

Zoning

Okanogan County Code Title 17A

Draft: October 16, 2015

By: Okanogan County
Office of Planning and Development

1
2 **Okanogan County Code – Title 17A**
3 **ZONING**

4
5 **Index**

6
7 **Chapters:**

8 17A.010 General Provisions
9 17A.020 Definitions
10 17A.030 Minimum Requirement (MR)
11 17A.040 Rural 1 (R1)
12 17A.050 Rural 5 (R5)
13 17A.060 Rural 20 (R20)
14 17A.070 Agriculture (AG)
15 17A.080 Agricultural Residential (AR)
16 17A.090 Suburban Residential (SR)
17 17A.100 Commercial (C)
18 17A.110 Industrial (IN)
19 17A.120 Airport Development (AD)
20 17A.130 Methow Review District (MRD)
21 17A.140 Rural Residential (RR)
22 17A.150 Low Density Residential (LDR)
23 17A.160 Urban Residential (UR)
24 17A.170 Neighborhood Use (NU)
25 17A.180 Neighborhood Commercial (NC)
26 17A.190 Special Review Commercial (SRC)
27 17A.200 Planned Unit Development (PUD)
28 17A.210 Planned Destination Resort (PDR)
29 17A.220 District Use Chart
30 17A.230 Temporary Use Permits
31 17A.240 Off-Street Parking and Loading
32 17A.250 Setback Regulations
33 17A.260 Bed and Breakfasts
34 17A.270 Nightly Rentals
35 17A.280 Home Occupations
36 17A.290 Marijuana Operations
37 17A.300 Airport Public Safety
38 17A.301 Airport Safety Overlay
39 17A.310 Conditional Use Permits
40 17A.320 Variances
41 17A.330 Legal Pre-existing Uses and Lots
42 17A.340 Amendment of Zoning Code
43 17A.350 Appeals
44 17A.360 Enforcement

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46

Chapter 17A.010 GENERAL PROVISIONS

Sections:

17A.010.010	Short title
17A.010.020	Repealer
17A.010.030	Purpose
17A.010.040	Authority
17A.010.050	Relationship to subdivision and platting
17A.010.060	Compliance
17A.010.070	State Environmental Policy Act coordination
17A.010.080	Interpretations
17A.010.090	Scope
17A.010.100	Establishment of zone districts and zone map
17A.010.110	Deviation from minimum zoning standards
17A.010.120	Notice and appeal period
17A.010.130	Severability

17A.010.010 Short title

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

17A.010.020 Repealer

Okanogan County Code, Title 17 “Zoning”, including any and all associated ordinances amending such code, are repealed.

17A.010.030 Purpose

The purpose of this title is to implement the Okanogan County comprehensive plan (as amended) and promote the general public health, safety and welfare of present and future inhabitants of Okanogan County. Any provision of this code may be amended to improve, update or clarify its purpose by following amendment procedures contained in OCC 17A.340 “Amendment of Zoning Code”.

17A.010.040 Authority

This code is adopted pursuant to Chapter 36.70 RCW. The Okanogan County planning director, hereafter referred to as the administrator, is vested with the duty of administering the provisions of this code and may prepare, and require the use of, such forms as are essential to its administration. In addition to that authority set forth in this Title, the administrator may issue such orders, requirements, decisions or determinations concerning the application of this code. Appeals of the administrator’s actions shall be under OCC 17A.350 “Appeals”.

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

1 **17A.010.050 Relationship to subdivision and platting**

2 Any proposed subdivision or platting action under OCC Title 16 “Subdivisions” must be
3 in accordance with the zoning on the subject property. Any proposed subdivision which
4 is not in compliance with the zoning will not be processed, except that a rezone
5 application may be processed simultaneously with a proposed subdivision.
6

7 **17A.010.060 Compliance**

8 A. Hereafter, no building or structure shall be erected, reconstructed, enlarged, or
9 relocated, and no building, structure or premises shall be used except in
10 compliance with the provisions of this title and then only after securing all
11 required permits. Any building, structure or use lawfully existing at the time of
12 passage this title, although not in compliance therewith, may be maintained as
13 provided for in OCC 17A.330 “Legal Pre-existing Uses and Lots”.

14 1. Site Analysis: A site analysis application shall be processed as a zoning
15 permit, as an administrative process in accordance with OCC Title 20
16 “Development Permit Procedures and Administration”, and shall be used
17 for the purpose of reviewing various development requests in order to
18 declare whether the development is consistent with this code. The site
19 analysis application shall be submitted for the purpose of requesting
20 approval of a development proposal. The site analysis application may
21 also be used for the purpose of seeking clarification of land use
22 regulations (for informational purposes). The Planning Department may
23 charge an application fee if so adopted by the Board of Okanogan County
24 Commissioners as part of Okanogan County’s fee schedule. The site
25 analysis application incorporates consistency review for other regulations
26 administered by the Okanogan County Planning Department, including but
27 not limited to OCC Title 14 “Environment”, OCC 15.08 “Floodplain
28 Management”, OCC Title 16 “Subdivisions”, OCC Title 17A Zoning, OCC
29 18.05 “Development Agreements”, and applicable State and Federal
30 regulations.

31 B. The issuance of any permit or license by any department or agency of Okanogan
32 County shall not in any way make lawful a use of land or structure otherwise in
33 violation of this code. Any permit or license issued for a use of land or structure
34 thereon which violates this code shall be and is null and void.

35 C. Temporary emergency facilities (OCC 17A.020.860) are exempt from complying
36 with the terms of this Title.
37

38 **17A.010.070 State Environmental Policy Act coordination**

39 All development projects and land uses proposed within Okanogan County shall be
40 reviewed for their consistency with SEPA, Chapter 43.21C RCW, SEPA Guidelines,
41 Chapter 197-11 WAC, and the OCC 14.04 “Environmental Policy”. Mitigation of
42 significant adverse impacts may be required, as a condition of project and/or land use
43 approvals.
44

45 **17A.010.080 Interpretations**

46 The administrator shall review and resolve any questions involving the proper

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

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

12
13 **17A.010.090 Scope**

14 This code shall apply to all public and private lands situated within the unincorporated
15 portions of Okanogan County over which Okanogan County has jurisdiction under the
16 constitutions and laws of the state and of the United States and shall set forth minimum
17 standards in addition to such other standards that may be applicable including, but not
18 limited to, health district regulations, Shorelines Management Act, Okanogan County
19 subdivision regulations, State Environmental Policy Act, OCC 14.04 "Environmental
20 Policy" or OCC 14.12 "Critical Areas".

21
22 **17A.010.100 Establishment of zone districts and zone map**

- 23 A. Zone districts: Zones districts for all of unincorporated Okanogan County shall be
24 established, modified, and amended as provided in Chapter 36.70 RCW and Title
25 17A of Okanogan County Code and shall implement the goals, policies of the
26 Okanogan County comprehensive plan. The following zone districts are
27 established for the unincorporated boundaries of Okanogan County: Minimum
28 Requirement (MR), Rural 1 (R1), Rural 5 (R5), Rural 20 (R20), Agriculture (AG),
29 Agricultural Residential (AR), Suburban Residential (SR), Commercial (C),
30 Industrial (IN), Airport Development (AD), Methow Review District (MRD),
31 Methow Review District Valley Floor 12,500 (MRD VF12,500), Methow Review
32 District Valley Floor 1 (MRD VF1), Methow Review District Valley Floor 5 (MRD
33 VF5), Methow Review District Uplands 20 (MRD UL20), Rural Residential (RR),
34 Low Density Residential (LDR), Urban Residential (UR), Neighborhood Use
35 (NU), Special Review Commercial (SRC), Neighborhood Commercial (NC),
36 Planned Unit Development (PUD), Planned Destination Resort (PDR). Also
37 established for the unincorporated boundaries of Okanogan County are Airport
38 Public Safety and Airport Safety Overlay.
- 39 B. Zone map: The zoning districts established by this title are defined as shown on
40 Okanogan County's official zoning maps, together with all the explanatory
41 material thereon, are adopted by reference and declared to be a part of this title.
- 42 1. The official zoning maps shall be maintained in electronic form and depicted
43 in various formats and scales as appropriate to the need. The official zoning
44 maps maintained by Okanogan County shall be the final authority as to the
45 current zoning status of land.
- 46 2. When changes are made to zone district boundaries, such changes shall be

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

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

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

42 **17A.010.110 Deviation from minimum zoning standards**

43 Modifications to density and minimum lot size beyond that which is identified within the
44 "density" and or "minimum lot size" section of individual zone district chapters may be
45 permitted if approved in accordance with Cluster Land Divisions (OCC Title 16
46

1 “Subdivisions”) or limited divisions (OCC 17A.020.545).

2

3 **17A.010.120 Notification periods**

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

7

8 **17A.010.130 Severability**

9 If any provision of this title is for any reason held to be invalid, the remainder of this title
10 shall not be affected. If any provision of this title is adjudged invalid as applied to a
11 particular person or circumstance, that provision of this title shall not be affected as to
12 other persons or circumstances.

13

1
2
3
4

Chapter 17A.020 DEFINITIONS

Sections:

17A.020.005	_____	Definitions generally
17A.020.010	_____	Abatement of zoning violation
17A.020.015	_____	Accessory building
17A.020.020	_____	Accessory use
17A.020.025	_____	Acid manufacturing
17A.020.030	_____	Acre
17A.020.035	_____	Administrator
17A.020.040	_____	Adult care facility
17A.020.045	_____	Advertising sign
17A.020.050	_____	Agricultural commodity storage
17A.020.055	_____	Agricultural related industry
17A.020.060	_____	Agriculture
17A.020.065	_____	Air cargo terminal
17A.020.070	_____	Air passenger services
17A.020.075	_____	Aircraft fuel pump and fuel storage
17A.020.080	_____	Aircraft hangars
17A.020.085	_____	Aircraft sales, repair, service
17A.020.090	_____	Aircraft salvage
17A.020.095	_____	Airport
17A.020.100	_____	Airport clear zone
17A.020.105	_____	Airstrip
17A.020.110	_____	Amateur radio
17A.020.115	_____	Animal disposal facility
17A.020.120	_____	Apiary Farm
17A.020.125	_____	Approach surface
17A.020.130	_____	Auto parking lots and areas
17A.020.135	_____	Auto parking lots and areas, commercial
17A.020.140	_____	Auto rental service
17A.020.145	_____	Auto repair
17A.020.150	_____	Auto sales
17A.020.155	_____	Auto storage
17A.020.160	_____	Auto towing operation
17A.020.165	_____	Auto wrecking yard
17A.020.170	_____	Average adjacent grade
17A.020.175	_____	Bank
17A.020.180	_____	Batch plant (asphalt/concrete)
17A.020.185	_____	Bed and breakfast
17A.020.190	_____	Billboard
17A.020.195	_____	Binding site plan

17A.020.200	_____	Board
17A.020.205	_____	Building
17A.020.210	_____	Campgrounds
17A.020.215	_____	Cellular communication towers
17A.020.220	_____	Cement, lime, gypsum manufacturers
17A.020.225	_____	Church
17A.020.230	_____	Commercial
17A.020.235	_____	Communication facility, commercial
17A.020.240	_____	Community advisory committee
17A.020.245	_____	Community center, grange hall, etc.
17A.020.250	_____	Compost manufacturer
17A.020.255	_____	Concrete batch plant
17A.020.260	_____	Conditional use
17A.020.265	_____	Condominium
17A.020.270	_____	Crematory, cemetery, funeral home
17A.020.275	_____	Critical areas
17A.020.280	_____	Dairy farm
17A.020.285	_____	Day care facility
17A.020.290	_____	Dedication
17A.020.295	_____	Density
17A.020.300	_____	Development
17A.020.305	_____	Dormitory
17A.020.310	_____	Drive-in movie theater
17A.020.315	_____	Dwelling unit
17A.020.320	_____	Dwelling, accessory
17A.020.325	_____	Dwelling, group (dormitory, hostel and hospice)
17A.020.330	_____	Dwelling, multiple-family
17A.020.335	_____	Dwelling, single-family
17A.020.340	_____	Earth station
17A.020.345	_____	Evaporation ponds
17A.020.350	_____	Event centers
17A.020.355	_____	Exercise clubs, swimming pools
17A.020.360	_____	Explosive manufacture or storage
17A.020.365	_____	Facade sign
17A.020.370	_____	Farm
17A.020.375	_____	Farmworker housing
17A.020.380	_____	Feedlot
17A.020.385	_____	Fence
17A.020.390	_____	Fertilizer manufacture
17A.020.395	_____	Flood hazard area
17A.020.400	_____	Floodplain
17A.020.405	_____	Floodplain, 100-year
17A.020.410	_____	Floodway

17A.020.415	_____	Floor area
17A.020.420	_____	Florist, retail
17A.020.425	_____	Florist, wholesale/floriculture
17A.020.430	_____	Food store (retail)
17A.020.435	_____	Freestanding sign
17A.020.440	_____	Fruit stand
17A.020.445	_____	Golf course
17A.020.450	_____	Government services
17A.020.455	_____	Gravel pits and quarries
17A.020.460	_____	Height, building
17A.020.465	_____	Helipad
17A.020.470	_____	Heliport
17A.020.475	_____	Home occupation
17A.020.480	_____	Horticultural services
17A.020.485	_____	Hospital
17A.020.490	_____	Hotels and motels
17A.020.495	_____	Impound yard
17A.020.500	_____	Industrial
17A.020.505	_____	Industrial, light
17A.020.510	_____	Inns, lodges and guest ranches
17A.020.515	_____	Kennel, commercial
17A.020.520	_____	Kennel, private
17A.020.525	_____	Laundromats
17A.020.530	_____	Legal pre-existing lot
17A.020.535	_____	Legal pre-existing structure
17A.020.540	_____	Legal pre-existing use
17A.020.545	_____	Limited division
17A.020.550	_____	Lodging unit
17A.020.555	_____	Lot
17A.020.560	_____	Lot coverage
17A.020.565	_____	Lot width
17A.020.570	_____	Lot, corner
17A.020.575	_____	Manufactured home
17A.020.580	_____	Manufactured home park
17A.020.585	_____	Manufactured home sales facilities
17A.020.590	_____	Marijuana processing facility
17A.020.595	_____	Marijuana production facility
17A.020.600	_____	Marijuana retail store
17A.020.605	_____	Marinas
17A.020.610	_____	Meat packing plant
17A.020.615	_____	Medical/dental clinic
17A.020.620	_____	Mining
17A.020.625	_____	Mini-storage

17A.020.630	_____	Mobile home
17A.020.635	_____	Modular home
17A.020.640	_____	Motorized vehicle track (commercial)
17A.020.645	_____	Nightly rental
17A.020.650	_____	Nursery
17A.020.655	_____	Office
17A.020.660	_____	Open space
17A.020.665	_____	Open space, common
17A.020.670	_____	Orchard
17A.020.675	_____	Persons
17A.020.680	_____	Petroleum bulk plant
17A.020.685	_____	Petroleum service station
17A.020.690	_____	Planned destination resort (PDR)
17A.020.695	_____	Planned unit development (PUD)
17A.020.700	_____	Portable
17A.020.705	_____	Private club/lodge
17A.020.710	_____	Professional building
17A.020.715	_____	Projecting sign
17A.020.720	_____	Propane/natural gas storage tanks (commercial)
17A.020.725	_____	Recreation site, high-intensity
17A.020.730	_____	Recreation site, low-intensity
17A.020.735	_____	Recreational vehicle (RV) park
17A.020.740	_____	Recycling collection center
17A.020.745	_____	Recycling processing center
17A.020.750	_____	Restaurants and cafes
17A.020.755	_____	Retail store or gift shop
17A.020.760	_____	Salvage (junk) yards
17A.020.765	_____	Sandwich board sign
17A.020.770	_____	Sanitary landfill
17A.020.775	_____	Sawmill and pulp mill (commercial)
17A.020.780	_____	Sawmill, portable
17A.020.785	_____	School
17A.020.790	_____	Seasonal
17A.020.795	_____	Septic lagoon
17A.020.800	_____	Setback
17A.020.805	_____	Shooting ranges
17A.020.810	_____	Shoreline
17A.020.815	_____	Sign
17A.020.820	_____	Sign area
17A.020.825	_____	Sign height
17A.020.830	_____	Slaughter house
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

1
2 **17A.020.005 Definitions generally**

3 Whenever the words and phrases set forth in this chapter appear in this title, they shall
4 be given the meaning attributed to them by this chapter. When not inconsistent with the
5 context, words used in the present tense shall include the future; singular includes the
6 plural and the plural the singular; “shall” is always mandatory and “may” indicates a use
7 of discretion in making a decision.
8

9 **17A.020.010 Abatement of zoning violation**

10 “Abatement of zoning violation” means the termination of a zoning violation by
11 reasonable and lawful means in order that a building, structure, premises, land or
12 portion thereof shall be made to comply with this code.
13

14 **17A.020.015 Accessory building**

15 “Accessory building” means a building which is subordinate to a primary building and is
16 located on the same lot or within the same project area as the primary building.
17 Accessory dwellings are defined separately by this Chapter.
18

19 **17A.020.020 Accessory use**

20 “Accessory use” means a use of land, or activity within a structure, which is subordinate
21 to the primary use of the land on which the accessory use is located.
22

23 **17A.020.025 Acid manufacturing**

24 “Acid manufacturing” means an industrial enterprise and associated facilities in which

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

2
3 **17A.020.030 Acre**

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

5
6 **17A.020.035 Administrator**

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

9
10 **17A.020.040 Adult care facility**

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

13
14 **17A.020.045 Advertising sign**

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

19
20 **17A.020.050 Agricultural Commodity Storage**

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

22
23 **17A.020.055 Agricultural related industry**

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

29
30 **17A.020.060 Agriculture**

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

37
38 **17A.020.065 Air cargo terminal**

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

41
42 **17A.020.070 Air passenger services**

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

1 **17A.020.075 Aircraft fuel pump and fuel storage**

2 “Aircraft fuel pump and fuel storage” means fuel stations, located within and accessory
3 to an airport or airstrip, and dedicated to the use of aircraft.

4
5 **17A.020.080 Aircraft hangars**

6 “Aircraft hangars” means a covered and usually enclosed area for housing and repairing
7 aircraft.

8
9 **17A.020.085 Aircraft sales, repair, service**

10 “Aircraft sales, repair, service” means a facility dedicated to the commercial sales,
11 repair, and/or service of aircraft.

12
13 **17A.020.090 Aircraft salvage**

14 “Aircraft salvage” means a parcel and/or facility used for the commercial storage,
15 collection, processing, purchase, sale, or abandonment of aircraft and aircraft
16 equipment.

17
18 **17A.020.095 Airport**

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

24
25 **17A.020.100 Airport clear zone**

26 “Airport clear zone” means that area surrounding an airport to be clear of obstructions
27 per Federal Aviation Administration Regulations.

28
29 **17A.020.105 Airstrip**

30 “Airstrip” means a runway without normal airport facilities (except facilities for storage,
31 supply, and maintenance of aircraft) which is maintained for private and/or occasional
32 use.

33
34 **17A.020.110 Amateur radio**

35 “Amateur radio” means a communication service carried out by person(s) licensed by
36 the Federal Communications Commission solely with a personal aim and without
37 pecuniary interest.

38
39 **17A.020.115 Animal disposal facility**

40 “Animal disposal facility” means a commercial disposal or composting facility used for
41 the purpose of fowl and/or dead animal reduction.

42
43 **17A.020.120 Apiary Farm**

44 “Apiary Farm” means a farm where bees are kept, including a collection of hives or
45 colonies of bees kept for their honey. Such farms may include facilities and equipment
46 used for the purpose of processing honey.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46

17A.020.125 Approach surface

“Approach surface” means a surface longitudinally centered on the extended runway centerline and extending outward and upward from such end of the primary surface. An approach surface is applied to the end of each runway based upon the type of approach available or planned for that runway end.

17A.020.130 Auto parking lots and areas

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

17A.020.135 Auto parking lots and areas, commercial

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

17A.020.140 Auto rental service

“Auto rental service” means a commercial business in which the primary objective is renting motor vehicles for short-term use.

17A.020.145 Auto repair

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

17A.020.150 Auto sales

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

17A.020.155 Auto storage

“Auto sales” means areas dedicated for the storage of motor vehicles. Auto storage areas may be either in-door or outdoor areas.

17A.020.160 Auto towing operation

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

17A.020.165 Auto wrecking yard

“Auto wrecking yard” means any facility for the dismantling or wrecking of motor vehicles or trailers, or the storage, sale or dumping of dismantled or wrecked vehicles and/or their parts.

1 **17A.020.170 Average adjacent grade**

2 “Average adjacent grade” means the average finished ground level taken along the
3 perimeter of all exterior walls of a building for the purpose of calculating building height.
4

5 **17A.020.175 Bank**

6 “Bank” means an establishment for the custody, loan, exchange, or issue of money, for
7 the extension of credit, and for facilitating the transmission of funds.
8

9 **17A.020.180 Batch plant (asphalt/concrete)**

10 “Batch plant (asphalt/concrete)” means a manufacturing facility for the production of
11 paving and/or construction materials, usually temporary in nature, and normally
12 associated with specific construction projects or mineral resource extraction facilities.
13

14 **17A.020.185 Bed and breakfast**

15 “Bed and breakfast” means an owner-occupied single-family dwelling in which
16 bedrooms are rented to the traveling public (tourists). For the purposes of this title, this
17 use is not considered a commercial use. This use shall have the outward appearance of
18 a single-family residence and food service in accordance with WAC 246-215-180. See
19 Chapter 17A.260 OCC for specific regulations.
20

21 **17A.020.190 Billboard**

22 “Billboard” means a sign, including both the supporting structural framework and
23 attached billboard faces, used principally for advertising a business activity, use,
24 product or service unrelated to the primary use or activity of the property on which the
25 billboard is located. This definition excludes off-premises directional and/or temporary
26 real estate signs.
27

28 **17A.020.195 Binding site plan**

29 “Binding site plan” means an alternative method of land segregation pursuant to
30 Chapter 58.17 RCW and OCC Title 16 “Subdivisions”.
31

32 **17A.020.200 Board**

33 “Board” means the Okanogan County board of county commissioners.
34

35 **17A.020.205 Building**

36 “Building” means any permanent structure built for the shelter or enclosure of persons,
37 animals, chattels or property of any kind and not including advertising signboards or
38 fences.
39

40 **17A.020.210 Campgrounds**

41 “Campgrounds” means a development providing facilities for outdoor recreational
42 activities, including structural improvements such as covered cooking areas, group
43 facilities, self-contained travel trailer/motor home sites, tent sites, restroom and shower
44 facilities, and laundry facilities for the convenience of temporary occupants. This
45 definition includes camping clubs when developed in accordance with applicable state
46 laws and this title.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45

17A.020.215 Cellular communication tower

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

17A.020.220 Cement, lime, gypsum manufacturers

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

17A.020.225 Church

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

17A.020.230 Commercial

“Commercial” means facilities used or established to provide goods, merchandise or services for compensation or exchange, excluding facilities for the growth, production or storage of agricultural products.

17A.020.235 Communication facility, commercial

“Commercial communication facility” means a commercial communication facility for transmission and reception of UHF and/or VHF television signals or FM and/or AM radio signals; two-way and/or citizen band (CB) radio signals; point-to-point microwave signals; cellular radio signals; signals through FM radio translators; or signals through FM radio boosters. Facilities may include but are not limited to towers, antenna, equipment shelters, and backup power utilities.

17A.020.240 Community advisory committee

“Community advisory committee” means a citizen advisory committee appointed by the Okanogan County board of commissioners for the purpose of review and recommendation on specific projects in a specific area. Review by community advisory committee is supplementary to the required public review.

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

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

1 **17A.020.250 Compost manufacturer**

2 “Compost manufacturer” means an industrial facility and associated buildings and
3 equipment used of the purpose processing and manufacturing compost for sale for
4 agricultural purposes.

5
6 **17A.020.255 Concrete batch plant**

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

17
18 **17A.020.260 Conditional use**

19 “Conditional use” means a use permitted in one or more zones by this code, but which
20 because of characteristics peculiar to each such use, or because of size, technological
21 processes or equipment, or because of the exact location with reference to
22 surroundings, streets, and existing improvements or demands upon public facilities,
23 requires a special degree of control to make such uses consistent with and compatible
24 with other existing or permissible uses in the same zone or zones. Conditional uses
25 require a conditional use permit (see Chapter 17A.310 OCC).

26
27 **17A.020.265 Condominium**

28 “Condominium” means that which is defined by RCW 64.34.020(10).

29
30 **17A.020.270 Crematory, cemetery, funeral home**

31 “Crematory, cemetery, funeral home” means Facilities used for the maintenance and
32 preservation of dead people. More specifically, crematory means an establishment
33 containing such a furnace for cremating dead people; a cemetery means a place where
34 dead people are buried; and a funeral home (funeral parlor) means an establishment
35 with facilities for the preparation of the dead for burial or cremation, for the viewing of
36 the body, and for funerals.

37
38 **17A.020.275 Critical areas**

39 “Critical areas” means those critical areas as defined by OCC 14.12 “Critical Areas”.

40
41 **17A.020.280 Dairy farm**

42 “Dairy farm” means a type of farm that produces milk and milk products.

43
44 **17A.020.285 Day care facility**

45 “Day care facility” means an establishment for group care of nonresident adult(s) or
46 children. Day care may include adult day health centers or social day cares as defined

1 by the Washington State Department of Social and Health Services, nursery schools for
2 children under the minimum age for education in public schools, private kindergartens
3 or pre-kindergartens when not a part of a public or parochial school, and programs
4 covering after-school care for school children.

5
6 **17A.020.290 Dedication**

7 “Dedication” means the transfer of property interest, via a written instrument, to a public
8 agency/entity for a specific use or purpose (e.g., roads, parks or trails, open space,
9 fishing access), or to encumber such property with a perpetual restrictive covenant
10 providing for such use.

11
12 **17A.020.295 Density**

13 “Density” means an expression of the intensity of use of property usually indicated in the
14 following manner:

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

19
20 **17A.020.300 Development**

21 “Development” means any construction or activity which changes the basic character,
22 use or intensity of use of the land on which the construction or activity occurs.
23 Development includes subdivision of land for the purpose of sale or lease.

24
25 **17A.020.305 Dormitory**

26 “Dormitory” means a residential building that provides sleeping quarters (but not
27 separate dwelling units), and may include common dining, cooking and recreation or
28 bathing facilities. Dormitories are usually associated with resorts, schools, recreational
29 camps, etc.

30
31 **17A.020.310 Drive-in movie theater**

32 “Drive-in movie theater” means a place where people can watch movies outdoors while
33 sitting in their cars.

34
35 **17A.020.315 Dwelling unit**

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

39
40 **17A.020.320 Dwelling, accessory**

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

1
2 **17A.020.325 Dwelling, group (dormitory, hostel and hospice)**

3 “Group dwelling (dormitory, hostel and hospice)” means a supervised residence hall or
4 large room with a number of beds for individuals or groups, and without individual
5 private baths. This type of facility may include central kitchen facilities.
6

7 **17A.020.330 Dwelling, multiple-family**

8 “Multiple-family dwelling” means a building containing two or more dwelling units which
9 may include accessory use facilities such as an office, laundry and recreational facilities
10 used by the occupants, and off-street parking.
11

12 **17A.020.335 Dwelling, single-family**

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

18 **17A.020.340 Earth station**

19 “Earth station” means a terrestrial station with facilities including satellite dishes
20 designed for communication with spacecraft and earth-orbit satellites. They may include
21 other types of communication facilities, provided that cellular communication towers are
22 not included.
23

24 **17A.020.345 Evaporation Ponds**

25 “Evaporation ponds” means artificial ponds, which usually support agricultural
26 processing activities, with very large surface areas that are designed to efficiently
27 evaporate water by sunlight and exposure to the ambient temperatures.
28

29 **17A.020.350 Event centers**

30 A permanent facility used primarily to host various events, each of which occurs in a
31 temporary capacity. An event center may be an indoor (including but not limited to halls,
32 stadiums, auditoriums) or outdoor facility. Examples of recreational events typically
33 operated within an event center include but not limited to rodeos, races, fairs, concerts,
34 conferences, and auctions. Accessory functions include but not limited to overnight
35 camping, concessions, retail sales, vendors, food and beverage service, and
36 workshops. An event center includes the primary event area along with accessory
37 infrastructure including but not limited to offices, booths, roads, parking areas,
38 bathrooms, various buildings, campgrounds, fencing, utilities and utility buildings.
39

40 **17A.020.355 Exercise clubs, swimming pools**

41 “Exercise clubs, swimming pools” means a commercial facility used for the purpose of
42 providing recreational opportunities such as but not limited to exercise equipment,
43 tennis, basketball, racquetball, volleyball, swimming pools, all of which may be located
44 indoors or outdoors. Such facilities may be open to the general public while others may
45 be exclusive to members of a club or other type of organization.
46

1 **17A.020.360 Explosive manufacture or storage**

2 “Explosive manufacture or storage” means an industrial facility, large or small, used for
3 the purpose of manufacture or storage of explosive materials.
4

5 **17A.020.365 Facade sign**

6 “Facade sign” means any sign which is erected (including painted) on the wall of a
7 building or other structure whose face is generally parallel to that wall or other structure
8 and whose face does not extend outward more than 12 inches in a direction
9 perpendicular to that wall or other structure.
10

11 **17A.020.370 Farm**

12 “Farm” means property used for raising all crops, feeding and caring for livestock,
13 ranges and pastures. The definition of a farm does not include marijuana operations.
14

15 **17A.020.375 Farmworker housing**

16 A single-family dwelling, multi-family dwelling, group dwelling, or other similar living
17 space provided for employees, and their families, of a farm. Some farmworker housing
18 is seasonal temporary housing while other forms of farmworker housing are designed
19 for permanent occupancy.
20

21 **17A.020.380 Feedlot**

22 “Feedlot” means an area used for the purpose of feeding large numbers of livestock.
23 The area is used to stable or otherwise confine livestock. Numbers of livestock which
24 qualify as a feedlot, and duration of livestock confined on-site, is determined by current
25 definition of a “concentrated animal feeding operation” as defined and regulated by the
26 Washington State Department of Ecology. Crops, vegetation, forage growth, or post-
27 harvest residues are not sustained in the normal growing season over any portion of the
28 lot or facility. This shall not be interpreted to include dairy operations with a Washington
29 State grade A license.
30

31 **17A.020.385 Fence**

32 “Fence” means a barrier for the purpose of enclosing space or separating lots. Fences
33 are not structures for the purposes of this code.
34

35 **17A.020.390 Fertilizer manufacturer**

36 “Fertilizer manufacturer” means an industrial facility and associated buildings and
37 equipment used of the purpose processing and manufacturing fertilizer for sale.
38

39 **17A.020.395 Flood hazard area**

40 “Flood hazard area” means those areas defined as “floodplain” in accordance with OCC
41 14.12 “Critical Areas”.
42

43 **17A.020.400 Floodplain**

44 “Floodplain” means those areas defined as “floodplain” in accordance with OCC 14.12
45 “Critical Areas”.
46

1 **17A.020.405 Floodplain, 100-year**

2 “100-year floodplain” means those areas defined as “Frequently flooded areas” in
3 accordance with OCC 14.12 “Critical Areas”.

4
5 **17A.020.410 Floodway**

6 “Floodway” means that area defined as a “floodway” in accordance with OCC 14.12
7 “Critical Areas”.

8
9 **17A.020.415 Floor area**

10 “Floor area” means the total surface area of all floors, including garage space, within a
11 structure or structures to be erected on a property.

12
13 **17A.020.420 Florist, retail**

14 “Florist, retail” means a business which sells and grows flowers and ornamental plants.

15
16 **17A.020.425 Florist, wholesale/floriculture**

17 “Florist, wholesale/floriculture” means a business which sells and grows flowers and
18 ornamental plants in large amounts to other businesses rather than to individual
19 customers.

20
21 **17A.020.430 Food store (retail)**

22 “Food store (retail)” means a commercial business, and associated building(s) or
23 room(s), where food items are sold to customers for their own use.

24
25 **17A.020.435 Freestanding sign**

26 “Freestanding sign” means a sign supported by one or more uprights, poles or braces in
27 or on the ground, and not supported by a building.

28
29 **17A.020.440 Fruit stand**

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

33
34 **17A.020.445 Golf course**

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

39
40 **17A.020.450 Government services**

41 “Government services” means those services necessary to carry out governmental
42 functions including but not limited to law enforcement, courts, administrative services
43 and offices, etc.

44
45 **17A.020.455 Gravel pits and quarries**

46 “Gravel pits and quarries” means land from which sand, gravel or quarried rock is

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

3
4 **17A.020.460 Height, building**

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

8
9 **17A.020.465 Helipad**

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

13
14 **17A.020.470 Heliport**

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

20
21 **17A.020.475 Home occupation**

22 “Home occupation” means a business carried on as an accessory use to a principal
23 residential use of the subject property, involving the manufacture, provision, or sale of
24 goods and/or services, which is conducted by those persons residing on the premises
25 plus nonresident employees. Home occupations must comply with OCC 17A.280.

26
27 **17A.020.480 Horticultural services**

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

31
32 **17A.020.485 Hospital**

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

37
38 **17A.020.490 Hotels and motels**

39 “Hotels” and “motels” means establishments for housing the traveling public on an
40 overnight or short-term basis. Accessory restaurant and recreational facilities are
41 usually available to non-guests as well as guests.

42
43 **17A.020.495 Impound yard**

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

1
2 **17A.020.500 Industrial**

3 “Industrial” means activity and facilities used for the purpose of manufacturing,
4 processing, assembly, fabrication, processing, bulk handling, storage, warehousing,
5 storage, distribution, shipping, heavy trucking activity, and other related uses. Activities
6 possess potential for nuisance or hazard components or place exceptional demands
7 upon public facilities and services.
8

9 **17A.020.505 Industrial, Light**

10 “Light industrial” means an industrial use without using heavy machinery, such as
11 machine loaders, foundry machinery, metal, presses, etc., and without chemically
12 processing materials. Light manufacturing activities include, but are not limited to, the
13 following activities:

- 14 A. Manufacture, assembly, finishing, and/or packaging of small items from
15 component parts. Examples include, but are not limited to, pottery, clothing,
16 assembly of clocks, electrical appliances or medical equipment;
- 17 B. Production of items made from materials derived from plants or animals
18 including, but not limited to, leather, pre-milled wood, paper, wool or cork; or from
19 textiles, semiprecious or precious metals or stones, or plastics;
- 20 C. Production or bottling of beverages for human consumption including, but not
21 limited to, beer, wine and soft drinks.
22

23 **17A.020.510 Inns, lodges and guest ranches**

24 “Inns, lodges and guest ranches” means establishments containing multiple lodging
25 units or tourist accommodations and providing either organized entertainment (both
26 active and passive) or recreational opportunities for stays, generally, several nights in
27 duration. This type of facility either provides all recreational opportunities on-site or as
28 part of an organized or duly licensed and/or permitted recreational activity on public or
29 private lands in the vicinity of the inn, lodge or guest ranch.
30

31 **17A.020.515 Kennel, commercial**

32 “Commercial kennel” means an establishment or place, other than an animal or
33 veterinary hospital or clinic, where dogs and/or cats are commercially boarded over-
34 night. This definition includes non-profit animal shelters.
35

36 **17A.020.520 Kennel, private**

37 “Private kennel” means the dwelling unit, or residential accessory structure, used for the
38 purpose of housing and/or breeding dogs and/or cats primarily for personal recreational
39 use, including but not limited to participation in recognized conformation shows, field or
40 obedience trials, racing, scenting, pulling, specialized hunting or working trails, and
41 water trails, search and rescue, tracking, and for the purpose of improving the physical
42 soundness, temperaments and conformation of a given breed to a standard. A private
43 kennel would be consistent with the standards of OCC 17A.280 “Home Occupations”.
44

45 **17A.020.525 Laundromats**

46 “Laundromats” means a place that has machines for commercial washing and drying

1 clothes, towels, sheets, etc.

2

3 **17A.020.530 Legal pre-existing lot**

4 A lot legally created before the effective date of this chapter, including lots which fail to
5 meet the lot size or lot width requirements of the zone district in which it is located.

6

7 **17A.020.535 Legal pre-existing structure**

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

11

12 **17A.020.540 Legal pre-existing use**

13 Any use of land or structure which began legally prior to the effective date of this
14 chapter, including uses which conflict with the provisions of this code, or any
15 amendment thereto, but does not include uses which have been abandoned or granted
16 a conditional use permit.

17

18 **17A.020.545 Limited division**

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

25

26 **17A.020.550 Lodging unit**

27 “Lodging unit” means one or more rooms in addition to kitchen or bath facilities within a
28 building intended or designed for the occupancy of guests. Lodging units are typically
29 within a structure intended for transient use such as hotels, motels, inns, lodges, or
30 nightly rentals. A lodging unit, as opposed to a lodge, is not a stand-alone structure.

31

32 **17A.020.555 Lot**

33 “Lot” means a fractional part of subdivided lands having fixed boundaries. The term
34 includes tracts.

35

36 **17A.020.560 Lot coverage**

37 “Lot coverage” means that portion of a lot which, when viewed directly from above,
38 would be covered by building(s) and/or structure(s) and/or impervious surfaces. The
39 portion of the lot covered by the roof projection or eaves beyond the wall of the
40 building(s) and/or structure(s) is not included as lot coverage.

41

42 **17A.020.565 Lot width**

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

1 minimum width for the zone can be achieved.

2
3 **17A.020.570 Lot, corner**

4 “Corner lot” means a lot situated at the intersection of two or more streets.

5
6 **17A.020.575 Manufactured home**

7 “Manufactured home” means a structure that can be transported on a wheeled-axle in
8 one or more parts and is constructed to U.S. Housing and Urban Development
9 Standards.

10
11 **17A.020.580 Manufactured home park**

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

16
17 **17A.020.585 Manufactured home sales and facilities**

18 “Manufactured home sales and facilities” means a facility used for the purpose of retail
19 sales of manufactures home. Such facilities may include out-door storage areas, and
20 associated offices, administrative and employee areas.

21
22 **17A.020.590 Marijuana processing facility**

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

29
30 **17A.020.595 Marijuana production facility**

31 Marijuana production facility means a facility used for growing marijuana for the purpose
32 of selling the marijuana products to marijuana processors and other marijuana
33 producers. Production includes growth, harvest, trim, dry, cure, and packaging of
34 marijuana for sale. Sale may include marijuana products, plants, seeds, and plant tissue
35 culture. Marijuana production facilities are separated into indoor and outdoor facilities
36 which are similar in character to indoor nursery or greenhouse facilities, or outdoor field
37 crops. Legal production activities are consistent with RCW 69.50.101(w) and WAC 314-
38 55-075 as administered by Washington State Liquor Control Board.

39
40 **17A.020.600 Marijuana retail store**

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46

17A.020.605 Marinas

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

17A.020.610 Meat packing plant

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

17A.020.615 Medical/dental clinic

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

17A.020.620 Mining

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

17A.020.625 Mini-storage

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

17A.020.630 Mobile home

“Mobile home” means structure that can be transported on a wheeled-axle, placed upon blocks, and is constructed to U.S. Housing and Urban Development standards.

17A.020.635 Modular home

“Modular home” means a structure moved to a lot in one or more parts, placed upon a foundation, and is constructed to Uniform Building Code standards.

17A.020.640 Motorized vehicle track (commercial)

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

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

3
4 **17A.020.645 Nightly rental**

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

7
8 **17A.020.650 Nursery**

9 “Nursery” means the land, building, structures or combination thereof for the storage,
10 cultivation, transplanting of live trees, shrubs or plants offered for retail sale on the
11 premises including products used for gardening or landscaping.

12
13 **17A.020.655 Office**

14 “Office” means a use intended for the purpose of providing services rather than the
15 production, distribution and/or retail sales of goods or commodities. The services
16 provided are generally professional, educational, administrative, financial or
17 governmental in nature.

18
19 **17A.020.660 Open space**

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

26
27 **17A.020.665 Open space, common**

28 “Common open space” means open space as defined by this Chapter which is owned in
29 common by fee simple interest of multiple lots within of the same development, not
30 individually owned. This definition does not imply consistency with open space open
31 space or current use tax programs in accordance with RCW 84.33, RCW 84.34, OCC
32 14.08, or OCC 14.09.

33
34 **17A.020.670 Orchard**

35 “Orchard” means an area used for the growth of fruit trees for purposes of commercial
36 agricultural production.

37
38 **17A.020.675 Persons**

39 “Persons” means any individual, partnership, corporation, association, company or other
40 public or corporate body including the federal government and including any political
41 subdivision, agency, instrumentality or corporation of the state.

42
43 **17A.020.680 Petroleum bulk plant**

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

1
2 **17A.020.685 Petroleum service station**

3 “Petroleum service station” means a place with fuel pumps and associated below
4 ground fuel tanks used for the commercial sale of fuel for motor vehicles. Petroleum
5 service stations may include small retail stores, and facilities for offering water and air
6 for motor vehicles.
7

8 **17A.020.690 Planned destination resort (PDR)**

9 “Planned destination resort (PDR)” means a recreational development which provides
10 visitor-oriented accommodations and recreational facilities for resort visitors and
11 residents, consistent with the comprehensive plan and approved in accordance with
12 OCC 17A.210.
13

14 **17A.020.695 Planned unit development (PUD)**

15 “Planned unit development (PUD)” means a development project which the land is
16 rezoned in order to allow a variety of housing types and/or commercial and industrial
17 facilities are accommodated in a preplanned environment under flexible standards, such
18 as lot sizes and setbacks, different than those restrictions that would be required by the
19 underlying zone, all of which is specified by within a development agreement. Planned
20 unit development standards contain requirements in addition to those of the standard
21 zoning and subdivision. Planned unit developments are consistent with Okanogan
22 County’s Comprehensive Plan.
23

24 **17A.020.700 Portable**

25 “Portable” means capable of being carried or moved about, not permanently affixed to
26 the ground.
27

28 **17A.020.705 Private club/lodge**

29 “private club/lodge” means a building and associated facilities used for the exclusive
30 use of the members of an organized club, fraternity, or other social organization for
31 purposes of holding organized meetings, social, educational, recreational activities, and
32 various special events.
33

34 **17A.020.710 Professional building**

35 “Professional building” means a structure used for the purpose of providing multiple
36 offices, and associated facilities, for various commercial businesses, consultants,
37 practitioners, etc.
38

39 **17A.020.715 Projecting sign**

40 “Projecting sign” means a sign which is attached to or supported by a wall or overhang
41 of a building or structure other than an awning or marquee and which extends beyond
42 the wall surface more than 12 inches in any direction.
43

44 **17A.020.720 Propane/natural gas storage tanks (commercial)**

45 “Propane/natural gas storage tanks (commercial)” means a place or facility used for the
46 purpose of keeping propane and/or natural gas within bulk storage tanks and smaller

1 storage tanks for sale of gas products.

2
3 **17A.020.725 Recreation site, high-intensity**

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

7
8 **17A.020.730 Recreation site, low-intensity**

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

11
12 **17A.020.735 Recreational vehicle (RV) park**

13 “Recreational vehicle (RV) park” means a tract of land under single ownership or unified
14 control developed with individual sites for rent and containing roads and utilities to
15 accommodate recreational vehicles or tent campers.

16
17 **17A.020.740 Recycling collection center**

18 “Recycling collection center” means a receptacle, facility or area used for the collection
19 of recyclable materials (generally paper, glass, cans, etc.) for bulk transfer to a recycling
20 processing center.

21
22 **17A.020.745 Recycling processing center**

23 “Recycling processing center” means a facility where discarded household products
24 such as aluminum and tin cans, glass, paper and other similar individual consumer
25 products are deposited and stored for future reprocessing, including crushing, breaking,
26 sorting and packaging operations, but not a junkyard.

27
28 **17A.020.750 Restaurants and cafes**

29 “Restaurants and cafes” means a place where meals and refreshments may be
30 purchased. Such establishments include seating areas for customers, and cooking
31 areas.

32
33 **17A.020.755 Retail store or gift shop**

34 “Retail store or gift shop” means a commercial business, and associated building(s) or
35 room(s), where items are sold to customers for their own use.

36
37 **17A.020.760 Salvage (junk) yards**

38 “Salvage (junk) yards” means any lot, parcel, tract of land, building, structure or part
39 thereof used for the storage, collection, processing, purchase, sale or abandonment of
40 wastepaper, rags, scrap metal, vehicular parts, glass, used building materials,
41 household appliances, brush, wood or other scrap or discarded goods, materials,
42 machinery or five or more unregistered, inoperable motor or recreational vehicles or any
43 other type of junk.

44
45 **17A.020.765 Sandwich board sign**

46 “Sandwich board sign” means a sign which consists of two panels, hinged or attached

1 at the top or side, designed to be movable and stand on the ground.

2
3 **17A.020.770 Sanitary landfill**

4 “Sanitary landfill” means a place where waste materials are buried between layers of
5 earth.

6
7 **17A.020.775 Sawmill and pulp mill (commercial)**

8 “Sawmill and pulp mill (commercial)” means a commercial mill where timber or logs or
9 pulp are sawed into lumber or boards.

10
11 **17A.020.780 Sawmill, portable**

12 “Portable sawmill” means a small, self-contained sawmill which is moved to the site
13 where the timber is to be sawn and then moved on to another location.

14
15 **17A.020.785 School**

16 “School” means a structure and associated organization and/or group of scholars and/or
17 teachers that provides instruction or specialized instruction.

18
19 **17A.020.790 Seasonal**

20 “Seasonal” means a temporary use, the duration of which is related to an identifiable
21 climatic, cultural or recreational period (i.e., summer, winter, fall, spring, Christmas, ski
22 season).

23
24 **17A.020.795 Septic lagoon**

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

32
33 **17A.020.800 Setback**

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

39
40 **17A.020.805 Shooting ranges**

41 “Shooting ranges” means commercial facilities, indoor and/or outdoor, which are used
42 for the purpose of using firearms for target practice or competition.

43
44 **17A.020.810 Shoreline**

45 “Shoreline” means any shoreline environment as designated by Okanogan County’s
46 Shoreline Master Program (OCC 14.15).

1
2 **17A.020.815 Sign**

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

- 6 A. Traffic signs not visible from the public right-of-way or adjacent properties;
7 B. Signs on moving vehicles;
8 C. Newspapers or other printed materials intended for individual use or distribution
9 to members of the public;
10 D. Government flags, or flags and bunting exhibited to commemorate national and
11 patriotic holidays; and banners announcing charitable or civic events.
12

13 **17A.020.820 Sign area**

14 “Sign area” means the entire background of one face of a sign upon which information
15 of any kind can be displayed unless otherwise certified in this title, but does not include
16 posts, foundations, roofs or landscaping. Sign measurement shall be based upon the
17 entire area of the sign with a single continuous perimeter enclosing the extreme limits of
18 the sign surface, but excluding posts, supports, foundations, roofs or landscaping. For a
19 sign attached to or painted on a building, the area shall be considered to be 120 percent
20 of the smallest rectangle which encompasses all of the letters, symbols, and any
21 background color that is different than the natural color or finish of the building.
22

23 **17A.020.825 Sign height**

24 The height of any sign shall be measured from the average grade at the base of the
25 sign to the top of the sign. Any sign over or adjacent to a walkway shall be a minimum
26 of eight feet above the walkway.
27

28 **17A.020.830 Slaughter house**

29 “Slaughter house” means a facility and associated structure(s) where animals are
30 butchered and prepared for food.
31

32 **17A.020.835 Solid waste transfer station**

33 “Solid waste transfer station” means a government or private facility operated under
34 government approval or franchise, where privately and or commercially transported
35 solid waste and refuse is reloaded into larger vehicles for final transportation to a
36 permanent disposal location.
37

38 **17A.020.840 Special event**

39 “Special event” means any event (excluding those events allowed through the festival
40 permitting process) that happens for more than three consecutive days per event and
41 no more than twice a year.
42

43 **17A.020.845 Special event camping**

44 “Special event camping” means any 10 or more recreational vehicles, tents, or
45 temporary structures designed for temporary habitation, or any combination thereof,
46 limited to the duration of the special event (whether related to a special event or not)

1 and one week before and one week after.

2
3 **17A.020.850 Structure**

4 “Structure” means anything constructed in the ground, or anything erected which
5 requires location on the ground or water, or is attached to something having location on
6 or in the ground, but not including fences or paved areas, or standard roof-mounted
7 antennas.

8
9 **17A.020.855 Temporary**

10 “Temporary” means a use or permit having a specific, short-term duration (see
11 “Seasonal” as defined by this Chapter).

12
13 **17A.020.860 Temporary emergency facilities**

14 “Temporary emergency facilities” means those facilities which are used for a temporary
15 duration for the purpose of accommodating emergency services and disaster relief
16 during emergency/disaster situations which threaten public health and safety.

17
18 **17A.020.865 Temporary use**

19 “Temporary use” means a use that is limited in scope, duration and frequency.

20
21 **17A.020.870 Tourist accommodation**

22 “Tourist accommodation” means overnight lodging for the traveling public, which
23 includes but is not limited to bed and breakfasts, campgrounds, guest ranch,
24 hotels/motels, inns and lodges, nightly rentals, RV parks.

25
26 **17A.020.875 Tract**

27 “Tract” means a lot as defined by this Chapter.

28
29 **17A.020.880 Transient tourist accommodation**

30 “Transient tourist accommodation,” means overnight lodging spaces for the traveling
31 public. These facilities may include, but are not limited to: guest houses, recreational
32 homes or cabins, or part-time residential homes, campgrounds, recreational vehicle
33 (RV) parks, dormitories/hostels/hospices, bed and breakfasts, lodges/inns, cabins,
34 hotel/motels. See individual definitions for additional detail concerning each type of use.

35
36 **17A.020.885 Transient use**

37 “Transient use” means a business that lasts or stays only a short time and/or a business
38 that travels from place to place covering a circuit.

39
40 **17A.020.890 Transitional surface**

41 In reference to an airport, “transitional surfaces” are located on both sides of the
42 approach and primary surfaces. These surfaces extend outward and upward at right
43 angles to the runway centerline at a slope of seven feet horizontal for every one-foot
44 vertical rise from the sides of the primary and approach surfaces until it reaches 160
45 feet above the highest point on the runway.

1 **17A.020.895 Underlying zone**

2 “Underlying zone” means a zoning district (as designated within this Title) which is
3 applied directly to the land as identified on the official zoning map.
4

5 **17A.020.900 Use**

6 “Use” means the legal enjoyment of property that consists in its employment, exercise,
7 or practice.
8

9 **17A.020.905 Variance**

10 “Variance” means an adjustment in the application of the regulations of a zoning
11 ordinance to a particular piece of property, in a situation where the property, because of
12 special circumstances found to exist on the land, is deprived as a result of the
13 imposition of the zoning regulations of privileges commonly enjoyed by other properties
14 in the same vicinity and zone. A variance shall be limited to only that adjustment
15 necessary to remedy the disparity in privilege. A variance shall not be used to convey
16 special privileges not enjoyed by other properties in the same vicinity and zone and
17 subject to the same restrictions. Economic hardship is not grounds for a variance.
18

19 **17A.020.910 Veterinary clinic**

20 “Veterinary clinic” means a place used for the care, grooming, diagnosis and treatment
21 of the sick, ailing, infirm or injured animals, and those who are in need of medical or
22 surgical attention, and may include overnight accommodations on the premises for the
23 treatment, observation and/or recuperation.
24

25 **17A.020.915 Warming huts/way stations**

26 “Warming huts/way stations” means a temporary shelter from adverse weather
27 conditions or overnight layovers on longer trips. These shelters are not intended for
28 extended stays or permanent residential occupancy. Further, these uses are permitted
29 only as an ancillary use to a planned, recognized and/or duly authorized recreational
30 program.
31

32 **17A.020.920 Wetlands**

33 “Wetlands” means areas as defined as “wetlands” by OCC 14.12 “Critical Areas”.
34

35 **17A.020.925 Wholesale establishment**

36 “Wholesale establishment” means a business which things in large amounts to other
37 businesses rather than to individual customers.
38

39 **17A.020.930 Window sign**

40 “Window sign” means a sign placed inside a building within two horizontal feet of the
41 window or on a window. This term does not include merchandise.
42

43 **17A.020.935 Winery**

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

1 area, and live entertainment.

2

3 **17A.020.940 Zoning adjustor**

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

7

8

9

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46

Chapter 17A.030
MINIMUM REQUIREMENT (MR)

Sections:

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

17A.030.010 Purpose of classification

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

17A.030.020 Permitted uses

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

17A.030.030 Conditional uses

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

17A.030.040 Accessory uses

Accessory uses are as follows:

- A. Normal accessory uses customary and incidental to the permitted and/or conditional use of the property;
- B. Accessory dwelling units;
- C. Farm-worker housing;
- D. Bed and breakfasts.

17A.030.050 Lot area and width

Lot area and width requirements are as follows:

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

17A.030.060 Density

Density restrictions are as follows:

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

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

5
6 **17A.030.070 Property line setbacks**

- 7 A. All permitted structures shall have the following property line setbacks:
 - 8 1. Front, minimum is 25 feet;
 - 9 2. Side, minimum is 5 feet;
 - 10 3. Rear, minimum is 25 feet.
- 11 B. Manufacturing, commercial, or industrial structures: for structures greater than 35
12 feet in height, property line setbacks shall be a minimum of one foot horizontal for
13 every one foot of vertical height. Example: A 65-foot tall structure shall be
14 required to be set back 65 feet from all property lines. If a waiver from adjacent
15 property owner(s) are provided, the standard setback in this section (OCC
16 17A.030.070(A)) applies.
- 17 C. Structures located on a lot which is adjacent to railroad facilities, and the
18 structure is accessory to a designated railroad loading facility, shall be exempt
19 from the setback along the property line bordering railroad property and/or
20 railroad right-of-way.

21
22 **17A.030.080 Height**

23 Height restrictions are as follows:

- 24 A. Maximum height for all uses in the zone shall be 35 feet except as noted in
25 subsections B through G of this section.
- 26 B. Maximum height shall be 50 feet for: appurtenances and decorative nonstructural
27 architectural components on roofs of single- and multiple-family dwelling units
28 and on roofs of accessory buildings, except accessory agricultural buildings.
- 29 C. Maximum height for agricultural uses shall be 65 feet, except as noted in
30 subsection E of this section.
- 31 D. Maximum height for the following uses shall be 65 feet, unless otherwise limited
32 by condition of a conditional use permit, PUD, as identified in the district use
33 chart: agricultural wind machines; aircraft hangars; asphalt or concrete batch
34 plants; barns; cement, lime or gypsum manufacturers; chimneys not attached to
35 dwellings; church steeples, spires, belfries, cupolas, and domes; community
36 centers, sports facilities and complexes; cooling towers; county administrative
37 and criminal justice buildings (governmental services); crosses and other
38 religious and civic monuments; drive-in movie theater screens; elevator
39 penthouses; fertilizer manufacturing; gas holders or other similar structures; hose
40 towers; mining, milling, and associated facilities; parapet walls; performing arts
41 centers (theaters); petroleum storage tanks; sawmills and pulp mills; school
42 auditoriums and theaters; smokestacks. (Note: Manufacturing, commercial and
43 industrial uses can only be placed on lots five acres and larger, if the structures
44 exceed 35 feet in height. See Lot area and width in OCC 17A.030.050.)

- 1 E. Maximum height for the following list of uses is 100 feet: agricultural commodity
2 storage; grain elevators; private communication towers; single-family residential
3 windmills; water tanks.
- 4 F. Maximum height for electric transmission and distribution towers and poles shall
5 be 150 feet.
- 6 G. Maximum height for communications facilities (commercial and public agency
7 radio and TV, microwave or other antennas for transmitting and receiving) shall
8 be 200 feet.

9
10 **17A.030.090 Lot coverage**

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

12
13 **17A.030.100 Parking**

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

15
16 **17A.030.110 Special provisions**

17 A. Cluster Land Divisions:

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

1 **Chapter 17A.040**
2 **RURAL 1 (R1)**
3

4 Sections:

- 5 17A.040.010 Purpose of classification
- 6 17A.040.020 Permitted uses
- 7 17A.040.030 Conditional uses
- 8 17A.040.040 Accessory uses
- 9 17A.040.050 Lot area and width
- 10 17A.040.060 Density
- 11 17A.040.070 Property line setbacks
- 12 17A.040.080 Height
- 13 17A.040.090 Lot coverage
- 14 17A.040.100 Parking
- 15 17A.040.110 Special provisions

16
17 **17A.040.010 Purpose of classification**

18 The purpose of the Rural 1 district is to provide rural/high-density development options
19 which are consistent with Okanogan County's comprehensive plan.
20

21 **17A.040.020 Permitted uses**

22 Permitted uses are as indicated on the district use chart (see Chapter 17A.220 OCC).
23

24 **17A.040.030 Conditional uses**

25 Conditional uses are as indicated on the district use chart (see Chapter 17A.220 OCC).
26

27 **17A.040.040 Accessory uses**

28 Accessory uses are as follows:

- 29 A. Normal accessory uses customary and incidental to the permitted and/or
30 conditional use of the property;
- 31 B. Accessory dwelling units;
- 32 C. Farm-worker housing;
- 33 D. Bed and breakfasts.
34

35 **17A.040.050 Lot area and width**

36 Lot area and width requirements are as follows:

- 37 A. The minimum lot area is one acre.
- 38 B. Minimum lot width is 100 feet.
39

40 **17A.040.060 Density**

41 Density restrictions are as follows:

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

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

5
6 **17A.040.070 Property line setbacks**

- 7 A. All permitted structures shall have the following property line setbacks:
 - 8 1. Front, minimum is 25 feet;
 - 9 2. Side, minimum is 5 feet;
 - 10 3. Rear, minimum is 25 feet.
- 11 B. Manufacturing, commercial, or industrial structures: for structures greater than 35
12 feet in height, property line setbacks shall be a minimum of one foot horizontal for
13 every one foot of vertical height. Example: A 65-foot tall structure shall be
14 required to be set back 65 feet from all property lines. If a waiver from adjacent
15 property owner(s) are provided, the standard setback in this section (OCC
16 17A.040.070(A)) applies.
- 17 C. Structures located on a lot which is adjacent to railroad facilities, and the
18 structure is accessory to a designated railroad loading facility, shall be exempt
19 from the setback along the property line bordering railroad property and/or
20 railroad right-of-way.

21
22 **17A.040.080 Height**

23 Height restrictions are as follows:

- 24 A. Maximum height for all uses in the zone shall be 35 feet except as noted in
25 subsections B through G of this section.
- 26 B. Maximum height shall be 50 feet for: appurtenances and decorative nonstructural
27 architectural components on roofs of single- and multiple-family dwelling units
28 and on roofs of accessory buildings, except accessory agricultural buildings.
- 29 C. Maximum height for agricultural uses shall be 65 feet, except as noted in
30 subsection E of this section.
- 31 D. Maximum height for the following uses shall be 65 feet, unless otherwise limited
32 by condition of a conditional use permit, PUD, as identified in the district use
33 chart: agricultural wind machines; aircraft hangars; asphalt or concrete batch
34 plants; barns; cement, lime or gypsum manufacturers; chimneys not attached to
35 dwellings; church steeples, spires, belfries, cupolas, and domes; community
36 centers, sports facilities and complexes; cooling towers; county administrative
37 and criminal justice buildings (governmental services); crosses and other
38 religious and civic monuments; drive-in movie theater screens; elevator
39 penthouses; fertilizer manufacturing; gas holders or other similar structures; hose
40 towers; mining, milling, and associated facilities; parapet walls; performing arts
41 centers (theaters); petroleum storage tanks; sawmills and pulp mills; school
42 auditoriums and theaters; smokestacks. (Note: Manufacturing, commercial and
43 industrial uses can only be placed on lots five acres and larger, if the structures
44 exceed 35 feet in height. See Lot area and width in OCC 17A.040.050.)

- 1 E. Maximum height for the following list of uses is 100 feet: agricultural commodity
2 storage; grain elevators; private communication towers; single-family residential
3 windmills; water tanks.
- 4 F. Maximum height for electric transmission and distribution towers and poles shall
5 be 150 feet.
- 6 G. Maximum height for communications facilities (commercial and public agency
7 radio and TV, microwave or other antennas for transmitting and receiving) shall
8 be 200 feet.

9
10 **17A.040.090 Lot coverage**

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

12
13 **17A.040.100 Parking**

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

15
16 **17A.040.110 Special provisions**

17 A. Cluster Land Divisions:

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

1 **Chapter 17A.050**
2 **RURAL 5 (R5)**
3

4 Sections:

- 5 17A.050.010 Purpose of classification
- 6 17A.050.020 Permitted uses
- 7 17A.050.030 Conditional uses
- 8 17A.050.040 Accessory uses
- 9 17A.050.050 Lot area and width
- 10 17A.050.060 Density
- 11 17A.050.070 Property line setbacks
- 12 17A.050.080 Height
- 13 17A.050.090 Lot coverage
- 14 17A.050.100 Parking
- 15 17A.050.110 Special provisions

16
17 **17A.050.010 Purpose of classification**

18 The purpose of the Rural 5 district is to provide rural/low-density development options
19 which are consistent with Okanogan County's comprehensive plan.
20

21 **17A.050.020 Permitted uses**

22 Permitted uses are as indicated on the district use chart (see Chapter 17A.220 OCC).
23

24 **17A.050.030 Conditional uses**

25 Conditional uses are as indicated on the district use chart (see Chapter 17A.220 OCC).
26

27 **17A.050.040 Accessory uses**

28 Accessory uses are as follows:

- 29 A. Normal accessory uses customary and incidental to the permitted and/or
30 conditional use of the property;
- 31 B. Accessory dwelling units;
- 32 C. Farm-worker housing;
- 33 D. Bed and breakfasts.
34

35 **17A.050.050 Lot area and width**

36 Lot area and width requirements are as follows:

- 37 A. The minimum lot area is five acres.
- 38 B. Minimum lot width is 100 feet.
39

40 **17A.050.060 Density**

41 Density restrictions are as follows:

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

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

5
6 **17A.050.070 Property line setbacks**

- 7 A. All permitted structures shall have the following property line setbacks:
 - 8 1. Front, minimum is 25 feet;
 - 9 2. Side, minimum is 5 feet;
 - 10 3. Rear, minimum is 25 feet.
- 11 B. Manufacturing, commercial, or industrial structures: for structures greater than 35
12 feet in height, property line setbacks shall be a minimum of one foot horizontal for
13 every one foot of vertical height. Example: A 65-foot tall structure shall be
14 required to be set back 65 feet from all property lines. If a waiver from adjacent
15 property owner(s) are provided, the standard setback in this section (OCC
16 17A.050.070(A)) applies.
- 17 C. Structures located on a lot which is adjacent to railroad facilities, and the
18 structure is accessory to a designated railroad loading facility, shall be exempt
19 from the setback along the property line bordering railroad property and/or
20 railroad right-of-way.

21
22 **17A.050.080 Height**

23 Height restrictions are as follows:

- 24 A. Maximum height for all uses in the zone shall be 35 feet except as noted in
25 subsections B through G of this section.
- 26 B. Maximum height shall be 50 feet for: appurtenances and decorative nonstructural
27 architectural components on roofs of single- and multiple-family dwelling units
28 and on roofs of accessory buildings, except accessory agricultural buildings.
- 29 C. Maximum height for agricultural uses shall be 65 feet, except as noted in
30 subsection E of this section.
- 31 D. Maximum height for the following uses shall be 65 feet, unless otherwise limited
32 by condition of a conditional use permit or PUD, as identified in the district use
33 chart: agricultural wind machines; aircraft hangars; asphalt or concrete batch
34 plants; barns; cement, lime or gypsum manufacturers; chimneys not attached to
35 dwellings; church steeples, spires, belfries, cupolas, and domes; community
36 centers, sports facilities and complexes; cooling towers; county administrative
37 and criminal justice buildings (governmental services); crosses and other
38 religious and civic monuments; drive-in movie theater screens; elevator
39 penthouses; fertilizer manufacturing; gas holders or other similar structures; hose
40 towers; mining, milling, and associated facilities; parapet walls; performing arts
41 centers (theaters); petroleum storage tanks; sawmills and pulp mills; school
42 auditoriums and theaters; smokestacks. (Note: Manufacturing, commercial and
43 industrial uses can only be placed on lots five acres and larger, if the structures
44 exceed 35 feet in height. See Lot area and width in OCC 17A.050.050.)

- 1 E. Maximum height for the following list of uses is 100 feet: agricultural commodity
2 storage; grain elevators; private communication towers; single-family residential
3 windmills; water tanks.
- 4 F. Maximum height for electric transmission and distribution towers and poles shall
5 be 150 feet.
- 6 G. Maximum height for communications facilities (commercial and public agency
7 radio and TV, microwave or other antennas for transmitting and receiving) shall
8 be 200 feet.

9
10 **17A.050.090 Lot coverage**

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

12
13 **17A.050.100 Parking**

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

15
16 **17A.050.110 Special provisions**

17 A. Cluster Land Divisions

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

28 B. Limited divisions

- 29 1. On a limited basis, lots within the R5 zone may be divided in a manner which
30 deviates from Lot area and width (OCC 17A.050.050). Limitations include:
- 31 2. One additional lot may be created which is smaller than the minimum lot area
32 and width of the zone. If the property contains an existing residence, then two
33 lots may be created, one lot would contain the existing residence.
- 34 3. A limited division may occur one time on each lot as it existed as of January
35 1, 2016.
- 36 4. Any lot created by the limited division process must be a minimum of 1 acre.
- 37 5. The remaining property (lot) may not be further divided except in full
38 compliance with OCC 17A.050.050 "Lot area and width".
- 39 6. The process to achieve a limited division is a "short plat" or "long plat
40 alteration" in accordance with OCC Title 16, Subdivisions. If the landowner
41 owns an adjoining lot then a boundary line adjustment, in accordance with
42 OCC Title 16, may be used in order to achieve a limited division.

1 **Chapter 17A.060**
2 **RURAL 20 (R20)**

3
4 Sections:

- 5 17A.060.010 Purpose of classification
6 17A.060.020 Permitted uses
7 17A.060.030 Conditional uses
8 17A.060.040 Accessory uses
9 17A.060.050 Lot area and width
10 17A.060.060 Density
11 17A.060.070 Property line setbacks
12 17A.060.080 Height
13 17A.060.090 Lot coverage
14 17A.060.100 Parking
15 17A.060.110 Special provisions

16
17 **17A.060.010 Purpose of classification**

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

21 **17A.060.020 Permitted uses**

22 Permitted uses are as indicated on the district use chart (see Chapter 17A.220 OCC).
23

24 **17A.060.030 Conditional uses**

25 Conditional uses are as indicated on the district use chart (see Chapter 17A.220 OCC).
26

27 **17A.060.040 Accessory uses**

28 Accessory uses are as follows:

- 29 A. Normal accessory uses customary and incidental to the permitted and/or
30 conditional use of the property;
31 B. Accessory dwelling units;
32 C. Farm-worker housing;
33 D. Bed and breakfasts.
34

35 **17A.060.050 Lot area and width**

36 Lot area and width requirements are as follows:

- 37 A. The minimum lot area is 20 acres.
38 B. Minimum lot width is 100 feet.
39

40 **17A.060.060 Density**

41 Density restrictions are as follows:

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

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

5
6 **17A.060.070 Property line setbacks**

- 7 A. All permitted structures shall have the following required property line setbacks:
8 1. Front, minimum is 25 feet;
9 2. Side, minimum is 5 feet;
10 3. Rear, minimum is 25 feet.
- 11 B. Manufacturing, commercial, or industrial structures: for structures greater than 35
12 feet in height, property line setbacks shall be a minimum of one foot horizontal for
13 every one foot of vertical height. Example: A 65-foot tall structure shall be
14 required to be set back 65 feet from all property lines. If a waiver from adjacent
15 property owner(s) are provided, the standard setback in this section (OCC
16 17A.060.070(A)) applies.
- 17 C. Structures located on a lot which is adjacent to railroad facilities, and the
18 structure is accessory to a designated railroad loading facility, shall be exempt
19 from the setback along the property line bordering railroad property and/or
20 railroad right-of-way.

21
22 **17A.0060.080 Height**

23 Height restrictions are as follows:

- 24 A. Maximum height for all uses in the zone shall be 35 feet except as noted in
25 subsections B through G of this section.
- 26 B. Maximum height shall be 50 feet for: appurtenances and decorative nonstructural
27 architectural components on roofs of single- and multiple-family dwelling units
28 and on roofs of accessory buildings, except accessory agricultural buildings.
- 29 C. Maximum height for agricultural uses shall be 65 feet, except as noted in
30 subsection E of this section.
- 31 D. Maximum height for the following uses shall be 65 feet, unless otherwise limited
32 by condition of a conditional use permit or PUD, as identified in the district use
33 chart: agricultural wind machines; aircraft hangars; asphalt or concrete batch
34 plants; barns; cement, lime or gypsum manufacturers; chimneys not attached to
35 dwellings; church steeples, spires, belfries, cupolas, and domes; community
36 centers, sports facilities and complexes; cooling towers; county administrative
37 and criminal justice buildings (governmental services); crosses and other
38 religious and civic monuments; drive-in movie theater screens; elevator
39 penthouses; fertilizer manufacturing; gas holders or other similar structures; hose
40 towers; mining, milling, and associated facilities; parapet walls; performing arts
41 centers (theaters); petroleum storage tanks; sawmills and pulp mills; school
42 auditoriums and theaters; smokestacks. (Note: Manufacturing, commercial and
43 industrial uses can only be placed on lots twenty acres and larger, if the
44 structures exceed 35 feet in height. See Lot area and width in OCC
45 17A.060.050.)

- 1 E. Maximum height for the following list of uses is 100 feet: agricultural commodity
2 storage; grain elevators; private communication towers; single-family residential
3 windmills; water tanks.
- 4 F. Maximum height for electric transmission and distribution towers and poles shall
5 be 150 feet.
- 6 G. Maximum height for communications facilities (commercial and public agency
7 radio and TV, microwave or other antennas for transmitting and receiving) shall
8 be 200 feet.

9
10 **17A.060.090 Lot coverage**

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

12
13 **17A.060.100 Parking**

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

15
16 **17A.060.110 Special provisions**

17 A. Cluster Land Divisions

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

28 B. Limited divisions

- 29 1. On a limited basis, lots within the R20 zone may be divided in a manner
30 which deviates from Lot area and width (OCC 17A.060.050). Limitations
31 include:
- 32 2. One additional lot may be created which is smaller than the minimum lot area
33 and width of the zone. If the property contains an existing residence, then two
34 lots may be created, one lot would contain the existing residence.
- 35 3. A limited division may occur one time on each lot as it existed as of January
36 1, 2016.
- 37 4. Any lot created by the limited division process must be a minimum of 1 acre.
- 38 5. The remaining property (lot) may not be further divided except in full
39 compliance with OCC 17A.060.050 "Lot area and width".
- 40 6. The process to achieve a limited division is a "short plat" or "long plat
41 alteration" in accordance with OCC Title 16, Subdivisions. If the landowner
42 owns an adjoining lot then a boundary line adjustment, in accordance with
43 OCC Title 16, may be used in order to achieve a limited division.

1 **Chapter 17A.070**
2 **AGRICULTURE (AG)**

3
4 Sections:

- 5 17A.070.010 Purpose of classification
6 17A.070.020 Permitted uses
7 17A.070.030 Conditional uses
8 17A.070.040 Accessory uses
9 17A.070.050 Lot area and width
10 17A.070.060 Density
11 17A.070.070 Property line setbacks
12 17A.070.080 Height
13 17A.070.090 Lot coverage
14 17A.070.100 Parking
15 17A.070.110 Special provisions

16
17 **17A.070.010 Purpose of classification**

18 The purpose of the Agriculture district is to provide development options, within
19 agricultural areas, which are consistent with Okanogan County's comprehensive plan.
20

21 **17A.070.020 Permitted uses**

22 Permitted uses are as indicated on the district use chart (see Chapter 17A.220 OCC).
23

24 **17A.070.030 Conditional uses**

25 Conditional uses are as indicated on the district use chart (see Chapter 17A.220 OCC).
26

27 **17A.070.040 Accessory uses**

28 Accessory uses are as follows:

- 29 A. Normal accessory uses customary (for example barn, sheds and seasonal
30 worker cabins) and incidental to the permitted and/or conditional use of the
31 property;
32 B. Accessory dwelling units;
33 C. Home occupations;
34 D. Bed and breakfasts.
35

36 **17A.070.050 Lot area and width**

37 Lot area and width requirements are as follows:

- 38 A. The minimum lot area is 20 acres.
39 B. The minimum lot width is 100 feet.
40

41 **17A.070.060 Density**

42 Density restrictions are as follows:

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

1
2 **17A.070.070 Property line setbacks**

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

- 4 A. Front: minimum is 50 feet.
- 5 B. Side: minimum is 50 feet.
- 6 C. Rear: minimum is 50 feet.

7
8 **17A.070.080 Height**

9 Height restrictions are as follows:

- 10 A. Maximum height for all uses in the zone shall be 35 feet except as noted in
11 subsections B through G of this section.
- 12 B. Maximum height shall be 50 feet for: appurtenances and decorative nonstructural
13 architectural components on roofs of single-family dwelling units and on roofs of
14 accessory agricultural buildings.
- 15 C. Maximum height for agricultural uses shall be 65 feet, except as noted in
16 subsection E of this section.
- 17 D. Maximum height for the following uses shall be 65 feet, unless otherwise limited
18 by condition of a conditional use permit, PUD, or by a county commissioner-
19 sanctioned community advisory committee, as identified in the district use chart:
20 agricultural wind machines; barns and silos; church steeples, spires, belfries,
21 cupolas, and domes; crosses and other religious and civic monuments; fire
22 towers; fruit and vegetable packing facilities; gas holders or other similar
23 structures; hose towers; petroleum storage tanks; school auditoriums and
24 theaters.
- 25 E. Maximum height for the following list of uses is 100 feet: amateur radio poles or
26 antennas; grain elevators; single-family residential windmills; water tanks.
- 27 F. Maximum height for electric transmission and distribution towers and poles shall
28 be 150 feet.
- 29 G. Maximum height for communication facilities (commercial or public agency radio
30 and TV, microwave or other antennas for transmitting and receiving) shall be 200
31 feet.

32
33 **17A.070.090 Lot coverage**

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

35
36 **17A.070.100 Parking**

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

38
39 **17A.070.110 Special provisions**

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

- 1 and/or units).
- 2 2. Lot area and width: In order to achieve alternative lot design and clustering,
- 3 deviations to lot area and width beyond that permitted by this Chapter may be
- 4 permitted for Cluster Land Division in accordance with OCC Title 16.
- 5

1 **Chapter 17A.080**
2 **AGRICULTURAL RESIDENTIAL (AR)**

3
4 Sections:

- 5 17A.080.010 Purpose of classification
6 17A.080.020 Permitted uses
7 17A.080.030 Conditional uses
8 17A.080.040 Accessory uses
9 17A.080.050 Lot area and width
10 17A.080.060 Density
11 17A.080.070 Property line setbacks
12 17A.080.080 Height
13 17A.080.090 Lot coverage
14 17A.080.100 Parking
15 17A.080.110 Special provisions

16
17 **17A.080.010 Purpose of classification**

18 The purpose of the agricultural residential district is to provide a mixture of rural/high-
19 density and agricultural development options which are consistent with Okanogan
20 County's comprehensive plan.
21

22 **17A.080.020 Permitted uses**

23 Permitted uses are as indicated on the district use chart (see Chapter 17A.220 OCC).
24

25 **17A.080.030 Conditional uses**

26 Conditional uses are as indicated on the district use chart (see Chapter 17A.220 OCC).
27

28 **17A.080.040 Accessory uses**

29 Accessory uses are as follows:

- 30 A. Normal accessory uses customary and incidental to the permitted and/or
31 conditional use of the property;
32 B. Accessory dwelling units;
33 C. Home occupations;
34 D. Bed and breakfasts.
35

36 **17A.080.050 Lot area and width**

37 Lot area and width requirements are as follows:

- 38 A. The minimum lot area is two acres.
39 B. The minimum lot width is 100 feet.
40

41 **17A.080.060 Density**

42 Density restrictions are as follows:

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

- 1 B. The density of RV parks, campgrounds, etc. shall be determined by Okanogan
2 County health district standards for on-site treatment.
3

4 **17A.080.070 Property line setbacks**

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

- 6 A. Front: minimum is 25 feet.
7 B. Side: minimum is 25 feet.
8 C. Rear: minimum is 25 feet.
9 D. Structures located on a lot which is adjacent to railroad facilities, and the
10 structure is accessory to a designated railroad loading facility, shall be exempt
11 from the setback along the property line bordering railroad property and/or right-
12 of-way.
13

14 **17A.080.080 Height**

15 Height restrictions are as follows:

- 16 A. Maximum height for all uses in the zone shall be 35 feet except as noted in
17 subsections B through G of this section.
18 B. Maximum height shall be 50 feet for: appurtenances and decorative nonstructural
19 architectural components on roofs of single- and multiple-family dwelling units
20 and on roofs of accessory buildings, except agricultural buildings; parapet walls.
21 C. Maximum height for agricultural uses shall be 65 feet, except as noted in
22 subsections D and E of this section.
23 D. Maximum height for the following list of uses shall be 65 feet, unless otherwise
24 limited by condition of a conditional use permit, PUD, as identified in the district
25 use chart: agricultural wind machines; barns; church steeples, spires, belfries,
26 cupolas, and domes; crosses and other religious and civic monuments; elevator
27 penthouses; fire towers; fruit and vegetable packing facilities; hose towers;
28 school auditoriums and theaters.
29 E. Maximum height for the following list of uses is 100 feet: agricultural commodity
30 storage; amateur radio poles or antennas; grain elevators; private communication
31 poles or antennas; single-family residential windmills; water tanks.
32 F. Maximum height for electric transmission and distribution towers and poles shall
33 be 150 feet.
34 G. Maximum height for communication facilities (commercial or public agency radio
35 and TV, microwave or other antennas for transmitting and receiving) shall be 200
36 feet.
37

38 **17A.080.090 Lot coverage**

39 Maximum lot coverage is 20 percent.
40

41 **17A.080.100 Parking**

42 Parking requirements are as indicated in Chapter 17A.240 OCC.
43

44 **17A.080.110 Special provisions**

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

1
2
3
4
5
6
7
8
9
10

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

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

1 **Chapter 17A.090**
2 **SUBURBAN RESIDENTIAL (SR)**

3
4 Sections:

- 5 17A.090.010 Purpose of classification
6 17A.090.020 Permitted uses
7 17A.090.030 Conditional uses
8 17A.090.040 Accessory uses
9 17A.090.050 Lot area and width
10 17A.090.060 Density
11 17A.090.070 Property line setbacks
12 17A.090.080 Height
13 17A.090.090 Lot coverage
14 17A.090.100 Parking
15 17A.090.110 Special provisions

16
17 **17A.090.010 Purpose of classification**

18 The purpose of this district is to provide rural/high-density development options which
19 are consistent with Okanogan County's comprehensive plan.
20

21 **17A.090.020 Permitted uses**

22 Permitted uses are as indicated on the district use chart (see Chapter 17A.220 OCC).
23

24 **17A.090.030 Conditional uses**

25 Conditional uses are as indicated on the district use chart (see Chapter 17A.220 OCC).
26

27 **17A.090.040 Accessory uses**

28 Accessory uses are as follows:

- 29 A. Normal accessory uses customary and incidental to the permitted and/or
30 conditional use of the property;
31 B. Accessory dwelling units;
32 C. Home occupations;
33 D. Bed and breakfasts.
34

35 **17A.090.050 Lot area and width**

36 Lot area and width requirements are as follows:

- 37 A. The minimum lot area is one-fifth acre (8,712square feet).
38 B. Minimum lot width is 50 feet.
39

40 **17A.090.060 Density**

41 Density restrictions are as follows:

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

1 B. The density of RV parks, campgrounds, hotels, motels, etc. shall be determined
2 by Okanogan County health district standards for on-site treatment.
3

4 **17A.090.070 Property line setbacks**

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

- 6 A. Front: minimum is 25 feet.
 - 7 B. Side: minimum is five feet.
 - 8 C. Rear: minimum is 25 feet.
- 9

10 **17A.090.080 Height**

11 Height restrictions are as follows:

- 12 A. Maximum height is 35 feet.
- 13

14 **17A.090.090 Lot coverage**

15 Lot coverage restrictions are as follows:

- 16 A. Maximum lot coverage is 40 percent.
- 17

18 **17A.090.100 Parking**

19 Parking requirements are as indicated in Chapter 17A.240 OCC.
20

21 **17A.090.110 Special provisions**

22 A. Cluster Land Divisions

- 23 1. Density: Increases to density beyond that permitted by this Chapter may be
24 permitted for Cluster Land Divisions in accordance with OCC Title 16. For the
25 purpose of calculating maximum density within Cluster Land Divisions, the
26 base density of this zone is one dwelling unit per one-fifth acre. Fractional
27 calculations shall be rounded up to the nearest whole number (i.e. density
28 calculated at 12.4 lots and/or units shall be rounded to 13 lots and/or units).
- 29 2. Lot area and width: In order to achieve alternative lot design and clustering,
30 deviations to lot area and width beyond that permitted by this Chapter may be
31 permitted for Cluster Land Division in accordance with OCC Title 16.
32
33

1 **Chapter 17A.100**
2 **COMMERCIAL (C)**

3
4 Sections:

- 5 17A.100.010 Purpose of classification
6 17A.100.020 Permitted uses
7 17A.100.030 Conditional uses
8 17A.100.040 Accessory uses
9 17A.100.050 Lot area and width
10 17A.100.060 Density
11 17A.100.070 Property line setbacks
12 17A.100.080 Height
13 17A.100.090 Lot coverage
14 17A.100.100 Parking
15 17A.100.110 Special provisions

16
17 **17A.100.010 Purpose of classification**

18 The purpose of this district is to provide for commercial development options which are
19 consistent with Okanogan County's comprehensive plan.
20

21 **17A.100.020 Permitted uses**

22 Permitted uses are as indicted on the district use chart (see Chapter 17A.220 OCC).
23

24 **17A.100.030 Conditional uses**

25 Conditional uses are as indicated on the district use chart (see Chapter 17A.220 OCC).
26

27 **17A.100.040 Accessory uses**

28 Accessory uses are as follows:

- 29 A. Normal accessory uses customary and incidental to the permitted and/or
30 conditional use of the property;
31 B. One attached or detached dwelling unit for employee housing or the private use
32 of the business owner shall be permitted on the same site as the business.
33

34 **17A.100.050 Lot area and width**

35 Lot area and width requirements are as follows:

- 36 A. The minimum lot area is 5,000 square feet.
37 B. The minimum lot width is 50 feet.
38

39 **17A.100.060 Density**

40 Reserved
41

42 **17A.100.070 Property line setbacks**

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

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

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

3
4 **17A.100.080 Height**

5 Height restrictions are as follows:

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

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

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

12 D. Maximum height for communication facilities (commercial or public agency radio
13 and TV, microwave or other antennas for transmitting and receiving) shall be 200
14 feet.

15
16 **17A.100.090 Lot coverage**

17 Lot coverage is not applicable.

18
19 **17A.100.100 Parking**

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

21
22 **17A.100.110 Special provisions**

23 Reserved
24

1 **Chapter 17A.110**
2 **INDUSTRIAL (IN)**

3
4 Sections:

- 5 17A.110.010 Purpose of classification
6 17A.110.020 Permitted uses
7 17A.110.030 Conditional uses
8 17A.110.040 Accessory uses
9 17A.110.050 Lot area and width
10 17A.110.060 Density
11 17A.110.070 Property line setbacks
12 17A.110.080 Height
13 17A.110.090 Lot coverage
14 17A.110.100 Parking
15 17A.110.110 Special provisions

16
17 **17A.110.010 Purpose of classification**

18 The purpose of this district is to provide development options, within industrial areas,
19 which are consistent with Okanogan County's comprehensive plan.
20

21 **17A.110.020 Permitted uses**

22 Permitted uses are as indicated on the district use chart (see Chapter 17A.220 OCC).
23

24 **17A.110.030 Conditional uses**

25 Conditional uses are as indicated on the district use chart (see Chapter 17A.220 OCC).
26

27 **17A.110.040 Accessory uses**

28 Accessory uses are as follows:

- 29 A. Normal accessory uses customary and incidental to the permitted and/or
30 conditional use of the property;
31 B. One attached or detached dwelling unit for employee housing, and/or the
32 manager, and/or the night watchman shall be permitted on the same site as the
33 business.
34

35 **17A.110.050 Lot area and width**

36 Lot area and width requirements are as follows:

- 37 A. The minimum lot area is 10,000 square feet.
38 B. The minimum lot width is 50 feet.
39

40 **17A.110.060 Density**

41 Density restrictions are as follows:

- 42 A. Maximum floor area equals lot area, subject to setbacks in OCC 17A.110.070.
43

44 **17A.110.070 Property line setbacks**

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

- 46 A. Front: 25 feet;

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

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

5

6 **17A.110.080 Height**

7 Height restrictions are as follows:

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

10

11 **17A.110.090 Lot coverage**

12 Lot coverage restrictions are as follows:

13 A. Maximum lot coverage is 70 percent.

14

15 **17A.110.100 Parking**

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

17

18 **17A.110.110 Special provisions**

19 Reserved

20

1 **Chapter 17A.120**
2 **AIRPORT DEVELOPMENT (AD)**

3
4 Sections:

- 5 17A.120.010 Purpose of classification
6 17A.120.020 Permitted uses
7 17A.120.030 Conditional uses
8 17A.120.040 Accessory uses
9 17A.120.050 Lot area and width
10 17A.120.060 Density
11 17A.120.070 Property line setbacks
12 17A.120.080 Height
13 17A.120.090 Lot coverage
14 17A.120.100 Parking
15 17A.120.110 Special provisions

16
17 **17A.120.010 Purpose of classification**

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

21
22 **17A.120.020 Permitted uses**

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

24
25 **17A.120.030 Conditional uses**

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

27
28 **17A.120.040 Accessory uses**

29 Accessory uses are as follows:

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

32
33 **17A.120.050 Lot area and width**

34 Lot area and width requirements are as follows:

- 35 A. The minimum lot area is 10,000 square feet.
36 B. The minimum lot width is 50 feet.

37
38 **17A.120.060 Density**

39 Density restrictions are as follows:

- 40 A. Maximum floor area equals lot area.

41
42 **17A.120.070 Property line setbacks**

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

- 44 A. Front: minimum is 10 feet except when facing outward on the perimeter of the
45 airport district, in which instance the setback shall be a minimum of 25 feet;

- 1 B. Side: minimum is 10 feet except when abutting a residential or agricultural land
- 2 district, in which instance the setback shall be a minimum of 25 feet;
- 3 C. Rear: none, except minimum is 25 feet when abutting the perimeter of the airport
- 4 district.

5

6 **17A.120.080 Height**

7 Height restrictions are as follows:

- 8 A. Maximum height is 65 feet, however, no obstruction (structural or natural) shall
- 9 extend into the transitional, approach, horizontal or conical surfaces of the
- 10 runway (see safety standards in OCC 17A.300 & OCC 17A.301).
- 11 B. Maximum height shall be 100 feet for: air traffic control towers; communication
- 12 facilities (amateur radio poles or antennas, commercial or public agency radio
- 13 and TV, microwave or other antennas for transmitting and receiving); fire towers;
- 14 hose towers. However, no obstruction (structural or natural) shall extend into the
- 15 transitional, approach, horizontal or conical surfaces of the runway, unless the
- 16 structure is absolutely essential to the operation of the airport (see safety
- 17 standards in OCC 17A.300 & OCC 17A.301).

18

19 **17A.120.090 Lot coverage**

20 Lot coverage restrictions are as follows:

- 21 A. Maximum lot coverage is 70 percent.

22

23 **17A.120.100 Parking**

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

25

26 **17A.120.110 Special provisions**

- 27 A. No use shall be permitted within this district which creates electrical interference
- 28 with navigational signals or radio communications between the airport and
- 29 aircraft.
- 30 B. Any use which would foster an increased bird population and thereby increase
- 31 the likelihood of a bird strike problem shall provide a waste management/bird
- 32 control plan as part of their development proposal.
- 33 C. There shall be no emission of smoke, fly ash, dust, vapor, gases or other forms
- 34 of air pollution that may conflict with any present or planned operations of the
- 35 airport.
- 36 D. All uses within the airport development district shall be directly served by safe
- 37 and usable access, as determined by the county department of public works.
- 38 E. Building materials shall not produce glare which may conflict with any present or
- 39 planned operation of the airport.
- 40 F. Storage of flammable substances such as fuel or petroleum products shall be in
- 41 conformance with current laws. Mobile aviation fuel trucks and lubricating oil shall
- 42 be permitted.
- 43 G. A site plan review and approval is required prior to the development and
- 44 operation of any use.
- 45 H. Those uses not specifically identified in the district use chart as allowed or
- 46 allowed by conditional use permit, but which are similar uses, shall only be

1 allowed by the administrator subject to the provisions of Chapter 17A.220 OCC if
2 they are related to air transportation.

3 I. Signs shall be indirectly illuminated, made of non-glare materials, and be no
4 larger than 32 square feet.

5 J. Unless necessary for safe and convenient air travel, sign lighting and exterior
6 lighting shall not project into the runway, taxiway or approach zone or areas.
7
8

Chapter 17A.130
METHOW REVIEW DISTRICT (MRD)

Sections:

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

17A.130.010 Purpose of classification

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

17A.130.020 Permitted uses

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

17A.130.030 Conditional uses

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

17A.130.040 Accessory uses

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

17A.130.050 Lot area and width

- A. MRD UL20.
 - 1. Minimum lot area is 20 acres.

- 1 2. When the height of structures for permitted manufacturing, commercial, and
- 2 industrial uses exceed 35 feet minimum lot area is 20 acres. These structures
- 3 cannot be placed on lots that are less than minimum size.
- 4 3. Minimum lot width is 100 feet.
- 5 B. MRD VF5.
- 6 1. Minimum lot area is five acres.
- 7 2. When the height of structures for permitted manufacturing, commercial, and
- 8 industrial uses exceeds 35 feet minimum lot area is five acres. These
- 9 structures cannot be placed on lots that are less than minimum size.
- 10 3. Minimum lot width is 100 feet.
- 11 C. MRD VF1.
- 12 1. Minimum lot area is one acre.
- 13 2. When the structures for permitted manufacturing, commercial, and industrial
- 14 uses exceed 35 feet minimum lot area is five acres.
- 15 3. Minimum lot width is 100 feet.
- 16 D. MRD VF12,500.
- 17 1. Minimum lot area is 12,500 square feet.
- 18 2. When the structures for permitted manufacturing, commercial, and industrial
- 19 uses exceed 35 feet minimum lot area is five acres.
- 20 3. Minimum lot width is 100 feet.

21
22 **17A.130.060 Density**

- 23 A. MRD UL20.
- 24 1. Maximum of one dwelling unit per 20 acres with an allowance for a second
- 25 unit per OCC 17A.130.040(B).
- 26 B. MRD VF5.
- 27 1. Maximum of one dwelling unit per five acres with an allowance for a second
- 28 unit per OCC 17A.130.040(B).
- 29 C. MRD VF1.
- 30 1. Maximum of one dwelling unit per acre.
- 31 D. MRD VF12,500.
- 32 1. Maximum of one dwelling unit per 12,500 square feet.
- 33 E. General Density Requirements: This subsections applies to subsections A
- 34 through D of this section (OCC 17A.130.060 Density).
- 35 1. When density requirements of this Section would not be met, an additional
- 36 dwelling unit for extended family members may be permitted only if a
- 37 demonstrated emergency family hardship exists (See OCC
- 38 17A.310.060(B)(1)).

39
40 **17A.130.070 Property line setbacks**

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

- 42 A. MRD UL20.
- 43 1. Front: minimum is 50 feet;
- 44 2. Side: minimum is 50 feet;
- 45 3. Rear: minimum is 50 feet;

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

6 B. MRD VF5.

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

15 C. MRD VF1.

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

24 D. MRD VF12,500.

- 25 1. Front: minimum is 25 feet;
- 26 2. Side: minimum is 5 feet;
- 27 3. Rear: minimum is 25 feet;
- 28 4. Manufacturing, commercial, or industrial structures: yard setbacks from all
29 property lines shall not be less than two feet horizontal for every one foot of
30 vertical height; or, the setback established in this section, whichever is
31 greater. (Example: A 65-foot tall structure shall be required to be set back 130
32 feet from all property lines).

33
34 **17A.130.080 Height**

35 Height restrictions are as follows:

- 36 A. Maximum height for all uses in the zone shall be 35 feet, except as noted in
37 subsections B through F of this section.
- 38 B. Maximum height for the following list of uses shall be 50 feet: appurtenances and
39 decorative nonstructural architectural components on roofs of single-family
40 dwelling units, multifamily dwelling units, inns, lodges and on roofs of accessory
41 agricultural buildings.
- 42 C. Maximum height for the following list of uses shall be 65 feet: agricultural wind
43 machines; barns, hay storage sheds; church steeples, spires, belfries, cupolas,
44 and domes; county administrative and criminal justice buildings; drive-in movie
45 theater screens; elevator penthouses; fire towers; fruit and vegetable packing
46 facilities; gas holders or other similar structures; hose towers; parapet walls;

1 performing arts centers (theaters, community centers, sports facilities and
2 complexes); petroleum storage tanks; school auditoriums and theaters.

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

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

9 F. Maximum height for communication facilities (commercial or public agency radio
10 and TV, microwave or other antennas for transmitting and receiving) shall be 200
11 feet.

12
13 **17A.130.090 Lot coverage**

14 A. MRD UL20.

15 1. Single-family development: maximum lot coverage is 5 percent;

16 2. All other development: maximum lot coverage is 10 percent.

17 B. MRD VF5.

18 1. Single-family development: maximum lot coverage is 10 percent;

19 2. All other development: maximum lot coverage is 40 percent.

20 C. MRD VF1.

21 1. Single-family development: maximum lot coverage is 30 percent;

22 2. All other development: maximum lot coverage is 40 percent.

23 D. MRD VF12,500.

24 1. Single-family development: maximum lot coverage is 35 percent;

25 2. All other development: maximum lot coverage is 40 percent.

26
27 **17A.130.100 Parking**

28 As indicated in Chapter 17A.240 OCC.

29
30 **17A.130.110 Special provisions**

31 A. Multifamily dwellings and mobile home parks are allowed by Conditional Use
32 Permits only on lots which meet or exceed the minimum lot size requirement of
33 the of the zone (see OCC 17A.130.050 OCC), which supersedes OCC
34 17A.330.010 "Legal pre-existing lots".

35 B. Inns, lodges or guest ranches, campgrounds, and RV parks, all of which are
36 defined within the "Definitions" chapter of this Title (OCC 17A.020), shall be
37 approved by Conditional Use Permit only on lots which meet or exceed the
38 minimum lot size of this zone (see OCC 17A.130.050 OCC), which supersedes
39 OCC 17A.330.010 "Legal pre-existing lots", and shall incorporate the following
40 additional design standards:

41 1. Intensity: For the purposes of this section, one equivalent residential unit
42 (dwelling unit) shall equal a lodging unit with or without kitchen facilities,
43 containing four or fewer rental bedrooms, or a maximum of 10 occupants. The
44 number of camping spaces cannot exceed the number allowable by
45 Okanogan County health district on-site sewage standards.

- 1 2. Signage: Only indirectly illuminated signs made of natural materials are
2 allowed.
- 3 3. Setback for Intensive Uses: Setback from property line of adjacent residential
4 properties for residential structures, campsites, and other areas of intense
5 use shall be 75 feet.
- 6 4. Screening of parking areas within 100 feet of the property line of adjacent
7 residential properties shall be required.
- 8 5. Light and Glare: Outdoor lighting, including street and parking lot lighting,
9 shall be directed downward and shielded to minimize potential glare to
10 motorists and off-site residents. No exterior light with a direct source visible
11 from a neighboring property shall be installed. Indirect sources and horizontal
12 cut-off fixtures are recommended to reduce glare and provide general
13 ambient light. Holiday lighting is exempt from these requirements.
- 14 C. Construction in Flood Hazard Areas: No structures for human habitation shall be
15 constructed or placed in the 100-year floodplain.
- 16 D. Cluster Land Divisions
- 17 1. Density: Increases to density beyond that permitted by this Chapter may be
18 permitted for Cluster Land Divisions in accordance with OCC Title 16. For the
19 purpose of calculating maximum density within Cluster Land Divisions, the
20 base density of this zone is as follows
- 21 a. MRD UL20: 1 lot per 20 acres.
- 22 b. MRD VF5: 1 lot per 5 acres.
- 23 c. MRD VF1: 1 lot per acre.
- 24 d. MRD VF12,500: 1 lot per 12,500 square feet.
- 25 e. Fractional calculations shall be rounded down to the nearest whole
26 number (i.e. density calculated at 12.7 lots and/or dwelling units shall be
27 rounded to 12 lots and/or units).
- 28 2. Lot area and width: In order to achieve alternative lot design and clustering,
29 deviations to lot area and width beyond that permitted by this Chapter may be
30 permitted for Cluster Land Division in accordance with OCC Title 16.

31
32
33
34

1 **Chapter 17A.140**
2 **RURAL RESIDENTIAL (RR)**

3
4 Sections:

- 5 17A.140.010 Purpose of classification
- 6 17A.140.020 Permitted uses
- 7 17A.140.030 Conditional uses
- 8 17A.140.040 Accessory uses
- 9 17A.140.050 Lot area and width
- 10 17A.140.060 Density
- 11 17A.140.070 Property line setbacks
- 12 17A.140.080 Height
- 13 17A.140.090 Lot coverage
- 14 17A.140.100 Parking
- 15 17A.140.110 Special provisions
- 16 17A.140.120 Signs

17
18 **17A.140.010 Purpose of classification**

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

22
23 **17A.140.020 Permitted uses**

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

25
26 **17A.140.030 Conditional uses**

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

28
29 **17A.140.040 Accessory uses**

30 Accessory uses are as follows:

- 31 A. Normal accessory uses customary and incidental to the permitted and/or
32 conditional use of the property.
- 33 B. Accessory dwellings:
 - 34 1. On lots which meet or exceed the minimum lot size requirement of the district,
35 one additional attached or detached accessory dwelling is allowed. The
36 accessory dwelling unit must be 1500 square feet or less and must be located
37 no further than one hundred feet from the primary dwelling unit or structure.
 - 38 2. On nonconforming lots, an accessory dwelling unit for extended family
39 members is allowed only if a demonstrated family hardship exists (See OCC
40 17A.310.060(B)(1)).
 - 41 3. No more than one accessory dwelling unit shall be located on any lot.

42
43 **17A.140.050 Lot area and width**

44 Lot area and width requirements are as follows:

- 45 A. The minimum lot area is five acres.
- 46 B. The minimum lot width is 100 feet.

1
2 **17A.140.060 Density**

3 Density restrictions are as follows:

- 4 A. Maximum of one dwelling unit per five acres, provided that accessory dwelling
5 units may be permitted subject to provisions of OCC 17A.140.040(B).
6

7 **17A.140.070 Property line setbacks**

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

- 9 A. Front: minimum is 25 feet;
10 B. Side: minimum is 25 feet;
11 C. Rear: minimum is 25 feet;
12 D. Commercial structures: Property line setbacks from all property lines shall not be
13 less than two feet horizontal for every one foot vertical height; or, the setback
14 established in this section, whichever is greater.
15

16 **17A.140.080 Height**

17 Height restrictions are as follows:

- 18 A. Maximum height for all uses in the zone shall be 35 feet, except as noted in
19 subsections B through G of this section.
20 B. When the height of structures for permitted uses exceeds 35 feet as provided for
21 in subsections C through G of this section, minimum lot area is five acres. These
22 structures cannot be placed on lots that are less than the minimum size.
23 C. Maximum height for the following list of uses shall be 50 feet: appurtenances and
24 decorative nonstructural architectural components on roofs of single-family
25 dwelling units, inns, lodges and on roofs of accessory agricultural buildings;
26 crosses and other religious or civic monuments.
27 D. Maximum height for the following list of uses shall be 65 feet: barns, and hay
28 storage sheds; church steeples, spires, belfries, cupolas and domes; county
29 administrative and criminal justice buildings; fire towers; fruit and vegetable
30 packing facilities; gas holders or other similar structures; hose towers; parapet
31 walls; performing arts centers (theaters, community centers, sports facilities and
32 complexes); school auditoriums and theaters.
33 E. Maximum height for the following list of uses shall be 100 feet: agricultural
34 commodity storage; amateur radio poles or antennas; private communication
35 poles or antennas; single-family residential windmills, water tanks.
36 F. Maximum height for electric transmission and distribution towers and poles shall
37 be 150 feet.
38 G. Maximum height for communication facilities (commercial or public agency radio
39 and TV, microwave or other antennas for transmitting and receiving) shall be 200
40 feet.
41

42 **17A.140.090 Lot coverage**

43 Lot coverage restrictions are as follows:

- 44 A. Single-family uses: maximum lot coverage is 10 percent.
45 B. Conditional uses and all other permitted use types exclusive of single-family
46 uses: maximum lot coverage is 40 percent.

1
2 **17A.140.100 Parking**

3 Parking requirements are as indicated in Chapter 17A.240 OCC.
4

5 **17A.140.110 Special provisions**

6 A. Inns, lodges or guest ranches, campgrounds, and RV parks, all of which are
7 defined within the “Definitions” chapter of this Title (OCC 17A.020), shall be
8 approved by Conditional Use Permit only on lots which meet or exceed the
9 minimum lot size of this zone (see OCC 17A.140.050), which supersedes OCC
10 17A.330.010 “Legal pre-existing lots”, and shall incorporate the following
11 additional design standards:

- 12 1. Intensity: For the purposes of this section, one equivalent residential unit
13 (dwelling unit) shall equal a lodging unit with or without kitchen facilities,
14 containing four or fewer rental bedrooms, or a maximum of 10 occupants. The
15 number of camping spaces cannot exceed the number allowable by
16 Okanogan County health district on-site sewage standards.
- 17 2. Signage: Only indirectly illuminated signs made of natural materials are
18 allowed.
- 19 3. Setback for Intensive Uses: Setback from property line of adjacent residential
20 properties for residential structures, campsites, and other areas of intense
21 use shall be 75 feet.
- 22 4. Screening of parking areas within 100 feet of the property line of adjacent
23 residential properties shall be required.
- 24 5. Light and Glare: Outdoor lighting, including street and parking lot lighting,
25 shall be directed downward and shielded to minimize potential glare to
26 motorists and off-site residents. No exterior light with a direct source visible
27 from a neighboring property shall be installed. Indirect sources and horizontal
28 cut-off fixtures are recommended to reduce glare and provide general
29 ambient light. Holiday lighting is exempt from these requirements.

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

32 C. Cluster Land Divisions

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

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

- 1 1. Aircraft hangars and noncommercial airport-related service structures in
2 areas platted for residential (noncommercial) airport-related uses. With
3 respect to individual residential lots within such plat, such structures shall be
4 set back no less than 10 feet from the taxiway serving such residential lots,
5 and shall comply in all other respects with lot coverage restrictions pertinent
6 to this district.
- 7 2. Aircraft fuel pumps and fuel storage; provided, that any such fuel pumps
8 and/or fuel storage facilities shall comply with all state and federal laws and
9 regulations regarding such facilities.
- 10 E. Pre-application consultation with the local advisory committee or other entity
11 established by the county, and the office of planning and development is
12 mandatory for all uses requiring a conditional use permit (Chapter 17A.310 OCC)
13 or planned unit development (Chapter 17A.200 OCC) for approval.
 - 14 1. Within 14 days of receiving a request for pre-application consultation, the
15 office of planning and development will set a meeting date, time and place for
16 the pre-application consultation. The purpose of the meeting is to assist the
17 applicant in identification of site development and design considerations and
18 suggest potential solutions where possible. The local review board or other
19 entity established by the county shall base its comments and
20 recommendations on guidelines established pursuant to the county
21 comprehensive plan. These comments and recommendations shall be
22 provided to the applicant and the office of planning and development within 7
23 days of the pre-application consultation meeting.
 - 24 2. The request for a pre-application consultation shall vest the applicant to the
25 existing regulations, so long as the applicant submits a completed application
26 to the office of planning and development within 30 days of the request for a
27 pre-application consultation or within 7 days of the pre-application
28 consultation, whichever is later.

29
30 **17A.140.120 Signs**

31 Any sign advertising a business or organization not located on the parcel containing the
32 business or organization is prohibited except those signs erected by the state of
33 Washington or Okanogan County.
34

1 **Chapter 17A.150**
2 **LOW DENSITY RESIDENTIAL (LDR)**
3

4 Sections:

- 5 17A.150.010 Purpose of classification
6 17A.150.020 Permitted uses
7 17A.150.030 Conditional uses
8 17A.150.040 Accessory uses
9 17A.150.050 Lot area and width
10 17A.150.060 Density
11 17A.150.070 Property line setbacks
12 17A.150.080 Height
13 17A.150.090 Lot coverage
14 17A.150.100 Parking
15 17A.150.110 Special provisions
16 17A.150.120 Signs
17

18 **17A.150.010 Purpose of classification**

19 The purpose of this district is to provide rural/low-density development options which
20 are consistent with Okanogan County's comprehensive plan, including the Methow
21 valley more Completely Planned Area Sub-Unit A.
22

23 **17A.150.020 Permitted uses**

24 Permitted uses are as indicated on the district use chart, Chapter 17A.220 OCC.
25

26 **17A.150.030 Conditional uses**

27 Conditional uses are as indicated on the district use chart, Chapter 17A.220 OCC.
28

29 **17A.150.040 Accessory uses**

30 Accessory uses are as follows:

- 31 A. Normal accessory uses customary and incidental to the permitted and/or
32 conditional use of the property.
33 B. Accessory dwellings:
34 1. On lots which meet or exceed the minimum lot size requirement of the district,
35 one additional attached or detached accessory dwelling is allowed. The
36 accessory dwelling must be 1500 square feet or less and must be located no
37 further than 400 feet from the primary dwelling or structure.
38 2. On nonconforming lots, an accessory dwelling unit for extended family
39 members is allowed only if a demonstrated family hardship exists (see OCC
40 17A.310.060(B)(1)).
41 3. No more than one accessory dwelling shall be located on any lot.
42

43 **17A.150.050 Lot area and width**

44 Lot area and width requirements are as follows:

- 45 A. Minimum lot area is 20 acres.
46 B. Minimum lot width is 100 feet.

1
2 **17A.150.060 Density**

3 Density restrictions are as follows:

- 4 A. Maximum of one dwelling unit per 20 acres, provided that accessory dwelling
5 units may be permitted subject to provisions of OCC 17A.150.040(B).
6

7 **17A.150.070 Property line setbacks**

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

- 9 A. Front: minimum is 50 feet.
10 B. Side: minimum is 50 feet.
11 C. Rear: minimum is 50 feet.
12 D. Commercial structures: property line setbacks from all property lines shall not be
13 less than two feet horizontal for every one foot vertical height; or, the setback
14 established in this section, whichever is greater.
15

16 **17A.150.080 Height**

17 Height restrictions are as follows:

- 18 A. Maximum height for all uses in the zone shall be 35 feet, except as noted in
19 subsections B through F of this section.
20 B. Maximum height for the following list of uses shall be 50 feet: appurtenances and
21 decorative nonstructural architectural components on roofs of single-family
22 dwelling units, multifamily dwelling units, inns, lodges and on roofs of accessory
23 agricultural buildings; crosses and other religious or civic monuments.
24 C. Maximum height for the following list of uses shall be 65 feet: barns, hay storage
25 sheds; church steeples, spires, belfries, cupolas, and domes; county
26 administrative and criminal justice buildings; fire towers; fruit and vegetable
27 packing facilities; hose towers; parapet walls; school auditoriums and theaters.
28 D. Maximum height for the following list of uses shall be 100 feet: agricultural
29 commodity storage, amateur radio poles or antennas; agricultural wind
30 machines; grain elevators; private communication poles or antennas; single-
31 family residential windmills; water tanks.
32 E. Maximum height for electric transmission and distribution towers and poles shall
33 be 150 feet.
34 F. Maximum height for communication facilities (commercial or public agency radio
35 and TV, microwave or other antennas for transmitting and receiving) shall be 200
36 feet.
37

38 **17A.150.090 Lot coverage**

39 Lot coverage restrictions are as follows:

- 40 A. Single-family uses: maximum lot coverage is five percent.
41 B. Conditional uses and all other permitted use types exclusive of single-family
42 uses: maximum lot coverage is 10 percent.
43

44 **17A.150.100 Parking**

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

1
2 **17A.150.110 Special provisions**

- 3 A. Multifamily dwellings and manufactured home parks are allowed by Conditional
4 Use Permits only on lots which meet or exceed the minimum lot size requirement
5 of the of the zone (see OCC 17A.150.050 OCC).
- 6 B. Inns, lodges or guest ranches, campgrounds, and RV parks, all of which are
7 defined within the “Definitions” chapter of this Title (OCC 17A.020), shall be
8 approved by Conditional Use Permit only on lots which meet or exceed the
9 minimum lot size requirement of the of this zone (see OCC 17A.150.050 OCC),
10 which supersedes OCC 17A.330.010 “Legal pre-existing lots”, and shall
11 incorporate the following additional design standards:
- 12 1. Intensity: For the purposes of this section, one equivalent residential unit
13 (dwelling unit) shall equal a lodging unit with or without kitchen facilities,
14 containing four or fewer rental bedrooms, or a maximum of 10 occupants. The
15 number of camping spaces cannot exceed the number allowable by
16 Okanogan County health district on-site sewage standards.
 - 17 2. Signage: Only indirectly illuminated signs made of natural materials are
18 allowed.
 - 19 3. Setback for Intensive Uses: Setback from property line of adjacent residential
20 properties for residential structures, campsites, and other areas of intense
21 use shall be 75 feet.
 - 22 4. Screening of parking areas within 100 feet of the property line of adjacent
23 residential properties shall be required.
 - 24 5. Light and Glare: Outdoor lighting, including street and parking lot lighting,
25 shall be directed downward and shielded to minimize potential glare to
26 motorists and off-site residents. No exterior light with a direct source visible
27 from a neighboring property shall be installed. Indirect sources and horizontal
28 cut-off fixtures are recommended to reduce glare and provide general
29 ambient light. Holiday lighting is exempt from these requirements.
- 30 C. Construction in Flood Hazard Areas: No structures for human habitation shall be
31 constructed or placed in the 100-year flood.
- 32 D. Cluster Land Divisions
- 33 1. Density: Increases to density beyond that permitted by this Chapter may be
34 permitted for Cluster Land Divisions in accordance with OCC Title 16. For the
35 purpose of calculating maximum density within Cluster Land Divisions, the
36 base density of this zone is 1 lot per 20 acres. Fractional calculations shall be
37 rounded down to the nearest whole number (i.e. density calculated at 12.7
38 lots and/or dwelling units shall be rounded to 12 lots and/or units).
 - 39 2. Lot area and width: In order to achieve alternative lot design and clustering,
40 deviations to lot area and width beyond that permitted by this Chapter may be
41 permitted for Cluster Land Division in accordance with OCC Title 16.
- 42 E. Airport-related uses. Notwithstanding general provisions of this code to the
43 contrary, in areas of this district platted for residential (noncommercial) airport-
44 related uses, the following uses are allowed outright, and do not require a
45 conditional use permit.

- 1 1. Aircraft hangars and noncommercial airport-related service structures in
2 areas platted for residential (noncommercial) airport-related uses. With
3 respect to individual residential lots within such plat, such structures shall be
4 set back no less than 10 feet from the taxiway serving such residential lots,
5 and shall comply in all other respects with lot coverage restrictions pertinent
6 to this district.
- 7 2. Aircraft fuel pumps and fuel storage; provided, that any such fuel pumps
8 and/or fuel storage facilities shall comply with all state and federal laws and
9 regulations regarding such facilities.
- 10 F. Pre-application consultation with the local advisory committee or other entity
11 established by the county, and the office of planning and development is
12 mandatory for all uses requiring a conditional use permit (Chapter 17A.310 OCC)
13 or planned unit development (Chapter 17A.200 OCC) for approval.
 - 14 1. Within 14 days of receiving a request for pre-application consultation, the
15 office of planning and development will set a meeting date, time and place for
16 the pre-application consultation. The purpose of the meeting is to assist the
17 applicant in identification of site development and design considerations and
18 suggest potential solutions where possible. The local review board or other
19 entity established by the county shall base its comments and
20 recommendations on guidelines established pursuant to the county
21 comprehensive plan. These comments and recommendations shall be
22 provided to the applicant and the office of planning and development within 7
23 days of the pre-application consultation meeting.
 - 24 2. The request for a pre-application consultation shall vest the applicant to the
25 existing regulations, so long as the applicant submits a completed application
26 to the office of planning and development within 30 days of the request for a
27 pre-application consultation or within 7 days of the pre-application
28 consultation, whichever is later.

29
30 **17A.150.120 Signs**

31 Any sign advertising a business or organization not located on the parcel containing the
32 business or organization is prohibited except those signs erected by the state of
33 Washington or Okanogan County.
34

1 **Chapter 17A.160**
2 **URBAN RESIDENTIAL (UR)**

3
4 **Sections:**

- 5 17A.160.010 Purpose of classification
6 17A.160.020 Permitted uses
7 17A.160.030 Conditional uses
8 17A.160.040 Accessory uses
9 17A.160.050 Lot area and width
10 17A.160.060 Density
11 17A.160.070 Property line setbacks
12 17A.160.080 Height
13 17A.160.090 Lot coverage
14 17A.160.100 Parking
15 17A.160.110 Special provisions

16
17 **17A.160.010 Purpose of classification**

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

22
23 **17A.160.020 Permitted uses**

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

25
26 **17A.160.030 Conditional uses**

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

28
29 **17A.160.040 Accessory uses**

30 Accessory uses are as follows:

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

33
34 **17A.160.050 Lot area and width**

35 Lot area and width requirements are as follows:

- 36 A. The minimum lot area is 5,000 square feet.
37 B. The minimum lot width is 50 feet.

38
39 **17A.160.060 Density**

40 Density restrictions are as follows:

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

1
2 **17A.160.070 Property line setbacks**

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

- 4 A. Front: minimum is 15 feet;
- 5 B. Side: minimum is five feet;
- 6 C. Rear: minimum is 15 feet;

7
8 **17A.160.080 Height**

9 Height restrictions are as follows:

- 10 A. Maximum height for all uses in the zone shall be 50 feet, except as noted in
11 subsection B of this section.
- 12 B. Maximum height shall be 65 feet for: church steeples, spires, belfries, cupolas,
13 and domes; elevator penthouses; fire towers; hose towers; parapet walls; school
14 auditoriums and theaters.

15
16 **17A.160.090 Lot coverage**

17 Lot coverage restrictions are as follows:

- 18 A. Maximum lot coverage is 45 percent.

19
20 **17A.160.100 Parking**

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

22
23 **17A.160.110 Special provisions**

- 24 A. Pre-application consultation with the local advisory committee or other entity
25 established by the county, and the office of planning and development is
26 mandatory for all uses requiring a conditional use permit (Chapter 17A.310 OCC)
27 or planned unit development (Chapter 17A.200 OCC) for approval.
 - 28 1. Within 14 days of receiving a request for pre-application consultation, the
29 office of planning and development will set a meeting date, time and place for
30 the pre-application consultation. The purpose of the meeting is to assist the
31 applicant in identification of site development and design considerations and
32 suggest potential solutions where possible. The local review board or other
33 entity established by the county shall base its comments and
34 recommendations on guidelines established pursuant to the county
35 comprehensive plan. These comments and recommendations shall be
36 provided to the applicant and the office of planning and development within 7
37 days of the pre-application consultation meeting.
 - 38 2. The request for a pre-application consultation shall vest the applicant to the
39 existing regulations, so long as the applicant submits a completed application
40 to the office of planning and development within 30 days of the request for a
41 pre-application consultation or within 7 days of the pre-application
42 consultation, whichever is later.
- 43 B. Signs: See OCC 17A.190.110(F).
- 44 C. Light and Glare: See OCC 17A.190.110(D).
- 45 D. Construction in Flood Hazard Areas: No structures for human habitation shall be
46 constructed or placed in the 100-year flood.

1
2
3
4
5
6
7
8
9
10
11
12

E. Cluster Land Divisions

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

1 **Chapter 17A.170**
2 **NEIGHBORHOOD USE (NU)**

3
4 Sections:

- 5 17A.170.010 Purpose of classification
6 17A.170.020 Permitted uses
7 17A.170.030 Conditional uses
8 17A.170.040 Accessory uses
9 17A.170.050 Lot area and width
10 17A.170.060 Density
11 17A.170.070 Property line setbacks
12 17A.170.080 Height
13 17A.170.090 Lot coverage
14 17A.170.100 Parking
15 17A.170.110 Special provisions
16

17 **17A.170.010 Purpose of classification**

18 The purpose of this district is to provide areas of commercial development, located near
19 rural population centers, which are consistent with Okanogan County's comprehensive
20 plan, including the Methow Valley More Completely Planned Area Sub-Unit A.
21

22 **17A.170.020 Permitted uses**

23 Permitted uses are as indicated on the district use chart (see Chapter 17A.220 OCC).
24

25 **17A.170.030 Conditional uses**

26 Conditional uses are as indicated on the district use chart (see Chapter 17A.220 OCC).
27

28 **17A.170.040 Accessory uses**

29 Accessory uses are as follows:

- 30 A. Normal accessory uses customary and incidental to the permitted and/or
31 conditional use of the property.
32

33 **17A.170.050 Lot area and width**

34 Lot area and width requirements are as follows:

- 35 A. The minimum lot area is 5,000 square feet.
36 B. The minimum lot width is 50 feet.
37

38 **17A.170.060 Density**

- 39 A. Density restrictions are not applicable (see lot coverage, OCC 17.170.090).
40

41 **17A.170.070 Property line setbacks**

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

- 43 A. Front: none.
44 B. Side: none.
45 C. Rear: none.

1
2 **17A.170.080 Height**

3 Height restrictions are as follows:

- 4 A. Maximum height for all uses in the zone shall be 50 feet, except as noted in
5 subsections B and C of this section.
6 B. Maximum height shall be 65 feet for: church steeples, spires, belfries, cupolas,
7 and domes; elevator penthouses; fire towers; hose towers; parapet walls; school
8 auditoriums and theaters.
9 C. Maximum height shall be 100 feet for performing arts centers (theaters,
10 community centers, sports facilities and complexes).

11
12 **17A.170.090 Lot coverage**

13 Lot coverage restrictions are as follows:

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

16
17 **17A.170.100 Parking**

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

19
20 **17A.170.110 Special provisions**

- 21 A. All residential units must be above the ground floor.
22 B. Pre-application consultation with the local advisory committee or other entity
23 established by the county, and the office of planning and development is
24 mandatory for all uses requiring a conditional use permit (Chapter 17A.310 OCC)
25 or planned unit development (Chapter 17A.200 OCC) for approval.
26 1. Within 14 days of receiving a request for pre-application consultation, the
27 office of planning and development will set a meeting date, time and place for
28 the pre-application consultation. The purpose of the meeting is to assist the
29 applicant in identification of site development and design considerations and
30 suggest potential solutions where possible. The local review board or other
31 entity established by the county shall base its comments and
32 recommendations on guidelines established pursuant to the county
33 comprehensive plan. These comments and recommendations shall be
34 provided to the applicant and the office of planning and development within 7
35 days of the pre-application consultation meeting.
36 2. The request for a pre-application consultation shall vest the applicant to the
37 existing regulations, so long as the applicant submits a completed application
38 to the office of planning and development within 30 days of the request for a
39 pre-application consultation or within 7 days of the pre-application
40 consultation, whichever is later.
41 C. Signs: See OCC 17A.190.110(F).
42 D. Light and Glare: See OCC 17A.190.110(D).
43 E. Construction in Flood Hazard Areas: No structures for human habitation shall be
44 constructed or placed in the 100-year flood.
45 F. Cluster Land Divisions
46 1. Density: Increases to density beyond that permitted by this Chapter may be

1
2
3
4
5
6
7
8
9
10

- 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.

1 **Chapter 17A.180**
2 **NEIGHBORHOOD COMMERCIAL (NC)**

3
4 Sections:

- 5 17A.180.010 Purpose of classification
6 17A.180.020 Permitted uses
7 17A.180.030 Conditional uses
8 17A.180.040 Accessory uses
9 17A.180.050 Lot area and width
10 17A.180.060 Density
11 17A.180.070 Property line setbacks
12 17A.180.080 Height
13 17A.180.090 Lot coverage
14 17A.180.100 Parking
15 17A.180.110 Special provisions

16
17 **17A.180.010 Purpose of classification**

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

21
22 **17A.180.020 Permitted uses**

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

24
25 **17A.180.030 Conditional uses**

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

27
28 **17A.180.040 Accessory uses**

29 Accessory uses are as follows:

- 30 A. Normal accessory uses customary and incidental to the permitted and/or
31 conditional use of the property.
32 B. Accessory dwelling units.

33
34 **17A.180.050 Lot area and width**

35 Lot area and width requirements are as follows:

- 36 A. The minimum lot area is 5,000 square feet.
37 B. The minimum lot width is 50 feet.

38
39 **17A.180.060 Density**

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

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

4
5 **17A.180.070 Property line setbacks**

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

- 7 A. Front: none.
- 8 B. Side: none.
- 9 C. Rear: none.

10
11 **17A.180.080 Height**

12 Height restrictions are as follows:

- 13 A. Maximum height for all uses in the zone shall be 50 feet, except as noted in
14 subsections B and C of this section.
- 15 B. Maximum height shall be 65 feet for: church steeples, spires, belfries, cupolas,
16 and domes; elevator penthouses; fire towers; hose towers; parapet walls; school
17 auditoriums; theaters; and their accessory buildings.
- 18 C. Maximum height shall be 100 feet for agricultural commodity storage and
19 performing arts centers (theaters, community centers, sports facilities and
20 complexes).

21
22 **17A.180.090 Lot coverage**

23 Reserved.

24
25 **17A.180.100 Parking**

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

27
28 **17A.180.110 Special provisions**

- 29 A. Light and Glare: Outdoor lighting, including street and parking lot lighting, shall
30 be directed downward and shielded to minimize potential glare to motorists and
31 off-site properties. No exterior light with a direct source visible from a neighboring
32 property shall be installed. Christmas lighting is exempt from these requirements.
- 33 B. Cluster Land Divisions
 - 34 1. Density: Increases to density beyond that permitted by this Chapter may be
35 permitted for Cluster Land Divisions in accordance with OCC Title 16. For the
36 purpose of calculating maximum density within Cluster Land Divisions, the
37 base density of this zone is 1 lot per 5,000 square feet. Fractional calculations
38 shall be rounded down to the nearest whole number (i.e. density calculated at
39 12.7 lots and/or dwelling units shall be rounded to 12 lots and/or units).
 - 40 2. Lot area and width: In order to achieve alternative lot design and clustering,
41 deviations to lot area and width beyond that permitted by this Chapter may be
42 permitted for Cluster Land Division in accordance with OCC Title 16.

1 **Chapter 17A.190**
2 **SPECIAL REVIEW COMMERCIAL (SRC)**
3

4 Sections:

- 5 17A.190.010 Purpose of classification
6 17A.190.020 Permitted uses
7 17A.190.030 Conditional uses
8 17A.190.040 Accessory uses
9 17A.190.050 Lot area and width
10 17A.190.060 Density
11 17A.190.070 Property line setbacks
12 17A.190.080 Height
13 17A.190.090 Lot coverage
14 17A.190.100 Parking
15 17A.190.110 Special provisions
16

17 **17A.190.010 Purpose of classification**

18 The purpose of this district is to provide areas rural/high-density and commercial
19 development options which are consistent with Okanogan County's comprehensive
20 plan, and the Methow Review District More Completely Planned Area, Sub-Unit A.
21

22 **17A.190.020 Permitted uses**

23 Permitted uses are as indicated on the district use chart, Chapter 17A.220 OCC.
24

25 **17A.190.030 Conditional uses**

26 Conditional uses are as indicated on the district use chart, Chapter 17A.220 OCC.
27

28 **17A.190.040 Accessory uses**

29 Accessory uses are as follows:

- 30 A. Normal accessory uses customary and incidental to the permitted and/or
31 conditional use of the property.
32

33 **17A.190.050 Lot area and width**

34 Lot area and width restrictions are as follows:

- 35 A. Minimum lot area is 5,000 square feet.
36 B. Minimum lot width is 50 feet.
37

38 **17A.190.060 Density**

- 39 A. Density restrictions are not applicable (see lot coverage, OCC 17A.190.090).
40

41 **17A.190.070 Property line setbacks**

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

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

1
2 **17A.190.080 Height**

3 Height restrictions are as follows:

- 4 A. Maximum height is 35 feet.
5 B. Maximum height shall be 50 feet for: commercial parking garages; hotels/motels;
6 inns and lodges.
7

8 **17A.190.090 Lot coverage**

9 Lot coverage restrictions are as follows:

- 10 A. Maximum lot coverage is 50 percent, subject to compliance with required
11 property line setbacks.
12

13 **17A.190.100 Parking**

14 Parking requirements are as indicated in Chapter 17A.240 OCC.
15

16 **17A.190.110 Special provisions**

- 17 A. Residences on second floor. Dwelling units shall be located only on the second
18 floor of structures within this zone.
19 B. Construction in Flood Hazard Areas: No structures for human habitation shall be
20 constructed or placed in the 100-year flood.
21 C. Cluster Land Divisions
22 1. Density: Increases to density beyond that permitted by this Chapter may be
23 permitted for Cluster Land Divisions in accordance with OCC Title 16. For the
24 purpose of calculating maximum density within Cluster Land Divisions, the
25 base density of this zone is 1 lot per 5,000 square feet. Fractional calculations
26 shall be rounded down to the nearest whole number (i.e. density calculated at
27 12.7 lots and/or dwelling units shall be rounded to 12 lots and/or units).
28 2. Lot area and width: In order to achieve alternative lot design and clustering,
29 deviations to lot area and width beyond that permitted by this Chapter may be
30 permitted for Cluster Land Division in accordance with OCC Title 16.
31 D. Light and Glare. Outdoor lighting, including street and parking lot lighting, shall
32 be directed downward and shielded to minimize potential glare to motorists and
33 off-site residents. No exterior light with a direct source visible from a neighboring
34 property shall be installed. Indirect sources and horizontal cut-off fixtures are
35 recommended to reduce glare and provide general ambient light. Christmas
36 lighting is exempt from these requirements.
37 E. Pre-application consultation with the local advisory committee or other entity
38 established by the county, and the office of planning and development is
39 mandatory for all uses requiring a conditional use permit (Chapter 17A.310 OCC)
40 or planned unit development (Chapter 17A.200 OCC) for approval.
41 1. Within 14 days of receiving a request for pre-application consultation, the
42 office of planning and development will set a meeting date, time and place for
43 the pre-application consultation. The purpose of the meeting is to assist the
44 applicant in identification of site development and design considerations and
45 suggest potential solutions where possible. The local review board or other
46 entity established by the county shall base its comments and

- 1 recommendations on guidelines established pursuant to the county
2 comprehensive plan. These comments and recommendations shall be
3 provided to the applicant and the office of planning and development within 7
4 days of the pre-application consultation meeting.
- 5 2. The request for a pre-application consultation shall vest the applicant to the
6 existing regulations, so long as the applicant submits a completed application
7 to the office of planning and development within 30 days of the request for a
8 pre-application consultation or within 7 days of the pre-application
9 consultation, whichever is later.
- 10 F. Signs: No signs shall be erected within this zone which do not comply with the
11 regulations contained herein.
- 12 1. Design and Materials. Signs shall be constructed from wood or natural
13 appearing materials and colors. No fluorescent materials or reflective
14 materials shall be allowed except for official signs for public safety. Signs
15 should be reflective of the natural forest and rustic theme and may include the
16 uses of wrought iron.
- 17 2. Allowed Public Signs. The following signs, which are generally public in
18 nature, are allowed outright:
- 19 a) Signs erected or posted and maintained for public safety and welfare or
20 pursuant to any governmental law or regulation.
- 21 b) A bulletin board, either one or two-sided with no face exceeding 20 square
22 feet in display area, associated with any church, museum, library, school
23 or similar public use; provided, that the top of such sign is less than eight
24 feet high and meets all other provisions of this chapter.
- 25 c) Directional signs indicating ingress or egress where display area does not
26 exceed three square feet.
- 27 d) Banners, not exceeding 30 square feet in area, or sandwich boards not
28 exceeding 12 square feet in area, displayed by nonprofit or community
29 organizations are not required to be displayed on the premises of the
30 business or organization. Signs may be displayed for a maximum of two
31 periods not exceeding 14 days total within any calendar year.
- 32 3. Allowed Private and Residential Signs. The following signs, which are
33 primarily private and residential in nature, are allowed outright:
- 34 a) Mailbox and address signs displaying address numbers shall not exceed
35 two square feet of area. An additional sign not exceeding two square feet
36 is allowed to display a name associated with the dwelling.
- 37 b) Window signs not exceeding 25 percent of the individual window area and
38 a maximum total area of four square feet.
- 39 c) A single sign, not exceeding 24 square feet in area, mounted between
40 posts, at a height not exceeding 20 feet above grade, displaying the name
41 of a farm.
- 42 d) An agricultural products sign, allowed at each street frontage, advertising
43 products grown on or produced at the subject property. Signs shall be
44 erected for a period not exceeding 10 days prior to the availability of the
45 products for sale and removed when the products are no longer available

- 1 for purchase. The maximum sign area shall not exceed 10 square feet for
2 each face of a single or two-faced sign.
- 3 e) Garage sale signs on site and off site not to exceed three square feet per
4 sign face and placed no more than two days before the sale and removed
5 within one day after the sale.
- 6 f) Election signs; provided, that they are removed within seven days after the
7 final election for the named candidate or election issue. No election signs
8 are allowed in public right-of-way.
- 9 g) For sale, rent or lease signs are allowed only on property being sold or
10 rented. One sign not exceeding eight square feet is allowed on each street
11 frontage. Such sign shall be removed within seven days after sale, rental,
12 or lease of the property.
- 13 h) Signs relating to trespassing and hunting, each sign not exceeding four
14 square feet of area.
- 15 i) Residential developments of five parcels or more may have a single
16 freestanding identification sign with a maximum sign area of 10 square
17 feet.
- 18 j) Multifamily residential developments of 10 or more may have a sign with a
19 maximum sign area of 24 square feet at one vehicular entrance on each
20 street frontage.
- 21 k) Home occupations may have a single or two-sided sign that identifies the
22 service provided. Such sign shall not exceed six square feet.
- 23 4. Allowed Commercial Signs. The following commercial signs are allowed:
- 24 a) Facade Signs.
- 25 i. Buildings may have one facade sign for each tenant not more than
26 12 square feet with dimensions not to exceed six feet in length or
27 three feet in height.
- 28 ii. Facade signs shall be located less than 20 feet above grade.
- 29 b) Directory Sign. A single directory sign, combining the name of the
30 commercial complex and the individual names of businesses located
31 within is allowed, provided no other facade signs on the building exceed
32 20 square feet. Maximum sign area of this directory is 48 square feet.
- 33 c) Freestanding Signs. No more than one freestanding sign shall be allowed
34 per building. The sign shall not exceed 32 square feet on any single
35 surface nor a total of 64 square feet if two-sided. Maximum height shall
36 not exceed 12 feet above the natural grade. Setbacks for signs will be a
37 minimum of five feet from walkways and 10 feet from curb cuts.
- 38 i. No signs shall be allowed in the shoreline area as described by the
39 Okanogan County shoreline master program.
- 40 ii. A freestanding identification sign combining the name of the
41 commercial complex and the individual names of businesses
42 located within if there are more than two businesses or tenants,
43 with a maximum sign area of 40 square feet on any single surface
44 and a total of 40 square feet if two-sided. No individual tenant
45 freestanding signs may be erected on the same property that
46 contains this freestanding sign.

- 1 d) Canopy or Awning Signs. Instead of a facade sign, one canopy sign is
2 permitted per principal business, not exceeding 20 square feet per tenant,
3 provided the lowest point of the awning or canopy is at least eight feet
4 above the sidewalk. The sign shall not be higher than the eave line or
5 parapet of the principal building and the awning shall have a dark
6 background if lit from behind.
- 7 e) Projecting Signs. A business is allowed one projecting sign that will be
8 supported by the facade of the building. Signs can project over the
9 walkway provided they are at least eight feet above the walk. If walkways
10 are covered, the sign can be hung from a roof beam provided it meets the
11 other requirements for projecting signs. Projecting signs must not be more
12 than four feet from building facade and a minimum of eight feet from the
13 walkway grade and not be higher than the eave line or parapet of the
14 building. Maximum allowable square footage is not to exceed eight square
15 feet for a building identification sign.
- 16 f) Sandwich Board Signs. One non-illuminated sandwich board sign with
17 each face not exceeding 12 square feet in area is allowed per business.
18 Sign shall be a minimum of 39 inches high and a maximum of 48 inches
19 high.
- 20 g) Window Signs. One window sign not exceeding eight square feet in area
21 is allowed.
- 22 5. Prohibited Signs. The following signs are prohibited:
- 23 a) No sign, except for a traffic regulatory or informational sign, shall use the
24 words "Stop", "Caution", or "Danger", or shall incorporate red, amber or
25 green light resembling traffic signals or shall resemble "Stop" or "Yield"
26 signs or shape or color.
- 27 b) Flashing signs, roof signs, signs containing moving parts or appearing to
28 move, and signs that sparkle or twinkle in the sunlight.
- 29 c) Billboards, streamers, pennants, ribbons, spinners, or other similar
30 devices shall not be constructed, posted, or erected in any zone.
- 31 d) Any sign advertising a business or organization not located on the parcel
32 containing the business or organization is prohibited except those signs
33 erected by the state of Washington.
- 34 6. Historical and Interpretive Signs. Signs that do not advertise a product,
35 community directory signs and general information signs shall conform to
36 style and design as detailed in guidelines published by the local review board,
37 or other entity established by the county, and office of planning and
38 development.
- 39 7. Illumination Standards. The following standards apply to lighting of signs:
- 40 a) Signs, except for facade signs, may only be illuminated externally by light
41 sources shielded so that the lamp is not visible from adjacent properties or
42 the public right-of-way.
- 43 b) Lights illuminating signs shall project illumination toward the face of the
44 sign.
- 45 c) No sign may flash, rotate, have motorized parts, or have exposed
46 electrical wires.

1
2
3
4
5
6
7
8
9
10
11
12
13

- d) No sign shall be illuminated between the hours of 10:00 p.m. and 6:00 a.m. unless the premises on which it is located is open for business.
 - e) A facade sign may be internally illuminated provided that:
 - i. The background does not emit light.
 - ii. The background constitutes a minimum of 80 percent of the sign area.
 - iii. The illumination source is shielded.
8. Nonconforming Signs. Any sign which does not conform to the regulations herein and which lawfully existed at the time of adoption of the ordinance codified in this chapter may continue unchanged. Said sign cannot be enlarged, reworded, redesigned or altered in any way except to conform to the requirements of this chapter.

1 **Chapter 17A.200**
2 **PLANNED UNIT DEVELOPMENT (PUD)**

3
4 Sections:

- 5 17A.200.010 Purpose
6 17A.200.020 Standards
7 17A.200.030 Review
8 17A.200.040 Rezone
9 17A.200.050 Development agreement
10 17A.200.060 Subdivisions
11 17A.200.070 Modifications

12
13 **17A.200.010 Purpose**

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

26
27 **17A.200.020 Standards**

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

40
41 **17A.200.030 Review**

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

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

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

7 B. A complete application includes:

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

16
17 **17A.200.040 Rezone**

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

25
26 **17A.200.050 Development agreement**

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

- 29 A. Components: The development agreement includes, but is not limited to,
30 sections explaining permitted uses, parameters of any subdivisions, phasing,
31 development of infrastructure (roads, utilities, etc.), and identification of mitigation
32 that had been required for the project (if any), and review processes for various
33 development scenarios and land management practices. A full legal description
34 of the property is included in order for the development agreement to
35 appropriately follow title to the land once recorded.
- 36 B. Development agreements are authorized by this Chapter and OCC 18.05 and
37 RCW 36.70B. As a quasi-judicial application process, the development
38 agreement is approved or denied by the Hearing Examiner or Board of
39 Adjustment. If approved, the final development agreement would be signed by all
40 parties and presented to the Board of Okanogan County Commissioners for
41 execution and adoption. Once completed, the development agreement is
42 recorded with the County Auditor.

43
44 **17A.200.060 Subdivisions**

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

1 with OCC Title 16 “Subdivisions”.

2 A. Division of land for purposes of residential or tourist-residential development, or
3 when a density bonus is proposed, shall be completed as a cluster plat in
4 accordance with OCC Title 16 “Subdivisions”.

5 B. The application for a planned unit development identifies whether land division
6 will occur, how, and when. If land division is proposed, then the application may
7 include the preliminary plat (and supporting information). A preliminary plat may
8 be submitted latter in accordance with the phasing plan section of the
9 development agreement (OCC 17A.200.050).

10
11 **17A.200.070 Modifications**

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

19 A. A modification to the planned unit development zone boundary is processes in
20 accordance with rezone procedures in accordance with OCC 17A.340.

21 B. An alteration to the final plat is processed in accordance with plat alterations
22 procedures found in OCC Title 16.

23 C. A modification to the development agreement is processed in accordance with
24 OCC 18.05 and RCW 36.70B.

25 D. On a case-by-case basis, the development agreement for a planned unit
26 development may include modification procedures which are different than those
27 identified by this Section so long as those procedures are legally sound.

1 **Chapter 17A.210**
2 **PLANNED DESTINATION RESORT (PDR)**

3
4 Sections:

- 5 17A.210.010 District purpose
6 17A.210.020 Uses allowed
7 17A.210.030 General requirements
8 17A.210.040 Pre-application consultation
9 17A.210.050 Application for planned destination resort
10 17A.210.060 Processing of application for PDR
11 17A.210.070 Board of county commissioner's review and decision
12 17A.210.080 Final development plan submittal requirements
13 17A.210.090 Procedure for review of a final development plan – Phased
14 development
15 17A.210.100 Procedure for modification of a final development plan
16 17A.210.110 Violation of terms of approval
17

18 **17A.210.010 District purpose**

- 19 A. The purpose of the PDR zone is to enhance and diversify the recreational
20 opportunities in Okanogan County through the development of destination
21 resorts that complement the natural and cultural attractiveness of the area
22 without significant adverse effects to environmental and natural features, cultural
23 or historic resources and their settings, and other significant resources. The PDR
24 zone provides for the development of destination resorts as recreational
25 developments which provide visitor-oriented accommodations and recreational
26 facilities for resort visitors and residents, consistent with the comprehensive plan.
27 The PDR zone is only appropriate for those commercial, residential and/or visitor
28 accommodations which are part of a destination resort facility. It is the intent of
29 this chapter to establish standards and procedures for developing large scale
30 destination resorts, while ensuring that all applicable land use requirements are
31 achieved and available resources are used productively and efficiently.
32 B. Further, it is the intent of the PDR zone that the value of important natural
33 features and systems shall be preserved and/or enhanced.
34 1. The necessary habitat of threatened or endangered species as listed on the
35 federal register shall be protected so as not to diminish the necessary
36 features of that habitat.
37 2. Natural features such as streams, rivers, riparian vegetation within 100 feet of
38 streams, and significant wetlands shall be protected consistent with shoreline,
39 SEPA, critical areas regulations, etc.
40 3. Key wildlife habitat and critical wildlife habitat areas shall be protected so as
41 not to diminish the necessary features of that habitat.
42 C. The rezoning of a property or properties to a PDR zone has the effect of
43 replacing all existing zoning ordinance regulations on the property with use and
44 intensity allowances contained in the planned destination resort approval by
45 action of the board of county commissioners.

1
2 **17A.210.020 Uses allowed**

- 3 A. Principal Uses. The following uses shall be permitted outright as principal uses,
4 provided they are part of, and are intended to serve persons at, a destination
5 resort approved pursuant to this chapter:
6
7 1. Visitor-oriented accommodations designed to provide for the needs of visitors
8 to the resort, including the following uses:
9 a) Overnight lodging, including lodges, hotels, motels, bed and breakfast
10 facilities, time-share units, campgrounds and similar transient lodging
11 facilities,
12 b) Convention and conference facilities and meeting rooms,
13 c) Retreat centers,
14 d) Special studies centers,
15 e) Restaurants, lounges and similar eating and drinking establishments, and
16 f) Other visitor-oriented accommodations compatible with the purposes of
17 this chapter;
18
19 2. Developed recreational facilities designed to provide for the needs of visitors
20 and residents of the resort, including the following uses:
21 a) Golf courses, driving ranges, clubhouses and academies,
22 b) Indoor and outdoor spas and swimming pools,
23 c) Indoor and outdoor tennis and other sport courts,
24 d) Recreational, health facilities and fitness facilities,
25 e) Downhill ski facilities including lift stations and gondolas,
26 f) Equestrian facilities,
27 g) Wildlife observation shelters,
28 h) Theaters and amphitheaters,
29 i) Fishing facilities,
30 j) Walkways, bike paths, jogging paths, nordic and alpine ski trails,
31 equestrian and other athletic and recreation trails,
32 k) Marinas, boat launches, swimming floats, and other water dependent
33 facilities compatible with the purpose of this chapter and with the
34 Okanogan County shoreline master program, and
35 l) Other recreational facilities compatible with the purposes of this chapter;
36
37 3. Residential:
38 a) Single-family dwellings,
39 b) Duplexes and other multifamily dwellings,
40 c) Condominiums,
41 d) Townhouses,
42 e) Timeshare projects,
43 f) Sufficient residential units for necessary full-time and seasonal
44 employees, and
45 g) Other residential dwellings compatible with the purposes of this chapter;
46
47 4. Commercial services and specialty shops designed to provide for visitors of
48 the resort, including the following uses:
49 a) Specialty shops such as clothing stores, bookstores, specialty food shops,
50 state-licensed liquor stores, sport shops and photo developing shops,

- 1 b) Restaurants and taverns,
- 2 c) Gift shops,
- 3 d) Barbershops/beauty salons,
- 4 e) Automobile service stations,
- 5 f) Craft and art studios and galleries,
- 6 g) Real estate and other professional offices,
- 7 h) Grocery stores,
- 8 i) Laundromat and laundry facilities,
- 9 j) Licensed day care facilities, and
- 10 k) Other commercial services which provide for the needs of resort visitors
- 11 and are compatible with the purposes of this chapter; provided, however,
- 12 that all commercial uses within the approved PDR shall meet the following
- 13 conditions:
- 14 i. Such commercial uses shall be within the approved boundaries of
- 15 the PDR,
- 16 ii. Such commercial uses shall be oriented to the resort and located
- 17 away from or screened from highways or other major roadways,
- 18 and
- 19 iii. Such commercial uses shall be limited to those uses necessary or
- 20 desirable to serve the needs of resort visitors in that their primary
- 21 purpose is to provide goods or services that are typically provided
- 22 to overnight or other short-term visitors to the resort, or the use is
- 23 necessary or desirable for operation, maintenance or promotion of
- 24 the destination resort;
- 25 5. Permitted uses may be combined within a mixed use building where
- 26 permitted commercial uses are located with visitor-oriented accommodations
- 27 and/or residential dwellings in the same or adjoining buildings;
- 28 6. Open space areas:
- 29 a) Wildlife areas,
- 30 b) Natural areas,
- 31 c) Trails,
- 32 d) Parks,
- 33 e) Lakes, rivers and streams,
- 34 f) Golf courses,
- 35 g) Landscaped setbacks,
- 36 h) Pasture and agricultural lands,
- 37 i) Any land which is not part of the area used for an accessory use to visitor-
- 38 oriented accommodations, developed recreational facilities or residential
- 39 dwellings, and
- 40 j) Other open space areas compatible with the purposes of this chapter.
- 41 B. Accessory Uses. The following uses shall be permitted outright as accessory to a
- 42 destination resort or to principal uses located therein:
- 43 1. Transportation, including roads and parking, and utility facilities;
- 44 2. Emergency medical facilities;
- 45 3. Storage structures and areas;
- 46 4. Kennels as a service for resort guests only;

- 1 5. Heliports providing emergency services to the destination resort only and not
- 2 for the general purpose of providing tours;
- 3 6. Ticket booths;
- 4 7. Public facilities, such as police and fire stations, and similar uses;
- 5 8. Facilities necessary for public safety and utility service within the destination
- 6 resort or the county, notwithstanding any limiting provision of this subsection
- 7 to the contrary; and
- 8 9. Other uses which are compatible with the purposes of the chapter.
- 9 C. Conditional Uses. The following uses may be approved as conditional uses
- 10 subject to the provisions for conditional uses in this zoning title:
- 11 1. Helicopter skiing or other operations and facilities not otherwise allowed by
- 12 subsection B(5) of this section.
- 13 D. Prohibited Uses. All uses not included above as principal, accessory or
- 14 conditional uses, are prohibited in the PDR zone.
- 15

16 **17A.210.030 General requirements**

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

18 development in a PDR zone shall meet the following requirements:

- 19 A. The minimum size for a PDR shall be 640 acres, at least 50 percent of which
- 20 shall be in one contiguous parcel;
- 21 B. The maximum density for a PDR shall be three and one-half dwelling units per
- 22 acre. For the purposes of calculating the density of a PDR, each two units of
- 23 transient tourist accommodations (those accommodations without kitchen
- 24 facilities or fixtures) shall equal one dwelling unit. Dormitory-style seasonal
- 25 employee housing shall not be included in the calculation of residential density;
- 26 C. At least 60 percent of the total acreage included in the development shall be
- 27 dedicated to and maintained as permanent open space as defined by OCC
- 28 17A.210.020(A)(6), and/or recreational areas, excluding required streets and
- 29 parking areas. The amount of site coverage shall be recommended by the
- 30 planning commission and approved by the board of county commissioners.
- 31 D. The method of calculating the ratio of permanent residential units to visitor-
- 32 oriented dwelling units is as follows:
 - 33 1. The ratio of permanent residential units to visitor-oriented dwelling units shall
 - 34 not exceed two and one-half to one. For purposes of this section, "visitor
 - 35 oriented dwelling units" are those units, whether a single-family house,
 - 36 townhouse, condominium or transient tourist accommodations, which are
 - 37 made regularly available to the traveling public for stays of limited duration.
 - 38 Dormitory housing for seasonal employees shall be provided as required in
 - 39 any permit or approval, but shall not be included in calculating this ratio.
 - 40 2. The developer is required to provide, in the final development plan, an
 - 41 enforceable program that adequately demonstrates this ratio will not be
 - 42 exceeded at any time in the development of the project.
 - 43 3. This ratio shall not affect the calculation of maximum density set forth in OCC
 - 44 17A.210.030(B).

- 1 E. No building permit or building occupancy permit shall be issued for any structure
2 or use to be located within PDR zone unless the structure and use complies with
3 the requirements of the final plan and program and this section.
- 4 F. The PDR shall provide public transit proposals which satisfy public transportation
5 demands generated by the planned destination resort.
- 6 G. No structures or uses, except those which are necessary for maintenance, shall
7 be permitted within areas designated as buffer areas. Buffer areas shall contain
8 natural vegetation, fences, berms and landscaped areas as indicated in the
9 applicable preliminary or final plan and program.
- 10 H. Any additional requirements of the final approval shall be met during that review
11 process.

13 **17A.210.040 Pre-application consultation**

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

20 **17A.210.050 Application for planned destination resort**

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

- 28 A. The actual rezone of the property will occur upon approval of the preliminary
29 development plan and program and rezone by the board of county
30 commissioners, and shall include, where appropriate, conditions to be satisfied
31 by the final development plan or plans. The final development plan shall be in
32 greater detail to permit a determination that the final development plan conforms
33 with the preliminary development plan and program and rezone approval.
- 34 B. Upon submittal of a complete application, the preliminary PDR rezone request
35 will proceed as follows:
 - 36 1. The applicant shall submit a complete PDR rezone application requesting a
37 change of zone to planned destination resort;
 - 38 2. The rezone application shall be accompanied by a preliminary development
39 plan and program (hereinafter referred to jointly as the "rezone application")
40 which includes the following information:
 - 41 a) A development site plan which includes one or more scale drawings of the
42 existing conditions on the entire site, at a scale to be prearranged with the
43 administrator or designee, and which shall include the following:
 - 44 i. A vicinity map at a reduced scale showing the proposed
45 development in relation to existing landmarks (e.g., state or county
46 roads, towns, etc.),

- 1 ii. Boundaries of the site,
2 iii. Names and dimensions of all existing roads serving, adjacent to or
3 lying within one-quarter mile of the site of the proposed
4 development,
5 iv. Location of major physiographic features, such as railroads,
6 drainageways, canals and shorelines,
7 v. Existing topographic contours, at intervals of not more than five
8 feet, for the entire site, using the best information available, such as
9 USGS maps or highway department maps, within the immediate
10 vicinity (250 feet plus) of development activities. Contours should
11 be shown together with existing drainage and identification of
12 significant vegetation,
13 vi. Important natural features of the site, including habitat of
14 threatened or endangered species as listed on state or federal
15 government registers, streams, rivers, riparian vegetation within
16 100 feet of streams and significant wetlands shall be protected
17 consistent with shoreline, SEPA, critical areas regulations, etc.,
18 b) One or more site plan sheets showing in concept form the following:
19 i. The location and number of acres reserved as open space as
20 defined in OCC 17A.210.020(A)(6), along with a conceptual
21 landscape plan showing areas of preservation, removal and
22 restoration of vegetation,
23 ii. Major pedestrian, equestrian, bicycle trails, ski trails, and any other
24 recreational systems,
25 iii. The number and general location of off-street parking facilities,
26 showing points of ingress to and egress from the site, as well as
27 proposed roads and pedestrian and vehicular circulation patterns,
28 iv. Proposed land uses, densities, and building limit lines, building
29 type, height and bulk,
30 v. Proposed public dedications,
31 vi. Proposed utility systems (i.e., water, wastewater, storm and power),
32 vii. Snow removal/storage/water quality protection plan,
33 c) A written program that includes an explanation of the density of
34 development proposed and open space provisions together with the
35 following:
36 i. A description in a concise statement of the general public benefit
37 that will result from the development of the proposed project.
38 Benefits to be described may include, but are not limited to:
39 (A) Increased usable open space,
40 (B) Special wildlife or recreation benefits resulting from innovative
41 or optional development techniques,
42 (C) The creation of compatible multiple use projects that include
43 uses authorized by this chapter and,
44 (D) The development of perimeter transition with surrounding land
45 uses,

- 1 ii. Additional written information shall provide a detailed evaluation
2 and/or analysis of the following (note: some of the following
3 information may be a part of project SEPA compliance
4 documentation):
5 (A) Proposed ownership pattern,
6 (B) Operation and maintenance proposal (i.e., condominiums, home
7 owner association, co-op, time share or other),
8 (C) A written explanation of the timetable for development, with the
9 projected build-out date, describing the phases of project
10 development. If the developer requests approval of phase I
11 concurrent with the preliminary development plan, the
12 requirements of OCC 17A.210.090 must be met,
13 (D) Description of existing and/or proposed community and
14 recreational facilities,
15 (E) Water supply system,
16 (F) Wastewater disposal system,
17 (G) Geophysical characteristics (i.e., soils, slope, drainage and
18 erosion control),
19 (H) An explanation of how the project has been sited or designed to
20 avoid or minimize adverse effects or conflicts with adjacent
21 uses. The application shall explain how proposed open space
22 areas will avoid or minimize adverse effects or conflicts,
23 (I) Visual impacts, existing and proposed landscaping, and
24 identification of view corridors, provided, however, the planning
25 administrator may require graphic or other visual exhibits to
26 supplement this information,
27 (J) Description of known archaeological and historical features,
28 (K) Air quality considerations and mitigation measures (e.g., dust
29 suppression),
30 (L) Traffic circulation elements (both on- and off-site including
31 required improvements and right-of-way dedications),
32 (M) Utility installations (all utilities, including power) shall be
33 underground, except where site constraints prohibit such
34 installations and such change is approved by the planning
35 commission),
36 (N) Noise considerations and mitigation measures (e.g., vegetative
37 buffers), and
38 (O) Information as to employee housing to be provided,
39 iii. An environmental evaluation of the site and the surroundings
40 prepared in accordance with the State Environmental Policy Act
41 (SEPA) and at the direction of the responsible official.
42

43 **17A.210.060 Processing of application for PDR**

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

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

- 3 A. When the proposal calls for construction or alteration of roads, utilities or other
4 improvements for which the public agencies would have responsibility for
5 completion should the applicant fail to make adequate installation, and when
6 such required improvements will not be completed at the time of final
7 development plan approval, the administrator shall recommend that the Board of
8 Adjustment or Hearing Examiner require a bond or acceptable surety
9 indemnifying the required improvements in an amount at least equal to 120
10 percent of the estimated cost of the required improvements. A bond may also be
11 required to assure site restoration in the event a partially completed project is
12 abandoned. Bonding may be adjusted to meet the schedule of phased
13 development. Bonds shall be filed with the Okanogan County department of
14 public works prior to the board making a decision on the final development plan.
15

16 **17A.210.070 Board of county commissioner’s review and decision**

- 17 A. In the event the board approves or conditionally approves the rezone application,
18 such approval shall give the applicant the right to proceed with submission of a
19 final development plan for one or more phases of the development, and such
20 approval shall also be binding as to the general intent and apportionment of land
21 for buildings, stipulated use and circulation patterns.
22 B. Approval of the rezone application shall constitute authorization for the applicant
23 to develop streets, utilities, and other such infrastructure improvements in
24 accordance with construction drawings and permits approved by the Okanogan
25 County public works department.
26 C. Upon approval of the rezone application, the county zoning map shall be
27 changed to indicate the designation of the subject property as PDR with
28 reference to the specific ordinance that defines the terms of approval.
29

30 **17A.210.080 Final development plan submittal requirements**

31 The final development plan submittal shall include the following:

- 32 A. A map or maps, prepared under the direction of a land surveyor or civil engineer
33 drawn to a scale or scales acceptable to the administrator, for the entire PDR or
34 phase being requested for approval with proposed contours shown at one to five
35 foot intervals within 150 feet of the major construction activities. In addition, the
36 administrator may require a scale model, illustrative renderings or perspective
37 drawings. The maps will include the following:
38 1. Locations, with the names of all existing and proposed streets, public ways,
39 railroad and utility rights-of-way, parks or other open spaces, and all land
40 uses within 500 feet of the boundary of the development,
41 2. Existing on-site or sanitary sewer systems, water wells or mains, and other
42 underground facilities within and adjacent to the development, and their
43 certified capacities,
44 3. Proposed on-site or sanitary sewer systems or other waste disposal facilities,
45 water mains and other underground utilities,
46 4. Preliminary subdivision plan,

- 1 5. Proposed land use site plan including on-site or public recreation facilities or
- 2 areas, if any,
- 3 6. Community facilities plan,
- 4 7. Location and amount of open space as defined in OCC 17A.210.020(A)(6),
- 5 8. Traffic flow plan,
- 6 9. A landscape plan as defined in OCC 17A.210.050(B)(2)(b)(i),
- 7 10. Location, arrangement, number and dimensions of truck loading and
- 8 unloading spaces and docks,
- 9 11. Location, arrangement, number and dimensions of auto garages and parking
- 10 spaces, width of aisles, bays and angles of parking,
- 11 12. Preliminary plans, elevations of typical buildings and/or structures, indicating
- 12 general height, bulk, square footages, number of dwelling units and
- 13 provisions for employee housing,
- 14 13. Approximate location, height and materials of all walls, fences and screen
- 15 plantings,
- 16 14. A narrative as to the details of compliance of the proposed final development
- 17 plan with the approved rezone application;
- 18 B. Proposed covenants, conditions and restrictions which shall include, at a
- 19 minimum, provisions for:
- 20 1. Use, improvement and maintenance of all common open space areas which
- 21 may be accomplished through a homeowners, or business owners'
- 22 association,
- 23 2. The availability of private security patrol,
- 24 3. Architectural control over all residential dwellings and the establishment of a
- 25 residential design review committee,
- 26 4. Limitations on the nature and extent of individual business signage so that all
- 27 commercial uses are publicized as an integral part of the resort and are
- 28 oriented toward the resort,
- 29 5. Dimensional standards for all residential dwellings, and
- 30 6. The ability of the county to enforce those provisions which are designated as
- 31 a requirement for approval of the preliminary plan, and which may not be
- 32 amended without board of county commissioners approval. Such designated
- 33 portions of the preliminary plan shall be considered a part of the zoning
- 34 requirements of this chapter and non-enforcement shall not result in waiver of
- 35 the right to subsequently enforce.

36
37 **17A.210.090 Procedure for review of a final development plan – Phased**
38 **development**

- 39 A. A destination resort authorized pursuant to this chapter may be developed in
- 40 phases. The applicant shall within 18 months from the date of the approval by the
- 41 board of the rezone application, file a final development plan of one or more of
- 42 the phases of the proposed destination resort with the administrator; provided,
- 43 that the board of adjustment or hearing examiner may, upon request of the
- 44 applicant, grant an extension for the filing of the final development plan of up to
- 45 24 additional months with annual review and additional conditions if deemed
- 46 necessary. If the final development plan is not filed within 18 months or within the

1 extended time period, if any, the board of adjustment or hearing examiner may
2 rescind approval of the rezone application following a 30-day appeal period after
3 notification to the applicant of record of the board of adjustment or hearing
4 examiner's proposed action.

5
6 The addition of property to a PDR zone, which addition is less than five percent
7 of the total acreage in the PDR zone as originally proposed, and which does not
8 result in any significant alteration to the approved PDR, shall not require referral
9 to the hearing examiner, but shall be considered by the board as part of its
10 review of the final development plan. The board's review of such addition of
11 property to a PDR zone shall consist of determining conformance with the
12 requirements of OCC 17A.210.010 through 17A.210.030.

- 13 1. The administrator shall review the final development plan to determine that all
14 requirements of OCC 17A.210.080 are satisfied, and that the final
15 development plan is in substantial compliance with the rezone application as
16 approved by the hearing examiner. The administrator shall then forward the
17 proposed final development plan to the board, together with the conclusions
18 from the administrator's review.
- 19 2. The board shall, at its next public meeting or any continued meeting
20 determine:
 - 21 a) Whether the final development plan is substantially consistent with the
22 rezone application as approved by the board; and
 - 23 b) Whether any conditions of approval required to be satisfied prior to
24 approval of the final development plan have been fulfilled, or alternatively,
25 whether the bond assures the completion of improvements.

26
27 The board shall thereupon take action to approve, refer to the planning
28 commission for further review and recommendation, or disapprove the
29 proposed final development plan. If the board approves the final
30 development plan, the developer shall submit the original reproducible
31 copy on stable base mylar polyester film or equivalent approved material,
32 to be signed by the same parties who are authorized to sign final plats,
33 pursuant to OCC Title 16. One additional copy which may be of paper,
34 shall be submitted to the county office of planning and development.

- 35 3. The final development plan, including all terms and conditions of approval,
36 shall be filed with the Okanogan County auditor.
- 37 4. The terms and conditions of the final development plan, including the map
38 approved by the board, shall constitute limitations on the use, design and
39 structures on the site which shall be enforced by any and all means included
40 in Chapter 17A.360 OCC, provided, that the applicant may enter into an
41 agreement with the county, executed concomitantly with and as consideration
42 for approval of the final development plan, by which the applicant agrees to
43 develop, maintain and/or use the area within the PDR as specified in the final
44 development plan.
- 45 5. Approval by the board of the final development plan shall constitute
46 authorization for the applicant, its heirs, successors, grantees or assignees of

- 1 the applicant to develop the site in accordance with the final development
 2 plan and any conditions imposed by the board.
- 3 6. Authorization for a PDR shall expire if construction of the first phase of
 4 development as described in the final development plan is not commenced
 5 within two years of the date the final development plan is approved or if the
 6 project is abandoned. Time extensions or scheduled modifications may be
 7 granted by the board in up to 18-month increments and with additional
 8 conditions if deemed appropriate following review by the planning
 9 commission.
- 10 7. After approval of the final development plan, building permits shall be issued
 11 for construction only in accordance with the final development plan as
 12 approved by the board of county commissioners. The facilities and
 13 accommodations described in the final development plan shall be physically
 14 provided or financially assured prior to the closures of sales, rental or lease of
 15 any residential dwellings to the general public, except that the developer may
 16 sell undeveloped land to sub-developers or builders for the purposes of
 17 constructing the commercial, recreational or residential facilities required by
 18 this chapter; provided, that all purchasers shall agree to abide by the
 19 conditions of the approval of the PDR.
- 20 B. If a proposed resort is to be developed in phases, each phase shall be described
 21 in the preliminary development plan. The phasing shall meet the following
 22 requirements:
- 23 1. The first phase shall include the following as minimum requirements:
 24 a) At least 75 separate rentable units for visitor-oriented lodging; and
 25 b) Visitor-oriented eating establishments for at least 100 persons and
 26 meeting rooms which provide seating for approximately 100 persons.
- 27 2. Each phase, together with previously completed phases, if any, shall be
 28 capable of operating in a manner consistent with the intent and purpose of
 29 this chapter.
- 30 3. All phases of the destination resort taken cumulatively shall meet the
 31 minimum requirements of OCC 17A.210.030.
- 32 4. Each phase may include two or more distinct noncontiguous areas within the
 33 PDR zone.
- 34 5. All subsequent development of any property zoned PDR shall be in
 35 substantial conformance with the preliminary development plan.

36
 37 **17A.210.100 Procedure for modification of a final development plan**

- 38 A. Applications for major modifications in the final development plan must be
 39 submitted to the hearing examiner as a quasi-judicial application and review
 40 process in accordance with OCC 17A.210.060 and OCC Title 20 "Development
 41 Permit Procedures and Administration".
- 42 B. Minor modifications to the final development plan may be approved by the
 43 administrator as an administrative review process in accordance with OCC Title
 44 20 "Development Permit Procedures and Administration". Such changes are
 45 ones that would not materially affect the findings and conclusions of the board on
 46 the preliminary development plan, such as, but not limited to, minor shifting of the

1 location of buildings, proposed streets, public or private ways between
2 easements, parks or other features of the plan; minor changes in densities so
3 long as overall densities as described in the preliminary development plan are
4 maintained; or minor changes in building height or bulk. Changes of boundaries
5 of the PDR zone or changes in land use beyond the range of uses contemplated
6 in the rezone application shall not be considered minor changes.
7

8 **17A.210.110 Violation of terms of approval**

9 Deviation from any condition shown on the approved final development plan, without
10 prior compliance with OCC 17A.210.100, shall constitute a violation of this title and shall
11 be punishable and enforceable in the manner provided for in Chapter 17A.360 OCC.
12

**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	Permitted																	
C	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						

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

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

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

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

1

- (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".

2

3

1 **Chapter 17A.230**
2 **TEMPORARY USE PERMITS**

3 Sections:

- 4 17A.230.010 Purpose and intent
5 17A.230.020 Required
6 17A.230.030 Application requirements
7 17A.230.040 Temporary uses
8 17A.230.050 Potential conditions of approval
9 17A.230.060 Standards and criteria
10 17A.230.070 Extension
11 17A.230.080 Approval
12 17A.230.090 Revocation
13 17A.230.100 Additional conditions of approval
14

15 **17A.230.010 Purpose and intent**

16 The purpose of this chapter is to ensure that certain uses, of a limited scope, duration
17 and frequency, are allowed to operate on a short-term basis. These temporary uses
18 shall be conducted so they do not have long-term impacts upon permitted uses, the
19 character of the area in which they are proposed to be located, and people living and
20 working in the area. The intent of this chapter is to defined these uses and identify
21 standards and criteria for governing their scope, duration and frequency.
22

23 **17A.230.020 Required**

24 A temporary use permit issued under provisions of this chapter is required to conduct a
25 use limited in scope, duration and frequency as defined herein. Temporary use permits
26 (TUP) shall be required for:

- 27 A. Those uses specifically identified and described within the temporary uses
28 section of this title; and
29 B. Uses not listed herein, but are determined by the administrator to be limited in
30 scope, duration and frequency and similar to those otherwise permitted in a
31 zone, and which are typical and reasonable in the zone.
32

33 **17A.230.030 Application requirements**

34 Applications for temporary use permits shall be filed with the administrator at the office
35 of planning and development and shall be processed as an administrative application
36 review process in accordance with OCC Title 20 "Development Permit Procedures and
37 Administration", except that various agencies may be solicited for regulatory information
38 in order to the administrator to determine appropriate mitigation and/or conditions. An
39 application is comprised of a completed application form with a detailed description of
40 the scope, duration and frequency of the proposed use, accompanied by a detailed site
41 plan identifying proposed activities, traffic patterns and access points, and areas of
42 concentrated activities, and any required application fees.
43

44 **17A.230.040 Temporary uses**

45 The following uses shall be considered allowed temporary uses subject to
46 all conditions found herein, as well as all other applicable state and county

- 1 requirements. This is not a comprehensive list but may also include any
- 2 other use that is deemed consistent with the purpose and intent of this
- 3 chapter as determined by the administrator.
- 4

Use	Description	Conditions
Agricultural products stand	Stand not accessory to the existing use on the parcel on which it is located; may be owned and operated by person or persons not owning the property on which it is located	<ul style="list-style-type: none"> •Limited to a maximum of four consecutive weeks per year •Display and storage area no larger than 200 square feet •Signage limited to 30 square feet
Asphalt batching operation	Preparation of asphalt as part of construction or maintenance	<ul style="list-style-type: none"> •Limited to time necessary for construction or maintenance of project; maximum of 21 consecutive days from the commencement of operation •Requires a Department of Ecology air quality permit and water quality permit
Christmas tree lots	An area of a lot generally cordoned off with a variety of Christmas trees in an orderly arrangement for the purpose of viewing and purchasing by private parties	•Limited to Thanksgiving through Christmas
Concrete batching operation	Preparation of concrete as part of construction or maintenance	<ul style="list-style-type: none"> •Limited to time necessary for construction or maintenance of project; maximum of 21 consecutive days from the commencement of operation •Requires a Department of Ecology air quality permit and water quality permit
Construction offices	Mobile homes, modular homes, or portable units for office or project caretaker's quarters Example: an on-site trailer used as an office by the foreman of the construction job (Walmart)	•Limited to the duration of the immediate construction project
Contractor equipment and supplies storage	A fenced area or portable storage facility located on a site on which construction is occurring, for the sole purpose of storing tools, supplies and equipment necessary for construction Storage of tools, supplies, and equipment for construction occurring on a different site is prohibited	<ul style="list-style-type: none"> •The equipment, supplies and tools shall only be for the construction occurring on that site •The equipment, supplies and tools shall either be screened in from public view or totally contained in an enclosed storage facility on the site
Disaster and emergency operations •medical facilities •heliports and helipads •communications facilities •base and "spike" camps	A flood, fire, earthquake, disease outbreak, or other similar catastrophic event, which reaches a level of severity that requires the intervention and/or mobilization of state or federal agencies enlisted in response	•Permit shall expire after demobilization that occurs when the disaster or emergency has ceased
Farmworker housing	Structures placed for the use by an employer for employees hired and working as seasonal or migrant workers on a farm or orchard	•Temporary farmworker housing is limited to late spring through fall occupancy, as minimal or no heating or insulation is used on the construction of the temporary housing units
Fireworks stands	Generally, a booth with a countertop, not more than 80 square feet, capable of being closed up to secure the contents when not vending	•Limited to June 14th through July 5th
Mobile car crushing facility	A commercial, portable crushing facility capable of being moved from location to location, to crush inoperative vehicles, whose remains are then transported to a commercial car recycling facility	<ul style="list-style-type: none"> •Limited to 21 days on any one site •Requires Washington State Patrol review and approval •Requires containment of all glass and hazardous materials
Mobile medical testing facilities	A medical/dental lab, set up in a mobile home-type structure that is moved from site to site, offering specific testing using specialized equipment not generally available in the area, and generally at the request of a local medical or dental facility	<ul style="list-style-type: none"> •Limited to 10 days •Must be adjunct to an existing authorized medical or dental facility located within the county

Sawmill, portable (noncommercial)	See definition of "sawmill, portable" in OCC 17A.020.780	<ul style="list-style-type: none"> •Lumber produced must be used on-site •May be operated for only the amount of time necessary to accomplish the immediate project
Single-family dwellings associated with the construction of a primary residence	An existing residence that will be moved or demolished upon completion of the new residence; sometimes travel trailers or mobile homes are brought to the site to be used as a temporary residence	<ul style="list-style-type: none"> •Limited to the life of the building permit or upon final approval for occupancy of the new residence
Special event camping	Camping limited to a week before, during, and after a special event, such as the Omak Stampede	<ul style="list-style-type: none"> •Not applicable to this chapter. Permitted as a festival in accordance with OCC 5.25 "Assemblies and Festivals".

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

17A.230.050 Potential conditions of approval

The types of conditions which the administrator may impose on a temporary use permit shall include, but are not limited to:

- A. Specifying the duration of time within which the action shall begin and be completed.
- B. Specifying the exact locations of activities or structures as a means of minimizing hazards to life, limb, property damage, environmental impacts (erosion, landslide, etc.), traffic impacts, and protection of neighboring property owners' private property rights.
- C. Mitigating nuisance-generating features such as noise, colors, air pollution, wastes, vibration, traffic, physical hazards, off-site light glare, etc.
- D. Specifying the hours of operation.
- E. Specifying the appropriate signage.
- F. That all other applicable state and local agency regulations and requirements (i.e., the health department, building department, WSDOE, etc.) are complied with.

17A.230.060 Standards and criteria

The administrator shall consider the following standards and criteria in evaluating temporary use permits:

- A. That proposed projects are evaluated as to ensure that they are temporary in nature and do not have long-term impacts to adjacent properties;
- B. That proposed projects are evaluated as to ensure the public's general health, safety, and welfare;
- C. That the proposal is limited in scope, duration and frequency;
- D. That the proposed temporary use is compatible with surrounding, pre-existing uses.

17A.230.070 Extension

Continuance of a temporary use beyond the specified time permitted shall require application for a conditional use permit. One extension may be applied for and granted if the administrator deems that reasonable circumstances beyond the control of the applicant are just cause. If granted, the extension may not be greater than 50 percent of the original approval time.

1 **17A.24.080 Approval**

2 In addition to the administrative review process of OCC Title 20 “Development Permit
3 Procedures and Administration”, the administrator shall complete written findings,
4 pursuant to the intent of this chapter, documenting the considerations given in denying
5 or approving with conditions of approval.
6

7 **17A.230.090 Revocation**

8 In the event complaints are received and deemed valid by the administrator that an
9 operating temporary use is not in conformance with the provisions of this section, the
10 permit may be revoked, or the administrator may place additional conditions thereon in
11 accordance with OCC 17A.230.100.
12

13 **17A.24.100 Additional conditions of approval**

14 If deemed necessary by the administrator, additional conditions of approval may be
15 added to an existing permitted temporary use to keep the temporary use in compliance
16 with the purpose and intent of this chapter.
17

18

1 **Chapter 17A.240**
2 **OFF-STREET PARKING AND LOADING**

3
4 Sections:

- 5 17A.240.010 Artificial lighting
6 17A.240.020 Off-street parking – Nonresidential structures
7 17A.240.030 Off-street parking – Residential structures
8 17A.240.040 Off-street parking – Hotels, motels, inns and lodges
9 17A.240.050 Off-street parking – Dormitory-type housing
10 17A.240.060 Off-street parking – Space size
11 17A.240.070 Parking areas – Snow storage and removal
12 17A.240.080 Deviations

13
14 **17A.240.010 Artificial lighting**

15 Light and Glare: Outdoor lighting, including street and parking lot lighting, shall be
16 directed downward and shielded to minimize potential glare to motorists and off-site
17 properties. No exterior light with a direct source visible from a neighboring property shall
18 be installed.

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

21
22 **17A.240.020 Off-street parking – Nonresidential structures**

23 The minimum number of off-street parking spaces for nonresidential floor area shall be
24 as follows:

- 25 A. For commercial: one parking space per 250 square feet;
26 B. For industrial (light manufacturing, manufacturing or warehouse): one space per
27 300 square feet;
28 C. For office: one parking space per 200 square feet.
29 D. Where it can be demonstrated that fewer parking spaces are needed for the
30 proposed use, these requirements may be reduced by the approval authority.
31 The applicant shall bear the responsibility of providing information necessary to
32 make such a determination.

33
34 **17A.240.030 Off-street parking – Residential structures**

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

36
37 **17A.240.040 Off-street parking – Hotels, motels, inns and lodges**

38 For hotels, motels, inns and lodges, one parking space is required per rental unit or
39 bedroom, plus commercial and/or office standards identified by OCC 17A.240.020 in
40 order to account for employee parking and other business related activity.

41
42 **17A.240.050 Off-street parking – Dormitory-type housing**

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17

17A.240.060 Off-street parking – Space size

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

17A.240.070 Parking areas – Snow storage and removal

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

17A.240.080 Deviations

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

1
2
3
4
5
6
7
8
9

**Chapter 17A.250
SETBACK REGULATIONS**

10
11
12
13
14

Sections:

- 15 17A.250.010 Architectural features
16 17A.250.020 Corner lots
17 17A.250.030 Half-streets
18 17A.250.040 Side designations

19
20

17A.250.010 Architectural features

21 Roof Eaves, Chimneys, Balcony Rails and Other Features. Roof eaves, chimneys,
22 balcony rails and other architectural features, etc., may extend into the required setback
23 areas up to a maximum of two feet.

24
25

17A.250.020 Corner lots

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

28
29

17A.250.030 Half-streets

30 Half-Streets. In an area adjacent to a half street and where there is reason to believe or
31 there is a plan for necessary additional right-of-way, and such right-of-way should be
32 dedicated, acquired or otherwise come from the subject property, structures shall be set
33 back from the half-street a distance sufficient to provide for the additional half-street in
34 addition to the normal setback requirement.

35
36

17A.250.040 Side designations

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

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

1 **Chapter 17A.260**
2 **BED AND BREAKFASTS**

3
4 Sections:

- 5 17A.260.010 Purpose and intent
6 17A.260.020 Standards
7 17A.260.030 Outward appearance
8 17A.260.040 Signs
9 17A.260.050 Health code applicability
10 17A.260.060 Occupancy of residential units
11 17A.260.070 Guest bedrooms
12 17A.260.080 Health inspection
13 17A.260.090 Retail sales
14 17A.260.100 Guest parking
15 17A.260.110 Cooking facilities
16 17A.260.120 Food service
17 17A.260.130 Permit required
18 17A.260.140 Conditions of approval

19
20 **17A.260.010 Purpose and intent**

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

27
28 **17A.260.020 Standards**

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

30
31 **17A.260.030 Outward appearance**

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

33
34 **17A.260.040 Signs**

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

38
39 **17A.260.050 Health code applicability**

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

1
2 **17A.260.060 Occupancy of residential units**

3 The residential unit shall be occupied by the owner or manager of the business.

4
5 **17A.260.070 Guest bedrooms**

6 A maximum of eight bedrooms shall be provided for guests.

7
8 **17A.260.080 Health inspection**

9 Bed and breakfast facilities may be subject to an on-site inspection prior to operation to
10 assure compliance with planning and health district standards.

11
12 **17A.260.090 Retail sales**

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

17
18 **17A.260.100 Guest parking**

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

22
23 **17A.260.110 Cooking facilities**

24 Neither cooking facilities in the guest rooms nor auxiliary kitchens shall be allowed for
25 the use of guests.

26
27 **17A.260.120 Food service**

28 Bed and breakfast facilities shall provide food service which meets the criteria of WAC
29 246-215-Part 9-Subpart C “Bed and Breakfast Operations”.

30
31 **17A.260.130 Permit required**

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

35
36 **17A.260.140 Conditions of approval**

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

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

1
2
3
4
5
6
7
8
9

Chapter 17A.270 NIGHTLY RENTALS

10
11
12
13
14
15

Sections:

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

16
17
18
19
20
21
22
23
24
25
26
27
28
29

17A.270.010 Purpose

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

17A.270.020 Permit required

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

- B. A nightly rental permit, or conditional use permit for a nightly rental, shall include conditions which are specific to the individual permit. Those conditions must be consistent with this chapter.
- C. A conditional use permit for a nightly rental may include additional conditions which are not specifically identified by this chapter.
- D. Operation of a nightly rental within a Planned Development or Planned Unit Development is exempt from these permit requirements so long as nightly rentals were approved as a permitted use within the specific Planned Development or Planned Unit Development.

17A.270.040 Conditions

- A. The following conditions shall be required for the operation of all nightly rentals. These conditions shall be required for the approval of all nightly rental permits.
 - 1. Appearance: The outward appearance of a single-family residence shall be retained.
- B. The following conditions, in addition to those also identified in Section A (OCC 17A.270.040(A)), shall be required for the operation of all nightly rentals within areas designated by Okanogan County's comprehensive plan as the Methow Valley More Completely Planned Area or Methow Valley More Completely Planned Area Sub-Unit A. These conditions shall be required for the approval of all nightly rental permits.
 - 1. Annual Renewal: Nightly Rental Permits must be renewed annually prior to the anniversary date of original issuance of the permit. A nightly rental permit is not automatically transferable as part of the sale of property. A permit application from the new property owner must be approved to continue as a transient tourist accommodation.

- 1 2. Unified business identifier: The owner of the nightly rental shall provide a valid
2 Washington State unified business identifier (UBI) number for taxation
3 purposes, along with supporting information validating registration of the
4 specific nightly rental. At no time shall the nightly rental operate without a
5 valid unified business identifier.
- 6 3. Public Health permit: The owner or operator shall possess, and keep valid at
7 all times, an overnight transient accommodation permit (OTA permit) from
8 Okanogan County Public Health to operate the facility. At no time shall the
9 nightly rental operate without a valid OTA permit from Okanogan County
10 Public Health.
- 11 4. Only one dwelling may be rented per owner. Each property owner may rent
12 only one nightly rental regardless of the number of properties owned. A
13 nightly rental permit is required for a single dwelling on a lot of record or for a
14 second dwelling on a lot of minimum size for the zone in which it is located.
15 For a second dwelling on a parcel to be rented as a transient tourist
16 accommodation, the owner must live in the main residence. No permit shall
17 be issued to the holder of an existing bed and breakfast license for a nightly
18 rental structure on the same property. In no case shall the primary dwelling
19 and the accessory dwelling be rented at the same time;
- 20 5. Signs: No more than one sign shall be provided on the premises. The sign
21 shall be made of natural materials not exceeding two square feet in area and,
22 if illuminated, shall be indirectly illuminated;
- 23 6. Mobile homes, manufactured homes, travel trailers, or recreational vehicles
24 shall not be used for residential transient tourist accommodations (nightly
25 rentals). A modular home may be used as a nightly rental when its owner is in
26 possession of a valid building permit.
- 27 7. The maximum number of individuals served by a nightly rental is 10.
- 28 8. Occupancy and operation of a nightly rental shall be in a manner that is
29 compatible with the surrounding neighborhood character. Factors upon which
30 compatibility will be judged include but are not limited to noise, traffic, light
31 and glare.
- 32 9. Amortization Period: As of January 1, 2021, all permitted, unpermitted, or
33 legal pre-existing nightly rentals shall cease and no longer be legally
34 permitted to operate, except:
35 a) Nightly rentals permitted in accordance with this chapter, or
36 b) Nightly rentals located within a planned development, planned unit
37 development, or planned destination resort, which has been permitted to
38 allow nightly rentals and the residence in which the nightly rental is
39 operating was permitted as a nightly rental.
- 40
- 41

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46

Chapter 17A.270
HOME OCCUPATIONS

Sections:

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

17A.270.010 Purpose and intent

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

17A.270.020 Performance standards

A home occupation shall meet the following criteria:

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

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

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

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

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

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

14
15 **17A.270.030 Allowed uses**

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

18
19 **17A.270.040 Enforcement**

20 In the event the administrator determines that a home occupation is not in compliance
21 with the provisions of this section, the owner of such business shall be subject to the
22 enforcement provisions of Chapter 17A.360 OCC.

23
24 **17A.270.050 Compliance with other regulations**

25 Home occupations shall obtain all pertinent permits and licenses required by federal,
26 state and local agencies and must meet all county requirements. All required permits
27 and licenses shall be made available for the administrator to review, upon request.
28

1 **Chapter 17A.290**
2 **MARIJUANA OPERATIONS**

3
4 Sections:

- 5 17A.290.010 Purpose and intent
6 17A.290.020 Types of marijuana operations
7 17A.290.030 Permit required
8 17A.290.040 Conditions of approval
9 17A.290.050 License – Washington State Liquor Control Board
10 17A.290.060 Other permits
11 17A.290.070 Lighting
12 17A.290.080 Neighborhood character
13 17A.290.090 Amortization Period

14
15 **17A.290.010 Purpose and intent**

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

21
22 **17A.290.020 Types of marijuana operations**

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

- 27 A. Marijuana processing (see OCC 17A.020.590 for definition)
28 B. Marijuana production (see OCC 17A.020.595 for definition)
29 1. Indoor grow
30 2. Outdoor grow
31 C. Marijuana retail (see OCC 17A.020.600 for definition)

32
33 **17A.290.030 Permit required**

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

- 37 A. The various types of marijuana operations may be subject to differing permit
38 requirements. All within the same zone district, one category of marijuana
39 operation may be outright permitted while another category may require a
40 conditional use permit or not be permitted at all.
41 B. One application, and it’s associated permit, may include more than one type of
42 marijuana operation so long as both operations are listed as a permitted or
43 conditional use by the district use chart (OCC 17A.220). For example, a permit
44 may authorize marijuana production and marijuana processing on the same
45 property.
46

1 **17A.290.040 Conditions of approval**

2 A permit, or conditional use permit, should include conditions which are specific to the
3 individual application and site or facility. Those conditions must be consistent with this
4 chapter and other associated regulations administered by Washington State Liquor
5 Control Board and also Okanogan County, including but not limited to Zoning, Critical
6 Areas, and the Shoreline Master Program.
7

8 **17A.290.050 License – Washington State Liquor Control Board**

9 The owner of the marijuana operation shall provide a valid license issued by
10 Washington State Liquor Control Board. At no time shall the marijuana operation
11 operate without a valid license.
12

13 **17A.290.060 Other permits**

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

18 **17A.290.070 Lighting**

19 All outdoor lighting, including but not limited to security lighting and illumination of signs,
20 shall be downcast and shielded from neighboring properties.
21

22 **17A.290.080 Neighborhood character**

23 Marijuana operations shall be compatible with the character of the surrounding
24 neighborhood. Factors upon which compatibility will be evaluated include but are not
25 limited to noise, traffic, light and glare. Valid and verified complaints from neighbors may
26 be considered as possible reasons for revocation of a permit, or modification of the
27 permitted conditions of approval.
28

29 **17A.290.090 Amortization Period**

30 As of January 1, 2017, all permitted, unpermitted, or legal pre-existing marijuana
31 operations shall cease and no longer be legally permitted to operate, except marijuana
32 operations permitted in accordance with this chapter. Nothing in this section shall
33 prohibit new applications filed on or after the date stated herein, so long as new
34 applications are permitted in accordance with this chapter.
35
36

1 **Chapter 17A.300**
2 **Airport Public Safety**

3
4 Sections:

- 5 17A.290.010 General purpose
6 17A.290.020 Definitions
7 17A.290.030 Airport zoning designations
8 17A.290.040 General prohibitions
9 17A.290.050 Glare
10 17A.290.060 Lighting
11 17A.290.070 Height
12 17A.290.080 Zone 1 Flight operations
13 17A.290.090 Zone 2 Approach/departure
14 17A.290.100 Zone 3 Transition
15 17A.290.110 Zone 4 Passage
16 17A.290.120 Zone 5 Airport affects area
17 17A.290.130 Required setbacks
18 17A.290.140 Site analysis requirements
19 17A.290.150 Nonconforming lots
20 17A.290.160 Nonconforming use in zoning district
21 17A.290.170 Nonconforming structure
22 17A.290.180 Abandonment
23 17A.290.190 Unsafe buildings
24 17A.290.200 Conflicting regulations
25 17A.290.210 Violations and enforcement
26 17A.290.220 Appeals

27
28 **17A.300.010 General purpose**

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

- 35 A. This Chapter identifies zones, policies, recommendations, and regulations which
36 may be used by Okanogan County to evaluate whether the identified zones 1-5
37 should be adopted surrounding individual public airports. Adoption of these zones
38 is not automatic and must be accomplished by ordinance of the Board Okanogan
39 County Commissioners following completion of an open record public hearing.
40 B. Landowners and users of properties within this zoning district are obligated to
41 follow the airport operations notification as described in section 17A.300.140
42 "Site analysis requirements". The five zones within the District are impacted due
43 to their proximity to airport operations by noise, vibrations, fumes, odors, lighting,
44 and accident hazards. The airport operations notification is established to ensure
45 long term viability of airport operations which preceded most non-agricultural
46 development in the Airport Public Safety District zoning.

1 C. Okanogan County is authorized to establish this zoning ordinance in accordance
2 with RCW 14.08.290 (County airport districts authorized).

3 D. By enacting this policy, Okanogan County is recognizing the long term
4 significance of airports to the public which include the following:

- 5 1. Emergency response including airlift and search and rescue services
- 6 2. Wildfire suppression
- 7 3. Military operations
- 8 4. Transportation
- 9 5. Economic development
- 10 6. Freight including mail services and commodities
- 11 7. Recreational opportunities
- 12 8. Crop management

13 14 **17A.300.020 Definitions**

15 A. The following are definitions which apply to the administration of this Chapter,
16 OCC 17A.290 "Airport Public Safety".

- 17 1. Agriculture: "Agriculture," means the raising of livestock and crops, however
18 excludes growing or storing cereal grains. See 17A.300.020 "livestock" in this
19 Section for more information. Also found in OCC 17A.020.060 "agriculture".
- 20 2. Airport: "Airport" means a public runway having any or all of the following
21 characteristics: facilities for storage; supply and maintenance of aircraft;
22 commercial uses and services such as flight instruction, charter or air freight
23 service; passenger service; agricultural services including herbicide or
24 pesticide application; and facilities maintained or operated by governmental
25 units, agencies or private corporations. Also found in OCC 17A.020.095
- 26 3. Airport elevation: "Airport elevation" means the highest point of an airport's
27 useable runway area measured in feet above mean sea level.
- 28 4. Airport affects area: "Airport affects area" means the area in such a
29 relationship with an airport that both land uses and development can impact
30 airport operations and those airport operations can impact land uses. This
31 area requires regulation to ensure both adjacent land and airport users are
32 safe.
- 33 5. Approach surface: "Approach surface" means a surface longitudinally
34 centered on the extended runway centerline and extending outward and
35 upward from such end of the primary surface. An approach surface is applied
36 to the end of each runway based upon the type of approach available or
37 planned for that runway end. Also found in OCC 17A.020.125
- 38 6. Bird and wildlife attractant: "Bird and wildlife attractant" means a man-made
39 structure or feature, including landscaping elements, that causes migratory
40 waterfowl, raptors, large upland game birds, turkeys, wild canine predators,
41 wild feline predators, or medium/big game animals to come to or linger in an
42 area by providing a food source, nesting, bedding, or den sites to an extent
43 that exceeds the level naturally occurring in the immediate vicinity.
- 44 7. Electrical interference: "Electrical interference" means anything which disrupts
45 aircraft communications or navigational devices.
- 46 8. Encroachment: "Encroachment" means an action that diminishes the utility or

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

1 in Subpart C of Federal Aviation Regulations Part 77 “Objects Affecting
2 Navigable Airspace”.

3 23. Persons: “Persons” means any resident, property owner, or user of properties
4 in the Airport Public Safety District.

5 24. Special function uses: “Special function uses” means uses that include
6 children, elderly, the infirm, or other regarded as having comparatively little
7 control over their own lives.

8 25. Traffic pattern: “Traffic pattern” means the traffic flow that is prescribed for
9 aircraft landing at, taxiing on, or taking off from an airport. The components of
10 a typical traffic pattern are upwind leg, crosswind leg, downwind leg, base leg,
11 and final approach.

12 26. Tree: “Tree” means any tree, shrub, bush, or other greenery in the Airport
13 Public Safety District, defined as such to limit possible aircraft operation
14 hazards.

16 **17A.300.030 Airport zoning designations**

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

- 22 A. Zone 1 “Flight Operations”
- 23 B. Zone 2 “Approach/Departure”
- 24 C. Zone 3 “Transition”
- 25 D. Zone 4 “Passage”
- 26 E. Zone 5 “Airport Affects Area”

28 **17A.300.040 General prohibitions**

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

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

- 1 C. Concentration of special function uses: Uses that include children, elderly, the
2 infirm, or other regarded as having comparatively little control over their own lives
3 are prohibited. Examples include K-12 schools, daycare facilities, hospitals,
4 nursing homes, convalescent centers and other similar uses.
- 5 D. Electrical interference: Electrical uses involving transmitting or receiving signals
6 that could disrupt aircraft communications or navigations are prohibited.
7 Examples include transmission lines, and wireless communication facilities,
8 towers, or antennas.
- 9 E. Critical obstruction of airspace: No structure, tree, terrain, or land use may
10 produce or encourage interference with critical airspace including excess smoke,
11 dust, or heat plumes.
- 12 F. Creation of bird or wildlife attractant hazards: Activities that encourage wildlife,
13 especially birds, into critical space utilized by aircraft operations and includes
14 raising or storing cereal grains; golf courses; dairy farms; water storage,
15 processing, or otherwise management facilities; waste management facilities;
16 landfills; slaughterhouses; rendering plants; feedlots; septic lagoons and similar
17 byproducts used for crop enhancement; fowl or dead animal reduction,
18 composting, or disposal; creation of nesting habitat with the expectation of
19 endangered species; and other wildlife attractants that cause hazards to flight are
20 prohibited.

21
22 **17A.300.050 Glare**

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

26
27 **17A.300.060 Lighting**

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

33
34 **17A.300.070 Height**

35 No structure or tree shall exceed thirty-five ft (35 feet) in height in Zones 1-3. Terminal
36 buildings, hangars, and navigational improvements are exceptions. For Zones 4 and 5,
37 agricultural, commercial, and emergency service structural accessories shall not exceed
38 20:1ft slope (twenty feet horizontal to one foot vertical) for a horizontal distance of 4,000
39 ft (four thousand feet) from the center of the non-precision instrument runway centerline
40 as defined by FAA as critical airspace.

41
42 **17A.300.080 Zone 1 Flight operations**

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

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

- 5 B. Permitted uses: Permitted uses for Zone 1 Flight Operations are direct aviation
6 related facilities including terminal buildings, hangars, navigational aids and aid
7 improvements, landing strips, taxiways, aircraft sales, fuel storage/dispensing,
8 offices, charter services, aviation research and development, aviation schools,
9 roadways, parking areas, and storage yards; permitted agricultural uses includes
10 the raising of orchards, row crops, livestock feed, and grazing; police,
11 emergency, and fire suppression services and buildings; irrigation systems; and
12 underground utilities.
- 13 C. Conditional uses: Conditional uses for Zone 1 Flight Operations include gravel
14 pits less than three acres; quarries and borrow pits less than three acres; mini
15 storage; and low intensity recreational fields.
- 16 D. Density: Zone 1 Flight Operations density denies further subdivision of
17 properties.

18
19 **17A.300.090 Zone 2 Approach/departure**

- 20 A. Purpose: Zone 2 encompasses the area from the end of Zone 1 Flight
21 Operations out diagonally to Zone 5 Airport Affects Area. The risk of accidents is
22 greatest here because, on departure from the runway, aircraft are typically at full
23 speed and on approach, are at low altitude preparing for landing. Due to its
24 proximity to the runway, airport operations are in direct conflict with residential
25 development. Airport operations greatly impact properties in this zone with noise,
26 vibrations, lighting, and accident hazards.
- 27 B. Permitted uses: Permitted uses for Zone 2 include residential; direct aviation
28 related facilities including navigational aids and aid improvements, taxiways,
29 aircraft sales, charter services, aviation research and development, roadways,
30 parking areas, and storage yards; permitted agricultural uses includes the raising
31 of orchards, row crops, livestock feed, and grazing; agriculture storage,
32 processing, and sales of products grown on the premises; irrigation systems;
33 mini storage; underground utilities; warehousing and outdoor storage; florist retail
34 and wholesale; food store; horticultural services; manufactured home sales
35 facilities; quarries and borrow pits less than three acres; governmental buildings;
36 and parking lots.
- 37 C. Conditional uses: Zone 2 conditional uses include offices; gravel pits; quarries
38 and borrow pits three acres or larger; manufacturing (light and heavy); recycling
39 collection centers, recycling processing centers; recreational fields; agricultural
40 stands; shooting ranges; commercial kennels; private clubs; gift shops;
41 cemeteries; laundromats; commercial saw mills (portable and stationary);
42 automobile rentals, repair, wrecking, and towing; tourist accommodations of
43 motels/hotels, inns and lodges, RV parks, aviation related campgrounds, bed and
44 breakfasts, and nightly rentals.
- 45 D. Density: Zones 2 Approach/Departure densities allow subdivision of property for
46 lots 5 (five) acres or larger. In City Expansion Areas, where water and sewer

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

5
6 **17A.300.100 Zone 3 Transition**

- 7 A. Purpose: Zone 3 is the transitional area located between Zone 1 Flight
8 Operations and Zone 4 Passage. Residential development is strictly limited and
9 further subdivision of land is discouraged due to public health and safety
10 concerns. Noise from airport operations can be significant. In order to prevent
11 public nuisance complaints, residential encroachment upon airport facilities is
12 strongly discouraged, however, can be successfully managed with the aid of
13 clustering and low density planned developments. Airport operations greatly
14 impact properties in this zone with noise, lighting, and accident hazards.
- 15 B. Permitted uses: Permitted uses for Zone 3 are residential; direct aviation related
16 facilities including terminal buildings, hangars, navigational aids and aid
17 improvements, taxiways, aircraft sales, fuel storage/dispensing, offices, charter
18 services, aviation research and development, aviation schools, roadways,
19 parking areas, and storage yards; light manufacturing; mini storage; permitted
20 agricultural uses includes the raising of orchards, row crops, livestock feed, and
21 grazing; agriculture storage, processing, and sales of products; irrigation
22 systems; underground utilities; warehousing and outdoor storage; florist retail
23 and wholesale; food store; horticultural services; manufactured home sales
24 facilities; commercial saw mills (portable and stationary); quarries and borrow pits
25 less than three acres; governmental offices; parking lots; and automobile rentals,
26 repair, wrecking, and towing.
- 27 C. Conditional uses: Zone 3 conditional uses include offices; gravel pits; quarries
28 and borrow pits three acres or larger; heavy manufacturing; recycling collection
29 centers, recycling processing centers; recreational fields; shooting ranges;
30 commercial kennels; restaurants; banks; churches; bed and breakfast;
31 campgrounds; private clubs; gift shops; cemeteries; laundromats; governmental
32 infrastructure; tourist accommodations of motels/hotels, inns and lodges, RV
33 parks, aviation related campgrounds, bed and breakfasts, and nightly rentals.
- 34 D. Density: Zone 3 densities allow a subdivision of property for lots 5 (five) acres or
35 larger. In City Expansion Areas, where water and sewer capacities are available,
36 subdivision of property for residential purposes of lots smaller than 5 (five) acres
37 is allowed if in accordance with OCC Cluster Ordinance where the maximum
38 density is determined by the performance based rating system.

39
40 **17A.300.110 Zone 4 Passage**

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

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

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

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

8 D. Density: Zone 4 density is determined by the underlying zoning.
9

10 **17A.300.120 Zone 5 Airport effects area**

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

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

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

22 D. Density: Zone 5 density is determined by the underlying zoning.
23

24 **17A.300.130 Required setbacks**

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

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

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

32 C. FAA requirements manage setbacks of buildings on airport properties.
33

34 **17A.300.140 Site analysis requirements**

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

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

- 1 change in use.
- 2 2. In addition to a site analysis, notification is required for the sale, or further
3 development, or change in use of property. Property owners must inform
4 prospective property purchasers, and similarly must have recorded against
5 the title a notice at the time of a site analysis or sale stating the property is
6 located within the Airport Public Safety District.
- 7 B. Site analysis recommendations: The list below includes recommended criteria for
8 the site analysis of proposals in the Airport Public Safety District, however, is not
9 limited to these considerations. The administrator can apply other requirements
10 in order to prevent incompatible uses in the District.
- 11 1. Orientation is outside of airport's usual traffic pattern or is parallel to the
12 runway
- 13 2. Utilities and accessories do not interfere with airport operations
- 14 3. Proposal is not listed in OCC 17A.300.130 General prohibitions of this
15 Chapter
- 16 4. Glare is prevented
- 17 5. Lighting is directed away from traffic pattern and airport facility or shaded
18 downward
- 19 6. Possible animal attractants are managed accordingly to prevent interference
20 with airport operations
- 21 7. Open space is established in critical airport operations areas
- 22 8. Waste disposal practices are managed strictly which may include covering,
23 containing, wetting, drying, or held in tanks until further removal
- 24 9. Plumes are screened, diverted, cooled, and/or filtered
- 25 C. Conditions:
- 26 1. Persons that may be affected acknowledge that airports are essential facilities
27 to Okanogan County, and therefore accept impacts associated with
28 operations which may include noise, lighting, vibration, and fumes. Persons
29 agree impacts from airport operations will not negatively affect their proposed
30 use and will not later create incompatibility between uses. Similarly, the
31 proposed development or change in use will not conflict with airport
32 operations and cause an accident hazard.
- 33 2. Persons affected accept that airport facilities are utilized by fire suppression
34 services which can result in noise, lighting, vibrations, or fumes. This usage is
35 legal, consistent with accepted customs and standards, conducted in a non-
36 negligent manner, and protected by the Airport Public Safety.
- 37 3. Persons affected accept that residential uses can be most greatly impacted in
38 the Airport Public Safety.
- 39 4. Persons affected accept their right to utilize their property for uses as
40 described by OCC 17A.300 "Airport Public Safety" and OCC Code 17A.220
41 "District Use Chart".
- 42 5. Persons shall acknowledge the designation of Airport Public Safety District
43 and use of the region as space critical to airport operations.
- 44 D. Notification
- 45 1. Notice requirements:
- 46 a) To inform persons of the significant impact airport operations may have on

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

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

11 2. Title notice

12 a) Properties located in Zones 1-3 where impact to adjacent use can be
13 significant: "Your property is located within Okanogan County's Airport
14 Public Safety District (OCC 17A.300) designated Zones 1-3. You may be
15 subjected to inconveniences or discomfort arising from airport operations
16 which may include noise, vibrations, lighting, odors, and dust. Such
17 operations are protected in this zoning district provided the operations are
18 legal, consistent with accepted customs and standards, and conducted in
19 a non-negligent manner. For more information pertaining to this zoning
20 policy, see OCC 17A.300.230, 17A.300.260, or OCC 17A.300.290."

21 b) Properties located in Zone 4-5 where impact to adjacent use can be
22 moderate to minimum: "Your property is located within Okanogan
23 County's Airport Public Safety zone district (OCC 17A.300) designated
24 Zone 4 or 5. You may be subjected to minor inconveniences or discomfort
25 arising from airport operations which may include noise, lighting, and dust.
26 Such operations are protected in this zoning district provided the
27 operations are legal, consistent with accepted customs and standards,
28 and conducted in a non-negligent manner. For more information pertaining
29 to this zoning policy, see OCC 17A.300.110 and OCC 17A.300.120."

30 3. Administrator

31 a) The administrator responsible for the review of site analysis in the Airport
32 Public Safety District is Okanogan County Director of Planning and
33 Development. The Director may choose staff from the department to assist
34 with or handle review as needed.

35
36 **17A.300.150 Nonconforming lots**

37 A single-family dwelling and customary accessory buildings may be erected on any lot
38 legally created before the effective date of this chapter. This provision shall apply even
39 though such lot fails to meet the density requirements of the Airport Public Safety
40 District, providing the lot meets current health district requirements for water and sewer.

41
42 **17A.300.160 Nonconforming use in zoning district**

43 Where lawful use of land within a zoning district exists at the effective date of adoption
44 of this code, which is not permissible under the terms of this code, such use may be
45 continued so long as it remains otherwise lawful.

1 **17A.300.170 Nonconforming structure**

2 Where a lawful structure exists at the effective date of adoption of this code, that could
3 not be built under the terms of this code, such structure may be continued so long as it
4 remains otherwise lawful, subject to the following provisions:

- 5 A. No structure may be enlarged or altered in a way which increases its
6 nonconformity without the issuance of a conditional use permit or variance.
7 B. Should such a structure be destroyed by any means, it may be replaced along
8 existing foundation lines within one year. Should a structure be destroyed to an
9 extent of more than 50 percent of its replacement cost at the time of destruction,
10 and not rebuilt within one year, it shall not be reconstructed except in conformity
11 with the provisions of the Airport Public Safety District.
12 C. Should such structure be moved any distance for any reason whatever, it shall
13 thereafter conform to the general regulations for the district in which it is located
14 after it is moved.
15

16 **17A.300.180 Abandonment**

17 Any nonconforming use or nonconforming structure which is abandoned and/or
18 discontinued for one year shall not be reconstructed except in conformity with the
19 provisions of the Airport Public Safety District.
20

21 **17A.300.190 Unsafe buildings**

22 Nothing in this code shall be deemed to prevent the strengthening or restoring to a safe
23 condition of any building or part thereof declared to be unsafe by any official charged
24 with protecting the public safety.
25

26 **17A.300.200 Conflicting regulations**

27 Where conflict exists between any of the regulations or limitations prescribed in this
28 chapter and any other regulations applicable to the same area, the limitations or
29 requirements set forth in this chapter shall govern and prevail.
30

31 **17A.300.210 Violations and enforcement**

32 It shall be the duty of the Director of Okanogan County Planning and Development to
33 administer and enforce the regulations prescribed in this chapter.
34

35 **17A.300.220 Appeals**

36 Any person aggrieved, by any order, requirement, decision, or determination made by
37 an administrative official or Board of Adjustment or Hearing Examiner in the processing
38 of any application made under this chapter or in the actual decision made as required
39 by this chapter may submit an appeal in accordance with OCC 17A.350 "Appeals".
40
41

1 **Chapter 17A.301**
2 **AIRPORT SAFETY OVERLAY**

3
4 Sections:

- 5 17A.301.010 Purpose
6 17A.301.020 Transition and approach zone dimensions
7 17A.301.030 Uses resulting in the assembly of large groups
8 17A.301.040 Uses creating electrical interference
9 17A.301.050 Uses fostering an increased bird population
10 17A.301.060 Structures prohibited in clear zones
11 17A.301.070 Storage of flammable substances
12 17A.301.080 Air pollution
13 17A.301.090 Location of roadways
14 17A.301.100 Sign and exterior lighting
15 17A.301.110 Building materials producing glare prohibited
16 17A.301.120 Extension of structures into transitional or approach surface of
17 runway

18
19 **17A.301.010 Purpose**

20 The purpose of this section is to protect lives and property on lands which lie within the
21 transition and approach zones surrounding an airport or landing field. Also, the district is
22 intended to prevent the establishment of air space obstructions through height
23 restrictions and other land use controls for the safety of persons airborne. This section
24 shall be applied to lands where airports are classified by the Federal Aviation
25 Administration as visual utility, non-precision and precision runways. Use requirements
26 and standards of the underlying zone shall apply unless in conflict with provisions of this
27 section.

28
29 **17A.301.020 Transition and approach zone dimensions**

30 The dimensions of the transition and approach zones shall be determined by the current
31 Federal Aviation Administration use classification and standards.

32
33 **17A.301.030 Assembly of large groups**

34 Uses such as schools, churches, auditoriums, etc., where large groups of people
35 assemble shall not be allowed within the airport safety overlay.

36
37 **17A.301.040 Electrical interference**

38 No use shall be permitted within this district in such a manner as to create electrical
39 interference with navigational signals or radio communications between the airport and
40 aircraft.

41
42 **17A.301.050 Increased bird population**

43 No use shall be permitted within this district which would foster an increased bird
44 population and thereby increase the likelihood of a bird strike problem.

1 **17A.301.060 Structures prohibited in clear zones**
2 No structure shall be allowed in the designated clear zones.

3
4 **17A.301.070 Storage of flammable substances**
5 Storage of flammable substances such as fuel or petroleum products shall be in
6 accordance with all current standards and regulations.

7
8 **17A.301.080 Air pollution**
9 There shall be no emission of smoke, fly ash, dust, vapor, gases or other forms of air
10 pollution that may conflict with any present or planned operations of the airport.

11
12 **17A.301.090 Location of roadways**
13 Roadways shall be located in such a manner that vehicle lights will not make it difficult
14 for pilots to distinguish between airport runway landing lights or result in glare or in any
15 other way impair visibility in the vicinity of the landing or takeoff approach.

16
17 **17A.301.100 Sign and exterior lighting**
18 Unless necessary for safe and convenient air travel, sign lighting and exterior lighting
19 shall not project into the runway, taxiway or approach zone.

20
21 **17A.301.110 Building materials - glare prohibited**
22 Building materials shall not produce glare which may conflict with any present or
23 planned operation of the airport.

24
25 **17A.301.120 Extension of structures into transitional or approach surface of**
26 **runway**
27 No obstructions (structural or natural) shall extend into the transitional or approach
28 surface of the runway.

29
30

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

3
4 Sections:

- 5 17A.310.010 Purpose
6 17A.310.020 Authority
7 17A.310.030 Applications
8 17A.310.040 Environmental review
9 17A.310.050 Review process
10 17A.310.060 Administrative conditional use permits
11 17A.310.070 Setting for hearing
12 17A.310.080 Standards and criteria
13 17A.310.090 Compatibility
14 17A.310.100 Potential conditions
15 17A.310.110 Permit, operation
16 17A.310.120 Records
17 17A.310.130 Amendments
18 17A.310.140 Termination

19
20 **17A.310.010 Purpose**

21 The purpose of the this Chapter is to authorize the use of conditional use permits in
22 accordance with RCW 36.70, and implement a review process by which Okanogan
23 County may determine whether a proposed use may be integrated into a community,
24 which may be suitable only upon adoption of certain conditions. The following standards
25 and criteria, and procedures apply to conditional use permits authorized by this Chapter,
26 and those conditional use permits previously authorized by similar conditional use
27 permit regulations adopted by Okanogan County but which may no longer be in effect.
28

29 **17A.310.020 Authority**

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

- 37 A. The hearing examiner or board of adjustment shall hear and decide all
38 applications processed in accordance with this chapter, as a quasi-judicial
39 process in accordance with OCC Title 20 "Development Permit Procedures and
40 Administration", except for those applications which do not require a hearing or
41 do not require involvement by the hearing examiner or board of adjustment.
42 B. The zoning administrator is the authorized zoning adjustor pursuant to RCW
43 36.70.200, and in this capacity shall decide on administrative orders in
44 accordance with this chapter and OCC Title 20 "Development Permit Procedures
45 and Administration", which includes but is not limited to:

- 1 1. Administrative amendments authorized by this Chapter (see OCC
2 17A.310.130(B)).
- 3 2. Administrative terminations authorized by this Chapter (see OCC
4 17A.310.140(B)).
- 5 3. Administrative conditional use permits authorized by this Chapter (see OCC
6 17A.310.060).

8 **17A.310.030 Applications**

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

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

38 **17A.310.040 Environmental review**

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

- 1 A. Previous SEPA review: If the SEPA responsible official determines that a
- 2 previously adopted SEPA determination is adequate for the current proposal
- 3 (WAC 197-11-600) then additional review shall not be required.
- 4 B. Terminations: Termination of a conditional use permit pursuant to OCC
- 5 17A.310.140, shall not require SEPA review.

6

7 **17A.310.050 Review process**

8 The Office of Planning and Development shall process complete applications for

9 conditional use permits in accordance with OCC Title 20 “Development Permit

10 Procedures and Administration” as a quasi-judicial process. Following the submission of

11 a complete application, the review process shall proceed including a comment period,

12 notifications, publication, and preparation for the public hearing.

13

14 **17A.310.060 Administrative Conditional Use Permits**

15 The authorized zoning adjuster shall review and subsequently approve, approve with

16 conditions, or deny, applications for administrative conditional use permits.

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

39

40 **17A.310.070 Setting for hearing**

41 The hearing examiner or board of adjustment shall hear and decide all applications for

42 conditional use permits, except for those applications which are processed

43 administratively if such a process is authorized by this chapter.

1
2 **17A.310.080 Standards and criteria**

3 The hearing examiner or board of adjustment shall consider the following standards and
4 criteria in evaluating the conditional use permit:

- 5 A. That the conditions imposed are reasonably calculated to insure the proposed
6 conditional use is and will remain compatible with the comprehensive plan,
7 zoning for the subject area, other landuse actions including but not limited to
8 plats, planned developments, and other conditions use permits; and
9 B. That the proposed activity is and will remain compatible with current and future
10 uses on the subject property; and
11 C. That such conditions are not unnecessarily onerous; and
12 D. That the proposed conditions will protect the public health, morals and general
13 welfare; and
14

15 **17A.310.090 Compatibility**

16 Those uses, activities, structures shall be compatible and shall remain compatible with
17 current and future permitted uses on the same property. For example, if future
18 applications proposed a use other than what was permitted by the conditional use
19 permit, then the proposed application may be approved only if it can be determined that
20 the proposal is compatible or accessory to the conditional use permit.
21

22 **17A.310.100 Potential conditions**

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

- 26 A. Requiring a performance bond or acceptable surety in an amount and with
27 conditions satisfactory to the hearing examiner or board of adjustment, to assure
28 the performance of conditions imposed or the construction of improvements;
29 B. Specifying a time limit within which the action, shall be begun or completed or
30 both;
31 C. Requiring an annual review of the issued permit to assure compliance with any
32 imposed conditions;
33 D. Increasing the required lot size or lot dimensions;
34 E. Limiting the height or total lot coverage of buildings and impervious surfaces;
35 F. Specifying the number and location of vehicular access points to the property;
36 G. Specifying the street width;
37 H. Specifying the number of off-street parking or loading spaces;
38 I. Requiring suitable landscaping;
39 J. Specifying signing;
40 K. Specifying the exact locations of activities or structures as a means of minimizing
41 hazards to life, limb, property damage, erosion, landslide or traffic;
42 L. Mitigating nuisance-generating features such as noise, colors, air pollution,
43 wastes, vibration, traffic, physical hazards, off-site light glare, etc.;
44 M. Requiring structural features or equipment essential to accomplish the purpose
45 set forth in subsection L of this section;
46 N. Specifying the hours of operation;

1 O. Insuring against imposing excessive demands upon public facilities and services.

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

- 3 1. The structure(s) housing the animals shall be adequately soundproofed to
4 meet Chapter 173-60 WAC as determined by the noise levels during a period
5 of normal operation for the number of animals to be kept;
- 6 2. That compliance with noise standards for a commercial noise source as
7 identified by WAC 173-60-040 shall be demonstrated by the applicant;
- 8 3. The structure(s) and outside runs or areas housing the animals shall be not
9 less than 200 feet from any dwelling other than the dwelling of the owner, and
10 shall be no less than 50 feet to any property line of the subject site;
- 11 4. Any permitted outside runs or areas shall be completely screened from view
12 by sight-obscuring fencing or landscaping, or both, as determined by the
13 hearing examiner or board of adjustment, to serve as a visual and noise
14 abatement buffer;
- 15 5. All animals are to be housed within a structure and no outside boarding of
16 animals is permitted between the hours of 10:00 p.m. and 6:00 a.m.;
- 17 6. One off-street parking space shall be provided for each 10 animals kept on
18 the premises;
- 19 7. The permit shall be granted for a period not to exceed one year. At the end of
20 such period an inspection shall be made of the premises to determine:
21 a) Compliance with all the conditions of approval; and
22 b) The advisability of renewing such permit;
- 23 8. The applicant shall submit adequate information to aid the hearing examiner
24 or board of adjustment in determining that the preceding standards are
25 satisfied prior to the public hearing;
- 26 9. Additional conditions or safeguards as deemed necessary may be imposed
27 by the hearing examiner or board of adjustment for the protection of the
28 health, safety and welfare of the nearby residences.

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

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

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

4 S. Marijuana operations: Applications for marijuana operations shall comply with the
5 provisions of OCC 17A.290 "Marijuana Operations". Additional conditions may be
6 required in order to mitigate impacts identified during the review and hearing
7 process.
8

9 **17A.310.110 Permit, operation**

10 The final order of the hearing examiner or board of adjustment is conclusive and
11 authorizes immediate operation of the proposed activity, unless otherwise specified. All
12 conditions of approval must be met prior to operation and throughout the duration of the
13 project.
14

15 **17A.310.120 Records**

16 The conditional use permit application, evidence of notice, the record of proceedings
17 and other material accepted as evidence and the written decision along with findings of
18 facts and conclusions shall become a part of the official records of the hearing examiner
19 or board of adjustment and shall be retained in the office of planning and development.
20

21 **17A.310.130 Amendments**

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

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

29 B. Administrative amendments: The administrator may approve minor amendments
30 to conditional use permits. Minor amendments shall be categorized as changes
31 which only clarify the scope of the existing permit (i.e. clarification of accessory
32 uses, definitions of uses, etc.) but does not expand the scope of the permit (i.e.
33 expansion of project areas, inclusion of additional uses, changes to hours of
34 operation, etc.). Applications for administrative amendments shall be processed
35 by the Office of Planning and Development as an administrative process in
36 accordance with OCC Title 20 "Development Permit Procedures and
37 Administration". The administrator shall issue the final order which shall explain
38 the scope of the amendment. Such order shall become part of the record and
39 shall be filed accordingly. Notice of the amendment shall be transmitted
40 immediately to the landowner.
41

42 **17A.310.140 Termination**

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

1
2
3
4
5
6
7
8
9
10
11

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

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

1 **Chapter 17A.320**
2 **VARIANCES**

3
4 Sections:

- 5 17A.320.010 Purpose
6 17A.320.020 Authority
7 17A.320.030 Applications
8 17A.320.040 Environmental review
9 17A.320.050 Review process
10 17A.320.060 Setting for hearing
11 17A.320.070 Standards and criteria
12 17A.320.080 Conditions
13 17A.320.090 Permit, operation
14 17A.320.100 Records
15 17A.320.110 Administrative variances

16
17 **17A.320.010 Purpose**

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

23
24 **17A.320.020 Authority**

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

- 30 A. The hearing examiner or board of adjustment shall hear and decide all
31 applications processed in accordance with this chapter, as a quasi-judicial
32 process in accordance with OCC Title 20 "Development Permit Procedures and
33 Administration", except for those applications which do not require a hearing or
34 do not require involvement by the hearing examiner or board of adjustment.
35 B. The zoning administrator is the authorized zoning adjustor pursuant to RCW
36 36.70.200, and in this capacity shall decide on administrative orders in
37 accordance with this chapter and OCC Title 20 "Development Permit Procedures
38 and Administration".

39
40 **17A.320.030 Applications**

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

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

- 1 C. SEPA environmental checklist. The SEPA environmental checklist is required
2 only if the proposal is not categorically exempt in accordance with OCC 14.04
3 “Environmental Policy” and/or WAC 197-11 Part Nine – Categorical Exemptions
4 (see OCC 17A.320.040).
- 5 D. Project description: A thorough narrative explaining the purpose and scope of the
6 proposed activity and/or structure. The scope of the project description will
7 depend greatly on the nature of proposal. The project description should explain,
8 but not be limited to, the purpose for the variance, whether for the variance
9 affects permitted uses or structure(s), and other elements relative to the project
10 which may include use of structure(s), roads, utilities and systems, excavation,
11 etc. The project description explains how the proposal is consistent with the
12 standards and criteria section of this chapter (see OCC 17A.320.070).
- 13 E. Site plan: The site plan is a map, drawn to scale, which clearly represents
14 existing conditions and the proposed development activity and should be
15 consistent with the project description. The scope of the site plan will depend
16 greatly on the nature of proposal. The site plan should include but not be limited
17 to existing and proposed structures, property lines, roads, easements, parking
18 areas and access points and circulation patterns, wells, utilities. Include location
19 of critical areas such as lakes, rivers, and streams, wetlands, floodplains, steep
20 slopes, etc.

21 22 **17A.320.040 Environmental review**

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

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

33 34 **17A.320.050 Review process**

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

40 41 **17A.320.060 Setting for hearing**

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

1 **17A.320.070 Standards and criteria**

2 Before any variance is granted by the hearing examiner or board of adjustment, it shall
3 be known that all the following criteria apply:

- 4 A. Any variance granted shall be subject to such conditions as will assure that the
5 adjustment thereby authorized shall not constitute a grant of special privileges
6 inconsistent with the limitations of other properties in the vicinity and zone in
7 which the subject property is situated; and
8 B. Because of special circumstances applicable to the subject property, including
9 size, shape, topography, location or surroundings, the strict application of the
10 zoning code is found to deprive the subject property of rights and privileges
11 enjoyed by other properties in the vicinity and under identical zone
12 classifications; and
13 C. That the granting of the variance will not be materially detrimental to the public
14 welfare or injurious to the property or improvements in which the subject property
15 or improvements are situated; and
16

17 **17A.320.080 Conditions**

18 Conditions may be required for the approval of a variance in order to mitigate any
19 impacts which may result from the approval of the application. Any conditions imposed
20 should be reasonably calculated to insure the proposal will remain consistent with the
21 comprehensive plan and zoning for the subject area. Any conditions imposed should not
22 be unnecessarily onerous.
23

24 **17A.320.090 Permit, operation**

25 The final order of the hearing examiner or board of adjustment is conclusive and
26 authorizes immediate operation of the proposed activity, unless otherwise specified. All
27 conditions of approval must be met prior to operation and throughout the duration of the
28 project.
29

30 **17A.320.100 Records**

31 The variance application, evidence of notice, the record of proceedings and other
32 material accepted as evidence and the written decision along with findings of facts and
33 conclusions shall become a part of the official records of the hearing examiner or board
34 of adjustment and shall be retained in the office of planning and development.
35

36 **17A.320.110 Administrative variances**

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

- 39 A. Applications for administrative variances shall be processed in accordance with
40 administrative application procedures in accordance with OCC Title 20
41 “Development Permit Procedures and Administration”:
42 B. The types of administrative variances which are authorized by this chapter
43 include:
44 1. Property line setbacks. A deviation may be granted from the required front,
45 side, or rear property line setback required by this Title upon a finding that the
46 criteria of OCC 17A.320.070 apply.

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

3
4 Sections:

- 5 17A.330.010 Legal pre-existing lots
6 17A.330.020 Legal pre-existing use in zoning district
7 17A.330.030 Legal pre-existing structure
8 17A.330.040 Abandonment
9 17A.330.050 Unsafe buildings

10
11 **17A.330.010 Legal pre-existing lots**

12 Those uses and structures which are permitted or conditional on a conforming lot within
13 a zone district shall also be permitted or conditional on a legal pre-existing lot located
14 within the same zone. Legal pre-existing lots which do not meet lot area and width
15 requirements may be reduced in size by use of the boundary line adjustment process
16 (OCC 16.04.080). These provisions shall apply even though such lot fails to meet the
17 density requirements of the zone district, providing the lot meets current health district
18 requirements for water and sewer.

19
20 **17A.330.020 Legal pre-existing use in zoning district**

21 Where lawful use of land within a zoning district exists at the effective date of adoption
22 of this code, which is not permissible under the terms of this code, such use may be
23 continued so long as it remains otherwise lawful. A legal pre-existing use which is
24 discontinued for three consecutive years shall be considered abandoned in accordance
25 with this chapter.

26
27 **17A.330.030 Legal pre-existing structure**

28 Where a lawful structure exists at the effective date of adoption of this code that could
29 not be built under the terms of this code, such structure may be continued so long as it
30 remains otherwise lawful, subject to the following provisions:

- 31 A. A structure may be enlarged or altered so long as the alteration does not make
32 the structure more out of compliance with this Title. For example, if a structure is
33 located 15 feet from a property line which requires a 25 foot setback, then the
34 addition may be constructed at 15 feet from the property line.
- 35 B. Should such a structure be destroyed by any means, in whole or in part, it may
36 be replaced, or repaired, along existing foundation lines within three years,
37 otherwise it shall be considered abandoned in accordance with this chapter.
- 38 1. Similar manufactured homes vary in size and shape. Therefore,
39 manufactured homes may be replaced by similar manufactured homes along
40 a similar footprint. Example: a single-wide may be replaced with a different
41 sized single-wide so long as it is placed in the same location, although it may
42 follow a slightly different foundation line.
- 43 C. Should such structure be moved any distance for any reason whatever, it shall
44 thereafter have to comply with the general regulations for the district in which it is
45 located after it is moved.

1 D. For nightly rentals located within the boundary of the Methow Valley More
2 Completely Planned Area as designated by the Okanogan County
3 Comprehensive Plan: Structures used as a nightly rental, but has not been
4 permitted as a nightly rental before January 1, 2021, must comply with the OCC
5 17A.270 "Nightly Rentals".
6

7 **17A.330.040 Abandonment**

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

- 11 A. Abandoned legal pre-existing uses and buildings may be subject to the
12 abatement provisions of this code (see OCC 17A.360.030).
13 B. When determining whether a use or structure has been abandoned, the
14 administrator shall determine whether:
15 1. Substantial progress has been made to use the structure or continue the use
16 in a reasonable manner and timeframe; or
17 2. The use or structure is a verified nuisance;
18 3. The use or structure presents a detriment to public health, safety, or general
19 welfare.
20

21 **17A.330.050 Unsafe buildings**

22 Nothing in this code shall be deemed to prevent the strengthening or restoring to a safe
23 condition of any building or part thereof declared to be unsafe by any official charged
24 with protecting the public safety.
25
26
27

1 **Chapter 17A.340**
2 **AMENDMENT OF ZONING CODE**

3
4 Sections:

- 5 17A.340.010 General
6 17A.340.020 Purpose
7 17A.340.030 Evaluation criteria
8 17A.340.040 Initiation
9 17A.340.050 Review process – determination
10 17A.340.060 Applications
11 17A.340.070 Environmental review
12 17A.340.080 Public hearing not required – procedural amendments
13 17A.340.090 Legislative review
14 17A.340.100 Quasi-judicial review

15
16 **17A.3340.010 General**

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

19
20 **17A.340.020 Purpose**

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

24
25 **17A.340.030 Evaluation criteria**

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

- 27 A. The amendment is necessary to resolve a public land use issue or problem.
28 B. The amendment is consistent with or supports the comprehensive plan and/or its
29 goals and policies.
30 C. The amendment is consistent with goals of the Planning Enabling Act, RCW
31 36.70.
32 D. The amendment is based on sound land use planning practices and would
33 further the general public health, safety and welfare.

34
35 **17A.340.040 Initiation**

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

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

41
42 **17A.340.050 Review process – determination**

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

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

2 A. Quasi-judicial: A proposal is quasi-judicial if the action is site specific (would not
3 be generally applicable) and affects only one property, or group of adjoining
4 properties under identical ownership. Quasi-judicial proposals are limited to
5 rezones which would result in a change to the official zone map. This quasi-
6 judicial application process is available for text amendments only if the applicant
7 demonstrates that the amendment is site specific (would not be generally
8 applicable) and would affect only one property, or group of adjoining properties
9 under identical ownership.

10 B. Legislative: A proposal is legislative if the action is generally applicable and
11 applies to a relatively large geographic area containing several property owners.
12 Legislative proposals may include amendments to the text of this title or area-
13 wide rezones which would result in a change to the official zone map.

14
15 **17A.340.060 Applications**

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

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

34
35 **17A.340.070 Environmental review**

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

42
43 **17A.340.080 Public hearing not required – procedural amendments**

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

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

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

7
8 **17A.340.090 Legislative review**

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

24
25 **17A.340.100 Quasi-judicial review**

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

1 **Chapter 17A.350**
2 **APPEALS**

3 Sections:

- 4 17A.350.010 Appeals of administrative actions
5 17A.350.020 Appeals of quasi-judicial actions
6 17A.350.030 Appeals of legislative actions
7

8 **17A.350.010 Appeals of administrative actions**

9 Decisions made by the administrator and/or Office of Planning and Development staff in
10 the enforcement of the provisions of this Title may be appealed in accordance with OCC
11 2.67 Administrative Appeals.
12

13 **17A.350.020 Appeals of quasi-judicial actions**

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

- 16 A. In those cases such as rezones or other similar instances where subsequent
17 action is required by the Board of Okanogan County Commissioners, their
18 actions will be based on the record and decision of the hearing examiner or
19 board of adjustment. The action of the Board of Okanogan County
20 Commissioners shall not constitute a final decision for purposes of appeal in
21 accordance with OCC 2.65.150.
22

23 **17A.350.030 Appeals of legislative actions**

24 Appeals of the final decision of any legislative actions from the Board of Okanogan
25 County Commissioners shall be submitted to Superior Court in accordance with RCW
26 36.32.330.
27
28
29

1 **Chapter 17A.360**
2 **ENFORCEMENT**

3
4 Sections:

- 5 17A.360.010 Generally
- 6 17A.360.020 Misdemeanor
- 7 17A.360.030 Abatement
- 8 17A.360.040 Additional enforcement
- 9 17A.360.050 Cost of enforcement action

10
11 **17A.360.010 Generally**

12 No structure, lot or area of land shall hereafter be used or occupied and no structure or
13 part thereof shall be erected, moved, reconstructed, extended, enlarged or altered
14 except in compliance with the provisions of this code.

15
16 **17A.360.020 Misdemeanor**

17 It is unlawful for any person, firm, corporation or other organization whether as owner,
18 lessee, subleasee or occupant to allow, use or maintain any building, structure,
19 premises, land or portion thereof contrary to or in violation of any of the provisions of
20 this code or its amendments. Each and every such violation or contrary act shall
21 constitute a misdemeanor. Each misdemeanor may be punished by a maximum of 90
22 days in jail or a fine of \$500.00 or by both such fine and imprisonment. There shall be
23 an additional misdemeanor for each 30-day period during which the violation continues.

24
25 **17A.360.030 Abatement**

26 All violations of this code are determined and declared to be detrimental to the public
27 health, safety and welfare and public nuisances. All conditions which render any
28 building, structure, premises, land use or portion thereof to be used or maintained in
29 violation of this code shall be abated if provisions for their continuance made pursuant
30 to this code are not satisfied. See OCC 17A.020.010 for definition of "Abatement of
31 zoning violation".

32
33 **17A.360.040 Additional enforcement**

34 Notwithstanding the existence or use of any other remedy, the county prosecuting
35 attorney may seek legal or equitable relief to enjoin any acts or practices and abate any
36 conditions which constitute or will constitute a violation of this code or amendments to it.
37 The prosecuting attorney, on behalf of Okanogan County, may collect the abatement
38 work costs by use of all appropriate legal remedies.

39
40 **17A.360.050 Cost of enforcement action**

41 In addition to costs and disbursements provided for by statute, the prevailing party in an
42 action for abatement, a foreclosure action, or collection action under this code may, in
43 the court's discretion, be allowed interest and a reasonable attorney's fee. The
44 prosecuting attorney shall seek such costs, interest and the reasonable attorney's fees
45 on behalf of Okanogan County when the county is the party.