

**FEIS I: Final Draft of Proposed Ordinance (Changes only from
March 2, 2016 draft)**

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

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

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

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181 **17A.010.110 Deviation from minimum zoning standards**

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

185 | ~~“Subdivisions”~~ or limited divisions (OCC 17A.020.545).

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187 | **17A.010.120 Notification periods**

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

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192 | **17A.010.130 Severability**

193 | If any provision of this title is for any reason held to be invalid, the remainder of this title
194 | shall not be affected. If any provision of this title is adjudged invalid as applied to a
195 | particular person or circumstance, that provision of this title shall not be affected as to
196 | other persons or circumstances.

197

17A.020.835	_____	Solid waste transfer station
17A.020.840	_____	Special event
17A.020.845	_____	Special event camping
17A.020.850	_____	Structure
17A.020.855	_____	Temporary
17A.020.860	_____	Temporary emergency facility
17A.020.865	_____	Temporary use
17A.020.870	_____	Tourist accommodation
17A.020.875	_____	Tract
17A.020.880	_____	Transient tourist accommodation
17A.020.885	_____	Transient use
17A.020.890	_____	Transitional surface
17A.020.895	_____	Underlying zone
17A.020.900	_____	Use
17A.020.905	_____	Variance
17A.020.910	_____	Veterinary clinic
17A.020.915	_____	Warming huts/way stations
17A.020.920	_____	Wetlands
17A.020.925	_____	Wholesale establishment
17A.020.930	_____	Window sign
17A.020.935	_____	Winery
17A.020.940	_____	Zoning adjustor

202

203 **17A.020.005 Definitions generally**

204 Whenever the words and phrases set forth in this chapter appear in this title, they shall
205 be given the meaning attributed to them by this chapter. When not inconsistent with the
206 context, words used in the present tense shall include the future; singular includes the
207 plural and the plural the singular; "shall" is always mandatory and "may" indicates a use
208 of discretion in making a decision.

209

210 **17A.020.010 Abatement of zoning violation**

211 "Abatement of zoning violation" means the termination of a zoning violation by
212 reasonable and lawful means in order that a building, structure, premises, land or
213 portion thereof shall be made to comply with this code.

214

215 **17A.020.015 Accessory building**

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

219

220 **17A.020.020 Accessory use**

221 "Accessory use" means a building, area, structure, use, or any part thereof, which
222 is ancillary to the primary use of the main building, structure or use on the same
223 lot, a use of land, or activity within a structure, which is subordinate to the primary use of

224 | ~~the land on which the accessory use is located.~~

225

226 **17A.020.025 Acid manufacturing**

227 “Acid manufacturing” means an industrial enterprise and associated facilities in which
228 the primary goal is the manufacture and/or processing of acid.

229

230 **17A.020.030 Acre**

231 “Acre” means a measurement of land surface area containing 43,560 square feet.

232

233 **17A.020.035 Administrator**

234 “Administrator” means the Okanogan County office of planning and development
235 director or the director’s designee.

236

237 **17A.020.040 Adult care facility**

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

240

241 **17A.020.045 Advertising sign**

242 “Advertising sign” means any device, structure, fixture or placard that is visible from a
243 public right-of-way or surrounding properties and which uses graphics, symbols or
244 written copy for the purpose of advertising or identifying any establishment, product,
245 goods or service.

246

247 **17A.020.050 Agricultural Commodity Storage**

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

249

250 **17A.020.055 Agricultural related industry**

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

256

257 **17A.020.060 Agriculture**

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

264

265 **17A.020.065 Air cargo terminal**

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

268

587 **17A.020.353 Exempt well**

588 "Exempt well" An exempt well is a well serving residential, landscaping, commercial
589 /industrial and stock watering uses and is limited as authorized pursuant to RCW
590 90.44.050 within a "project" as outlined in the Court decision in Campbell and Gwinn v.
591 WDOE
592

593 **17A.020.355 Exercise clubs, swimming pools**

594 "Exercise clubs, swimming pools" means a commercial facility used for the purpose of
595 providing recreational opportunities such as but not limited to exercise equipment,
596 tennis, basketball, racquetball, volleyball, swimming pools, all of which may be located
597 indoors or outdoors. Such facilities may be open to the general public while others may
598 be exclusive to members of a club or other type of organization.
599

600 **17A.020.360 Explosive manufacture or storage**

601 "Explosive manufacture or storage" means an industrial facility, large or small, used for
602 the purpose of manufacture or storage of explosive materials.
603

604 **17A.020.365 Facade sign**

605 "Facade sign" means any sign which is erected (including painted) on the wall of a
606 building or other structure whose face is generally parallel to that wall or other structure
607 and whose face does not extend outward more than 12 inches in a direction
608 perpendicular to that wall or other structure.
609

610 **17A.020.370 Farm**

611 "Farm" means property used for raising all crops, feeding and caring for livestock,
612 ranges and pastures. The definition of a farm does not include ~~marijuana~~cannabis
613 operations.
614

615 **17A.020.375 Farmworker housing**

616 A single-family dwelling, multi-family dwelling, group dwelling, or other similar living
617 space provided for employees, and their families, of a farm. Some farmworker housing
618 is seasonal temporary housing while other forms of farmworker housing are designed
619 for permanent occupancy.
620

621 **17A.020.380 Feedlot**

622 "Feedlot" means an area used for the purpose of feeding large numbers of livestock.
623 The area is used to stable or otherwise confine livestock. Numbers of livestock which
624 qualify as a feedlot, and duration of livestock confined on-site, is determined by current
625 definition of a "concentrated animal feeding operation" as defined and regulated by the
626 Washington State Department of Ecology. Crops, vegetation, forage growth, or post-
627 harvest residues are not sustained in the normal growing season over any portion of the
628 lot or facility. This shall not be interpreted to include dairy operations with a Washington
629 State grade A license.
630

631 **17A.020.385 Fence**

632 "Fence" means a barrier for the purpose of enclosing space or separating lots. Fences

816 **17A.020.555 Lot**

817 "Lot" means a fractional part of subdivided lands having fixed boundaries. The term
818 includes tracts.

819

820 **17A.020.560 Lot coverage**

821 "Lot coverage" means that portion of a lot which, when viewed directly from above,
822 would be covered by building(s) and/or structure(s) and/or impervious surfaces. The
823 portion of the lot covered by the roof projection or eaves beyond the wall of the
824 building(s) and/or structure(s) is not included as lot coverage.

825

826 **17A.020.565 Lot width**

827 "Lot width" means the horizontal distance between the side lot lines of a lot, measured
828 at right angles to its depth along a straight line parallel to the front lot line at the
829 minimum required building setback. For irregularly shaped lots, such as panhandle lots,
830 the lot width shall be measured at the nearest point to the front lot line where the
831 minimum width for the zone can be achieved.

832

833 **17A.020.570 Lot, corner**

834 "Corner lot" means a lot situated at the intersection of two or more streets.

835

836 **17A.020.575 Manufactured home**

837 "Manufactured home" means a structure that can be transported on a wheeled-axle in
838 one or more parts and is constructed to U.S. Housing and Urban Development
839 Standards.

840

841 **17A.020.580 Manufactured home park**

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

846

847 **17A.020.585 Manufactured home sales and facilities**

848 "Manufactured home sales and facilities" means a facility used for the purpose of retail
849 sales of manufactured home. Such facilities may include out-door storage areas, and
850 associated offices, administrative and employee areas.

851

852 **17A.020.590 MarijuanaCannabis processing facility**

853 **MarijuanaCannabis** processing facility means a facility used for the purpose of
854 processing **marijuanacannabis** into useable **marijuanacannabis** and **marijuanacannabis**-
855 infused products, and packaging and labeling of **marijuanacannabis** and
856 **marijuanacannabis**-infused products for sale to **marijuanacannabis** retailers.

857 **MarijuanaCannabis** processing facilities are similar in character to agricultural sorting,
858 grading, and packing facilities. Legal processing activities are consistent with RCW
859 69.50.101(v) and WAC 314-55-077 as administered by Washington State Liquor Control
860 Board.

861

862 **17A.020.595 MarijuanaCannabis production facility**

863 **MarijuanaCannabis** production facility means a facility used for growing
864 **marijuanacannabis** for the purpose of selling the **marijuanacannabis** products to
865 **marijuanacannabis** processors and other **marijuanacannabis** producers. Production
866 includes growth, harvest, trim, dry, cure, and packaging of **marijuanacannabis** for sale.
867 Sale may include **marijuanacannabis** products, plants, seeds, and plant tissue culture.
868 **MarijuanaCannabis** production facilities are separated into indoor and outdoor facilities
869 which are similar in character to indoor nursery or greenhouse facilities, or outdoor field
870 crops. Legal production activities are consistent with RCW 69.50.101(w) and WAC 314-
871 55-075 as administered by Washington State Liquor Control Board.

872
873 **17A.020.600 MarijuanaCannabis retail store**

874 **MarijuanaCannabis** retail store means a commercial establishment used for the sale of
875 useable **marijuanacannabis**, **marijuanacannabis**-infused products, and
876 **marijuanacannabis** paraphernalia and rendering services incidental to the sale of such
877 goods. **MarijuanaCannabis** retail stores are similar in character to agricultural fruit and
878 vegetable stands, or retail stores and gift shops. Legal retailers are consistent with
879 RCW 69.50.101(y) and WAC 314-55-079 as administered by Washington State Liquor
880 Control Board.

881
882 **17A.020.605 Marinas**

883 "Marinas" means a facility which provides boat launching, storage, supplies and
884 services for small pleasure craft. There are two basic types of marinas; open-type
885 construction (floating breakwater and/or open pile work) and solid-type construction
886 (bulkhead and/or landfill).

887
888 **17A.020.610 Meat packing plant**

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

894
895 **17A.020.615 Medical/dental clinic**

896 "Medical/dental clinic" means a structure for the medical examination and treatment of
897 human patients, but without provision for keeping such patients overnight on the
898 premises.

899
900 **17A.020.620 Mining**

901 "Mining" means the act of extracting from the earth minerals and/or ores via open pit,
902 shaft, leaching, hydraulic or other methods, except dredging and sand and gravel. Note
903 that mining activities are subject to zoning regulation and approval processes; however,
904 prospecting and exploration activities that are conducted with minimal disturbance of the
905 subject property are not considered mining and are not restricted by zoning. Surface
906 mining operations are also regulated by the Department of Natural Resources.

907

1000 **17A.020.705 Private club/lodge**

1001 "private club/lodge" means a building and associated facilities used for the exclusive
1002 use of the members of an organized club, fraternity, or other social organization for
1003 purposes of holding organized meetings, social, educational, recreational activities, and
1004 various special events.

1005
1006 **17A.020.710 Professional building**

1007 "Professional building" means a structure used for the purpose of providing multiple
1008 offices, and associated facilities, for various commercial businesses, consultants,
1009 practitioners, etc.

1010
1011 **17A.020.713 Project**

1012 "Project" for exempt well purposes is any division of land by short plat, subdivision or
1013 segregation of lands for the purposes of development after the adoption of RCW
1014 90.44.050 consistent with the Court decision in Campbell and Gwinn which occurs at
1015 one time or as part of a common scheme or plan. In such cases the limitations of RCW
1016 90.44.50 are applicable to all properties within the "project".

1017
1018 **17A.020.715 Projecting sign**

1019 "Projecting sign" means a sign which is attached to or supported by a wall or overhang
1020 of a building or structure other than an awning or marquee and which extends beyond
1021 the wall surface more than 12 inches in any direction.

1022
1023 **17A.020.720 Propane/natural gas storage tanks (commercial)**

1024 "Propane/natural gas storage tanks (commercial)" means a place or facility used for the
1025 purpose of keeping propane and/or natural gas within bulk storage tanks and smaller
1026 storage tanks for sale of gas products.

1027
1028 **17A.020.725 Recreation site, high-intensity**

1029 Areas with built facilities or results in a modification of the area. High-intensity recreation
1030 sites include but not limited to ball fields, parks, public access points, marinas are
1031 examples of high-intensity recreation.

1032
1033 **17A.020.730 Recreation site, low-intensity**

1034 Areas that do not accommodate large concentrations of people and do not include
1035 developed facilities other than trails, interpretive signs, and similar amenities.

1036
1037 **17A.020.735 Recreational vehicle (RV) park**

1038 "Recreational vehicle (RV) park" means a tract of land under single ownership or unified
1039 control developed with individual sites for rent and containing roads and utilities to
1040 accommodate recreational vehicles or tent campers.

1041
1042 **17A.020.740 Recycling collection center**

1043 "Recycling collection center" means a receptacle, facility or area used for the collection
1044 of recyclable materials (generally paper, glass, cans, etc.) for bulk transfer to a recycling
1045 processing center.

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- 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.~~

- 1473 E. Maximum height for the following list of uses is 100 feet: agricultural commodity
1474 storage; grain elevators; private communication towers; single-family residential
1475 windmills; water tanks.
1476 F. Maximum height for electric transmission and distribution towers and poles shall
1477 be 150 feet.
1478 G. Maximum height for communications facilities (commercial and public agency
1479 radio and TV, microwave or other antennas for transmitting and receiving) shall
1480 be 200 feet.
1481

1482 **17A.040.090 Lot coverage**

1483 Lot coverage is not applicable (see required setbacks in OCC 17A.040.070).
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1485 **17A.040.100 Parking**

1486 Parking requirements area as indicated in Chapter 17A.240 OCC.
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1488 **17A.040.110 Special provisions**

1489 **A. Cluster Land Divisions:**

- 1490 ~~1. Density: Increases to density beyond that permitted by this Chapter may be~~
1491 ~~permitted for Cluster Land Divisions in accordance with OCC Title 16. For the~~
1492 ~~purpose of calculating maximum density within Cluster Land Divisions, the~~
1493 ~~base density of this zone is 1 single family dwelling unit per acre. Fractional~~
1494 ~~calculations shall be rounded up to the nearest whole number (i.e. density~~
1495 ~~calculated at 12.4 lots and/or units shall be rounded to 13 lots and/or units).~~
1496 ~~2. Lot area and width: In order to achieve alternative lot design and clustering,~~
1497 ~~deviations to lot area and width beyond that permitted by this Chapter may be~~
1498 ~~permitted for Cluster Land Division in accordance with OCC Title 16.~~
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- 1590 E. Maximum height for the following list of uses is 100 feet: agricultural commodity
1591 storage; grain elevators; private communication towers; single-family residential
1592 windmills; water tanks.
1593 F. Maximum height for electric transmission and distribution towers and poles shall
1594 be 150 feet.
1595 G. Maximum height for communications facilities (commercial and public agency
1596 radio and TV, microwave or other antennas for transmitting and receiving) shall
1597 be 200 feet.
1598

1599 **17A.050.090 Lot coverage**

1600 Lot coverage is not applicable (see required setbacks in OCC 17A.050.070).
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1602 **17A.050.100 Parking**

1603 Parking requirements area as indicated in Chapter 17A.240 OCC.
1604

1605 **17A.050.110 Special provisions**

1606 ~~A. Cluster Land Divisions~~

- 1607 ~~1. Density: Increases to density beyond that permitted by this Chapter may be~~
1608 ~~permitted for Cluster Land Divisions in accordance with OCC Title 16. For the~~
1609 ~~purpose of calculating maximum density within Cluster Land Divisions, the~~
1610 ~~base density of this zone is 1 single family dwelling unit per five acres.~~
1611 ~~Fractional calculations shall be rounded up to the nearest whole number (i.e.~~
1612 ~~density calculated at 12.4 lots and/or units shall be rounded to 13 lots and/or~~
1613 ~~units).~~
1614 ~~2. Lot area and width: In order to achieve alternative lot design and clustering,~~
1615 ~~deviations to lot area and width beyond that permitted by this Chapter may be~~
1616 ~~permitted for Cluster Land Division in accordance with OCC Title 16.~~

1617 **B.A. Limited divisions**

- 1618 1. On a limited basis, lots within the R5 zone may be divided in a manner which
1619 deviates from Lot area and width (OCC 17A.050.050). Limitations include:
1620 2. One additional lot may be created which is smaller than the minimum lot area
1621 and width of the zone. If the property contains an existing residence, then two
1622 lots may be created, one lot would contain the existing residence.
1623 3. A limited division may occur one time on each lot as it existed as of January
1624 1, 2016.
1625 4. Any lot created by the limited division process must be a minimum of 1 acre.
1626 5. The remaining property (lot) may not be further divided except in full
1627 compliance with OCC 17A.050.050 "Lot area and width".
1628 6. The process to achieve a limited division is a "short plat" or "long plat
1629 alteration" in accordance with OCC Title 16, Subdivisions. If the landowner
1630 owns an adjoining lot then a boundary line adjustment, in accordance with
1631 OCC Title 16, may be used in order to achieve a limited division.
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**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 or one thirty-second of a section.
- 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.

- 1726 E. Maximum height for the following list of uses is 100 feet: agricultural commodity
1727 storage; grain elevators; private communication towers; single-family residential
1728 windmills; water tanks.
1729 F. Maximum height for electric transmission and distribution towers and poles shall
1730 be 150 feet.
1731 G. Maximum height for communications facilities (commercial and public agency
1732 radio and TV, microwave or other antennas for transmitting and receiving) shall
1733 be 200 feet.
1734

1735 **17A.060.090 Lot coverage**

1736 Lot coverage is not applicable (see required setbacks in OCC 17A.060.070).
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1738 **17A.060.100 Parking**

1739 Parking requirements area as indicated in Chapter 17A.240 OCC.
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1741 **17A.060.110 Special provisions**

1742 ~~A. Cluster Land Divisions~~

- 1743 ~~1. Density: Increases to density beyond that permitted by this Chapter may be~~
1744 ~~permitted for Cluster Land Divisions in accordance with OCC Title 16. For the~~
1745 ~~purpose of calculating maximum density within Cluster Land Divisions, the~~
1746 ~~base density of this zone is 1 single family dwelling unit per five acres.~~
1747 ~~Fractional calculations shall be rounded up to the nearest whole number (i.e.~~
1748 ~~density calculated at 12.4 lots and/or units shall be rounded to 13 lots and/or~~
1749 ~~units).~~
1750 ~~2. Lot area and width: In order to achieve alternative lot design and clustering,~~
1751 ~~deviations to lot area and width beyond that permitted by this Chapter may be~~
1752 ~~permitted for Cluster Land Division in accordance with OCC Title 16.~~

1753 B.A. Limited divisions

- 1754 1. On a limited basis, lots within the R20 zone may be divided in a manner
1755 which deviates from Lot area and width (OCC 17A.060.050). Limitations
1756 include:
1757 2. One additional lot may be created which is smaller than the minimum lot area
1758 and width of the zone. If the property contains an existing residence, then two
1759 lots may be created, one lot would contain the existing residence.
1760 3. A limited division may occur one time on each lot as it existed as of January
1761 1, 2016.
1762 4. Any lot created by the limited division process must be a minimum of 1 acre.
1763 5. The remaining property (lot) may not be further divided except in full
1764 compliance with OCC 17A.060.050 "Lot area and width".
1765 6. The process to achieve a limited division is a "short plat" or "long plat
1766 alteration" in accordance with OCC Title 16, Subdivisions. If the landowner
1767 owns an adjoining lot then a boundary line adjustment, in accordance with
1768 OCC Title 16, may be used in order to achieve a limited division.
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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.

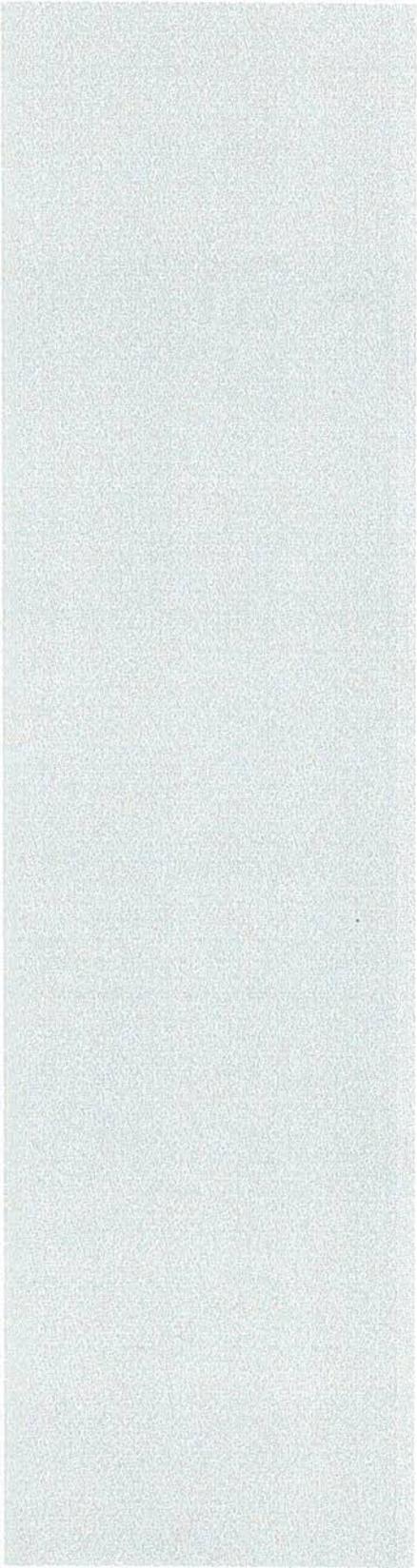
17A.070.110 Special provisions

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~~

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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.~~



1914 B. The density of RV parks, campgrounds, etc. shall be determined by Okanogan
1915 County health district standards for on-site treatment.
1916

1917 **17A.080.070 Property line setbacks**

1918 All permitted structures shall have the following required property line setbacks:

- 1919 A. Front: minimum is 25 feet.
1920 B. Side: minimum is 25 feet.
1921 C. Rear: minimum is 25 feet.
1922 D. Structures located on a lot which is adjacent to railroad facilities, and the
1923 structure is accessory to a designated railroad loading facility, shall be exempt
1924 from the setback along the property line bordering railroad property and/or right-
1925 of-way.
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1927 **17A.080.080 Height**

1928 Height restrictions are as follows:

- 1929 A. Maximum height for all uses in the zone shall be 35 feet except as noted in
1930 subsections B through G of this section.
1931 B. Maximum height shall be 50 feet for: appurtenances and decorative nonstructural
1932 architectural components on roofs of single- and multiple-family dwelling units
1933 and on roofs of accessory buildings, except agricultural buildings; parapet walls.
1934 C. Maximum height for agricultural uses shall be 65 feet, except as noted in
1935 subsections D and E of this section.
1936 D. Maximum height for the following list of uses shall be 65 feet, unless otherwise
1937 limited by condition of a conditional use permit, PUD, as identified in the district
1938 use chart: agricultural wind machines; barns; church steeples, spires, belfries,
1939 cupolas, and domes; crosses and other religious and civic monuments; elevator
1940 penthouses; fire towers; fruit and vegetable packing facilities; hose towers;
1941 school auditoriums and theaters.
1942 E. Maximum height for the following list of uses is 100 feet: agricultural commodity
1943 storage; amateur radio poles or antennas; grain elevators; private communication
1944 poles or antennas; single-family residential windmills; water tanks.
1945 F. Maximum height for electric transmission and distribution towers and poles shall
1946 be 150 feet.
1947 G. Maximum height for communication facilities (commercial or public agency radio
1948 and TV, microwave or other antennas for transmitting and receiving) shall be 200
1949 feet.
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1951 **17A.080.090 Lot coverage**

1952 Maximum lot coverage is 20 percent.
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1954 **17A.080.100 Parking**

1955 Parking requirements are as indicated in Chapter 17A.240 OCC.
1956

1957 **17A.080.110 Special provisions**

- 1958 A. ~~Cluster Land Divisions~~
1959 1. ~~Density: Increases to density beyond that permitted by this Chapter may be~~

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~~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).~~

~~2.1. 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.~~

2016 B. The density of RV parks, campgrounds, hotels, motels, etc. shall be determined
2017 by Okanogan County health district standards for on-site treatment.
2018

2019 **17A.090.070 Property line setbacks**

2020 All permitted structures shall have the following required property line setbacks:

2021 A. Front: minimum is 25 feet.

2022 B. Side: minimum is five feet.

2023 C. Rear: minimum is 25 feet.
2024

2025 **17A.090.080 Height**

2026 Height restrictions are as follows:

2027 A. Maximum height is 35 feet.
2028

2029 **17A.090.090 Lot coverage**

2030 Lot coverage restrictions are as follows:

2031 A. Maximum lot coverage is 40 percent.
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2033 **17A.090.100 Parking**

2034 Parking requirements are as indicated in Chapter 17A.240 OCC.
2035

2036 **17A.090.110 Special provisions**

2037 **A. Cluster Land Divisions**

2038 1. ~~Density: Increases to density beyond that permitted by this Chapter may be~~
2039 ~~permitted for Cluster Land Divisions in accordance with OCC Title 16. For the~~
2040 ~~purpose of calculating maximum density within Cluster Land Divisions, the~~
2041 ~~base density of this zone is one dwelling unit per one-fifth acre. Fractional~~
2042 ~~calculations shall be rounded up to the nearest whole number (i.e. density~~
2043 ~~calculated at 12.4 lots and/or units shall be rounded to 13 lots and/or units).~~

2044 2. ~~Lot area and width: In order to achieve alternative lot design and clustering,~~
2045 ~~deviations to lot area and width beyond that permitted by this Chapter may be~~
2046 ~~permitted for Cluster Land Division in accordance with OCC Title 16.~~
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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.~~

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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.C.~~ 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:

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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.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.

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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 foot. 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.~~

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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~~

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~~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)**

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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~~

3090 feet. ~~Fractional calculations shall be rounded up to the nearest whole number~~
3091 ~~(i.e. density calculated at 12.7 lots and/or units shall be rounded to 13 lots and/or~~
3092 ~~units).~~

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3094 **17A.180.070 Property line setbacks**

3095 All permitted structures shall have the following required property line setbacks:

- 3096 A. Front: none.
3097 B. Side: none.
3098 C. Rear: none.
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3100 **17A.180.080 Height**

3101 Height restrictions are as follows:

- 3102 A. Maximum height for all uses in the zone shall be 50 feet, except as noted in
3103 subsections B and C of this section.
3104 B. Maximum height shall be 65 feet for: church steeples, spires, belfries, cupolas,
3105 and domes; elevator penthouses; fire towers; hose towers; parapet walls; school
3106 auditoriums; theaters; and their accessory buildings.
3107 C. Maximum height shall be 100 feet for agricultural commodity storage and
3108 performing arts centers (theaters, community centers, sports facilities and
3109 complexes).
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3111 **17A.180.090 Lot coverage**

3112 Reserved.
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3114 **17A.180.100 Parking**

3115 Parking requirements are as indicated in Chapter 17A.240 OCC.
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3117 **17A.180.110 Special provisions**

- 3118 A. Light and Glare: Outdoor lighting, including street and parking lot lighting, shall
3119 be directed downward and shielded to minimize potential glare to motorists and
3120 off-site properties. No exterior light with a direct source visible from a neighboring
3121 property shall be installed. Christmas lighting is exempt from these requirements.

3122 ~~B. Cluster Land Divisiens~~

- 3123 ~~1. Density: Increases to density beyond that permitted by this Chapter may be~~
3124 ~~permitted for Cluster Land Divisions in accordance with OCC Title 16. For the~~
3125 ~~purpose of calculating maximum density within Cluster Land Divisions, the~~
3126 ~~base density of this zone is 1 lot per 5,000 square feet. Fractional calculations~~
3127 ~~shall be rounded down to the nearest whole number (i.e. density calculated at~~
3128 ~~12.7 lots and/or dwelling units shall be rounded to 12 lots and/or units).~~
3129 ~~2. Lot area and width: In order to achieve alternative lot design and clustering,~~
3130 ~~deviations to lot area and width beyond that permitted by this Chapter may be~~
3131 ~~permitted for Cluster Land Division in accordance with OCC Title 16.~~

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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.C.~~ D.C. 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.D.~~ E.D. 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

3377 **Chapter 17A.200**
3378 **PLANNED UNIT DEVELOPMENT (PUD)**

3379
3380 Sections:

- 3381 17A.200.010 District Purpose
3382 17A.200.020 Standards Effect on allowed uses.
3383 17A.200.030 Review Minimum area, maximum density, open space, height and
3384 setbacks.
3385 17A.200.040 Rezone Specific Requirements for Methow Review District
3386 17A.200.050 Development agreement Clustering Requirements
3387 17A.200.060 Subdivisions Individually owned open space standards.
3388 17A.200.070 Modifications Common open space standards.
3389 17A 200.080 Underground utilities
3390 17A 200.090 Planned development standards.
3391 17A 200.100 Preapplication consultation.
3392 17A 200.110 Application for planned development (PD).
3393 17A 200.120 Board of county commissioner's action.
3394 17A 200.130 Final plan-Submittal.
3395 17A 200.140 Final plan and program requirements.
3396 17A 200.150 Final plan review and board action.
3397 17A 200.160 Building permits.
3398 17A 200.170 Modifications to development plan and program.
3399 17A 200.180 Final planned development-Action on nondevelopment

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3401 **17A.200.010 District Purpose**

3402 ~~The purpose of the planned unit development is to allow Okanogan County to review~~
3403 ~~specialized pre-planned development projects which may not be permitted within the~~
3404 ~~current zone district in which the project is located. A planned unit development may~~
3405 ~~permit a variety of housing types and/or commercial and industrial facilities under~~
3406 ~~standards, including but not limited to permitted uses and lot sizes, which may be~~
3407 ~~different than those restrictions that would be required by the underlying zone. The~~
3408 ~~specialized zoning for a planned unit development is adopted by a development~~
3409 ~~agreement which may contain requirements in addition to those of the standard zoning~~
3410 ~~and subdivision. The planned unit development review process allows Okanogan~~
3411 ~~County the opportunity to review specialized projects on a case-by-case basis for~~
3412 ~~consistency with the comprehensive plan and any sub-area plans, while reviewing site~~
3413 ~~characteristics, on and off site impacts, neighborhood character, etc.~~

3414 The purpose of the planned development district is to enhance and diversify
3415 development opportunities in Okanogan County by:

3416 A. Encouraging flexibility in the design of land use activities so that they are
3417 conducive to a more creative approach to development which will result in a more
3418 efficient, aesthetic and environmentally responsive use of the land;

3419 B. Encouraging creativity in the design and placement of buildings, clustering, use of
3420 required open spaces, provision of on-site circulation facilities, off-street parking,
3421 landscaping and other site design elements that better utilize the potentials of special

3422 features, such as sensitive fish and wildlife habitats, geography, topography, vegetation,
3423 drainage features, size or shape, etc.;

3424 C. Facilitating the provision of cost efficient and adequate public improvements, such
3425 as streets and utilities;

3426 D. Minimizing and/or mitigating the impacts of development on valuable natural
3427 resources and unique natural features such as agricultural soils, critical areas including
3428 wetlands, areas of critical recharging effect on aquifers used for potable water, fish and
3429 wildlife conservation areas, frequently flooded areas and geologically hazardous areas
3430 and resource lands including agriculture, forest and mineral lands;

3431 E. Encouraging the incorporation of public access to public recreational opportunities
3432 as a part of development activities;

3433 F. Encourage non-motorized transportation systems within and adjacent to PDs;

3434 G. It is further the intent of this chapter that it is applicable to all types of land uses,
3435 including, residential, commercial, industrial and any "mixture" of these land use
3436 categories. (Ord. 94-10 § 2, 1994).

3437

3438

3439 **17A.200.020 ~~Standards~~Effect on allowed uses**

3440 ~~A. Planned Unit Developments must be consistent with Okanogan County's~~
3441 ~~Comprehensive Plan, including Methow Valley More Completely Planned Area~~
3442 ~~and the Methow Valley More Completely Planned Area Subunit A. In no instance~~
3443 ~~shall a Planned Unit Development be approved if it is not found to be consistent~~
3444 ~~with such Comprehensive Plan and designated planning areas.~~

3445 ~~B. The property, for which a Planned Unit Development is proposed, shall contain~~
3446 ~~sufficient area to provide adequate buffering to mitigate the impacts to~~
3447 ~~neighboring properties.~~

3448 ~~C. An applicant of a Planned Unit Development may apply for density bonus,~~
3449 ~~identical to that of Cluster Land Division, without subdividing. Any density bonus~~
3450 ~~qualified in this manner will also have to meet the clustering requirements~~
3451 ~~identified within the Cluster Land Division regulation (see OCC 16.14)~~

3452

3453 The rezoning of an area to a "Planned Development" (PD) has the effect of altering
3454 the type of allowed uses, the intensity of uses, setbacks, and a number of other
3455 regulatory and defined uses, processed, and procedures that may be applicable to the
3456 underlying zoning. Mixed use PDs may include residential, commercial, agricultural, and
3457 other uses, and may have additional requirements as may be needed and necessary to
3458 ensure appropriate integration into the surrounding community. The planned
3459 development review process allows for flexible interpretation of the zoning regulations,
3460 while at the same time requiring strict review for compliance with the provisions of the
3461 comprehensive plan(s). As well, mitigation for identified impacts may be required. This
3462 process may create a preplanned area, which has differences from that which is
3463 normally found in the underlying zone. Those uses, which are allowed within PDs, must
3464 be supported or identified within the comprehensive plan, the appropriate sub-area
3465 plan(s), and any modifications made thereto. Mitigation may be required for those
3466 impacts which can be defined or expected from the establishment of the PD. Impacts
3467 may be in the form of economic impacts from commercial uses, visual impacts to the

3468 surrounding area, an expected change to community character, etc. Mitigation may
3469 include, but is not limited to, strict design review of structures, landscaping, off-site
3470 traffic impacts, signage, etc. (Ord. 2007-4 § 2, 2007; Ord. 94-10 § 2, 1994).

3471
3472
3473 **17A.200.030 Review** Minimum area, maximum density, open space, height and
3474 setbacks.

3475 ~~Review of an application for a planned unit development is a quasi-judicial review~~
3476 ~~process as administered in accordance with OCC Title 20 "Development Permit~~
3477 ~~Procedures and Administration" including public and agency comment period, SEPA~~
3478 ~~review, open record public hearing, etc.~~

3479 ~~A. Consolidated review: The final product of an application for a planned unit~~
3480 ~~development is a conglomeration of multiple documents, including a rezone,~~
3481 ~~development agreement, and potentially a subdivision. These elements of the~~
3482 ~~planned unit development should be consolidated and processed concurrently,~~
3483 ~~whenever possible. Consolidation of application materials includes but is not~~
3484 ~~limited to common review processes and timelines for SEPA determinations,~~
3485 ~~comment periods, consolidated notifications and reports and hearings, etc.~~

3486 ~~B. A complete application includes:~~

- 3487 ~~1. Application fee as adopted within Okanogan County's fee schedule.~~
3488 ~~2. Rezone application (OCC 17A.340)~~
3489 ~~3. Development agreement (OCC 18.05 & RCW 36.70B)~~
3490 ~~4. SEPA checklist~~
3491 ~~5. Subdivision or short plat with supporting information (OCC Title 16)~~

3492 ~~1. Project description: The scope of the project description varies greatly~~
3493 ~~between applications for planned unit development as the planned unit~~
3494 ~~development process may be used by a variety of different project types.~~

3495
3496 A planned development is an alternative to traditional subdivision, and may serve as
3497 an alternative method to fulfill the requirements of subdivision set forth in Chapter 58.17
3498 RCW, which allows and encourages clustered or common structures, shared access
3499 roads and utilities, increased provision of open space and protection of significant
3500 environment features to produce a more economical and environmentally sensitive
3501 development.

3502 A. Specifications.

3503 1. In Methow Review District 5 (MRD 5) and Methow Review District 20 (MRD
3504 20), Rural Residential and Low-Density Residential zone districts, Rural Residential and
3505 Low-Density Residential zone districts, planned developments shall require twice the
3506 minimum lot area of the underlying district.

3507 2. In Methow Review District 1 (MRD 1), Methow Review District 12,500 (MRD
3508 12,500), a minimum lot area of five acres is required.

3509 3. In the minimum requirement district and agricultural residential, a minimum lot
3510 area of 10 acres is required.

3511 4. a. Base Density. Base residential density for all planned developments is 150
3512 percent of the density of the underlying district.

3513 b. Density Bonus. Up to 200 percent of the density of the underlying district
 3514 may be earned if any of the incentive features contained in subsection 5 below are
 3515 included as part of the planned development design.

3516 5. Incentive Features. The maximum residential density can be earned only when
 3517 incentive features totaling 50 percent or more are part of the planned development
 3518 design. The residential density may, in no case, exceed 200 percent of the density in
 3519 the underlying district.
 3520

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

3521 6. Open space shall be at least 75 percent of the PD which may be comprised of
 3522 50 percent individually owned open space and 50 percent common open space, except
 3523 in minimum requirement district and agricultural-residential district where the amount of
 3524 open space shall be recommended by the planning commission and approved by the
 3525 board of county commissioners but in no case shall be less than 50 percent of the parcel
 3526 area.
 3527

3528 7. Maximum building height = 35 feet.

3529 8. Perimeter setbacks for the PD shall be the same as the underlying district or
 3530 50 feet, whichever is greater.

3531 B. During review of planned developments the planning commission shall
 3532 recommend incentive density bonus based on their determination of the merit of the
 3533 incentive features listed in (A)(5) above.

3534 In the approval of any planned development, the board of county commissioners
 3535 shall determine, based on the record and the planning commission recommendation,
 3536 the merit of the incentive feature proposed, the final incentive density bonus granted.

3537 C. Employee Housing. Mixed use and commercial PDs shall have one employee
3538 housing unit for each 30 rentable units or each 5,000 square feet (aggregate) of
3539 commercial structures. Required employee housing will not be counted against density
3540 requirements. (Ord. 94-10 § 2, 1994).

3541
3542
3543 **17A.200.040 ~~Rezone~~Specific requirements for Methow Review District**

3544 ~~A planned unit development acts as a rezone. Once an application is approved, the~~
3545 ~~official county zone map is amended to show the property is zoned "planned unit~~
3546 ~~development". A planned unit development rezone is processed in accordance with~~
3547 ~~OCC 17A.340.100 as a quasi-judicial application. The final decision is made by the~~
3548 ~~Hearing Examiner or Board of Adjustment. If approved, that decision is submitted to the~~
3549 ~~Board of Okanogan County Commissioners in order to perfect the decision by ordering~~
3550 ~~an amendment to the County's zone map.~~

3551 The following requirements apply as part of the approval of all planned
3552 developments in the Methow Review District:

3553 A. Class B water systems shall include segregation of domestic and irrigation supply
3554 lines including an in line water meter to certify curtailment of irrigation usage in periods
3555 of critical instream flows;

3556 B. Lawn areas needing irrigation shall be limited to 3,000 square feet immediately
3557 surrounding residential buildings;

3558 C. Water flow restriction devices shall be included in all buildings.

3559 D. Fences be made deer passable where appropriate. (Ord. 94-10 § 2, 1994).

3560
3561
3562 **17A.200.050 ~~Development agreement~~Clustering requirements**

3563 ~~As a specialized zone designation, a development agreement is used to clarify the~~
3564 ~~scope of the planned unit development.~~

3565 ~~A. Components: The development agreement includes, but is not limited to,~~
3566 ~~sections explaining permitted use, parameters of any subdivisions, phasing,~~
3567 ~~development of infrastructure (roads, utilities, etc.), and identification of mitigation~~
3568 ~~that had been required for the project (if any), and review processes for various~~
3569 ~~development scenarios and land management practices. A full legal description~~
3570 ~~of the property is included in order for the development agreement to~~
3571 ~~appropriately follow title to the land once recorded.~~

3572 ~~B. Development agreements are authorized by this Chapter and OCC 18.05 and~~
3573 ~~RCW 36.70B. As a quasi-judicial application process, the development~~
3574 ~~agreement is approved or denied by the Hearing Examiner or Board of~~
3575 ~~Adjustment. If approved, the final development agreement would be signed by all~~
3576 ~~parties and presented to the Board of Okanogan County Commissioners for~~
3577 ~~execution and adoption. Once completed, the development agreement is~~
3578 ~~recorded with the County Auditor.~~

3579
3580 A. The zone(s) of influence is the area of concentrated human impact within the PD.
3581 The zone of influence together with impervious surfaces shall not be considered open

3582 space. The main access road where outside and not contiguous with the zone of
3583 influence may be considered open space.

3584 B. To accomplish tight clustering, up to 25 percent (50 percent within the minimum
3585 requirement and agricultural-residential zoning districts) of the total area of the PD may
3586 be designated as zone(s) of influence. The boundary of a zone of influence shall be
3587 linear or convex. Structures within the zone of influence must be a minimum of 50 feet
3588 from the outer boundary of the zone of influence. Where geographic, topographic or
3589 natural resource constraints exist, concave boundaries or an increase of five percent
3590 may be permitted at the recommendation of the office of planning and development and
3591 at the discretion of the planning commission.

3592 C. The number of separate zones of influence shall be determined by the following
3593 table:

- 3594 1. Ten to 20 acres: one zone of influence.
3595 2. Twenty-one to 100 acres: two zones of influence.
3596 3. One additional zone of influence per 100 acres thereafter. (Ord. 2008-8 § 2,
3597 2008; Ord. 94-10 § 2, 1994).

3598
3599 **17A.200.060 Subdivisions**Individually owned open space standards.

3600 ~~Division of land within a planned unit development is not required although it may be~~
3601 ~~permitted by request of the applicant. Division of land shall be completed in accordance~~
3602 ~~with OCC Title 16 "Subdivisions".~~

3603 ~~A. Division of land for purposes of residential or tourist-residential development, or~~
3604 ~~when a density bonus is proposed, shall be completed as a cluster plat in~~
3605 ~~accordance with OCC Title 16 "Subdivisions".~~

3606 ~~B. The application for a planned unit development identifies whether land division~~
3607 ~~will occur, how, and when. If land division is proposed, then the application may~~
3608 ~~include the preliminary plat (and supporting information). A preliminary plat may~~
3609 ~~be submitted later in accordance with the phasing plan section of the~~
3610 ~~development agreement (OCC 17A.200.050).~~

3611
3612 A. Up to 50 percent of the open space within the development may be privately
3613 owned.

3614 B. Privately owned open space in a planned development shall meet the following
3615 standards:

3616 1. Privately owned open space must be retained or restored to its native state or
3617 used for agricultural or recreational purposes, e.g., part of an organized trail system or
3618 used as designated conservation open space.

3619 2. Suitable weed control and revegetation plans and programs must be provided
3620 for in privately owned open space.

3621 3. No accessory structures allowed within privately owned open space, except for
3622 structures appurtenant to utilities or structures approved by the Department of Fish and
3623 Wildlife, and structures of historical/architectural preservation significance. (Ord. 94-10 §
3624 2, 1994).

3625
3626 **17A.200.070 Modifications**Common open space standards

3627 ~~This Section authorizes modifications to planned unit developments and to projects~~

3628 known as "planned developments" which are no longer authorized by Okanogan County
3629 Code. A planned unit development is composed of multiple elements including a zone
3630 boundary (rezoned), development agreement, and a cluster plat. An application for a
3631 modification to a planned unit development may narrowly focus on one of these
3632 elements or it may apply to each element. Modifications affecting a single element are
3633 processed in accordance with the application requirement of that individual component.
3634 A. A modification to the planned unit development zone boundary is processed in
3635 accordance with rezoning procedures in accordance with OCC 17A.340.
3636 B. An alteration to the final plat is processed in accordance with plat alterations
3637 procedures found in OCC Title 16.
3638 C. A modification to the development agreement is processed in accordance with
3639 OCC 18.05 and RCW 36.70B.
3640 D. On a case-by-case basis, the development agreement for a planned unit
3641 development may include modification procedures which are different than those
3642 identified by this Section so long as those procedures are legally sound.
3643 E.

3644
3645 A. Fifty percent of the open space within the development is required to be owned in
3646 common (undivided interest), therefor up to 50 percent may be privately owned.
3647 B. Common open space in a planned development district shall meet the following
3648 standards:
3649 1. The location, shape, size and character of the open space must be suitable for
3650 its intended use within the planned development;
3651 2. Common open space must be retained or restored to its native state or used
3652 for agricultural or recreational purposes, e.g., part of an organized trail system or used
3653 as designated conservation open space. The uses authorized for common open space
3654 must be appropriate to the scale and character of the planned development, considering
3655 its size, density, expected population, topography and number and type of dwelling units
3656 to be provided; and
3657 3. Common open space must be managed for its intended use. Common open
3658 space to be retained or restored to its natural condition, must provide suitable weed
3659 control and revegetation plans and programs. The buildings, structures and
3660 improvements which are permitted in the common open space must be appropriate to
3661 the uses which are authorized and must conserve and enhance the natural features of
3662 the common open space.
3663 C. The development schedule, which is part of the development plan, must
3664 coordinate improvement of common open space, construction of buildings, structures
3665 and improvements for recreational purposes, and the construction of residential
3666 dwellings in the planned development.
3667 D. The preliminary development plan and program shall include a provision which
3668 assures permanent retention and maintenance of the common open space in a planned
3669 development. Such assurance may be in the form of restrictive covenants, or
3670 undertaken by an association of owners of the property within the planned development,
3671 and/or in any other form or by any other method approved by the board as being
3672 practical and legally sufficient to assure the permanent retention and maintenance of
3673 the common open space.

3674 All legal documents necessary to implement this requirement (typically in the form of
3675 conditions, covenants and restrictions) shall be filed by the applicant with the final
3676 development plan and program, and shall be subject to approval as to form by the
3677 prosecuting attorney. All such plans and programs shall contain provisions whereby the
3678 county is granted the right to enforce the permanent retention and maintenance of the
3679 common open space, and further that in the event the common open space is permitted
3680 to deteriorate, or is not maintained in a condition consistent with the approved plan and
3681 program, the county may at its option, cause necessary maintenance to be performed
3682 and assess the costs thereof to the owners of the property within the planned
3683 development.

3684 E. No common open space may be put to any other use than as specified in the
3685 approved final development plan unless the development plan has been modified to
3686 permit such other use pursuant to OCC 17A 200.170.
3687

3688 **17A 200.080 Underground utilities**

3689 In any planned development all electrical lines, telephone facilities, and other wiring
3690 conduits and similar facilities shall be placed underground unless this requirement is
3691 waived by the board. Such a waiver must be based on the physical constraints of the
3692 site and/or technical difficulties with such underground installations.
3693

3694 **17A 200.090 Planned development standards**

3695 The following minimum requirements apply to planned developments. Applicant may
3696 be required to provide analysis, by professionals with documented expertise, of the
3697 following items:

3698 A. Soils and Geology. Planned development applications shall show, where lands
3699 within the site have high frost heave potential or are subject to slippage as determined
3700 by the Soil Conservation Service soils capability rating, that the development has been
3701 planned so that the improvements will not be subject to geologic hazards or soil
3702 conditions that would damage such improvements or cause environmental degradation.

3703 B. Drainage. Planned development applications shall show that the development
3704 has been planned so historical surface flow patterns (100-year floodplain if known) and
3705 runoff amounts will be maintained in a manner that will preserve the natural character of
3706 the area and prevent property damage of a type generally attributed to increased runoff
3707 rate, velocity increases, unplanned ponding, or storm runoff.

3708 C. Erosion. Planned development applications shall show slopes which are greater
3709 than 30 percent and/or are highly erodible as determined by Soil Conservation Service
3710 soils capability rating. The erosion plan shall include road systems and shall show that
3711 the development has been planned so that a minimum amount of natural vegetation and
3712 soil cover is disturbed, that adequate provision is made for recontouring and soil
3713 stabilization and that cuts and fills are designed to minimize erosion. Additionally, all
3714 disturbed soils shall be revegetated and road systems shall be designed to minimize the
3715 necessity for cuts and fills.

3716 D. Water Availability. Planned development applications shall submit appropriate
3717 certification to show that adequate water exists to support the proposed development

3718 and shall be compatible with water priority uses contained in any applicable river basin
3719 studies prepared and adopted by the Washington State Department of Ecology.

3720 E. Waste Treatment. Planned development applications shall show that on-site
3721 sewage treatment systems are adequate to accommodate the volume and composition
3722 of sewage expected to be generated by the proposed use, that the on-site sewage
3723 disposal system will be properly maintained and designed to prevent overloading or any
3724 other failure which could cause the discharge of inadequately processed effluent that
3725 would measurably degrade the quality of the receiving water below applicable water
3726 quality standards or below the existing water quality whichever is higher. On-site
3727 sewage disposal shall meet the Okanogan County sewage disposal regulations, the
3728 Department of Social and Health Services and the Washington State Department of
3729 Ecology standards.

3730 F. Wildlife. Planned development applications shall show that the development has
3731 been planned, in conjunction with the Washington State Department of Wildlife, to
3732 mitigate significant adverse impact on wildlife habitat including but not limited to deer
3733 wintering areas, migration corridors, fawning sites, nesting grounds, commercial and
3734 game fish spawning areas, breeding areas, etc.

3735 G. Agricultural Compatibility. Planned development applications shall show that the
3736 development has been planned to minimize the loss of the lands within the proposed
3737 PD that are designated agricultural land of long term commercial significance (see GMA
3738 Resource Lands Designation). To assure proper management of agricultural lands
3739 dedicated as open space, a management plan shall be incorporated into the
3740 homeowner's covenants. The application shall also show that the proposed
3741 development does not have an adverse affect on adjacent agricultural lands of long
3742 term commercial significance. Habitable structures within the planned development
3743 shall be set back a minimum 100 feet from adjacent agricultural properties.

3744 H. Visual Impacts. Planned development applications shall show that design and
3745 construction standards will minimize the aesthetic impact of the proposal on the site.
3746 The application shall include provisions which assure that no artificial lighting is directed
3747 off-site. The application shall also describe what steps are being taken to maintain
3748 integrity of the terrain (native vegetation, plantings, streams) and to maintain
3749 architectural and building clusters compatible with the surrounding area.

3750 I. Archaeological and Historical Features. Planned development applications shall
3751 show that any development located on or near a historical or archaeological site is
3752 consistent with and would not destroy or have an adverse affect on the historical or
3753 archaeological site.

3754 J. County Fiscal Impact. Applications shall estimate the cost to the county for the
3755 new services and facilities which will be required to support the specific needs of
3756 development. Services and facilities that shall be reviewed include: schools, roads, law
3757 enforcement, junior taxing districts and general government services. A description shall
3758 be included to show whether or not the indicated staging of the development will
3759 generate services or facility demand in advance of the fiscal and physical ability of the
3760 county or the county districts to provide them. If such an increase in services is
3761 projected, an acceptable means for providing such services must be furnished.

3762 K. Reduction of Nonconforming Uses. Planned development applications shall show
3763 that the development will result in the upgrading or elimination of existing

3764 nonconforming uses and structures which occur on the subject property. (Structures or
3765 buildings designated as historical by state of Washington may be granted a wavier of
3766 this provision by the planning commission.)

3767 L. Critical Areas. Show that critical areas regulations have been addressed.

3768 M. Transportation. Applicant shall show that the development is planned to meet the
3769 design standards of Subdivisions, OCC Title 16 and Okanogan County road and street
3770 standards and guidelines for development and, if applicable, Washington state highway
3771 standards.

3772 N. Employee Housing. Applicant shall show that the requirements for employee
3773 housing are met (see OCC 17A.200.030(A)(3). Employee housing shall be located on-
3774 site and integrated with other housing provided by the project.

3775 O. Utilities. Applicant shall show how utilities will be provided to the development.
3776 Applicant shall provide electricity to the development. The county may find that
3777 alternative, nonconventional power sources are practical upon written evidence
3778 presented by the applicant. Utilities shall be underground, including but not limited to,
3779 electricity, communications and street lighting. Where topography, soil, or other
3780 conditions make underground installation impractical and written evidence is presented
3781 by the supplier of the utility, the county may waive the requirement for underground
3782 utilities.

3783

3784 **17A 200.100 Preapplication consultation**

3785 A. Preapplication consultation with county departments and resource agencies is
3786 mandatory for planned development projects. Upon receiving a request for
3787 preapplication consultation, the administrator will request a meeting with the appropriate
3788 county and resource agencies and the applicant. The purpose of this meeting is to
3789 assist the applicant in identification of site constraints and suggest potential solutions
3790 where possible.

3791

3792 **17A 200.110 Application for planned development**

3793 Application, Hearing, Evaluation Criteria and Decision. Upon completion of the
3794 mandatory consultation, the preliminary PD request will proceed upon receipt of 12
3795 copies of the following:

3796 A. Application.

3797 1. The applicant shall submit a completed PD rezone application.

3798 2. The application shall be accompanied by a development site plan which
3799 includes the following:

3800 a. A dimensional map, drawn to a scale of not less than one inch equals 100
3801 feet; except, for applications of more than 40 acres, a scale drawing of the entire site
3802 shall be included with an insert drawing that delineates the areas of primary
3803 development activities at the above mentioned scale or as prearranged with the
3804 administrator or designee. The dimensional map sheet shall include a vicinity map at a
3805 reduced scale showing the proposed development in relation to existing landmarks
3806 (e.g., state or county roads, towns, etc.);

3807 b. Boundaries of the site;

3808 c. Names and dimensions of all existing and proposed roads serving,
3809 adjacent to or lying within one quarter mile of the site of the proposed property;

3810 d. Proposed zones of influence and/or approximate footprints of proposed
3811 buildings; together with proposed footprints of commercial buildings;
3812 e. Proposed location and dimension of common open space and privately
3813 owned open space;
3814 f. Proposed public dedications;
3815 g. Location, dimension and schematic design of off-street parking facilities,
3816 showing points of ingress and egress from the site;
3817 h. Location of major physical features, such as drainage ways, canals, and
3818 shorelines;
3819 i. Location of known critical areas including fish and wildlife habitat
3820 conservation areas, wetlands, aquifer recharge areas, frequently flooded areas,
3821 geologically hazardous areas;
3822 j. Existing topographic contours for the entire site utilizing the best information
3823 available, such as, USGS maps or Department of Transportation maps (utility and
3824 roadway corridors may use plan profile instead of contours except where erosion control
3825 measures are required). For large development sites, contour intervals of not more than
3826 five feet, together with identification of existing drainage and of vegetation shall be
3827 provided for the area including and adjacent to actual development activities for a
3828 distance of 250 feet.
3829 k. Proposed land uses, densities and building types and sizes;
3830 l. Pedestrian and vehicular circulation pattern;
3831 m. Location and type of all existing and proposed recreational improvements,
3832 if any;
3833 n. Conceptual landscape plan;
3834 o. Conceptual utility plans, including utility easements; and
3835 p. Snow removal/storage/water quality protection plan.
3836 3. A written program that includes an explanation of the density of development
3837 proposed and open space provisions together with the following:
3838 a. A description in a concise statement of the general public benefit that will
3839 result from the development of the proposed project. Benefits to be described may
3840 include but are not limited to:
3841 i. Increased open space;
3842 ii. Special wildlife or recreation benefits resulting from innovative or
3843 optional development techniques;
3844 iii. The creation of compatible multiple use projects that include residential,
3845 commercial and/or industrial; and
3846 iv. The development of perimeter transition with surrounding land uses.
3847 b. Additional written information shall provide a detailed evaluation and/or
3848 analysis of the following:
3849 i. Proposed ownership pattern;
3850 ii. Proposed covenants, conditions and restrictions (CC&Rs) including,
3851 operation and maintenance proposal (i.e., condominiums, home owner association, co-
3852 op, time share or other);
3853 iii. General timetable of development (describe project phasing if
3854 applicable);

3855 iv. Description of existing and/or proposed community and recreational
3856 facilities;
3857 v. Water supply system; (including proposed water conservation measures
3858 where necessary).
3859 vi. Wastewater disposal system;
3860 vii. Geophysical characteristics (i.e., soils, slope, drainage and areas of
3861 erosion);
3862 viii. Temporary and permanent erosion control plan (including cross
3863 sections and site plans that meet the performance standards in OCC 17A.200.090(C));
3864 ix. Compatibility with existing land uses;
3865 x. Visual impacts, existing and proposed landscaping, and identification of
3866 view corridors;
3867 xi. Description of known archaeological and historical features;
3868 xii. Air quality considerations and mitigation measures (e.g., dust
3869 suppression);
3870 xiii. Traffic circulation elements (both on- and off-site including required
3871 improvements and right-of-way dedications);
3872 xiv. Utility installations (all utilities, including power) shall be underground,
3873 except, where site constraints prohibit such installations and such change is approved
3874 by the planning commission);
3875 xv. Noise considerations and mitigation measures (e.g., vegetative
3876 buffers); and
3877 xvi. Specifications regarding how the planned development application
3878 has been designed to mitigate significant adverse impact on fish and wildlife habitat
3879 conservation areas including but not limited to critical deer wintering areas, spring
3880 ranges, fawning sites, nesting grounds, commercial and game fish spawning areas,
3881 breeding areas etc.;
3882 xvii. Noxious weed control plan.
3883 B. Agency Review.
3884 1. The administrator shall distribute copies of the application to the agencies
3885 which are potentially affected by the proposed development, are determined to have
3886 relevant expertise, or who request notification.
3887 2. Agencies involved in the review of the proposed project application shall be
3888 allowed 21 days from the postmarked date on the notice from the county in which to
3889 comment on the project. The administrator may extend the comment period up to 15
3890 days at the request of a reviewing agency for unique, complex or unusually large project
3891 proposals. Any reviewing agency which comments upon the proposed development or
3892 which requests such status, shall be noted in the files as a party of record and
3893 Okanogan County will attempt to provide copies of all reports, meeting minutes, notice
3894 of meetings, and decisions involving the proposal.
3895 3. Lack of comment by an agency with the time period specified by these
3896 provisions shall be construed as lack of objection to the proposal. Any consulted agency
3897 that fails to submit a response in the time period specified by these provisions shall
3898 thereafter waive the option of alleging any defects relative to compliance with this
3899 chapter.
3900 C. Hearing.

3901 1. The application for a planned development shall be noticed and heard by the
3902 planning commission in a time and manner provided for in OCC 16.20.040 and Chapter
3903 36.70 RCW; and

3904 2. The commission may continue the hearing to a time, date, and place certain if
3905 they determine that additional information is required.

3906 D. Evaluation Criteria.

3907 1. At the public hearing, the planning commission shall consider all relevant
3908 evidence to determine the adequacy of the preliminary plan, including consideration of
3909 OCC 17.02.030, 17A.200.010, 17A.200.030, and 17A.200.110 (A)(2) and (3), together
3910 with any information developed as part of the SEPA review of the proposal, and any
3911 input received from reviewing agencies;

3912 2. When, in the opinion of the planning commission, the review of the preliminary
3913 application indicates the presence of significant adverse impacts, the planning
3914 commission shall recommend the imposition of conditions, or performance standards
3915 designed to mitigate the adverse impacts. If, in the opinion of the planning commission,
3916 impacts cannot be mitigated sufficiently to assure maintenance of the public health,
3917 safety and welfare, and/or the applicable comprehensive planning goals are not met,
3918 they may recommend disapproval of the application;

3919 3. The planning commission shall recommend posting of a bond or acceptable
3920 surety in an amount equal to at least 120 percent of the estimated cost of the required
3921 improvements in the following circumstances:

3922 a. When the proposal calls for construction or alteration of roads, utilities or
3923 other improvements for which a public agency would have responsibility for completion
3924 should the applicant fail to make adequate installation;

3925 b. When required improvements will not be completed at the time of final plan
3926 approval. A bond may also be required to assure site restoration in the event a partially
3927 completed project is abandoned. Bonding may be adjusted to meet the phasing
3928 schedule. Bonds shall be filed with the Okanogan County department of public works;
3929 and

3930 4. If the PD is to be developed in phases, the planning commission shall ensure
3931 that open space and facilities proposed for the entire development be developed or
3932 committed in proportion to the number of dwelling units to be constructed in each
3933 phase.

3934 E. Decision.

3935 1. The planning commission shall recommend that the preliminary planned
3936 development be approved, conditionally approved, or disapproved. Conditions of
3937 approval shall be precisely recited in the planning commission's report;

3938 2. Not later than 14 days following conclusion of the hearing, the planning
3939 commission shall submit its written report and recommendations to the board of county
3940 commissioners.

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17A 200.120 Board of county commissioner's action.

3945 Preliminary Application. Upon receipt of the planning commission's
3946 recommendation, the board shall, at its next public meeting, set the date for the public
3947 hearing at which the board shall consider the planning commission's recommendations.

3948 A. The board shall decide whether the public use and interest will be served by
3949 approving the preliminary planned development.

3950 B. The board, after reviewing the recommendations of the planning commission,
3951 public testimony and accompanying reports, recommendations and documentations,
3952 and any other relevant evidence presented to it, shall either approve, conditionally
3953 approve, refer to the planning commissioner for further review and recommendation, or
3954 disapprove the preliminary planned development. The board's action shall include
3955 findings of fact and conclusions leading to the decision.

3956 C. In the event the board approves or conditionally approves the preliminary
3957 application, such approval shall be binding as to the general intent and apportionment of
3958 land for buildings, stipulated use and circulation pattern. Approval of the preliminary
3959 application shall constitute authorization for the applicant to develop the streets, utilities
3960 and such other infrastructure improvements in accordance with construction drawings
3961 approved by the Okanogan County public works department and with landscaping
3962 and/or weed control. (Ord. 94-10 § 2, 1994).

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17A 200.130 Final plan-Submittal

3966 Within three years from the date of the approval by the board of the preliminary
3967 planned development, the applicant shall file an application for approval of the final
3968 development plan of the proposed planned development with the administrator. An
3969 applicant who files a written request with the board at least 30 days before the
3970 expiration of the three-year period shall be granted one one-year extension upon a
3971 showing that the applicant has attempted in good faith to submit the final planned
3972 development within the three-year period. The board may grant additional extensions
3973 upon petition by the applicant which demonstrates extraordinary hardship as
3974 determined by the board. If the application for approval of the final development plan is
3975 not filed within three years or within the extended time period, if any, the approval of the
3976 preliminary planned development shall be void. (Ord. 94-10 § 2, 1994).

3977

17A 200.140 Final plan and program requirements.

3979 The elements of the final development plan and program shall be as follows:

A. Plan Elements.

3981 1. A topographical base map prepared by a registered architect, landscape
3982 architect, land surveyor or engineer drawn to a scale of not less than one inch to 100
3983 feet with proposed contours shown at one- to five-foot intervals within 250 feet of the
3984 major construction activities, unless prior approval for a change in scale is approved by
3985 the administrator;

3986 2. Boundary survey by a licensed land surveyor including location, with the
3987 names of all existing and proposed streets, public ways, railroad and utility rights-of-
3988 way, parks or other open spaces within the development, in accordance with
3989 Subdivisions, OCC Title 16;

3990 3. Existing on-site or sanitary sewer systems, water wells or mains and other
3991 underground facilities within and adjacent to the development and their certified
3992 capacities;
3993 4. Proposed on-site or sanitary sewer systems or other waste disposal facilities,
3994 water mains and other underground utilities;
3995 5. The approved preliminary planned development plan;
3996 6. Community facilities plan, if applicable;
3997 7. Location and amount of open space;
3998 8. Traffic management plan;
3999 9. A final landscape plan that includes: planting and irrigation plan, location and
4000 dimension of walks, trails, easements, or permitted access to public lands or areas,
4001 and/or their relationship to the Okanogan County comprehensive plan;
4002 10. Location, arrangement, number and dimensions of truck loading and
4003 unloading spaces and docks, if applicable;
4004 12. Location, arrangement, number and dimensions of auto garages and parking
4005 spaces, width of aisles, bays and angles of parking;
4006 13. Preliminary plans, elevations of typical buildings and/or structures, indicating
4007 general height, bulk, number of dwelling units; and
4008 14. Approximate location, height and materials of all walls, fences and screen
4009 plantings.
4010 B. Program Elements.
4011 1. Tables showing total number of acres, distribution of area by use, percent
4012 designated for each dwelling, type of off-street parking, streets, parks, playgrounds,
4013 schools and open spaces;
4014 2. Tables indicating overall densities and density by dwelling types and proposal
4015 for limitation of density;
4016 3. Restrictive covenants with backup authority for Okanogan County, including
4017 those relating to retention and maintenance of common open space; and
4018 4. Estimated development timetable (with phasing plan; if applicable) including
4019 commencement and completion dates for all buildings, structures and required
4020 improvements. (Ord. 94-10 § 2, 1994).
4021
4022
4023 **17A 200.150 Final plan review and board action**
4024 A. The administrator shall determine that all the requirements of subsection B of this
4025 section are satisfied, that the final development plan is substantially consistent with the
4026 preliminary planned development and any additional conditions approved by the board
4027 have been fulfilled.
4028 B. The board shall, at its next public meeting or any continued meeting, determine:
4029 1. Whether the final development plan is consistent with the preliminary
4030 application along with the conditions imposed;
4031 2. Whether the bond, if there be one, assures the completion of improvements;
4032 and
4033 3. Whether the requirements of state law and this title have been satisfied by the
4034 developer.

4035 The board shall thereupon take action to approve, refer to the planning
4036 commission for further review and recommendation, or disapprove the proposed final
4037 plan. if the board approves the plan, the applicant shall provide a reproducible copy of
4038 the final plan with any required changes and applicant signatures on stable base mylar
4039 polyester film, or equivalent approved material for signature of the same parties who are
4040 authorized to approve final plats pursuant to OCC Title 16. The original will then be
4041 returned to the applicant to be submitted to the county treasurer for signature. One copy
4042 on paper shall be submitted to the county office of planning and development.

4043 C. The final approved document, including the detailed map, all terms and conditions
4044 of approval and articles of incorporation of any homeowner's association or like entity
4045 created, shall be filed with the Okanogan County auditor.

4046 D. The terms and conditions of the PD as approved, including the plan features
4047 contained on the detailed PD map or related final plan map approved by the board, shall
4048 constitute limitations on the use and design of the site which shall be enforced by any
4049 and all means included in Chapter 17A.360 OCC.

4050 E. Approval by the board of the final development plan shall constitute authorization
4051 for the applicant, successors or assignees of the applicant to develop the site following
4052 issuance of appropriate permits by the county in accordance with the development plan
4053 and any conditions imposed by the board. (Ord. 94-10 § 2, 1994).
4054

4055 **17A 200.160 Building permits**

4056 Issuance after Final Plan Approval. Building permits shall be issued for construction
4057 only in accordance with the plan and program elements of the PD after final approval by
4058 the board of county commissioners. (Ord. 94-10 § 2, 1994).
4059

4060 **17A 200.170 Modifications to development plan and program.**

4061 A. Minor Modifications. Applications for a minor modification of a final development
4062 plan and program shall include the minor shifting of the location of buildings, streets,
4063 public or private rights-of-way and easements, parks or other features of the plan, the
4064 consolidation of lots, minor shifting of lot lines, and all other changes deemed minor by
4065 the planning director which do not materially affect the intent of the plan, but shall not
4066 include those changes which decrease the total amount of dedicated open space below
4067 a level required under the original approval of the final development plan. Minor
4068 modifications shall be approved by the planning director. A revised plat shall be filed
4069 with the Okanogan County auditor.

4070 B. Intermediate Modifications. Applications for intermediate modifications of a final
4071 development plan and program shall include changes in the location of lots, changes in
4072 the location of uses, changes in use from residential to tourist-residential, transfers of
4073 density or use from one location or lot to another, decreases in the total amount of
4074 dedicated open space to a level less than the original approval of the final development
4075 plan, and changes to the zones of influence under OCC 17A.200.050. Intermediate
4076 changes to a final development plan and program shall be reviewed by the regional
4077 planning commission at a public hearing, upon public notice as provided for in RCW
4078 58.17.090. Intermediate modifications shall be approved by the planning director upon
4079 recommendation by the regional planning commission. A revised plat shall be filed with
4080 the Okanogan County auditor.

4081 C. Major Modifications. Applications for major modifications of a final development
4082 plan and program shall include those changes not deemed a minor or intermediate
4083 modification by the planning director. All applications for major modifications shall be
4084 processed as if such application were an original application for a planned development
4085 and shall be submitted to the regional planning commission, hearings held and
4086 recommendations made to the board of county commissioners for approval or denial.
4087 (Ord. 2002-1 § 2, 2002; Ord. 94-10 § 2, 1994).

4088
4089 **17A 200.180 Final planned development-Action on nondevelopment.**

4090 If, within five years after the granting of final approval of a planned development,
4091 building permits have not been issued pursuant to the approved project, the planning
4092 commission shall review on its own motion the grant of such planned development at a
4093 public hearing after giving written notice of such hearing to all persons claiming any
4094 right, title or interest of record in and to the affected property and adjacent property
4095 owners. Notice shall be given at least 20 days prior to such hearing, and after otherwise
4096 giving notice of such hearing as required by this title. Hearings shall be held at times
4097 and in a manner prescribed by this title and may be continued as provided therein. The
4098 planning commission shall determine whether the continued existence of the planned
4099 development is in the public interest, and such determination shall be based on the
4100 criteria specified in OCC 17.02.030 and 17A.200.010. The planning commission shall
4101 adopt a motion by a majority of its voting members which shall recommend to the board
4102 of county commissioners that the final planned development be continued or
4103 extinguished. (Ord. 94-10 § 2, 1994).

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4106 **17A 200.190 Damaged building restoration**

4107 Replacement or reconstruction of any building or improvements to buildings
4108 damaged or destroyed shall substantially conform to the originally approved planned
4109 development. (Ord. 94-10 § 2, 1994).
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**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		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)
P	Conditional Use Permit																	
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						

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LEGEND	Minimum Requirement (MR)MRA	Rural 1 (R1)R1+	Rural 5 (R5)R5	Rural 20 (R20)R20	Agricultural (AG)AG	Suburban Residential (SR)SR	Commercial (C)C	Industrial (I)I/M	Agricultural Residential (AR)AR	Melbow Review District (MRD)MRD	Airport Development (AD)AD	Urban Residential (UR)UR	Neighborhood Use (NU)NU	Neighborhood Commercial (NC)NC	Special Review Commercial (SRC)SRC	Rural Residential (RR)RR	Low Density Residential (LD)LD/RA
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

LEGEND	Minimum Requirement (MR) MR	Rural 1 (R1) R1	Rural 5 (R5) R5	Rural 20 (R20) R20	Agricultural (AG) AG	Suburban Residential (SR) SR	Commercial (C) C	Industrial (IN) IN	Agricultural Residential (AR) AR	Mathew Review District (MRD) MRD	Airport Development (AD) AD	Urban Residential (UR) UR	Neighborhood Use (NU) NU	Neighborhood Commercial (NC) NC	Special Review Commercial (SRC) SRC	Rural Residential (RR) RR	Low Density Residential (LDR) LDR
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, cemetery, funeral home	C	C	C	C	C					C						C	C
Dairy farms	P	P	P	P	P				C	P						P	P
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	C	P		P	P	P	C	C
Florist, wholesale/floriculture	P	P	P	P	P		P	P	P	C			P	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

LEGEND																	
																	Low Density Residential (LD) LDR
																	Rural Residential (RR) RRR
																	Special Review Commercial (SR) SRC
																	Neighborhood Commercial (NC) NCC
																	Neighborhood Use (NU) NUU
																	Urban Residential (UR) UUR
																	Airport Development (AD) ADP
																	Metroware District (MD) MDD
																	Agricultural Residential (AR) ARP
																	Industrial (IN) IIN
																	Commercial (C) CC
																	Suburban Residential (SR) SRP
																	Agricultural (AG) AAG
																	Rural 20 (R20) R20
																	Rural 5 (R5) R5
																	Rural 1 (R1) R1
																	Minimum Requirement (MR) MRP
Government services:																	
Infrastructure, wastewater treatment plants, substations, pump stations	C	C	C	C	C	C	C	C	P	C	C	P	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	C	C	C	P				P		C	C
Heliport	C	C	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
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										
MarijuanaCannabis 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			

LEGEND	Minimum Requirement (MR) MR45	Rural 1 (R1) R1	Rural 5 (R5) R5	Rural 20 (R20) R20	Agricultural (AG) AG	Suburban Residential (SR) SR	Commercial (C) C	Industrial (I) I	Agricultural Residential (AR) AR	Method Review District (MRD) MRD	Airport Development (AD) AD	Urban Residential (UR) UR	Neighborhood Use (NU) NU	Neighborhood Commercial (NC) NC	Special Review Commercial (SRC) SRC	Rural Residential (RR) RR	Low Density Residential (LDR) LDR
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
Orchards	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
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 ²						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

LEGEND

- Low Density Residential (LDR) **LDH**
- Rural Residential (RR) **RR**
- Special Review Commercial (SRC) **SRC**
- Neighborhood Commercial (NC) **NC**
- Neighborhood Use (NU) **NU**
- Urban Residential (UR) **UR**
- Airport Development (AD) **AD**
- Metrow Review District (MRD) **MRD**
- Agricultural Residential (AR) **AR**
- Industrial (IN) **IN**
- Commercial (C) **C**
- Suburban Residential (SR) **SR**
- Agricultural (AG) **AG**
- Rural 20 (R20) **R20**
- Rural 5 (R5) **R5**
- Rural 1 (R1) **R1**
- Minimum Requirement (MR) **MR**

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	CP D	C	C	C	P	C	CP D	CP D
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".

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Chapter 17A.290
MARIJUANA CANNABIS OPERATIONS

Sections:

- 17A.290.010 Purpose and intent
- 17A.290.020 Types of marijuana cannabis 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~~ Legal Pre-existing
- ~~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 cannabis 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 cannabis operations.

17A.290.020 Types of marijuana cannabis operations

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

- A. Marijuana-Cannabis processing (see OCC 17A.020.590 for definition)
- B. Marijuana-Cannabis production (see OCC 17A.020.595 for definition)
 - 1. Indoor grow
 - 2. Outdoor grow
- C. Marijuana-Cannabis 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-cannabis operation. See OCC 17A.220 "District Use Chart" for specific permit requirements.

- A. The various types of marijuana-cannabis operations may be subject to differing permit requirements. All within the same zone district, one category of marijuana cannabis 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-cannabis 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-cannabis production and marijuana cannabis processing on the same property.

5150 **17A.290.040 Conditions of approval**

5151 ~~A permit, or conditional use permit, should include conditions which are specific to the~~
5152 ~~individual application and site or facility. Those conditions must be consistent with this~~
5153 ~~chapter and other associated regulations administered by Washington State Liquor~~
5154 ~~Control Board and also Okanogan County, including but not limited to Zoning, Critical~~
5155 ~~Areas, and the Shoreline Master Program~~

5156 A permit or conditional use permit shall include the following conditions:-
5157

5158 A. The project shall have a lawful source of water.

5159 1. From an irrigation district.

5160 2. If on a water right, that the use is within the approved limits of the water right
5161 certificate.

5162 3. If on an exempt well, that the total for any project (whether one user on one or
5163 more properties or more than one user on a single parcel that the total not
5164 exceed exempt well limits (maximum appropriation of 5000 gpd.)

5165 B. To ensure compliance, the conditions of approval shall include:

5166 1. Continued operations shall be in compliance with all state laws and
5167 regulations and the conditions of the permit.

5168 2. The facility shall be in compliance with the following to the extent applicable to
5169 the agriculture activity:

5170 a) Fugitive dust: WAC 173-400-040(9)

5171 b) Visible emissions: WAC 173-400-040(2)

5172 c) Fugitive volatile organic compound (VOC) emissions: WAC 173-400-
5173 040(4)

5174 d) Odors: WAC 173-400-040(5)

5175 e) Noise: WAC 173-58-080 and WAC 173-60-010 to 173-60-120 including
5176 definitions: WAC 173:60-020 and WAC 173-60-030 and Maximum
5177 permissible noise levels: WAC 173-60-040.

5178 3. Upon notice of violation the County may direct compliance and upon failure to
5179 comply the permit may be suspended until necessary corrections are made or
5180 terminated upon failure to comply or repeated violations.

5181 4. Appeals of any violation notice shall be to the hearings examiner.

5182 5. All outdoor lighting, including but not limited to security lighting and
5183 illumination of signs, shall be downcast and shielded from neighboring
5184 properties.

5185 6. Adequate off street parking shall be provided.
5186

5187 **17A.290.050 License – Washington State Liquor & Cannabis Control Board**

5188 The owner of the ~~marijuana~~cannabis operation shall provide a valid license issued by
5189 Washington State Liquor Control Board. At no time shall the ~~marijuana~~cannabis
5190 operation operate without a valid license.

5191
5192 **17A.290.060 Other permits**

5193 All other associated permits must be obtained and maintained in good standing
5194 throughout the duration of the project. Associated permits include but are not limited to

5195 | building permits, [shoreline permits](#), [floodplain development permits](#), zoning or critical
5196 | areas permits, access permits, etc.

5197 |
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5199 |

5200 | **17A.290.070 Lighting**

5201 | ~~All outdoor lighting, including but not limited to security lighting and illumination of signs,~~
5202 | ~~shall be downcast and shielded from neighboring properties.~~

5203 |

5204 | **17A.290.080 Legal Pre-Existing Cannabis Operations**

5205 | Legally established Cannabis operations in existence prior to the adoption date of this
5206 | code are considered legal pre-existing in accordance with 17A.330.

5207 |

5208 | **~~17A.290.080 Neighborhood character~~**

5209 | ~~Marijuana operations shall be compatible with the character of the surrounding~~
5210 | ~~neighborhood. Factors upon which compatibility will be evaluated include but are not~~
5211 | ~~limited to noise, traffic, light and glare. Valid and verified complaints from neighbors may~~
5212 | ~~be considered as possible reasons for revocation of a permit, or modification of the~~
5213 | ~~permitted conditions of approval.~~

5214 |

5215 | **~~17A.290.090 Amortization Period~~**

5216 | ~~As of January 1, 2017, all permitted, unpermitted, or legal pre-existing marijuana~~
5217 | ~~operations shall cease and no longer be legally permitted to operate, except marijuana~~
5218 | ~~operations permitted in accordance with this chapter. Nothing in this section shall~~
5219 | ~~prohibit new applications filed on or after the date stated herein, so long as new~~
5220 | ~~applications are permitted in accordance with this chapter.~~

5221 |

5222 |

5499 capacities are available, subdivision of property for residential purposes of lots
5500 smaller than 5 (five) acres is allowed if in accordance with Cluster Land Divisions
5501 (OCC Title 16) where the maximum density is determined by the performance
5502 based rating system.
5503

5504 **17A.300.100 Zone 3 Transition**

- 5505 A. Purpose: Zone 3 is the transitional area located between Zone 1 Flight
5506 Operations and Zone 4 Passage. Residential development is strictly limited and
5507 further subdivision of land is discouraged due to public health and safety
5508 concerns. Noise from airport operations can be significant. In order to prevent
5509 public nuisance complaints, residential encroachment upon airport facilities is
5510 strongly discouraged, however, can be successfully managed with the aid of
5511 clustering and low density planned developments. Airport operations greatly
5512 impact properties in this zone with noise, lighting, and accident hazards.
- 5513 B. Permitted uses: Permitted uses for Zone 3 are residential; direct aviation related
5514 facilities including terminal buildings, hangars, navigational aids and aid
5515 improvements, taxiways, aircraft sales, fuel storage/dispensing, offices, charter
5516 services, aviation research and development, aviation schools, roadways,
5517 parking areas, and storage yards; light manufacturing; mini storage; permitted
5518 agricultural uses includes the raising of orchards, row crops, livestock feed, and
5519 grazing; agriculture storage, processing, and sales of products; irrigation
5520 systems; underground utilities; warehousing and outdoor storage; florist retail
5521 and wholesale; food store; horticultural services; manufactured home sales
5522 facilities; commercial saw mills (portable and stationary); quarries and borrow pits
5523 less than three acres; governmental offices; parking lots; and automobile rentals,
5524 repair, wrecking, and towing.
- 5525 C. Conditional uses: Zone 3 conditional uses include offices; gravel pits; quarries
5526 and borrow pits three acres or larger; heavy manufacturing; recycling collection
5527 centers, recycling processing centers; recreational fields; shooting ranges;
5528 commercial kennels; restaurants; banks; churches; bed and breakfast;
5529 campgrounds; private clubs; gift shops; cemeteries; laundromats; governmental
5530 infrastructure; tourist accommodations of motels/hotels, inns and lodges, RV
5531 parks, aviation related campgrounds, bed and breakfasts, and nightly rentals.
- 5532 D. Density: Zone 3 densities allow a subdivision of property for lots 5 (five) acres or
5533 larger. In City Expansion Areas, where water and sewer capacities are available,
5534 subdivision of property for residential purposes of lots smaller than 5 (five) acres
5535 is allowed if in accordance with OCC [Planned Development Cluster](#)
5536 [Ordinance 17A.200](#) where the maximum density is determined by the
5537 performance based rating system.
5538

5539 **17A.300.110 Zone 4 Passage**

- 5540 A. Purpose: Zone 4 is the safety zone directly before Zone 5, the outermost zone,
5541 and therefore requires less regulation because aircraft are flying at high altitudes
5542 in this area. The purpose of this zone is to promote compatible development
5543 while protecting airport operations. Zone 4 depends on underlying zoning for
5544 permitted and conditionally permitted uses. This zone implements height

**Chapter 17A.310
CONDITIONAL USE PERMITS**

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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~~ shall 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:

- 5845 1. Administrative amendments authorized by this Chapter (see OCC
5846 17A.310.130(B)).
5847 2. Administrative terminations authorized by this Chapter (see OCC
5848 17A.310.140(B)).
5849 3. Administrative conditional use permits authorized by this Chapter (see OCC
5850 17A.310.060).

5851
5852 **17A.310.030 Applications**

5853 Applications shall be submitted to the Office of Planning and Development. A complete
5854 application includes:

- 5855 A. Application Fee as [adopted by resolution specified and available at Okanogan](#)
5856 [County Planning](#) ~~in Okanogan County's fee schedule~~ which may include
5857 collection of application fees for other department and/or agencies.
5858 B. Land Use Permit Application.
5859 C. Project description: A thorough narrative explaining the purpose and scope of the
5860 propose activity. The project description should include a clear and thorough
5861 explanation of proposed uses which should include integration with existing uses.
5862 The description should explain type, if any, of construction and/or services
5863 needed to support the project including but not limited to, structures, roads,
5864 parking lots, utilities and water systems, excavation, staging areas, etc. Identify
5865 phasing if phasing is proposed. The Planning Department may require additional
5866 information which further explains the scope of the proposal in order to
5867 adequately assess impacts to surrounding areas and/or communities. The scope
5868 of the project description will depend greatly on the nature of proposal.
5869 D. Site plan: The site plan is a map, drawn to scale, which clearly represents
5870 existing conditions and depicts the proposed development activity and
5871 associated structures and other improvements. The site plan should be
5872 consistent with the project description and includes but not be limited to
5873 structures, areas intended for a specific purpose, property lines, roads,
5874 easements, parking areas, access points and circulation patterns, wells, utilities
5875 and utility easements. Include location of critical areas such as lakes, rivers, and
5876 streams, wetlands, floodplains, steep slopes, etc. The scope of the site plan will
5877 depend greatly on the nature of proposal.
5878 E. SEPA environmental checklist. The SEPA environmental checklist is required
5879 only if the proposal is not categorically exempt in accordance with OCC 14.04
5880 "Environmental Policy" and/or WAC 197-11 Part Nine – Categorical Exemptions
5881 (see OCC 17A.310.040).

5882
5883 **17A.310.040 Environmental review**

5884 SEPA review and submission of a completed SEPA environmental checklist is required
5885 for those applications which are not exempt from review in accordance with OCC 14.04
5886 "Environmental Policy" and/or WAC 197-11 Part Nine – Categorical Exemptions. When
5887 SEPA review is required, application review procedures and SEPA procedures shall run
5888 concurrently where possible. Concurrent processing includes consolidated publications,
5889 public and agency notifications and comment periods, and appeal procedures.

- 5890 A. Previous SEPA review: If the SEPA responsible official determines that a
5891 previously adopted SEPA determination is adequate for the current proposal
5892 (WAC 197-11-600) then additional review shall not be required.
5893 B. Terminations: Termination of a conditional use permit pursuant to OCC
5894 17A.310.140, shall not require SEPA review.
5895

5896 **17A.310.050 Review process**

5897 The Office of Planning and Development shall process complete applications for
5898 conditional use permits in accordance with OCC Title 20 "Development Permit
5899 Procedures and Administration" as a quasi-judicial process. Following the submission of
5900 a complete application, the review process shall proceed including a comment period,
5901 notifications, publication, and preparation for the public hearing.
5902

5903 ~~**17A.310.060 Administrative Conditional Use Permits**~~

5904 ~~The authorized zoning adjuster shall review and subsequently approve, approve with~~
5905 ~~conditions, or deny, applications for administrative conditional use permits.~~

5906 ~~A. Applications for administrative conditional use permits shall be processed in~~
5907 ~~accordance with administrative application procedures in accordance with OCC~~
5908 ~~Title 20 "Development Permit Procedures and Administration".~~

5909 ~~B. A. _____ The types of administrative conditional use permits which are authorized~~
5910 ~~by this chapter include:~~

- 5911 ~~1. Emergency family hardship: The administrator shall consider applications for~~
5912 ~~an emergency family hardship in the event that an additional residential unit~~
5913 ~~would not comply with the density requirements of the zone district in which~~
5914 ~~the proposal is located. It shall be the applicant's burden to adequately~~
5915 ~~demonstrate a legitimate emergency family hardship exists. Such information~~
5916 ~~provided shall be reviewed by the administrator in order to determine whether~~
5917 ~~to approve such applications on the basis of the facts presented. Any~~
5918 ~~residential units approved in accordance with this section shall be strictly~~
5919 ~~limited in duration to the period of the hardship. The administrator may require~~
5920 ~~such periodic reporting and/or documentation as deemed necessary to~~
5921 ~~validate the existence and continuation of the hardship. Upon the expiration of~~
5922 ~~any permit, it shall be the applicant's duty to abate and remove such~~
5923 ~~residential unit within 90 days. If at any time during the duration of a permit,~~
5924 ~~the administrator determines that the emergency hardship no longer exists,~~
5925 ~~the permit shall be summarily revoked and the permitted residential unit shall~~
5926 ~~be abated and removed, at the permittee's expense, within 90 days of the~~
5927 ~~administrator's revocation order.~~
5928

5929 **17A.310.0670 Setting for hearing**

5930 The hearing examiner or board of adjustment shall hear and decide all applications for
5931 conditional use permits, except for those applications which are processed
5932 administratively if such a process is authorized by this chapter.

6025 R. Nightly rentals: Applications for nightly rentals shall comply with the provisions of
6026 OCC 17A.270 "Nightly Rentals". Additional conditions may be required in order to
6027 mitigate impacts identified during the review and hearing process.

6028 S. MarijuanaCannabis operations: Applications for marijuanacannabis operations
6029 shall comply with the provisions of OCC 17A.290 "MarijuanaCannabis
6030 Operations". Additional conditions may be required in order to mitigate impacts
6031 identified during the review and hearing process.
6032

6033 **17A.310.100+10 Permit, operation**

6034 The final order of the hearing examiner or board of adjustment is conclusive and
6035 authorizes immediate operation of the proposed activity, unless otherwise specified. All
6036 conditions of approval must be met prior to operation and throughout the duration of the
6037 project.
6038

6039 **17A.310.110+20 Records**

6040 The conditional use permit application, evidence of notice, the record of proceedings
6041 and other material accepted as evidence and the written decision along with findings of
6042 facts and conclusions shall become a part of the official records of the hearing examiner
6043 or board of adjustment and shall be retained in the office of planning and development.
6044

6045 **17A.310.120+60 Administrative Conditional Use Permits**

6046 The authorized zoning adjuster shall review and subsequently approve, approve with
6047 conditions, or deny, applications for administrative conditional use permits.

6048 A. Applications for administrative conditional use permits shall be processed in
6049 accordance with administrative application procedures in accordance with OCC
6050 Title 20 "Development Permit Procedures and Administration".

6051 B. The types of administrative conditional use permits which are authorized by this
6052 chapter include.

6053 1. Emergency family hardship: The administrator shall consider applications for
6054 an emergency family hardship in the event that an additional residential unit
6055 would not comply with the density requirements of the zone district in which
6056 the proposal is located. It shall be the applicant's burden to adequately
6057 demonstrate a legitimate emergency family hardship exists. Such information
6058 provided shall be reviewed by the administrator in order to determine whether
6059 to approve such applications on the basis of the facts presented. Any
6060 residential units approved in accordance with this section shall be strictly
6061 limited in duration to the period of the hardship. The administrator may require
6062 such periodic reporting and/or documentation as deemed necessary to
6063 validate the existence and continuation of the hardship. Upon the expiration of
6064 any permit, it shall be the applicant's duty to abate and remove such
6065 residential unit within 90 days. If at any time during the duration of a permit,
6066 the administrator determines that the emergency hardship no longer exists,
6067 the permit shall be summarily revoked and the permitted residential unit shall
6068 be abated and removed, at the permittee's expense, within 90 days of the
6069 administrator's revocation order.
6070