRD 12,500), a minimum lot area of five acres is required.

3. In the minimum requirement district and agricultural residential, a minimum lot area of 10 acres is required.

4. a. Base Density. Base residential density for all planned developments is 150 percent of the density of the underlying district.

b. Density Bonus. Up to 200 percent of the density of the underlying district may be earned if any of the incentive features contained in subsection 5 below are included as part of the planned development design.

5. Incentive Features. The maximum residential density can be earned only when incentive features totaling 50 percent or more are part of the planned development

design. The residential density may, in no case, exceed 200 percent of the density in the underlying district.

Number	Incentive Feature	%
1	90% or more of total acreage in open space	5%
2	50% or more of total acreage dedicated to conservation open space	5%
3	75% or more of total acreage dedicated to conservation open space	15%
4	Innovative water conservation measures	5%
5	Innovative road design/shared access	5%
6	Architectural design/rural character	5%
7	Prohibit wood burning devices (not including pellet stoves)	10%
8	Wildlife and vegetative enhancement (screening, planting, feeding program)	5%
9	Conservation easement(s) given to a public agency or nonprofit organization established for these purposes	10%
10	Wildfire protection design measures (e.g., noncombustible roofing materials, planting low-growing native species that are less flammable, electrical services underground, good access for emergency vehicles, etc.)	5%
11	Innovative energy conservation (solar, transportation etc.)	5%
12	60% or more of the PD property has been assembled from parcels which are substandard lots (i.e., assembled from lots less than current minimum lot size)	20%
13	PD is served by sanitary sewer system	10%
14	PD includes provisions for multi-use trails (except trails for vehicles with internal-combustion-powered engines)	5%
15	Innovative visual screening (For non-single-family residential structures, parking is not visible from any public road or public vantage point)	5%
16	Open space abuts adjacent dedicated open space (minimum abutment 200 feet)	10%

6. Open space shall be at least 75 percent of the PD which may be comprised of 50 percent individually owned open space and 50 percent common open space, except in minimum requirement district and agricultural-residential district where the amount of open space shall be recommended by the planning commission and approved by the board of county commissioners but in no case shall be less that 50 percent of the parcel area.

7. Maximum building height = 35 feet.

8. Perimeter setbacks for the PD shall be the same as the underlying district or 50 feet, whichever is greater.

B. During review of planned developments the planning commission shall recommend incentive density bonus based on their determination of the merit of the incentive features listed in (A)(5) above.

In the approval of any planned development, the board of county commissioners shall determine, based on the record and the planning commission recommendation, the merit of the incentive feature proposed, the final incentive density bonus granted.

C. Employee Housing. Mixed use and commercial PDs shall have one employee housing unit for each 30 rentable units or each 5,000 square feet (aggregate) of commercial structures. Required employee housing will not be counted against density requirements. (Ord. 94-10 § 2, 1994).

17.19.035 Specific requirements for Methow Review District.

The following requirements apply as part of the approval of all planned developments in the Methow Review District:

A. Class B water systems shall include segregation of domestic and irrigation supply lines including an in line water meter to certify curtailment of irrigation usage in periods of critical instream flows;

B. Lawn areas needing irrigation shall be limited to 3,000 square feet immediately surrounding residential buildings;

C. Water flow restriction devices shall be included in all buildings.

D. Fences be made deer passable where appropriate. (Ord. 94-10 § 2, 1994).

17.19.037 Clustering requirements.

A. The zone(s) of influence is the area of concentrated human impact within the PD. The zone of influence together with impervious surfaces shall not be considered open space. The main access road where outside and not contiguous with the zone of influence may be considered open space.

B. To accomplish tight clustering, up to 25 percent (50 percent within the minimum requirement and agricultural-residential zoning districts) of the total area of the PD may be designated as zone(s) of influence. The boundary of a zone of influence shall be linear or convex. Structures within the zone of influence must be a minimum of 50 feet from the outer boundary of the zone of influence. Where geographic, topographic or natural resource constraints exist, concave boundaries or an increase of five percent may be permitted at the recommendation of the office of planning and development and at the discretion of the planning commission.

C. The number of separate zones of influence shall be determined by the following table:

1. Ten to 20 acres: one zone of influence.

2. Twenty-one to 100 acres: two zones of influence.

3. One additional zone of influence per 100 acres thereafter. (Ord. 2008-8 § 2, 2008; Ord. 94-10 § 2, 1994).

17.19.039 Individually owned open space standards.

A. Up to 50 percent of the open space within the development may be privately owned.

B. Privately owned open space in a planned development shall meet the following standards:

1. Privately owned open space must be retained or restored to its native state or used for agricultural or recreational purposes, e.g., part of an organized trail system or used as designated conservation open space.

2. Suitable weed control and revegetation plans and programs must be provided for in privately owned open space.

3. No accessory structures allowed within privately owned open space, except for structures appurtenant to utilities or structures approved by the Department of Fish and Wildlife, and structures of historical/architectural preservation significance. (Ord. 94-10 § 2, 1994).

17.19.040 Common open space standards.

A. Fifty percent of the open space within the development is required to be owned in common (undivided interest), therefor up to 50 percent may be privately owned.

B. Common open space in a planned development district shall meet the following standards:

1. The location, shape, size and character of the open space must be suitable for its intended use within the planned development;

2. Common open space must be retained or restored to its native state or used for agricultural or recreational purposes, e.g., part of an organized trail system or used as designated conservation open space. The uses authorized for common open space must be appropriate to the scale and character of the planned development, considering its size, density, expected population, topography and number and type of dwelling units to be provided; and

3. Common open space must be managed for its intended use. Common open space to be retained or restored to its natural condition, must provide suitable weed control and revegetation plans and programs. The buildings, structures and improvements which are permitted in the common open space must be appropriate to the uses which are authorized and must conserve and enhance the natural features of the common open space.

C. The development schedule, which is part of the development plan, must coordinate improvement of common open space, construction of buildings, structures and improvements for recreational purposes, and the construction of residential dwellings in the planned development.

D. The preliminary development plan and program shall include a provision which assures permanent retention and maintenance of the common open space in a planned development. Such assurance may be in the form of restrictive covenants, or undertaken by an association of owners of the property within the planned development, and/or in any other form or by any other method approved by the board as being practical and legally sufficient to assure the permanent retention and maintenance of the common open space.

All legal documents necessary to implement this requirement (typically in the form of conditions, covenants and restrictions) shall be filed by the applicant with the final development plan and program, and shall be subject to approval as to form by the prosecuting attorney. All such plans and programs shall contain provisions whereby the county is granted the right to enforce the permanent retention and maintenance of the common open space, and further that in the event the common open space is permitted to deteriorate, or is not maintained in a condition consistent with the approved plan and program, the county may at its option, cause necessary maintenance to be performed and assess the costs thereof to the owners of the property within the planned development.

E. No common open space may be put to any other use than as specified in the approved final development plan unless the development plan has been modified to permit such other use pursuant to OCC 17.19.140. (Ord. 94-10 § 2, 1994).

17.19.050 Underground utilities.

In any planned development all electrical lines, telephone facilities, and other wiring conduits and similar facilities shall be placed underground unless this requirement is waived by the board. Such a waiver must be based on the physical constraints of the site and/or technical difficulties with such underground installations. (Ord. 94-10 § 2, 1994).

17.19.060 Planned development standards.

The following minimum requirements apply to planned developments. Applicant may be required to provide analysis, by professionals with documented expertise, of the following items:

A. Soils and Geology. Planned development applications shall show, where lands within the site have high frost heave potential or are subject to slippage as determined by the Soil Conservation Service soils capability rating, that the development has been planned so that the improvements will not be subject to geologic hazards or soil conditions that would damage such improvements or cause environmental degradation.

B. Drainage. Planned development applications shall show that the development has been planned so historical surface flow patterns (100-year floodplain if known) and runoff amounts will be maintained in a manner that will preserve the natural character of the area and prevent property damage of a type generally attributed to increased runoff rate, velocity increases, unplanned ponding, or storm runoff.

C. Erosion. Planned development applications shall show slopes which are greater than 30 percent and/or are highly erodible as determined by Soil Conservation Service soils capability rating. The erosion plan shall include road systems and shall show that the development has been planned so that a minimum amount of natural vegetation and soil cover is disturbed, that adequate provision is made for recontouring and soil stabilization and that cuts and fills are designed to minimize erosion. Additionally, all disturbed soils shall be revegetated and road systems shall be designed to minimize the necessity for cuts and fills.

D. Water Availability. Planned development applications shall submit appropriate certification to show that adequate water exists to support the proposed development and shall be compatible with water priority uses contained in any applicable river basin studies prepared and adopted by the Washington State Department of Ecology.

E. Waste Treatment. Planned development applications shall show that on-site sewage treatment systems are adequate to accommodate the volume and composition of sewage expected to be generated by the proposed use, that the on-site sewage disposal system will be properly maintained and designed to prevent overloading or any other failure which could cause the discharge of inadequately processed effluent that would measurably degrade the quality of the receiving water below applicable water quality standards or below the existing water quality whichever is higher. On-site sewage disposal shall meet the Okanogan County sewage disposal regulations, the Department of Social and Health Services and the Washington State Department of Ecology standards.

F. Wildlife. Planned development applications shall show that the development has been planned, in conjunction with the Washington State Department of Wildlife, to mitigate significant adverse impact on wildlife habitat including but not limited to deer wintering areas, migration corridors, fawning sites, nesting grounds, commercial and game fish spawning areas, breeding areas, etc.

G. Agricultural Compatibility. Planned development applications shall show that the development has been planned to minimize the loss of the lands within the proposed PD that are designated agricultural land of long term commercial significance (see GMA Resource Lands Designation). To assure proper management of agricultural lands dedicated as open space, a management plan shall be incorporated into the homeowner's covenants. The application shall also show that the proposed development does not have an adverse affect on adjacent agricultural lands of long term commercial significance. Habitable structures within the planned development shall be set back a minimum 100 feet from adjacent agricultural properties.

H. Visual Impacts. Planned development applications shall show that design and construction standards will minimize the aesthetic impact of the proposal on the site. The application shall include provisions which assure that no artificial lighting is directed off-site. The application shall also describe what steps are being taken to maintain integrity of the terrain (native vegetation, plantings, streams) and to maintain architectural and building clusters compatible with the surrounding area.

I. Archaeological and Historical Features. Planned development applications shall show that any development located on or near a historical or archaeological site is consistent with and would not destroy or have an adverse affect on the historical or archaeological site.

J. County Fiscal Impact. Applications shall estimate the cost to the county for the new services and facilities which will be required to support the specific needs of development. Services and facilities that shall be reviewed include: schools, roads, law enforcement, junior taxing districts and general government services. A description shall be included to show whether or not the indicated staging of the development will generate services or facility demand in advance of the fiscal and physical ability of the county or the county districts to provide them. If such an increase in services is projected, an acceptable means for providing such services must be furnished.

K. Reduction of Nonconforming Uses. Planned development applications shall show that the development will result in the upgrading or elimination of existing nonconforming uses and structures which occur on the subject property. (Structures or buildings

designated as historical by state of Washington may be granted a wavier of this provision by the planning commission.)

L. Critical Areas. Show that critical areas regulations have been addressed.

M. Transportation. Applicant shall show that the development is planned to meet the design standards of Subdivisions, OCC Title 16 and Okanogan County road and street standards and guidelines for development and, if applicable, Washington state highway standards.

N. Employee Housing. Applicant shall show that the requirements for employee housing are met (see OCC 17.19.030(3)). Employee housing shall be located on-site and integrated with other housing provided by the project.

O. Utilities. Applicant shall show how utilities will be provided to the development. Applicant shall provide electricity to the development. The county may find that alternative, nonconventional power sources are practical upon written evidence presented by the applicant. Utilities shall be underground, including but not limited to, electricity, communications and street lighting. Where topography, soil, or other conditions make underground installation impractical and written evidence is presented by the supplier of the utility, the county may waive the requirement for underground utilities. (Ord. 94-10 § 2, 1994).

17.19.070 Preapplication consultation.

A. Preapplication consultation with county departments and resource agencies is mandatory for planned development projects. Upon receiving a request for preapplication consultation, the administrator will request a meeting with the appropriate county and resource agencies and the applicant. The purpose of this meeting is to assist the applicant in identification of site constraints and suggest potential solutions where possible. (Ord. 94-10 § 2, 1994).

17.19.080 Application for planned development (PD).

Application, Hearing, Evaluation Criteria and Decision. Upon completion of the mandatory consultation, the preliminary PD request will proceed upon receipt of 12 copies of the following:

A. Application.

1. The applicant shall submit a completed PD rezone application.

2. The application shall be accompanied by a development site plan which includes the following:

a. A dimensional map, drawn to a scale of not less than one inch equals 100 feet; except, for applications of more than 40 acres, a scale drawing of the entire site shall be included with an insert drawing that delineates the areas of primary development activities at the above mentioned scale or as prearranged with the administrator or designee. The dimensional map sheet shall include a vicinity map at a reduced scale showing the proposed development in relation to existing landmarks (e.g., state or county roads, towns, etc.);

b. Boundaries of the site;

c. Names and dimensions of all existing and proposed roads serving, adjacent to or lying within one quarter mile of the site of the proposed property;

d. Proposed zones of influence and/or approximate footprints of proposed buildings; together will proposed footprints of commercial buildings;

e. Proposed location and dimension of common open space and privately owned open space;

f. Proposed public dedications;

g. Location, dimension and schematic design of off-street parking facilities, showing points of ingress and egress from the site;

h. Location of major physical features, such as drainage ways, canals, and shorelines;

i. Location of known critical areas including fish and wildlife habitat conservation areas, wetlands, aquifer recharge areas, frequently flooded areas, geologically hazardous areas;

j. Existing topographic contours for the entire site utilizing the best information available, such as, USGS maps or Department of Transportation maps (utility and roadway corridors may use plan profile instead of contours except where erosion control measures are required). For large development sites, contour intervals of not more than five feet, together with identification of existing drainage and of vegetation shall be provided for the area including and adjacent to actual development activities for a distance of 250 feet.

k. Proposed land uses, densities and building types and sizes;

l. Pedestrian and vehicular circulation pattern;

m. Location and type of all existing and proposed recreational improvements, if any;

n. Conceptual landscape plan;

o. Conceptual utility plans, including utility easements; and

p. Snow removal/storage/water quality protection plan.

3. A written program that includes an explanation of the density of development proposed and open space provisions together with the following:

a. A description in a concise statement of the general public benefit that will result from the development of the proposed project. Benefits to be described may include but are not limited to:

i. Increased open space;

ii. Special wildlife or recreation benefits resulting from innovative or optional development techniques;

iii. The creation of compatible multiple use projects that include residential, commercial and/or industrial; and

iv. The development of perimeter transition with surrounding land uses.

b. Additional written information shall provide a detailed evaluation and/or analysis of the following:

i. Proposed ownership pattern;

ii. Proposed covenants, conditions and restrictions (CC&Rs) including, operation and maintenance proposal (i.e., condominiums, home owner association, co-op, time share or other);

iii. General timetable of development (describe project phasing if applicable);

iv. Description of existing and/or proposed community and recreational facilities;

v. Water supply system; (including proposed water conservation measures where necessary).

vi. Wastewater disposal system;

vii. Geophysical characteristics (i.e., soils, slope, drainage and areas of erosion);

viii. Temporary and permanent erosion control plan (including cross sections and site plans that meet the performance standards in OCC 17.19.060(C));

ix. Compatibility with existing land uses;

x. Visual impacts, existing and proposed landscaping, and identification of view corridors;

xi. Description of known archaeological and historical features;

xii. Air quality considerations and mitigation measures (e.g., dust suppression);

xiii. Traffic circulation elements (both on- and off-site including required improvements and right-of-way dedications);

xiv. Utility installations (all utilities, including power) shall be underground, except, where site constraints prohibit such installations and such change is approved by the planning commission);

xv. Noise considerations and mitigation measures (e.g., vegetative buffers); and

xvi. Specifications regarding how the planned development application has been designed to mitigate significant adverse impact on fish and wildlife habitat conservation areas including but not limited to critical deer wintering areas, spring ranges, fawning sites, nesting grounds, commercial and game fish spawning areas, breeding areas etc.;

xvii. Noxious weed control plan.

B. Agency Review.

1. The administrator shall distribute copies of the application to the agencies which are potentially affected by the proposed development, are determined to have relevant expertise, or who request notification.

2. Agencies involved in the review of the proposed project application shall be allowed 21 days from the postmarked date on the notice from the county in which to comment on the project. The administrator may extend the comment period up to 15 days at the request of a reviewing agency for unique, complex or unusually large project proposals. Any reviewing agency which comments upon the proposed development or which requests such status, shall be noted in the files as a party of record and Okanogan County will attempt to provide copies of all reports, meeting minutes, notice of meetings, and decisions involving the proposal.

3. Lack of comment by an agency with the time period specified by these provisions shall be construed as lack of objection to the proposal. Any consulted agency that fails to submit a response in the time period specified by these provisions shall thereafter waive the option of alleging any defects relative to compliance with this chapter.

C. Hearing.

1. The application for a planned development shall be noticed and heard by the planning commission in a time and manner provided for in OCC 16.20.040 and Chapter 36.70 RCW; and

2. The commission may continue the hearing to a time, date, and place certain if they determine that additional information is required.

D. Evaluation Criteria.

1. At the public hearing, the planning commission shall consider all relevant evidence to determine the adequacy of the preliminary plan, including consideration of OCC 17.02.030, 17.19.010, 17.19.030, and 17.19.080 (A)(2) and (3), together with any information developed as part of the SEPA review of the proposal, and any input received from reviewing agencies;

2. When, in the opinion of the planning commission, the review of the preliminary application indicates the presence of significant adverse impacts, the planning commission shall recommend the imposition of conditions, or performance standards designed to mitigate the adverse impacts. If, in the opinion of the planning commission, impacts cannot be mitigated sufficiently to assure maintenance of the public health, safety and welfare, and/or the applicable comprehensive planning goals are not met, they may recommend disapproval of the application;

3. The planning commission shall recommend posting of a bond or acceptable surety in an amount equal to at least 120 percent of the estimated cost of the required improvements in the following circumstances:

a. When the proposal calls for construction or alteration of roads, utilities or other improvements for which a public agency would have responsibility for completion should the applicant fail to make adequate installation;

b. When required improvements will not be completed at the time of final plan approval. A bond may also be required to assure site restoration in the event a partially completed project is abandoned. Bonding may be adjusted to meet the phasing schedule. Bonds shall be filed with the Okanogan County department of public works; and

4. If the PD is to be developed in phases, the planning commission shall ensure that open space and facilities proposed for the entire development be developed or committed in proportion to the number of dwelling units to be constructed in each phase.

E. Decision.

1. The planning commission shall recommend that the preliminary planned development be approved, conditionally approved, or disapproved. Conditions of approval shall be precisely recited in the planning commission's report;

2. Not later than 14 days following conclusion of the hearing, the planning commission shall submit its written report and recommendations to the board of county commissioners. (Ord. 94-10 § 2, 1994).

17.19.090 Board of county commissioner's action.

Preliminary Application. Upon receipt of the planning commission's recommendation, the board shall, at its next public meeting, set the date for the public hearing at which the board shall consider the planning commission's recommendations.

A. The board shall decide whether the public use and interest will be served by approving the preliminary planned development.

B. The board, after reviewing the recommendations of the planning commission, public testimony and accompanying reports, recommendations and documentations, and any other relevant evidence presented to it, shall either approve, conditionally approve, refer to the planning commissioner for further review and recommendation, or disapprove the preliminary planned development. The board's action shall include findings of fact and conclusions leading to the decision.

C. In the event the board approves or conditionally approves the preliminary application, such approval shall be binding as to the general intent and apportionment of land for buildings, stipulated use and circulation pattern. Approval of the preliminary application shall constitute authorization for the applicant to develop the streets, utilities and such other infrastructure improvements in accordance with construction drawings approved by the Okanogan County public works department and with landscaping and/or weed control. (Ord. 94-10 § 2, 1994).

17.19.100 Final plan – Submittal.

Within three years from the date of the approval by the board of the preliminary planned development, the applicant shall file an application for approval of the final development plan of the proposed planned development with the administrator. An applicant who files a written request with the board at least 30 days before the expiration of the three-year period shall be granted one one-year extension upon a showing that the applicant has attempted in good faith to submit the final planned development within the three-year period. The board may grant additional extensions upon petition by the applicant which demonstrates extraordinary hardship as determined by the board. If the application for approval of the final development plan is not filed within three years or within the extended time period, if any, the approval of the preliminary planned development shall be void. (Ord. 94-10 § 2, 1994).

17.19.110 Final plan and program requirements.

The elements of the final development plan and program shall be as follows:

A. Plan Elements.

1. A topographical base map prepared by a registered architect, landscape architect, land surveyor or engineer drawn to a scale of not less than one inch to 100 feet with proposed contours shown at one- to five-foot intervals within 250 feet of the major construction activities, unless prior approval for a change in scale is approved by the administrator;

2. Boundary survey by a licensed land surveyor including location, with the names of all existing and proposed streets, public ways, railroad and utility rights-of-way, parks or other open spaces within the development, in accordance with Subdivisions, OCC Title 16;

3. Existing on-site or sanitary sewer systems, water wells or mains and other underground facilities within and adjacent to the development and their certified capacities;

4. Proposed on-site or sanitary sewer systems or other waste disposal facilities, water mains and other underground utilities;

5. The approved preliminary planned development plan;

6. Community facilities plan, if applicable;

7. Location and amount of open space;

8. Traffic management plan;

9. A final landscape plan that includes: planting and irrigation plan, location and dimension of walks, trails, easements, or permitted access to public lands or areas, and/or their relationship to the Okanogan County comprehensive plan;

10. Location, arrangement, number and dimensions of truck loading and unloading spaces and docks, if applicable;

12. Location, arrangement, number and dimensions of auto garages and parking spaces, width of aisles, bays and angles of parking;

13. Preliminary plans, elevations of typical buildings and/or structures, indicating general height, bulk, number of dwelling units; and

14. Approximate location, height and materials of all walls, fences and screen plantings.

B. Program Elements.

1. Tables showing total number of acres, distribution of area by use, percent designated for each dwelling, type of off-street parking, streets, parks, playgrounds, schools and open spaces;

2. Tables indicating overall densities and density by dwelling types and proposal for limitation of density;

3. Restrictive covenants with backup authority for Okanogan County, including those relating to retention and maintenance of common open space; and

4. Estimated development timetable (with phasing plan; if applicable) including commencement and completion dates for all buildings, structures and required improvements. (Ord. 94-10 § 2, 1994).

17.19.120 Final plan review and board action.

A. The administrator shall determine that all the requirements of subsection B of this section are satisfied, that the final development plan is substantially consistent with the preliminary planned development and any additional conditions approved by the board have been fulfilled.

B. The board shall, at its next public meeting or any continued meeting, determine:

1. Whether the final development plan is consistent with the preliminary application along with the conditions imposed;

2. Whether the bond, if there be one, assures the completion of improvements; and

3. Whether the requirements of state law and this title have been satisfied by the developer.

The board shall thereupon take action to approve, refer to the planning commission for further review and recommendation, or disapprove the proposed final plan. if the board approves the plan, the applicant shall provide a reproducible copy of the final plan with any required changes and applicant signatures on stable base mylar polyester film, or equivalent approved material for signature of the same parties who are authorized to approve final plats pursuant to OCC Title 16. The original will then be returned to the applicant to be submitted to the county treasurer for signature. One copy on paper shall be submitted to the county office of planning and development.

C. The final approved document, including the detailed map, all terms and conditions of approval and articles of incorporation of any homeowner's association or like entity created, shall be filed with the Okanogan County auditor.

D. The terms and conditions of the PD as approved, including the plan features contained on the detailed PD map or related final plan map approved by the board, shall constitute limitations on the use and design of the site which shall be enforced by any and all means included in Chapter 17.38 OCC.

E. Approval by the board of the final development plan shall constitute authorization for the applicant, successors or assignees of the applicant to develop the site following issuance of appropriate permits by the county in accordance with the development plan and any conditions imposed by the board. (Ord. 94-10 § 2, 1994).

17.19.130 Building permits.

Issuance after Final Plan Approval. Building permits shall be issued for construction only in accordance with the plan and program elements of the PD after final approval by the board of county commissioners. (Ord. 94-10 § 2, 1994).

17.19.140 Modifications to development plan and program.

A. Minor Modifications. Applications for a minor modification of a final development plan and program shall include the minor shifting of the location of buildings, streets, public or private rights-of-way and easements, parks or other features of the plan, the consolidation of lots, minor shifting of lot lines, and all other changes deemed minor by the planning director which do not materially affect the intent of the plan, but shall not include those changes which decrease the total amount of dedicated open space below a level required under the original approval of the final development plan. Minor modifications shall be approved by the planning director. A revised plat shall be filed with the Okanogan County auditor.

B. Intermediate Modifications. Applications for intermediate modifications of a final development plan and program shall include changes in the location of lots, changes in the location of uses, changes in use from residential to tourist-residential, transfers of density or use from one location or lot to another, decreases in the total amount of dedicated open space to a level less than the original approval of the final development plan, and changes to the zones of influence under OCC 17.19.037. Intermediate changes to a final development plan and program shall be reviewed by the regional planning commission at a public hearing, upon public notice as provided for in RCW 58.17.090. Intermediate modifications shall be approved by the planning director upon recommendation by the regional planning commission. A revised plat shall be filed with the Okanogan County auditor.

C. Major Modifications. Applications for major modifications of a final development plan and program shall include those changes not deemed a minor or intermediate modification by the planning director. All applications for major modifications shall be processed as if such application were an original application for a planned development and shall be submitted to the regional planning commission, hearings held and recommendations made to the board of county commissioners for approval or denial. (Ord. 2002-1 § 2, 2002; Ord. 94-10 § 2, 1994).

17.19.150 Final planned development – Action on nondevelopment.

If, within five years after the granting of final approval of a planned development, building permits have not been issued pursuant to the approved project, the planning commission shall review on its own motion the grant of such planned development at a public hearing after giving written notice of such hearing to all persons claiming any right, title or interest of record in and to the affected property and adjacent property owners. Notice shall be given at least 20 days prior to such hearing, and after otherwise giving notice of such hearing as required by this title. Hearings shall be held at times and in a manner prescribed by this title and may be continued as provided therein. The planning commission shall determine whether the continued existence of the planned development is in the public interest, and such determination shall be based on the criteria specified in OCC 17.02.030 and 17.19.010. The planning commission shall adopt a motion by a majority of its voting members which shall recommend to the board of county commissioners that the final planned development be continued or extinguished. (Ord. 94-10 § 2, 1994).

17.19.160 Damaged building restoration.

Replacement or reconstruction of any building or improvements to buildings damaged or destroyed shall substantially conform to the originally approved planned development. (Ord. 94-10 § 2, 1994).

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[1] Prior legislation: Ord. 92-12.

Chapter 17.20
PLANNED DESTINATION RESORT (PDR)

Sections:

17.20.010 District purpose.
17.20.020 Uses allowed.
17.20.030 General requirements.
17.20.040 Preapplication consultation.
17.20.050 Application for planned destination resort.
17.20.060 Processing of application for PDR.
17.20.070 Board of county commissioner's review and decision.
17.20.080 Final development plan submittal requirements.
17.20.090 Procedure for review of a final development plan – Phased development.
17.20.100 Procedure for modification of a final development plan.
17.20.110 Violation of terms of approval.

17.20.010 District purpose.

A. The purpose of the PDR zone is to enhance and diversify the recreational opportunities in Okanogan County through the development of destination resorts that complement the natural and cultural attractiveness of the area without significant adverse effects to environmental and natural features, cultural or historic resources and their settings, and other significant resources. The PDR zone provides for the development of destination resorts as recreational developments which provide visitor-oriented accommodations and recreational facilities for resort visitors and residents, consistent with the comprehensive plan. The PDR zone is only appropriate for those commercial, residential and/or visitor accommodations which are part of a destination resort facility. It is the intent of this chapter to establish standards and procedures for developing large scale destination resorts, while ensuring that all applicable land use requirements are achieved and available resources are used productively and efficiently.

B. Further, it is the intent of the PDR zone that the value of important natural features and systems shall be preserved and/or enhanced.

1. The necessary habitat of threatened or endangered species as listed on the federal register shall be protected so as not to diminish the necessary features of that habitat.

2. Natural features such as streams, rivers, riparian vegetation within 100 feet of streams, and significant wetlands shall be protected consistent with shoreline, SEPA, critical areas regulations, etc.

3. Key wildlife habitat and critical wildlife habitat areas shall be protected so as not to diminish the necessary features of that habitat.

C. The rezoning of a property or properties to a PDR zone has the effect of replacing all existing zoning ordinance regulations on the property with use and intensity allowances contained in the planned destination resort approval by action of the board of county commissioners. (Ord. 92-12 § 5 (App. A), 1992).

17.20.020 Uses allowed.

A. Principal Uses. The following uses shall be permitted outright as principal uses, provided they are part of, and are intended to serve persons at, a destination resort approved pursuant to this chapter:

1. Visitor-oriented accommodations designed to provide for the needs of visitors to the resort, including the following uses:

a. Overnight lodging, including lodges, hotels, motels, bed and breakfast facilities, time-share units, campgrounds and similar transient lodging facilities,

b. Convention and conference facilities and meeting rooms,

c. Retreat centers,

d. Special studies centers,

e. Restaurants, lounges and similar eating and drinking establishments, and

f. Other visitor-oriented accommodations compatible with the purposes of this chapter;

2. Developed recreational facilities designed to provide for the needs of visitors and residents of the resort, including the following uses:

a. Golf courses, driving ranges, clubhouses and academies,

b. Indoor and outdoor spas and swimming pools,

c. Indoor and outdoor tennis and other sport courts,

d. Recreational, health facilities and fitness facilities,

e. Downhill ski facilities including lift stations and gondolas,

f. Equestrian facilities,

g. Wildlife observation shelters,

h. Theaters and amphitheaters,

i. Fishing facilities,

j. Walkways, bike paths, jogging paths, nordic and alpine ski trails, equestrian and other athletic and recreation trails,

k. Marinas, boat launches, swimming floats, and other water dependent facilities compatible with the purpose of this chapter and with the Okanogan County shoreline master program, and

l. Other recreational facilities compatible with the purposes of this chapter;

3. Residential:

a. Single-family dwellings,

b. Duplexes and other multifamily dwellings,

c. Condominiums,

d. Townhouses,

e. Timeshare projects,

f. Sufficient residential units for necessary full-time and seasonal employees, and

g. Other residential dwellings compatible with the purposes of this chapter;

4. Commercial services and specialty shops designed to provide for visitors of the resort, including the following uses:

a. Specialty shops such as clothing stores, bookstores, specialty food shops, state-licensed liquor stores, sport shops and photo developing shops,

b. Restaurants and taverns,

c. Gift shops,

d. Barbershops/beauty salons,

e. Automobile service stations,

f. Craft and art studios and galleries,

g. Real estate and other professional offices,

h. Grocery stores,

i. Laundromat and laundry facilities,

j. Licensed day care facilities, and

k. Other commercial services which provide for the needs of resort visitors and are compatible with the purposes of this chapter; provided, however, that all commercial uses within the approved PDR shall meet the following conditions:

i. Such commercial uses shall be within the approved boundaries of the PDR,

ii. Such commercial uses shall be oriented to the resort and located away from or screened from highways or other major roadways, and

iii. Such commercial uses shall be limited to those uses necessary or desirable to serve the needs of resort visitors in that their primary purpose is to provide goods or services that are typically provided to overnight or other short-term visitors to the resort, or the use is necessary or desirable for operation, maintenance or promotion of the destination resort;

5. Permitted uses may be combined within a mixed use building where permitted commercial uses are located with visitor-oriented accommodations and/or residential dwellings in the same or adjoining buildings;

6. Open space areas:

a. Wildlife areas,

b. Natural areas,

c. Trails,

d. Parks,

e. Lakes, rivers and streams,

f. Golf courses,

g. Landscaped setbacks,

h. Pasture and agricultural lands,

i. Any land which is not part of the area used for an accessory use to visitor-oriented accommodations, developed recreational facilities or residential dwellings, and

j. Other open space areas compatible with the purposes of this chapter.

B. Accessory Uses. The following uses shall be permitted outright as accessory to a destination resort or to principal uses located therein:

1. Transportation, including roads and parking, and utility facilities;

2. Emergency medical facilities;

3. Storage structures and areas;

4. Kennels as a service for resort guests only;

5. Heliports providing emergency services to the destination resort only and not for the general purpose of providing tours;

6. Ticket booths;

7. Public facilities, such as police and fire stations, and similar uses;

8. Facilities necessary for public safety and utility service within the destination resort or the county, notwithstanding any limiting provision of this subsection to the contrary; and

9. Other uses which are compatible with the purposes of the chapter.

C. Conditional Uses. The following uses may be approved as conditional uses subject to the provisions for conditional uses in this zoning title:

1. Helicopter skiing or other operations and facilities not otherwise allowed by subsection B(5) of this section.

D. Prohibited Uses. All uses not included above as principal, accessory or conditional uses, are prohibited in the PDR zone. (Ord. 92-12 § 5 (App. A), 1992).

17.20.030 General requirements.

In addition to accomplishing the purpose of the PDR established in OCC 17.20.010, development in a PDR zone shall meet the following requirements:

A. The minimum size for a PDR shall be 640 acres, at least 50 percent of which shall be in one contiguous parcel;

B. The maximum density for a PDR shall be three and one-half dwelling units per acre. For the purposes of calculating the density of a PDR, each two units of transient tourist accommodations (those accommodations without kitchen facilities or fixtures) shall equal one dwelling unit. Dormitory-style seasonal employee housing shall not be included in the calculation of residential density;

C. At least 60 percent of the total acreage included in the development shall be dedicated to and maintained as permanent open space as defined by OCC 17.20.020(A)(6), and/or recreational areas, excluding required streets and parking areas. The amount of site coverage shall be recommended by the planning commission and approved by the board of county commissioners.

D. The method of calculating the ratio of permanent residential units to visitor-oriented dwelling units is as follows:

1. The ratio of permanent residential units to visitor-oriented dwelling units shall not exceed two and one-half to one. For purposes of this section, "visitor oriented dwelling units" are those units, whether a single-family house, townhouse, condominium or transient tourist accommodations, which are made regularly available to the traveling public for stays of limited duration. Dormitory housing for seasonal employees shall be provided as required in any permit or approval, but shall not be included in calculating this ratio.

2. The developer is required to provide, in the final development plan, an enforceable program that adequately demonstrates this ratio will not be exceeded at any time in the development of the project.

3. This ratio shall not affect the calculation of maximum density set forth in OCC 17.20.030(B).

E. No building permit or building occupancy permit shall be issued for any structure or use to be located within PDR zone unless the structure and use complies with the requirements of the final plan and program and this section.

F. The PDR shall provide public transit proposals which satisfy public transportation demands generated by the planned destination resort.

G. No structures or uses, except those which are necessary for maintenance, shall be permitted within areas designated as buffer areas. Buffer areas shall contain natural vegetation, fences, berms and landscaped areas as indicated in the applicable preliminary or final plan and program.

H. Any additional requirements of the final approval shall be met during that review process. (Ord. 92-12 § 5 (App. A), 1992).

17.20.040 Preapplication consultation.

A. An applicant may request an informal review of a PDR prior to submittal of an application. Upon receiving a request for an informal review, the administrator will request a meeting with the appropriate county and resource agencies and the developer. The purpose of this meeting is to assist the developer in identification of site constraints and suggest potential solutions where possible.

B. An applicant shall request an informal review under OCC 17.20.040(A) for PDR projects that are located in environmentally sensitive areas. (Ord. 92-12 § 5 (App. A), 1992).

17.20.050 Application for planned destination resort.

A rezone to a PDR designation requires submittal of a rezone application. This application shall be reviewed in two steps 1) a preliminary development plan and program for the entire development, together with the rezone application, and 2) a final development plan for the entire development, or for each individual phase of the PDR. The preliminary development plan and program and rezone application shall include sufficient schematic or concept information to permit a comprehensive review of the entire development.

A. The actual rezone of the property will occur upon approval of the preliminary development plan and program and rezone by the board of county commissioners, and shall include, where appropriate, conditions to be satisfied by the final development plan or plans. The final development plan shall be in greater detail to permit a determination that the final development plan conforms with the preliminary development plan and program and rezone approval.

B. Upon completion of the preapplication consultation (where required), the preliminary PDR rezone request will proceed as follows:

1. The applicant shall submit a complete PDR rezone application requesting a change of zone to planned destination resort;

2. The rezone application shall be accompanied by a preliminary development plan and program (hereinafter referred to jointly as the "rezone application") which includes the following information:

a. A development site plan which includes one or more scale drawings of the existing conditions on the entire site, at a scale to be prearranged with the administrator or designee, and which shall include the following:

i. A vicinity map at a reduced scale showing the proposed development in relation to existing landmarks (e.g., state or county roads, towns, etc.),

ii. Boundaries of the site,

iii. Names and dimensions of all existing roads serving, adjacent to or lying within one-quarter mile of the site of the proposed development,

iv. Location of major physiographic features, such as railroads, drainageways, canals and shorelines,

v. Existing topographic contours, at intervals of not more than five feet, for the entire site, using the best information available, such as USGS maps or highway department maps, within the immediate vicinity (250 feet plus) of development activities. Contours should be shown together with existing drainage and identification of significant vegetation,

vi. Important natural features of the site, including habitat of threatened or endangered species as listed on state or federal government registers, streams, rivers, riparian vegetation within 100 feet of streams and significant wetlands shall be protected consistent with shoreline, SEPA, critical areas regulations, etc.,

b. One or more site plan sheets showing in concept form the following:

i. The location and number of acres reserved as open space as defined in OCC 17.20.020(A)(6), along with a conceptual landscape plan showing areas of preservation, removal and restoration of vegetation,

ii. Major pedestrian, equestrian, bicycle trails, ski trails, and any other recreational systems,

iii. The number and general location of off-street parking facilities, showing points of ingress to and egress from the site, as well as proposed roads and pedestrian and vehicular circulation patterns,

iv. Proposed land uses, densities, and building limit lines, building type, height and bulk,

v. Proposed public dedications,

vi. Proposed utility systems (i.e., water, wastewater, storm and power),

vii. Snow removal/storage/water quality protection plan,

c. A written program that includes an explanation of the density of development proposed and open space provisions together with the following:

i. A description in a concise statement of the general public benefit that will result from the development of the proposed project. Benefits to be described may include, but are not limited to:

(A) Increased usable open space,

(B) Special wildlife or recreation benefits resulting from innovative or optional development techniques,

(C) The creation of compatible multiple use projects that include uses authorized by this chapter and,

(D) The development of perimeter transition with surrounding land uses,

ii. Additional written information shall provide a detailed evaluation and/or analysis of the following (note: some of the following information may be a part of project SEPA compliance documentation):

(A) Proposed ownership pattern,

(B) Operation and maintenance proposal (i.e., condominiums, home owner association, co-op, time share or other),

(C) A written explanation of the timetable for development, with the projected build-out date, describing the phases of project development. If the developer requests approval of phase I concurrent with the preliminary development plan, the requirements of OCC 17.20.090 must be met,

(D) Description of existing and/or proposed community and recreational facilities,

(E) Water supply system,

(F) Wastewater disposal system,

(G) Geophysical characteristics (i.e., soils, slope, drainage and erosion control),

(H) An explanation of how the project has been sited or designed to avoid or minimize adverse effects or conflicts with adjacent uses. The application shall explain how proposed open space areas will avoid or minimize adverse effects or conflicts,

(I) Visual impacts, existing and proposed landscaping, and identification of view corridors, provided, however, the planning administrator may require graphic or other visual exhibits to supplement this information,

(J) Description of known archaeological and historical features,

(K) Air quality considerations and mitigation measures (e.g., dust suppression),

(L) Traffic circulation elements (both on- and off-site including required improvements and right-of-way dedications),

(M) Utility installations (all utilities, including power) shall be underground, except where site constraints prohibit such installations and such change is approved by the planning commission),

(N) Noise considerations and mitigation measures (e.g., vegetative buffers), and

(O) Information as to employee housing to be provided,

iii. An environmental evaluation of the site and the surroundings prepared in accordance with the State Environmental Policy Act (SEPA) and at the direction of the responsible official. (Ord. 92-12 § 5 (App. A), 1992).

17.20.060 Processing of application for PDR.

A. The applicant shall submit three copies of the rezone application, and all related materials, to the administrator for review. Within 14 days of receipt of the rezone application, the administrator shall determine if the rezone application is complete and in compliance with the PDR district as defined in OCC 17.20.010. Applications which are inconsistent with the PDR district intent shall not be further processed, unless revised to the satisfaction of the administrator. If the application is incomplete, the administrator shall notify the applicant as to which portion of the application is incomplete. The applicant shall be given 30 days within which to submit any additional information necessary to complete the application, unless a longer period is approved by the administrator. When the application is certified as complete, the applicant shall provide an additional 30 copies of the completed rezone application.

B. Upon receipt of a complete rezone application, as determined by the administrator, the rezone application shall be considered vested to the zoning ordinance codified herein unless the applicant elects in writing to proceed under a subsequently enacted zoning ordinance and the county concurs.

C. Following certification of the complete application, the rezone application shall be circulated to the various departments and agencies with expertise for review and comment. Those departments and agencies shall submit reports and recommendations

to the planning department within 30 days of the date of circulation. Such reports and recommendations shall be considered as part of the public record by the planning commission.

D. If a public hearing is held on a draft environmental impact statement (DEIS), the hearing may be held prior to or concurrently with the first planning commission hearing of the rezone application. The public hearing on the draft EIS may be coordinated and/or combined with the requirements of subsection E of this section.

E. Public Hearing.

1. The rezone application shall have public notice and be heard by the planning commission in a time and manner provided for in RCW 36.70.590.

2. The commission may continue the hearing to a time, date and place without further notice.

3. At the public hearing, the planning commission shall consider all relevant evidence concerning the rezone application, including consideration of this chapter, together with any information developed as part of the SEPA review, and any input received from reviewing agencies.

F. Planning Commission Review and Recommendation.

1. Within 14 days following the conclusion of the public hearing, the planning commission shall submit its written report and recommendation to the board of county commissioners. The rezone application shall be recommended for approval, disapproval, or modification and approval, and all recommended conditions of approval shall be specified.

2. In addition to the authority in subsection F(1) of this section, the planning commission shall consider the environmental impact of the rezone application, together with any environmental document that is available, and may further condition its recommendation on the consideration of the environmental impact of the rezone application.

3. When the proposal calls for construction or alteration of roads, utilities or other improvements for which the public agencies would have responsibility for completion should the applicant fail to make adequate installation, and when such required improvements will not be completed at the time of final development plan approval, the planning commission shall recommend that the board of county commissioners require a bond or acceptable surety indemnifying the required improvements in an amount at least equal to 120 percent of the estimated cost of the required improvements. A bond may also be required to assure site restoration in the event a partially completed project is abandoned. Bonding may be adjusted to meet the schedule of phased development. Bonds shall be filed with the Okanogan County department of public works prior to the board making a decision on the final development plan. (Ord. 92-12 § 5 (App. A), 1992).

17.20.070 Board of county commissioner's review and decision.

A. Upon receipt of the planning commission's recommendation, the board shall, at its next public meeting, set the date for the public meeting at which the board shall consider the planning commission's recommendation.

B. At the meeting scheduled for considering the planning commission's recommendation on the rezone application, the board, after reviewing the recommendation of the planning commission and accompanying reports, documentation,

and any other relevant evidence presented to it, shall either concur with, modify or reject the recommendation based on review of the submitted record.

C. If the board denies the rezone application, it shall provide written findings of fact and conclusions supporting its decision to deny the application.

D. In the event the board approves or conditionally approves the rezone application, such approval shall give the applicant the right to proceed with submission of a final development plan for one or more phases of the development, and such approval shall also be binding as to the general intent and apportionment of land for buildings, stipulated use and circulation patterns.

E. Approval of the rezone application shall constitute authorization for the applicant to develop streets, utilities, and other such infrastructure improvements in accordance with construction drawings and permits approved by the Okanogan County public works department.

F. Upon approval of the rezone application, the county zoning map shall be changed to indicate the designation of the subject property as PDR with reference to the specific ordinance that defines the terms of approval. A copy of said ordinance shall be recorded with the county auditor's office. (Ord. 92-12 § 5 (App. A), 1992).

17.20.080 Final development plan submittal requirements.

The final development plan submittal shall include the following:

A. A map or maps, prepared under the direction of a land surveyor or civil engineer drawn to a scale or scales acceptable to the administrator, for the entire PDR or phase being requested for approval with proposed contours shown at one to five foot intervals within 150 feet of the major construction activities. In addition, the administrator may require a scale model, illustrative renderings or perspective drawings. The maps will include the following:

1. Locations, with the names of all existing and proposed streets, public ways, railroad and utility rights-of-way, parks or other open spaces, and all land uses within 500 feet of the boundary of the development,

2. Existing on-site or sanitary sewer systems, water wells or mains, and other underground facilities within and adjacent to the development, and their certified capacities,

3. Proposed on-site or sanitary sewer systems or other waste disposal facilities, water mains and other underground utilities,

4. Preliminary subdivision plan,

5. Proposed land use site plan including on-site or public recreation facilities or areas, if any,

6. Community facilities plan,

7. Location and amount of open space as defined in OCC 17.20.020(A)(6),

8. Traffic flow plan,

9. A landscape plan as defined in OCC 17.20.050(B)(2)(b)(i),

10. Location, arrangement, number and dimensions of truck loading and unloading spaces and docks,

11. Location, arrangement, number and dimensions of auto garages and parking spaces, width of aisles, bays and angles of parking,

12. Preliminary plans, elevations of typical buildings and/or structures, indicating general height, bulk, square footages, number of dwelling units and provisions for employee housing,

13. Approximate location, height and materials of all walls, fences and screen plantings,

14. A narrative as to the details of compliance of the proposed final development plan with the approved rezone application;

B. Proposed covenants, conditions and restrictions which shall include, at a minimum, provisions for:

1. Use, improvement and maintenance of all common open space areas which may be accomplished through a homeowners, or business owners' association,

2. The availability of private security patrol,

3. Architectural control over all residential dwellings and the establishment of a residential design review committee,

4. Limitations on the nature and extent of individual business signage so that all commercial uses are publicized as an integral part of the resort and are oriented toward the resort,

5. Dimensional standards for all residential dwellings, and

6. The ability of the county to enforce those provisions which are designated as a requirement for approval of the preliminary plan, and which may not be amended without board of county commissioners approval. Such designated portions of the preliminary plan shall be considered a part of the zoning requirements of this chapter and nonenforcement shall not result in waiver of the right to subsequently enforce. (Ord. 92-12 § 5 (App. A), 1992).

17.20.090 Procedure for review of a final development plan – Phased development.

A. A destination resort authorized pursuant to this chapter may be developed in phases. The applicant shall within 18 months from the date of the approval by the board of the rezone application, file a final development plan of one or more of the phases of the proposed destination resort with the administrator; provided, that the board of commissioners may, upon request of the applicant, grant an extension for the filing of the final development plan of up to 24 additional months with annual review and additional conditions if deemed necessary. If the final development plan is not filed within 18 months or within the extended time period, if any, the board may rescind approval of the rezone application following a 30-day appeal period after notification to the applicant of record of the board's proposed action.

The addition of property to a PDR zone, which addition is less than five percent of the total acreage in the PDR zone as originally proposed, and which does not result in any significant alteration to the approved PDR, shall not require referral to the planning commission, but shall be considered by the board as part of its review of the final development plan. The board's review of such addition of property to a PDR zone shall consist of determining conformance with the requirements of OCC 17.20.010 through 17.20.030.

1. The administrator shall review the final development plan to determine that all requirements of OCC 17.20.080 are satisfied, and that the final development plan is in substantial compliance with the rezone application as approved by the board. The

administrator shall then forward the proposed final development plan to the board, together with the conclusions from the administrator's review.

2. The board shall, at its next public meeting or any continued meeting determine:

a. Whether the final development plan is substantially consistent with the rezone application as approved by the board; and

b. Whether any conditions of approval required to be satisfied prior to approval of the final development plan have been fulfilled, or alternatively, whether the bond assures the completion of improvements.

The board shall thereupon take action to approve, refer to the planning commission for further review and recommendation, or disapprove the proposed final development plan. If the board approves the final development plan, the developer shall submit the original reproducible copy on stable base mylar polyester film or equivalent approved material, to be signed by the same parties who are authorized to sign final plats, pursuant to OCC Title 16. One additional copy which may be of paper, shall be submitted to the county office of planning and development.

3. The final development plan, including all terms and conditions of approval, shall be filed with the Okanogan County auditor.

4. The terms and conditions of the final development plan, including the map approved by the board, shall constitute limitations on the use, design and structures on the site which shall be enforced by any and all means included in Chapter 17.38 OCC, provided, that the applicant may enter into an agreement with the county, executed concomitantly with and as consideration for approval of the final development plan, by which the applicant agrees to develop, maintain and/or use the area within the PDR as specified in the final development plan.

5. Approval by the board of the final development plan shall constitute authorization for the applicant, its heirs, successors, grantees or assignees of the applicant to develop the site in accordance with the final development plan and any conditions imposed by the board.

6. Authorization for a PDR shall expire if construction of the first phase of development as described in the final development plan is not commenced within two years of the date the final development plan is approved or if the project is abandoned. Time extensions or scheduled modifications may be granted by the board in up to 18-month increments and with additional conditions if deemed appropriate following review by the planning commission.

7. After approval of the final development plan, building permits shall be issued for construction only in accordance with the final development plan as approved by the board of county commissioners. The facilities and accommodations described in the final development plan shall be physically provided or financially assured prior to the closures of sales, rental or lease of any residential dwellings to the general public, except that the developer may sell undeveloped land to subdevelopers or builders for the purposes of constructing the commercial, recreational or residential facilities required by this chapter; provided, that all purchasers shall agree to abide by the conditions of the approval of the PDR.

B. If a proposed resort is to be developed in phases, each phase shall be described in the preliminary development plan. The phasing shall meet the following requirements:

1. The first phase shall include the following as minimum requirements:

a. At least 75 separate rentable units for visitor-oriented lodging; and

b. Visitor-oriented eating establishments for at least 100 persons and meeting rooms which provide seating for approximately 100 persons.

2. Each phase, together with previously completed phases, if any, shall be capable of operating in a manner consistent with the intent and purpose of this chapter.

3. All phases of the destination resort taken cumulatively shall meet the minimum requirements of OCC 17.20.030.

4. Each phase may include two or more distinct noncontiguous areas within the PDR zone.

5. All subsequent development of any property zoned PDR shall be in substantial conformance with the preliminary development plan. (Ord. 92-12 § 5 (App. A), 1992).

17.20.100 Procedure for modification of a final development plan.

A. Applications for major modifications in the final development plan must be submitted to the planning commission, hearings held and recommendations made and referred to the board of county commissioners.

B. Minor modifications to the final development plan may be approved by the administrator. Such changes are ones that would not materially affect the findings and conclusions of the board on the preliminary development plan, such as, but not limited to, minor shifting of the location of buildings, proposed streets, public or private ways between easements, parks or other features of the plan; minor changes in densities so long as overall densities as described in the preliminary development plan are maintained; or minor changes in building height or bulk. Changes of boundaries of the PDR zone or changes in land use beyond the range of uses contemplated in the rezone application shall not be considered minor changes. (Ord. 92-12 § 5 (App. A), 1992).

17.20.110 Violation of terms of approval.

Deviation from any condition shown on the approved final development plan, without prior compliance with OCC 17.20.100, shall constitute a violation of this title and shall be punishable and enforceable in the manner provided for in Chapter 17.38 OCC. (Ord. 92-12 § 5 (App. A), 1992).

Chapter 17.21
DISTRICT USE CHART

Sections:

17.21.010 District use chart.

17.21.010 District use chart.

The following chart indicates uses which are allowed, prohibited, or allowed by conditional use permit, planned development or binding site plan. Should there be a conflict between the district use chart and the text of the zoning district, the text of zoning district shall take precedence. In the case of similar uses not specifically mentioned by name, the administrator or his/her designee shall make a determination of applicability on individual cases. Planned destination resort (PDR) district uses are listed in Chapter 17.20 OCC. The allowed uses listed for planned developments are intended to be informative, as examples of activities traditionally found in planned developments. The list is not exhaustive of potential allowed uses nor does the list imply these uses will be approved.

							Barnholt Loop	North 97 (Oroville)			Methow						
LEGEND		Minimum Requirement District	Agricultural District	Suburban/Residential District	Commercial District	Industrial District	Agricultural/Residential District	Agricultural/Residential District	Suburban/Residential District	Commercial District	Methow Review District	Airport Development District	Urban Residential District	Neighborhood Use District	Special Review Commercial District	Rural Residential District	Low Density Residential District
P	Permitted																
C	Conditional Use Permit																
PD	Planned Development																
B	Binding Site Plan																
*	Reviewed by Community Advisory Committee																
	Prohibited																
Acid manufacturing		C															
Air cargo terminal		P	C			C						P					
Aircraft fuel pumps and fuel storage		C	C			C					C	P				C	C
Aircraft hangars		P	C			C					C	P				C	C
Aircraft sales, repair, service		P	C		P	C				P		P					
Aircraft salvage		P	C		P	C				P		P					
Air passenger services		C	C			C						P					
Airports		C	C			C					C	P					

Airstrips	P	C								C	P				C	C
Apiary farms (bee farms)	P	P				P	P			P					P	P
Asphalt batch plant – permanent	C	C			C					C						
Asphalt batch plant – temporary[1]	C	C			C					C					C	C
Auto parking lots or garages (commercial)	P			C	C				C	C	P			P		
Auto rental service	P			P		C/*			P		P			P		
Auto repair	C	C		C	P				C		C			C		
Auto sales (commercial)	P			C					C					C		
Auto storage: over five vehicles (disabled vehicles)					C											
Auto towing operation (with auto storage)	C			C	P				C	C				C		
Auto wrecking operation	C			C	C											
Banks	P			P	P				C				P	P		
Cement, lime, gypsum manufacturers	C	C			C					C						
Churches	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Communication facility,	C	C	C	C	C	C	C/*	C	C	C	C	C	C	C	C	C

commercial radio and TV, microwave or other antennas for transmitting and receiving															
Compost manufacturer	P	P		P	P	C/*			P	P		C		C	C
Concrete batch plants – permanent	C	C			C					C					
Concrete batch plants – temporary[1]	C	C			C					C				C	C
Crematoriums and columbariums, cemetery, mausoleum	C	C								C				C	C
Dairy farms	P	P				C/*	C/*			P				P	P
Day care facilities	P	P	P	C	C	C/*	C/*	P	C	C		C		P	P
Drive-in movies	C			P					P	C					
Dwellings:															
Single-family	P	P	P	P		P	P	P	P	P		P	P	P	P	P
Multifamily	P		P	P		C/*	C/*	P	P	PD		P	P	P	PD	PD
Exercise clubs, indoor swimming pools	P			P		C/*	C/*	C	P	PD	P		C	P	
Explosive manufacture or storage (storage other than for farm use)	C	C			C					C					

Farms for raising all crops, feeding and caring for livestock, ranges and pastures	P	P	P			P	P	P		P	P				P	P
Feedlots	C	C				C/*				C						
Fertilizer manufacture	C	C			P											
Flight schools (aircraft)	C	C								C	P					
Florist, retail	P	P		P	P	P	P		P		P		P	P		
Florist, wholesale/floriculture	P	P		P	P	P	P		P	C				P	C	C
Food store (retail)	P		C	P		C/*			P				P	P		
Fowl or dead animal reduction, composting or disposal	C	C								C						
Fruit, vegetable, agriculture, dairy product stand	P	P	P	P		P	P	P	P	C			P	P	P	
Golf courses	C					C/*	C/*	C		PD					PD	PD
Government services:																
Infrastructure, wastewater treatment plants, substations, pump stations	C	C	C	C	P	C/*	C/*	C	C	C	P	C	C	C	C	C
Emergency vehicle	P	C	C	C	P	C/*	C/*	C	C	C	P	C	C	C	C	C

facilities, police, fire															
Maintenance shops, warehouses (also see professional buildings)	P	C		C	P	C/*	C/*		C	C	P		C		C	C
Gravel pits under three acres	P	C			C					C					[2]	[2]
Gravel pits three acres or larger	C	C			C					C					[2]	[2]
Grist milling, corn shelling, hay baling and threshing service	P	P			P	P	P			P					P	P
Halls, stadiums, auditoriums	P					C/*	C/*	C	P	PD			C	P		
Heliport	C	C			C					C	P				C	C
Horticultural services	P	P				P	P			P					P	P
Hospital	P			P	C				P	C			C	P	PD	PD
Kennels (commercial) (see OCC 17.33.140)	C	C			P	C/*				C	C				C	C
Laundromats	P			P		C/*			P				P	P		
Manufactured home parks MRD (see OCC 17.14.110 for PD standards)	B		PD			C/*	C/*	B		PD		C		PD		
Manufactured	P			C					C							

home sales facilities																
Manufacturing (light)	P			C	P	C/*			C		P			C		
Manufacturing (heavy) (glue, metal plating, rendering, etc.)	C				C						C					
Marina	P	P	P	P	P	C/*		P	P	C	P	P	P	P	C	C
Meat packing plant	P	C			C					C						
Medical/dental clinic	P		C	P	C			C	P	C		C	P	P		
Mines	C	C			C					C						
Mini-storage	P			P	P	C/*	C/*		P	C	P					
Motorized vehicle track/facilities	C									C						
Nurseries	P	P		P		P	P		P	P					P	P
Orchards	P	P				P	P	P		P					P	P
Petroleum service stations	P	C/*		C	C				C		P		C	C		
Petroleum bulk plant, except petroleum products stored for private use or agricultural use	C	C		P	P				P	C	P					
Private clubs, fraternal lodges, country clubs	P			P		C/*	C/*	C	P	PD			C	P	PD	PD

Professional buildings (offices)	P			P	P	C/*			P		P		P	P		
Propane/natural gas storage tanks (commercial)	C			C	C				C	C	C		C	C		
Quarries and borrow pits less than three acres	P	C			C					C						[2]
Quarries and borrow pits three acres or larger	C	C			C					C						[2]
Recreational sites (e.g., golf courses, athletic fields, private parks, etc.)	P			P		C/*	C/*	C	P	PD	C		C	C	PD	PD
Recycling collection center	C		C	C	P	C/*			C	C			C	C	C	C
Recycling processing center	C			C	P				C							
Restaurants, cafes, etc.	P			P	C	C/*		C	P		C	P	P	P		
Retail stores or gift shops	P		C	P	C	C/*		C	P		P	C	P	P		
Salvage (junk) yards	C			C	C					C						
Sanitary landfills	C	C								C						
Sawmills, portable (commercial)	P	C			P					C				C		C
Sawmills and pulp mills	C				P											

(commercial)																
Schools	C	C	C	C	C	C/*	C/*	C	C	C	C	C	C	C	C	C
Shooting ranges	C	C			C					C						
Slaughterhouses	C	C		C	P					C						
Solid waste transfer station	C	C			C					C					C	C
Sorting, grading and packing facilities for fruit, vegetables and agriculture products	P	P		P	P	C/*	C/*		P	P					P	P
Tourist accommodations:																
Motels/hotels	P			P			C/*	C	P		C					
Inns and lodges	P			P		C/*	C/*	C	P	PD		P		P		PD
RV parks	B	B		B		C/*	C/*		B	PD				B	PD	PD
Campgrounds	B					C/*	C/*			PD				B	PD	PD
Bed and breakfasts[3]	P	P	P			P	P	P		P		P	P	P	P	P
Nightly rentals										PD		PD	PD	PD	PD	PD
Veterinarian clinics	P[4]	P[4]		P[4]		P[4]	P[4]		P[4]	C[4]			C[4]		C	C
Wholesale establishments	P			P	P	C/*			P		P			C		

(1) See OCC 17.04.297 for definition of temporary.
(2) Except for existing/permitted sites.

(3) Subject to regulations contained within Chapter 17.28 OCC.
(4) Where veterinarian clinics are allowed, boarding kennels and stables may be included as accessory uses to a clinic.

(Ord. 2007-4 § 2, 2007; Ord. 2005-4 § 2 (App. A), 2005; Ord. 2000-1 § 2, 2000; Ord. 96-12 § 2, 1996; Ord. 93-1 Attch. A, 1993; Ord. 92-12 § 5 (App. A), 1992).

Chapter 17.22
OFFICIAL ZONING MAP

Sections:

17.22.010 Adoption and identification of official zoning map.
17.22.020 Changes in official zoning map.
17.22.030 Location of maps – Authority.

17.22.010 Adoption and identification of official zoning map.

Pursuant to RCW 36.70.706, the county, by this reference, adopts and incorporates herein the official zoning map. The official zoning map shall be identified by the signature of the chairman of the planning commission and of the board of county commissioners, attested to by the clerk of the board, and by the seal of the county. (Ord. 92-12 § 5 (App. A), 1992).

17.22.020 Changes in official zoning map.

If, in accordance with the provisions of this code and applicable state statutes, changes are made in district boundaries or other matters portrayed on the official zoning map, such changes shall be entered on the official zoning map within 30 days after the amendment has been approved by the board of county commissioners. (Ord. 92-12 § 5 (App. A), 1992).

17.22.030 Location of maps – Authority.

The official zoning map shall be recorded in the county auditor's office and shall be the final authority as to the boundaries of the zone districts within Okanogan County; provided, that changes made within the last 30 days pursuant to this code shall control even though they are not yet entered upon the official zoning map. (Ord. 92-12 § 5 (App. A), 1992).

Chapter 17.23
ZONE BOUNDARY INTERPRETATION

Sections:

17.23.005 Uncertainty.
17.23.010 Boundaries following street, alley or highway centerlines.
17.23.020 Boundaries following platted lot lines.
17.23.030 Boundaries following city limits.
17.23.040 Boundaries following railroad lines.
17.23.050 Boundaries following shorelines.
17.23.060 Boundaries following stream, river or lake centerlines.
17.23.070 Boundaries parallel to extension of features – Distance.
17.23.080 Conflicting interpretations.
17.23.090 Physical or cultural features existing on the ground at variance with map.

17.23.005 Uncertainty.

Where uncertainty exists as to the boundaries of districts as shown on the official zoning map, the following rules apply. (Ord. 92-12 § 5 (App. A), 1992).

17.23.010 Boundaries following street, alley or highway centerlines.

Boundaries indicated as approximately following the centerlines of streets, highways or alleys shall be construed to follow such centerlines. (Ord. 92-12 § 5 (App. A), 1992).

17.23.020 Boundaries following platted lot lines.

Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines. (Ord. 92-12 § 5 (App. A), 1992).

17.23.030 Boundaries following city limits.

Boundaries indicated as approximately following city limits shall be construed as following city limits. (Ord. 92-12 § 5 (App. A), 1992).

17.23.040 Boundaries following railroad lines.

Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks. (Ord. 92-12 § 5 (App. A), 1992).

17.23.050 Boundaries following shorelines.

Boundaries indicated as following shorelines shall be construed to follow such shorelines and in the event of change in the shoreline shall be construed as moving with the actual shoreline. (Ord. 92-12 § 5 (App. A), 1992).

17.23.060 Boundaries following stream, river or lake centerlines.

Boundaries indicated as approximately following centerlines of streams, rivers, lakes or other bodies of water shall be construed to follow such centerlines. (Ord. 92-12 § 5 (App. A), 1992).

17.23.070 Boundaries parallel to extension of features – Distance.

Boundaries indicated as parallel to extension of features indicated in OCC 17.23.010 through 17.23.060 shall be so construed. Distances not specifically indicated on the official zoning map shall be determined by the scale of the map. (Ord. 92-12 § 5 (App. A), 1992).

17.23.080 Conflicting interpretations.

When conflict exists regarding any zoning boundary between any two of the preceding sections, the first section relating to the situation shall control. (Ord. 92-12 § 5 (App. A), 1992).

17.23.090 Physical or cultural features existing on the ground at variance with map.

Where physical or cultural features existing on the ground at variance with those shown on the official zoning map, or in other circumstances not covered by OCC 17.23.010 through 17.23.070, the planning commission shall interpret the district boundaries. (Ord. 92-12 § 5 (App. A), 1992).

Chapter 17.24
TEMPORARY USE PERMITS

Sections:

17.24.010 Purpose and intent.
17.24.020 Required.
17.24.030 Application requirements.
17.24.040 Temporary uses.
17.24.050 Potential conditions of approval.
17.24.060 Standards and criteria.
17.24.070 Extension.
17.24.080 Approval.
17.24.090 Revocation.
17.24.100 Additional conditions of approval.
17.24.110 Appeals of decision.

17.24.010 Purpose and intent.

The purpose of this chapter is to ensure that certain uses, of a limited scope, duration and frequency, are allowed to operate on a short-term basis. These temporary uses shall be conducted so they do not have long-term impacts upon permitted uses, the character of the area in which they are proposed to be located, and people living and working in the area. The intent of this chapter is to defined these uses and identify standards and criteria for governing their scope, duration and frequency. (Ord. 96-4 § 2, 1996).

17.24.020 Required.

A temporary use permit issued under provisions of this chapter is required to conduct a use limited in scope, duration and frequency as defined herein. Temporary use permits (TUP) shall be required for:

A. Those uses specifically identified and described within the temporary uses section of this title and listed in Chapter 17.21 OCC (district use chart); and

B. Uses not listed herein, but are determined by the administrator to be limited in scope, duration and frequency and similar to those otherwise permitted in a zone, and which are typical and reasonable in the zone. (Ord. 96-4 § 2, 1996).

17.24.030 Application requirements.

Applications for temporary use permits shall be filed with the administrator at the office of planning and development. An application is comprised of a completed application form with a detailed description of the scope, duration and frequency of the proposed use, accompanied by an aerial photo of the subject property and adjacent properties, assessor's database printout of the subject property, site plan, and any required fees. (Ord. 96-4 § 2, 1996).

17.24.040 Temporary uses.

The following uses shall be considered allowed temporary uses subject to all conditions found herein, as well as all other applicable state and county requirements:

Use	Description	Conditions
Agricultural products stand	Stand not accessory to the existing use on the parcel on which it is located; may be owned and operated by person or persons not owning the property on which it is located	•Limited to a maximum of four consecutive weeks per year •Display and storage area no larger than 200 square feet •Signage limited to 30 square feet
Asphalt batching operation	Preparation of asphalt as part of construction or maintenance	•Limited to time necessary for construction or maintenance of project; maximum of 21 consecutive days from the commencement of operation •Requires a Department of Ecology air quality permit and water quality permit
Christmas tree lots	An area of a lot generally cordoned off with a variety of Christmas trees in an orderly arrangement for the purpose of viewing and purchasing by private parties	•Limited to Thanksgiving through Christmas
Concrete batching operation	Preparation of concrete as part of construction or maintenance	•Limited to time necessary for construction or maintenance of project; maximum of 21 consecutive days from the commencement of operation •Requires a Department of Ecology air quality permit and water quality permit
Construction offices	Mobile homes, modular homes, or portable units for office or project caretaker's quarters Example: an on-site trailer used as an office by the foreman of the construction job (Walmart)	•Limited to the duration of the immediate construction project
Contractor equipment and supplies storage	A fenced area or portable storage facility located on a site on which construction is occurring, for the sole purpose of storing tools, supplies and equipment necessary for construction Storage of tools, supplies, and equipment for construction occurring on a different site is prohibited	•The equipment, supplies and tools shall only be for the construction occurring on that site •The equipment, supplies and tools shall either be screened in from public view or totally contained in an enclosed storage facility on the site
Disaster and emergency operations •medical facilities •heliports and helipads •communications facilities •base and "spike" camps	A flood, fire, earthquake, disease outbreak, or other similar catastrophic event, which reaches a level of severity that requires the intervention and/or mobilization of state or federal agencies enlisted in response	•Permit shall expire after demobilization that occurs when the disaster or emergency has ceased
Farmworker housing	Structures placed for the use by an employer for employees hired and working as seasonal or migrant workers on a farm or orchard	•Temporary farmworker housing is limited to late spring through fall occupancy, as minimal or no heating or insulation is used on the construction of the temporary housing units
Fireworks stands	Generally, a booth with a countertop, not more than 80 square feet, capable of being closed up to secure the	•Limited to June 14th through July 5th

	contents when not vending	
Mobile car crushing facility	A commercial, portable crushing facility capable of being moved from location to location, to crush inoperative vehicles, whose remains are then transported to a commercial car recycling facility	•Limited to 21 days on any one site •Requires Washington State Patrol review and approval •Requires containment of all glass and hazardous materials
Mobile medical testing facilities	A medical/dental lab, set up in a mobile home-type structure that is moved from site to site, offering specific testing using specialized equipment not generally available in the area, and generally at the request of a local medical or dental facility	•Limited to 10 days •Must be adjunct to an existing authorized medical or dental facility located within the county
Sawmill, portable (noncommercial)	See definition of "sawmill, portable" in OCC 17.04.270	•Lumber produced must be used on-site •May be operated for only the amount of time necessary to accomplish the immediate project
Single-family dwellings associated with the construction of a primary residence	An existing residence that will be moved or demolished upon completion of the new residence; sometimes travel trailers or mobile homes are brought to the site to be used as a temporary residence	•Limited to the life of the building permit or upon final approval for occupancy of the new residence
Special event camping	Camping limited to a week before, during, and after a special event, such as the Omak Stampede	•Limited to the duration of the event and one week before and after

Any other use that is deemed consistent with the purpose and intent of this chapter as determined by the administrator. (Ord. 96-4 § 2, 1996).

17.24.050 Potential conditions of approval.

The types of conditions which the administrator may impose on a temporary use permit shall include, but are not limited to:

A. Specifying the duration of time within which the action shall begin and be completed.

B. Specifying the exact locations of activities or structures as a means of minimizing hazards to life, limb, property damage, environmental impacts (erosion, landslide, etc.), traffic impacts, and protection of neighboring property owners' private property rights.

C. Mitigating nuisance-generating features such as noise, colors, air pollution, wastes, vibration, traffic, physical hazards, off-site light glare, etc.

D. Specifying the hours of operation.

E. Specifying the appropriate signage.

F. That all other applicable state and local agency regulations and requirements (i.e., the health department, building department, WSDOE, etc.) are complied with. (Ord. 96-4 § 2, 1996).

17.24.060 Standards and criteria.

The administrator shall consider the following standards and criteria in evaluating temporary use permits:

A. That proposed projects are evaluated as to ensure that they are temporary in nature and do not have long-term impacts to adjacent properties;

B. That proposed projects are evaluated as to ensure the public's general health, safety, and welfare;

C. That the proposal is limited in scope, duration and frequency;

D. That the proposed temporary use is compatible with surrounding, pre-existing uses. (Ord. 96-4 § 2, 1996).

17.24.070 Extension.

Continuance of a temporary use beyond the specified time permitted shall require application for a conditional use permit. One extension may be applied for and granted if the administrator deems that reasonable circumstances beyond the control of the applicant are just cause. If granted, the extension may not be greater than 50 percent of the original approval time. (Ord. 96-4 § 2, 1996).

17.24.080 Approval.

The administrator shall complete written findings, pursuant to the intent of this chapter, documenting the considerations given in denying or approving with conditions of approval. (Ord. 96-4 § 2, 1996).

17.24.090 Revocation.

In the event complaints are received and deemed valid by the administrator that an operating temporary use is not in conformance with the provisions of this section, the permit may be revoked, or the administrator may place conditions thereon. (Ord. 96-4 § 2, 1996).

17.24.100 Additional conditions of approval.

If deemed necessary by the administrator, additional conditions of approval may be added to an existing permitted temporary use to keep the temporary use in compliance with the purpose and intent of this chapter. (Ord. 96-4 § 2, 1996).

17.24.110 Appeals of decision.

A decision of the administrator granting or denying a temporary use permit shall be final. Appeals of administrative decisions shall be made to the planning commission, in writing, for discussion and final resolution at the next available planning commission meeting. (Ord. 96-4 § 2, 1996).

Chapter 17.25
OFF-STREET PARKING AND LOADING

Sections:

17.25.010 Artificial lighting.
17.25.020 Screening.
17.25.030 Off-street parking – Nonresidential structures.
17.25.040 Off-street parking – Residential structures.
17.25.045 Off-street parking – Hotels, motels, inns and lodges.
17.25.047 Off-street parking – Dormitory-type housing.
17.25.050 Off-street parking – Space size.
17.25.060 Parking areas – Snow storage and removal.

17.25.010 Artificial lighting.

Artificial lighting, if provided, shall not shine into adjoining dwellings or other types of living units or create hazard to the traveling public on any road. (Ord. 92-12 § 5 (App. A), 1992).

17.25.020 Screening.

Where the boundary of a parking lot or a loading zone adjoins a residential district, such parking lot shall be screened by a type II visual buffer per OCC 17.27.030(B). (Ord. 92-12 § 5 (App. A), 1992).

17.25.030 Off-street parking – Nonresidential structures.

The minimum number of off-street parking spaces for nonresidential floor area shall be as follows:

A. For commercial: one parking space per 250 square feet;

B. For industrial (light manufacturing, manufacturing or warehouse): one space per 300 square feet;

C. For office: one parking space per 200 square feet. (Ord. 92-12 § 5 (App. A), 1992).

17.25.040 Off-street parking – Residential structures.

For all residential structures, two parking spaces are required per dwelling unit. (Ord. 92-12 § 5 (App. A), 1992).

17.25.045 Off-street parking – Hotels, motels, inns and lodges.

For hotels, motels, inns and lodges, one parking space is required per rental unit or bedroom, plus any other applicable standard for commercial use. (Ord. 92-12 § 5 (App. A), 1992).

17.25.047 Off-street parking – Dormitory-type housing.

For dormitory-type housing, one parking space is required for every four sleeping spaces provided. (Ord. 92-12 § 5 (App. A), 1992).

17.25.050 Off-street parking – Space size.

Up to 25 percent of all required parking spaces may be sized and signed for compact vehicles. (Ord. 92-12 § 5 (App. A), 1992).

17.25.060 Parking areas – Snow storage and removal.

Parking areas shall be designed to facilitate necessary snow storage and removal operations. (Ord. 92-12 § 5 (App. A), 1992).

Chapter 17.26
YARD AND SETBACK REGULATIONS

Sections:

17.26.010 Designated.

17.26.010 Designated.

A. Roof Eaves, Chimneys, Balcony Rails and Other Features. Roof eaves, chimneys, balcony rails and other architectural features, etc., may extend into the required setback areas up to a maximum of two feet.

B. Corner Lots. Both road frontages on a corner lot are subject to the required front yard setback of the zone.

C. Half-Streets. In an area adjacent to a half street and where there is reason to believe or there is a plan for necessary additional right-of-way, and such right-of-way should be dedicated, acquired or otherwise come from the subject property, structures shall be set back from the half-street a distance sufficient to provide for the additional half-street in addition to the normal setback requirement. (Ord. 92-12 § 5 (App. A), 1992).

Chapter 17.27
LANDSCAPE AND SCREENING REQUIREMENT

Sections:

17.27.010 Purpose of classification.
17.27.020 Implementation.
17.27.030 Required landscaping.
17.27.040 Types of landscaping required.
17.27.050 Modification of landscaping requirements.
17.27.060 Landscaping plan requirements.
17.27.070 Installation and security requirements.
17.27.080 Maintenance and enforcement.

17.27.010 Purpose of classification.

The purpose of the landscaping and screening requirements in this chapter is to increase compatibility between different intensities of land uses. (Ord. 92-12 § 5 (App. A), 1992).

17.27.020 Implementation.

A. Required landscape improvements shall be reviewed as part of the application for all new development other than individual single-family and allowed outright agricultural uses.

B. Developments involving additions or alterations to existing structures in which the cost of the additions or alterations exceeds 50 percent of the value of the existing structure(s) shall be subject to the provisions of this chapter, with the following exceptions and modifications:

1. Where existing structures are situated so as to preclude installation of required landscaping, such required landscaping shall be waived.

2. Where the compliance with the provisions of Chapter 17.25 OCC, Off-Street Parking and Loading, for existing structures conflicts with the requirements of this chapter, the required landscaping shall be waived, or modified in accordance with OCC 17.27.050. Any addition of floor area requiring additional loading area or off-street parking shall be subject to the provisions of this chapter for the approximate area of the addition and associated surface loading area and surface off-street parking area only. (Ord. 92-12 § 5 (App. A), 1992).

17.27.030 Required landscaping.

A. Type I, sight obscuring screen landscaping shall be installed when required as a condition of a conditional use permit or other special review as necessary to obscure the view from one property to another.

B. Type II, visual buffer landscaping shall be installed when required in the required yard setback sections of certain land use districts where such districts abut less intense residential or agricultural districts, or when required as a condition of approval of a conditional use permit or other special review in order to buffer certain land use compatibility problems.

C. Type III, see-through buffer landscaping shall be installed extending inward from the property line a minimum of eight feet in depth along the street frontage of property being developed except where approved driveways or buildings are located.

D. Type IV, open area landscaping shall be installed in curb or wheel stop protected planter areas distributed throughout the parking lot area for any lot having 50 or more spaces. The total landscaped area within the parking lot, excluding perimeter or other landscaping, shall occupy not less than three percent of the total lot area. (Ord. 92-12 § 5 (App. A), 1992).

17.27.040 Types of landscaping required.

A. Type I – Sight-Obscuring Screen. Type I landscaping shall generally consist of a mix of predominantly evergreen plantings including living trees, shrubs and groundcovers. Evergreen trees shall be a minimum height of four feet at the time of planting. Plantings shall be chosen and spaced so as to grow together within three years sufficient to obscure sight through the barrier. The entire planting strip shall be landscaped. Existing vegetation, architectural barriers (including walls, planters and fences) or grading (with a maximum slope of three to one) may be incorporated into the landscape design. These items may be used to augment and partially replace a portion, not to exceed 40 percent of the required plantings.

B. Type II – Visual Buffer. Type II landscaping shall consist of a mix of evergreen and deciduous plantings in eluding living trees, shrubs and groundcovers. Plantings of shrubs and groundcovers shall be chosen and spaced to result in a total covering of the landscape strip. Shrubs shall be of a type that achieve a height of approximately six feet within three years, and effectively screen views along the length of the planting strip. Deciduous trees shall have a minimum trunk diameter of one and one-quarter inches at time of planting; evergreen trees shall be a minimum of four feet tall at the time of planting. All trees shall be spaced at intervals resulting in touching of branches after 10 years of normal growth. Existing vegetation, architectural barriers or grading (with a maximum slope of three to one) may be incorporated into the landscape design. These items may be used to augment and partially replace a portion, not to exceed 40 percent of the required plantings.

C. Type III – See-Through Buffer. Type III landscaping shall consist of a mix of evergreen and deciduous plantings including living trees, shrubs and groundcovers. Plantings of shrubs and groundcovers shall be chosen and spaced to result in covering of the landscape strip within three years. Shrubs shall be of a type that do not exceed a height at maturity of approximately three to four feet. Deciduous trees shall have a minimum trunk diameter of one and three-quarter inches at the time of planting, and be spaced so as to result in touching of branches after 10 years of normal growth. Evergreen trees shall be a minimum of four feet tall at the time of planting and spaced so as to result in a space between trees approximately equal to the mature spread of the trees used. Existing vegetation, architectural barriers or grading (with a maximum slope of three to one) may be incorporated into the landscape design.

D. Type IV – Open Area Landscaping. Type IV landscaping shall consist of canopy-type deciduous trees planted in wells or strips, with a mix of living evergreen and deciduous groundcovers and low shrubs. Shrubs shall be of a type that do not exceed a height at maturity of approximately two feet. Planting wells or strips shall be a minimum of

32 square feet in area, with the narrowest dimension not less than four feet. Deciduous trees shall have a minimum trunk diameter of one and three-quarter inches at the time of planting. Existing vegetation, architectural barriers or berms may be incorporated into the landscape design.

E. Optional Wildlife Screening or Revegetation Prescription. Planting recommendations by the Washington State Department of Wildlife for the purposes of vegetative screening, habitat replacement, habitat enhancement, mitigation for lot or impacted fish and wildlife habitats, bank stabilization and the prevention of erosion, noxious weed control and other appropriate purposes may be substituted for Types II and III landscaping. (Ord. 92-12 § 5 (App. A), 1992).

17.27.050 Modification of landscaping requirements.

These landscaping standards may be waived or reduced in the following circumstances:

A. Whenever a building utilized for business or office purposes is proposed to be placed within 10 feet of the street right-of-way and there are no loading docks on such street, and at least 50 percent of the wall length is utilized for window and door construction, and the setback is utilized in effect as a sidewalk; and provided approved street trees are planted within the setback or within the street right-of-way, not more than 25 feet on center (Note: if trees are proposed to be planted within the right-of-way, the property owner shall assume responsibility for maintenance of those plantings approved within the right-of-way);

B. When architectural barriers or berms are incorporated into the design of the landscaping and achieves the intent of the type of landscaping required;

C. When the inclusion of significant existing vegetation located on the site would result in achieving the purposes of this chapter;

D. When, in the case of required perimeter landscaping adjacent to public street rights-of-way, the ultimate street improvements for that right-of-way have been installed or will be installed as a requirement of approval of the development, and the department of public works and the planning department determines that the proposed landscaping of that portion of the right-of-way between the property line and sidewalk is acceptable, the administrator may allow such landscaping in lieu of some required landscaping within the development; provided the type and area of planting is comparable to that normally required and adequate provisions are made for permanent maintenance;

E. When existing conditions on or adjacent to the site, including differences in elevation, existing vegetation, location of existing structures or utilities would render application of requirements of this chapter ineffective or result in scenic view obstruction. (Ord. 92-12 § 5 (App. A), 1992).

17.27.060 Landscaping plan requirements.

In all instances where landscaping is required, a landscape plan shall be prepared and submitted and shall include (if not previously provided):

A. Boundaries and dimensions of the site;

B. Location and identification of all streets, alleys and easements on or abutting the site;

C. Approximate location and dimensions of all structures on abutting properties, within 100 feet of the boundary;

D. Proposed location and dimensions of all on-site buildings;

E. Existing and proposed topography at a maximum of five-foot contours, or by an alternate method approved by the administrator;

F. Proposed landscaping including location, species and size at time of planting;

G. Existing vegetation in general, and identifying all evergreen trees greater than eight inches in diameter and all deciduous trees greater than 12 inches in diameter, as measured four feet above ground level, within the area to be landscaped;

H. Details of any proposed architectural barriers;

I. Location of existing and proposed driveways and parking surfaces, curbs and sidewalks;

J. Specifications for any proposed irrigation system. (Ord. 92-12 § 5 (App. A), 1992).

17.27.070 Installation and security requirements.

A. Landscaping required pursuant to this chapter must be installed to the satisfaction of the administrator, in accordance with the approved site plan, no later than three months after issuance of a certificate of occupancy for the project. The administrator may extend the time limit for compliance up to six months after issuance of a certificate of occupancy when circumstances beyond the control of the applicant warrant an extension.

B. The administration may require performance bonds or other appropriate security, including letters of credit and set-aside letters, to insure landscaping will be installed and maintained for one year, according to the approved plan and specifications. (Ord. 92-12 § 5 (App. A), 1992).

17.27.080 Maintenance and enforcement.

All landscaped areas required by this code shall be planted according to accepted practice in good soil with irrigation within 75 feet (except for self-sustaining natural type growth commonly occurring in the vicinity of development) and maintained with respect to pruning, trimming, watering or other requirements to create an attractive appearance and healthy growing conditions. Dead, diseased, stolen or vandalized plantings shall be replaced within three months. Property owners shall keep the planting area reasonably free of weeds and trash. Lack of maintenance shall constitute a violation of this code. The administrator shall have the authority to enforce the standards set forth in this chapter and the conditions attached to all permits for development pursuant to application of this chapter, in accordance with the provisions of Chapter 17.35 OCC. (Ord. 92-12 § 5 (App. A), 1992).

Chapter 17.28
BED AND BREAKFAST REGULATIONS

Sections:

17.28.005 Standards.
17.28.010 Outward appearance.
17.28.020 Signs.
17.28.030 Health code applicability.
17.28.040 Occupancy of residential units.
17.28.050 Guest bedrooms.
17.28.060 Health inspection.
17.28.070 Prohibited retail sales.
17.28.080 Guest parking.
17.28.090 Cooking facilities.
17.28.100 Food service.
17.28.110 Permit required.

17.28.005 Standards.

Bed and breakfast facilities shall be subject to the following standards. (Ord. 92-12 § 5 (App. A), 1992).

17.28.010 Outward appearance.

The outward appearance of a single-family residence shall be retained. (Ord. 92-12 § 5 (App. A), 1992).

17.28.020 Signs.

No more than one sign shall be provided on the premises. The sign shall be made of natural materials not exceeding six square feet in area and shall be indirectly illuminated. (Ord. 92-12 § 5 (App. A), 1992).

17.28.030 Health code applicability.

All Okanogan County health codes shall apply. (Ord. 92-12 § 5 (App. A), 1992).

17.28.040 Occupancy of residential units.

The residential unit shall be occupied by the owner. (Ord. 92-12 § 5 (App. A), 1992).

17.28.050 Guest bedrooms.

A maximum of two bedrooms shall be provided for guests. (Ord. 92-12 § 5 (App. A), 1992).

17.28.060 Health inspection.

Bed and breakfast facilities shall be subject to an on-site inspection prior to operation to assure compliance with planning and health district standards. (Ord. 92-12 § 5 (App. A), 1992).

17.28.070 Prohibited retail sales.

All retail sales of merchandise or other services other than what is essential to the operation of the bed and breakfast are prohibited. (Ord. 92-12 § 5 (App. A), 1992).

17.28.080 Guest parking.

All guest parking shall be provided off-street and shall be screened with a type II visual buffer per OCC 17.27.040(B). (Ord. 92-12 § 5 (App. A), 1992).

17.28.090 Cooking facilities.

Neither cooking facilities in the guest rooms nor auxiliary kitchens shall be allowed for the use of guests. (Ord. 92-12 § 5 (App. A), 1992).

17.28.100 Food service.

Bed and breakfast facilities will be allowed to have food service which meets the criteria of WAC 246-215-180. (Ord. 92-12 § 5 (App. A), 1992).

17.28.110 Permit required.

Bed and breakfast facilities require permit approval from the Okanogan County office of planning and development. Permit issuance requires payment of a fee (in accordance with current fee schedule) and approval of the site plan submitted by the applicant. Permits may be approved, approved with conditions or denied by the administrator. (Ord. 92-12 § 5 (App. A), 1992).

Chapter 17.29
HOME OCCUPATIONS

Sections:

17.29.010 Purpose and intent.
17.29.020 Home occupation performance standards.
17.29.030 Allowed uses.
17.29.040 Enforcement.
17.29.050 Home occupation compliance with other applicable regulations.

17.29.010 Purpose and intent.

The purpose of this chapter is to provide a means to continue to allow residents, countywide, to conduct a limited business within their homes while minimizing the impacts to the character of neighborhoods. According to their nature, home occupations are allowed as an accessory use to the primary residential use with compliance of the home occupation performance standards found herein. If a home occupation grows beyond the scope of the performance standards, it shall be required to downsize until it can comply with the standards or relocate to a zoning district that permits such activities. (Ord. 96-14 § 2, 1996).

17.29.020 Home occupation performance standards.

Any business use or activity that meets the following verifiable criteria shall be considered a home occupation:

A. Home occupations are an accessory use to a principal residential use of the subject property which is occupied by the principal practitioner of the business.

B. No more than two persons that do not reside at the location of the home occupation may be working on-site simultaneously.

C. The conduct of the home occupation shall be in such a manner that no emission of noise, vibration, dust, glare, heat, smoke or odors shall occur that are out of the normal residential character of the property and the surrounding neighborhood.

D. Exterior indications of home occupations are limited to the permitted signage. Any other variation of the residential character of the property resulting form the home occupation is prohibited.

E. One sign not exceeding six square feet shall be allowed. Any vehicle signage used to supplement the allowed signage, except for typical vehicle door signage on vehicles used in the conduct of business, is prohibited.

F. The total space devoted to the home occupation cannot be greater than 2,000 square feet.

G. There shall be no more than an additional 250 square feet, and limited to eight feet in height, of outdoor storage of any kind related to the home occupation, other than the parking of a vehicle or equipment used in the conduct of business. Outdoor storage shall comply with the landscape and screening provisions of OCC 17.27.040(A), Type I – Sight-obscuring screen.

H. No home occupation shall include automobile, truck, or heavy equipment repair, body work or painting; nor parking or storage of heavy equipment that is not related to the home occupation.

I. Sales occurring on site of the home occupation shall be for items or services produced on site with only minor exceptions in terms of accessory materials bought from another source and resold at this location. (This applies to the Methow review district only.)

J. Home occupations shall not generate materially greater traffic volumes that would normally be expected in the residential neighborhood or area in which it exists.

K. Designated off-street parking for a home occupation shall be a minimum of one space with a maximum of two spaces with maneuvering area provided specifically for business use on the site which will accommodate all expected traffic.

L. Home occupations may be subject to an on-site inspection to assure compliance with all county regulations. (Ord. 96-14 § 2, 1996).

17.29.030 Allowed uses.

Any use that the administrator determines to meet the above home occupation performance standards shall be considered an allowed use. (Ord. 96-14 § 2, 1996).

17.29.040 Enforcement.

In the event complaints are received and deemed valid by the administrator that an operating home occupation is not in compliance with the provisions of this section, the owner of such business shall be subject to the enforcement provisions of Chapter 17.38 OCC. (Ord. 96-14 § 2, 1996).

17.29.050 Home occupation compliance with other regulations.

Home occupations shall obtain all pertinent permits and licenses required by federal, state and local agencies and must meet all county requirements. All required permits and licenses shall be made available for the administrator to review, upon request. (Ord. 96-14 § 2, 1996).

Chapter 17.30
TRANSFER OF DEVELOPMENT RIGHTS

Sections:

17.30.010 System development.

17.30.010 System development.

Okanogan County wishes to consider a system for transferring development rights. This new system could provide for the transfer of development rights from critical areas zoned for low density to areas zoned for higher density uses, possibly including planned destination resorts and planned developments. The county will involve all segments of the public in developing this chapter. (Ord. 92-12 § 5 (App. A), 1992).

Chapter 17.31
DEVELOPMENT NEAR TOWNS AND CITIES

Sections:

17.31.010 Development plan referral.

17.31.010 Development plan referral.

The planning commission shall refer development plans for any proposal subject to the provisions of this code to the incorporated planning body when that proposal is within one mile of its limits. The planning commission shall consider comments received within 30 days of the request from the city or town planning body in its recommendation to the board of county commissioners. (Ord. 92-12 § 5 (App. A), 1992).

Chapter 17.32
AIRPORT SAFETY OVERLAY DISTRICT

Sections:

17.32.005 Purpose.
17.32.010 Transition and approach zone dimensions.
17.32.020 Uses resulting in the assembly of large groups.
17.32.030 Uses creating electrical interference.
17.32.040 Uses fostering an increased bird population.
17.32.050 Structures prohibited in clear zones.
17.32.060 Storage of flammable substances.
17.32.070 Air pollution.
17.32.080 Location of roadways.
17.32.090 Sign and exterior lighting.
17.32.100 Building materials producing glare prohibited.
17.32.110 Extension of structures into transitional or approach surface of runway

17.32.005 Purpose.

The purpose of this section is to protect lives and property on lands which lie within the transition and approach zones surrounding an airport or landing field. Also, the district is intended to prevent the establishment of air space obstructions through height restrictions and other land use controls for the safety of persons airborne. This section shall be applied to lands where airports are classified by the Federal Aviation Administration as visual utility, nonprecision and precision runways. Use requirements and standards of the underlying zone shall apply unless in conflict with provisions of this section. (Ord 94-8 § 2, 1994; Ord. 92-12 § 5 (App. A), 1992).

17.32.010 Transition and approach zone dimensions.

The dimensions of the transition and approach zones shall be determined by the current Federal Aviation Administration use classification and standards. (Ord. 92-12 § 5 (App. A), 1992).

17.32.020 Uses resulting in the assembly of large groups.

Uses such as schools, churches, auditoriums, etc., where large groups of people assemble shall not be allowed within the airport safety overlay district. (Ord. 92-12 § 5 (App. A), 1992).

17.32.030 Uses creating electrical interference.

No use shall be permitted within this district in such a manner as to create electrical interference with navigational signals or radio communications between the airport and aircraft. (Ord. 92-12 § 5 (App. A), 1992).

17.32.040 Uses fostering an increased bird population.

No use shall be permitted within this district which would foster an increased bird population and thereby increase the likelihood of a bird strike problem. (Ord. 92-12 § 5 (App. A), 1992).

17.32.050 Structures prohibited in clear zones.

No structure shall be allowed in the designated clear zones. (Ord. 92-12 § 5 (App. A), 1992).

17.32.060 Storage of flammable substances.

Storage of flammable substances such as fuel or petroleum products shall be in accordance with all current standards and regulations. (Ord. 92-12 § 5 (App. A), 1992).

17.32.070 Air pollution.

There shall be no emission of smoke, fly ash, dust, vapor, gases or other forms of air pollution that may conflict with any present or planned operations of the airport. (Ord. 92-12 § 5 (App. A), 1992).

17.32.080 Location of roadways.

Roadways shall be located in such a manner that vehicle lights will not make it difficult for pilots to distinguish between airport runway landing lights or result in glare or in any other way impair visibility in the vicinity of the landing or takeoff approach. (Ord. 92-12 § 5 (App. A), 1992).

17.32.090 Sign and exterior lighting.

Unless necessary for safe and convenient air travel, sign lighting and exterior lighting shall not project into the runway, taxiway or approach zone. (Ord. 92-12 § 5 (App. A), 1992).

17.32.100 Building materials producing glare prohibited.

Building materials shall not produce glare which may conflict with any present or planned operation of the airport. (Ord. 92-12 § 5 (App. A), 1992).

17.32.110 Extension of structures into transitional or approach surface of runway.

No obstructions (structural or natural) shall extend into the transitional or approach surface of the runway. (Ord. 92-12 § 5 (App. A), 1992).

Chapter 17.33
CONDITIONAL USE PERMITS

Sections:

17.33.010 Generally.
17.33.030 Filing of applications.
17.33.050 Setting for hearing.
17.33.060 Notice of hearing.
17.33.080 Standards and criteria.
17.33.085 Relation of CUP to other discretionary approval.
17.33.090 Potential conditions.
17.33.100 Action of board of adjustment.
17.33.110 Notice of permit decision.
17.33.120 Appeal of decision.
17.33.130 Records.
17.33.135 Accessory use/conditional use permit – Hardship.
17.33.140 Kennels, business or commercial.

17.33.010 Generally.

The board of adjustment shall hear and decide all applications for conditional use permits. The purpose of the conditional use permit is to allow the proper integration into the community of uses which may be suitable only on certain conditions in specific locations in a zoning district, or if the site is regulated in a particular manner. The following standards, criteria and procedures apply to any conditional use permit authorized by this code. (Ord. 92-12 § 5 (App. A), 1992).

17.33.030 Filing of applications.

Applications for conditional use permits together with the specified fee from the current fee schedule shall be filed with the administrator for the board of adjustment on forms available from the office of planning and development. The administrator shall circulate copies of the application to the board of adjustment members and appropriate referral agencies. County departments shall respond to the referral within 30 days. Should any agency outside the county fail to respond to the referral within the 30-day period, it shall be assumed that such agency has no comment. (Ord. 92-12 § 5 (App. A), 1992).

17.33.050 Setting for hearing.

The administrator shall schedule a public hearing with the board of adjustment to be held within 60 days of the receipt of the complete application. (Ord. 92-12 § 5 (App. A), 1992).

17.33.060 Notice of hearing.

A. When a fully completed conditional use permit application has been accepted by the administrator, the administrator or designee shall establish the date and time for a public hearing on the permit before the board of adjustment, which shall not be more than

60 days from the date of a complete or vested application, except when additional time is required for compliance with the State Environmental Policy Act (Chapter 43.12C RCW).

B. Notice of the public hearing, stating the time, place and purpose for which the hearing is to be held, shall be published not less than 10 days prior to the hearing, in the official gazette and in a newspaper of general circulation in the area where the real property is proposed to be developed.

C. Notice of the hearing shall be mailed by the Okanogan County office of planning and development, at least 14 days prior to the date of the hearing, to the owners of all properties within 300 feet of the exterior boundaries of the proposed conditional use permit, as such owners appear on the records of the county assessor. If the owners of the real property which is proposed to be developed owns another parcel or parcels of real property which lie adjacent to the real property proposed to be developed, notice shall be given to owners of real property located within 300 feet of any portion of the boundaries of such adjacently located parcels of real property proposed to be developed in accordance with RCW 58.17.090.

D. The applicant is responsible for posting conspicuous notice of the hearing readily visible from nearby roads at least three locations on and in the vicinity of the proposed conditional use permit and at the nearest post office at least 10 days prior to the public hearing. The applicant shall submit an affidavit of the posting to Okanogan County office of planning and development prior to the public hearing. Affidavit forms are available from the Okanogan County office of planning and development and the completed affidavit shall become part of the record.

E. In accordance with RCW 58.17.080, as it now exists or is hereafter amended, notice of the filing of a conditional use permit of a development adjacent to or within one mile of the municipal boundaries of a city or town, or which contemplates the use of any city or town utilities shall be given to the appropriate city or town authorities.

F. The office may require such alternative notification procedures as necessary to accomplish reasonable public notification in unusual circumstances.

G. Notice shall also be given to interested state agencies such as the Washington State Department of Fisheries, Wildlife and Ecology. All hearing notices shall include a description of the property to be developed, including the location of the proposed conditional use permit. The description may be in the form of either a vicinity location sketch, a written description, an address or other reasonable means, other than a legal description, but shall include reference to the section, township and range. (Ord. 92-12 § 5 (App. A), 1992).

17.33.080 Standards and criteria.

The board of adjustment shall consider the following standards and criteria in evaluating the conditional use permit:

A. That the conditions imposed are reasonably calculated to insure the proposed conditional use is and will remain compatible with the comprehensive plan and zoning for the subject area; and

B. That such conditions are not unnecessarily onerous; and

C. That the proposed conditions will protect the public health, morals and general welfare; and

D. For business/commercial kennels, see OCC 17.33.140. (Ord. 92-12 § 5 (App. A), 1992).

17.33.085 Relation of CUP to other discretionary approval.

In the event that the board of adjustment approves a conditional use permit with conditions that are in conflict or inconsistent with the conditions of approval of other discretionary actions by the planning commission and/or the board of county commissioners (i.e., including, but not limited to, plats, planned developments, binding site plans), those discretionary approvals shall be remanded and reviewed to determine whether to modify or revoke the discretionary approval. (Ord. 92-12 § 5 (App. A), 1992).

17.33.090 Potential conditions.

The types of conditions which the board of adjustment may impose on a conditional use permit include, but are not limited to:

A. Requiring a performance bond or acceptable surety in an amount and with conditions satisfactory to the board of adjustment, to assure the performance of conditions imposed or the construction of improvements;

B. Specifying a time limit within which the action, shall be begun or completed or both;

C. Requiring an annual review of the issued permit to assure compliance with any imposed conditions;

D. Increasing the required lot size or yard dimensions;

E. Limiting the height or total lot coverage of buildings and impervious surfaces;

F. Specifying the number and location of vehicular access points to the property;

G. Specifying the street width;

H. Specifying the number of off-street parking or loading spaces;

I. Requiring suitable landscaping;

J. Specifying signing;

K. Specifying the exact locations of activities or structures as a means of minimizing hazards to life, limb, property damage, erosion, landslide or traffic;

L. Mitigating nuisance-generating features such as noise, colors, air pollution, wastes, vibration, traffic, physical hazards, off-site light glare, etc.;

M. Requiring structural features or equipment essential to accomplish the purpose set forth in subsection L of this section;

N. Specifying the hours of operation;

O. Insuring against imposing excessive demands upon public facilities and services. (Ord. 92-12 § 5 (App. A), 1992).

17.33.100 Action of board of adjustment.

Within 35 days following the termination of the public hearing on a conditional use permit, the board of adjustment shall approve or deny the application based on the standards and criteria found in OCC 17.30.080 and issue its written order. (Ord. 92-12 § 5 (App. A), 1992).

17.33.110 Notice of permit decision.

Within five days of the decision, the order of the board of adjustment shall be mailed to the applicant and all persons who are specifically identified as parties of record or who

have indicated an interest in being notified of the decision. (Ord. 92-12 § 5 (App. A), 1992).

17.33.120 Appeal of decision.

An order of the board of adjustment granting or denying a conditional use permit shall be final and conclusive unless within 10 days from the date of notice of the written decision, the appellant or an adverse party makes application to the superior court for a writ of certiorari, a writ of prohibition or a writ of mandamus. (Ord. 92-12 § 5 (App. A), 1992).

17.33.130 Records.

The conditional use permit application, evidence of notice, the electronic verbatim record of proceedings and other material accepted as evidence and the written decision along with findings of facts and conclusions shall become a part of the official records of the board of adjustment and shall be retained in the planning department offices. (Ord. 92-12 § 5 (App. A), 1992).

17.33.135 Accessory use/conditional use permit – Hardship.

A. The administrator/zoning adjustor shall consider accessory use/conditional use permit applications pursuant to OCC 17.09.040, and determine whether to approve such applications on the basis of the facts presented. Any accessory use/conditional use permit for additional residential units based on family hardship/emergency shall be strictly limited in duration to the period of hardship/emergency. The administrator/zoning adjustor may require such proof of periodic reporting/ documentation as deemed necessary to validate the return of and continuing existence of the hardship/emergency. Upon the expiration of any hardship/emergency conditional use permit, it shall be the applicant's duty to abate/remove such unit within 90 days. If at any time during the duration of an authorized hardship/emergency conditional use permit, the administrator/zoning adjustor determines that the hardship/emergency no longer exists, the conditional use permit shall be summarily revoked and any such use abated or removed within 90 days of the revocation order at the permittee's expense.

B. Any decision by the administrator/zoning adjustor pursuant to this section may be appealed utilizing the procedures found at OCC 17.35.010 et seq. (Ord. 92-12 § 5 (App. A), 1992).

17.33.140 Kennels, business or commercial.

Business/commercial kennel applications shall be appropriately conditioned as follows:

A. The structure(s) housing the animals shall be adequately soundproofed to meet Chapter 173-60 WAC as determined by the noise levels during a period of normal operation for the number of animals to be kept;

B. That compliance with noise standards for a commercial noise source as identified by WAC 173-60-040 shall be demonstrated by the applicant;

C. The structure(s) and outside runs or areas housing the animals shall be not less than 200 feet from any dwelling other than the dwelling of the owner, and shall be no less than 50 feet to any property line of the subject site;

D. Any permitted outside runs or areas shall be completely screened from view by sight-obscuring fencing or landscaping, or both, as determined by the board of adjustment, to serve as a visual and noise abatement buffer;

E. All animals are to be housed within a structure and no outside boarding of animals is permitted between the hours of 10:00 p.m. and 6:00 a.m.;

F. One off-street parking space shall be provided for each 10 animals kept on the premises;

G. The permit shall be granted for a period not to exceed one year. At the end of such period an inspection shall be made of the premises to determine:

1. Compliance with all the conditions of approval; and
2. The advisability of renewing such permit;

H. The applicant shall submit adequate information to aid the board of adjustment in determining that the preceding standards are satisfied prior to the public hearing;

I. Additional conditions or safeguards as deemed necessary may be imposed by the board of adjustment for the protection of the health, safety and welfare of the nearby residences. (Ord. 92-12 § 5 (App. A), 1992).

Chapter 17.34
VARIANCES

Sections:

17.34.010 Generally.
17.34.020 Filing of applications.
17.34.040 Setting for hearing.
17.34.050 Notice of hearing.
17.34.070 Standards and criteria.
17.34.075 Relation of variance to other discretionary approval.
17.34.080 Action of board of adjustment.
17.34.090 Notice of action.
17.34.100 Appeal of decision.
17.34.110 Records.
17.34.115 Zoning adjustor established.
17.34.120 Variance from yard requirements.

17.34.010 Generally.

The board of adjustment shall hear and decide all applications for variances from the terms of the zoning code. (Ord. 92-12 § 5 (App. A), 1992).

17.34.020 Filing of applications.

Applications for variance permits together with the specified fee from the current fee schedule shall be filed with the administrator for the board of adjustment on forms available from the planning department. The administrator shall circulate copies of the application to the board of adjustment members and appropriate referral agencies. County departments shall respond to the referral within 30 days. Should any agency outside the county fail to respond to the referral within the 30-day period it shall be assumed that such agency has no comment. (Ord. 92-12 § 5 (App. A), 1992).

17.34.040 Setting for hearing.

The administrator shall schedule a public hearing with the board of adjustment to be held within 60 days of the receipt of a complete application. (Ord. 92-12 § 5 (App. A), 1992).

17.34.050 Notice of hearing.

A. When a fully completed variance application has been accepted by the administrator, the administrator or designee shall establish the date and time for a public hearing on the permit before the board of adjustment, which shall not be more than 60 days from the date of a complete vested application except when additional time is required for compliance with the State Environmental Policy Act (Chapter 43.12C RCW).

B. Notice of the public hearing, stating the time, place and purpose for which the hearing is to be held, shall be published not less than 10 days prior to the hearing, in the official gazette and in a newspaper of general circulation in the area where the real property is proposed to be developed.

C. Notice of the hearing shall be mailed by the Okanogan County office of planning and development, at least 14 days prior to the date of the hearing, to the owners of all properties within 300 feet of the exterior boundaries of the proposed variance, as such owners appear on the records of the county assessor. If the owners of the real property which is proposed to be developed owns another parcel or parcels of real property which lie adjacent to the real property proposed to be developed, notice shall be given to owners of real property located within 300 feet of any portion of the boundaries of such adjacently located parcels of real property proposed to be developed in accordance with RCW 58.17.090.

D. The applicant is responsible for posting conspicuous notice of the hearing readily visible from nearby roads at least three locations on and in the vicinity of the proposed variance and at the nearest post office at least 10 days prior to the public hearing. The applicant shall submit an affidavit of the posting to the Okanogan County office of planning and development prior to the public hearing. Affidavit forms are available from the Okanogan County office of planning and development and the completed affidavit shall become part of the record.

E. In accordance with RCW 58.17.080, as it now exists or is hereafter amended, notice of the filing of the variance of a building adjacent to or within one mile of the municipal boundaries of a city or town, or which contemplates the use of any city or town utilities shall be given to the appropriate city or town authorities.

F. The office may require such alternative notification procedures as necessary to accomplish reasonable public notification in unusual circumstances.

G. Notice shall also be given to interested state agencies such as the Washington State Department of Fisheries, Wildlife and Ecology. All hearing notices shall include a description of the property to be developed, including the location of the proposed variance. The description may be in the form of either a vicinity location sketch, a written description, an address or other reasonable means, other than a legal description, but shall include reference to the section, township and range. (Ord. 92-12 § 5 (App. A), 1992).

17.34.070 Standards and criteria.

Before any variance is granted by the board of adjustment, it shall be known that all the following criteria apply:

A. Any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations of other properties in the vicinity and zone in which the subject property is situated; and

B. Because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the zoning code is found to deprive the subject property of rights and privileges enjoyed by other properties in the vicinity and under identical zone classifications; and

C. That the granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in which the subject property or improvements are situated; and

D. That economic benefit shall not be considered grounds for a variance. (Ord. 92-12 § 5 (App. A), 1992).

17.34.075 Relation of variance to other discretionary approval.

In the event that the board of adjustment approves a variance with conditions that are in conflict or inconsistent with the conditions of approval of other discretionary actions by the planning commission and/or the board of county commissioners (i.e., including, but not limited to, plats, planned developments, binding site plans), those discretionary approvals shall be remanded and reviewed to determine whether to modify or revoke the discretionary approval. (Ord. 92-12 § 5 (App. A), 1992).

17.34.080 Action of board of adjustment.

Within 35 days following the termination of the public hearing on a variance permit, the board of adjustment shall sign its written order. In making the order, it shall include a written nonverbatim record of the case, findings of fact and conclusions upon which the decision is based, and the wording of the actual decision. A specific listing of any conditions to be imposed upon the approval shall be included in their decision. (Ord. 92-12 § 5 (App. A), 1992).

17.34.090 Notice of action.

Within five days of the decision, the order of the board of adjustment shall be mailed to the applicant and all persons who are specifically identified as parties of record or who have indicated an interest in being notified of the decision. (Ord. 92-12 § 5 (App. A), 1992).

17.34.100 Appeal of decision.

An order of the board of adjustment granting or denying a variance shall be final and conclusive unless within 10 days from the date of notice of the written decision, the appellant of an adverse party makes application to the superior court for a writ of certiorari, a writ of prohibition or a writ of mandamus. (Ord. 92-12 § 5 (App. A), 1992).

17.34.110 Records.

The variance application evidence of notice, the electronic verbatim record of proceedings and other materials accepted as evidence and the written decision along with findings of fact and conclusions shall become a part of the official records of the board of adjustment and shall be retained in the office of planning and development. (Ord. 92-12 § 5 (App. A), 1992).

17.34.115 Zoning adjustor established.

The board of county commissioners hereby creates the Okanogan County zoning adjustor, pursuant to authority established in RCW 36.70.200, to hear and decide the yard variances as established in OCC 17.34.120. (Ord. 92-12 § 5 (App. A), 1992).

17.34.120 Variance from yard requirements.

A. The administrator/zoning adjustor may grant a deviation from the required front, side, or rear yard setback requirements of this code upon a finding that the criteria of OCC 17.34.070 apply. Requested deviations which exceed 25 percent of the setbacks otherwise required by this code shall be submitted to the board of adjustment.

B. Within 35 days of receipt of a request for a yard variance pursuant to this subsection, the administrator/zoning adjustor shall issue a written decision, including findings of fact and conclusions upon which the decision is based. A specific listing of any conditions to be imposed upon the approval shall be included in the decision.

C. Within five days of the decision, the administrator/zoning adjustor's order, including findings of fact and conclusions and any conditions imposed, shall be mailed to the applicant and all person who are specifically identified as parties of record or who have indicated an interest in being notified of the decision. (Ord. 92-12 § 5 (App. A), 1992).

Chapter 17.35
APPEALS OF ADMINISTRATIVE ACTIONS

Sections:

17.35.010 Authority of board of adjustment.
17.35.020 Who may appeal – Place of filing – Time limit.
17.35.030 Setting for hearing – Notice – Transmittal of records.
17.35.040 Scope of authority on appeal.
17.35.050 Decision – When reached.
17.35.060 Notice of decision.
17.35.070 Appeal from board of adjustment decision.
17.35.080 Records.

17.35.010 Authority of board of adjustment.

The board of adjustment shall hear and decide appeals from any order, requirement, permit decision or determination made by the administrator under this code. (Ord. 92-12 § 5 (App. A), 1992).

17.35.020 Who may appeal – Place of filing – Time limit.

Appeals may be taken to the board of adjustment by any person aggrieved, or by any officer, department, board or bureau of the county affected by any decision of an administrative official. Such appeals shall be filed in writing in duplicate with the administrator, as secretary for the board of adjustment, within 20 days of the action being appealed. The section does not create any additional notice requirements of the administrator. (Ord. 92-12 § 5 (App. A), 1992).

17.35.030 Setting for hearing – Notice – Transmittal of records.

Upon the filing of an appeal from an administrative determination, the board of adjustment itself, or administrator as secretary for the board of adjustment, shall schedule a hearing with the board of adjustment to be held within 60 days of the receipt of the appeal, at which time the matter will be considered. At least a ten-day notice of such time and place together with one copy of the written appeal, shall be given to the official whose decision is being appealed. At least 10-day notice of the time and place shall also be given to any adverse parties of record in the case. The officer from whom the appeal is being taken shall transmit to the board of adjustment all of the records pertaining to the decision being appealed from, together with such additional written report as he deems pertinent. (Ord. 92-12 § 5 (App. A), 1992).

17.35.040 Scope of authority on appeal.

The board of adjustment may, in conformity with the Planning Enabling Act (Chapter 36.70 RCW) and this code, reverse or affirm, wholly or in part, or may modify the order, requirement, decision or determination appealed from, and may make such order, requirement, decision or determination as should be made and, to that end, shall have all the powers of the officer from whom the appeal was taken insofar as the decision on the particular issue is concerned. (Ord. 92-12 § 5 (App. A), 1992).

17.35.050 Decision – When reached.

Within 35 days following the termination of the public hearing on an appeal from an administrative determination, the board of adjustment shall sign its written order. In making the order it shall include, in a written nonverbatim record of the case, the findings of fact upon which the decision is based. (Ord. 92-12 § 5 (App. A), 1992).

17.35.060 Notice of decision.

Within five days of the decision, the order of the board of adjustment shall be mailed to the applicant and all persons who are specifically identified as parties of record or who have indicated an interest in being notified of the decision. (Ord. 92-12 § 5 (App. A), 1992).

17.35.070 Appeal from board of adjustment decision.

The decision by the board of adjustment on an appeal from an administrative determination shall be final and conclusive unless a timely land use petition is filed and served pursuant to the Land Use Petition Act (Chapter 36.70C RCW). Appeals must be submitted by those with standing according to RCW 36.70C.060. (Ord. 2008-13 § 2, 2008; Ord. 92-12 § 5 (App. A), 1992).

17.35.080 Records.

The appeal filed pursuant to this code, the evidence of notice, the electronic verbatim record of proceedings although minutes of the proceedings may be nonverbatim, other material accepted as evidence, and the written order announcing a decision along with the findings of fact shall become a part of the official records of the board of adjustment. (Ord. 92-12 § 5 (App. A), 1992).

Chapter 17.36
NONCONFORMING USES AND LOTS

Sections:

17.36.010 Nonconforming lots.
17.36.020 Nonconforming use in zoning district.
17.36.030 Nonconforming structure.
17.36.040 Abandonment.
17.36.050 Unsafe buildings.

17.36.010 Nonconforming lots.

A single-family dwelling and customary accessory buildings may be erected on any lot legally created before the effective date of this chapter. This provision shall apply even though such lot fails to meet the density requirements of the zone district, providing the lot meets current health district requirements for water and sewer. (Ord. 92-12 § 5 (App. A), 1992).

17.36.020 Nonconforming use in zoning district.

Where lawful use of land within a zoning district exists at the effective date of adoption of this code, which is not permissible under the terms of this code, such use may be continued so long as it remains otherwise lawful. (Ord. 92-12 § 5 (App. A), 1992).

17.36.030 Nonconforming structure.

Where a lawful structure exists at the effective date of adoption of this code, that could not be built under the terms of this code, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

A. No structure may be enlarged or altered in a way which increases its nonconformity without the issuance of a conditional use permit or variance.

B. Should such a structure be destroyed by any means, it may be replaced along existing foundation lines within one year. Should a structure be destroyed to an extent of more than 50 percent of its replacement cost at the time of destruction, and not rebuilt within one year, it shall not be reconstructed except in conformity with the provisions of this code.

C. Should such structure be moved any distance for any reason whatever, it shall thereafter conform to the general regulations for the district in which it is located after it is moved. (Ord. 92-12 § 5 (App. A), 1992).

17.36.040 Abandonment.

Any nonconforming use or nonconforming structure which is abandoned and/or discontinued for one year shall not be reconstructed except in conformity with the provisions of this code. Abandoned/discontinued nonconforming uses and buildings may be subject to the abatement provisions of this code (see OCC 17.38.030). (Ord. 92-12 § 5 (App. A), 1992).

17.36.050 Unsafe buildings.

Nothing in this code shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety. (Ord. 92-12 § 5 (App. A), 1992).

Chapter 17.37
AMENDMENT OF ZONING CODE

Sections:

17.37.010 General.
17.37.020 Purpose.
17.37.030 Consistency with comprehensive plan.
17.37.040 Petitions for amendments.
17.37.050 Process for amendment.
17.37.060 Amendments near towns and cities.
17.37.070 Contract/zoning.
17.37.080 Setting hearings – Notice.
17.37.090 Public hearing.
17.37.100 Records.

17.37.010 General.

Any provision of this code, including the official zoning map, may be amended pursuant to Chapter 36.70 RCW by following the procedures in this chapter. (Ord. 92-12 § 5 (App. A), 1992).

17.37.020 Purpose.

The purpose of this chapter is to provide procedures whereby the objectives, goals and policies of the comprehensive plan may be furthered by change in the official controls provided by this code. (Ord. 92-12 § 5 (App. A), 1992).

17.37.030 Consistency with comprehensive plan.

No amendment to this code shall be adopted and no rezone granted which is inconsistent with the comprehensive plan. (Ord. 92-12 § 5 (App. A), 1992).

17.37.040 Petitions for amendments.

An amendment to the text of this code or to the official zoning map may be initiated by:

A. The board of commissioners;

B. The Okanogan County planning commission; or

C. By petition by registered voters and/or landowners of Okanogan County. (Ord. 92-12 § 5 (App. A), 1992).

17.37.050 Process for amendment.

Petitions for amendment shall be submitted to the administrator who shall place the proposal on the agenda of the planning commission for hearing within 45 days of receipt. The planning commission shall consider whether to recommend to the board of county commissioners a change in the zoning code or zoning map. Petitions shall meet the following requirements:

A. Petitions to amend the official zoning map.

1. Each petition shall include a vicinity map and legal description of the property to be considered and shall include a clear explanation of the requested amendment to the zoning map and the justification for the change.

2. Each signer of the petition shall give his or her name, printed and signed, address and acreage owned, if any. Also, the description of the property as shown on the assessment and tax roll of the county, showing the lot and block numbers, shall be provided;

3. A petition asking for a change from one zone to another shall be signed by the owner or owners of not less than 60 percent of the acreage to be considered;

4. A petition may be withdrawn upon the written application of a majority of all the persons who signed the petition.

B. Petition to amend the zoning code text.

1. The petition shall include an explanation of the requested amendment and the specific language requested.

2. Each signer shall give his or her name printed and signed. No minimum number of signatures is required. (Ord. 92-12 § 5 (App. A), 1992).

17.37.060 Amendments near towns and cities.

When an amendment to this code has been initiated proposing the reclassification of land within one mile of the limits of a town or city, the planning commission shall refer the proposal to the incorporated planning body for comment. The planning commission shall consider comments from the city or town planning body in its recommendation to the board of county commissioners; provided, that if the incorporated planning body fails to supply comments within a period of 30 days from the time the referral was made, it may be assumed by the planning commission that such incorporated planning body intends to make no comment. (Ord. 92-12 § 5 (App. A), 1992).

17.37.070 Contract/zoning.

To the extent permitted by law, the county may enter into an agreement with the applicant for, or the beneficiary of, a proposed amendment action, executed concomitantly with and as consideration for approval of the amendment, for the purposes of mitigating public burdens caused by the proposed use and to maintain harmony of the proposed use with the comprehensive plan. (Ord. 92-12 § 5 (App. A), 1992).

17.37.080 Setting hearings – Notice.

A. The date, time and place for any public hearing required by Chapter 36.70 RCW may be set at the discretion of the administrator for proposals generated by the planning commission or upon receipt by the administrator of a petition by private parties, or may be set by the board of county commissioners when the hearing is to be held before the board.

B. Notice of the time, place and purpose of the hearing shall be given by one publication in the official newspaper of Okanogan County and in a newspaper of general circulation in the area where the real property subject to the rezone is located, at least 10 days before the hearing.

C. When the zoning amendment relates to the specific property or is otherwise quasi-judicial in nature, notice of the hearing shall be mailed by the Okanogan County

office of planning and development, at least 14 days prior to the date of the hearing, to the owner of all properties within 300 feet of the exterior boundaries of the proposed rezone, as such owners appear on the records of the Okanogan County assessor.

D. When the zoning amendment relates to the specific property or is otherwise quasi-judicial in nature, the applicant is responsible for posting conspicuous notice of the hearing readily visible from nearby roads in at least three locations on and in the vicinity of the proposed rezone and at the nearest post office at least 10 days prior to the public hearing. The applicant shall submit an affidavit of the posting to the Okanogan County office of planning and development prior to the public hearing. Affidavit forms are available from the Okanogan County office of planning and development and the completed affidavit shall become part of the record.

E. The office may require such alternatives notification procedures as necessary to accomplish reasonable public notification in unusual circumstances.

F. All hearing notices shall include a description of the property to be rezoned and a description of any development proposed in conjunction with the rezone. The description may be in the form of either a vicinity location sketch, a written description, an address or other reasonable means, other than a legal description, and shall include reference to section, township and range. (Ord. 92-12 § 5 (App. A), 1992).

17.37.090 Public hearing.

The planning commission shall hold at least one public hearing on the proposed amendment of the zoning maps and/or code. (Ord. 92-12 § 5 (App. A), 1992).

17.37.100 Records.

The official records with respect to the adoption or amendment of official controls shall include evidence of notice, the electronic verbatim record of the public hearing reports and recommendations of the planning commission, any statements setting forth the facts considered, findings of fact, and analysis of findings considered to be controlling which were made or required by law, and the official control adopted. (Ord. 92-12 § 5 (App. A), 1992).

Chapter 17.38
ENFORCEMENT

Sections:

17.38.010 Generally.
17.38.020 Misdemeanor.
17.38.030 Abatement.
17.38.040 Additional enforcement.
17.38.050 Cost of enforcement action.

17.38.010 Generally.

No structure, lot or area of land shall hereafter be used or occupied and no structure or part thereof shall be erected, moved, reconstructed, extended, enlarged or altered except in compliance with the provisions of this code. (Ord. 92-12 § 5 (App. A), 1992).

17.38.020 Misdemeanor.

It is unlawful for any person, firm, corporation or other organization whether as owner, lessee, subleasee or occupant to allow, use or maintain any building, structure, premises, land or portion thereof contrary to or in violation of any of the provisions of this code or its amendments. Each and every such violation or contrary act shall constitute a misdemeanor. Each misdemeanor may be punished by a maximum of 90 days in jail or a fine of $500.00 or by both such fine and imprisonment. There shall be an additional misdemeanor for each 30-day period during which the violation continues. (Ord. 92-12 § 5 (App. A), 1992).

17.38.030 Abatement.

All violations of this code are determined and declared to be detrimental to the public health, safety and welfare and public nuisances. All conditions which render any building, structure, premises, land use or portion thereof to be used or maintained in violation of this code shall be abated if provisions for their continuance made pursuant to this code are not satisfied. For purposes of this code, "abatement of a zoning violation" is defined as the termination of a zoning violation by reasonable and lawful means in order that a building, structure, premises, land or portion thereof shall be made to comply with this code. (Ord. 92-12 § 5 (App. A), 1992).

17.38.040 Additional enforcement.

Notwithstanding the existence or use of any other remedy, the county prosecuting attorney may seek legal or equitable relief to enjoin any acts or practices and abate any conditions which constitute or will constitute a violation of this code or amendments to it. The prosecuting attorney, on behalf of Okanogan County, may collect the abatement work costs by use of all appropriate legal remedies. (Ord. 92-12 § 5 (App. A), 1992).

17.38.050 Cost of enforcement action.

In addition to costs and disbursements provided for by statute, the prevailing party in an action for abatement, a foreclosure action, or collection action under this code may, in

the court's discretion, be allowed interest and a reasonable attorney's fee. The prosecuting attorney shall seek such costs, interest and the reasonable attorney's fees on behalf of Okanogan County when the county is the party. (Ord. 92-12 § 5 (App. A), 1992).

APPENDIX

(Amended by Ord. 2000-1 § 2, 2000)

The official zoning map classifies the county in the following manner:

1. The entirety of Okanogan County, excepting School District #350 in the Methow Valley, as "Minimum Requirement District." A specific subarea, Molson Overlay within the minimum requirement district is hereby established:

The subarea boundaries shall be the same as the boundaries of Okanogan Fire District No. 11 as they existed on the date of approval of this code. The following subarea overlay requirements have been established within the Minimum Requirement District Molson Subarea Overlay.

A. Specific provisions applicable within this subarea shall supersede all requirements and allowances of the Minimum Requirement District are as follows:

1. The minimum lot size for all new subdivision shall be 20 acres or 1/32 of a section. Existing legal lots having less than 20 acres may be used as building site subject to compliance with on-site treatment regulations of the Health District and minimum setback for zone.

2. The maximum density for permitted uses shall be one dwelling unit per lot, except, one residential accessory structure is permitted on each residential lot. (See 17.05.040)

3. The seller of subdivided land shall be required to provide one half the cost of a Washington State legal perimeter fence around such land and shall inform purchasers of their obligation to maintain the fence.

2. Methow Review District

School District #350 in the Methow Valley, excepting one Rural Residential (RRD) District, one Low Density Residential (LDRD) District, one Commercial (C) District, one Special Review Commercial District, one Urban Residential District, one Neighborhood Use District, one Industrial (I) District, one Airport Development (AP) District, and one Agricultural (AD) District; all of which are located in the vicinities of Mazama, Winthrop, Twisp and Carlton. Methow Review District/School District #350 includes land within the Methow River drainage and is further described as follows:

- Beginning at the northeast corner of Sec. 13, T. 33 N., R. 23 EWM;
- Thence south 6 miles;
- Thence west 4 miles;
- Thence south 6 miles to the southeast corner of Sec. 8, T. 31 N., R. 23 EWM;
- Thence west 1 mile;
- Thence south 2 miles;
- Thence west 4 miles to the southwest corner of Sec. 22, T. 31 N., R. 22 EWM;
- Thence north 1 mile;
- Thence west to an intersection with the Methow River;
- Thence northerly along the Methow River to the north line of Sec. 16, T. 31 N., R. 22 EWM;
- Thence west 2-1/4 miles;
- Thence north 2 miles to the northwest corner of Sec. 6, T. 31 N., R. 22 EWM;

- Thence west approximately 11 miles to the west boundary of Okanogan County;
- Thence northwesterly along the west boundary of Okanogan County to an intersection with the north boundary of Okanogan County;
- Thence east approximately 37 miles to the northeast corner of Sec. 2, T. 40 N., R. 22 EWM;
- Thence south 36 miles to the southeast corner of Sec. 35, T. 35 N., R. 22 EWM;
- Thence east 7 miles;
- Thence south 8 miles to the northeast corner of Sec. 13, T. 33 N., R. 23 EWM, to the point of beginning.

Excluding the following described property:

- Tax 5, a part of lot 2, Sec. 7, T. 31 N., R. 22 EWM, Tax 8, a part of lot 3 and 4 in Sec. 8, T. 31 N., R. 22 EWM; the S 1/2 of the SE 1/4 of Sec. 7, T. 31 N., R. 22 EWM; the NW 1/4 of SW 1/4 of Sec. 8, T. 31 N., R. 22 EWM and the SW 1/4 of Sec. 8, T. 31 N., R. 22 EWM in Okanogan County.

Lands in Methow Valley School District #350, excepting those lands designated for Commercial (C) District, Industrial (I) District, Airport Development (AP) District, Rural Residential, Low Density Residential, Special Review Commercial, Urban Residential, Neighborhood Use, and Agricultural (AD) District, are classified as Methow Review District on the official zoning map which has four different density requirements specifying the number of dwelling units per acre or acres. These are "Methow Review District 3.5 Dwelling Units Per Acre" areas, "Methow Review District 1 Dwelling Unit Per Acre" areas, "Methow Review District 1 Dwelling Unit Per 5 Acres" area and "Methow Review District 1 Dwelling Unit Per 20 Acres" area.

The Methow Review District 1 Dwelling Unit Per 20 Acres (MRD 20) area is the land in School District #350, outside of Sub-unit A as designated by the Methow Valley Plan: An addendum to Okanogan County's Comprehensive Plan, 1976, that is elevated above and is not considered a part of the floor of the Methow Valley. For the purposes of the zoning map and zoning code, the boundary of the Methow Review District Valley Floor (MRD 5) in School District #350 is described as:

- Beginning at a point on the north section line of Section 27, T. 35 N., R. 21 EWM, 690 feet westerly of the centerline of County Road No. 1213 (West Chewuch Road) as located in Sec. 22, T. 35 N., R. 21 EWM;
- Thence northerly on a line 690 feet westerly of the centerline of County Road No. 1213 (West Chewuch Road) parallel to County Road No. 1213 to the north boundary of Sec. 2, T. 35 N., R. 21 EWM;
- Thence east along the Okanogan National Forest boundary to a point 690 feet east of the centerline of County Road No. 9137 (East Chewuch Road);
- Thence south on a line 690 feet parallel to and east of the centerline of County Road No. 9137 to the north line of Sec. 26, T. 35 N., R. 21 EWM;
- Thence east to the NE corner of Sec. 25, T. 35 N., R. 21 EWM;
- Thence south to the SW corner of the NW 1/4 of the NW 1/4 of Sec. 7, T. 34 N., R. 22 EWM;
- Thence east to the SW corner of the NE 1/4 of the NE 1/4 of Sec. 7, T. 34 N., R. 22 EWM;
- Thence south to the north boundary line of Sec. 18, T. 34 N., R. 22 EWM;
- Thence west to the SW corner of Sec. 7, T. 34 N., R. 22 EWM;

- Thence south along the west boundary of Sec. 18, T. 34 N., R. 22 EWM to the Chewuch Irrigation Canal;
- Thence southerly along said canal to Davis Creek;
- Thence southwesterly along Davis Creek to the centerline of County Road No. 9129 (Eastside Twisp-Winthrop Road);
- Thence along County Road No. 9129 to the East Side Methow Valley Irrigation Canal (Hi Line Canal) in the SE 1/4 of Sec. 31, T. 34 N., R. 22 EWM;
- Thence southerly along the East Side Methow Irrigation Canal to its intersection with the centerline of State Route 153 in the SW 1/4 of the SE 1/4 of Sec. 16, T. 32 N., R. 22 EWM;
- Thence southwesterly along State Route 153 to the intersection with the East Side Methow Valley Irrigation Canal in the NE 1/4 of the NW 1/4 of Sec. 21, T. 32 N., R. 22 EWM;
- Thence southwesterly along said canal to its intersection with the west boundary of the NE 1/4 of the SE 1/4 of Sec. 29, T. 32 N., R. 22 EWM;
- Thence due south to the north boundary of Sec. 32, T. 32 N., R. 22 EWM;
- Thence west to the Methow River;
- Thence southerly to a point 720 feet northerly of State Route 153;
- Thence southeasterly along a line 720 feet northerly and parallel to State Route 153 to the southern boundary of School District 350 in Sec. 16, T. 31 N., R. 22 EWM;
- Thence north and west along the boundary of School District 350 to a point of intersection with Libby Creek Diversion Irrigation Ditch located on the south line of Sec. 8, T. 31 N., R. 22 EWM; EXCEPTING any portion lying in Pateros School District 122;
- Thence northwesterly along the Libby Creek Diversion Irrigation Canal to Libby Creek;
- Thence upstream to a point 720 feet west of the centerline of State Route 153;
- Thence northerly along a line 720 feet parallel and west of State Route 153 to a point 690 feet westerly of County Road No. 9105 (Twisp-Carlton Road);
- Thence northerly and parallel to County Road No. 9105 to the Twisp city limits;
- Thence west and north along the city limits to a point 690 feet south of the centerline of County Road No. 9114 (the Twisp River Road);
- Thence westerly 690 feet south and parallel to the centerline of County Road No. 9114 to the north line of Sec. 18, T. 33 N., R. 22 EWM;
- Thence due west to the SW corner of Sec. 7, T. 33., R. 21 EWM;
- Thence north to the SE corner (No. 2) of HES 171;
- Thence southwesterly along the boundary between the Okanogan National Forest and HES's 171, 65, 67, 69, 196, 206, 73, 72, 213 to the NW corner (No. 10) of HES 213;
- Thence easterly along the Okanogan National Forest and HES's 213, 71, 206, 225, 68, 67, 190, 228, 271 and 171 to County Road No. 9114 (the Twisp River Road);
- Thence northeasterly along County Road No. 9114 to the east boundary line of Sec. 12, T. 33 N., R. 20 EWM;
- Thence north along said boundary to a point 690 feet northerly of the centerline of County Road No. 9114;
- Thence easterly on a line 690 feet from and parallel to the centerline of County Road No. 9114 to the Twisp City limits;

- Thence north and east along the Twisp city limits to a point 720 feet west of the centerline of State Route 20;
- Thence northerly on a line 720 feet from the centerline and parallel to State Route 20 to the east-west centerline of Sec. 23, T. 34 N., R. 21 EWM;
- Thence west to the midpoint of the west boundary of Sec. 20, T. 34 N., R. 21 EWM;
- Thence north to the northwest corner of Section 8, T. 34 N., R. 21 EWM;
- Thence east to the northeast corner of Section 10, T. 34 N., R. 21 EWM;
- Thence north to the northeast corner of Section 27, T. 35 N., R. 21 EWM;
- Thence west along the northern section line of Section 27, T. 35 N., R. 21 EWM, to the point of beginning.

The Methow Review 1 Dwelling Unit Per 5 Acres area constitutes the Methow Valley floor, as previously described herein, excepting those lands designated for Commercial (C), Industrial (I), and Airport Development (AP) districts and those lands designated as Methow Review District 1 Dwelling Unit Per Acre and Methow Review District 3.5 Dwelling Units Per Acre.

VICINITY OF WINTHROP

(Supplemental Map I)

The Zoning Map creates residential areas near the Town of Winthrop, including two areas which allow one dwelling unit per acre. [Methow Review District (MRD 1)]

One Methow Review District 1 Dwelling Unit Per Acre (MRD 1) is located adjacent to and north of the incorporated limits of Winthrop, further described as:

> Beginning at the SE corner of the SW 1/4 of Sec. 35, Twp. 35 N., Rge. 21 EWM; thence west to the east right-of-way line of County Road 9137 and the true point of beginning; thence following the east right-of-way of County Road 9137 to its intersection with the north-south centerline of said Sec. 35; thence north along said line to the north line of said Sec. 35; thence west along the north line of Sec. 35 to the Chewuch River; thence southerly following the east bank of the Chewuch River to the Winthrop city limits; thence east to the point of beginning.

A second Methow Review District 1 Dwelling Unit Per Acre (MRD 1) is located adjacent to the south portion and west of the incorporated limits of Winthrop, further described as:

All of the SW 1/4 of Section 2, Twp. 34N., Rge. 21 EWM, EXCEPT those portions within the city limits of Winthrop, those portions north of the Methow River, and those portions south of County Road 1131.

VICINITY OF TWISP

(Supplemental Map II)

The Zoning Map creates one Industrial (I) District, one Methow Review District 1 Dwelling Unit Per Acre (MRD 1) and one Methow Review District 12,500 square feet per dwelling unit (MRD 12,500).

The Methow Review District 12,500 square feet (MRD 12,500) is located adjacent to and northerly of the Town of Twisp, further described as:

Beginning at a point on the Twisp city limits being the NW corner of the SE 1/4 of the SE 1/4 of Sec. 7, Twp. 33 N., Rge. 22 EWM; thence easterly following the Twisp city boundary; thence north following the Twisp Town boundary to the high water mark of the Methow River; thence due west 1,500 feet more or less to a dirt road following the base of the hill; thence southeasterly along said dirt road to the Twisp city limits; thence east to the point of beginning.

The Methow Review District 1 Dwelling Unit Per Acre (MRD 1) area is located adjacent to and southeasterly of the incorporated limits of Twisp, further described as:

Beginning at the SE corner of the Twisp city limits (located in the S 1/2 of the SE 1/4 of Sec. 17, Twp. 33 N., Rge. 22 EWM); thence southeasterly along the northeast bank of the Methow River to the east boundary of Sec. 21, Twp. 33 N., Rge. 22 EWM; thence north along the north-south section line to the East Side Methow Valley Irrigation Canal (Hi-Line); thence northwesterly along the Irrigation Canal to the Twisp city limits; thence southerly along the Twisp city limits to the centerline of State Route 20; thence southeasterly along State Route 20 to the east boundary of Sec. 17, Twp. 33 N., Rge. 22 EWM; thence southerly to the NE corner of the S 1/2 of the SE 1/4 of the SE 1/4, Sec. 17, Twp. 33 N., Rge. 22 EWM; thence west along the north boundary of the S 1/2 of the SE 1/4 of the SE 1/4, Sec. 17, Twp. 33 N., Rge. 22 EWM to the Twisp city limits; thence south along the Twisp city limits to the point of beginning, EXCEPTING that portion which is zoned industrial and that property known as the Twisp Airport owned by the City of Twisp. (See Industrial (I) District)

The Industrial (I) District is located adjacent to and east of the incorporated limits of Twisp, further described as:

INDUSTRIAL DISTRICT (I)

Beginning at the point of intersection of the centerline of State Route 20 with the eastern Twisp city limits in Sec. 17, Twp. 33 N., Rge. 22 EWM; thence southeasterly along State Route 20 to the east boundary of Sec. 17, Twp. 33 N., Rge. 22 EWM; thence southerly following the section line to the NE corner of the S 1/2 of the SE 1/4 of the SE 1/4 of Sec. 17, Twp. 33N., Rge. 22 EWM; thence along said boundary line, EAST 59.72 feet, more or less to a point on a curve on the westerly right-of-way line of said Okanogan County Road No. 1595, said point having a radial bearing to the center of the curve of SW 65° 05' 45", thence along a curve to the right in a southerly direction, having a delta angle of 34° 30' 34", a radius of 340 feet, for a length of 204.78 feet, thence SW 09° 36' 19" 219.74 feet, thence leaving said right-of-way line, west 1,183 feet, more or less to the left bank of the Methow River, thence along said left bank NW 48° 08' 19" 91.53 feet, thence leaving said left bank, North 161.00 feet, more or less, to Monument No. 4 of the Twisp Sewage Treatment Plant, thence along said Sewage Treatment Plant boundary, EAST 300 feet to Monument No. 5, thence NORTH 550 feet to Monument No. 6; thence WEST 400 feet to the Twisp City limits; thence northerly following the Twisp City limits to the point of beginning.

VICINITY OF CARLTON

(Supplemental Map III)

The official zoning map classifies an area located at the unincorporated community known as Carlton as a "Commercial" district.

The "Commercial" district is further described as:

Beginning at a point 30 feet east of the SE corner of Lot 139 of F.E.P.&G. No. 6; thence northerly a distance of 404 feet to the SE corner of Lot 138 of F.E.P.&G. No. 6; thence northerly along the east boundary line of said lot to a point intersecting the centerline of State Route 153; thence southwesterly along said centerline to that point intersecting with the north boundary line of Lot 139 of F.E.P.&G. No. 6; thence westerly along said boundary line to that point intersecting with the east meander line of the Methow River; thence southerly along said meander line to that point intersecting the centerline of State Route 153; thence northerly along said centerline to that point intersecting the south boundary line of Lot 140 of F.E.P.&G. No. 6; thence easterly in a straight line to the SW corner of Lot 141 of F.E.P.&G. No. 6; thence northerly along the west boundary line of said lot to the NW corner of said lot; thence north 20 feet to the centerline of French Creek/Texas Creek Road (OCR #1543); thence easterly along said centerline a distance of 431.3 feet; thence north to the point of beginning. All within Sec. 29, Twp. 32 N., Rge. 22 EWM.

LOW DENSITY

RESIDENTIAL DISTRICT (LDRD)

The Low Density Residential District (LDRD) area is the land in School District #350, within Sub-unit A as designated by the Methow Valley Plan: An addendum to Okanogan County's Comprehensive Plan, 1976, and identified as the planning area in the Upper Methow Valley Comprehensive Plan, that is elevated above and is not considered a part of the floor of the upper Methow Valley.

RURAL RESIDENTIAL DISTRICT (RRD)

For the purposes of the Zoning Map and Zoning Code, the boundary of the Rural Residential District (RRD), within Sub-unit A as designated by the Methow Valley Plan: An addendum to Okanogan County's Comprehensive Plan, 1976, and identified as the planning area in the Upper Methow Valley Comprehensive Plan, is described as:

- Beginning in Sec. 6, T. 36 N., R. 19 EWM at the SW corner (No. 3) of HES 237;
- Thence northerly along the western boundary of HES 237 to the north bank of the Methow River;
- Thence southeasterly along the north bank of the Methow River to corner (No. 4) of HES 236;
- Thence northeasterly to the west bank of Lost River;
- Thence southerly along Lost River to County Road 9140 (Lost River Road);
- Thence southeasterly along County Road No. 9140 to the NW corner (No. 1) of HES 97;
- Thence southeasterly along the boundary between the Okanogan National Forest and HES's 97, 254, 96, 197, 95, 94, 93, 92, 88, 87, 86, 114 to the NE corner of the SE 1/4 of the SW 1/4 of Sec. 30, T. 36 N., R. 20 EWM;
- Thence east to the NE corner of the SE 1/4 of the SE 1/4 of Sec. 30, T. 36 N., R. 20 EWM;
- Thence south to the NW corner (No. 2) of HES 199;
- Thence easterly and southerly along the boundary of HES 199 and the Okanogan National Forest to County Road No. 1163 (Goat Creek Road);
- Thence southeasterly to the south boundary of Sec. 32, T. 36 N., R. 20 EWM;

- Thence southeasterly following the boundary of the Okanogan National Forest to the SE corner of the SW 1/4 of Sec. 3, T. 35 N., R. 20 EWM;
- Thence east to the SE corner of Sec. 3, T. 35 N., R. 20 EWM;
- Thence south along the east section line of Sec. 3 to a point 720 feet northwesterly of the centerline of State Route 20;
- Thence southeasterly on a line 720 feet northerly and parallel to State Route 20 to a point 690 feet westerly of the centerline of County Road No. 1213 (West Chewuch Road) as located in Sec. 3, T. 34 N., R. 21 EWM;
- Thence northerly on a line parallel to County Road No. 1213 to the north boundary of Sec. 27, T. 35 N., R. 21 EWM;
- Thence east along the north section line of Sec. 27, T. 35 N., R. 21 EWM to the northeast corner of Sec. 27, T. 35 N., R. 21 EWM;
- Thence south along the east section line of Sections 27 and 34, T. 35 N., R. 21 EWM and Sec. 3, T. 34 N., R. 21 EWM;
- Thence west along the south section line of Sections 3, 4, 5 and 6 to the mid-section line of Sec. 6, T. 34 N., R. 21 EWM;
- Thence north to the mid-section point on the north section line of Sec. 6, T. 34 N., R. 21 EWM;
- Thence west along the south section line of Sec. 31, T. 35 N., R. 21 EWM (being the north section line of T. 34 N., R. 21 EWM) and the south section line of Sec. 36, T. 35 N., R. 20 E. to the southwest corner of Sec. 36, T. 35 N., R. 20 E.;
- Thence north and west along the Okanogan National Forest boundary to the SW corner of HES 181;
- Thence north and west along the SW boundary of HES 181 and 182 to the SE corner of the NW 1/4 of the NW 1/4 of Sec. 9, T. 35 N, R. 20 EWM;
- Thence west to the SW corner of the NW 1/4 of the NW 1/4 of Sec. 9, T. 35 N., R. 20 EWM;
- Thence north to the boundary of the Okanogan National Forest;
- Thence north and west along said boundary to the SW corner (No. 2) of HES 202 in Sec. 6, T. 35 N., R. 20 EWM;
- Thence northwesterly along the boundary between the Okanogan National Forest and HES's 202, 200, 81, 83, 84, 250 to Early Winters Creek;
- Thence downstream to its confluence with the Methow River;
- Thence northwesterly along the southern bank of the Methow River to the northwest corner (No. 1) of HES 89;
- Thence northwesterly along the boundary between the Okanogan National Forest and HES's 80, 91, 92, 93, 94, 198, 96, 97, 237 to the point of beginning.

MAZAMA CORE

The official zoning map classifies an area located at the unincorporated community known as Mazama. The Mazama core includes one Special Review Commercial District, one Urban Residential (UR) District, and one Neighborhood Use (NU) District described as follows:

NEIGHBORHOOD USE (NU)

- Beginning at a point on the northeastern right-of-way boundary of the Lost River Road (County Road 9140) which is the westernmost corner of the Cal's Parcels Short Plat and is North 56°43′19″ West and 659.97 feet, more or less from the eastern intersection of the centerline of Country Road and the northeastern right-of-way boundary of Lost River Road (County Road 9140)
- Thence northeasterly 265 feet more or less along the northwestern boundary of Lot 1, Cal's Parcels Short Plat;
- Thence continuing North 33°16′41″ 214 feet more or less to the southwestern right-of-way boundary of Country Road;
- Thence along the southwestern boundary right-of-way boundary of Country Road 233.81 feet more or less;
- Thence across the right-of-way of Country Road to intersection of the eastern right-of-way boundary of Country Road with the northeastern boundary of the Cal's Parcels Short Plat;
- Thence along the northeastern boundary of the Cal's Parcel's Short Plat to the easternmost corner of the Cal's Parcels Short Plat;
- Thence southwesterly along the southeastern boundary of the Cal's Parcels Short Plat to the eastern end of the southern boundary of Lot 4, Cal's Parcels Short Plat;
- Thence along the southern boundary of Lot 4, Cal's Parcels Short Plat to the point of intersection of the boundary with the northeastern extension of the common boundary between the Okanogan County-owned property and the Mazama Community Club-owned property;
- Thence from said point of intersection southwesterly along said common boundary to a point on the northeastern right-of-way boundary of the Goat Creek Road (Okanogan County Road 1163);
- Thence northwesterly along the northeastern right-of-way boundary of the Goat Creek Road (Okanogan County Road 1163) and the northeastern right-of-way boundary of the Lost River Road (Okanogan County Road 9140) to the point of beginning.

URBAN RESIDENTIAL (UR)

All that property lying northeast of the Methow River and southwest of the rights-of-way of County Road No. 1163 and the northwesterly extension of County Road No. 9140 and 660 feet either side, on a line perpendicular to the centerline of the southwesterly extension of County Road No. 9140.

SPECIAL REVIEW COMMERCIAL (SRC)

All that property lying northeasterly of State Highway 20, southwest of the Methow River, and 660 feet either side, on line perpendicular to the centerline of County Road No. 9140.

VICINITY OF CARLTON

(Supplemental Map V)

The official zoning map classifies an area located approximately a half mile north of the unincorporated community known as Carlton as an "Agricultural," district.

The "Agricultural" district is further described as:

All of Lots 1, 2, 3, 4, 5 and 6, F.E.P.&M. Plat No. 2, containing approximately 62.40 acres, located in a portion of Sec. 20, Twp. 32 N., Rge. 22 EWM.

AGRICULTURAL-RESIDENTIAL (AR) DISTRICT ZONE (BARNHOLT LOOP-CARIBOU TRAIL)

(Supplemental Map VI)

The official zoning map reclassifies an area located south of the city of Okanogan, Washington in the Barnholt Loop – Caribou Trail area from a zoning classification of "Minimum Requirement District," to a newly created zoning district classification of "Agricultural-Residential," further described as:

Beginning at the Southwest corner of the Plat of Sunshine Orchard Tracts, which is filed under Volume B of Plats, Page 30, records of the Okanogan County Auditor, which point is the Southwest corner of Gov't. Lot 4 (Fr. SW 1/4 NW 1/4) Section 31, Township 33 N., Range 26 EWM; thence North to the Southernmost corner of Lot 21 of Sunshine Orchard Tracts; thence Northeasterly along the Southeasterly line of Lot 21, for a distance of 360 feet; thence Northwesterly 250 feet, more or less, to a point which is 432 feet North of the Southwest corner of Lot 21; thence North to the Northwest corner of Lot 8, which is also the Northwest corner of said Section 31; thence East along the North line of Sunshine Orchard Tracts to the West line of Okanogan County Road No. 9155, Old 97; thence Northeasterly along the West right-of-way line to the East line of Government Lot 7 (SW 1/4 – SW 1/4), Section 30, Township 33 North, Range 26 EWM; thence North to the Northeast corner of Gov't. Lot 7 (SW 1/4 – SW 1/4); thence West 264 feet; thence North to the North line of the South half of Gov't. Lot 6 (NW 1/4 – SW 1/4); thence East 183 feet, more or less, to the West right-of-way line of Highway 20; thence Northeasterly along Highway 20 to the East line of Government Lot 6 (NW 1/4 – SW 1/4); thence North to the Northeast corner of Government Lot 2 (NW 1/4 – NW 1/4) Section 30, Township 33 North, Range 26 EWM; thence East to the Southeast right-of-way of County Road No. 9206, B & O North Road; thence Northeasterly along the East right-of-way line of County Road No. 9206 to the North line of the NW 1/4 – SE 1/4 of Section 19, Township 33 North, Range 26 EWM; thence East along the North line of said NW 1/4 – SE 1/4 to the East right-of-way line of State Highway 20; thence Northerly along the said East right-of-way line a distance of 290 feet, more or less; thence East to the East line of the SW 1/4 – NE 1/4 of Section 19, Township 33 North, Range 26 EWM; thence South along the East line of said SW 1/4 – NE 1/4 and NW 1/4 – SE 1/4 to a point which is 163 feet North of the Southeast corner of said NW 1/4 – SE 1/4; thence East to the West bank of the Okanogan River; thence Southerly along the West bank of the Okanogan River to the South line of the Plat of Sunshine Orchard Tracts, in Section 31, Township 33 North, Range 26 EWM; thence West to the Southwest corner of Lot 22, Plat of

the Sunshine Orchard Tracts, which is also the True Point of Beginning. The parcel described contains approximately 582 acres, more or less.

AIRPORT DEVELOPMENT (AP) DISTRICT

(Supplemental Map VII)

Described As Follows: Beginning at a point which is 130 feet East and S.21°21'E. 600 feet more or less from the Northwest corner of the Northeast 1/4 of the Northeast 1/4 of Section 25, Township 34 N, Range 21 EWM, said point being on the Methow River, thence N.21°20'W. 600 feet more or less to the north line of Section 25, thence West 130 feet to the Northwest corner of the Northeast 1/4 of the Northeast 1/4 of said Section 25, thence N.00°04'50"W. 117.2 feet, thence N.18°50'02"W. 1,233.3 feet, thence N.01°58'07"E. 99.67 feet, thence N. 19°25'47"W. 776.23 feet to the north line of the airport property, thence N.73°39'36"E. 1,100 feet more or less to the centerline of the Little Barclay Ditch, thence along said centerline to the East line of Section 24, thence S.00°64'W. 171.5 feet more or less, along the east boundary line of said Section 24 to the Northeast corner of Southeast 1/4 of the Southeast 1/4 of said Section 24, thence West 161.40 feet, thence S.00°09'W. and parallel to the Easterly boundary of Section 24 746.00 feet; thence East 161.40 feet, to the Easterly boundary of said Section 24, thence S.00°09'W. along said East boundary 33.08 feet, thence East 640.95 feet, to the Westerly right-of-way of the County Road No. 9129, thence along said right-of-way S.42°23'E. 501.50 feet, thence S.08°48'E. 189.00 feet, thence S.52°30'E. 169.00 feet more or less to South line of said Section 19; thence West along the South line of said Section 19 to the Southwest corner of Section 19, thence S.00°64'W. 224.52 feet along the east boundary line of said Section 25, thence N.89°51'W. 111.81 feet, thence S.33°01'E. 74.65 feet, thence S.65°59'W. 100.00 feet to a point intersecting the Northeast line of the Twisp Intercity Airport, thence S.33°05'50"E. to the South line of Government Lot 2 of Section 30, thence West to the East bank of the Methow River, thence Northwesterly along the Methow River to the true point of beginning. ALL IN OKANOGAN COUNTY, WASHINGTON.

North 97 Rezone Legal Descriptions

The "Suburban Residential" (SR) Zone is located in Sections 4, 5, 8, 9, 16, 21, Township 40 North, Range 27 EWM, Okanogan County, State of Washington, described as follows:

BEGINNING at a point where the centerline of State Highway 97 (Ainsworth Avenue) intersects the south section line of Section 5, Township 40 North, Range 27 EWM;

Thence run northwest along the centerline of State Highway 97 (Ainsworth Avenue) 710 feet, more or less to the intersection with the centerline of County Road No. 4599, Boundary Point Road.

Thence north and east along the centerline of County Road No. 4599, 420 feet more or less, to the intersection with the certain road known as "The Drive-in Theatre Access Road."

Thence run north and east along the centerline of that certain road known as "The Drive-in Theatre Access Road," 600 feet more or less to the southeast corner of Okanogan County Tax Parcel #4027050143, of record as of 1/1/93, if said road centerline is more particularly described by metes and bounds description filed of record hereafter by a licensed surveyor. If no such metes and bounds description is so described before July 1, 1993, the boundary shall not describe said "Drive-in Theatre Access Road," but instead shall continue northwest along the centerline of State

Highway 97 from the intersection with the centerline of County Road No. 4599, Boundary Point Road 800 feet more or less and thence South 83°12'East 565 feet more or less to the southeast corner of Okanogan County Tax Parcel #4027050143, of record as of 1/1/93;

Thence North 07°34'48"East 196.02 feet;

Thence South 88°09'East 25.25 feet;

Thence North 0°16'West 1,060 feet, more or less, to a point on the west property boundary line of Lot 10 Boundary Orchard Estates, approximately 20 feet North of the Southwest corner of said lot;

Thence run West approximately 192.94;

Thence North 0°18'46"West a distance of 818.12 feet, more or less, to the ordinary high water mark of Lake Osoyoos;

Thence run South and East along the ordinary high water mark of Lake Osoyoos to the southeast corner of Government Lot 2, Section 21, Township 40 North, Range 27 EWM;

Thence run West along the north line of the northwest quarter of the southeast quarter, Section 21, Township 40 North, Range 27 EWM to a point located 890 feet, more or less, East of the northwest corner of the southeast quarter, S21, T40, R27 EWM;

Thence South 429 feet, more or less, to the east right of way line of the vacated portion of County Road No. 4581 Westside-Osoyoos Road (Huntington Blvd), (vacated 5-3-54 Commissioners Proceedings Volume M, Page 544).

Thence run Southwest 60 feet, across and perpendicular to, the county road to the west right-of-way line of vacated County Road No. 4581 and proceed Southeasterly along east line of Lots 6 and 4 Grandview Acres to the southeast corner of Lot 4 of Grandview Acres;

Thence run 358 feet, more or less, North 89°39'West to the centerline of County Road No. 4581 Westside-Osoyoos Road (Huntington Blvd);

Thence run North and Northwest along the centerline of said County Road No. 4581 to the northeast corner of Lot 47 Work's Ideal Homes Long Plat.

Thence run South 78°50'West 1,120.6 feet along the north boundary of same said Lot 47 to the centerline of State Highway 97 (Ainsworth Avenue).

Thence run Northwest along the centerline of State Highway 97 to the POINT OF BEGINNING.

The "Commercial" (C) Zone is located in portions of Sections 4, 5, 8, 9, and 21, Township 40 North, Range 27 EWM, Okanogan County, State of Washington, in two distinct parcels the first of which is described as follows:

BEGINNING at a point where the centerline of State Highway 97 (Ainsworth Avenue) intersects the south section line of Section 5, Township 40 North, Range 27 EWM;

Thence run northwest along the centerline of State Highway 97 (Ainsworth Avenue) 710 feet, more or less to the intersection with the centerline of County Road No. 4599, Boundary Point Road.

Thence north and east along the centerline of County Road No. 4599, 420 feet more or less, to the intersection with the certain road known as "The Drive-in Theatre Access Road."

Thence run north and east along the centerline of that certain road known as "The Drive-In Theatre Access Road," 600 feet more or less to the southeast corner of Okanogan County Tax Parcel #4027050143, of record as of 1/1/93, if sad road centerline is more particularly described by metes and bounds description filed of record hereafter by a licensed surveyor. If no such metes and bounds description is so described before July 1, 1993, the boundary shall not describe said "Drive-In Theatre Access Road," but instead shall continue northwest along the centerline of State Highway 97 from the intersection with the centerline of County Road No. 4599, Boundary Point Road 800 feet more or less and thence South 83°12'East 565 feet more or less to the southeast corner of Okanogan County Tax Parcel #4027050143, of record as of 1/1/93;

Thence North 07°34'48"East 196.02 feet;

Thence South 88°09'East 25.25 feet;

Thence North 0°16'West 1,060 feet more or less, to a point on the west property boundary line of Lot 10 Boundary Orchard Estates, approximately 20 feet North of the Southwest corner of said lot;

Thence run West approximately 192.94 feet to another point;

Thence North 0°16'West a distance of 818.12 feet, more or less, to the ordinary high water mark of Lake Osoyoos;

Thence run North and West along the Ordinary high water mark of Lake Osoyoos to the international boundary and the Northeast corner of Government Lot 2, Section 5, Township 40 North, Range 27 EWM;

Thence run West along the international boundary and along the north line of Government Lots 2 and 3, Section 5, Township 40 North, Range 27 EWM 2,000 feet more or less to a point on said northline of said Government Lot 3, 225 feet East of the northeast corner of Government Lot 4;

Thence run Southeasterly in a straight line to a point on the east line of Government Lot 3, 213 feet North of the southeast corner of said Government Lot 3;

Thence run South 0°22'31" East to the southwest corner of the northwest quarter of the northeast quarter, Section 8, Township 40 North, Range 27 EWM;

Thence run East along the south line of said northwest quarter of the northeast quarter to the centerline of State Highway 97;

Thence run northwest along said centerline to the POINT OF BEGINNING.

The second, distinct parcel within the "Commercial" (C) Zone is described as follows:

BEGINNING at a point where the centerline of the Westside Osoyoos Road No. 4581 intersects the North line of the Northwest quarter of the Southeast quarter of Section 21, Township 40 North, Range 27 EWM;

Thence run West along said North line to the northwest corner of the Southeast quarter of Section 21, Township 40 North, Range 27 EWM;

Thence run South along West line of said Southeast quarter of Section 21, Township 40 North, Range 27 EWM to the centerline of Tom Dull Road No. 4585 and continue along said centerline to the South line of said Southeast quarter of Section 21, Township 40 North, Range 27 EWM;

Thence run East 1,090 feet, more or less, to the Southeast corner of Lot 2 Grandview Acres, Section 21, Township 40 North, Range 27 EWM;

Thence run North along East line of said Lot 2 Grandview Acres, Section 21, Township 40 North, Range 27 EWM to the Southeast corner of Lot 4 of Grandview Acres;

Thence run 310 feet, more or less, North 89°39'West to the centerline of County Road No. 4581 (Huntington Blvd);

Thence run North and Northwest along said centerline of said County Road No. 3581 to the POINT OF BEGINNING,

Except the following parcel which is incorporated into the City of Oroville, Washington:

That portion of Lots 2, 3, and 4 of Grandview Acres, according to plat recorded in Book B of Plats, page 37, records of the Auditor of Okanogan County, Washington, described as follows: Commencing at the southwest corner of said Lot 2, Grandview Acres, thence South 89°39'East a distance of 156.3 feet; thence South 0°21'West a distance of 25 feet; thence South 89°39'East a distance of 88.4 feet; thence North 13°46, West a distance of 154.7 feet to THE POINT OF BEGINNING; thence North 36°59'West along and coinciding with the northeasterly right-of-way line of the State Highway a distance of 399.86 feet; thence North 89°19'East a distance of 201.3 feet to the westerly right-of-way line of the County Road; thence South 7°02'East along and coinciding with said right-of-way line, a distance of 323.95 feet to the POINT OF BEGINNING; EXCEPT that portion thereof as may have been conveyed for highway or road purposes.

The "Agricultural Residential" (AR) Zone is contained in portions of Sections 5, 8, 9, 17, 18, and 21, Township 40 North, Range 27 EWM, Okanogan County, State of Washington, in two distinct parcels the first of which is described as follows:

BEGINNING at a point on the international boundary and along the north line of Government Lot 3, Section 5, Township 40 North, Range 27 EWM, 225 feet, more or less, East of the northeast corner of Government Lot 4;

Thence run southeasterly in a straight line to a point on the east line of Government Lot 3, 213 feet North of the southeast corner of said Government Lot 3;

Thence run South 0°22'31"East 213 feet, more or less, to the southeast corner of Government Lot 3;

Thence run West along the south line of Government Lots 3 and 4 to the Southwest corner of Government Lot 4;

Thence run North along the west line of Government Lot 4 to the Northwest corner of the same said Lot and the international border;

Thence run East along the northline of Government Lots 3 and 4 and the international border to the POINT OF BEGINNING.

The second parcel within the "Agricultural Residential" (AR) Zone is described as follows:

BEGINNING at the Northwest corner of Section 21, Township 40 North, Range 27 EWM;

Thence run South along the west section line of Section 21 to the Southwest corner of the Northwest quarter of the Northwest quarter, Section 21, Township 40 North, Range 27 EWM;

Thence run East along the south line of said Northwest quarter of the Northwest quarter to the southeast corner of the same said quarter;

Thence run South 2,640, more or less, feet to the southwest corner of the northeast quarter of the southwest quarter, Section 21, Township 40 North, Range 27 EWM;

Thence run East to the centerline of Tom Dull Road No. 4585;

Thence run North and West along the centerline of said county road to the intersection with the East line of the northeast quarter of the southwest quarter, Section 21, Township 40, Range 27 EWM;

Thence run North along the same East line to the center of Section 21 Township 40, Range 27 EWM;

Thence run East to the centerline of Westside Osoyoos Road No. 4581 (Huntington Blvd);

Thence run North and West along the centerline of same said Road No. 4581 to a point east of the Northeast corner of Lot 47 Work's Ideal Homes Long Plat;

Thence run South 78°50'West 1,120.6, more or less, feet along the north boundary line of the same said Lot 47 to a point where the line intersects the centerline of State Highway 97 (Ainsworth Avenue);

Thence run North and West along the centerline of State Highway 97 (Ainsworth Avenue) to the intersection with the north line of the southwest quarter of the northeast quarter, Section 8, Township 40 North, Range 27 EWM;

Thence run West to the northwest corner of same said southwest quarter of the northeast quarter;

Thence run South 3,960 feet, more or less, to the southwest corner of the southeast quarter of the southeast quarter, Section 8, Township 40 North, Range 27 EWM;

Thence run East 50 feet, more or less, to the northwest corner of the northeast quarter of the northeast quarter, Section 17, Township 40 North, Range 27 EWM;

Thence run South along the east line of the same said quarter to the southeast corner of the northeast quarter of the northeast quarter, Section 17, Township 40 North, Range 27 EWM;

Thence run East along the north line of the Southeast quarter of the northeast quarter, Section 17, Township 40 North, Range 27 EWM, to the intersection of the north line of the same said quarter and the canal of the Oroville-Tonasket Irrigation District;

Thence run South and East along the same said canal to the intersection of the canal and the east line of the Southeast quarter of the northeast quarter, Section 17, Township 40 North, Range 27 EWM;

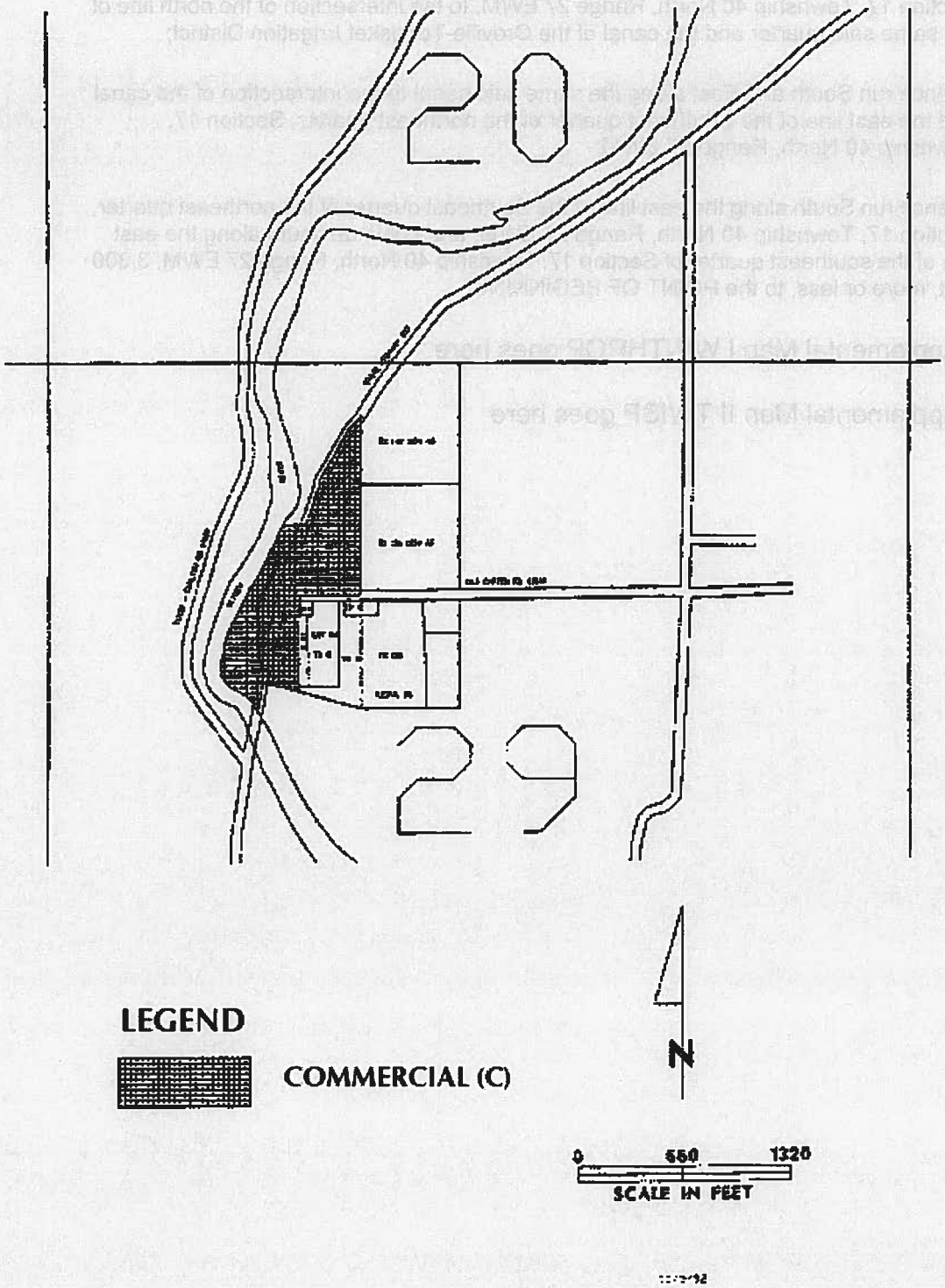
Thence run South along the east line of the Southeast quarter of the northeast quarter, Section 17, Township 40 North, Range 27 EWM, and continue south along the east line of the southeast quarter of Section 17, Township 40 North, Range 27 EWM, 3,300 feet, more or less, to the POINT OF BEGINNING.

Supplemental Map I WINTHROP goes here

Supplemental Map II TWISP goes here

CARLTON

SUPPLEMENTAL MAP III



MAZAMA CORE*

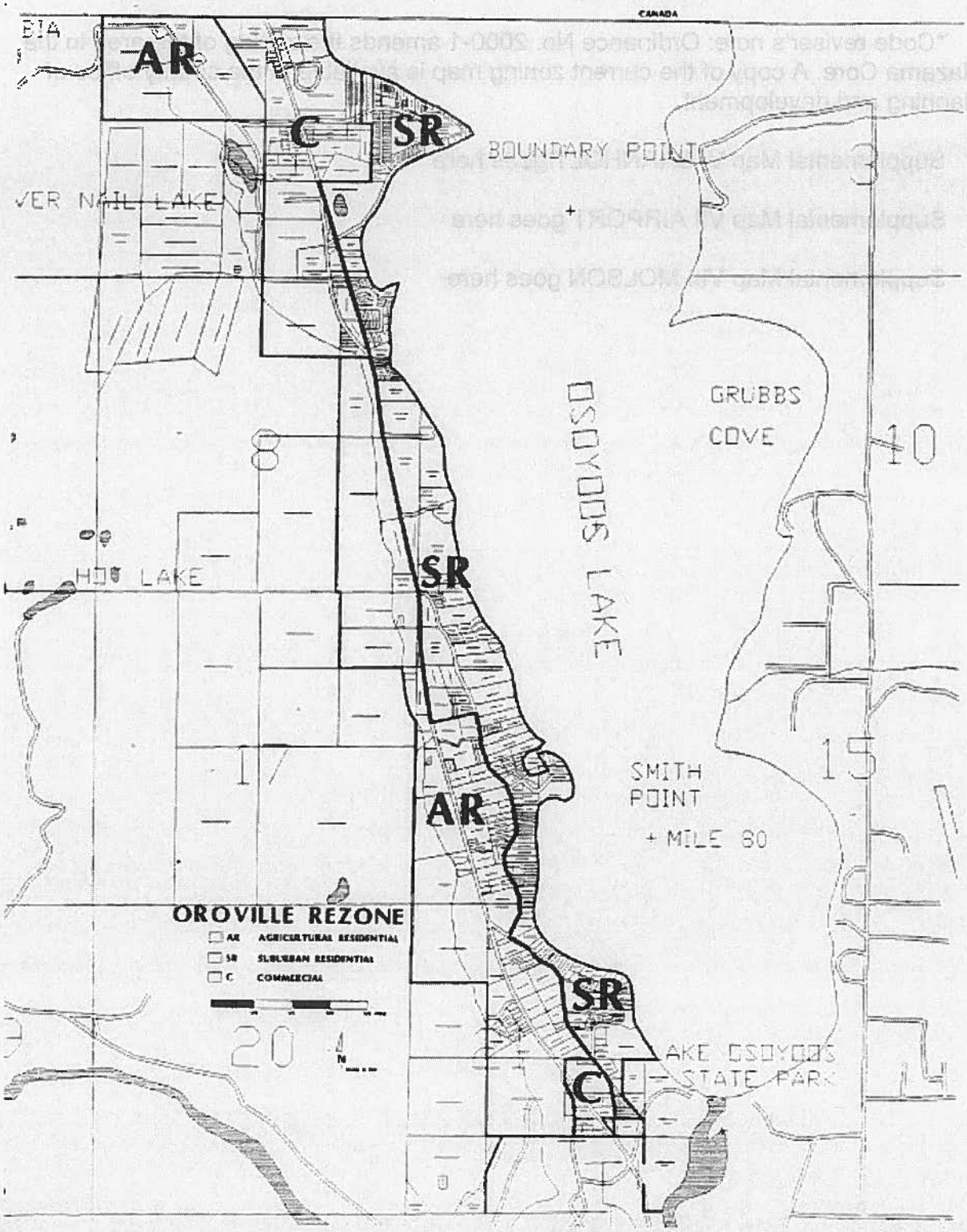
*Code reviser's note: Ordinance No. 2000-1 amends the zoning of the area in the Mazama Core. A copy of the current zoning map is available at the county office of planning and development.

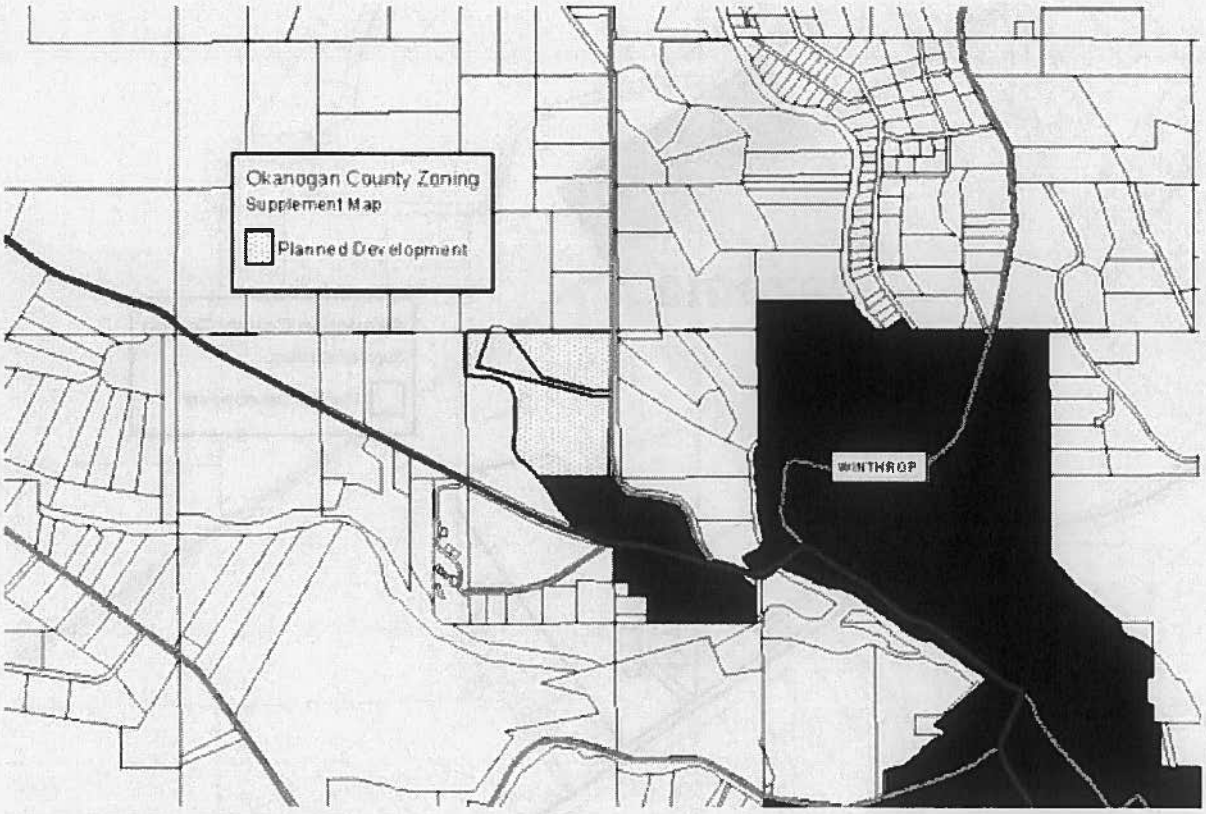
Supplemental Map VI BARNHOLT goes here

Supplemental Map VII AIRPORT goes here

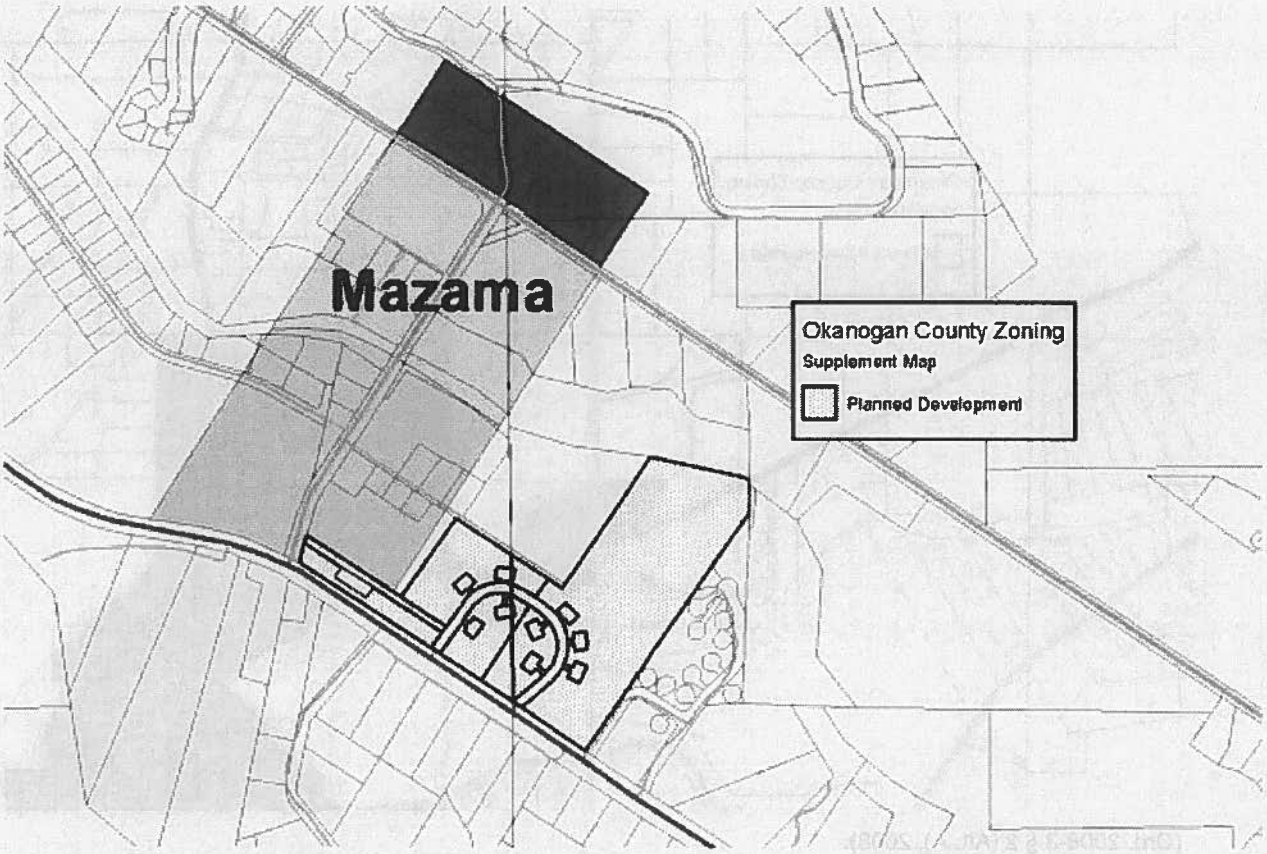
Supplemental Map VIII MOLSON goes here

OROVILLE REZONE SUPPLEMENTAL MAP IX





(Ord. 2008-3 § 2 (Att. A), 2008).



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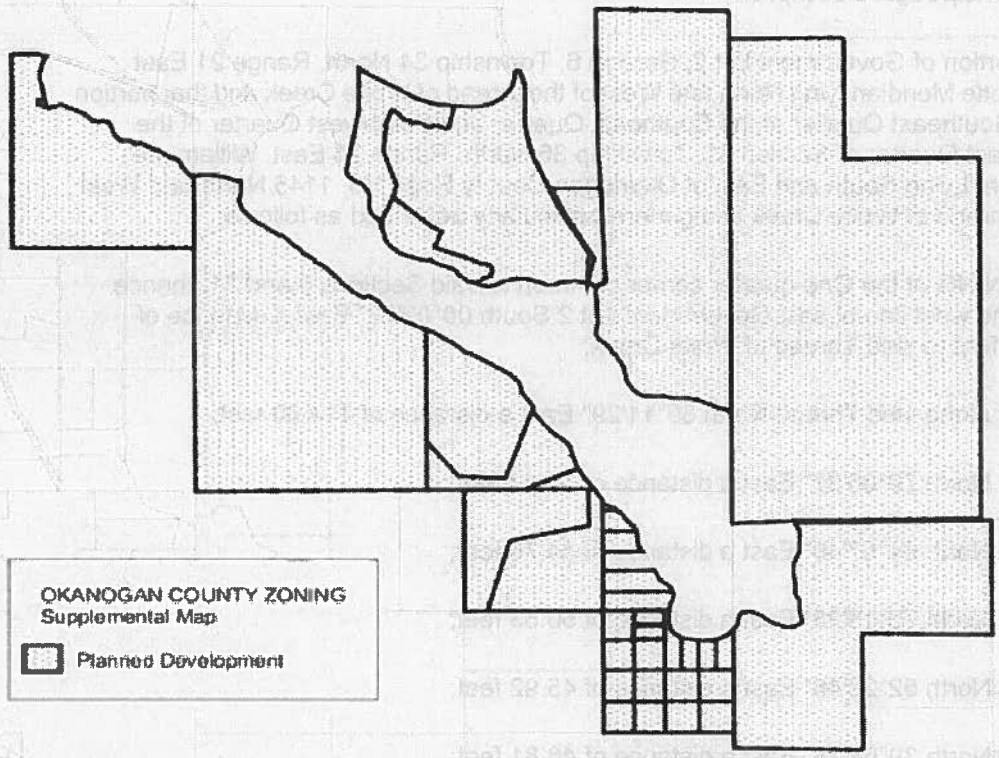
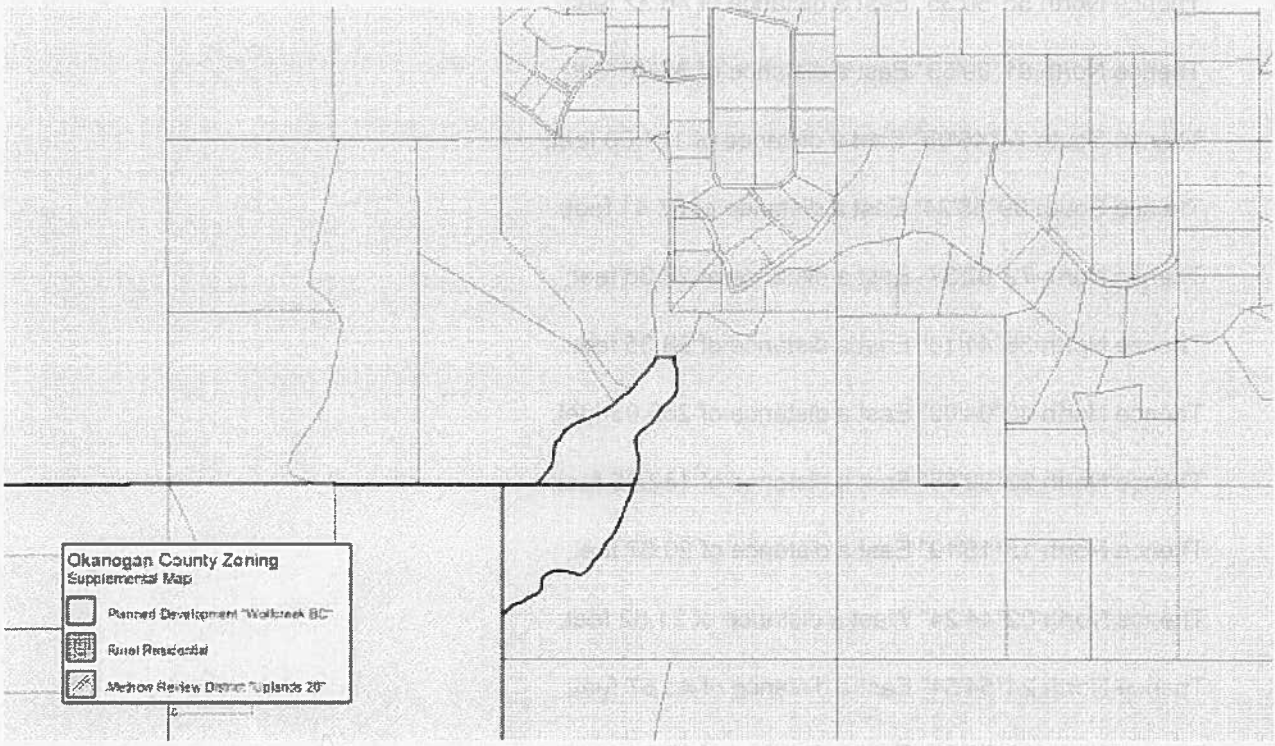


(Ord. 2010-4 § 2 (Att. A), 2010).



Zone MapLegal Description

That portion of Government Lot 2, Section 6, Township 34 North, Range 21 East Willamette Meridian lying North and West of the thread of Wolfe Creek and that portion of the Southeast Quarter of the Southeast Quarter and Southwest Quarter of the Southeast Quarter of Section 31, Township 35 North, Range 21 East, Willamette Meridian, Lying South and East of Okanogan County Road No. 1145 North and West of the thread of Wolfe Creek being more particularly described as follows;

BEGINNING at the One-quarter corner common to said Sections 6 and 31, thence along the west line of said Government Lot 2 South 00°02'23" East a distance of 897.15 feet to said Thread of Wolfe Creek;

Thence along said Thread North 89°11'29" East a distance of 114.60 feet;

Thence North 79°00'37" East a distance of 37.62 feet;

Thence North 64°57'40" East a distance of 44.76 feet;

Thence North 73°18'25" East a distance of 50.53 feet;

Thence North 52°28'48" East a distance of 45.92 feet;

Thence North 39°04'25" East a distance of 46.81 feet;

Thence North 23°22'40" East a distance of 109.30 feet;

Thence North 55°50'35" East a distance of 46.32 feet;

Thence North 81°39'55" East a distance of 35.07 feet;

Thence South 74°45'05" East a distance of 121.58 feet;

Thence South 89°55'24" East a distance of 67.41 feet;

Thence North 72°02'37" East a distance of 28.36 feet;

Thence North 36°41'10" East a distance of 58.35 feet;

Thence North 43°04'09" East a distance of 266.03 feet;

Thence North 29°32'55" East a distance of 182.05 feet;

Thence North 13°15'19" East a distance of 20.67 feet;

Thence North 02°44'24" West a distance of 21.62 feet;

Thence North 24°54'54" East a distance of 48.57 feet;

Thence North 30°38'10" East a distance of 37.74 feet;

Thence North 24°30'18" East a distance of 70.90 feet;

Thence North 62°45'52" East a distance of 48.44 feet;

Thence North 35°01'31" East a distance of 61.85 feet;

Thence North 03°14'22" East a distance of 113.06 feet;

Thence North 06°48'16" West a distance of 170.30 feet;

Thence North 15°18'55" West a distance of 74.29 feet;

Thence North 34°13'53" East a distance of 217.01 feet;

Thence North 43°15'41" East a distance of 45.60 feet;

Thence North 31°04'58" East a distance of 49.20 feet;

Thence North 44°34'30" East a distance of 77.50 feet;

Thence North 36°33'11" East a distance of 45.19 feet;

Thence North 36°33'11" East a distance of 22.33 feet;

Thence North 22°33'27" East a distance of 115.92 feet;

Thence North 08°44'58" West a distance of 132.78 feet;

Thence North 00°01'53" East a distance of 57.98 feet;

Thence North 42°14'25" East a distance of 49.69 feet to the south line of the North 304.82 feet;

Thence along said south line South 89°43'43" West a distance of 72.22 feet to the West line of said Southeast Quarter of the Southeast quarter;

Thence continuing along said South line of said 304.82 feet South 89°43'43" West a distance of 121.49 feet to the centerline of said Okanogan County road No. 1145;

Thence along said centerline South 19°21'31" West a distance of 93.61 feet;

Thence South 38°11'44" West a distance of 73.22 feet;

Thence South 43°05'59" West a distance of 74.12 feet;

Thence South 36°06'51" West a distance of 75.82 feet;

Thence South 44°48'23" West a distance of 53.59 feet;

Thence South 52°42'50" West a distance of 69.76 feet;

Thence South 53°40'03" West a distance of 107.79 feet;

Thence South 58°08'22" West a distance of 83.92 feet;

Thence South 65°23'11" West a distance of 72.26 feet;

Thence South 67°31'55" West a distance of 77.81 feet;

Thence South 67°21'18" West a distance of 61.44 feet;

Thence South 59°50'56" West a distance of 74.02 feet;

Thence South 46°37'18" West a distance of 55.76 feet;

Thence South 31°46'29" West a distance of 81.63 feet;

Thence South 17°34'06" West a distance of 47.20 feet;

Thence South 05°14'36" West a distance of 55.38 feet;

Thence South 04°33'55" West a distance of 37.78 feet;

Thence South 13°02'21" West a distance of 36.24 feet;

Thence South 29°43'40" West a distance of 38.45 feet;

Thence South 38°06'09" West a distance of 89.82 feet;

Thence South 38°53'16" West a distance of 84.52 feet to the Section line common to said Sections 6 and 31;

Thence along said line South 89°40'37" West a distance of 273.83 feet to the POINT OF BEGINNING containing 27.16 acres more or less.
(Ord. 2013-11 § 2 (Att. A), 2013).

Okanogan County Commissioners
Ordinance No. 2015 - 2

AMENDING OKANOGAN COUNTY'S ZONE MAP FOR WALKING D REZONE CODE AMENDMENT 2014-3

SECTION 1: FINDINGS AND RECITALS

Whereas, the comprehensive plan designation is "Rural Resource".

Whereas, the current zone designation is "Methow Review District – Uplands 20" and the proposed zone designation is "Methow Review District – Valley Floor 12,500".

Whereas, the applicant proposes a rezone in order to establish future residential development of various family members while retaining an existing agricultural field.

Whereas, this rezone application was processed in accordance with OCC 17.37 "Amendment of Zone Code".

Whereas, the Okanogan County SEPA Responsible Official issued a final determination of non-significance in accordance with OCC 14.04 "Environmental Policy".

Whereas, the Okanogan County Hearing Examiner conducted an open record public hearing. The Hearing Examiner approved the rezone application but lacks authority to amend the County's zone map.

Whereas, the Board of County Commissioners conducted a closed record public hearing at which time they considered the decision of the Hearing Examiner.

SECTION 2: ZONE MAP AMENDMENT

Be it therefor ordained, the Board of Okanogan County Commissioners do hereby approve amendments to the official Okanogan County Zoning Map as shown in Attachment A. This decision is supported by findings of fact (Attachment B) and conclusions of law (Attachment C).

DATED at Okanogan, Washington this 3rd day of February, 2015.

BOARD OF COUNTY COMMISSIONERS
OKANOGAN, WASHINGTON

COUNTY COMMISSIONERS SEAL OKANOGAN CO., WASHINGTON

Jim DeTro, Chairman

Ray Campbell, Vice Chairman

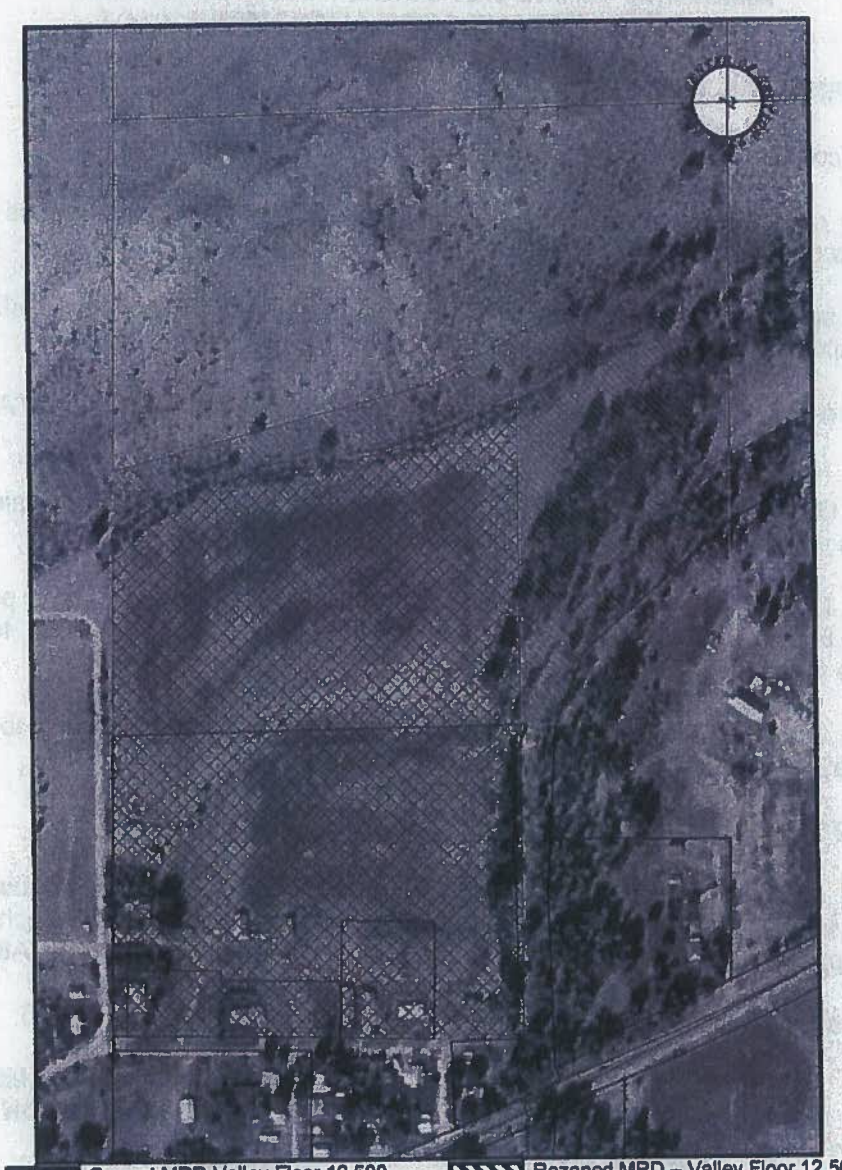
Sheilah Kennedy, Member

ATTEST:

Lalena Johns, Clerk of the Board

Attachment A

Zone Map



Current MRD Valley Floor 12,500 Rezoned MRD – Valley Floor 12,500

Legal Description

Okanogan County Interim Zone Code - Appendix
VICINITY OF TWISP

The Zoning Map creates one Industrial (I) District, one Methow Review District 1 Dwelling Unit Per Acre (MRD 1) and one Methow Review District 12,500 square feet per dwelling unit (MRD 12,500).

The Methow Review District 12,500 square feet (MRD 12,500) is located adjacent to and northerly of the Town of Twisp, further described as:

Beginning at a point on the Twisp city limits being the NW corner of the SE 1/4 of the SE 1/4 of Sec. 7, Twp. 33 N., Rge. 22 EWM; thence easterly following the Twisp city boundary; thence north following the Twisp Town boundary to the high water mark of the Methow River; thence due west 1,500 feet more or less to a dirt road following the base of the hill; thence southeasterly along said dirt road to the Twisp city limits; thence east to the point of beginning. Together with that part of the Northwest quarter of the Southeast quarter of Section 7, Township 33 North, Range 21 East, W.M., Okanogan County Washington, and being more particularly described as follows: Commencing at the Southeast corner of said Northwest quarter of the Southeast quarter of said Section 7; Thence North 89°23'44" West along the South line of said subdivision for a distance of 440.79 feet more or less to an existing dirt road and the TRUE POINT OF BEGINNING; Thence from said point of Beginning, continuing along said South line North 89°23'44" West for a distance of 125.67 feet; Thence leaving said South line North 14°45'16" West for a distance of 687.30 feet; Thence North 27°35'07" West for a distance of 635.22 feet; Thence North 87°45'40" East for a distance of 651.10 feet to the centerline of the high water canal for the Methow River, said centerline being the Southwesterly boundary of Parcel "C" of the Thomas Parcels as shown in Book "E" of Surveys at page 169, recorded under auditor's file No.701796, records of the Okanogan County, Washington; Thence South 41°25'33" East along said Southwesterly boundary for a distance of 325.61 feet; Thence South 68°21'33" East along said Southwesterly boundary for a distance of 164.92 feet to the East line of said Northwest quarter of the Southeast quarter; Thence along said East line South 00°58'41" East for a distance of 78.24 feet to the high water mark of said high water canal. Thence North 90°00'00" West for a distance of 700.80 feet more or less to said existing dirt road; Thence Southeasterly, along said dirt road, to the South line of said Northwest Quarter of the Southeast quarter and the Point of Beginning;

Attachment B

The following are findings of fact:

1) A complete application for an amendment to Okanogan County's Zone Map has been submitted by Walking D, Inc. The application was vested on March 24, 2014 as "Walking D – Rezone, Code Amendment 2014-3".

2) The subject property is a portion of a lot which is identified by tax parcel number 3322070184. The physical address is 530 Peters Road, Twisp, Washington.

3) The comprehensive plan designation is "Rural Resource" although the comprehensive plan designation at the time of application was "Methow Valley Sub Unit C".

4) The current zone designation is "Methow Review District – Uplands 20". The proposed zone designation is "Methow Review District – Valley Floor 12,500".

5) Applications for zone map amendments are processed in accordance with OCC 17.37 "Amendment of Zoning Code".

6) During the review process for this application, the Okanogan County completed an update of the County-wide Comprehensive Plan, including adoption of a new comprehensive plan and interim zone code. Adoption occurred December 22, 2014. This application was submitted on March 28, 2014. This application is vested in the rules in place at the time of application.

7) On March 28, 2014 a complete application for a rezone was received and vested.

8) On April 8, 2014 the threshold SEPA determination was issued.

9) On April 8, 2014 notice of application and threshold SEPA determination was mailed to adjacent landowners and commenting agencies for their respective review and comment.

10) On April 9, 2014 notice of application and threshold SEPA determination was published in the Omak Chronicle (Okanogan County's periodical of record) and Methow Valley News.

11) On April 23, 2014 the SEPA comment period ended.

12) On May 9, 2014 the final SEPA determination was issued.

13) On May 12, 2014 notice of public hearing and final SEPA determination was forwarded to commenting agencies, adjacent landowners, and interested parties of record for their respective.

14) On May 14, 2014 notice of public hearing and final SEPA determination was published in the Omak Chronicle (Okanogan County's periodical of record) and Methow Valley News.

15) On May 29, 2014 the SEPA appeal period ended. No appeals were received.

16) By no later than June 16, 2014, 3 notices of public hearing must be posted on and near the property. This did occur. An affidavit of public notice has been submitted into the record for this application.

17) On June 26, 2014 the Okanogan County Hearings Examiner conducted a public hearing for this project. At this hearing, public was given opportunity to enter testimony and written comments into the record.

18) At the hearing Judy McBride, Secretary-Treasurer of Walking D, Inc. and Ken Doran, President of Walking D, Inc. testified on behalf of the applicant, testifying about the general nature of the rezone request indicating it was their intention to match the boundary of the MRD Valley Floor 12,500 zone boundary with that of an existing conservation easement covering the bulk of the property. They testified further that they had not submitted any development proposals to the County nor did they expect to in the near term.

19) At the hearing, Leah Swayze submitted a letter dated June 24, 2014 in opposition to the rezone proposal. She also testified orally as to her concerns with the rezone, stating that she did not think the rezone would be consistent with the MRD comprehensive plan, but offered no analysis as to how she arrived at that conclusion.

20) All testimony was taken under oath

21) The entire planning department file was entered into the record.

22) In order for the Hearing Examiner to approve the rezone, it must be found to be consistent with the MRD Comprehensive Plan.

23) The planning department file includes many letters and emails generally in opposition to the rezone. However, those letters cite issues, such as traffic, road improvements, domestic water, storm drainage, geologic hazards, and wetlands, that are more properly addressed at the time of submittal of a development proposal. Many of them cited faults with the SEPA DNS, but that process is final and no appeal was filed.

24) The subject property is identified in the MRD Comprehensive Plan (MRDCP) as a portion of Subunit C.

25) Sub units B and C are described in the MRDCP as "...less environmentally fragile areas and have more 'usable' land. Both areas are close enough to potential growth areas that development impacts will be felt."

26) There is very little in the way of site selection criteria in the MRDCP and none at all in the County Zoning regulations. The following passages from the MRDCP give some general guidance: "Policy 1. Encourage residential and second home developments to locate in proximity of existing community facilities and service." "Zoning should be flexible, insofar as undeveloped areas are concerned."

27) The Hearing Examiner lacks authority to approve amendments to the official Okanogan County zone map.

28) The record from the Hearing Examiner was forwarded to the Board of Okanogan County Commissioners.

29) On July 28, 2014 the Board of Okanogan County Commissioners conducted a closed record public hearing in order to determine whether a rezone to Planned Development is appropriate. During this hearing, the Commissioners reviewed the application along with the exhibits and decision of the Hearing Examiner. At the conclusion of this closed record public hearing, the Board of Okanogan County Commissioners approved the rezone and ordered preparation of and ordinance formalizing their decision. The Board of Okanogan County Commissioners acknowledged the applicant is responsible for providing Okanogan County with an accurate legal description prepared by a licensed professional land surveyor.

Attachment C

The following are conclusions of law:

1) An application was submitted by Walking D, Inc. in order to rezone property to Methow Review District – Valley Floor 12,500 in order to accommodate future residential development of various family members. This application was deemed complete.

2) The Comprehensive Plan designation, at the time of application, is "Methow Valley Sub unit C". The proposal to amend Okanogan County's zone map, designating the subject property as "Methow Review District – Valley Floor 12,500", is consistent with the MRDCP. The MRDCP suggests that zoning should be "flexible" and residential development should be directed towards existing community facilities and services, such as the areas surrounding incorporated towns, like Twisp. It is the opinion of the Hearing Examiner, that the MRDCP, in take in its totality, supports the proposed rezone.

3) During the review process for this application, the Okanogan County completed an update of the County-wide Comprehensive Plan, including adoption of a new comprehensive plan and interim zone code. Adoption occurred December 22, 2014. This application was submitted on March 28, 2014. This application is vested in the rules in place at the time of application.

4) The purpose of the rezone application is consistent with the Okanogan County Zone Code, specifically OCC 17.14 "Methow Review District".

5) A final SEPA Determination of Non-Significance (DNS) was issued by the Okanogan County SEPA responsible official in accordance with OCC 14.04 "Environmental Policy". All comments received during the comment period were evaluated for consideration of the final SEPA determination. The final SEPA determination was not appealed and is final.

6) Comments from the public and state, federal, and local agencies were received, reviewed, and considered in analysis of this proposal. Those that were directed towards future development proposals were not considered relevant in the context of compliance with the MRDCP.

7) No comments or testimony was received citing any part of the MRDCP or the Countywide Comprehensive Plan that would prohibit this rezone.

8) The conditions imposed are not unnecessarily onerous. The conditions imposed will protect public health, safety, morals, and general welfare.

9) All procedural application review requirements have been met thus far in accordance with OCC 17.37 "Amendment of Zoning Code".

10) The hearing examiner is of the firm conviction that the boundary of the WDFW conservation easement is a logical boundary of the Valley Floor 12,500 zone.

11) The Board of Okanogan County Commissioners support the hearing examiner's decision and perfect the rezone by amending Okanogan County's zone map

Okanogan County
Ordinance No.2015 - 1

AMENDING OKANOGAN COUNTY'S ZONE MAP FOR STRONG REZONE – CODE AMENDMENT 2014-4

SECTION 1: FINDINGS AND RECITALS:

WHEREAS, the applicant proposes a rezone in order to accommodate future development.

WHEREAS, THIS rezone application was processed in accordance with OCC 17.37 "Amendment of Zoning Code".

WHEREAS, the comprehensive plan designation is "Rural".

WHEREAS, the current zone designation is "Rural 1" and the proposed zone designation is "Suburban Residential".

WHEREAS, the Okanogan County SEPA Responsible Official issued a final determination of non-significance in accordance with OCC 14.04 "Environmental Policy".

WHEREAS, the Okanogan County Hearing Examiner conducted an open record public hearing. The Hearing Examiner approved the rezone application but lacks authority to amend the County's zone map.

WHEREAS, the Board of County Commissioners conducted a closed record public hearing at which time they considered the decision of the Hearing Examiner.

SECTION 2: ZONE MAP AMENDMENT:

BE IT THEREFOR ORDAINED, the Board of Okanogan County Commissioners do hereby approve amendments to the official Okanogan County Zoning Map as shown in Attachment A. This decision which is supported by findings of fact (Attachment B) and conclusions of law (Attachment C).

DATED at Okanogan, Washington this 5th day of January, 2015.

BOARD OF COUNTY COMMISSIONERS
OKANOGAN, WASHINGTON

Jim DeTro, Chairman

Ray Campbell

Ray Campbell, Vice-Chairman

Sheilah Kennedy

Sheilah Kennedy, Member

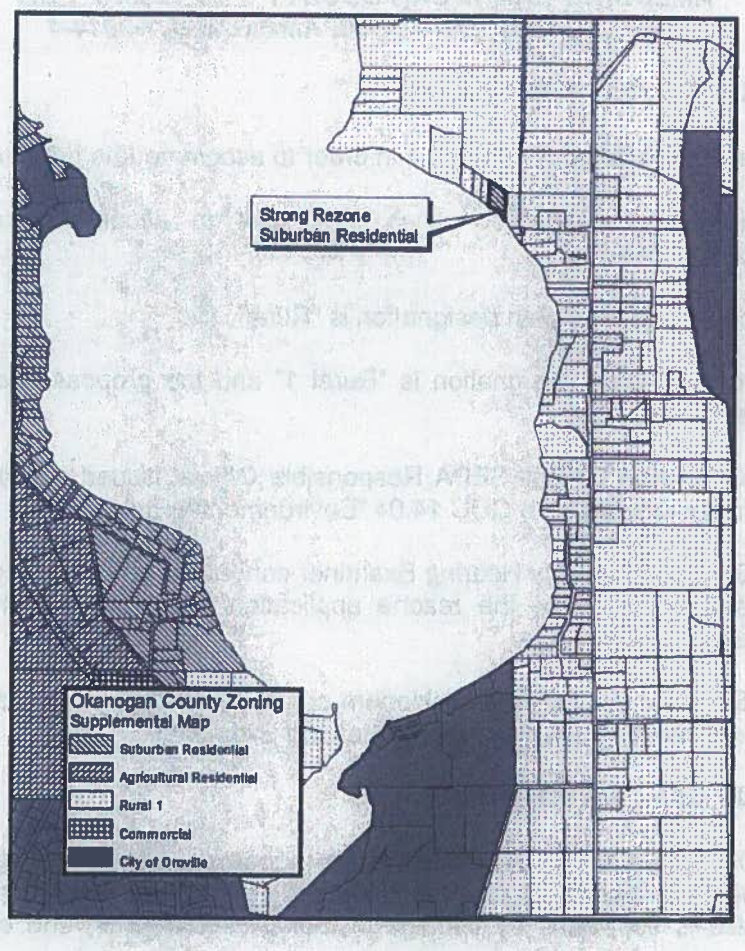
COUNTY COMMISSIONERS SEAL OKANOGAN CO., WASHINGTON

ATTEST:

Laleña Johns, Clerk of the Board

Attachment A

Zone Map



Legal Description

A part of Lot 13, Okanogan Smith Irrigated Tracts, according to the official plat thereof, as recorded in Book D, page 35 of plats in the office of the Auditor of Okanogan County, State of Washington, described as follows:
COMMENCING at the Northwest corner of Lot F, said Okanogan Smith Irrigated Tracts;
Thence North 88° 41′ 30″ West a distance of 149.0 feet;
Thence North 57° 40′ 00″ West a distance of 200 feet and the TRUE POINT OF BEGINNING;
Thence South 01° 18′ 30″ West a distance of 235.63 feet to the shoreline of Osoyoos Lake;
Thence South 57° 40′ 00″ East along said shoreline a distance of 95.29 feet;
Thence South 57° 40′ 00″ East a distance of 148.29 feet along said shoreline;
Thence North 01° 18′ 30″ East a distance of 299.75 feet;
Thence North 57° 40′ 00″ West a distance of 200 feet, more or less, to the TRUE POINT OF BEGINNING.

AND ALSO subject to and with a non-exclusive easement for ingress and egress, said easement being a 30 foot strip of land lying 15.00 feet on each side of a line beginning at a point on the East boundary line of said Lot 13;
Whence the Northeast corner of said Lot 13 bears North 01° 18′ 30″ East a distance of 266.50 feet;
Thence running South 01° 18′ 30″ West a distance of 1640.01 feet;

Thence North 88° 41′ 30″ West a distance of 188.04 feet;
Thence North 57° 40′ 00″ West a distance of 436.94 feet.

Also identified by tax parcel number 6400330012.

Attachment B

The following are findings of fact:

1) An application for an amendment to Okanogan County's Zone Map has been submitted by Troy Strong. The application title and project number is "Strong Rezone, Code Amendment 2014-4".

2) The subject property 1.18 acres identified by tax parcel number 6400330012. The physical address is 35 Big Time Drive, Oroville, WA.

3) The comprehensive plan designation is "Rural" although the comprehensive plan designation at the time of application was "Suburban Residential".

4) The current zone designation is "Rural 1" although the zone designation at the time of application was "Minimum Requirement". The proposed zone designation is "Suburban Residential".

5) Applications for zone map amendments are processed in accordance with OCC 17.37 "Amendment of Zoning Code".

6) During the review process for this application, the Okanogan County completed an update of the County-wide Comprehensive Plan, including adoption of a new comprehensive plan and interim zone code. Adoption occurred December 22, 2014. This application was submitted on July 23, 2014. This application is vested in the rules in place at the time of application.

7) On July 23, 2014 a complete application for a rezone was received and vested.

8) On August 7, 2014 the threshold SEPA determination was issued.

9) On August 12, 2014 notice of application and threshold SEPA determination was mailed to adjacent landowners and commenting agencies for their respective review and comment.

10) On August 13, 2014 notice of application and threshold SEPA determination was published in the Omak Chronicle (Okanogan County's periodical of record) and the Oroville Gazette-Tribune.

11) On August 27, 2014 the SEPA comment period ended.

12) On September 3, 2014 the final SEPA determination was issued.

13) On September 8, 2014 notice of public hearing and final SEPA determination was forwarded to commenting agencies, adjacent landowners, and interested parties of record.

14) On September 10, 2014 notice of public hearing and final SEPA determination was published in the Omak Chronicle (Okanogan County's periodical of record) and the Oroville Gazette-Tribune.

15) On September 25, 2014 the SEPA appeal period ended. No appeals were received.

16) By no later than September 29, 2014, 3 notices of public hearing were be posted on and near the property. An affidavit of public notice has been submitted into the record for this application.

17) On October 9, 2014 the Okanogan County Hearings Examiner conducted a public hearing for this project. At this hearing, the public was given opportunity to enter testimony and submit written comments into the record.

18) At the hearing, Edward Cupp (agent) testified on behalf of the applicant, Troy Strong, testifying about the general nature of the rezone request. Mr. Cupp further testified that they had not submitted any development proposals to the County concurrently with the rezone application.

19) All testimony was taken under oath

20) The entire planning department file was entered into the record.

21) No members of the public were present to offer testimony either in favor of or opposed to the proposal.

22) In order for the Hearing Examiner to approve the rezone, it must be found to be consistent with the Comprehensive Plan for Okanogan County, which was adopted in 1965.

23) The Comprehensive Plan designates the subject property as Suburban Residential.

24) The Suburban Residential comprehensive plan designation is described as "...those areas which have already been developed in a residential nature, or those areas which are likely to be developed for residential use contiguous to the town and communities in the county[.]" and "[t]he suburban residential land use classification is indicated for the periphery of Oroville, Tonasket, Omak..."

25) At the hearing there was significant discussion as to whether or not approval of this rezone would constitute and illegal "spot zone." The most widely quoted definition of "spot zone" in Washington law is found in Narrowsview Preservation Association v. City of Tacoma, 84 Wn.2d 416 (1947) in which the court said "We have recently stated that illegal spot zoning is arbitrary and unreasonable zoning action by which a smaller area is singled out of a larger area or district and specially zoned for use classification totally different from and inconsistent with the classification of the surrounding land, not in accordance with the comprehensive plan."

26) The general area has been developed more consistent with the suburban residential classification than with the minimum requirement classification, which allows for a much wider range of uses.

27) It is undisputed that the small tract proposed for rezone is a small parcel surrounded by a large area of minimum requirement zoning; however, the suburban residential zone is not "inconsistent with the classification of the surrounding land" and the proposal is consistent with the comprehensive plan.

28) Planning staff testified at the hearing that when the original zoning (minimum requirement district) was established, there were no municipal water or services available and the file of record indicates those services are now available from the Town of Oroville municipality, suggesting that the time has come for the general area to be rezoned from minimum requirement district to suburban residential, based on applications received from property owners.

29) Planning staff further indicated that there is no docketed proposal for an area-wide rezone, it being the preferred policy of the County to "take them as they come" from landowners.

30) After conclusion of the public hearing, the rezone application was approved by the Okanogan County Hearing Examiner by written order dated October 13, 2014. This rezone approval is conditioned that the rezone application must be perfected by the Board of Okanogan County Commissioners amending Okanogan County's Zone Map.

31) Amendments to Okanogan County's zone map must be accomplished by ordinance of the Board of Okanogan County Commissioners. Ordinances may be approved only after a public hearing.

32) The Board of Okanogan County Commissioners conducted a closed record public hearing on November 10, 2014 in order to consider amendment of the County's official zone map in accordance with the decision of the Okanogan County Hearing Examiner. During this hearing, the record of the Hearing Examiner was entered into the record of the Board of Okanogan County Commissioners.

Attachment C

The following are conclusions of law:

1) An application was submitted by Troy Strong in order to rezone property to Suburban Residential in order to accommodate future residential development and subdivision of no more than two additional lots. This application was deemed complete.

2) The Comprehensive Plan designation, at the time of application, is "Suburban Residential". The proposal to amend Okanogan County's zone map, zoning the subject property as "Suburban Residential", is consistent with the Comprehensive Plan. The Comprehensive Plan suggests that zoning should accommodate residential development in close proximity to existing communities such as Oroville. It is the opinion of the Hearing Examiner that the Comprehensive Plan supports the proposed rezone.

3) During the review process for this application, the Okanogan County completed an update of the County-wide Comprehensive Plan, including adoption of a new comprehensive plan and interim zone code. Adoption occurred December 22, 2014. This application was submitted on July 23, 2014. This application is vested in the rules in place at the time of application.

4) The purpose of the rezone application is consistent with the Okanogan County Zone Code, specifically OCC 17.09 "Suburban Residential".

5) Comments from the public and state, federal, and local agencies were received, reviewed, and considered in analysis of this proposal.

6) No comments or testimony was received citing any part of the Comprehensive Plan that would prohibit this rezone.

7) The proposal is not an illegal "spot zone."

8) The conditions imposed are not unnecessarily onerous. The conditions imposed will protect public health, safety, morals, and general welfare.

9) All procedural application review requirements have been met thus far in accordance with OCC 17.37 "Amendment of Zoning Code".