Appendix 8: Proposed Zoning Text

Addendum

The following sections are will be added to Okanogan County's amended zone code.

Definitions
The following definitions concerning water availability will be added to the "Definitions" chapter (OCC 17A.020) of the amended zone code

- 17A.020.XXX Exempt well
  An "exempt well" is a well serving residential, landscaping, commercial/industrial and stock watering uses and is limited as authorized pursuant to RCW 90.48.050 within a "project" as outlined in the Court decision in Campbell and Gwinn v. WDOE.

- 17A.020.XXX Project
  "Project" for exempt well purposes is any division of land by short plat, subdivision or segregation of lands for the purposes of development after the adoption of RCW 90.48.050 consistent with the Court decision in Campbell and Gwinn which occurs at one time or as part of a common scheme or plan. In such cases the limitations of RCW 90.48.50 are applicable to all properties within the "project".

Agricultural Compatibility
The following section concerning agricultural compatibility will be added to the "General Provisions" chapter (OCC 17A.010) of the amended zone code

- 17A.010.XXX Agricultural Compatibility
  Counties and cities shall require that all plats, short plats, development permits, and building permits issued for development activities on, or within five hundred feet of, lands designated as agricultural lands, forest lands, or mineral resource lands, contain a notice that the subject property is within or near designated agricultural lands, forest lands, or mineral resource lands on which a variety of commercial activities may occur that are not compatible with residential development for certain periods of limited duration. The notice for mineral resource lands shall also inform that an application might be made for mining-related activities, including mining, extraction, washing, crushing, stockpiling, blasting, transporting, and recycling of minerals.

Consistency
Various edits and revisions will be made prior to adoption in order to capture accurate consistency, grammar, numbering system, format, etc. Such edits and revisions will be made to the zone code text and to the zone map. Edits and revisions made in accordance with this provision shall be for the purposes stated herein and are not intended to result in changes to actual land use regulations.

Addendum

The following sections are will be added to Okanogan County's amended zone code

Definitions

The following definitions concerning water availability will be added to the "Definitions" chapter (OCC 17A.020) of the amended zone code

- 17A.020.XXX Exempt well

An "exempt well" is a well serving residential, irrigation, commercial, industrial and stock watering uses and is limited as authorized pursuant to RCW 90.44.050within a "project" as outlined in the Court decision in Campbell and Gwinn v. WDOE

- 17A.020.XXX Project

"Project" for exempt well purposes is any division of land by short plat, subdivision or segregation of lands for the purposes of development after the adoption of RCW 90.44.050 consistent with the Court decision in Campbell and Gwinn which occurs at one time or as part of a common scheme or plan. In such cases the limitations of RCW 90.44.50 are applicable to all properties within the "project"

Agricultural Compatibility

The following section concerning agricultural compatibility will be added to the "General Provisions" chapter (OCC 17A.070) of the amended zone code

- 17A.070.XXX Agricultural Compatibility

Counties and cities shall require that all plats, short plats, development permits, and building permits issued for development activities on, or within five hundred feet of, lands designated as agricultural lands, forest lands, or mineral resource lands, contain a notice that the subject property is within or near designated agricultural lands, forest lands, or mineral resource lands on which a variety of commercial activities may occur that are not compatible with residential development for certain periods of limited duration. The notice for mineral resource lands shall also inform that an application might be made for mining-related activities, including mining, extraction, washing, crushing, stockpiling, blasting, transporting, and recycling of minerals.

Consistency

Various edits and revisions will be made prior to adoption in order to capture accurate consistency, grammar, numbering systems, forms, etc. Such edits and revisions will be made to the zone code text and to the zone map. Edits and revisions made in accordance with this provision shall be for the purposes stated herein and are not intended to result in changes to actual land use regulations.

Zoning

Okanogan County Code Title 17A

Draft: October 16, 2015

By: Okanogan County
Office of Planning and Development

Okanogan County Code – Title 17A
ZONING

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Chapter 17A.010
GENERAL PROVISIONS

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17A.010.010 Short title

This title shall be known as the "Okanogan County Zoning Code" and may also be referred to as the "Zone Code".

17A.010.020 Repealer

Okanogan County Code, Title 17 "Zoning", including any and all associated ordinances amending such code, are repealed.

17A.010.030 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 OCC 17A.340 "Amendment of Zoning Code".

17A.010.040 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 this Title, 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 OCC 17A.350 "Appeals".

A. Zoning Adjustor: The administrator is the authorized zoning adjustor pursuant to RCW 36.70.200, and in this capacity shall decide on administrative orders in accordance with OCC 17A.310 "Conditional Use Permits" and OCC 17A.320 "Variances".

17A.010.050 Relationship to subdivision and platting

Any proposed subdivision or platting action under OCC Title 16 "Subdivisions" 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.

17A.010.060 Compliance

A. Hereafter, no building or structure shall be erected, reconstructed, enlarged, or relocated, and no building, structure or premises shall be used except in compliance with the provisions of this title and then only after securing all required permits. Any building, structure or use lawfully existing at the time of passage this title, although not in compliance therewith, may be maintained as provided for in OCC 17A.330 "Legal Pre-existing Uses and Lots".
    1. Site Analysis: A site analysis application shall be processed as a zoning permit, as an administrative process in accordance with OCC Title 20 "Development Permit Procedures and Administration", and shall be used for the purpose of reviewing various development requests in order to declare whether the development is consistent with this code. The site analysis application shall be submitted for the purpose of requesting approval of a development proposal. The site analysis application may also be used for the purpose of seeking clarification of land use regulations (for informational purposes). The Planning Department may charge an application fee if so adopted by the Board of Okanogan County Commissioners as part of Okanogan County's fee schedule. The site analysis application incorporates consistency review for other regulations administered by the Okanogan County Planning Department, including but not limited to OCC Title 14 "Environment", OCC 15.08 "Floodplain Management", OCC Title 16 "Subdivisions", OCC Title 17A Zoning, OCC 18.05 "Development Agreements", and applicable State and Federal regulations.

B. The issuance of any permit or license by any department or agency of Okanogan 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.

C. Temporary emergency facilities (OCC 17A.020.860) are exempt from complying with the terms of this Title.

17A.010.070 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 OCC 14.04 "Environmental Policy". Mitigation of significant adverse impacts may be required, as a condition of project and/or land use approvals.

17A.010.080 Interpretations

The administrator shall review and resolve any questions involving the proper

interpretation or application of the provisions of this title that may be requested by any property owner, government officer, department or other person affected. The administrator's decision shall be in keeping with the spirit and intent of this title.

A. Upon application, the administrator may determine that a use not specifically named in the allowed uses of a district shall be included among the allowed uses if the use is the same general type, and is similar in nature, to the allowed uses. Said use shall be consistent with the intent, goals and policies contained within the comprehensive plan.
B. Whenever this code imposes greater restrictions than are imposed or required by other provisions of law or regulation, then the provisions of this code shall control.

17A.010.090 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, OCC 14.04 "Environmental Policy" or OCC 14.12 "Critical Areas".

17A.010.100 Establishment of zone districts and zone map

A. Zone districts: Zones districts for all of unincorporated Okanogan County shall be established, modified, and amended as provided in Chapter 36.70 RCW and Title 17A of Okanogan County Code and shall implement the goals, policies of the Okanogan County comprehensive plan. The following zone districts are established for the unincorporated boundaries of Okanogan County: Minimum Requirement (MR), Rural 1 (R1), Rural 5 (R5), Rural 20 (R20), Agriculture (AG), Agricultural Residential (AR), Suburban Residential (SR), Commercial (C), Industrial (IN), Airport Development (AD), Methow Review District (MRD), Methow Review District Valley Floor 12,500 (MRD VF12,500), Methow Review District Valley Floor 1 (MRD VF1), Methow Review District Valley Floor 5 (MRD VF5), Methow Review District Uplands 20 (MRD UL20), Rural Residential (RR), Low Density Residential (LDR), Urban Residential (UR), Neighborhood Use (NU), Special Review Commercial (SRC), Neighborhood Commercial (NC), Planned Unit Development (PUD), Planned Destination Resort (PDR). Also established for the unincorporated boundaries of Okanogan County are Airport Public Safety and Airport Safety Overly.
B. Zone map: The zoning districts established by this title are defined as shown on Okanogan County's official zoning maps, together with all the explanatory material thereon, are adopted by reference and declared to be a part of this title.
   1. The official zoning maps shall be maintained in electronic form and depicted in various formats and scales as appropriate to the need. The official zoning maps maintained by Okanogan County shall be the final authority as to the current zoning status of land.
   2. When changes are made to zone district boundaries, such changes shall be

made on the official zoning map promptly after the amendment has been approved by the Board of Okanogan County Commissioners. No changes shall be made to the official zoning map except in conformity with the procedures set forth in this title.

C. Zone district boundaries: Where uncertainty exists as to the boundaries of zoning districts as shown on the official zoning maps, the following rules shall apply:

1. Boundaries indicated as approximately following the boundaries or centerlines of streets, highways, or alleys shall be construed to follow such boundaries or centerlines;
2. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines;
3. Boundaries indicated as approximately following city limits or similar areas shall be construed as following city limits or similar areas;
4. Boundaries indicated as approximately following the boundaries or centerlines of railroad lines shall be construed to be construed to follow such boundaries or centerlines (midway between the main tracks);
5. Boundaries indicated as following floodplains, floodways and other flood prone areas, steep slopes, critical areas or shorelines shall be construed to follow such floodplains, floodways and other flood prone areas, steep slopes, critical areas or shorelines;
6. Boundaries indicated as approximately following centerlines of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such centerlines;
7. Boundaries indicated as parallel to, or extensions of, features indicated in subsections (1) through (6) of this section shall be so construed. Distances not specifically indicated on the official zoning maps shall be determined by the scale of the map;
8. Where physical or cultural features existing on the ground are at variance with those shown on the official zoning map, or in other circumstances not covered by subsections (1) through (6) of this section, the administrator shall interpret the zoning district boundaries. The interpretation of the administrator may be appealed in accordance with the provisions of this title, OCC 17A.350 "Appeals".
9. At the time of adoption of this Title, and associated zone map, it is the intent of Okanogan County for all zone boundaries to follow property lines, wherever possible. From time to time, individual property owners may pursue boundary line adjustments, in accordance with OCC Title 16, which may result in zone boundary lines which do not follow property lines. There is no additional requirement of the landowner to submit application for a rezone, in accordance with this Title, in order to reconcile zone boundaries with the adjustment of property lines.

17A.010.110 Deviation from minimum zoning standards

Modifications to density and minimum lot size beyond that which is identified within the "density" and or "minimum lot size" section of individual zone district chapters may be permitted if approved in accordance with Cluster Land Divisions (OCC Title 16

"Subdivisions") or limited divisions (OCC 17A.020.545).

17A.010.120 Notification periods

Any notification period established under the authority of this title, which expires on a county recognized non-business day, shall be extended to the close of business of the next county business day.

17A.010.130 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.

Chapter 17A.020
DEFINITIONS

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17A.020.005 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.

17A.020.010 Abatement of zoning violation

"Abatement of zoning violation" means 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.

17A.020.015 Accessory building

"Accessory building" means a building which is subordinate to a primary building and is located on the same lot or within the same project area as the primary building. Accessory dwellings are defined separately by this Chapter.

17A.020.020 Accessory use

"Accessory use" means a use of land, or activity within a structure, which is subordinate to the primary use of the land on which the accessory use is located.

17A.020.025 Acid manufacturing

"Acid manufacturing" means an industrial enterprise and associated facilities in which

the primary goal is the manufacture and/or processing of acid.

17A.020.030 Acre

"Acre" means a measurement of land surface area containing 43,560 square feet.

17A.020.035 Administrator

"Administrator" means the Okanogan County office of planning and development director or the director's designee.

17A.020.040 Adult care facility

"Adult care facility" means a group home intended for the long-term care of resident adults. The facility may or may not provide medical care and nursing staff.

17A.020.045 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.

17A.020.050 Agricultural Commodity Storage

Storage for agricultural product's to be sold or processed at a later time.

17A.020.055 Agricultural related industry

"Agricultural related industry" means those industrial uses directly related to the sorting, grading, packaging, storage, of agricultural products and/or physical or chemical alteration of agricultural products. Such industries include, but are not limited to: cold storage plants, controlled atmosphere, produce packing and processing facilities, and their accessory uses.

17A.020.060 Agriculture

"Agriculture," pertaining to farming, means the tilling of the soil, the raising of crops, forestry, horticulture, gardening, keeping or raising of livestock and poultry and any agricultural industry or business such as dairies, nurseries, wholesale greenhouses or similar uses. Farming industrial hemp is agriculture. Farming marijuana, marijuana products, and marijuana operations are not agriculture; they are defined separately by this Chapter.

17A.020.065 Air cargo terminal

"Air cargo terminal" means an airport building with facilities for receiving and distribution of express, freight, or mail carried by aircraft.

17A.020.070 Air passenger services

"Air passenger services" means that portion of an airport dedicated to passenger check-in and ticketing, cargo handling, and distribution of passenger to appropriate terminals.

17A.020.075 Aircraft fuel pump and fuel storage
"Aircraft fuel pump and fuel storage" means fuel stations, located within and accessory to an airport or airstrip, and dedicated to the use of aircraft.

17A.020.080 Aircraft hangars
"Aircraft hangars" means a covered and usually enclosed area for housing and repairing aircraft.

17A.020.085 Aircraft sales, repair, service
"Aircraft sales, repair, service" means a facility dedicated to the commercial sales, repair, and/or service of aircraft.

17A.020.090 Aircraft salvage
"Aircraft salvage" means a parcel and/or facility used for the commercial storage, collection, processing, purchase, sale, or abandonment of aircraft and aircraft equipment.

17A.020.095 Airport
"Airport" means a runway, usually intended for commercial use, along with associated facilities which may include but is not limited to supply and maintenance of aircraft, fuel service for aircraft, flight instruction, charter or air freight service, passenger and cargo service, agricultural services including but not limited to herbicide or pesticide application, except for airstrips as defined by this Chapter.

17A.020.100 Airport clear zone
"Airport clear zone" means that area surrounding an airport to be clear of obstructions per Federal Aviation Administration Regulations.

17A.020.105 Airstrip
"Airstrip" means a runway without normal airport facilities (except facilities for storage, supply, and maintenance of aircraft) which is maintained for private and/or occasional use.

17A.020.110 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.

17A.020.115 Animal disposal facility
"Animal disposal facility" means a commercial disposal or composting facility used for the purpose of fowl and/or dead animal reduction.

17A.020.120 Apiary Farm
"Apiary Farm" means a farm where bees are kept, including a collection of hives or colonies of bees kept for their honey. Such farms may include facilities and equipment used for the purpose of processing honey.

17A.020.125 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.

17A.020.130 Auto parking lots and areas
"Auto parking lot" means any area designed and used for parking motor vehicles including dedicated parking lots, garages, private driveways, and designated areas of public streets. An auto parking lot and area is usually accessory to another use and/or structure.

17A.020.135 Auto parking lots and areas, commercial
"Auto parking lot, commercial" means any area meeting the definition of auto parking lots and areas which also include parking fees such as parking for lease or rent on an hourly, daily or monthly basis.

17A.020.140 Auto rental service
"Auto rental service" means a commercial business in which the primary objective is renting motor vehicles for short-term use.

17A.020.145 Auto repair
"Auto repair" means a commercial facility used for the repair of motor vehicles. Such facility includes mechanics workshop, associated storage areas, and office(s).

17A.020.150 Auto sales
"Auto sales" means a facility used for the purpose of retail sales of motor vehicles. Such facilities may include in-door and out-door vehicle storage areas, offices, and auto repair facilities.

17A.020.155 Auto storage
"Auto sales" means areas dedicated for the storage of motor vehicles. Auto storage areas may be either in-door or outdoor areas.

17A.020.160 Auto towing operation
"Auto towing operation" means a commercial business which the primary goal is to provide equipment for off-site towing of motor vehicles. Auto towing facilities may include on-site areas dedicated to the storage of motor vehicles, office space, and areas used for the repair and maintenance of auto towing equipment and vehicles.

17A.020.165 Auto wrecking yard
"Auto 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.

17A.020.170 Average adjacent grade
"Average adjacent grade" means the average finished ground level taken along the perimeter of all exterior walls of a building for the purpose of calculating building height.

17A.020.175 Bank
"Bank" means an establishment for the custody, loan, exchange, or issue of money, for the extension of credit, and for facilitating the transmission of funds.

17A.020.180 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.

17A.020.185 Bed and breakfast
"Bed and breakfast" means an owner-occupied single-family dwelling in which 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 17A.260 OCC for specific regulations.

17A.020.190 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.

17A.020.195 Binding site plan
"Binding site plan" means an alternative method of land segregation pursuant to Chapter 58.17 RCW and OCC Title 16 "Subdivisions".

17A.020.200 Board
"Board" means the Okanogan County board of county commissioners.

17A.020.205 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.

17A.020.210 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.

17A.020.215 Cellular communication tower

A cell site or cell tower is a cellular telephone site where antennae and electronic communications equipment are placed, usually on a radio mast, tower or other high place, to create a cell (or adjacent cells) in a cellular network. The elevated structure typically supports antennae, and one or more sets of transmitter/receivers transceivers, digital signal processors, control electronics, a GPS receiver for timing (for CDMA2000/IS-95 or GSM systems), primary and backup electrical power sources, and sheltering. In accordance with RCW 43.21C.030(2)(c), towers below 60-feet exempt from SEPA review.

17A.020.220 Cement, lime, gypsum manufacturers

"Cement, lime, gypsum manufacturers" an industrial facility dedicated to the processing of raw material for the manufacture of cement, lime, and/or gypsum for purpose of distribution and sale. Such facilities are usually located within a quarry where the raw materials are mined.

17A.020.225 Church

"Church" means a building and/or facility used by on organization of religious believers for the purpose of religious worship.

17A.020.230 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.

17A.020.235 Communication facility, commercial

"Commercial communication facility" means a commercial 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. Facilities may include but are not limited to towers, antenna, equipment shelters, and backup power utilities.

17A.020.240 Community advisory committee

"Community advisory committee" means a citizen advisory committee 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.

17A.020.245 Community center, grange hall, etc.

"Community center, grange hall, etc." means a building and associated facilities used by people from a particular community for organized meetings, social, educational, or recreational activities, and various special events.

17A.020.250 Compost manufacturer
"Compost manufacturer" means an industrial facility and associated buildings and equipment used of the purpose processing and manufacturing compost for sale for agricultural purposes.

17A.020.255 Concrete batch plant
"Concrete batch plant" means a device that combines various ingredients to form concrete. Some of these inputs include sand, water, aggregate (rocks, gravel, etc.), fly ash, potash, and cement. There are two types of concrete plants: ready mix plants (combines all ingredients except for water at the concrete plant) and central mix plants (combines some or all of the above ingredients (including water) at a central location). A concrete plant can have a variety of parts and accessories, including but not limited to: mixers (either tilt-up or horizontal or in some cases both), cement batchers, aggregate batchers, conveyors, radial stackers, aggregate bins, cement bins, heaters, chillers, cement silos, batch plant controls, and dust collectors (to minimize environmental pollution).

17A.020.260 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 17A.310 OCC).

17A.020.265 Condominium
"Condominium" means that which is defined by RCW 64.34.020(10).

17A.020.270 Crematory, cemetery, funeral home
"Crematory, cemetery, funeral home" means Facilities used for the maintenance and preservation of dead people. More specifically, crematory means an establishment containing such a furnace for cremating dead people; a cemetery means a place where dead people are buried; and a funeral home (funeral parlor) means an establishment with facilities for the preparation of the dead for burial or cremation, for the viewing of the body, and for funerals.

17A.020.275 Critical areas
"Critical areas" means those critical areas as defined by OCC 14.12 "Critical Areas".

17A.020.280 Dairy farm
"Dairy farm" means a type of farm that produces milk and milk products.

17A.020.285 Day care facility
"Day care facility" 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 pre-kindergartens when not a part of a public or parochial school, and programs covering after-school care for school children.

17A.020.290 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.

17A.020.295 Density

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

A. For residential uses: the number of dwelling units per unit of land area, such as DU/Acre;
B. For nonresidential uses: the number of equivalent residential units per unit of land area, such as ERU/Acre.

17A.020.300 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.

17A.020.305 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.

17A.020.310 Drive-in movie theater

"Drive-in movie theater" means a place where people can watch movies outdoors while sitting in their cars.

17A.020.315 Dwelling unit

"Dwelling unit" means one or more rooms designed for occupancy by a person or persons for living purposes, containing permanent facilities for living, sleeping, eating, cooking, and sanitation. A dwelling unit includes a kitchen and bathroom.

17A.020.320 Dwelling, accessory

A single "dwelling unit" used as an accessory use to the primary residential or commercial or agricultural use of the property. Common examples of an accessory dwelling unit include but not limited to guest house, caretakers home, mother-in-law home, or a form of employee housing. An accessory dwelling may be attached or detached from the associated primary use/structure (primary residence, retail store, office, etc.).

17A.020.325 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.

17A.020.330 Dwelling, multiple-family
"Multiple-family dwelling" means a building containing two or more dwelling units which may include accessory use facilities such as an office, laundry and recreational facilities used by the occupants, and off-street parking.

17A.020.335 Dwelling, single-family
A building containing one dwelling unit which may include accessory use facilities such as an office, laundry and recreational facilities used by the occupants, and off-street parking. A single-family dwelling is commonly referred to as a home, residence, or single-family residence.

17A.020.340 Earth station
"Earth station" means a terrestrial station with facilities including satellite dishes designed for communication with spacecraft and earth-orbit satellites. They may include other types of communication facilities, provided that cellular communication towers are not included.

17A.020.345 Evaporation Ponds
"Evaporation ponds" means artificial ponds, which usually support agricultural processing activities, with very large surface areas that are designed to efficiently evaporate water by sunlight and exposure to the ambient temperatures.

17A.020.350 Event centers
A permanent facility used primarily to host various events, each of which occurs in a temporary capacity. An event center may be an indoor (including but not limited to halls, stadiums, auditoriums) or outdoor facility. Examples of recreational events typically operated within an event center include but not limited to rodeos, races, fairs, concerts, conferences, and auctions. Accessory functions include but not limited to overnight camping, concessions, retail sales, vendors, food and beverage service, and workshops. An event center incudes the primary event area along with accessory infrastructure including but not limited to offices, booths, roads, parking areas, bathrooms, various buildings, campgrounds, fencing, utilities and utility buildings.

17A.020.355 Exercise clubs, swimming pools
"Exercise clubs, swimming pools" means a commercial facility used for the purpose of providing recreational opportunities such as but not limited to exercise equipment, tennis, basketball, racquetball, volleyball, swimming pools, all of which may be located indoors or outdoors. Such facilities may be open to the general public while others may be exclusive to members of a club or other type of organization.

17A.020.360 Explosive manufacture or storage
"Explosive manufacture or storage" means an industrial facility, large or small, used for the purpose of manufacture or storage of explosive materials.

17A.020.365 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.

17A.020.370 Farm
"Farm" means property used for raising all crops, feeding and caring for livestock, ranges and pastures. The definition of a farm does not include marijuana operations.

17A.020.375 Farmworker housing
A single-family dwelling, multi-family dwelling, group dwelling, or other similar living space provided for employees, and their families, of a farm. Some farmworker housing is seasonal temporary housing while other forms of farmworker housing are designed for permanent occupancy.

17A.020.380 Feedlot
"Feedlot" means an area used for the purpose of feeding large numbers of livestock. The area is used to stable or otherwise confine livestock. Numbers of livestock which qualify as a feedlot, and duration of livestock confined on-site, is determined by current definition of a "concentrated animal feeding operation" as defined and regulated by the Washington State Department of Ecology. Crops, vegetation, forage growth, or post-harvest residues are not sustained in the normal growing season over any portion of the lot or facility. This shall not be interpreted to include dairy operations with a Washington State grade A license.

17A.020.385 Fence
"Fence" means a barrier for the purpose of enclosing space or separating lots. Fences are not structures for the purposes of this code.

17A.020.390 Fertilizer manufacturer
"Fertilizer manufacturer" means an industrial facility and associated buildings and equipment used of the purpose processing and manufacturing fertilizer for sale.

17A.020.395 Flood hazard area
"Flood hazard area" means those areas defined as "floodplain" in accordance with OCC 14.12 "Critical Areas".

17A.020.400 Floodplain
"Floodplain" means those areas defined as "floodplain" in accordance with OCC 14.12 "Critical Areas".

17A.020.405 Floodplain, 100-year
"100-year floodplain" means those areas defined as "Frequently flooded areas" in accordance with OCC 14.12 "Critical Areas".

17A.020.410 Floodway
"Floodway" means that area defined as a "floodway" in accordance with OCC 14.12 "Critical Areas".

17A.020.415 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.

17A.020.420 Florist, retail
"Florist, retail" means a business which sells and grows flowers and ornamental plants.

17A.020.425 Florist, wholesale/floriculture
"Florist, wholesale/floriculture" means a business which sells and grows flowers and ornamental plants in large amounts to other businesses rather than to individual customers.

17A.020.430 Food store (retail)
"Food store (retail)" means a commercial business, and associated building(s) or room(s), where food items are sold to customers for their own use.

17A.020.435 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.

17A.020.440 Fruit stand
"Fruit stand" means a structure used seasonally for marketing fresh fruits/vegetables, dairy products and other agricultural products, and may include those uses accessory to the operation of the fruit stand (i.e. offices, storage space, parking areas, etc.).

17A.020.445 Golf course
"Golf course" means an area of land laid out for golf with a series holes (usually 9 or 18 holes) each including a tee, fairway, and putting green and often one or more natural or artificial hazards. Golf courses include associate club house, some retail space, areas for carts and golf equipment, and maintenance facilities.

17A.020.450 Government services
"Government services" means those services necessary to carry out governmental functions including but not limited to law enforcement, courts, administrative services and offices, etc.

17A.020.455 Gravel pits and quarries
"Gravel pits and quarries" means land from which sand, gravel or quarried rock is

extracted, but does not include extraction of metals, minerals or fossil fuels (see definition of Mining in this Chapter).

17A.020.460 Height, building

"Building height" means the average height of all sides of a structure, measured from average adjacent grade (see "average adjacent grade" in this Chapter) to the highest point of the roof.

17A.020.465 Helipad

"Helipad" means a designated touchdown spot for private and/or occasional use by helicopters without normal heliport facilities (except facilities for storage, supply, and maintenance of aircraft).

17A.020.470 Heliport

"Heliport" means helicopter landing sites, usually intended for commercial use, along with associated facilities which may include but is not limited to supply and maintenance of aircraft, fuel service for aircraft, flight instruction, charter or air freight service, passenger and cargo service, agricultural services including but not limited to herbicide or pesticide application, except for helipads as defined in this Chapter.

17A.020.475 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 those persons residing on the premises plus nonresident employees. Home occupations must comply with OCC 17A.280.

17A.020.480 Horticultural services

"Horticultural services" means a business or governmental service which the primary goal is it advises the public and/or customers on techniques and the science of growing fruits, vegetables, and flowers.

17A.020.485 Hospital

"Hospital" means an institution specializing in medical examination and treatment of human patients, giving clinical, temporary and emergency services of a medical or surgical nature to human patients, and provision for keeping such patients overnight on the premises.

17A.020.490 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 non-guests as well as guests.

17A.020.495 Impound yard

"Impound yard" means a designated area used to collect and contain motor vehicles. A commercial impound yard is usually licensed by Washington State Patrol and associated with an auto towing operation.

17A.020.500 Industrial
"Industrial" means activity and facilities used for the purpose of manufacturing, processing, assembly, fabrication, processing, bulk handling, storage, warehousing, storage, distribution, shipping, heavy trucking activity, and other related uses. Activities possess potential for nuisance or hazard components or place exceptional demands upon public facilities and services.

17A.020.505 Industrial, Light
"Light industrial" means an industrial use 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, pre-milled 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.

17A.020.510 Inns, lodges and guest ranches
"Inns, lodges and guest ranches" means establishments containing multiple lodging units or tourist accommodations 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.

17A.020.515 Kennel, commercial
"Commercial kennel" means an establishment or place, other than an animal or veterinary hospital or clinic, where dogs and/or cats are commercially boarded over-night. This definition includes non-profit animal shelters.

17A.020.520 Kennel, private
"Private kennel" means the dwelling unit, or residential accessory structure, used for the purpose of housing and/or breeding dogs and/or cats primarily for personal recreational use, including but not limited to 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. A private kennel would be consistent with the standards of OCC 17A.280 "Home Occupations".

17A.020.525 Laundromats
"Laundromats" means a place that has machines for commercial washing and drying

clothes, towels, sheets, etc.

17A.020.530 Legal pre-existing lot
A lot legally created before the effective date of this chapter, including lots which fail to meet the lot size or lot width requirements of the zone district in which it is located.

17A.020.535 Legal pre-existing structure
A structure legally existing at the effective date of this chapter, including structures that could not be built under the terms of this code or any amendment thereto but does not include structures which have been abandoned or permitted by conditional use permit.

17A.020.540 Legal pre-existing use
Any use of land or structure which began legally prior to the effective date of this chapter, including uses which conflict with the provisions of this code, or any amendment thereto, but does not include uses which have been abandoned or granted a conditional use permit.

17A.020.545 Limited division
"Limited division" means a provision within individual zones which allows use of Title 16 "Subdivisions" processes (specifically short plats, long plats, or boundary line adjustments) on a limited basis in order to create lots which do not meet the lot area and width requirements of the zone in which the lot is located. Limited divisions are allowed only within zones which identify they are allowed. More specific limitations may be imposed by individual zones.

17A.020.550 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. Lodging units are typically within a structure intended for transient use such as hotels, motels, inns, lodges, or nightly rentals. A lodging unit, as opposed to a lodge, is not a stand-alone structure.

17A.020.555 Lot
"Lot" means a fractional part of subdivided lands having fixed boundaries. The term includes tracts.

17A.020.560 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.

17A.020.565 Lot width
"Lot width" means the horizontal distance between the side lot lines of a lot, measured at right angles to its depth along a straight line parallel to the front lot line at the minimum required building setback. For irregularly shaped lots, such as panhandle lots, the lot width shall be measured at the nearest point to the front lot line where the

minimum width for the zone can be achieved.

17A.020.570 Lot, corner
"Corner lot" means a lot situated at the intersection of two or more streets.

17A.020.575 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.

17A.020.580 Manufactured home park
"Manufactured home park" means a parcel of land designed, developed and improved to accommodate two or more manufactured homes. Pads or spaces are generally leased or rented, and the period of occupancy generally extends beyond 30 days. This definition does not include farmworker housing or accessory dwellings.

17A.020.585 Manufactured home sales and facilities
"Manufactured home sales and facilities" means a facility used for the purpose of retail sales of manufactures home. Such facilities may include out-door storage areas, and associated offices, administrative and employee areas.

17A.020.590 Marijuana processing facility
Marijuana processing facility means a facility used for the purpose of processing marijuana into useable marijuana and marijuana-infused products, and packaging and labeling of marijuana and marijuana-infused products for sale to marijuana retailers. Marijuana processing facilities are similar in character to agricultural sorting, grading, and packing facilities. Legal processing activities are consistent with RCW 69.50.101(v) and WAC 314-55-077 as administered by Washington State Liquor Control Board.

17A.020.595 Marijuana production facility
Marijuana production facility means a facility used for growing marijuana for the purpose of selling the marijuana products to marijuana processors and other marijuana producers. Production includes growth, harvest, trim, dry, cure, and packaging of marijuana for sale. Sale may include marijuana products, plants, seeds, and plant tissue culture. Marijuana production facilities are separated into indoor and outdoor facilities which are similar in character to indoor nursery or greenhouse facilities, or outdoor field crops. Legal production activities are consistent with RCW 69.50.101(w) and WAC 314-55-075 as administered by Washington State Liquor Control Board.

17A.020.600 Marijuana retail store
Marijuana retail store means a commercial establishment used for the sale of useable marijuana, marijuana-infused products, and marijuana paraphernalia and rendering services incidental to the sale of such goods. Marijuana retail stores are similar in character to agricultural fruit and vegetable stands, or retail stores and gift shops. Legal retailers are consistent with RCW 69.50.101(y) and WAC 314-55-079 as administered by Washington State Liquor Control Board.

17A.020.605 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).

17A.020.610 Meat packing plant
"Meat packing plant" means Handling, slaughtering, processing, packaging, and distribution of animals such as cattle, pigs, sheep and other livestock, primarily for the production of meat for human consumption, but may also produce a variety of by-products including hides, feathers, dried blood, and fat and protein meals such as meat & bone meal.

17A.020.615 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.

17A.020.620 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.

17A.020.625 Mini-storage
"Mini-storage" means commercial storage bins/lockers/rooms for rent for lease to the general public. Such commercial storage facilities are generally within an enclosed building, although this definition also encompasses covered outdoor storage of autos, boats, recreational vehicles, equipment, etc. This definition includes maxi-storage units for larger items such as RV's, etc.

17A.020.630 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.

17A.020.635 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.

17A.020.640 Motorized vehicle track (commercial)
A commercial motorized vehicle track is a track which has been constructed for the purpose of accommodating organized racing events (cars, trucks, motorcycles, etc.) for commercial purposes and where there is a fee for admissions. Accessory track facilities

may include but are not limited to commercial venders, food service, ticket booths, bleachers and/or seating areas, announcers shack, and parking areas.

17A.020.645 Nightly rental

"Nightly rental" means a dwelling unit or accessory dwelling unit used as a tourist accommodation which accommodates the traveling public for short-term stays.

17A.020.650 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.

17A.020.655 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.

17A.020.660 Open space

"Open Space" means land within or related to a development which remains mostly undeveloped except for agriculture, and/or historical/architectural preservation, and/or wildlife habitat and/or recreation, and/or other similar uses. Improvements including but not limited to trails and accessory structures may be allowed within these areas. This definition does not imply consistency with open space open space or current use tax programs in accordance with RCW 84.33, RCW 84.34, OCC 14.08, or OCC 14.09.

17A.020.665 Open space, common

"Common open space" means open space as defined by this Chapter which is owned in common by fee simple interest of multiple lots within of the same development, not individually owned. This definition does not imply consistency with open space open space or current use tax programs in accordance with RCW 84.33, RCW 84.34, OCC 14.08, or OCC 14.09.

17A.020.670 Orchard

"Orchard" means an area used for the growth of fruit trees for purposes of commercial agricultural production.

17A.020.675 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.

17A.020.680 Petroleum bulk plant

"Petroleum bulk plant" means… a wholesale receiving and distributing facility for petroleum products; includes storage tanks, warehouses, railroad sidings, truck loading racks, and related elements. Also known as bulk terminal.

17A.020.685 Petroleum service station
"Petroleum service station" means a place with fuel pumps and associated below ground fuel tanks used for the commercial sale of fuel for motor vehicles. Petroleum service stations may include small retail stores, and facilities for offering water and air for motor vehicles.

17A.020.690 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 in accordance with OCC 17A.210.

17A.020.695 Planned unit development (PUD)
"Planned unit development (PUD)" means a development project which the land is rezoned in order to allow a variety of housing types and/or 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 be required by the underlying zone, all of which is specified by within a development agreement. Planned unit development standards contain requirements in addition to those of the standard zoning and subdivision. Planned unit developments are consistent with Okanogan County's Comprehensive Plan.

17A.020.700 Portable
"Portable" means capable of being carried or moved about, not permanently affixed to the ground.

17A.020.705 Private club/lodge
"private club/lodge" means a building and associated facilities used for the exclusive use of the members of an organized club, fraternity, or other social organization for purposes of holding organized meetings, social, educational, recreational activities, and various special events.

17A.020.710 Professional building
"Professional building" means a structure used for the purpose of providing multiple offices, and associated facilities, for various commercial businesses, consultants, practitioners, etc.

17A.020.715 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.

17A.020.720 Propane/natural gas storage tanks (commercial)
"Propane/natural gas storage tanks (commercial)" means a place or facility used for the purpose of keeping propane and/or natural gas within bulk storage tanks and smaller

storage tanks for sale of gas products.

17A.020.725 Recreation site, high-intensity
Areas with built facilities or results in a modification of the area. High-intensity recreation sites include but not limited to ball fields, parks, public access points, marinas are examples of high-intensity recreation.

17A.020.730 Recreation site, low-intensity
Areas that do not accommodate large concentrations of people and do not include developed facilities other than trails, interpretive signs, and similar amenities.

17A.020.735 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.

17A.020.740 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.

17A.020.745 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.

17A.020.750 Restaurants and cafes
"Restaurants and cafes" means a place where meals and refreshments may be purchased. Such establishments include seating areas for customers, and cooking areas.

17A.020.755 Retail store or gift shop
"Retail store or gift shop" means a commercial business, and associated building(s) or room(s), where items are sold to customers for their own use.

17A.020.760 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.

17A.020.765 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.

17A.020.770 Sanitary landfill
"Sanitary landfill" means a place where waste materials are buried between layers of earth.

17A.020.775 Sawmill and pulp mill (commercial)
"Sawmill and pulp mill (commercial)" means a commercial mill where timber or logs or pulp are sawed into lumber or boards.

17A.020.780 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.

17A.020.785 School
"School" means a structure and associated organization and/or group of scholars and/or teachers that provides instruction or specialized instruction.

17A.020.790 Seasonal
"Seasonal" means a temporary use, the duration of which is related to an identifiable climatic, cultural or recreational period (i.e., summer, winter, fall, spring, Christmas, ski season).

17A.020.795 Septic lagoon
A manmade lined pond and associated pump facility used for the purpose storing septage, biosolids and further defined by WAC 173-308-080 as "Surface impoundment" which means a facility or part of a facility which is a natural topographic depression, man-made excavation, or diked area formed primarily of earthen materials (although it may be lined with man-made materials), and which is designed to hold an accumulation of liquids or sludges. The term includes holding, storage, settling, and aeration pits, ponds, or lagoons, but does not include injection wells.

17A.020.800 Setback
"Setback" means the required distance between a structure and a property line, another structure, shoreline, ordinary high water mark, wetland boundary, or other similar feature. The setback width is measured along the slope of the land and is perpendicular to that feature requiring the setback. For example, a 25-foot property line setback would prohibit structures within 25-feet of the property line.

17A.020.805 Shooting ranges
"Shooting ranges" means commercial facilities, indoor and/or outdoor, which are used for the purpose of using firearms for target practice or competition.

17A.020.810 Shoreline
"Shoreline" means any shoreline environment as designated by Okanogan County's Shoreline Master Program (OCC 14.15).

17A.020.815 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.

17A.020.820 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.

17A.020.825 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.

17A.020.830 Slaughter house

"Slaughter house" means a facility and associated structure(s) where animals are butchered and prepared for food.

17A.020.835 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.

17A.020.840 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.

17A.020.845 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.

17A.020.850 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.

17A.020.855 Temporary
"Temporary" means a use or permit having a specific, short-term duration (see "Seasonal" as defined by this Chapter).

17A.020.860 Temporary emergency facilities
"Temporary emergency facilities" means those facilities which are used for a temporary duration for the purpose of accommodating emergency services and disaster relief during emergency/disaster situations which threaten public health and safety.

17A.020.865 Temporary use
"Temporary use" means a use that is limited in scope, duration and frequency.

17A.020.870 Tourist accommodation
"Tourist accommodation" means overnight lodging for the traveling public, which includes but is not limited to bed and breakfasts, campgrounds, guest ranch, hotels/motels, inns and lodges, nightly rentals, RV parks.

17A.020.875 Tract
"Tract" means a lot as defined by this Chapter.

17A.020.880 Transient tourist accommodation
"Transient tourist accommodation," 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.

17A.020.885 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.

17A.020.890 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.

17A.020.895 Underlying zone
"Underlying zone" means a zoning district (as designated within this Title) which is applied directly to the land as identified on the official zoning map.

17A.020.900 Use
"Use" means the legal enjoyment of property that consists in its employment, exercise, or practice.

17A.020.905 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.

17A.020.910 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.

17A.020.915 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.

17A.020.920 Wetlands
"Wetlands" means areas as defined as "wetlands" by OCC 14.12 "Critical Areas".

17A.020.925 Wholesale establishment
"Wholesale establishment" means a business which things in large amounts to other businesses rather than to individual customers.

17A.020.930 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.

17A.020.935 Winery
"Winery" means a facility where fruit or other products are processed (i.e., crushed, blended, aged, and/or bottled) for the purpose of making wine. A winery may include a tasting room, food and beverage service, places of public/private assembly, retail sales

area, and live entertainment.

17A.020.940 Zoning adjustor

"Zoning adjustor" means the individual designated and appointed by the board of county commissioners to decide administrative variance and conditional use permits as set forth in this Title and pursuant to RCW 36.70.200.

Chapter 17A.030
MINIMUM REQUIREMENT (MR)

Sections:

17A.030.010 Purpose of classification
17A.030.020 Permitted uses
17A.030.030 Conditional uses
17A.030.040 Accessory uses
17A.030.050 Lot area and width
17A.030.060 Density
17A.030.070 Property line setbacks
17A.030.080 Height
17A.030.090 Lot coverage
17A.030.100 Parking
17A.030.110 Special provisions

17A.030.010 Purpose of classification

The purpose of the minimum requirement district is to maintain zone controls within the exterior boundary of the Colville Indian Reservation, that portion of which is located within Okanogan County.

17A.030.020 Permitted uses

Permitted uses are as indicated on the district use chart (see Chapter 17A.220 OCC).

17A.030.030 Conditional uses

Conditional uses are as indicated on the district use chart (see Chapter 17A.220 OCC).

17A.030.040 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. Accessory dwelling units;
C. Farm-worker housing;
D. Bed and breakfasts.

17A.030.050 Lot area and width

Lot area and width requirements are as follows:

A. The minimum lot area is one acre.
B. Minimum lot width is 100 feet.

17A.030.060 Density

Density restrictions are as follows:

A. Maximum of one single-family dwelling unit per acre, except that one single-family dwelling unit and one accessory dwelling may be permitted on any lot so long as adequate provisions for water and septic are permitted by Okanogan County Public Health.

B. Maximum of five multi-family dwelling units, or mobile home park units (located within a permitted mobile home park), per acre.

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

17A.030.070 Property line setbacks

A. All permitted structures shall have the following property line 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: for structures greater than 35 feet in height, property line setbacks shall be a minimum of one foot horizontal for every one foot of vertical height. Example: A 65-foot tall structure shall be required to be set back 65 feet from all property lines. If a waiver from adjacent property owner(s) are provided, the standard setback in this section (OCC 17A.030.070(A)) applies.

C. Structures located on a lot which is adjacent to railroad facilities, and the structure is accessory to a designated railroad loading facility, shall be exempt from the setback along the property line bordering railroad property and/or railroad right-of-way.

17A.030.080 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 buildings, except 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, PUD, as identified in the district use chart: agricultural wind machines; aircraft hangars; asphalt or concrete batch plants; barns; 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 17A.030.050.)

E. Maximum height for the following list of uses is 100 feet: agricultural commodity storage; 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.

17A.030.090 Lot coverage

Lot coverage is not applicable (see required setbacks in OCC 17A.030.070).

17A.030.100 Parking

Parking requirements area as indicated in Chapter 17A.240 OCC.

17A.030.110 Special provisions

A. Cluster Land Divisions:

1. Density: Increases to density beyond that permitted by this Chapter may be permitted for Cluster Land Divisions in accordance with OCC Title 16. For the purpose of calculating maximum density within Cluster Land Divisions, the base density of this zone is 1 single family dwelling unit per acre. Fractional calculations shall be rounded up to the nearest whole number (i.e. density calculated at 12.4 lots and/or units shall be rounded to 13 lots and/or units).
2. Lot area and width: In order to achieve alternative lot design and clustering, deviations to lot area and width beyond that permitted by this Chapter may be permitted for Cluster Land Division in accordance with OCC Title 16.

Chapter 17A.040
RURAL 1 (R1)

Sections:

17A.040.010 Purpose of classification
17A.040.020 Permitted uses
17A.040.030 Conditional uses
17A.040.040 Accessory uses
17A.040.050 Lot area and width
17A.040.060 Density
17A.040.070 Property line setbacks
17A.040.080 Height
17A.040.090 Lot coverage
17A.040.100 Parking
17A.040.110 Special provisions

17A.040.010 Purpose of classification

The purpose of the Rural 1 district is to provide rural/high-density development options which are consistent with Okanogan County's comprehensive plan.

17A.040.020 Permitted uses

Permitted uses are as indicated on the district use chart (see Chapter 17A.220 OCC).

17A.040.030 Conditional uses

Conditional uses are as indicated on the district use chart (see Chapter 17A.220 OCC).

17A.040.040 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. Accessory dwelling units;
C. Farm-worker housing;
D. Bed and breakfasts.

17A.040.050 Lot area and width

Lot area and width requirements are as follows:

A. The minimum lot area is one acre.
B. Minimum lot width is 100 feet.

17A.040.060 Density

Density restrictions are as follows:

A. Maximum of one single-family dwelling unit per acre, except that one single-family dwelling unit and one accessory dwelling may be permitted on any lot so long as adequate provisions for water and septic are permitted by Okanogan County Public Health.

B. Maximum of five multi-family dwelling units, or mobile home park units (located within a permitted mobile home park), per acre.
C. The density of RV parks, campgrounds, hotels, motels, etc. shall be determined by Okanogan County health district standards for on-site treatment.

17A.040.070 Property line setbacks

A. All permitted structures shall have the following property line 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: for structures greater than 35 feet in height, property line setbacks shall be a minimum of one foot horizontal for every one foot of vertical height. Example: A 65-foot tall structure shall be required to be set back 65 feet from all property lines. If a waiver from adjacent property owner(s) are provided, the standard setback in this section (OCC 17A.040.070(A)) applies.
C. Structures located on a lot which is adjacent to railroad facilities, and the structure is accessory to a designated railroad loading facility, shall be exempt from the setback along the property line bordering railroad property and/or railroad right-of-way.

17A.040.080 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 buildings, except 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, PUD, as identified in the district use chart: agricultural wind machines; aircraft hangars; asphalt or concrete batch plants; barns; 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 17A.040.050.)

E. Maximum height for the following list of uses is 100 feet: agricultural commodity storage; 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.

17A.040.090 Lot coverage

Lot coverage is not applicable (see required setbacks in OCC 17A.040.070).

17A.040.100 Parking

Parking requirements area as indicated in Chapter 17A.240 OCC.

17A.040.110 Special provisions

A. Cluster Land Divisions:
   1. Density: Increases to density beyond that permitted by this Chapter may be permitted for Cluster Land Divisions in accordance with OCC Title 16. For the purpose of calculating maximum density within Cluster Land Divisions, the base density of this zone is 1 single family dwelling unit per acre. Fractional calculations shall be rounded up to the nearest whole number (i.e. density calculated at 12.4 lots and/or units shall be rounded to 13 lots and/or units).
   2. Lot area and width: In order to achieve alternative lot design and clustering, deviations to lot area and width beyond that permitted by this Chapter may be permitted for Cluster Land Division in accordance with OCC Title 16.

Chapter 17A.050
RURAL 5 (R5)

Sections:

17A.050.010 Purpose of classification
17A.050.020 Permitted uses
17A.050.030 Conditional uses
17A.050.040 Accessory uses
17A.050.050 Lot area and width
17A.050.060 Density
17A.050.070 Property line setbacks
17A.050.080 Height
17A.050.090 Lot coverage
17A.050.100 Parking
17A.050.110 Special provisions

17A.050.010 Purpose of classification

The purpose of the Rural 5 district is to provide rural/low-density development options which are consistent with Okanogan County's comprehensive plan.

17A.050.020 Permitted uses

Permitted uses are as indicated on the district use chart (see Chapter 17A.220 OCC).

17A.050.030 Conditional uses

Conditional uses are as indicated on the district use chart (see Chapter 17A.220 OCC).

17A.050.040 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. Accessory dwelling units;
C. Farm-worker housing;
D. Bed and breakfasts.

17A.050.050 Lot area and width

Lot area and width requirements are as follows:

A. The minimum lot area is five acres.
B. Minimum lot width is 100 feet.

17A.050.060 Density

Density restrictions are as follows:

A. Maximum of one single-family dwelling unit per five acres, except that one single-family dwelling unit and one accessory dwelling may be permitted on any lot so long as adequate provisions for water and septic are permitted by Okanogan County Public Health.

B. Maximum of five multi-family dwelling units, or mobile home park units (located within a permitted mobile home park), per acre.

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

17A.050.070 Property line setbacks

A. All permitted structures shall have the following property line 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: for structures greater than 35 feet in height, property line setbacks shall be a minimum of one foot horizontal for every one foot of vertical height. Example: A 65-foot tall structure shall be required to be set back 65 feet from all property lines. If a waiver from adjacent property owner(s) are provided, the standard setback in this section (OCC 17A.050.070(A)) applies.

C. Structures located on a lot which is adjacent to railroad facilities, and the structure is accessory to a designated railroad loading facility, shall be exempt from the setback along the property line bordering railroad property and/or railroad right-of-way.

17A.050.080 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 buildings, except 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 or PUD, as identified in the district use chart: agricultural wind machines; aircraft hangars; asphalt or concrete batch plants; barns; 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 17A.050.050.)

E. Maximum height for the following list of uses is 100 feet: agricultural commodity storage; 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.

17A.050.090 Lot coverage

Lot coverage is not applicable (see required setbacks in OCC 17A.050.070).

17A.050.100 Parking

Parking requirements area as indicated in Chapter 17A.240 OCC.

17A.050.110 Special provisions

A. Cluster Land Divisions

1. Density: Increases to density beyond that permitted by this Chapter may be permitted for Cluster Land Divisions in accordance with OCC Title 16. For the purpose of calculating maximum density within Cluster Land Divisions, the base density of this zone is 1 single family dwelling unit per five acres. Fractional calculations shall be rounded up to the nearest whole number (i.e. density calculated at 12.4 lots and/or units shall be rounded to 13 lots and/or units).
2. Lot area and width: In order to achieve alternative lot design and clustering, deviations to lot area and width beyond that permitted by this Chapter may be permitted for Cluster Land Division in accordance with OCC Title 16.

B. Limited divisions

1. On a limited basis, lots within the R5 zone may be divided in a manner which deviates from Lot area and width (OCC 17A.050.050). Limitations include:
2. One additional lot may be created which is smaller than the minimum lot area and width of the zone. If the property contains an existing residence, then two lots may be created, one lot would contain the existing residence.
3. A limited division may occur one time on each lot as it existed as of January 1, 2016.
4. Any lot created by the limited division process must be a minimum of 1 acre.
5. The remaining property (lot) may not be further divided except in full compliance with OCC 17A.050.050 "Lot area and width".
6. The process to achieve a limited division is a "short plat" or "long plat alteration" in accordance with OCC Title 16, Subdivisions. If the landowner owns an adjoining lot then a boundary line adjustment, in accordance with OCC Title 16, may be used in order to achieve a limited division.

Chapter 17A.060
RURAL 20 (R20)

Sections:

17A.060.010 Purpose of classification
17A.060.020 Permitted uses
17A.060.030 Conditional uses
17A.060.040 Accessory uses
17A.060.050 Lot area and width
17A.060.060 Density
17A.060.070 Property line setbacks
17A.060.080 Height
17A.060.090 Lot coverage
17A.060.100 Parking
17A.060.110 Special provisions

17A.060.010 Purpose of classification

The purpose of the Rural 20 district is to provide rural/low-density development options which are consistent with Okanogan County's comprehensive plan.

17A.060.020 Permitted uses

Permitted uses are as indicated on the district use chart (see Chapter 17A.220 OCC).

17A.060.030 Conditional uses

Conditional uses are as indicated on the district use chart (see Chapter 17A.220 OCC).

17A.060.040 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. Accessory dwelling units;
C. Farm-worker housing;
D. Bed and breakfasts.

17A.060.050 Lot area and width

Lot area and width requirements are as follows:

A. The minimum lot area is 20 acres.
B. Minimum lot width is 100 feet.

17A.060.060 Density

Density restrictions are as follows:

A. Maximum of one single-family dwelling unit per 20 acres, except that one single-family dwelling unit and one accessory dwelling may be permitted on any lot so long as adequate provisions for water and septic are permitted by Okanogan County Public Health.

B. Maximum of five multi-family dwelling units, or mobile home park units (located within a permitted mobile home park), per acre.
C. The density of RV parks, campgrounds, hotels, motels, etc. shall be determined by Okanogan County health district standards for on-site treatment.

17A.060.070 Property line setbacks

A. All permitted structures shall have the following required property line 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: for structures greater than 35 feet in height, property line setbacks shall be a minimum of one foot horizontal for every one foot of vertical height. Example: A 65-foot tall structure shall be required to be set back 65 feet from all property lines. If a waiver from adjacent property owner(s) are provided, the standard setback in this section (OCC 17A.060.070(A)) applies.
C. Structures located on a lot which is adjacent to railroad facilities, and the structure is accessory to a designated railroad loading facility, shall be exempt from the setback along the property line bordering railroad property and/or railroad right-of-way.

17A.0060.080 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 buildings, except 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 or PUD, as identified in the district use chart: agricultural wind machines; aircraft hangars; asphalt or concrete batch plants; barns; 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 twenty acres and larger, if the structures exceed 35 feet in height. See Lot area and width in OCC 17A.060.050.)

E. Maximum height for the following list of uses is 100 feet: agricultural commodity storage; 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.

17A.060.090 Lot coverage

Lot coverage is not applicable (see required setbacks in OCC 17A.060.070).

17A.060.100 Parking

Parking requirements area as indicated in Chapter 17A.240 OCC.

17A.060.110 Special provisions

A. Cluster Land Divisions
   1. Density: Increases to density beyond that permitted by this Chapter may be permitted for Cluster Land Divisions in accordance with OCC Title 16. For the purpose of calculating maximum density within Cluster Land Divisions, the base density of this zone is 1 single family dwelling unit per five acres. Fractional calculations shall be rounded up to the nearest whole number (i.e. density calculated at 12.4 lots and/or units shall be rounded to 13 lots and/or units).
   2. Lot area and width: In order to achieve alternative lot design and clustering, deviations to lot area and width beyond that permitted by this Chapter may be permitted for Cluster Land Division in accordance with OCC Title 16.
B. Limited divisions
   1. On a limited basis, lots within the R20 zone may be divided in a manner which deviates from Lot area and width (OCC 17A.060.050). Limitations include:
   2. One additional lot may be created which is smaller than the minimum lot area and width of the zone. If the property contains an existing residence, then two lots may be created, one lot would contain the existing residence.
   3. A limited division may occur one time on each lot as it existed as of January 1, 2016.
   4. Any lot created by the limited division process must be a minimum of 1 acre.
   5. The remaining property (lot) may not be further divided except in full compliance with OCC 17A.060.050 "Lot area and width".
   6. The process to achieve a limited division is a "short plat" or "long plat alteration" in accordance with OCC Title 16, Subdivisions. If the landowner owns an adjoining lot then a boundary line adjustment, in accordance with OCC Title 16, may be used in order to achieve a limited division.

Chapter 17A.070
AGRICULTURE (AG)

Sections:

17A.070.010 Purpose of classification
17A.070.020 Permitted uses
17A.070.030 Conditional uses
17A.070.040 Accessory uses
17A.070.050 Lot area and width
17A.070.060 Density
17A.070.070 Property line setbacks
17A.070.080 Height
17A.070.090 Lot coverage
17A.070.100 Parking
17A.070.110 Special provisions

17A.070.010 Purpose of classification

The purpose of the Agriculture district is to provide development options, within agricultural areas, which are consistent with Okanogan County's comprehensive plan.

17A.070.020 Permitted uses

Permitted uses are as indicated on the district use chart (see Chapter 17A.220 OCC).

17A.070.030 Conditional uses

Conditional uses are as indicated on the district use chart (see Chapter 17A.220 OCC).

17A.070.040 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. Accessory dwelling units;
C. Home occupations;
D. Bed and breakfasts.

17A.070.050 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.

17A.070.060 Density

Density restrictions are as follows:

A. Maximum of one dwelling unit per 20 acres, except that one single-family dwelling unit and one accessory dwelling may be permitted on any lot so long as adequate provisions for water and septic are permitted by Okanogan County Public Health.

17A.070.070 Property line setbacks

All permitted structures shall have the following required property line setbacks:

A. Front: minimum is 50 feet.
B. Side: minimum is 50 feet.
C. Rear: minimum is 50 feet.

17A.070.080 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, PUD, 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.

17A.070.090 Lot coverage

Lot coverage is not applicable (see required setbacks in OCC 17A.070.070).

17A.070.100 Parking

Parking requirements are as indicated in Chapter 17A.240 OCC.

17A.070.110 Special provisions

A. Cluster Land Divisions
   1. Density: Increases to density beyond that permitted by this Chapter may be permitted for Cluster Land Divisions in accordance with OCC Title 16. For the purpose of calculating maximum density within Cluster Land Divisions, the base density of this zone is 1 single family dwelling unit per 20 acres. Fractional calculations shall be rounded down to the nearest whole number (i.e. density calculated at 12.7 lots and/or units shall be rounded to 12 lots

and/or units).

2. Lot area and width: In order to achieve alternative lot design and clustering, deviations to lot area and width beyond that permitted by this Chapter may be permitted for Cluster Land Division in accordance with OCC Title 16.

Chapter 17A.080
AGRICULTURAL RESIDENTIAL (AR)

Sections:

17A.080.010 Purpose of classification
17A.080.020 Permitted uses
17A.080.030 Conditional uses
17A.080.040 Accessory uses
17A.080.050 Lot area and width
17A.080.060 Density
17A.080.070 Property line setbacks
17A.080.080 Height
17A.080.090 Lot coverage
17A.080.100 Parking
17A.080.110 Special provisions

17A.080.010 Purpose of classification

The purpose of the agricultural residential district is to provide a mixture of rural/high-density and agricultural development options which are consistent with Okanogan County's comprehensive plan.

17A.080.020 Permitted uses

Permitted uses are as indicated on the district use chart (see Chapter 17A.220 OCC).

17A.080.030 Conditional uses

Conditional uses are as indicated on the district use chart (see Chapter 17A.220 OCC).

17A.080.040 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. Accessory dwelling units;
C. Home occupations;
D. Bed and breakfasts.

17A.080.050 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.

17A.080.060 Density

Density restrictions are as follows:

A. Maximum of one dwelling unit per two acres, except that one single-family dwelling unit and one accessory dwelling may be permitted on any lot so long as adequate provisions for water and septic are permitted by Okanogan County Public Health.

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

17A.080.070 Property line setbacks

All permitted structures shall have the following required property line setbacks:

A. Front: minimum is 25 feet.
B. Side: minimum is 25 feet.
C. Rear: minimum is 25 feet.
D. Structures located on a lot which is adjacent to railroad facilities, and the structure is accessory to a designated railroad loading facility, shall be exempt from the setback along the property line bordering railroad property and/or right-of-way.

17A.080.080 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 buildings, except 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, PUD, as identified in the district use chart: agricultural wind machines; barns; 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: agricultural commodity storage; 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.

17A.080.090 Lot coverage

Maximum lot coverage is 20 percent.

17A.080.100 Parking

Parking requirements are as indicated in Chapter 17A.240 OCC.

17A.080.110 Special provisions

A. Cluster Land Divisions
   1. Density: Increases to density beyond that permitted by this Chapter may be

permitted for Cluster Land Divisions in accordance with OCC Title 16. For the purpose of calculating maximum density within Cluster Land Divisions, the base density of this zone is 1 single family dwelling unit per five acres. Fractional calculations shall be rounded up to the nearest whole number (i.e. density calculated at 12.4 lots and/or units shall be rounded to 13 lots and/or units).

2. Lot area and width: In order to achieve alternative lot design and clustering, deviations to lot area and width beyond that permitted by this Chapter may be permitted for Cluster Land Division in accordance with OCC Title 16.

Chapter 17A.090
SUBURBAN RESIDENTIAL (SR)

Sections:

17A.090.010 Purpose of classification
17A.090.020 Permitted uses
17A.090.030 Conditional uses
17A.090.040 Accessory uses
17A.090.050 Lot area and width
17A.090.060 Density
17A.090.070 Property line setbacks
17A.090.080 Height
17A.090.090 Lot coverage
17A.090.100 Parking
17A.090.110 Special provisions

17A.090.010 Purpose of classification

The purpose of this district is to provide rural/high-density development options which are consistent with Okanogan County's comprehensive plan.

17A.090.020 Permitted uses

Permitted uses are as indicated on the district use chart (see Chapter 17A.220 OCC).

17A.090.030 Conditional uses

Conditional uses are as indicated on the district use chart (see Chapter 17A.220 OCC).

17A.090.040 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. Accessory dwelling units;
C. Home occupations;
D. Bed and breakfasts.

17A.090.050 Lot area and width

Lot area and width requirements are as follows:

A. The minimum lot area is one-fifth acre (8,712square feet).
B. Minimum lot width is 50 feet.

17A.090.060 Density

Density restrictions are as follows:

A. Maximum of one dwelling unit per one-fifth acre (5DU's/Acre), except that one single-family dwelling unit and one accessory dwelling may be permitted on any lot so long as adequate provisions for water and septic are permitted by Okanogan County Public Health.

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

17A.090.070 Property line setbacks

All permitted structures shall have the following required property line setbacks:

A. Front: minimum is 25 feet.
B. Side: minimum is five feet.
C. Rear: minimum is 25 feet.

17A.090.080 Height

Height restrictions are as follows:

A. Maximum height is 35 feet.

17A.090.090 Lot coverage

Lot coverage restrictions are as follows:

A. Maximum lot coverage is 40 percent.

17A.090.100 Parking

Parking requirements are as indicated in Chapter 17A.240 OCC.

17A.090.110 Special provisions

A. Cluster Land Divisions
   1. Density: Increases to density beyond that permitted by this Chapter may be permitted for Cluster Land Divisions in accordance with OCC Title 16. For the purpose of calculating maximum density within Cluster Land Divisions, the base density of this zone is one dwelling unit per one-fifth acre. Fractional calculations shall be rounded up to the nearest whole number (i.e. density calculated at 12.4 lots and/or units shall be rounded to 13 lots and/or units).
   2. Lot area and width: In order to achieve alternative lot design and clustering, deviations to lot area and width beyond that permitted by this Chapter may be permitted for Cluster Land Division in accordance with OCC Title 16.

Chapter 17A.100
COMMERCIAL (C)

Sections:

17A.100.010	Purpose of classification
17A.100.020	Permitted uses
17A.100.030	Conditional uses
17A.100.040	Accessory uses
17A.100.050	Lot area and width
17A.100.060	Density
17A.100.070	Property line setbacks
17A.100.080	Height
17A.100.090	Lot coverage
17A.100.100	Parking
17A.100.110	Special provisions

17A.100.010 Purpose of classification

The purpose of this district is to provide for commercial development options which are consistent with Okanogan County's comprehensive plan.

17A.100.020 Permitted uses

Permitted uses are as indicted on the district use chart (see Chapter 17A.220 OCC).

17A.100.030 Conditional uses

Conditional uses are as indicated on the district use chart (see Chapter 17A.220 OCC).

17A.100.040 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 employee housing or the private use of the business owner shall be permitted on the same site as the business.

17A.100.050 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.

17A.100.060 Density

Reserved

17A.100.070 Property line setbacks

All permitted structures shall have the following required property line setbacks:

A. Front: none;
B. Side: none, except minimum is 10 feet when abutting a residential or agricultural district;

C. Rear: none, except minimum is 25 feet when abutting a residential or agricultural district.

17A.100.080 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: agricultural commodity storage; 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.

17A.100.090 Lot coverage

Lot coverage is not applicable.

17A.100.100 Parking

Parking requirements are as indicated in Chapter 17A.240 OCC.

17A.100.110 Special provisions

Reserved

Chapter 17A.110
INDUSTRIAL (IN)

Sections:

17A.110.010 Purpose of classification
17A.110.020 Permitted uses
17A.110.030 Conditional uses
17A.110.040 Accessory uses
17A.110.050 Lot area and width
17A.110.060 Density
17A.110.070 Property line setbacks
17A.110.080 Height
17A.110.090 Lot coverage
17A.110.100 Parking
17A.110.110 Special provisions

17A.110.010 Purpose of classification

The purpose of this district is to provide development options, within industrial areas, which are consistent with Okanogan County's comprehensive plan.

17A.110.020 Permitted uses

Permitted uses are as indicated on the district use chart (see Chapter 17A.220 OCC).

17A.110.030 Conditional uses

Conditional uses are as indicated on the district use chart (see Chapter 17A.220 OCC).

17A.110.040 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 employee housing, and/or the manager, and/or the night watchman shall be permitted on the same site as the business.

17A.110.050 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.

17A.110.060 Density

Density restrictions are as follows:

A. Maximum floor area equals lot area, subject to setbacks in OCC 17A.110.070.

17A.110.070 Property line setbacks

All permitted structures shall have the following required property line setbacks:

A. Front: 25 feet;

B. Side: none, except minimum is 25 feet when abutting a residential or agricultural land district;
C. Rear: none, except minimum is 25 feet when abutting a residential or agricultural district.

17A.110.080 Height

Height restrictions are as follows:

A. Maximum height is 65 feet, unless the manufacturing process requires a taller structure.

17A.110.090 Lot coverage

Lot coverage restrictions are as follows:

A. Maximum lot coverage is 70 percent.

17A.110.100 Parking

Parking requirements are as indicated in Chapter 17A.240 OCC.

17A.110.110 Special provisions

Reserved

Chapter 17A.120
AIRPORT DEVELOPMENT (AD)

Sections:

17A.120.010	Purpose of classification
17A.120.020	Permitted uses
17A.120.030	Conditional uses
17A.120.040	Accessory uses
17A.120.050	Lot area and width
17A.120.060	Density
17A.120.070	Property line setbacks
17A.120.080	Height
17A.120.090	Lot coverage
17A.120.100	Parking
17A.120.110	Special provisions

17A.120.010 Purpose of classification

The purpose of this district is to provide industrial and commercial development options which are consistent with Okanogan County's comprehensive plan and which support continued use of airport facilities..

17A.120.020 Permitted uses

Permitted uses are as indicated on the district use chart (see Chapter 17A.220 OCC).

17A.120.030 Conditional uses

Conditional uses are as indicated on the district use chart (see Chapter 17A.220 OCC).

17A.120.040 Accessory uses

Accessory uses are as follows:

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

17A.120.050 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.

17A.120.060 Density

Density restrictions are as follows:

A. Maximum floor area equals lot area.

17A.120.070 Property line setbacks

All permitted structures shall have the following required property line setbacks:

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;

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;
C. Rear: none, except minimum is 25 feet when abutting the perimeter of the airport district.

17A.120.080 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 OCC 17A.300 & OCC 17A.301).
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 OCC 17A.300 & OCC 17A.301).

17A.120.090 Lot coverage

Lot coverage restrictions are as follows:

A. Maximum lot coverage is 70 percent.

17A.120.100 Parking

Parking requirements are as indicted in Chapter 17A.240 OCC.

17A.120.110 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 17A.220 OCC if they are related to air transportation.

I. Signs shall be indirectly illuminated, made of non-glare 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.

Chapter 17A.130
METHOW REVIEW DISTRICT (MRD)

Sections:

17A.130.010 Purpose of classification
17A.130.020 Permitted uses
17A.130.030 Conditional uses
17A.130.040 Accessory uses
17A.130.050 Lot area and width
17A.130.060 Density
17A.130.070 Property line setbacks
17A.130.080 Height
17A.130.090 Lot coverage
17A.130.100 Parking
17A.130.110 Special provisions

17A.130.010 Purpose of classification

District Purpose: The purpose of this district is to provide rural development options which are consistent with Okanogan County's comprehensive plan, including the Methow Valley More Completely Planned Area..

17A.130.020 Permitted uses

Indicated on the district use chart (see OCC 17A.220).

17A.130.030 Conditional uses

Indicated on the district use chart (see OCC 17A.220).

17A.130.040 Accessory uses

A. Normal accessory uses customary and incidental to the permitted and/or conditional use of the property.
B. Accessory dwelling units:
   1. On lots which meet or exceed the minimum lot size requirement of the district, one additional attached or detached accessory dwelling unit is allowed. The accessory dwelling unit must be 1500 square feet or less and must be located no further than one hundred feet from the primary dwelling or structure in MRD VF5 and MRD VF1, and no further than 400 feet in MRD UL20. No clustering is required in MRD VF12,500.
   2. On nonconforming lots, an accessory dwelling unit for extended family members is allowed only if a demonstrated family hardship exists (See OCC 17A.310.060(B)(1)).
   3. No more than one accessory dwelling unit shall be located on any lot.

17A.130.050 Lot area and width

A. MRD UL20.
   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. MRD VF5.
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. MRD VF1.
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. MRD VF12,500.
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.

17A.130.060 Density

A. MRD UL20.
1. Maximum of one dwelling unit per 20 acres with an allowance for a second unit per OCC 17A.130.040(B).

B. MRD VF5.
1. Maximum of one dwelling unit per five acres with an allowance for a second unit per OCC 17A.130.040(B).

C. MRD VF1.
1. Maximum of one dwelling unit per acre.

D. MRD VF12,500.
1. Maximum of one dwelling unit per 12,500 square feet.

E. General Density Requirements: This subsections applies to subsections A through D of this section (OCC 17A.130.060 Density).
1. When density requirements of this Section would not be met, an additional dwelling unit for extended family members may be permitted only if a demonstrated emergency family hardship exists (See OCC 17A.310.060(B)(1)).

17A.130.070 Property line setbacks

All permitted structures shall have the following required property line setbacks:

A. MRD UL20.
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. MRD VF5.
   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. MRD VF1.
   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. MRD VF12,500.
   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).

17A.130.080 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, 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; agricultural commodity storage; 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.

17A.130.090 Lot coverage

A. MRD UL20.
   1. Single-family development: maximum lot coverage is 5 percent;
   2. All other development: maximum lot coverage is 10 percent.

B. MRD VF5.
   1. Single-family development: maximum lot coverage is 10 percent;
   2. All other development: maximum lot coverage is 40 percent.

C. MRD VF1.
   1. Single-family development: maximum lot coverage is 30 percent;
   2. All other development: maximum lot coverage is 40 percent.

D. MRD VF12,500.
   1. Single-family development: maximum lot coverage is 35 percent;
   2. All other development: maximum lot coverage is 40 percent.

17A.130.100 Parking

As indicated in Chapter 17A.240 OCC.

17A.130.110 Special provisions

A. Multifamily dwellings and mobile home parks are allowed by Conditional Use Permits only on lots which meet or exceed the minimum lot size requirement of the of the zone (see OCC 17A.130.050 OCC), which supersedes OCC 17A.330.010 "Legal pre-existing lots".

B. Inns, lodges or guest ranches, campgrounds, and RV parks, all of which are defined within the "Definitions" chapter of this Title (OCC 17A.020), shall be approved by Conditional Use Permit only on lots which meet or exceed the minimum lot size of this zone (see OCC 17A.130.050 OCC), which supersedes OCC 17A.330.010 "Legal pre-existing lots", and shall incorporate the following additional design standards:
   1. Intensity: For the purposes of this section, one equivalent residential unit (dwelling unit) shall equal a lodging 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.

2. Signage: Only indirectly illuminated signs made of natural materials are allowed.
3. Setback for Intensive Uses: Setback from property line of adjacent residential properties for residential structures, campsites, and other areas of intense use shall be 75 feet.
4. Screening of parking areas within 100 feet of the property line of adjacent residential properties shall be required.
5. 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.

C. Construction in Flood Hazard Areas: No structures for human habitation shall be constructed or placed in the 100-year floodplain.

D. Cluster Land Divisions
1. Density: Increases to density beyond that permitted by this Chapter may be permitted for Cluster Land Divisions in accordance with OCC Title 16. For the purpose of calculating maximum density within Cluster Land Divisions, the base density of this zone is as follows
   a. MRD UL20: 1 lot per 20 acres.
   b. MRD VF5: 1 lot per 5 acres.
   c. MRD VF1: 1 lot per acre.
   d. MRD VF12,500: 1 lot per 12,500 square feet.
   e. Fractional calculations shall be rounded down to the nearest whole number (i.e. density calculated at 12.7 lots and/or dwelling units shall be rounded to 12 lots and/or units).
2. Lot area and width: In order to achieve alternative lot design and clustering, deviations to lot area and width beyond that permitted by this Chapter may be permitted for Cluster Land Division in accordance with OCC Title 16.

Chapter 17A.140
RURAL RESIDENTIAL (RR)

Sections:

17A.140.010 Purpose of classification
17A.140.020 Permitted uses
17A.140.030 Conditional uses
17A.140.040 Accessory uses
17A.140.050 Lot area and width
17A.140.060 Density
17A.140.070 Property line setbacks
17A.140.080 Height
17A.140.090 Lot coverage
17A.140.100 Parking
17A.140.110 Special provisions
17A.140.120 Signs

17A.140.010 Purpose of classification

The purpose of this district is to provide rural/low-density development options which are consistent with Okanogan County's comprehensive plan, including the Methow Valley More Completely Planned Area Sub-Unit A.

17A.140.020 Permitted uses

Permitted uses are as indicated on the district use chart, Chapter 17A.220 OCC.

17A.140.030 Conditional uses

Conditional uses are as indicated on the district use chart, Chapter 17A.220 OCC.

17A.140.040 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. Accessory dwellings:
   1. On lots which meet or exceed the minimum lot size requirement of the district, one additional attached or detached accessory dwelling is allowed. The accessory dwelling unit must be 1500 square feet or less and must be located no further than one hundred feet from the primary dwelling unit or structure.
   2. On nonconforming lots, an accessory dwelling unit for extended family members is allowed only if a demonstrated family hardship exists (See OCC 17A.310.060(B)(1)).
   3. No more than one accessory dwelling unit shall be located on any lot.

17A.140.050 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.

17A.140.060 Density

Density restrictions are as follows:

A. Maximum of one dwelling unit per five acres, provided that accessory dwelling units may be permitted subject to provisions of OCC 17A.140.040(B).

17A.140.070 Property line setbacks

All permitted structures shall have the following required property line setbacks:

A. Front: minimum is 25 feet;
B. Side: minimum is 25 feet;
C. Rear: minimum is 25 feet;
D. Commercial structures: Property line 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.

17A.140.080 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, 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: agricultural commodity storage; 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.

17A.140.090 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.

17A.140.100 Parking

Parking requirements are as indicated in Chapter 17A.240 OCC.

17A.140.110 Special provisions

A. Inns, lodges or guest ranches, campgrounds, and RV parks, all of which are defined within the "Definitions" chapter of this Title (OCC 17A.020), shall be approved by Conditional Use Permit only on lots which meet or exceed the minimum lot size of this zone (see OCC 17A.140.050), which supersedes OCC 17A.330.010 "Legal pre-existing lots", and shall incorporate the following additional design standards:
   1. Intensity: For the purposes of this section, one equivalent residential unit (dwelling unit) shall equal a lodging 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.
   2. Signage: Only indirectly illuminated signs made of natural materials are allowed.
   3. Setback for Intensive Uses: Setback from property line of adjacent residential properties for residential structures, campsites, and other areas of intense use shall be 75 feet.
   4. Screening of parking areas within 100 feet of the property line of adjacent residential properties shall be required.
   5. 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.

B. Construction in Flood Hazard Areas: No structures for human habitation shall be constructed or placed in the 100-year floodplain.

C. Cluster Land Divisions
   1. Density: Increases to density beyond that permitted by this Chapter may be permitted for Cluster Land Divisions in accordance with OCC Title 16. For the purpose of calculating maximum density within Cluster Land Divisions, the base density of this zone is 1 lot per 5 acres. Fractional calculations shall be rounded down to the nearest whole number (i.e. density calculated at 12.7 lots and/or dwelling units shall be rounded to 12 lots and/or units).
   2. Lot area and width: In order to achieve alternative lot design and clustering, deviations to lot area and width beyond that permitted by this Chapter may be permitted for Cluster Land Division in accordance with OCC Title 16.

D. Airport-related uses. 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.

E. Pre-application consultation with the local advisory committee or other entity established by the county, and the office of planning and development is mandatory for all uses requiring a conditional use permit (Chapter 17A.310 OCC) or planned unit development (Chapter 17A.200 OCC) for approval.
1. Within 14 days of receiving a request for pre-application consultation, the office of planning and development will set a meeting date, time and place for the pre-application 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 7 days of the pre-application consultation meeting.
2. The request for a pre-application consultation shall vest the applicant to the existing regulations, so long as the applicant submits a completed application to the office of planning and development within 30 days of the request for a pre-application consultation or within 7 days of the pre-application consultation, whichever is later.

17A.140.120 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.

Chapter 17A.150
LOW DENSITY RESIDENTIAL (LDR)

Sections:

17A.150.010 Purpose of classification
17A.150.020 Permitted uses
17A.150.030 Conditional uses
17A.150.040 Accessory uses
17A.150.050 Lot area and width
17A.150.060 Density
17A.150.070 Property line setbacks
17A.150.080 Height
17A.150.090 Lot coverage
17A.150.100 Parking
17A.150.110 Special provisions
17A.150.120 Signs

17A.150.010 Purpose of classification

The purpose of this district is to provide rural/low-density development options which are consistent with Okanogan County's comprehensive plan, including the Methow valley more Completely Planned Area Sub-Unit A.

17A.150.020 Permitted uses

Permitted uses are as indicated on the district use chart, Chapter 17A.220 OCC.

17A.150.030 Conditional uses

Conditional uses are as indicated on the district use chart, Chapter 17A.220 OCC.

17A.150.040 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. Accessory dwellings:

1. On lots which meet or exceed the minimum lot size requirement of the district, one additional attached or detached accessory dwelling is allowed. The accessory dwelling must be 1500 square feet or less and must be located no further than 400 feet from the primary dwelling or structure.
2. On nonconforming lots, an accessory dwelling unit for extended family members is allowed only if a demonstrated family hardship exists (see OCC 17A.310.060(B)(1).
3. No more than one accessory dwelling shall be located on any lot.

17A.150.050 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.

17A.150.060 Density

Density restrictions are as follows:

A. Maximum of one dwelling unit per 20 acres, provided that accessory dwelling units may be permitted subject to provisions of OCC 17A.150.040(B).

17A.150.070 Property line setbacks

All permitted structures shall have the following required property line setbacks:

A. Front: minimum is 50 feet.
B. Side: minimum is 50 feet.
C. Rear: minimum is 50 feet.
D. Commercial structures: property line 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.

17A.150.080 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, 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: agricultural commodity storage, 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.

17A.150.090 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.

17A.150.100 Parking

Parking requirements are as indicated in Chapter 17A.240 OCC.

17A.150.110 Special provisions

A. Multifamily dwellings and manufactured home parks are allowed by Conditional Use Permits only on lots which meet or exceed the minimum lot size requirement of the of the zone (see OCC 17A.150.050 OCC).

B. Inns, lodges or guest ranches, campgrounds, and RV parks, all of which are defined within the "Definitions" chapter of this Title (OCC 17A.020), shall be approved by Conditional Use Permit only on lots which meet or exceed the minimum lot size requirement of the of this zone (see OCC 17A.150.050 OCC), which supersedes OCC 17A.330.010 "Legal pre-existing lots", and shall incorporate the following additional design standards:

1. Intensity: For the purposes of this section, one equivalent residential unit (dwelling unit) shall equal a lodging 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.
2. Signage: Only indirectly illuminated signs made of natural materials are allowed.
3. Setback for Intensive Uses: Setback from property line of adjacent residential properties for residential structures, campsites, and other areas of intense use shall be 75 feet.
4. Screening of parking areas within 100 feet of the property line of adjacent residential properties shall be required.
5. 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.

C. Construction in Flood Hazard Areas: No structures for human habitation shall be constructed or placed in the 100-year flood.

D. Cluster Land Divisions

1. Density: Increases to density beyond that permitted by this Chapter may be permitted for Cluster Land Divisions in accordance with OCC Title 16. For the purpose of calculating maximum density within Cluster Land Divisions, the base density of this zone is 1 lot per 20 acres. Fractional calculations shall be rounded down to the nearest whole number (i.e. density calculated at 12.7 lots and/or dwelling units shall be rounded to 12 lots and/or units).
2. Lot area and width: In order to achieve alternative lot design and clustering, deviations to lot area and width beyond that permitted by this Chapter may be permitted for Cluster Land Division in accordance with OCC Title 16.

E. Airport-related uses. 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.

F. Pre-application consultation with the local advisory committee or other entity established by the county, and the office of planning and development is mandatory for all uses requiring a conditional use permit (Chapter 17A.310 OCC) or planned unit development (Chapter 17A.200 OCC) for approval.
1. Within 14 days of receiving a request for pre-application consultation, the office of planning and development will set a meeting date, time and place for the pre-application 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 7 days of the pre-application consultation meeting.
2. The request for a pre-application consultation shall vest the applicant to the existing regulations, so long as the applicant submits a completed application to the office of planning and development within 30 days of the request for a pre-application consultation or within 7 days of the pre-application consultation, whichever is later.

17A.150.120 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.

Chapter 17A.160
URBAN RESIDENTIAL (UR)

Sections:

17A.160.010 Purpose of classification
17A.160.020 Permitted uses
17A.160.030 Conditional uses
17A.160.040 Accessory uses
17A.160.050 Lot area and width
17A.160.060 Density
17A.160.070 Property line setbacks
17A.160.080 Height
17A.160.090 Lot coverage
17A.160.100 Parking
17A.160.110 Special provisions

17A.160.010 Purpose of classification

The purpose of this district is to provide areas of high-density development options, near existing commercial areas, which are consistent with Okanogan County's comprehensive plan, including the Methow Valley More Completely Planned Area Sub-Unit A.

17A.160.020 Permitted uses

Permitted uses are as indicated on the district use chart (see Chapter 17A.220 OCC).

17A.160.030 Conditional uses

Conditional uses are as indicated on the district use chart (see Chapter 17A.220 OCC).

17A.160.040 Accessory uses

Accessory uses are as follows:

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

17A.160.050 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.

17A.160.060 Density

Density restrictions are as follows:

A. Single-family: Maximum of 1 dwelling unit per 5,000 square feet;
B. Multifamily: Maximum of 1 dwelling unit per 3,600 square feet.
C. One single-family dwelling unit and one accessory dwelling may be permitted on any lot so long as adequate provisions for water and septic are permitted by Okanogan County Public Health.

17A.160.070 Property line setbacks

All permitted structures shall have the following required property line setbacks:

A. Front: minimum is 15 feet;
B. Side: minimum is five feet;
C. Rear: minimum is 15 feet;

17A.160.080 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.

17A.160.090 Lot coverage

Lot coverage restrictions are as follows:

A. Maximum lot coverage is 45 percent.

17A.160.100 Parking

Parking requirements are as indicated in Chapter 17A.240 OCC.

17A.160.110 Special provisions

A. Pre-application consultation with the local advisory committee or other entity established by the county, and the office of planning and development is mandatory for all uses requiring a conditional use permit (Chapter 17A.310 OCC) or planned unit development (Chapter 17A.200 OCC) for approval.
    1. Within 14 days of receiving a request for pre-application consultation, the office of planning and development will set a meeting date, time and place for the pre-application 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 7 days of the pre-application consultation meeting.
    2. The request for a pre-application consultation shall vest the applicant to the existing regulations, so long as the applicant submits a completed application to the office of planning and development within 30 days of the request for a pre-application consultation or within 7 days of the pre-application consultation, whichever is later.
B. Signs: See OCC 17A.190.110(F).
C. Light and Glare: See OCC 17A.190.110(D).
D. Construction in Flood Hazard Areas: No structures for human habitation shall be constructed or placed in the 100-year flood.

E. Cluster Land Divisions

1. Density: Increases to density beyond that permitted by this Chapter may be permitted for Cluster Land Divisions in accordance with OCC Title 16. For the purpose of calculating maximum density within Cluster Land Divisions, the base density of this zone is 1 lot per 5,000 square feet. Fractional calculations shall be rounded down to the nearest whole number (i.e. density calculated at 12.7 lots and/or dwelling units shall be rounded to 12 lots and/or units).
2. Lot area and width: In order to achieve alternative lot design and clustering, deviations to lot area and width beyond that permitted by this Chapter may be permitted for Cluster Land Division in accordance with OCC Title 16.

Chapter 17A.170
NEIGHBORHOOD USE (NU)

Sections:

17A.170.010 Purpose of classification
17A.170.020 Permitted uses
17A.170.030 Conditional uses
17A.170.040 Accessory uses
17A.170.050 Lot area and width
17A.170.060 Density
17A.170.070 Property line setbacks
17A.170.080 Height
17A.170.090 Lot coverage
17A.170.100 Parking
17A.170.110 Special provisions

17A.170.010 Purpose of classification

The purpose of this district is to provide areas of commercial development, located near rural population centers, which are consistent with Okanogan County's comprehensive plan, including the Methow Valley More Completely Planned Area Sub-Unit A.

17A.170.020 Permitted uses

Permitted uses are as indicated on the district use chart (see Chapter 17A.220 OCC).

17A.170.030 Conditional uses

Conditional uses are as indicated on the district use chart (see Chapter 17A.220 OCC).

17A.170.040 Accessory uses

Accessory uses are as follows:

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

17A.170.050 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.

17A.170.060 Density

A. Density restrictions are not applicable (see lot coverage, OCC 17.170.090).

17A.170.070 Property line setbacks

All permitted structures shall have the following required property line setbacks:

A. Front: none.
B. Side: none.
C. Rear: none.

17A.170.080 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).

17A.170.090 Lot coverage

Lot coverage restrictions are as follows:

A. Maximum lot coverage is 90 percent, subject to compliance with property line setbacks.

17A.170.100 Parking

Parking requirements are as indicated in Chapter 17A.240 OCC.

17A.170.110 Special provisions

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

B. Pre-application consultation with the local advisory committee or other entity established by the county, and the office of planning and development is mandatory for all uses requiring a conditional use permit (Chapter 17A.310 OCC) or planned unit development (Chapter 17A.200 OCC) for approval.

1. Within 14 days of receiving a request for pre-application consultation, the office of planning and development will set a meeting date, time and place for the pre-application 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 7 days of the pre-application consultation meeting.

2. The request for a pre-application consultation shall vest the applicant to the existing regulations, so long as the applicant submits a completed application to the office of planning and development within 30 days of the request for a pre-application consultation or within 7 days of the pre-application consultation, whichever is later.

C. Signs: See OCC 17A.190.110(F).

D. Light and Glare: See OCC 17A.190.110(D).

E. Construction in Flood Hazard Areas: No structures for human habitation shall be constructed or placed in the 100-year flood.

F. Cluster Land Divisions

1. Density: Increases to density beyond that permitted by this Chapter may be

permitted for Cluster Land Divisions in accordance with OCC Title 16. For the purpose of calculating maximum density within Cluster Land Divisions, the base density of this zone is 1 lot per 5,000 square feet. Fractional calculations shall be rounded down to the nearest whole number (i.e. density calculated at 12.7 lots and/or dwelling units shall be rounded to 12 lots and/or units).

2. Lot area and width: In order to achieve alternative lot design and clustering, deviations to lot area and width beyond that permitted by this Chapter may be permitted for Cluster Land Division in accordance with OCC Title 16.

Chapter 17A.180
NEIGHBORHOOD COMMERCIAL (NC)

Sections:

17A.180.010 Purpose of classification
17A.180.020 Permitted uses
17A.180.030 Conditional uses
17A.180.040 Accessory uses
17A.180.050 Lot area and width
17A.180.060 Density
17A.180.070 Property line setbacks
17A.180.080 Height
17A.180.090 Lot coverage
17A.180.100 Parking
17A.180.110 Special provisions

17A.180.010 Purpose of classification

The purpose of this district is to provide areas of high-density and commercial development options, near and within existing unincorporated communities, which are consistent with Okanogan County's comprehensive plan.

17A.180.020 Permitted uses

Permitted uses are as indicated on the district use chart (see Chapter 17A.220 OCC).

17A.180.030 Conditional uses

Conditional uses are as indicated on the district use chart (see Chapter 17A.220 OCC).

17A.180.040 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. Accessory dwelling units.

17A.180.050 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.

17A.180.060 Density

A. Density of residential and commercial development shall be determined by providing adequate water and septic service which must comply with regulations administered by Okanogan County Public Health.
B. Cluster Land Divisions: Increases to density beyond that permitted by this section may be permitted for Cluster Land Divisions in accordance with OCC Title 16. For the purpose of calculating maximum density within Cluster Land Divisions, the base density of this zone is 1 single family dwelling unit per 5,000 square

feet. Fractional calculations shall be rounded up to the nearest whole number (i.e. density calculated at 12.7 lots and/or units shall be rounded to 13 lots and/or units).

17A.180.070 Property line setbacks

All permitted structures shall have the following required property line setbacks:

A. Front: none.
B. Side: none.
C. Rear: none.

17A.180.080 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; theaters; and their accessory buildings.
C. Maximum height shall be 100 feet for agricultural commodity storage and performing arts centers (theaters, community centers, sports facilities and complexes).

17A.180.090 Lot coverage

Reserved.

17A.180.100 Parking

Parking requirements are as indicated in Chapter 17A.240 OCC.

17A.180.110 Special provisions

A. 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 properties. No exterior light with a direct source visible from a neighboring property shall be installed. Christmas lighting is exempt from these requirements.
B. Cluster Land Divisions
   1. Density: Increases to density beyond that permitted by this Chapter may be permitted for Cluster Land Divisions in accordance with OCC Title 16. For the purpose of calculating maximum density within Cluster Land Divisions, the base density of this zone is 1 lot per 5,000 square feet. Fractional calculations shall be rounded down to the nearest whole number (i.e. density calculated at 12.7 lots and/or dwelling units shall be rounded to 12 lots and/or units).
   2. Lot area and width: In order to achieve alternative lot design and clustering, deviations to lot area and width beyond that permitted by this Chapter may be permitted for Cluster Land Division in accordance with OCC Title 16.

Chapter 17A.190
SPECIAL REVIEW COMMERCIAL (SRC)

Sections:

17A.190.010	Purpose of classification
17A.190.020	Permitted uses
17A.190.030	Conditional uses
17A.190.040	Accessory uses
17A.190.050	Lot area and width
17A.190.060	Density
17A.190.070	Property line setbacks
17A.190.080	Height
17A.190.090	Lot coverage
17A.190.100	Parking
17A.190.110	Special provisions

17A.190.010 Purpose of classification

The purpose of this district is to provide areas rural/high-density and commercial development options which are consistent with Okanogan County's comprehensive plan, and the Methow Review District More Completely Planned Area, Sub-Unit A.

17A.190.020 Permitted uses

Permitted uses are as indicated on the district use chart, Chapter 17A.220 OCC.

17A.190.030 Conditional uses

Conditional uses are as indicated on the district use chart, Chapter 17A.220 OCC.

17A.190.040 Accessory uses

Accessory uses are as follows:

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

17A.190.050 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.

17A.190.060 Density

A. Density restrictions are not applicable (see lot coverage, OCC 17A.190.090).

17A.190.070 Property line setbacks

All permitted structures shall have the following required property line setbacks:

A. Front: none;
B. Side: none, except 10 feet when abutting a residential or agricultural district;
C. Rear: none, except a minimum of 25 feet when abutting a residential or agricultural district.

17A.190.080 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.

17A.190.090 Lot coverage

Lot coverage restrictions are as follows:

A. Maximum lot coverage is 50 percent, subject to compliance with required property line setbacks.

17A.190.100 Parking

Parking requirements are as indicated in Chapter 17A.240 OCC.

17A.190.110 Special provisions

A. Residences on second floor. Dwelling units shall be located only on the second floor of structures within this zone.

B. Construction in Flood Hazard Areas: No structures for human habitation shall be constructed or placed in the 100-year flood.

C. Cluster Land Divisions

1. Density: Increases to density beyond that permitted by this Chapter may be permitted for Cluster Land Divisions in accordance with OCC Title 16. For the purpose of calculating maximum density within Cluster Land Divisions, the base density of this zone is 1 lot per 5,000 square feet. Fractional calculations shall be rounded down to the nearest whole number (i.e. density calculated at 12.7 lots and/or dwelling units shall be rounded to 12 lots and/or units).
2. Lot area and width: In order to achieve alternative lot design and clustering, deviations to lot area and width beyond that permitted by this Chapter may be permitted for Cluster Land Division in accordance with OCC Title 16.

D. 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.

E. Pre-application consultation with the local advisory committee or other entity established by the county, and the office of planning and development is mandatory for all uses requiring a conditional use permit (Chapter 17A.310 OCC) or planned unit development (Chapter 17A.200 OCC) for approval.

1. Within 14 days of receiving a request for pre-application consultation, the office of planning and development will set a meeting date, time and place for the pre-application 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 7 days of the pre-application consultation meeting.

2. The request for a pre-application consultation shall vest the applicant to the existing regulations, so long as the applicant submits a completed application to the office of planning and development within 30 days of the request for a pre-application consultation or within 7 days of the pre-application consultation, whichever is later.

F. 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 non-illuminated 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.

Chapter 17A.200
PLANNED UNIT DEVELOPMENT (PUD)

Sections:

17A.200.010 Purpose
17A.200.020 Standards
17A.200.030 Review
17A.200.040 Rezone
17A.200.050 Development agreement
17A.200.060 Subdivisions
17A.200.070 Modifications

17A.200.010 Purpose

The purpose of the planned unit development is to allow Okanogan County to review specialized pre-planned development projects which may not be permitted within the current zone district in which the project is located. A planned unit development may permit a variety of housing types and/or commercial and industrial facilities under standards, including but not limited to permitted uses and lot sizes, which may be different than those restrictions that would be required by the underlying zone. The specialized zoning for a planned unit development is adopted by a development agreement which may contain requirements in addition to those of the standard zoning and subdivision. The planned unit development review process allows Okanogan County the opportunity to review specialized projects on a case-by-case basis for consistency with the comprehensive plan and any sub-area plans, while reviewing site characteristics, on and off site impacts, neighborhood character, etc.

17A.200.020 Standards

A. Planned Unit Developments must be consistent with Okanogan County's Comprehensive Plan, including Methow Valley More Completely Planned Area and the Methow Valley More Completely Planned Area Subunit A. In no instance shall a Planned Unit Development be approved if it is not found to be consistent with such Comprehensive Plan and designated planning areas.
B. The property, for which a Planned Unit Development is proposed, shall contain sufficient area to provide adequate buffering to mitigate the impacts to neighboring properties.
C. An applicant of a Planned Unit Development may apply for density bonus, identical to that of Cluster Land Division, without subdividing. Any density bonus qualified in this manner will also have to meet the clustering requirements identified within the Cluster Land Division regulation (see OCC 16.14)

17A.200.030 Review

Review of an application for a planned unit development is a quasi-judicial review process as administered in accordance with OCC Title 20 "Development Permit Procedures and Administration" including public and agency comment period, SEPA review, open-record public hearing, etc.

A. Consolidated review: The final product of an application for a planned unit

development is a conglomeration of multiple documents, including a rezone, development agreement, and potentially a subdivision. These elements of the planned unit development should be consolidated and processed concurrently, whenever possible. Consolidation of application materials includes but is not limited to common review processes and timelines for SEPA determinations, comment periods, consolidated notifications and reports and hearings, etc.

B. A complete application includes:
   1. Application fee as adopted within Okanogan County's fee schedule.
   2. Rezone application (OCC 17A.340)
   3. Development agreement (OCC 18.05 & RCW 36.70B)
   4. SEPA checklist
   5. Subdivision or short plat with supporting information (OCC Title 16)
   6. Project description: The scope of the project description varies greatly between applications for planned unit development as the planned unit development process may be used by a variety of different project types.

17A.200.040 Rezone

A planned unit development acts as a rezone. Once an application is approved, the official county zone map is amended to show the property is zoned "planned unit development". A planned unit development rezone is processed in accordance with OCC 17A.340.100 as a quasi-judicial application. The final decision is made by the Hearing Examiner or Board of Adjustment. If approved, that decision is submitted to the Board of Okanogan County Commissioners in order to perfect the decision by ordering an amendment to the County's zone map.

17A.200.050 Development agreement

As a specialized zone designation, a development agreement is used to clarify the scope of the planned unit development.

A. Components: The development agreement includes, but is not limited to, sections explaining permitted uses, parameters of any subdivisions, phasing, development of infrastructure (roads, utilities, etc.), and identification of mitigation that had been required for the project (if any), and review processes for various development scenarios and land management practices. A full legal description of the property is included in order for the development agreement to appropriately follow title to the land once recorded.

B. Development agreements are authorized by this Chapter and OCC 18.05 and RCW 36.70B. As a quasi-judicial application process, the development agreement is approved or denied by the Hearing Examiner or Board of Adjustment. If approved, the final development agreement would be signed by all parties and presented to the Board of Okanogan County Commissioners for execution and adoption. Once completed, the development agreement is recorded with the County Auditor.

17A.200.060 Subdivisions

Division of land within a planned unit development is not required although it may be permitted by request of the applicant. Division of land shall be completed in accordance

with OCC Title 16 "Subdivisions".

A. Division of land for purposes of residential or tourist-residential development, or when a density bonus is proposed, shall be completed as a cluster plat in accordance with OCC Title 16 "Subdivisions".
B. The application for a planned unit development identifies whether land division will occur, how, and when. If land division is proposed, then the application may include the preliminary plat (and supporting information). A preliminary plat may be submitted latter in accordance with the phasing plan section of the development agreement (OCC 17A.200.050).

17A.200.070 Modifications

This Section authorizes modifications to planned unit developments and to projects known as "planned developments" which are no longer authorized by Okanogan County Code. A planned unit development is composed of multiple elements including a zone boundary (rezone), development agreement, and a cluster plat. An application for a modification to a planned unit development may narrowly focus on one of these elements or it may apply to each element. Modifications affecting a single element are processed in accordance with the application requirement of that individual component.

A. A modification to the planned unit development zone boundary is processes in accordance with rezone procedures in accordance with OCC 17A.340.
B. An alteration to the final plat is processed in accordance with plat alterations procedures found in OCC Title 16.
C. A modification to the development agreement is processed in accordance with OCC 18.05 and RCW 36.70B.
D. On a case-by-case basis, the development agreement for a planned unit development may include modification procedures which are different than those identified by this Section so long as those procedures are legally sound.

Chapter 17A.210
PLANNED DESTINATION RESORT (PDR)

Sections:

17A.210.010 District purpose
17A.210.020 Uses allowed
17A.210.030 General requirements
17A.210.040 Pre-application consultation
17A.210.050 Application for planned destination resort
17A.210.060 Processing of application for PDR
17A.210.070 Board of county commissioner's review and decision
17A.210.080 Final development plan submittal requirements
17A.210.090 Procedure for review of a final development plan – Phased development
17A.210.100 Procedure for modification of a final development plan
17A.210.110 Violation of terms of approval

17A.210.010 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.

17A.210.020 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.

17A.210.030 General requirements

In addition to accomplishing the purpose of the PDR established in OCC 17A.210.010, 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 17A.210.020(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 17A.210.030(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.

17A.210.040 Pre-application 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.

17A.210.050 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 submittal of a complete application, 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 17A.210.020(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 17A.210.090 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.

17A.210.060 Processing of application for PDR

An application for a PDR shall require a quasi-judicial review process in accordance with OCC Title 20 "Development Permit Procedures and Administration". The Board of Adjustment or Hearing Examiner approves or denies an application. The Board of

Okanogan County Commissioners perfect approval of the application by approving an amendment to the County zone map and by approving the final development plan.

A. 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 administrator shall recommend that the Board of Adjustment or Hearing Examiner 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.

17A.210.070 Board of county commissioner's review and decision

A. 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.

B. 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.

C. 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.

17A.210.080 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 17A.210.020(A)(6),
8. Traffic flow plan,
9. A landscape plan as defined in OCC 17A.210.050(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 non-enforcement shall not result in waiver of the right to subsequently enforce.

17A.210.090 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 adjustment or hearing examiner 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 of adjustment or hearing examiner may rescind approval of the rezone application following a 30-day appeal period after notification to the applicant of record of the board of adjustment or hearing examiner'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 hearing examiner, 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 17A.210.010 through 17A.210.030.

1. The administrator shall review the final development plan to determine that all requirements of OCC 17A.210.080 are satisfied, and that the final development plan is in substantial compliance with the rezone application as approved by the hearing examiner. 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 17A.360 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 sub-developers 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 17A.210.030.
   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.

17A.210.100 Procedure for modification of a final development plan

A. Applications for major modifications in the final development plan must be submitted to the hearing examiner as a quasi-judicial application and review process in accordance with OCC 17A.210.060 and OCC Title 20 "Development Permit Procedures and Administration".
B. Minor modifications to the final development plan may be approved by the administrator as an administrative review process in accordance with OCC Title 20 "Development Permit Procedures and Administration". 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.

17A.210.110 Violation of terms of approval

Deviation from any condition shown on the approved final development plan, without prior compliance with OCC 17A.210.100, shall constitute a violation of this title and shall be punishable and enforceable in the manner provided for in Chapter 17A.360 OCC.

Chapter 17A.220
DISTRICT USE CHART

Sections:

17A.220.010 District use chart

17A.220.010 District use chart

The following chart indicates uses which are permitted or allowed by conditional use permit. The list is not exhaustive of potential allowed uses nor does the list imply these uses will be approved.

A. 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.

B. In the case of similar uses not specifically mentioned by name, the administrator may determine if the proposed use is similar to a use that is listed within this chapter and may therefore be permitted in the same manner as the similar use.

C. Uses that are both specifically defined, and then generally categorized by a similar related use, shall be required to meet the requirement of a specific line item. An example is that a gravel pit may be considered "industrial" but is regulated as a "gravel pit" because it is specifically defined.

D. Each permitted and conditional use identified by this Chapter is subject to additional limitations and/or regulations identified within the text of individual zones found in this Title.

LEGEND	
P	Permitted
C	Conditional Use Permit

	Minimum Requirement (MR)	Rural 1 (R1)	Rural 5 (R5)	Rural 20 (R20)	Agricultural (AG)	Suburban Residential (SR)	Commercial (C)	Industrial (IN)	Agricultural Residential (AR)	Methow Review District (MRD)	Airport Development (AD)	Urban Residential (UR)	Neighborhood Use (NU)	Neighborhood Commercial (NC)	Special Review Commercial (SRC)	Rural Residential (RR)	Low Density Residential (LDR)
Accessory Use	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Acid manufacturing	C	C	C	C													
Adult care facility	P	P	P	P	P	P	C	C	C	C		C		P		P	P
Agricultural related industry	P	P	P	P	P		P	P	C	P				C		P	P
Air cargo terminal	P	P	P	P	C			C			P						
Air passenger services	C	C	C	C	C			C			P						
Aircraft fuel pumps and fuel storage	C	C	C	C	C			C		C	P					C	C
Aircraft hangars	P	P	P	P	C			C		C	P					C	C
Aircraft sales, repair, service	P	P	P	P	C		P	C			P						

LEGEND	MR	R1	R5	R20	AG	SR	C	IN	AR	MRD	AD	UR	NU	NC	SRC	RR	LDR
Aircraft salvage	P	P	P	P	C		P	C			P						
Airports	C	C	C	C	C			C		C	P						
Airstrips	P	P	P	P	C					C	P			P		C	C
Animal disposal facility	C	C	C	C	C					C							
Apiary farms (bee farms)	P	P	P	P	P				P	P				P		P	P
Asphalt batch plant – permanent	C	C	C	C	C			C		C							
Asphalt batch plant – temporary[1]	C	C	C	C	C			C		C						C	C
Auto parking lots and areas, commercial	P	P	P	P			C	C		C	P			P	P		
Auto rental service	P	P	P	P			P	P	C		P				P		
Auto repair	C	C	C	C	C		C	P			C			C	C		
Auto sales (commercial)	P	P	P	P			C							C	C		
Auto storage: over five vehicles (disabled vehicles)								C									
Auto towing operation (with auto storage)	C	C	C	C			C	P		C				P	C		
Auto wrecking operation	C	C	C	C			C	C									
Banks	P	P	P	P			P	P					P	P	P		
Cellular communication tower	C	P	P	P	C	C	C	C	C	C	C	C	C	C	C	C	C
Cellular communication tower (under 60-feet)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Cement, lime, gypsum manufacturers	C	C	C	C	C			C		C							
Churches	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Communication facility, (commercial)	C	P	P	P	C	C	C	C	C	C	C	C	C	C	C	C	C
Communication facility, commercial (tower and accessory structures under 60-feet)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Community center, grange halls, etc.	P	P	P	P	C	C	P	P	C	C	C	C	C	P	C	C	C
Compost manufacturer	P	P	P	P	P		P	P	C	P		C				C	C
Concrete batch plants – permanent	C	C	C	C	C			C		C							
Concrete batch plants – temporary[1]	C	C	C	C	C			C		C						C	C
Crematory, cemetary, funeral home	C	C	C	C	C					C						C	C
Dairy farms	P	P	P	P	P				C	P						P	P

LEGEND	MR	R1	R5	R20	AG	SR	C	IN	AR	MRD	AD	UR	NU	NC	SRC	RR	LDR
Day care facilities	P	P	P	P	P	P	C	C	C	C		C		P		P	P
Drive-in movies	C	C	C	C			P			C							
Dwellings:																	
Accessory	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Farmworker	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Multifamily	P	P	P	P		P			C	C		P	P	P	P	C	C
Single-family	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Earth Stations	C	P	P	P	C	C	C	C	C	C	C	C	C	C	C	C	C
Evaporation ponds	P	P	P	P	P	P	P	P	P	C	C	C	C	C	C	C	C
Event Centers	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Exercise clubs, indoor swimming pools	P	P	P	P		C	P		C	C	P		C	C	P		
Explosive manufacture or storage (storage other than for farm use)	C	C	C	C	C			C		C							
Farms	P	P	P	P	P	P			P	P	P			P		P	P
Feedlots	C	C	C	C	C				C	C							
Fertilizer manufacture	C	C	C	C	C			P									
Florist, retail	P	P	P	P	P		P	P	P		P		P	P	P		
Florist, wholesale/floriculture	P	P	P	P	P		P	P	P	C				P	P	C	C
Food store (retail)	P	P	P	P		C	P		C				P	P	P		
Fruit, vegetable, agriculture, dairy product stand	P	P	P	P	P	P	P		P	C			P	P	P	P	
Golf courses	C	C	C	C		C			C	C				C		C	C
Government services:																	
Infrastructure, wastewater treatment plants, substations, pump stations	C	C	C	C	C	C	C	P	C	C	P	C	C	C	C	C	C
Emergency vehicle facilities, police, fire	P	P	P	P	C	C	C	P	C	C	P	C	C	P	C	C	C
Maintenance shops, warehouses (also see professional buildings)	P	P	P	P	C		C	P	C	C	P		C	C		C	C
Gravel pits & quarries under three acres	P	P	P	P	C			C		C						2	2
Gravel pits & quarries three acres or larger	C	C	C	C	C			C		C						2	2
Helipad	P	P	P	P	C					C	P			P		C	C
Heliport	C	C	C	C	C			C		C	P					C	C
Home Occupations	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P

LEGEND	MR	R1	R5	R20	AG	SR	C	IN	AR	MRD	AD	UR	NU	NC	SRC	RR	LDR
Horticultural services	P	P	P	P	P				P	P				P		P	P
Hospital	P	P	P	P			P	C		C			C	C	P	C	C
Impound yard	C	C	C	C			C	P		C				P	C		
Industrial	C	C	C	C				C			C			C			
Industrial, light	P	P	P	P			C	P	C		P			P	C		
Kennels (commercial) (see OCC 17.300.090)	C	C	C	C	C			P	C	C	C			C		C	C
Laundromats	P	P	P	P			P		C				P	P	P		
Manufactured home parks	C	C	C	C		C			C	C		C		C	C		C
Manufactured home sales facilities	P	P	P	P			C										
Marijuana Operations:																	
Production facility – outdoor	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Production facility – indoor	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Processing facility	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Retail stores	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Marina	P	P	P	P	P	P	P	P	C	C	P	P	P		P	C	C
Meat packing plant	P	P	P	P	C			C		C				P			
Medical/dental clinic	P	P	P	P		C	P	C		C		C	P	P	P		
Mines	C	C	C	C	C			C		C							
Mini-storage	P	P	P	P			P	P	C	C	P			P			
Motorized vehicle track/facilities (commercial)	C	C	C	C						C				C			
Nurseries	P	P	P	P	P		P		P	P				P		P	P
Orchards	P	P	P	P	P	P			P	P				P		P	P
Petroleum service stations	P	P	P	P	C		C	C			P		C	C	C		
Petroleum bulk plant, except petroleum products stored for private use or agricultural use	C	C	C	C	C		P	P		C	P			C			
Private clubs, fraternal lodges, country clubs	P	P	P	P		C	P		C	C			C	C	P	C	C
Professional buildings (offices)	P	P	P	P			P	P	C		P		P	P	P		
Propane/natural gas storage tanks (commercial)	C	C	C	C			C	C		C	C		C	C	C		
Recreation site (high-intensity)	P	P	P	P		C	P		C	C	C		C	C	C	C	C
Recreation site (low-intensity)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Recycling collection center	C	C	C	C		C	C	P	C	C			C	P	C	C	C

LEGEND	MR	R1	R5	R20	AG	SR	C	IN	AR	MRD	AD	UR	NU	NC	SRC	RR	LDR
Recycling processing center	C	C	C	C			C	P						C			
Restaurants, cafes, etc.	P	P	P	P		C	P	C	C		C	P	P	P	P		
Retail stores or gift shops	P	P	P	P		C	P	C	C		P	C	P	P	P		
Salvage (junk) yards	C	C	C	C			C	C		C							
Sanitary landfills	C	C	C	C	C					C							
Sawmills, portable (commercial)	P	P	P	P	C			P		C					C		C
Sawmills and pulp mills (commercial)	C	C	C	C				P						C			
Schools	C	C	C	C	C	C	C	C	CC	C	C	C	C	C	C	C	C
Septic Lagoon			C	C	C			C		C[5]						C	C
Shooting ranges	C	C	C	C	C			C		C							
Slaughterhouses	C	C	C	C	C		C	P		C							
Solid waste transfer station	C	C	C	C	C			C		C						C	C
Tourist accommodations:																	
Bed and breakfasts[3]	P	P	P	P	P	P	C	C	P	P	C	P	P	P	P	P	P
Campgrounds	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Guest Ranch	C	C	C	C	C	C	C		C	C		C	C	C	C	C	C
Hotels/Motels	P	P	P	P		C	P				C			C			
Inns and lodges	P	P	P	P		C	P		C	C		P		C	P		C
Nightly rentals[7]	P	P	P	P	P	P	P	P	P	C	C	C	C	P	C	C	C
RV parks	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Veterinarian clinics[4]	P	P	P	P	P		P		P	C			C	C		C	C
Wholesale establishments	P	P	P	P			P	P	C		P			C	C		
Winery	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

(1) See OCC 17A.020.855 for definition of temporary.
(2) Except for existing/permitted sites.
(3) Subject to regulations contained within Chapter 17A.260 OCC "Bed and Breakfast".
(4) Where veterinarian clinics are allowed, boarding kennels and stables may be included as accessory uses to a clinic.
(5) Permitted or conditional use only in MRD Valley Floor 5 and MRD Uplands 20.
(6) Subject to limitations within individual zones.
(7) Subject to regulations contained within Chapter 17A.270 OCC "Nightly Rentals".

Chapter 17A.230
TEMPORARY USE PERMITS

Sections:

17A.230.010 Purpose and intent
17A.230.020 Required
17A.230.030 Application requirements
17A.230.040 Temporary uses
17A.230.050 Potential conditions of approval
17A.230.060 Standards and criteria
17A.230.070 Extension
17A.230.080 Approval
17A.230.090 Revocation
17A.230.100 Additional conditions of approval

17A.230.010 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.

17A.230.020 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
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.

17A.230.030 Application requirements

Applications for temporary use permits shall be filed with the administrator at the office of planning and development and shall be processed as an administrative application review process in accordance with OCC Title 20 "Development Permit Procedures and Administration", except that various agencies may be solicited for regulatory information in order to the administrator to determine appropriate mitigation and/or conditions. 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 a detailed site plan identifying proposed activities, traffic patterns and access points, and areas of concentrated activities, and any required application fees.

17A.230.040 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. This is not a comprehensive list but may also include any other use that is deemed consistent with the purpose and intent of this chapter as determined by the administrator.

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 contents when not vending	•Limited to June 14th through July 5th
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 17A.020.780	•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	•Not applicable to this chapter. Permitted as a festival in accordance with OCC 5.25 "Assemblies and Festivals".

17A.230.050 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.

17A.230.060 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.

17A.230.070 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.

17A.24.080 Approval

In addition to the administrative review process of OCC Title 20 "Development Permit Procedures and Administration", 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.

17A.230.090 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 additional conditions thereon in accordance with OCC 17A.230.100.

17A.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.

Chapter 17A.240
OFF-STREET PARKING AND LOADING

Sections:

17A.240.010 Artificial lighting
17A.240.020 Off-street parking – Nonresidential structures
17A.240.030 Off-street parking – Residential structures
17A.240.040 Off-street parking – Hotels, motels, inns and lodges
17A.240.050 Off-street parking – Dormitory-type housing
17A.240.060 Off-street parking – Space size
17A.240.070 Parking areas – Snow storage and removal
17A.240.080 Deviations

17A.240.010 Artificial lighting

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 properties. No exterior light with a direct source visible from a neighboring property shall be installed.

A. Christmas lighting is exempt from these requirements.
B. Emergency camps, such as emergency fire camps, are exempt from this Section.

17A.240.020 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.
D. Where it can be demonstrated that fewer parking spaces are needed for the proposed use, these requirements may be reduced by the approval authority. The applicant shall bear the responsibility of providing information necessary to make such a determination.

17A.240.030 Off-street parking – Residential structures

For all residential structures, two parking spaces are required per dwelling unit.

17A.240.040 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 commercial and/or office standards identified by OCC 17A.240.020 in order to account for employee parking and other business related activity.

17A.240.050 Off-street parking – Dormitory-type housing

For dormitory-type housing, one parking space is required for every four sleeping spaces provided.

17A.240.060 Off-street parking – Space size

Up to 25 percent of all required parking spaces may be sized and signed for compact vehicles.

17A.240.070 Parking areas – Snow storage and removal

Parking areas shall be designed to facilitate necessary snow storage and removal operations.

17A.240.080 Deviations

The Administrator may approve deviations to the strict adherence to this chapter on a case-by-case basis. Deviations shall only be granted as a reduction to the amount of required parking and only in situations where the applicant, developer, or landowner has adequately demonstrated that strict adherence to this chapter will cause unnecessary hardship. Also, approval shall be granted only if an adequate amount of parking is provided and is found to be sufficient for the project and any associated activity.

Chapter 17A.250
SETBACK REGULATIONS

Sections:

17A.250.010 Architectural features
17A.250.020 Corner lots
17A.250.030 Half-streets
17A.250.040 Side designations

17A.250.010 Architectural features

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.

17A.250.020 Corner lots

Corner Lots. Both road frontages on a corner lot are subject to the required front property line setback of the zone.

17A.250.030 Half-streets

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.

17A.250.040 Side designations

Front, rear, and side property line setbacks sometimes require differing setback distances. For this reason, each is defined as:

A. Front property line: That line which is marked by the road frontage, point of access, and by frontage to a body of water. A lot may have more than one front property line.
B. Rear property line: That lot line which is opposite from the front property line. Some lots may not have a rear property line, which is usually the case for corner lots.
C. Side property line: Those property lines extending between the front and rear property lines.

Chapter 17A.260
BED AND BREAKFASTS

Sections:

17A.260.010	Purpose and intent
17A.260.020	Standards
17A.260.030	Outward appearance
17A.260.040	Signs
17A.260.050	Health code applicability
17A.260.060	Occupancy of residential units
17A.260.070	Guest bedrooms
17A.260.080	Health inspection
17A.260.090	Retail sales
17A.260.100	Guest parking
17A.260.110	Cooking facilities
17A.260.120	Food service
17A.260.130	Permit required
17A.260.140	Conditions of approval

17A.260.010 Purpose and intent

The purpose of this section is to promote recreational tourism and accommodations throughout Okanogan County in a manner which allows homeowners to use their private residences to serve as transient accommodations as alternatives to hotels/motels. It is the further intent of this section to benefit the public by allowing bed and breakfasts as authorized by WAC 246-215 Subpart C – Bed and Breakfast Operations.

17A.260.020 Standards

Bed and breakfast facilities shall be subject to the following standards.

17A.260.030 Outward appearance

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

17A.260.040 Signs

No more than two signs shall be provided on the premises. The signs shall not exceed six square feet in area (each) and any sign lighting shall be indirectly illuminated, downcast, and shielded from neighboring properties.

17A.260.050 Health code applicability

All bed and breakfast facilities shall comply with WAC 246-215 Subpart C – Bed and Breakfast Operations. The owner or operator shall possess, and keep valid at all times, the appropriate bed and breakfast permit from Okanogan County Public Health or transient accommodation permit from Washington State Department of Health. At no time shall the bed and breakfast operate without a valid permit.

17A.260.060 Occupancy of residential units
The residential unit shall be occupied by the owner or manager of the business.

17A.260.070 Guest bedrooms
A maximum of eight bedrooms shall be provided for guests.

17A.260.080 Health inspection
Bed and breakfast facilities may be subject to an on-site inspection prior to operation to assure compliance with planning and health district standards.

17A.260.090 Retail sales
All retail sales of merchandise or other services shall be an accessory use and shall not overshadow the primary bed and breakfast use of the property. For this reason, all retail sales shall be limited to no more than a total of 100 square feet anywhere on the same property as the bed and breakfast.

17A.260.100 Guest parking
All guest parking shall be provided off-street and shall be a minimum of 1 space per guest room, or the minimum number of spaces identified by OCC 17A.240 "Off-Street Parking and Loading", whichever is greater.

17A.260.110 Cooking facilities
Neither cooking facilities in the guest rooms nor auxiliary kitchens shall be allowed for the use of guests.

17A.260.120 Food service
Bed and breakfast facilities shall provide food service which meets the criteria of WAC 246-215-Part 9-Subpart C "Bed and Breakfast Operations".

17A.260.130 Permit required
A permit issued under provisions of this chapter is required in order to operate a bed and breakfast. See OCC 17A.220 "District Use Chart" for specific permit requirements. An application fee may be required as adopted by Okanogan County's fee schedule.

17A.260.140 Conditions of approval
A bed and breakfast permit, or conditional use permit, may include conditions which are specific to the individual permit. Those conditions must be consistent with this chapter and other applicable landuse regulations administered by Okanogan County, including but not limited to Zoning, Critical Areas, and the Shoreline Master Program.

A. A conditional use permit may strike or amend conditions in this chapter, but only if specifically proposed by the original application or as the result of a finding from the permitting authority (i.e. administrator, hearing examiner, board of adjustment) so long as such a finding would mitigate a specific impact.

Chapter 17A.270
NIGHTLY RENTALS

Sections:

17A.270.010 Purpose
17A.270.020 Permit required
17A.270.030 Amortization Period
17A.270.040 Conditions

17A.270.010 Purpose

The purpose of this Chapter is to ensure that Nightly rentals observe the legal requirements of other transient tourist accommodations so that they compete fairly for commerce, and to preserve the residential character of the areas in which they are located.

17A.270.020 Permit required

A permit is required in order for any landowner to operate a nightly rental. See OCC 17A.220 "District Use Chart" in order to determine whether a nightly rental permit or conditional use permit is required.

B. A nightly rental permit, or conditional use permit for a nightly rental, shall include conditions which are specific to the individual permit. Those conditions must be consistent with this chapter.

C. A conditional use permit for a nightly rental may include additional conditions which are not specifically identified by this chapter.

D. Operation of a nightly rental within a Planned Development or Planned Unit Development is exempt from these permit requirements so long as nightly rentals were approved as a permitted use within the specific Planned Development or Planned Unit Development.

17A.270.040 Conditions

A. The following conditions shall be required for the operation of all nightly rentals. These conditions shall be required for the approval of all nightly rental permits.

1. Appearance: The outward appearance of a single-family residence shall be retained.

B. The following conditions, in addition to those also identified in Section A (OCC 17A.270.040(A)), shall be required for the operation of all nightly rentals within areas designated by Okanogan County's comprehensive plan as the Methow Valley More Completely Planned Area or Methow Valley More Completely Planned Area Sub-Unit A. These conditions shall be required for the approval of all nightly rental permits.

1. Annual Renewal: Nightly Rental Permits must be renewed annually prior to the anniversary date of original issuance of the permit. A nightly rental 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.

2. Unified business identifier: The owner of the nightly rental shall provide a valid Washington State unified business identifier (UBI) number for taxation purposes, along with supporting information validating registration of the specific nightly rental. At no time shall the nightly rental operate without a valid unified business identifier.
3. Public Health permit: The owner or operator shall possess, and keep valid at all times, an overnight transient accommodation permit (OTA permit) from Okanogan County Public Health to operate the facility. At no time shall the nightly rental operate without a valid OTA permit from Okanogan County Public Health.
4. 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 primary dwelling and the accessory dwelling be rented at the same time;
5. Signs: 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;
6. 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.
7. The maximum number of individuals served by a nightly rental is 10.
8. 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.
9. Amortization Period: As of January 1, 2021, all permitted, unpermitted, or legal pre-existing nightly rentals shall cease and no longer be legally permitted to operate, except:
   a) Nightly rentals permitted in accordance with this chapter, or
   b) Nightly rentals located within a planned development, planned unit development, or planned destination resort, which has been permitted to allow nightly rentals and the residence in which the nightly rental is operating was permitted as a nightly rental.

Chapter 17A.270
HOME OCCUPATIONS

Sections:

17A.270.010 Purpose and intent
17A.270.020 Performance standards
17A.270.030 Allowed uses
17A.270.040 Enforcement
17A.270.050 Compliance with other regulations

17A.270.010 Purpose and intent

The purpose of this chapter is to provide limited business within homes and/or upon private property while minimizing the impacts to the character of neighborhoods. Home occupations are permitted as an accessory use to the primary residential use with compliance of the home occupation performance standards found herein.

17A.270.020 Performance standards

A home occupation shall meet the following criteria:

A. Home occupations are an accessory use to the primary residential use of the subject property which is occupied by the manager and/or owner of the business.
B. There shall be no change in the outside appearance of the building or other visible evidence of conduct of the home business other than those activities permitted by this chapter.
C. No more than three persons that do not reside at the location of the home occupation may be working on-site simultaneously.
D. 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.
E. Exterior indications of home occupations are limited to the permitted signage. Any other variation of the residential character of the property resulting from the home occupation is prohibited.
F. Two signs not exceeding twelve square feet each 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.
G. The total space devoted to the home occupation shall not exceed 2,500 square feet which may be a combination of designated area(s) within the residence, out buildings, and outdoor storage as permitted by this chapter.
H. Outdoor storage of any kind related to the home occupation shall be limited to 250 square feet. Up to an additional 250 square feet of outdoor storage may be permitted so long as it is located within a perimeter fence. Fencing must be solid-walled, or of a similar sight obscuring design, and a minimum of 8 feet in height. All outdoor storage shall be limited to a maximum of eight feet in height. Vehicles and heavy equipment used primarily for purposes of the home occupation shall not count toward square footage limitations of outdoor storage.
I. Home occupations shall not generate materially greater traffic volumes that

would normally be expected in the residential neighborhood or area in which it exists.

J. Designated off-street parking for a home occupation may include spaces with maneuvering area provided specifically for business use on the site which will accommodate all expected traffic.

K. Any outdoor lighting shall be downcast and shielded from neighboring properties.

L. Home occupations may be subject to an on-site inspection to assure compliance with all county regulations.

M. If a home occupation grows beyond the requirements of this chapter, then it shall be required to downsize until it can comply with the requirements, or relocate to a zoning district that permits such activities, or receive a permit for such use if such a permit is available (i.e. receive a conditional use permit if such a permit is available in the zone district as identified by OCC Title 17A).

17A.270.030 Allowed uses

Any use that the administrator determines to meet the above home occupation performance standards shall be considered an allowed use.

17A.270.040 Enforcement

In the event the administrator determines that a 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 17A.360 OCC.

17A.270.050 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.

Chapter 17A.290
MARIJUANA OPERATIONS

Sections:

17A.290.010 Purpose and intent
17A.290.020 Types of marijuana operations
17A.290.030 Permit required
17A.290.040 Conditions of approval
17A.290.050 License – Washington State Liquor Control Board
17A.290.060 Other permits
17A.290.070 Lighting
17A.290.080 Neighborhood character
17A.290.090 Amortization Period

17A.290.010 Purpose and intent

The purpose of this chapter is to create review criteria and procedures for marijuana operations within Okanogan County. It is further the intent of this chapter to be consistent with regulations of Washington State and administered by Washington State Liquor Control Board, as they pertain to the authorization of licensed marijuana operations.

17A.290.020 Types of marijuana operations

Marijuana operations are categorized into three separate types of activities which are reflective of the marijuana industry. These categories are similar to those categories defined by Washington State and administered by Washington State Liquor Control Board. The categories are:

A. Marijuana processing (see OCC 17A.020.590 for definition)
B. Marijuana production (see OCC 17A.020.595 for definition)
   1. Indoor grow
   2. Outdoor grow
C. Marijuana retail (see OCC 17A.020.600 for definition)

17A.290.030 Permit required

A permit issued under provisions of this chapter is required in order to operate a marijuana operation. See OCC 17A.220 "District Use Chart" for specific permit requirements.

A. The various types of marijuana operations may be subject to differing permit requirements. All within the same zone district, one category of marijuana operation may be outright permitted while another category may require a conditional use permit or not be permitted at all.
B. One application, and it's associated permit, may include more than one type of marijuana operation so long as both operations are listed as a permitted or conditional use by the district use chart (OCC 17A.220). For example, a permit may authorize marijuana production and marijuana processing on the same property.

17A.290.040 Conditions of approval
A permit, or conditional use permit, should include conditions which are specific to the individual application and site or facility. Those conditions must be consistent with this chapter and other associated regulations administered by Washington State Liquor Control Board and also Okanogan County, including but not limited to Zoning, Critical Areas, and the Shoreline Master Program.

17A.290.050 License – Washington State Liquor Control Board
The owner of the marijuana operation shall provide a valid license issued by Washington State Liquor Control Board. At no time shall the marijuana operation operate without a valid license.

17A.290.060 Other permits
All other associated permits must be obtained and maintained in good standing throughout the duration of the project. Associated permits include but are not limited to building permits, zoning or critical areas permits, access permits, etc.

17A.290.070 Lighting
All outdoor lighting, including but not limited to security lighting and illumination of signs, shall be downcast and shielded from neighboring properties.

17A.290.080 Neighborhood character
Marijuana operations shall be compatible with the character of the surrounding neighborhood. Factors upon which compatibility will be evaluated include but are not limited to noise, traffic, light and glare. Valid and verified complaints from neighbors may be considered as possible reasons for revocation of a permit, or modification of the permitted conditions of approval.

17A.290.090 Amortization Period
As of January 1, 2017, all permitted, unpermitted, or legal pre-existing marijuana operations shall cease and no longer be legally permitted to operate, except marijuana operations permitted in accordance with this chapter. Nothing in this section shall prohibit new applications filed on or after the date stated herein, so long as new applications are permitted in accordance with this chapter.

Chapter 17A.300
Airport Public Safety

Sections:

17A.290.010 General purpose
17A.290.020 Definitions
17A.290.030 Airport zoning designations
17A.290.040 General prohibitions
17A.290.050 Glare
17A.290.060 Lighting
17A.290.070 Height
17A.290.080 Zone 1 Flight operations
17A.290.090 Zone 2 Approach/departure
17A.290.100 Zone 3 Transition
17A.290.110 Zone 4 Passage
17A.290.120 Zone 5 Airport affects area
17A.290.130 Required setbacks
17A.290.140 Site analysis requirements
17A.290.150 Nonconforming lots
17A.290.160 Nonconforming use in zoning district
17A.290.170 Nonconforming structure
17A.290.180 Abandonment
17A.290.190 Unsafe buildings
17A.290.200 Conflicting regulations
17A.290.210 Violations and enforcement
17A.290.220 Appeals

17A.300.010 General purpose

The purpose of this chapter is to establish the Airport Public Safety zone in order to protect the long term viability of general aviation airports as essential public facilities, and the health, welfare and safety of the aviation community, neighboring property owners and general public. These goals will be met by encouraging compatible land uses, densities and reducing hazards in the vicinity of the affected environments of the Airport Public Safety District.

A. This Chapter identifies zones, policies, recommendations, and regulations which may be used by Okanogan County to evaluate whether the identified zones 1-5 should be adopted surrounding individual public airports. Adoption of these zones is not automatic and must be accomplished by ordinance of the Board Okanogan County Commissioners following completion of an open record public hearing.

B. Landowners and users of properties within this zoning district are obligated to follow the airport operations notification as described in section 17A.300.140 "Site analysis requirements". The five zones within the District are impacted due to their proximity to airport operations by noise, vibrations, fumes, odors, lighting, and accident hazards. The airport operations notification is established to ensure long term viability of airport operations which preceded most non-agricultural development in the Airport Public Safety District zoning.

C. Okanogan County is authorized to establish this zoning ordinance in accordance with RCW 14.08.290 (County airport districts authorized).
D. By enacting this policy, Okanogan County is recognizing the long term significance of airports to the public which include the following:
    1. Emergency response including airlift and search and rescue services
    2. Wildfire suppression
    3. Military operations
    4. Transportation
    5. Economic development
    6. Freight including mail services and commodities
    7. Recreational opportunities
    8. Crop management

17A.300.020 Definitions

A. The following are definitions which apply to the administration of this Chapter, OCC 17A.290 "Airport Public Safety".
    1. Agriculture: "Agriculture," means the raising of livestock and crops, however excludes growing or storing cereal grains. See 17A.300.020 "livestock" in this Section for more information. Also found in OCC 17A.020.060 "agriculture".
    2. Airport: "Airport" means a public 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. Also found in OCC 17A.020.095
    3. Airport elevation: "Airport elevation" means the highest point of an airport's useable runway area measured in feet above mean sea level.
    4. Airport affects area: "Airport affects area" means the area in such a relationship with an airport that both land uses and development can impact airport operations and those airport operations can impact land uses. This area requires regulation to ensure both adjacent land and airport users are safe.
    5. 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. Also found in OCC 17A.020.125
    6. Bird and wildlife attractant: "Bird and wildlife attractant" means a man-made structure or feature, including landscaping elements, that causes migratory waterfowl, raptors, large upland game birds, turkeys, wild canine predators, wild feline predators, or medium/big game animals to come to or linger in an area by providing a food source, nesting, bedding, or den sites to an extent that exceeds the level naturally occurring in the immediate vicinity.
    7. Electrical interference: "Electrical interference" means anything which disrupts aircraft communications or navigational devices.
    8. Encroachment: "Encroachment" means an action that diminishes the utility or

viability of an existing use.

9. FAR Part 77: "FAR Part 77" means the part of Federal Aviation Regulations that deal with all objects affecting navigable airspace.
10. FAR Part 77 Surfaces: "FAR Part 77 Surfaces" means imaginary airspace surfaces established by FAA with relation to each runway in an airport. There are five types of surfaces: primary, approach, transitional, horizontal, and conical. Each type of imaginary airspace surface has unique protection afforded to them by FAA.
11. Federal Aviation Administration: "Federal Aviation Administration" means the U.S. Government agency that is responsible for ensuring the safe and efficient use of the nation's airports and airspace.
12. Federal Aviation Regulations (FAR): "Federal Aviation Regulations" means regulations formally issued by the FAA to regulate air commerce.
13. Glare: "Glare" means the reflection of the sun or other light sources from materials for structures and accessories that cause an obstruction of sight for pilots.
14. Hazardous materials: "Hazardous materials" means contents that are flammable, explosive, corrosive or toxic which pose a special concern to the extent that an aircraft accident could cause a release of the materials and thereby endanger people and property in the vicinity.
15. Helipad: "Helipad" means a small, designated area, usually with a prepared surface, on a heliport, airport, landing/takeoff area, apron/ramp, or movement area used for takeoff, landing, or parking of helicopters.
16. Heliport: "Heliport" means a facility used for operating, basing, housing, and maintaining helicopters.
17. Lighting: "Lighting" means any apparatus used for the purpose of increasing visibility, which may cause confusion for runway lighting or impair visibility for pilots.
18. Livestock: "Livestock" means animals kept for the purpose of collecting agricultural product. Examples include cattle, sheep, alpaca, and goat. Livestock excludes luxury or recreationally used animals such as horses, mules, miniature horses, and ponies, with the exception of breeding for the sale of offspring.
19. Navigational aid: "Navigational aid" means any visual or electronic device airborne or on the surface that provides point-to-point guidance information or position data to aircraft in flight.
20. Noise sensitive facilities: "Noise sensitive facilities" means facilities that rely on comparatively quiet environments to ensure optimal success and include health and education.
21. Non-precision instrument runway: "Non-precision instrument runway" means a runway with an approved or planned straight-in instrument approach procedure that has no existing or planned precision instrument approach procedure.
22. Obstruction: "Obstruction" means any object of natural growth, terrain, or permanent or temporary construction or alteration, including equipment or materials used therein, the height of which exceed the standards established

in Subpart C of Federal Aviation Regulations Part 77 "Objects Affecting Navigable Airspace".

23. Persons: "Persons" means any resident, property owner, or user of properties in the Airport Public Safety District.
24. Special function uses: "Special function uses" means uses that include children, elderly, the infirm, or other regarded as having comparatively little control over their own lives.
25. Traffic pattern: "Traffic pattern" means the traffic flow that is prescribed for aircraft landing at, taxiing on, or taking off from an airport. The components of a typical traffic pattern are upwind leg, crosswind leg, downwind leg, base leg, and final approach.
26. Tree: "Tree" means any tree, shrub, bush, or other greenery in the Airport Public Safety District, defined as such to limit possible aircraft operation hazards.

17A.300.030 Airport zoning designations

The following zones may be adopted by Okanogan County for administration of development regulation surrounding public airports which includes but is not limited to Anderson Field (Brewster), Dorothy Scott Field (Oroville), Legion Airport (Okanogan), Methow State Intercity Airport (near Winthrop), Omak Municipal Airport, Tonasket Municipal, and Twisp Airport.

A. Zone 1 "Flight Operations"
B. Zone 2 "Approach/Departure"
C. Zone 3 "Transition"
D. Zone 4 "Passage"
E. Zone 5 "Airport Affects Area"

17A.300.040 General prohibitions

General prohibitions are intended to prevent incompatible uses surrounding airport facilities for public safety and nuisance reasons. General prohibitions apply to all zones except Zone 5 and include storage of hazardous materials, noise sensitive facilities, special function uses, electrical interference, critical obstruction of airspace, creation of bird or wildlife attractant hazards, or otherwise in any way endanger or interfere with the landing, takeoff, or maneuvering of aircraft intended to use airport facilities.

A. Storage of hazardous materials: Contents that are flammable, explosive, corrosive or toxic which pose a special concern to the extent that an aircraft accident could cause a release of the materials and thereby endanger people and property in the vicinity are prohibited. Examples of these uses incompatible with airport operations include the manufacturing of explosives, acid, compost, asphalt, cement, lime, gypsum, and fertilizer, and also commercial storage of propane, natural gases, petroleum, acid, lime, fertilizer, gypsum, wastewater, solid waste, or explosive contents.
B. Noise sensitive facilities: Facilities that rely on comparatively quiet environments to ensure optimal success and include health and education are prohibited. These include churches, schools, halls, stadiums, auditoriums, medical facilities, and campgrounds.

C. Concentration of special function uses: Uses that include children, elderly, the infirm, or other regarded as having comparatively little control over their own lives are prohibited. Examples include K-12 schools, daycare facilities, hospitals, nursing homes, convalescent centers and other similar uses.

D. Electrical interference: Electrical uses involving transmitting or receiving signals that could disrupt aircraft communications or navigations are prohibited. Examples include transmission lines, and wireless communication facilities, towers, or antennas.

E. Critical obstruction of airspace: No structure, tree, terrain, or land use may produce or encourage interference with critical airspace including excess smoke, dust, or heat plumes.

F. Creation of bird or wildlife attractant hazards: Activities that encourage wildlife, especially birds, into critical space utilized by aircraft operations and includes raising or storing cereal grains; golf courses; dairy farms; water storage, processing, or otherwise management facilities; waste management facilities; landfills; slaughterhouses; rendering plants; feedlots; septic lagoons and similar byproducts used for crop enhancement; fowl or dead animal reduction, composting, or disposal; creation of nesting habitat with the expectation of endangered species; and other wildlife attractants that cause hazards to flight are prohibited.

17A.300.050 Glare

No uses or building materials may be permitted that have reflective surfaces which produce glare directed upward and interfere with the operations and safety of the airport in Zones 1-4.

17A.300.060 Lighting

Lighting accessories must obey height restrictions, must be directed downward, and may need to be partially shaded or covered to eliminate possible interference with airport operations in Zones 1-4. Examples of lighting hazards include flood lights, signage, or other accessory lighting. Lighting necessary for aircraft maneuvering is exempt from this requirement.

17A.300.070 Height

No structure or tree shall exceed thirty-five ft (35 feet) in height in Zones 1-3. Terminal buildings, hangars, and navigational improvements are exceptions. For Zones 4 and 5, agricultural, commercial, and emergency service structural accessories shall not exceed 20:1ft slope (twenty feet horizontal to one foot vertical) for a horizontal distance of 4,000 ft (four thousand feet) from the center of the non-precision instrument runway centerline as defined by FAA as critical airspace.

17A.300.080 Zone 1 Flight operations

A. Purpose: Zone 1 Flight Operations is the area directly surrounding the runway. The principle risk in this zone is from loss of directional control with landing or taking off from the runway. The purpose of this zone is to prevent conflicts that may result in an aircraft accident. Conflicts include animal attractants,

electromagnetic interference, and critical airspace obstructions such as lighting, glare, tall trees, terrain, and structures. Airport operations greatly impact properties in this zone with noise, vibrations, lighting, fumes, and accident hazards.

B. Permitted uses: Permitted uses for Zone 1 Flight Operations are direct aviation related facilities including terminal buildings, hangars, navigational aids and aid improvements, landing strips, taxiways, aircraft sales, fuel storage/dispensing, offices, charter services, aviation research and development, aviation schools, roadways, parking areas, and storage yards; permitted agricultural uses includes the raising of orchards, row crops, livestock feed, and grazing; police, emergency, and fire suppression services and buildings; irrigation systems; and underground utilities.

C. Conditional uses: Conditional uses for Zone 1 Flight Operations include gravel pits less than three acres; quarries and borrow pits less than three acres; mini storage; and low intensity recreational fields.

D. Density: Zone 1 Flight Operations density denies further subdivision of properties.

17A.300.090 Zone 2 Approach/departure

A. Purpose: Zone 2 encompasses the area from the end of Zone 1 Flight Operations out diagonally to Zone 5 Airport Affects Area. The risk of accidents is greatest here because, on departure from the runway, aircraft are typically at full speed and on approach, are at low altitude preparing for landing. Due to its proximity to the runway, airport operations are in direct conflict with residential development. Airport operations greatly impact properties in this zone with noise, vibrations, lighting, and accident hazards.

B. Permitted uses: Permitted uses for Zone 2 include residential; direct aviation related facilities including navigational aids and aid improvements, taxiways, aircraft sales, charter services, aviation research and development, roadways, parking areas, and storage yards; permitted agricultural uses includes the raising of orchards, row crops, livestock feed, and grazing; agriculture storage, processing, and sales of products grown on the premises; irrigation systems; mini storage; underground utilities; warehousing and outdoor storage; florist retail and wholesale; food store; horticultural services; manufactured home sales facilities; quarries and borrow pits less than three acres; governmental buildings; and parking lots.

C. Conditional uses: Zone 2 conditional uses include offices; gravel pits; quarries and borrow pits three acres or larger; manufacturing (light and heavy); recycling collection centers, recycling processing centers; recreational fields; agricultural stands; shooting ranges; commercial kennels; private clubs; gift shops; cemeteries; laundromats; commercial saw mills (portable and stationary); automobile rentals, repair, wrecking, and towing; tourist accommodations of motels/hotels, inns and lodges, RV parks, aviation related campgrounds, bed and breakfasts, and nightly rentals.

D. Density: Zones 2 Approach/Departure densities allow subdivision of property for lots 5 (five) acres or larger. In City Expansion Areas, where water and sewer

capacities are available, subdivision of property for residential purposes of lots smaller than 5 (five) acres is allowed if in accordance with Cluster Land Divisions (OCC Title 16) where the maximum density is determined by the performance based rating system.

17A.300.100 Zone 3 Transition

A. Purpose: Zone 3 is the transitional area located between Zone 1 Flight Operations and Zone 4 Passage. Residential development is strictly limited and further subdivision of land is discouraged due to public health and safety concerns. Noise from airport operations can be significant. In order to prevent public nuisance complaints, residential encroachment upon airport facilities is strongly discouraged, however, can be successfully managed with the aid of clustering and low density planned developments. Airport operations greatly impact properties in this zone with noise, lighting, and accident hazards.

B. Permitted uses: Permitted uses for Zone 3 are residential; direct aviation related facilities including terminal buildings, hangars, navigational aids and aid improvements, taxiways, aircraft sales, fuel storage/dispensing, offices, charter services, aviation research and development, aviation schools, roadways, parking areas, and storage yards; light manufacturing; mini storage; permitted agricultural uses includes the raising of orchards, row crops, livestock feed, and grazing; agriculture storage, processing, and sales of products; irrigation systems; underground utilities; warehousing and outdoor storage; florist retail and wholesale; food store; horticultural services; manufactured home sales facilities; commercial saw mills (portable and stationary); quarries and borrow pits less than three acres; governmental offices; parking lots; and automobile rentals, repair, wrecking, and towing.

C. Conditional uses: Zone 3 conditional uses include offices; gravel pits; quarries and borrow pits three acres or larger; heavy manufacturing; recycling collection centers, recycling processing centers; recreational fields; shooting ranges; commercial kennels; restaurants; banks; churches; bed and breakfast; campgrounds; private clubs; gift shops; cemeteries; laundromats; governmental infrastructure; tourist accommodations of motels/hotels, inns and lodges, RV parks, aviation related campgrounds, bed and breakfasts, and nightly rentals.

D. Density: Zone 3 densities allow a subdivision of property for lots 5 (five) acres or larger. In City Expansion Areas, where water and sewer capacities are available, subdivision of property for residential purposes of lots smaller than 5 (five) acres is allowed if in accordance with OCC Cluster Ordinance where the maximum density is determined by the performance based rating system.

17A.300.110 Zone 4 Passage

A. Purpose: Zone 4 is the safety zone directly before Zone 5, the outermost zone, and therefore requires less regulation because aircraft are flying at high altitudes in this area. The purpose of this zone is to promote compatible development while protecting airport operations. Zone 4 depends on underlying zoning for permitted and conditionally permitted uses. This zone implements height restrictions and general prohibitions in order to prevent visual or physical

obstructions to critical airspace near airports. Airport operations impact properties in this zone to a lesser degree than Zones 1-3 with noise, lighting, and accident hazards.

B. Permitted uses: Permitted uses for Zone will be determined by the underlying zone.

C. Conditional uses: Zone 4 conditional uses will be determined by the underlying zone. General prohibitions and restrictions on glare, lighting, and height apply.

D. Density: Zone 4 density is determined by the underlying zoning.

17A.300.120 Zone 5 Airport effects area

A. Purpose: Zone 5 contains the remaining airport environment where aircraft may fly as they approach or depart from the runway. Aircraft are at higher altitudes in this zone, which fosters a reduced risk of accidents. The purpose of this zone is to implement federal restrictions on structure height, the critical factor in securing safe airport operations in this zone. Default to underlying zoning for land use regulations except for height. Airport operations impact properties in this zone minimally with noise, lighting and accident hazards.

B. Permitted uses: Permitted uses in Zone 5 will be determined by the underlying zone. Height restrictions apply.

C. Conditional uses: Zone 5 conditional uses are determined by the underlying zoning. Height restrictions apply.

D. Density: Zone 5 density is determined by the underlying zoning.

17A.300.130 Required setbacks

A. Setbacks apply to Zones 1-3; Zones 4 and 5 defaults to underlying zoning.

1. Front: 35ft (thirty-five feet). Where parking is located, an additional 10 ft (ten feet) is required. Where property lines meet airport property boundaries, required setback is 45ft (forty-five feet). Sides and rear: 20 ft (twenty feet).

B. Development should be sited as far away from airport boundaries as is reasonably possible for the safety and comfort of neighboring residents and airport users

C. FAA requirements manage setbacks of buildings on airport properties.

17A.300.140 Site analysis requirements

A. Purpose: A site analysis, processed as an administrative application in accordance with OCC Title 20 "Development Permit Procedures and Administration", is required with any new building permit or change in use of land. The purpose of this site analysis review is to inform applicants of the recommended criteria for proposals in the Airport Public Safety District to protect the safety and welfare of the public while preserving the viability of airport facilities.

1. The purpose of this review is to ensure all new or remodeled buildings, or change in use of land is compatible with the requirements in the Airport Public Safety District by addressing possible interference hazards with airport operations in order to balance the needs of the general public and airport facilities. Conditions are applied as necessary for each new development or

change in use.

2. In addition to a site analysis, notification is required for the sale, or further development, or change in use of property. Property owners must inform prospective property purchasers, and similarly must have recorded against the title a notice at the time of a site analysis or sale stating the property is located within the Airport Public Safety District.

B. Site analysis recommendations: The list below includes recommended criteria for the site analysis of proposals in the Airport Public Safety District, however, is not limited to these considerations. The administrator can apply other requirements in order to prevent incompatible uses in the District.

1. Orientation is outside of airport's usual traffic pattern or is parallel to the runway
2. Utilities and accessories do not interfere with airport operations
3. Proposal is not listed in OCC 17A.300.130 General prohibitions of this Chapter
4. Glare is prevented
5. Lighting is directed away from traffic pattern and airport facility or shaded downward
6. Possible animal attractants are managed accordingly to prevent interference with airport operations
7. Open space is established in critical airport operations areas
8. Waste disposal practices are managed strictly which may include covering, containing, wetting, drying, or held in tanks until further removal
9. Plumes are screened, diverted, cooled, and/or filtered

C. Conditions:

1. Persons that may be affected acknowledge that airports are essential facilities to Okanogan County, and therefore accept impacts associated with operations which may include noise, lighting, vibration, and fumes. Persons agree impacts from airport operations will not negatively affect their proposed use and will not later create incompatibility between uses. Similarly, the proposed development or change in use will not conflict with airport operations and cause an accident hazard.
2. Persons affected accept that airport facilities are utilized by fire suppression services which can result in noise, lighting, vibrations, or fumes. This usage is legal, consistent with accepted customs and standards, conducted in a non-negligent manner, and protected by the Airport Public Safety.
3. Persons affected accept that residential uses can be most greatly impacted in the Airport Public Safety.
4. Persons affected accept their right to utilize their property for uses as described by OCC 17A.300 "Airport Public Safety" and OCC Code 17A.220 "District Use Chart".
5. Persons shall acknowledge the designation of Airport Public Safety District and use of the region as space critical to airport operations.

D. Notification

1. Notice requirements:
   a) To inform persons of the significant impact airport operations may have on

properties adjacent to airport facilities or in Airport Public Safety District where impact from airport operations is likely, an airport operations disclosure letter is required for the sale or, further development, or change in use of properties in Zones 1-3. Okanogan County Department of Planning and Development has a copy of this letter available upon request.

b) A title notice must be recorded against any site analysis of properties in the Airport Public Safety District. Information pertaining to this notice is available at the County Assessor's and Department of Planning and Development offices.

2. Title notice
   a) Properties located in Zones 1-3 where impact to adjacent use can be significant: "Your property is located within Okanogan County's Airport Public Safety District (OCC 17A.300) designated Zones 1-3. You may be subjected to inconveniences or discomfort arising from airport operations which may include noise, vibrations, lighting, odors, and dust. Such operations are protected in this zoning district provided the operations are legal, consistent with accepted customs and standards, and conducted in a non-negligent manner. For more information pertaining to this zoning policy, see OCC 17A.300.230, 17A.300.260, or OCC 17A.300.290."
   b) Properties located in Zone 4-5 where impact to adjacent use can be moderate to minimum: "Your property is located within Okanogan County's Airport Public Safety zone district (OCC 17A.300) designated Zone 4 or 5. You may be subjected to minor inconveniences or discomfort arising from airport operations which may include noise, lighting, and dust. Such operations are protected in this zoning district provided the operations are legal, consistent with accepted customs and standards, and conducted in a non-negligent manner. For more information pertaining to this zoning policy, see OCC 17A.300.110 and OCC 17A.300.120."
3. Administrator
   a) The administrator responsible for the review of site analysis in the Airport Public Safety District is Okanogan County Director of Planning and Development. The Director may choose staff from the department to assist with or handle review as needed.

17A.300.150 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 Airport Public Safety District, providing the lot meets current health district requirements for water and sewer.

17A.300.160 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.

17A.300.170 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 the Airport Public Safety District.
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.

17A.300.180 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 the Airport Public Safety District.

17A.300.190 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.

17A.300.200 Conflicting regulations

Where conflict exists between any of the regulations or limitations prescribed in this chapter and any other regulations applicable to the same area, the limitations or requirements set forth in this chapter shall govern and prevail.

17A.300.210 Violations and enforcement

It shall be the duty of the Director of Okanogan County Planning and Development to administer and enforce the regulations prescribed in this chapter.

17A.300.220 Appeals

Any person aggrieved, by any order, requirement, decision, or determination made by an administrative official or Board of Adjustment or Hearing Examiner in the processing of any application made under this chapter or in the actual decision made as required by this chapter may submit an appeal in accordance with OCC 17A.350 "Appeals".

Chapter 17A.301
AIRPORT SAFETY OVERLAY

Sections:

17A.301.010 Purpose
17A.301.020 Transition and approach zone dimensions
17A.301.030 Uses resulting in the assembly of large groups
17A.301.040 Uses creating electrical interference
17A.301.050 Uses fostering an increased bird population
17A.301.060 Structures prohibited in clear zones
17A.301.070 Storage of flammable substances
17A.301.080 Air pollution
17A.301.090 Location of roadways
17A.301.100 Sign and exterior lighting
17A.301.110 Building materials producing glare prohibited
17A.301.120 Extension of structures into transitional or approach surface of runway

17A.301.010 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, non-precision and precision runways. Use requirements and standards of the underlying zone shall apply unless in conflict with provisions of this section.

17A.301.020 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.

17A.301.030 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.

17A.301.040 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.

17A.301.050 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.

17A.301.060 Structures prohibited in clear zones
No structure shall be allowed in the designated clear zones.

17A.301.070 Storage of flammable substances
Storage of flammable substances such as fuel or petroleum products shall be in accordance with all current standards and regulations.

17A.301.080 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.

17A.301.090 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.

17A.301.100 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.

17A.301.110 Building materials - glare prohibited
Building materials shall not produce glare which may conflict with any present or planned operation of the airport.

17A.301.120 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.

Chapter 17A.310
CONDITIONAL USE PERMITS

Sections:

17A.310.010 Purpose
17A.310.020 Authority
17A.310.030 Applications
17A.310.040 Environmental review
17A.310.050 Review process
17A.310.060 Administrative conditional use permits
17A.310.070 Setting for hearing
17A.310.080 Standards and criteria
17A.310.090 Compatibility
17A.310.100 Potential conditions
17A.310.110 Permit, operation
17A.310.120 Records
17A.310.130 Amendments
17A.310.140 Termination

17A.310.010 Purpose

The purpose of the this Chapter is to authorize the use of conditional use permits in accordance with RCW 36.70, and implement a review process by which Okanogan County may determine whether a proposed use may be integrated into a community, which may be suitable only upon adoption of certain conditions. The following standards and criteria, and procedures apply to conditional use permits authorized by this Chapter, and those conditional use permits previously authorized by similar conditional use permit regulations adopted by Okanogan County but which may no longer be in effect.

17A.310.020 Authority

Okanogan County's Office of Planning and Development administers the provisions of this chapter, processes applications for conditional use permits including applications to amend or terminate such permits, and periodically monitors and inspects existing project sites permitted under the provisions of this chapter. The Office of Planning and Development may prepare, and require the use of, such forms as are essential to the administration of this Chapter, and may issue such orders, requirements, decisions, or determinations concerning the application of this chapter.

A. The hearing examiner or board of adjustment shall hear and decide all applications processed in accordance with this chapter, as a quasi-judicial process in accordance with OCC Title 20 "Development Permit Procedures and Administration", except for those applications which do not require a hearing or do not require involvement by the hearing examiner or board of adjustment.
B. The zoning administrator is the authorized zoning adjustor pursuant to RCW 36.70.200, and in this capacity shall decide on administrative orders in accordance with this chapter and OCC Title 20 "Development Permit Procedures and Administration", which includes but is not limited to:

1. Administrative amendments authorized by this Chapter (see OCC 17A.310.130(B)).
2. Administrative terminations authorized by this Chapter (see OCC 17A.310.140(B)).
3. Administrative conditional use permits authorized by this Chapter (see OCC 17A.310.060).

17A.310.030 Applications

Applications shall be submitted to the Office of Planning and Development. A complete application includes:

A. Application Fee as specified in Okanogan County's fee schedule which may include collection of application fees for other department and/or agencies.
B. Land Use Permit Application.
C. Project description: A thorough narrative explaining the purpose and scope of the propose activity. The project description should include a clear and thorough explanation of proposed uses which should include integration with existing uses. The description should explain type, if any, of construction and/or services needed to support the project including but not limited to, structures, roads, parking lots, utilities and water systems, excavation, staging areas, etc. Identify phasing if phasing is proposed. The Planning Department may require additional information which further explains the scope of the proposal in order to adequately assess impacts to surrounding areas and/or communities. The scope of the project description will depend greatly on the nature of proposal.
D. Site plan: The site plan is a map, drawn to scale, which clearly represents existing conditions and depicts the proposed development activity and associated structures and other improvements. The site plan should be consistent with the project description and includes but not be limited to structures, areas intended for a specific purpose, property lines, roads, easements, parking areas, access points and circulation patterns, wells, utilities and utility easements. Include location of critical areas such as lakes, rivers, and streams, wetlands, floodplains, steep slopes, etc. The scope of the site plan will depend greatly on the nature of proposal.
E. SEPA environmental checklist. The SEPA environmental checklist is required only if the proposal is not categorically exempt in accordance with OCC 14.04 "Environmental Policy" and/or WAC 197-11 Part Nine – Categorical Exemptions (see OCC 17A.310.040).

17A.310.040 Environmental review

SEPA review and submission of a completed SEPA environmental checklist is required for those applications which are not exempt from review in accordance with OCC 14.04 "Environmental Policy" and/or WAC 197-11 Part Nine – Categorical Exemptions. When SEPA review is required, application review procedures and SEPA procedures shall run concurrently where possible. Concurrent processing includes consolidated publications, public and agency notifications and comment periods, and appeal procedures.

A. Previous SEPA review: If the SEPA responsible official determines that a previously adopted SEPA determination is adequate for the current proposal (WAC 197-11-600) then additional review shall not be required.
B. Terminations: Termination of a conditional use permit pursuant to OCC 17A.310.140, shall not require SEPA review.

17A.310.050 Review process

The Office of Planning and Development shall process complete applications for conditional use permits in accordance with OCC Title 20 "Development Permit Procedures and Administration" as a quasi-judicial process. Following the submission of a complete application, the review process shall proceed including a comment period, notifications, publication, and preparation for the public hearing.

17A.310.060 Administrative Conditional Use Permits

The authorized zoning adjuster shall review and subsequently approve, approve with conditions, or deny, applications for administrative conditional use permits.

A. Applications for administrative conditional use permits shall be processed in accordance with administrative application procedures in accordance with OCC Title 20 "Development Permit Procedures and Administration".
B. The types of administrative conditional use permits which are authorized by this chapter include.
    1. Emergency family hardship: The administrator shall consider applications for an emergency family hardship in the event that an additional residential unit would not comply with the density requirements of the zone district in which the proposal is located. It shall be the applicant's burden to adequately demonstrate a legitimate emergency family hardship exists. Such information provided shall be reviewed by the administrator in order to determine whether to approve such applications on the basis of the facts presented. Any residential units approved in accordance with this section shall be strictly limited in duration to the period of the hardship. The administrator may require such periodic reporting and/or documentation as deemed necessary to validate the existence and continuation of the hardship. Upon the expiration of any permit, it shall be the applicant's duty to abate and remove such residential unit within 90 days. If at any time during the duration of a permit, the administrator determines that the emergency hardship no longer exists, the permit shall be summarily revoked and the permitted residential unit shall be abated and removed, at the permittee's expense, within 90 days of the administrator's revocation order.

17A.310.070 Setting for hearing

The hearing examiner or board of adjustment shall hear and decide all applications for conditional use permits, except for those applications which are processed administratively if such a process is authorized by this chapter.

17A.310.080 Standards and criteria

The hearing examiner or 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, zoning for the subject area, other landuse actions including but not limited to plats, planned developments, and other conditions use permits; and
B. That the proposed activity is and will remain compatible with current and future uses on the subject property; and
C. That such conditions are not unnecessarily onerous; and
D. That the proposed conditions will protect the public health, morals and general welfare; and

17A.310.090 Compatibility

Those uses, activities, structures shall be compatible and shall remain compatible with current and future permitted uses on the same property. For example, if future applications proposed a use other than what was permitted by the conditional use permit, then the proposed application may be approved only if it can be determined that the proposal is compatible or accessory to the conditional use permit.

17A.310.100 Potential conditions

The types of conditions which the hearing examiner or board of adjustment may impose on a conditional use permit include, but are not limited to, and are shown herein only as examples and do not represent a comprehensive list:

A. Requiring a performance bond or acceptable surety in an amount and with conditions satisfactory to the hearing examiner or 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 lot 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.

P. Kennels, business or commercial, shall be appropriately conditioned as follows:

1. 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;
2. That compliance with noise standards for a commercial noise source as identified by WAC 173-60-040 shall be demonstrated by the applicant;
3. 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;
4. Any permitted outside runs or areas shall be completely screened from view by sight-obscuring fencing or landscaping, or both, as determined by the hearing examiner or board of adjustment, to serve as a visual and noise abatement buffer;
5. 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.;
6. One off-street parking space shall be provided for each 10 animals kept on the premises;
7. 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:
   a) Compliance with all the conditions of approval; and
   b) The advisability of renewing such permit;
8. The applicant shall submit adequate information to aid the hearing examiner or board of adjustment in determining that the preceding standards are satisfied prior to the public hearing;
9. Additional conditions or safeguards as deemed necessary may be imposed by the hearing examiner or board of adjustment for the protection of the health, safety and welfare of the nearby residences.

Q. Septic Lagoons include the following conditions of approval, or similar versions thereof, in addition to any conditions which are required through the review process:

1. Construction, design, and management of the septic lagoon shall comply with WAC 173-308 "biosolids management" and WAC 173-350-330 "Surface Impoundments and Tanks".
2. The septic lagoon shall be designed and constructed with an adequate leak detection system. Periodic reporting of leak detection activity shall be submitted to Okanogan County Office of Planning and Development and Washington State Department of Ecology.
3. Nuisance odors for wastes or liquids shall be controlled by the use of aeration and Lime added to the liquids. It is the owner or operators responsibility to control nuisance odors in accordance with WAC 173-350-330(4) (iii) "Operating Standards".
4. Security fencing shall be installed around the parameter of the septic lagoon and associated facilities.
5. Security lighting, if any, shall be shielded or downcast so that no direct light from such lighting may enter nearby residential properties.

R. Nightly rentals: Applications for nightly rentals shall comply with the provisions of OCC 17A.270 "Nightly Rentals". Additional conditions may be required in order to mitigate impacts identified during the review and hearing process.

S. Marijuana operations: Applications for marijuana operations shall comply with the provisions of OCC 17A.290 "Marijuana Operations". Additional conditions may be required in order to mitigate impacts identified during the review and hearing process.

17A.310.110 Permit, operation

The final order of the hearing examiner or board of adjustment is conclusive and authorizes immediate operation of the proposed activity, unless otherwise specified. All conditions of approval must be met prior to operation and throughout the duration of the project.

17A.310.120 Records

The conditional use permit application, evidence of notice, the 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 hearing examiner or board of adjustment and shall be retained in the office of planning and development.

17A.310.130 Amendments

Amendments to existing conditional use permits shall be processed in accordance with this section.

A. Amendments: All applications for amendments which are beyond the scope of an administrative amendment, as defined herein, shall be processed the same as a new application in accordance with this Chapter. Amendments may be narrowly focused in order to amend only specific elements of the original permit without jeopardizing the integrity of the existing permitted operation.

B. Administrative amendments: The administrator may approve minor amendments to conditional use permits. Minor amendments shall be categorized as changes which only clarify the scope of the existing permit (i.e. clarification of accessory uses, definitions of uses, etc.) but does not expand the scope of the permit (i.e. expansion of project areas, inclusion of additional uses, changes to hours of operation, etc.). Applications for administrative amendments shall be processed by the Office of Planning and Development as an administrative process in accordance with OCC Title 20 "Development Permit Procedures and Administration". The administrator shall issue the final order which shall explain the scope of the amendment. Such order shall become part of the record and shall be filed accordingly. Notice of the amendment shall be transmitted immediately to the landowner.

17A.310.140 Termination

A. Termination: The permit may be terminated in whole or in part as a result of non-compliance with the terms or conditions of the permit and/or this Title. Such termination shall be approved only by order of the hearing examiner or board of adjustment. The order shall include findings supporting the reason(s) for

terminating the permit. Termination by non-compliance does not require an application or application fee.

B. Administrative termination: The termination of a permit may be approved by the administrator/zoning adjuster if all outstanding obligations have been resolved and/or completed and the termination has been requested by the landowner. Applications for termination by request shall be processed by the Office of Planning and Development and require an application fee in accordance with Okanogan County's fee schedule.

Chapter 17A.320
VARIANCES

Sections:

17A.320.010 Purpose
17A.320.020 Authority
17A.320.030 Applications
17A.320.040 Environmental review
17A.320.050 Review process
17A.320.060 Setting for hearing
17A.320.070 Standards and criteria
17A.320.080 Conditions
17A.320.090 Permit, operation
17A.320.100 Records
17A.320.110 Administrative variances

17A.320.010 Purpose

The purpose of the variance permit is to authorize the use of variances, in accordance with RCW 36.70, and implement a review process by which Okanogan County may determine whether strict interpretation of this Title deprives the public from reasonable use of property. The following standards and criteria, and procedures apply to variances authorized by this Chapter.

17A.320.020 Authority

Okanogan County's Office of Planning and Development administers the provisions of this chapter and processes applications for variances. The Office of Planning and Development may prepare, and require the use of, such forms as are essential to the administration of this Chapter, and may issue such orders, requirements, decisions, or determinations concerning the application of this chapter.

A. The hearing examiner or board of adjustment shall hear and decide all applications processed in accordance with this chapter, as a quasi-judicial process in accordance with OCC Title 20 "Development Permit Procedures and Administration", except for those applications which do not require a hearing or do not require involvement by the hearing examiner or board of adjustment.
B. The zoning administrator is the authorized zoning adjustor pursuant to RCW 36.70.200, and in this capacity shall decide on administrative orders in accordance with this chapter and OCC Title 20 "Development Permit Procedures and Administration".

17A.320.030 Applications

Applications shall be submitted to, and subsequently processed by, the Office of Planning and Development. A complete application includes:

A. Application Fee: As specified in Okanogan County's fee schedule which may include collection of application fees for other agencies.
B. Land Use Permit Application.

C. SEPA environmental checklist. The SEPA environmental checklist is required only if the proposal is not categorically exempt in accordance with OCC 14.04 "Environmental Policy" and/or WAC 197-11 Part Nine – Categorical Exemptions (see OCC 17A.320.040).

D. Project description: A thorough narrative explaining the purpose and scope of the proposed activity and/or structure. The scope of the project description will depend greatly on the nature of proposal. The project description should explain, but not be limited to, the purpose for the variance, whether for the variance affects permitted uses or structure(s), and other elements relative to the project which may include use of structure(s), roads, utilities and systems, excavation, etc. The project description explains how the proposal is consistent with the standards and criteria section of this chapter (see OCC 17A.320.070).

E. Site plan: The site plan is a map, drawn to scale, which clearly represents existing conditions and the proposed development activity and should be consistent with the project description. The scope of the site plan will depend greatly on the nature of proposal. The site plan should include but not be limited to existing and proposed structures, property lines, roads, easements, parking areas and access points and circulation patterns, wells, utilities. Include location of critical areas such as lakes, rivers, and streams, wetlands, floodplains, steep slopes, etc.

17A.320.040 Environmental review

SEPA review, including submission of a completed SEPA environmental checklist, is required for those applications which are not exempt from review in accordance with OCC 14.04 "Environmental Policy" and/or WAC 197-11 Part Nine – Categorical Exemptions. When SEPA review is required, application and SEPA procedures shall run concurrently where possible. Concurrent processing includes consolidated publications, public and agency notifications, and appeal procedures.

A. Previous SEPA review: Pertaining to new applications and amendments of existing applications, if the SEPA responsible official determines that a previously adopted SEPA determination is adequate for the current proposal (WAC 197-11-600) then additional review shall not be required.

17A.320.050 Review process

The Office of Planning and Development shall process complete applications for variances in accordance with OCC Title 20 "Development Permit Procedures and Administration" as a quasi-judicial process. Following the submission of a complete application, the review process shall proceed including a comment period, notifications, publication, and preparation for the public hearing.

17A.320.060 Setting for hearing

The hearing examiner or board of adjustment shall hear and decide all applications for variances, except for those applications which are processed administratively if such a process is authorized by this chapter.

17A.320.070 Standards and criteria

Before any variance is granted by the hearing examiner or 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

17A.320.080 Conditions

Conditions may be required for the approval of a variance in order to mitigate any impacts which may result from the approval of the application. Any conditions imposed should be reasonably calculated to insure the proposal will remain consistent with the comprehensive plan and zoning for the subject area. Any conditions imposed should not be unnecessarily onerous.

17A.320.090 Permit, operation

The final order of the hearing examiner or board of adjustment is conclusive and authorizes immediate operation of the proposed activity, unless otherwise specified. All conditions of approval must be met prior to operation and throughout the duration of the project.

17A.320.100 Records

The variance application, evidence of notice, the 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 hearing examiner or board of adjustment and shall be retained in the office of planning and development.

17A.320.110 Administrative variances

The authorized zoning adjuster shall review and subsequently approve, approve with conditions, or deny, applications for administrative variances.

A. Applications for administrative variances shall be processed in accordance with administrative application procedures in accordance with OCC Title 20 "Development Permit Procedures and Administration":

B. The types of administrative variances which are authorized by this chapter include:

1. Property line setbacks. A deviation may be granted from the required front, side, or rear property line setback required by this Title upon a finding that the criteria of OCC 17A.320.070 apply.

Chapter 17A.330
LEGAL PRE-EXISTING USES AND LOTS

Sections:

17A.330.010 Legal pre-existing lots
17A.330.020 Legal pre-existing use in zoning district
17A.330.030 Legal pre-existing structure
17A.330.040 Abandonment
17A.330.050 Unsafe buildings

17A.330.010 Legal pre-existing lots

Those uses and structures which are permitted or conditional on a conforming lot within a zone district shall also be permitted or conditional on a legal pre-existing lot located within the same zone. Legal pre-existing lots which do not meet lot area and width requirements may be reduced in size by use of the boundary line adjustment process (OCC 16.04.080). These provisions 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.

17A.330.020 Legal pre-existing 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. A legal pre-existing use which is discontinued for three consecutive years shall be considered abandoned in accordance with this chapter.

17A.330.030 Legal pre-existing 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. A structure may be enlarged or altered so long as the alteration does not make the structure more out of compliance with this Title. For example, if a structure is located 15 feet from a property line which requires a 25 foot setback, then the addition may be constructed at 15 feet from the property line.

B. Should such a structure be destroyed by any means, in whole or in part, it may be replaced, or repaired, along existing foundation lines within three years, otherwise it shall be considered abandoned in accordance with this chapter.

   1. Similar manufactured homes vary in size and shape. Therefore, manufactured homes may be replaced by similar manufactured homes along a similar footprint. Example: a single-wide may be replaced with a different sized single-wide so long as it is placed in the same location, although it may follow a slightly different foundation line.

C. Should such structure be moved any distance for any reason whatever, it shall thereafter have to comply with the general regulations for the district in which it is located after it is moved.

D. For nightly rentals located within the boundary of the Methow Valley More Completely Planned Area as designated by the Okanogan County Comprehensive Plan: Structures used as a nightly rental, but has not been permitted as a nightly rental before January 1, 2021, must comply with the OCC 17A.270 "Nightly Rentals".

17A.330.040 Abandonment

Any legal pre-existing use or nonconforming structure which is abandoned and/or discontinued for three consecutive years shall not be continued or reconstructed except in conformity with the provisions of this code.

A. Abandoned legal pre-existing uses and buildings may be subject to the abatement provisions of this code (see OCC 17A.360.030).
B. When determining whether a use or structure has been abandoned, the administrator shall determine whether:
   1. Substantial progress has been made to use the structure or continue the use in a reasonable manner and timeframe; or
   2. The use or structure is a verified nuisance;
   3. The use or structure presents a detriment to public health, safety, or general welfare.

17A.330.050 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.

Chapter 17A.340
AMENDMENT OF ZONING CODE

Sections:

17A.340.010 General
17A.340.020 Purpose
17A.340.030 Evaluation criteria
17A.340.040 Initiation
17A.340.050 Review process – determination
17A.340.060 Applications
17A.340.070 Environmental review
17A.340.080 Public hearing not required – procedural amendments
17A.340.090 Legislative review
17A.340.100 Quasi-judicial review

17A.3340.010 General

Any provisions of this Title, including the official zoning map, may be amended pursuant to Chapter 36.70 RCW by following the procedures in this chapter.

17A.340.020 Purpose

The purpose of this chapter is to provide procedures whereby the objectives, goals and policies of the comprehensive plan may be implemented by change in the official controls provided by this Title.

17A.340.030 Evaluation criteria

Amendments to this Title shall be evaluated on, but not limited to, the following criteria:

A. The amendment is necessary to resolve a public land use issue or problem.
B. The amendment is consistent with or supports the comprehensive plan and/or its goals and policies.
C. The amendment is consistent with goals of the Planning Enabling Act, RCW 36.70.
D. The amendment is based on sound land use planning practices and would further the general public health, safety and welfare.

17A.340.040 Initiation

An amendment to the text of this Title or to the official zoning map may be initiated by:

A. The Board of Okanogan County Commissioners;
B. The Okanogan County Regional Planning Commission;
C. The Office of Planning and Development; or
D. By a member of the public who owns property within Okanogan County.

17A.340.050 Review process – determination

Amendments to the text of this Title or the official zone map shall be processed as either a legislative or a quasi-judicial procedure in accordance with OCC Title 20 "Development Permit Procedures and Administration". Each amendment type may have separate review processes in accordance with this Chapter. The following criteria shall

be used to determine whether an amendment is legislative or quasi-judicial.

A. Quasi-judicial: A proposal is quasi-judicial if the action is site specific (would not be generally applicable) and affects only one property, or group of adjoining properties under identical ownership. Quasi-judicial proposals are limited to rezones which would result in a change to the official zone map. This quasi-judicial application process is available for text amendments only if the applicant demonstrates that the amendment is site specific (would not be generally applicable) and would affect only one property, or group of adjoining properties under identical ownership.
B. Legislative: A proposal is legislative if the action is generally applicable and applies to a relatively large geographic area containing several property owners. Legislative proposals may include amendments to the text of this title or area-wide rezones which would result in a change to the official zone map.

17A.340.060 Applications

Applications include the following items and shall be submitted to the Office of Planning and Development. Applications submitted by the public shall include the following items.

A. Application Fee: As specified in Okanogan County's fee schedule which may include collection of application fees for other agencies. This application item shall not be required for proposals initiated by Okanogan County.
B. Land Use Permit Application. This application item shall not be required for proposals initiated by Okanogan County.
C. SEPA environmental checklist. The SEPA environmental checklist is required only if the proposal is not categorically exempt in accordance with OCC 14.04 "Environmental Policy" and/or WAC 197-11 Part Nine – Categorical Exemptions.
D. Project description: A thorough narrative explaining the purpose and scope of the proposed amendment. The scope of the project description will depend greatly on the nature of proposal. The project description should explain how the proposal is consistent with the comprehensive plan and pertinent land use regulations administered by Okanogan County.
E. Vicinity map: The vicinity map is required for zone map amendments, rezones, and text amendments which impact specific geographic areas. The type of vicinity map will depend greatly on the nature of proposal.

17A.340.070 Environmental review

SEPA review, including submission of a completed SEPA environmental checklist, is required for those applications which are not exempt from review in accordance with OCC 14.04 "Environmental Policy" and/or WAC 197-11 Part Nine – Categorical Exemptions. When SEPA review is required, application and SEPA procedures shall run concurrently where possible. Concurrent processing includes consolidated publications, public and agency notifications, and appeal procedures.

17A.340.080 Public hearing not required – procedural amendments

In accordance with RCW 36.70.800, "[a]n amendment to the text of a zoning ordinance which does not impose, remove or modify any regulation theretofore existing and affecting the zoning status of land shall be processed in the same manner prescribed by

this chapter for the adoption of an official control except that no public hearing shall be required either by the commission or the board".

A. Such amendments must be adopted by ordinance of the Board of Okanogan County Commissioners.
B. At the discretion of the Board of Okanogan County Commissioners, a public hearing may be required for proposals meeting the terms of this section.

17A.340.090 Legislative review

A. Legislative amendments shall be processed by the Office of Planning and Development in accordance with the procedures outlined in this section and OCC Title 20 "Development Permit Procedures and Administration". Planning Commission: the Planning Commission shall conduct and open record public hearing for the proposal. The Planning Commission may order amendments to the proposal. From the record of the hearing, the Planning Commission shall make a recommendation to the Board of Commissioners.
B. Board of Commissioners: The record from the Planning Commission shall be transmitted to the Board of Commissioners. The Board of Commissioners shall conduct an open-record public hearing. As a result of the hearing, the Board of Commissioners may order that the proposed legislation is approved, denied, amended, or remanded for further consideration of specific issues. Legislation shall be approved by ordinance.
C. Effect: Legislation adopted by ordinance takes effect immediately and is thereby enforceable, unless otherwise specified.

17A.340.100 Quasi-judicial review

A. Quasi-judicial rezones shall be processed by The Office of Planning and Development in accordance with the procedures outlined in this section and OCC Title 20 "Development Permit Procedures and Administration".
B. Effect: The decision of the hearing examiner or board of adjustment takes effect immediately and is thereby enforceable, unless otherwise specified.
C. BOCC review and zone map amendment: The hearing examiner is unable to order changes to the official zone map. When a rezone is approved by the hearing examiner, the decision shall be presented to the Board of Okanogan County Commissioners during a closed-record public hearing. Amendments to the official zone map shall be adopted by ordinance of the Board of Okanogan County Commissioners, thereby perfecting the decision of the hearing examiner.

Chapter 17A.350
APPEALS

Sections:

17A.350.010 Appeals of administrative actions
17A.350.020 Appeals of quasi-judicial actions
17A.350.030 Appeals of legislative actions

17A.350.010 Appeals of administrative actions

Decisions made by the administrator and/or Office of Planning and Development staff in the enforcement of the provisions of this Title may be appealed in accordance with OCC 2.67 Administrative Appeals.

17A.350.020 Appeals of quasi-judicial actions

Appeals of the final decision of any quasi-judicial land use actions from the hearing examiner or board of adjustment shall be submitted in accordance with OCC 2.65.

A. In those cases such as rezones or other similar instances where subsequent action is required by the Board of Okanogan County Commissioners, their actions will be based on the record and decision of the hearing examiner or board of adjustment. The action of the Board of Okanogan County Commissioners shall not constitute a final decision for purposes of appeal in accordance with OCC 2.65.150.

17A.350.030 Appeals of legislative actions

Appeals of the final decision of any legislative actions from the Board of Okanogan County Commissioners shall be submitted to Superior Court in accordance with RCW 36.32.330.

Chapter 17A.360
ENFORCEMENT

Sections:

17A.360.010 Generally
17A.360.020 Misdemeanor
17A.360.030 Abatement
17A.360.040 Additional enforcement
17A.360.050 Cost of enforcement action

17A.360.010 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.

17A.360.020 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.

17A.360.030 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. See OCC 17A.020.010 for definition of "Abatement of zoning violation".

17A.360.040 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.

17A.360.050 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.