



Zoning

Okanogan County Code Title 17A

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By: Okanogan County
Office of Planning and Development



Okanogan County Code – Title 17A
ZONING

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Chapter 17A.010
GENERAL PROVISIONS

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- 17A.010.110 Deviation from minimum zoning standards
- 17A.010.120 Notice and appeal period
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17A.010.010 Short title

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

17A.010.020 Repealer

Okanogan County Code, Title 17 "Zoning", including any and all associated ordinances amending such code, are repealed.

17A.010.030 Purpose

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

17A.010.040 Authority

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

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

47 **17A.010.050 Relationship to subdivision and platting**

48 Any proposed subdivision or platting action under OCC Title 16 "Subdivisions" must be
49 in accordance with the zoning on the subject property. Any proposed subdivision which
50 is not in compliance with the zoning will not be processed, except that a rezone
51 application may be processed simultaneously with a proposed subdivision.
52

53 **17A.010.060 Compliance**

54 A. Hereafter, no building or structure shall be erected, reconstructed, enlarged, or
55 relocated, and no building, structure or premises shall be used except in
56 compliance with the provisions of this title and then only after securing all
57 required permits. Any building, structure or use lawfully existing at the time of
58 passage this title, although not in compliance therewith, may be maintained as
59 provided for in OCC 17A.330 "Legal Pre-existing Uses and Lots".

60 1. Site Analysis: A site analysis application shall be processed as a zoning
61 permit, as an administrative process in accordance with OCC Title 20
62 "Development Permit Procedures and Administration", and shall be used
63 for the purpose of reviewing various development requests in order to
64 declare whether the development is consistent with this code. The site
65 analysis application shall be submitted for the purpose of requesting
66 approval of a development proposal. The site analysis application may
67 also be used for the purpose of seeking clarification of land use
68 regulations (for informational purposes). The Planning Department may
69 charge an application fee if so adopted by the Board of Okanogan County
70 Commissioners as part of Okanogan County's fee schedule. The site
71 analysis application incorporates consistency review for other regulations
72 administered by the Okanogan County Planning Department, including but
73 not limited to OCC Title 14 "Environment", OCC 15.08 "Floodplain
74 Management", OCC Title 16 "Subdivisions", OCC Title 17A Zoning, OCC
75 18.05 "Development Agreements", and applicable State and Federal
76 regulations.

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

81 C. Temporary emergency facilities (OCC 17A.020.860) are exempt from complying
82 with the terms of this Title.
83

84 **17A.010.070 State Environmental Policy Act coordination**

85 All development projects and land uses proposed within Okanogan County shall be
86 reviewed for their consistency with SEPA, Chapter 43.21C RCW, SEPA Guidelines,
87 Chapter 197-11 WAC, and the OCC 14.04 "Environmental Policy". Mitigation of
88 significant adverse impacts may be required, as a condition of project and/or land use
89 approvals.
90

91 **17A.010.080 Interpretations**

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

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

96 A. Upon application, the administrator may determine that a use not specifically
97 named in the allowed uses of a district shall be included among the allowed uses
98 if the use is the same general type, and is similar in nature, to the allowed uses.
99 Said use shall be consistent with the intent, goals and policies contained within
100 the comprehensive plan.

101 B. Whenever this code imposes greater restrictions than are imposed or required by
102 other provisions of law or regulation, then the provisions of this code shall
103 control.
104

105 **17A.010.090 Scope**

106 This code shall apply to all public and private lands situated within the unincorporated
107 portions of Okanogan County over which Okanogan County has jurisdiction under the
108 constitutions and laws of the state and of the United States and shall set forth minimum
109 standards in addition to such other standards that may be applicable including, but not
110 limited to, health district regulations, Shorelines Management Act, Okanogan County
111 subdivision regulations, State Environmental Policy Act, OCC 14.04 "Environmental
112 Policy" or OCC 14.12 "Critical Areas".
113

114 **17A.010.100 Establishment of zone districts and zone map**

115 A. Zone districts: Zones districts for all of unincorporated Okanogan County shall be
116 established, modified, and amended as provided in Chapter 36.70 RCW and Title
117 17A of Okanogan County Code and shall implement the goals, policies of the
118 Okanogan County comprehensive plan. The following zone districts are
119 established for the unincorporated boundaries of Okanogan County: Minimum
120 Requirement (MR), Rural 1 (R1), Rural 5 (R5), Rural 20 (R20), Agriculture (AG),
121 Agricultural Residential (AR), Suburban Residential (SR), Commercial (C),
122 Industrial (IN), Airport Development (AD), Methow Review District (MRD),
123 Methow Review District Valley Floor 12,500 (MRD VF12,500), Methow Review
124 District Valley Floor 1 (MRD VF1), Methow Review District Valley Floor 5 (MRD
125 VF5), Methow Review District Uplands 20 (MRD UL20), Rural Residential (RR),
126 Low Density Residential (LDR), Urban Residential (UR), Neighborhood Use
127 (NU), Special Review Commercial (SRC), Neighborhood Commercial (NC),
128 Planned Unit Development (PUD), Planned Destination Resort (PDR). Also
129 established for the unincorporated boundaries of Okanogan County are Airport
130 Public Safety and Airport Safety Overlay.

131 B. Zone map: The zoning districts established by this title are defined as shown on
132 Okanogan County's official zoning maps, together with all the explanatory
133 material thereon, are adopted by reference and declared to be a part of this title.

- 134 1. The official zoning maps shall be maintained in electronic form and depicted
135 in various formats and scales as appropriate to the need. The official zoning
136 maps maintained by Okanogan County shall be the final authority as to the
137 current zoning status of land.
- 138 2. When changes are made to zone district boundaries, such changes shall be

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

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

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

180
181 **17A.010.110 Deviation from minimum zoning standards**

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

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

186 |

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

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

191 |

192 | **17A.010.130 Severability**

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

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**Chapter 17A.020
DEFINITIONS**

Sections:

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- 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.020.353		Exempt Well
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 <u>Cannabis</u> processing facility
17A.020.595	_____	Marijuana <u>Cannabis</u> production facility
17A.020.600	_____	Marijuana <u>Cannabis</u> 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.020.713		Project
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

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17A.020.005 Definitions generally

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

17A.020.010 Abatement of zoning violation

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

17A.020.015 Accessory building

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

17A.020.020 Accessory use

“Accessory use” means a building , area, structure, use, or any part thereof, which is ancillary to the primary use of the main building, structure or use on the same lot, ~~a use of land, or activity within a structure, which is subordinate to the primary use of~~

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

225

226 **17A.020.025 Acid manufacturing**

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

229

230 **17A.020.030 Acre**

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

232

233 **17A.020.035 Administrator**

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

236

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

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

240

241 **17A.020.045 Advertising sign**

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

246

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

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

249

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

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

256

257 **17A.020.060 Agriculture**

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

264

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

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

268

269 **17A.020.070 Air passenger services**

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

272

273 **17A.020.075 Aircraft fuel pump and fuel storage**

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

276

277 **17A.020.080 Aircraft hangars**

278 "Aircraft hangars" means a covered and usually enclosed area for housing and repairing
279 aircraft.

280

281 **17A.020.085 Aircraft sales, repair, service**

282 "Aircraft sales, repair, service" means a facility dedicated to the commercial sales,
283 repair, and/or service of aircraft.

284

285 **17A.020.090 Aircraft salvage**

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

289

290 **17A.020.095 Airport**

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

296

297 **17A.020.100 Airport clear zone**

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

300

301 **17A.020.105 Airstrip**

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

305

306 **17A.020.110 Amateur radio**

307 "Amateur radio" means a communication service carried out by person(s) licensed by
308 the Federal Communications Commission solely with a personal aim and without
309 pecuniary interest.

310

311 **17A.020.115 Animal disposal facility**

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

314

315 **17A.020.120 Apiary Farm**

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

319

320 **17A.020.125 Approach surface**

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

325

326 **17A.020.130 Auto parking lots and areas**

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

331

332 **17A.020.135 Auto parking lots and areas, commercial**

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

336

337 **17A.020.140 Auto rental service**

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

340

341 **17A.020.145 Auto repair**

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

344

345 **17A.020.150 Auto sales**

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

349

350 **17A.020.155 Auto storage**

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

353

354 **17A.020.160 Auto towing operation**

355 “Auto towing operation” means a commercial business which the primary goal is to
356 provide equipment for off-site towing of motor vehicles. Auto towing facilities may

357 include on-site areas dedicated to the storage of motor vehicles, office space, and areas
358 used for the repair and maintenance of auto towing equipment and vehicles.

359

360 **17A.020.165 Auto wrecking yard**

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

364

365 **17A.020.170 Average adjacent grade**

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

368

369 **17A.020.175 Bank**

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

372

373 **17A.020.180 Batch plant (asphalt/concrete)**

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

377

378 **17A.020.185 Bed and breakfast**

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

384

385 **17A.020.190 Billboard**

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

391

392 **17A.020.195 Binding site plan**

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

395

396 **17A.020.200 Board**

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

398

399 **17A.020.205 Building**

400 “Building” means any permanent structure built for the shelter or enclosure of persons,
401 animals, chattels or property of any kind and not including advertising signboards or
402 fences.

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17A.020.210 Campgrounds

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

17A.020.215 Cellular communication tower

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

17A.020.220 Cement, lime, gypsum manufacturers

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

17A.020.225 Church

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

17A.020.230 Commercial

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

17A.020.235 Communication facility, commercial

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

17A.020.240 Community advisory committee

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

449 committee is supplementary to the required public review.

450

451 **17A.020.245 Community center, grange hall, etc.**

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

455

456 **17A.020.250 Compost manufacturer**

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

460

461 **17A.020.255 Concrete batch plant**

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

472

473 **17A.020.260 Conditional use**

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

481

482 **17A.020.265 Condominium**

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

484

485 **17A.020.270 Crematory, cemetery, funeral home**

486 “Crematory, cemetery, funeral home” means Facilities used for the maintenance and
487 preservation of dead people. More specifically, crematory means an establishment
488 containing such a furnace for cremating dead people; a cemetery means a place where
489 dead people are buried; and a funeral home (funeral parlor) means an establishment
490 with facilities for the preparation of the dead for burial or cremation, for the viewing of
491 the body, and for funerals.

492

493 **17A.020.275 Critical areas**

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

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17A.020.280 Dairy farm

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

17A.020.285 Day care facility

“Day care facility” means an establishment for group care of nonresident adult(s) or children. Day care may include adult day health centers or social day cares as defined by the Washington State Department of Social and Health Services, nursery schools for children under the minimum age for education in public schools, private kindergartens or pre-kindergartens when not a part of a public or parochial school, and programs covering after-school care for school children.

17A.020.290 Dedication

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

17A.020.295 Density

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

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

17A.020.300 Development

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

17A.020.305 Dormitory

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

17A.020.310 Drive-in movie theater

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

17A.020.315 Dwelling unit

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

541 **17A.020.320 Dwelling, accessory**

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

548
549 **17A.020.325 Dwelling, group (dormitory, hostel and hospice)**

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

553
554 **17A.020.330 Dwelling, multiple-family**

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

558
559 **17A.020.335 Dwelling, single-family**

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

564
565 **17A.020.340 Earth station**

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

570
571 **17A.020.345 Evaporation Ponds**

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

575
576 **17A.020.350 Event centers**

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

586

587 **17A.020.353 Exempt well**

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

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

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

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

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

604 **17A.020.365 Facade sign**

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

610 **17A.020.370 Farm**

611 "Farm" means property used for raising all crops, feeding and caring for livestock,
612 ranges and pastures. The definition of a farm does not include [marijuanacannabis](#)
613 operations.
614

615 **17A.020.375 Farmworker housing**

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

621 **17A.020.380 Feedlot**

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

631 **17A.020.385 Fence**

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

633 are not structures for the purposes of this code.

634

635 **17A.020.390 Fertilizer manufacturer**

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

638

639 **17A.020.395 Flood hazard area**

640 “Flood hazard area” means those areas defined as “floodplain” in accordance with OCC
641 14.12 “Critical Areas”.

642

643 **17A.020.400 Floodplain**

644 “Floodplain” means those areas defined as “floodplain” in accordance with OCC 14.12
645 “Critical Areas”.

646

647 **17A.020.405 Floodplain, 100-year**

648 “100-year floodplain” means those areas defined as “Frequently flooded areas” in
649 accordance with OCC 14.12 “Critical Areas”.

650

651 **17A.020.410 Floodway**

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

654

655 **17A.020.415 Floor area**

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

658

659 **17A.020.420 Florist, retail**

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

661

662 **17A.020.425 Florist, wholesale/floriculture**

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

666

667 **17A.020.430 Food store (retail)**

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

670

671 **17A.020.435 Freestanding sign**

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

674

675 **17A.020.440 Fruit stand**

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

679
680 **17A.020.445 Golf course**
681 “Golf course” means an area of land laid out for golf with a series holes (usually 9 or 18
682 holes) each including a tee, fairway, and putting green and often one or more natural or
683 artificial hazards. Golf courses include associate club house, some retail space, areas
684 for carts and golf equipment, and maintenance facilities.

685
686 **17A.020.450 Government services**
687 “Government services” means those services necessary to carry out governmental
688 functions including but not limited to law enforcement, courts, administrative services
689 and offices, etc.

690
691 **17A.020.455 Gravel pits and quarries**
692 “Gravel pits and quarries” means land from which sand, gravel or quarried rock is
693 extracted, but does not include extraction of metals, minerals or fossil fuels (see
694 definition of Mining in this Chapter).

695
696 **17A.020.460 Height, building**
697 “Building height” means the average height of all sides of a structure, measured from
698 average adjacent grade (see “average adjacent grade” in this Chapter) to the highest
699 point of the roof.

700
701 **17A.020.465 Helipad**
702 “Helipad” means a designated touchdown spot for private and/or occasional use by
703 helicopters without normal heliport facilities (except facilities for storage, supply, and
704 maintenance of aircraft).

705
706 **17A.020.470 Heliport**
707 “Heliport” means helicopter landing sites, usually intended for commercial use, along
708 with associated facilities which may include but is not limited to supply and maintenance
709 of aircraft, fuel service for aircraft, flight instruction, charter or air freight service,
710 passenger and cargo service, agricultural services including but not limited to herbicide
711 or pesticide application, except for helipads as defined in this Chapter.

712
713 **17A.020.475 Home occupation**
714 “Home occupation” means a business carried on as an accessory use to a principal
715 residential use of the subject property, involving the manufacture, provision, or sale of
716 goods and/or services, which is conducted by those persons residing on the premises
717 plus nonresident employees. Home occupations must comply with OCC 17A.280.

718
719 **17A.020.480 Horticultural services**
720 “Horticultural services” means a business or governmental service which the primary
721 goal is it advises the public and/or customers on techniques and the science of growing
722 fruits, vegetables, and flowers.

723
724 **17A.020.485 Hospital**

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

729

730 **17A.020.490 Hotels and motels**

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

734

735 **17A.020.495 Impound yard**

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

739

740 **17A.020.500 Industrial**

741 “Industrial” means activity and facilities used for the purpose of manufacturing,
742 processing, assembly, fabrication, processing, bulk handling, storage, warehousing,
743 storage, distribution, shipping, heavy trucking activity, and other related uses. Activities
744 possess potential for nuisance or hazard components or place exceptional demands
745 upon public facilities and services.

746

747 **17A.020.505 Industrial, Light**

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

- 752 A. Manufacture, assembly, finishing, and/or packaging of small items from
753 component parts. Examples include, but are not limited to, pottery, clothing,
754 assembly of clocks, electrical appliances or medical equipment;
755 B. Production of items made from materials derived from plants or animals
756 including, but not limited to, leather, pre-milled wood, paper, wool or cork; or from
757 textiles, semiprecious or precious metals or stones, or plastics;
758 C. Production or bottling of beverages for human consumption including, but not
759 limited to, beer, wine and soft drinks.

760

761 **17A.020.510 Inns, lodges and guest ranches**

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

768

769 **17A.020.515 Kennel, commercial**

770 “Commercial kennel” means an establishment or place, other than an animal or

771 veterinary hospital or clinic, where dogs and/or cats are commercially boarded over-
772 night. This definition includes non-profit animal shelters.

773

774 **17A.020.520 Kennel, private**

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

782

783 **17A.020.525 Laundromats**

784 “Laundromats” means a place that has machines for commercial washing and drying
785 clothes, towels, sheets, etc.

786

787 **17A.020.530 Legal pre-existing lot**

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

790

791 **17A.020.535 Legal pre-existing structure**

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

795

796 **17A.020.540 Legal pre-existing use**

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

801

802 **17A.020.545 Limited division**

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

809

810 **17A.020.550 Lodging unit**

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

815

816 **17A.020.555 Lot**

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

819

820 **17A.020.560 Lot coverage**

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

825

826 **17A.020.565 Lot width**

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

832

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

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

835

836 **17A.020.575 Manufactured home**

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

840

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

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

846

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

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

851

852 **17A.020.590 ~~Marijuana~~Cannabis processing facility**

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

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

861

862 **17A.020.595 MarijuanaCannabis production facility**
863 **MarijuanaCannabis** production facility means a facility used for growing
864 **marijuanacannabis** for the purpose of selling the **marijuanacannabis** products to
865 **marijuanacannabis** processors and other **marijuanacannabis** producers. Production
866 includes growth, harvest, trim, dry, cure, and packaging of **marijuanacannabis** for sale.
867 Sale may include **marijuanacannabis** products, plants, seeds, and plant tissue culture.
868 **MarijuanaCannabis** production facilities are separated into indoor and outdoor facilities
869 which are similar in character to indoor nursery or greenhouse facilities, or outdoor field
870 crops. Legal production activities are consistent with RCW 69.50.101(w) and WAC 314-
871 55-075 as administered by Washington State Liquor Control Board.

872
873 **17A.020.600 MarijuanaCannabis retail store**
874 **MarijuanaCannabis** retail store means a commercial establishment used for the sale of
875 useable **marijuanacannabis**, **marijuanacannabis**-infused products, and
876 **marijuanacannabis** paraphernalia and rendering services incidental to the sale of such
877 goods. **MarijuanaCannabis** retail stores are similar in character to agricultural fruit and
878 vegetable stands, or retail stores and gift shops. Legal retailers are consistent with
879 RCW 69.50.101(y) and WAC 314-55-079 as administered by Washington State Liquor
880 Control Board.

881
882 **17A.020.605 Marinas**
883 “Marinas” means a facility which provides boat launching, storage, supplies and
884 services for small pleasure craft. There are two basic types of marinas; open-type
885 construction (floating breakwater and/or open pile work) and solid-type construction
886 (bulkhead and/or landfill).

887
888 **17A.020.610 Meat packing plant**
889 “Meat packing plant” means Handling, slaughtering, processing, packaging, and
890 distribution of animals such as cattle, pigs, sheep and other livestock, primarily for the
891 production of meat for human consumption, but may also produce a variety of by-
892 products including hides, feathers, dried blood, and fat and protein meals such as meat
893 & bone meal.

894
895 **17A.020.615 Medical/dental clinic**
896 “Medical/dental clinic” means a structure for the medical examination and treatment of
897 human patients, but without provision for keeping such patients overnight on the
898 premises.

899
900 **17A.020.620 Mining**
901 “Mining” means the act of extracting from the earth minerals and/or ores via open pit,
902 shaft, leaching, hydraulic or other methods, except dredging and sand and gravel. Note
903 that mining activities are subject to zoning regulation and approval processes; however,
904 prospecting and exploration activities that are conducted with minimal disturbance of the
905 subject property are not considered mining and are not restricted by zoning. Surface
906 mining operations are also regulated by the Department of Natural Resources.
907

908 **17A.020.625 Mini-storage**

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

914

915 **17A.020.630 Mobile home**

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

918

919 **17A.020.635 Modular home**

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

922

923 **17A.020.640 Motorized vehicle track (commercial)**

924 A commercial motorized vehicle track is a track which has been constructed for the
925 purpose of accommodating organized racing events (cars, trucks, motorcycles, etc.) for
926 commercial purposes and where there is a fee for admissions. Accessory track facilities
927 may include but are not limited to commercial vendors, food service, ticket booths,
928 bleachers and/or seating areas, announcers shack, and parking areas.

929

930 **17A.020.645 Nightly rental**

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

933

934 **17A.020.650 Nursery**

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

938

939 **17A.020.655 Office**

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

944

945 **17A.020.660 Open space**

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

952

953 **17A.020.665 Open space, common**

954 “Common open space” means open space as defined by this Chapter which is owned in
955 common by fee simple interest of multiple lots within of the same development, not
956 individually owned. This definition does not imply consistency with open space open
957 space or current use tax programs in accordance with RCW 84.33, RCW 84.34, OCC
958 14.08, or OCC 14.09.

959

960 **17A.020.670 Orchard**

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

963

964 **17A.020.675 Persons**

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

968

969 **17A.020.680 Petroleum bulk plant**

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

973

974 **17A.020.685 Petroleum service station**

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

979

980 **17A.020.690 Planned destination resort (PDR)**

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

985

986 **17A.020.695 Planned unit development (PUD)**

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

995

996 **17A.020.700 Portable**

997 “Portable” means capable of being carried or moved about, not permanently affixed to
998 the ground.

999

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

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

1005

1006 **17A.020.710 Professional building**

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

1010

1011 **17A.020.713 Project**

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

1017

1018 **17A.020.715 Projecting sign**

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

1022

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

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

1027

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

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

1032

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

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

1036

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

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

1041

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

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

1046
1047 **17A.020.745 Recycling processing center**
1048 “Recycling processing center” means a facility where discarded household products
1049 such as aluminum and tin cans, glass, paper and other similar individual consumer
1050 products are deposited and stored for future reprocessing, including crushing, breaking,
1051 sorting and packaging operations, but not a junkyard.
1052
1053 **17A.020.750 Restaurants and cafes**
1054 “Restaurants and cafes” means a place where meals and refreshments may be
1055 purchased. Such establishments include seating areas for customers, and cooking
1056 areas.
1057
1058 **17A.020.755 Retail store or gift shop**
1059 “Retail store or gift shop” means a commercial business, and associated building(s) or
1060 room(s), where items are sold to customers for their own use.
1061
1062 **17A.020.760 Salvage (junk) yards**
1063 “Salvage (junk) yards” means any lot, parcel, tract of land, building, structure or part
1064 thereof used for the storage, collection, processing, purchase, sale or abandonment of
1065 wastepaper, rags, scrap metal, vehicular parts, glass, used building materials,
1066 household appliances, brush, wood or other scrap or discarded goods, materials,
1067 machinery or five or more unregistered, inoperable motor or recreational vehicles or any
1068 other type of junk.
1069
1070 **17A.020.765 Sandwich board sign**
1071 “Sandwich board sign” means a sign which consists of two panels, hinged or attached
1072 at the top or side, designed to be movable and stand on the ground.
1073
1074 **17A.020.770 Sanitary landfill**
1075 “Sanitary landfill” means a place where waste materials are buried between layers of
1076 earth.
1077
1078 **17A.020.775 Sawmill and pulp mill (commercial)**
1079 “Sawmill and pulp mill (commercial)” means a commercial mill where timber or logs or
1080 pulp are sawed into lumber or boards.
1081
1082 **17A.020.780 Sawmill, portable**
1083 “Portable sawmill” means a small, self-contained sawmill which is moved to the site
1084 where the timber is to be sawn and then moved on to another location.
1085
1086 **17A.020.785 School**
1087 “School” means a structure and associated organization and/or group of scholars and/or
1088 teachers that provides instruction or specialized instruction.
1089
1090 **17A.020.790 Seasonal**
1091 “Seasonal” means a temporary use, the duration of which is related to an identifiable

1092 climatic, cultural or recreational period (i.e., summer, winter, fall, spring, Christmas, ski
1093 season).

1094

1095 **17A.020.795 Septic lagoon**

1096 A manmade lined pond and associated pump facility used for the purpose storing
1097 septage, biosolids and further defined by WAC 173-308-080 as "Surface impoundment"
1098 which means a facility or part of a facility which is a natural topographic depression,
1099 man-made excavation, or diked area formed primarily of earthen materials (although it
1100 may be lined with man-made materials), and which is designed to hold an accumulation
1101 of liquids or sludges. The term includes holding, storage, settling, and aeration pits,
1102 ponds, or lagoons, but does not include injection wells.

1103

1104 **17A.020.800 Setback**

1105 "Setback" means the required distance between a structure and a property line, another
1106 structure, shoreline, ordinary high water mark, wetland boundary, or other similar
1107 feature. The setback width is measured along the slope of the land and is perpendicular
1108 to that feature requiring the setback. For example, a 25-foot property line setback would
1109 prohibit structures within 25-feet of the property line.

1110

1111 **17A.020.805 Shooting ranges**

1112 "Shooting ranges" means commercial facilities, indoor and/or outdoor, which are used
1113 for the purpose of using firearms for target practice or competition.

1114

1115 **17A.020.810 Shoreline**

1116 "Shoreline" means any shoreline environment as designated by Okanogan County's
1117 Shoreline Master Program (OCC 14.15).

1118

1119 **17A.020.815 Sign**

1120 "Sign" means any letter, figure, design, symbol, trademark, or other device which is
1121 intended to attract attention to any activity, service, place, firm, corporation or
1122 merchandise, except:

- 1123 A. Traffic signs not visible from the public right-of-way or adjacent properties;
1124 B. Signs on moving vehicles;
1125 C. Newspapers or other printed materials intended for individual use or distribution
1126 to members of the public;
1127 D. Government flags, or flags and bunting exhibited to commemorate national and
1128 patriotic holidays; and banners announcing charitable or civic events.

1129

1130 **17A.020.820 Sign area**

1131 "Sign area" means the entire background of one face of a sign upon which information
1132 of any kind can be displayed unless otherwise certified in this title, but does not include
1133 posts, foundations, roofs or landscaping. Sign measurement shall be based upon the
1134 entire area of the sign with a single continuous perimeter enclosing the extreme limits of
1135 the sign surface, but excluding posts, supports, foundations, roofs or landscaping. For a
1136 sign attached to or painted on a building, the area shall be considered to be 120 percent
1137 of the smallest rectangle which encompasses all of the letters, symbols, and any

1138 background color that is different than the natural color or finish of the building.

1139

1140 **17A.020.825 Sign height**

1141 The height of any sign shall be measured from the average grade at the base of the
1142 sign to the top of the sign. Any sign over or adjacent to a walkway shall be a minimum
1143 of eight feet above the walkway.

1144

1145 **17A.020.830 Slaughter house**

1146 "Slaughter house" means a facility and associated structure(s) where animals are
1147 butchered and prepared for food.

1148

1149 **17A.020.835 Solid waste transfer station**

1150 "Solid waste transfer station" means a government or private facility operated under
1151 government approval or franchise, where privately and or commercially transported
1152 solid waste and refuse is reloaded into larger vehicles for final transportation to a
1153 permanent disposal location.

1154

1155 **17A.020.840 Special event**

1156 "Special event" means any event (excluding those events allowed through the festival
1157 permitting process) that happens for more than three consecutive days per event and
1158 no more than twice a year.

1159

1160 **17A.020.845 Special event camping**

1161 "Special event camping" means any 10 or more recreational vehicles, tents, or
1162 temporary structures designed for temporary habitation, or any combination thereof,
1163 limited to the duration of the special event (whether related to a special event or not)
1164 and one week before and one week after.

1165

1166 **17A.020.850 Structure**

1167 "Structure" means anything constructed in the ground, or anything erected which
1168 requires location on the ground or water, or is attached to something having location on
1169 or in the ground, but not including fences or paved areas, or standard roof-mounted
1170 antennas.

1171

1172 **17A.020.855 Temporary**

1173 "Temporary" means a use or permit having a specific, short-term duration (see
1174 "Seasonal" as defined by this Chapter).

1175

1176 **17A.020.860 Temporary emergency facilities**

1177 "Temporary emergency facilities" means those facilities which are used for a temporary
1178 duration for the purpose of accommodating emergency services and disaster relief
1179 during emergency/disaster situations which threaten public health and safety.

1180

1181 **17A.020.865 Temporary use**

1182 "Temporary use" means a use that is limited in scope, duration and frequency.

1183

1184 **17A.020.870 Tourist accommodation**

1185 "Tourist accommodation" means overnight lodging for the traveling public, which
1186 includes but is not limited to bed and breakfasts, campgrounds, guest ranch,
1187 hotels/motels, inns and lodges, nightly rentals, RV parks.

1188

1189 **17A.020.875 Tract**

1190 "Tract" means a lot as defined by this Chapter.

1191

1192 **17A.020.880 Transient tourist accommodation**

1193 "Transient tourist accommodation," means overnight lodging spaces for the traveling
1194 public. These facilities may include, but are not limited to: guest houses, recreational
1195 homes or cabins, or part-time residential homes, campgrounds, recreational vehicle
1196 (RV) parks, dormitories/hostels/hospices, bed and breakfasts, lodges/inns, cabins,
1197 hotel/motels. See individual definitions for additional detail concerning each type of use.

1198

1199 **17A.020.885 Transient use**

1200 "Transient use" means a business that lasts or stays only a short time and/or a business
1201 that travels from place to place covering a circuit.

1202

1203 **17A.020.890 Transitional surface**

1204 In reference to an airport, "transitional surfaces" are located on both sides of the
1205 approach and primary surfaces. These surfaces extend outward and upward at right
1206 angles to the runway centerline at a slope of seven feet horizontal for every one-foot
1207 vertical rise from the sides of the primary and approach surfaces until it reaches 160
1208 feet above the highest point on the runway.

1209

1210 **17A.020.895 Underlying zone**

1211 "Underlying zone" means a zoning district (as designated within this Title) which is
1212 applied directly to the land as identified on the official zoning map.

1213

1214 **17A.020.900 Use**

1215 "Use" means the legal enjoyment of property that consists in its employment, exercise,
1216 or practice.

1217

1218 **17A.020.905 Variance**

1219 "Variance" means an adjustment in the application of the regulations of a zoning
1220 ordinance to a particular piece of property, in a situation where the property, because of
1221 special circumstances found to exist on the land, is deprived as a result of the
1222 imposition of the zoning regulations of privileges commonly enjoyed by other properties
1223 in the same vicinity and zone. A variance shall be limited to only that adjustment
1224 necessary to remedy the disparity in privilege. A variance shall not be used to convey
1225 special privileges not enjoyed by other properties in the same vicinity and zone and
1226 subject to the same restrictions. Economic hardship is not grounds for a variance.

1227

1228 **17A.020.910 Veterinary clinic**

1229 "Veterinary clinic" means a place used for the care, grooming, diagnosis and treatment

1230 of the sick, ailing, infirm or injured animals, and those who are in need of medical or
1231 surgical attention, and may include overnight accommodations on the premises for the
1232 treatment, observation and/or recuperation.

1233

1234 **17A.020.915 Warming huts/way stations**

1235 “Warming huts/way stations” means a temporary shelter from adverse weather
1236 conditions or overnight layovers on longer trips. These shelters are not intended for
1237 extended stays or permanent residential occupancy. Further, these uses are permitted
1238 only as an ancillary use to a planned, recognized and/or duly authorized recreational
1239 program.

1240

1241 **17A.020.920 Wetlands**

1242 “Wetlands” means areas as defined as “wetlands” by OCC 14.12 “Critical Areas”.

1243

1244 **17A.020.925 Wholesale establishment**

1245 “Wholesale establishment” means a business which things in large amounts to other
1246 businesses rather than to individual customers.

1247

1248 **17A.020.930 Window sign**

1249 “Window sign” means a sign placed inside a building within two horizontal feet of the
1250 window or on a window. This term does not include merchandise.

1251

1252 **17A.020.935 Winery**

1253 “Winery” means a facility where fruit or other products are processed (i.e., crushed,
1254 blended, aged, and/or bottled) for the purpose of making wine. A winery may include a
1255 tasting room, food and beverage service, places of public/private assembly, retail sales
1256 area, and live entertainment.

1257

1258 **17A.020.940 Zoning adjustor**

1259 “Zoning adjustor” means the individual designated and appointed by the board of county
1260 commissioners to decide administrative variance and conditional use permits as set
1261 forth in this Title and pursuant to RCW 36.70.200.

1262

1263

1264

1265 **Chapter 17A.030**
1266 **MINIMUM REQUIREMENT (MR)**

1267 Sections:

1269	17A.030.010	Purpose of classification
1270	17A.030.020	Permitted uses
1271	17A.030.030	Conditional uses
1272	17A.030.040	Accessory uses
1273	17A.030.050	Lot area and width
1274	17A.030.060	Density
1275	17A.030.070	Property line setbacks
1276	17A.030.080	Height
1277	17A.030.090	Lot coverage
1278	17A.030.100	Parking
1279	17A.030.110	Special provisions

1280
1281 **17A.030.010 Purpose of classification**

1282 The purpose of the minimum requirement district is to maintain zone controls within the
1283 exterior boundary of the Colville Indian Reservation, that portion of which is located
1284 within Okanogan County.

1285
1286 **17A.030.020 Permitted uses**

1287 Permitted uses are as indicated on the district use chart (see Chapter 17A.220 OCC).

1288
1289 **17A.030.030 Conditional uses**

1290 Conditional uses are as indicated on the district use chart (see Chapter 17A.220 OCC).

1291
1292 **17A.030.040 Accessory uses**

1293 Accessory uses are as follows:

- 1294 A. Normal accessory uses customary and incidental to the permitted and/or
- 1295 conditional use of the property;
- 1296 B. Accessory dwelling units;
- 1297 C. Farm-worker housing;
- 1298 D. Bed and breakfasts.

1299
1300 **17A.030.050 Lot area and width**

1301 Lot area and width requirements are as follows:

- 1302 A. The minimum lot area is one acre.
- 1303 B. Minimum lot width is 100 feet.

1304
1305 **17A.030.060 Density**

1306 Density restrictions are as follows:

- 1307 A. Maximum of one single-family dwelling unit per acre, except that one single-
- 1308 family dwelling unit and one accessory dwelling may be permitted on any lot so
- 1309 long as adequate provisions for water and septic are permitted by Okanogan
- 1310 County Public Health.

- 1311 B. Maximum of five multi-family dwelling units, or mobile home park units (located
1312 within a permitted mobile home park), per acre.
1313 C. The density of RV parks, campgrounds, hotels, motels, etc. shall be determined
1314 by Okanogan County health district standards for on-site treatment.
1315

1316 **17A.030.070 Property line setbacks**

- 1317 A. All permitted structures shall have the following property line setbacks:
1318 1. Front, minimum is 25 feet;
1319 2. Side, minimum is 5 feet;
1320 3. Rear, minimum is 25 feet.
1321 B. Manufacturing, commercial, or industrial structures: for structures greater than 35
1322 feet in height, property line setbacks shall be a minimum of one foot horizontal for
1323 every one foot of vertical height. Example: A 65-foot tall structure shall be
1324 required to be set back 65 feet from all property lines. If a waiver from adjacent
1325 property owner(s) are provided, the standard setback in this section (OCC
1326 17A.030.070(A)) applies.
1327 C. Structures located on a lot which is adjacent to railroad facilities, and the
1328 structure is accessory to a designated railroad loading facility, shall be exempt
1329 from the setback along the property line bordering railroad property and/or
1330 railroad right-of-way.
1331

1332 **17A.030.080 Height**

1333 Height restrictions are as follows:

- 1334 A. Maximum height for all uses in the zone shall be 35 feet except as noted in
1335 subsections B through G of this section.
1336 B. Maximum height shall be 50 feet for: appurtenances and decorative nonstructural
1337 architectural components on roofs of single- and multiple-family dwelling units
1338 and on roofs of accessory buildings, except accessory agricultural buildings.
1339 C. Maximum height for agricultural uses shall be 65 feet, except as noted in
1340 subsection E of this section.
1341 D. Maximum height for the following uses shall be 65 feet, unless otherwise limited
1342 by condition of a conditional use permit, PUD, as identified in the district use
1343 chart: agricultural wind machines; aircraft hangars; asphalt or concrete batch
1344 plants; barns; cement, lime or gypsum manufacturers; chimneys not attached to
1345 dwellings; church steeples, spires, belfries, cupolas, and domes; community
1346 centers, sports facilities and complexes; cooling towers; county administrative
1347 and criminal justice buildings (governmental services); crosses and other
1348 religious and civic monuments; drive-in movie theater screens; elevator
1349 penthouses; fertilizer manufacturing; gas holders or other similar structures; hose
1350 towers; mining, milling, and associated facilities; parapet walls; performing arts
1351 centers (theaters); petroleum storage tanks; sawmills and pulp mills; school
1352 auditoriums and theaters; smokestacks. (Note: Manufacturing, commercial and
1353 industrial uses can only be placed on lots five acres and larger, if the structures
1354 exceed 35 feet in height. See Lot area and width in OCC 17A.030.050.)

- 1355 E. Maximum height for the following list of uses is 100 feet: agricultural commodity
1356 storage; grain elevators; private communication towers; single-family residential
1357 windmills; water tanks.
1358 F. Maximum height for electric transmission and distribution towers and poles shall
1359 be 150 feet.
1360 G. Maximum height for communications facilities (commercial and public agency
1361 radio and TV, microwave or other antennas for transmitting and receiving) shall
1362 be 200 feet.

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1364 **17A.030.090 Lot coverage**

1365 Lot coverage is not applicable (see required setbacks in OCC 17A.030.070).

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1367 **17A.030.100 Parking**

1368 Parking requirements area as indicated in Chapter 17A.240 OCC.

1369
1370 **17A.030.110 Special provisions**

1371 **A. Cluster Land Divisions:**

- 1372 ~~1. Density: Increases to density beyond that permitted by this Chapter may be~~
1373 ~~permitted for Cluster Land Divisions in accordance with OCC Title 16. For the~~
1374 ~~purpose of calculating maximum density within Cluster Land Divisions, the~~
1375 ~~base density of this zone is 1 single family dwelling unit per acre. Fractional~~
1376 ~~calculations shall be rounded up to the nearest whole number (i.e. density~~
1377 ~~calculated at 12.4 lots and/or units shall be rounded to 13 lots and/or units).~~
1378 ~~2. Lot area and width: In order to achieve alternative lot design and clustering,~~
1379 ~~deviations to lot area and width beyond that permitted by this Chapter may be~~
1380 ~~permitted for Cluster Land Division in accordance with OCC Title 16.~~

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

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Sections:

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

17A.040.010 Purpose of classification

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

17A.040.020 Permitted uses

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

17A.040.030 Conditional uses

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

17A.040.040 Accessory uses

Accessory uses are as follows:

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

17A.040.050 Lot area and width

Lot area and width requirements are as follows:

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

17A.040.060 Density

Density restrictions are as follows:

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

- 1429 B. Maximum of five multi-family dwelling units, or mobile home park units (located
1430 within a permitted mobile home park), per acre.
1431 C. The density of RV parks, campgrounds, hotels, motels, etc. shall be determined
1432 by Okanogan County health district standards for on-site treatment.
1433

1434 **17A.040.070 Property line setbacks**

- 1435 A. All permitted structures shall have the following property line setbacks:
1436 1. Front, minimum is 25 feet;
1437 2. Side, minimum is 5 feet;
1438 3. Rear, minimum is 25 feet.
1439 B. Manufacturing, commercial, or industrial structures: for structures greater than 35
1440 feet in height, property line setbacks shall be a minimum of one foot horizontal for
1441 every one foot of vertical height. Example: A 65-foot tall structure shall be
1442 required to be set back 65 feet from all property lines. If a waiver from adjacent
1443 property owner(s) are provided, the standard setback in this section (OCC
1444 17A.040.070(A)) applies.
1445 C. Structures located on a lot which is adjacent to railroad facilities, and the
1446 structure is accessory to a designated railroad loading facility, shall be exempt
1447 from the setback along the property line bordering railroad property and/or
1448 railroad right-of-way.
1449

1450 **17A.040.080 Height**

1451 Height restrictions are as follows:

- 1452 A. Maximum height for all uses in the zone shall be 35 feet except as noted in
1453 subsections B through G of this section.
1454 B. Maximum height shall be 50 feet for: appurtenances and decorative nonstructural
1455 architectural components on roofs of single- and multiple-family dwelling units
1456 and on roofs of accessory buildings, except accessory agricultural buildings.
1457 C. Maximum height for agricultural uses shall be 65 feet, except as noted in
1458 subsection E of this section.
1459 D. Maximum height for the following uses shall be 65 feet, unless otherwise limited
1460 by condition of a conditional use permit, PUD, as identified in the district use
1461 chart: agricultural wind machines; aircraft hangars; asphalt or concrete batch
1462 plants; barns; cement, lime or gypsum manufacturers; chimneys not attached to
1463 dwellings; church steeples, spires, belfries, cupolas, and domes; community
1464 centers, sports facilities and complexes; cooling towers; county administrative
1465 and criminal justice buildings (governmental services); crosses and other
1466 religious and civic monuments; drive-in movie theater screens; elevator
1467 penthouses; fertilizer manufacturing; gas holders or other similar structures; hose
1468 towers; mining, milling, and associated facilities; parapet walls; performing arts
1469 centers (theaters); petroleum storage tanks; sawmills and pulp mills; school
1470 auditoriums and theaters; smokestacks. (Note: Manufacturing, commercial and
1471 industrial uses can only be placed on lots five acres and larger, if the structures
1472 exceed 35 feet in height. See Lot area and width in OCC 17A.040.050.)

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

1481
1482 **17A.040.090 Lot coverage**

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

1484
1485 **17A.040.100 Parking**

1486 Parking requirements area as indicated in Chapter 17A.240 OCC.

1487
1488 **17A.040.110 Special provisions**

1489 **A. Cluster Land Divisions:**

- 1490 ~~1. Density: Increases to density beyond that permitted by this Chapter may be~~
1491 ~~permitted for Cluster Land Divisions in accordance with OCC Title 16. For the~~
1492 ~~purpose of calculating maximum density within Cluster Land Divisions, the~~
1493 ~~base density of this zone is 1 single family dwelling unit per acre. Fractional~~
1494 ~~calculations shall be rounded up to the nearest whole number (i.e. density~~
1495 ~~calculated at 12.4 lots and/or units shall be rounded to 13 lots and/or units).~~
1496 ~~2. Lot area and width: In order to achieve alternative lot design and clustering,~~
1497 ~~deviations to lot area and width beyond that permitted by this Chapter may be~~
1498 ~~permitted for Cluster Land Division in accordance with OCC Title 16.~~
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**Chapter 17A.050
RURAL 5 (R5)**

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Sections:

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

17A.050.010 Purpose of classification

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

17A.050.020 Permitted uses

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

17A.050.030 Conditional uses

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

17A.050.040 Accessory uses

Accessory uses are as follows:

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

17A.050.050 Lot area and width

Lot area and width requirements are as follows:

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

17A.050.060 Density

Density restrictions are as follows:

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

- 1546 B. Maximum of five multi-family dwelling units, or mobile home park units (located
1547 within a permitted mobile home park), per acre.
1548 C. The density of RV parks, campgrounds, hotels, motels, etc. shall be determined
1549 by Okanogan County health district standards for on-site treatment.
1550

1551 **17A.050.070 Property line setbacks**

- 1552 A. All permitted structures shall have the following property line setbacks:
1553 1. Front, minimum is 25 feet;
1554 2. Side, minimum is 5 feet;
1555 3. Rear, minimum is 25 feet.
1556 B. Manufacturing, commercial, or industrial structures: for structures greater than 35
1557 feet in height, property line setbacks shall be a minimum of one foot horizontal for
1558 every one foot of vertical height. Example: A 65-foot tall structure shall be
1559 required to be set back 65 feet from all property lines. If a waiver from adjacent
1560 property owner(s) are provided, the standard setback in this section (OCC
1561 17A.050.070(A)) applies.
1562 C. Structures located on a lot which is adjacent to railroad facilities, and the
1563 structure is accessory to a designated railroad loading facility, shall be exempt
1564 from the setback along the property line bordering railroad property and/or
1565 railroad right-of-way.
1566

1567 **17A.050.080 Height**

1568 Height restrictions are as follows:

- 1569 A. Maximum height for all uses in the zone shall be 35 feet except as noted in
1570 subsections B through G of this section.
1571 B. Maximum height shall be 50 feet for: appurtenances and decorative nonstructural
1572 architectural components on roofs of single- and multiple-family dwelling units
1573 and on roofs of accessory buildings, except accessory agricultural buildings.
1574 C. Maximum height for agricultural uses shall be 65 feet, except as noted in
1575 subsection E of this section.
1576 D. Maximum height for the following uses shall be 65 feet, unless otherwise limited
1577 by condition of a conditional use permit or PUD, as identified in the district use
1578 chart: agricultural wind machines; aircraft hangars; asphalt or concrete batch
1579 plants; barns; cement, lime or gypsum manufacturers; chimneys not attached to
1580 dwellings; church steeples, spires, belfries, cupolas, and domes; community
1581 centers, sports facilities and complexes; cooling towers; county administrative
1582 and criminal justice buildings (governmental services); crosses and other
1583 religious and civic monuments; drive-in movie theater screens; elevator
1584 penthouses; fertilizer manufacturing; gas holders or other similar structures; hose
1585 towers; mining, milling, and associated facilities; parapet walls; performing arts
1586 centers (theaters); petroleum storage tanks; sawmills and pulp mills; school
1587 auditoriums and theaters; smokestacks. (Note: Manufacturing, commercial and
1588 industrial uses can only be placed on lots five acres and larger, if the structures
1589 exceed 35 feet in height. See Lot area and width in OCC 17A.050.050.)

- 1590 E. Maximum height for the following list of uses is 100 feet: agricultural commodity
1591 storage; grain elevators; private communication towers; single-family residential
1592 windmills; water tanks.
1593 F. Maximum height for electric transmission and distribution towers and poles shall
1594 be 150 feet.
1595 G. Maximum height for communications facilities (commercial and public agency
1596 radio and TV, microwave or other antennas for transmitting and receiving) shall
1597 be 200 feet.

1598
1599 **17A.050.090 Lot coverage**

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

1601
1602 **17A.050.100 Parking**

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

1604
1605 **17A.050.110 Special provisions**

1606 **A. Cluster Land Divisions**

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

1617 **B.A. Limited divisions**

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

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1636 **Chapter 17A.060**
1637 **RURAL 20 (R20)**

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1639 Sections:

1640	17A.060.010	Purpose of classification
1641	17A.060.020	Permitted uses
1642	17A.060.030	Conditional uses
1643	17A.060.040	Accessory uses
1644	17A.060.050	Lot area and width
1645	17A.060.060	Density
1646	17A.060.070	Property line setbacks
1647	17A.060.080	Height
1648	17A.060.090	Lot coverage
1649	17A.060.100	Parking
1650	17A.060.110	Special provisions

1651
1652 **17A.060.010 Purpose of classification**

1653 The purpose of the Rural 20 district is to provide rural/low-density development options
1654 which are consistent with Okanogan County's comprehensive plan.
1655

1656 **17A.060.020 Permitted uses**

1657 Permitted uses are as indicated on the district use chart (see Chapter 17A.220 OCC).
1658

1659 **17A.060.030 Conditional uses**

1660 Conditional uses are as indicated on the district use chart (see Chapter 17A.220 OCC).
1661

1662 **17A.060.040 Accessory uses**

1663 Accessory uses are as follows:

- 1664 A. Normal accessory uses customary and incidental to the permitted and/or
- 1665 conditional use of the property;
- 1666 B. Accessory dwelling units;
- 1667 C. Farm-worker housing;
- 1668 D. Bed and breakfasts.

1669
1670 **17A.060.050 Lot area and width**

1671 Lot area and width requirements are as follows:

- 1672 A. The minimum lot area is 20 acres [or one thirty-second of a section](#).
- 1673 B. Minimum lot width is 100 feet.

1674
1675 **17A.060.060 Density**

1676 Density restrictions are as follows:

- 1677 A. Maximum of one single-family dwelling unit per 20 acres, except that one single-
- 1678 family dwelling unit and one accessory dwelling may be permitted on any lot so
- 1679 long as adequate provisions for water and septic are permitted by Okanogan
- 1680 County Public Health.

- 1681 B. Maximum of five multi-family dwelling units, or mobile home park units (located
1682 within a permitted mobile home park), per acre.
1683 C. The density of RV parks, campgrounds, hotels, motels, etc. shall be determined
1684 by Okanogan County health district standards for on-site treatment.
1685

1686 **17A.060.070 Property line setbacks**

- 1687 A. All permitted structures shall have the following required property line setbacks:
1688 1. Front, minimum is 25 feet;
1689 2. Side, minimum is 5 feet;
1690 3. Rear, minimum is 25 feet.
1691 B. Manufacturing, commercial, or industrial structures: for structures greater than 35
1692 feet in height, property line setbacks shall be a minimum of one foot horizontal for
1693 every one foot of vertical height. Example: A 65-foot tall structure shall be
1694 required to be set back 65 feet from all property lines. If a waiver from adjacent
1695 property owner(s) are provided, the standard setback in this section (OCC
1696 17A.060.070(A)) applies.
1697 C. Structures located on a lot which is adjacent to railroad facilities, and the
1698 structure is accessory to a designated railroad loading facility, shall be exempt
1699 from the setback along the property line bordering railroad property and/or
1700 railroad right-of-way.
1701

1702 **17A.0060.080 Height**

1703 Height restrictions are as follows:

- 1704 A. Maximum height for all uses in the zone shall be 35 feet except as noted in
1705 subsections B through G of this section.
1706 B. Maximum height shall be 50 feet for: appurtenances and decorative nonstructural
1707 architectural components on roofs of single- and multiple-family dwelling units
1708 and on roofs of accessory buildings, except accessory agricultural buildings.
1709 C. Maximum height for agricultural uses shall be 65 feet, except as noted in
1710 subsection E of this section.
1711 D. Maximum height for the following uses shall be 65 feet, unless otherwise limited
1712 by condition of a conditional use permit or PUD, as identified in the district use
1713 chart: agricultural wind machines; aircraft hangars; asphalt or concrete batch
1714 plants; barns; cement, lime or gypsum manufacturers; chimneys not attached to
1715 dwellings; church steeples, spires, belfries, cupolas, and domes; community
1716 centers, sports facilities and complexes; cooling towers; county administrative
1717 and criminal justice buildings (governmental services); crosses and other
1718 religious and civic monuments; drive-in movie theater screens; elevator
1719 penthouses; fertilizer manufacturing; gas holders or other similar structures; hose
1720 towers; mining, milling, and associated facilities; parapet walls; performing arts
1721 centers (theaters); petroleum storage tanks; sawmills and pulp mills; school
1722 auditoriums and theaters; smokestacks. (Note: Manufacturing, commercial and
1723 industrial uses can only be placed on lots twenty acres and larger, if the
1724 structures exceed 35 feet in height. See Lot area and width in OCC
1725 17A.060.050.)

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

1734

1735 **17A.060.090 Lot coverage**

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

1737

1738 **17A.060.100 Parking**

1739 Parking requirements area as indicated in Chapter 17A.240 OCC.

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1741 **17A.060.110 Special provisions**

1742

~~A. Cluster Land Divisions~~

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

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

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B.A. Limited divisions

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

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

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Sections:

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

17A.070.010 Purpose of classification

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

17A.070.020 Permitted uses

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

17A.070.030 Conditional uses

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

17A.070.040 Accessory uses

Accessory uses are as follows:

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

17A.070.050 Lot area and width

Lot area and width requirements are as follows:

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

17A.070.060 Density

Density restrictions are as follows:

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

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17A.070.070 Property line setbacks

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

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

17A.070.080 Height

Height restrictions are as follows:

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

17A.070.090 Lot coverage

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

17A.070.100 Parking

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

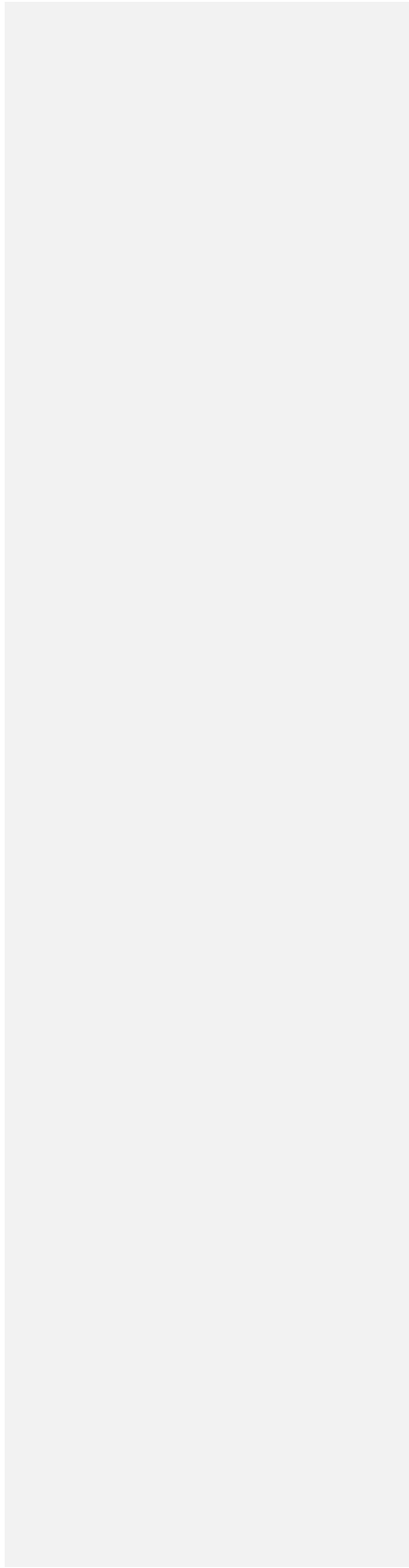
17A.070.110 Special provisions

A. Cluster Land Divisions

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

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



1868 **Chapter 17A.080**
1869 **AGRICULTURAL RESIDENTIAL (AR)**

1870 Sections:

1871
1872 17A.080.010 Purpose of classification
1873 17A.080.020 Permitted uses
1874 17A.080.030 Conditional uses
1875 17A.080.040 Accessory uses
1876 17A.080.050 Lot area and width
1877 17A.080.060 Density
1878 17A.080.070 Property line setbacks
1879 17A.080.080 Height
1880 17A.080.090 Lot coverage
1881 17A.080.100 Parking
1882 17A.080.110 Special provisions

1883
1884 **17A.080.010 Purpose of classification**

1885 The purpose of the agricultural residential district is to provide a mixture of rural/high-
1886 density and agricultural development options which are consistent with Okanogan
1887 County's comprehensive plan.

1888
1889 **17A.080.020 Permitted uses**

1890 Permitted uses are as indicated on the district use chart (see Chapter 17A.220 OCC).

1891
1892 **17A.080.030 Conditional uses**

1893 Conditional uses are as indicated on the district use chart (see Chapter 17A.220 OCC).

1894
1895 **17A.080.040 Accessory uses**

1896 Accessory uses are as follows:

- 1897 A. Normal accessory uses customary and incidental to the permitted and/or
1898 conditional use of the property;
1899 B. Accessory dwelling units;
1900 C. Home occupations;
1901 D. Bed and breakfasts.

1902
1903 **17A.080.050 Lot area and width**

1904 Lot area and width requirements are as follows:

- 1905 A. The minimum lot area is two acres.
1906 B. The minimum lot width is 100 feet.

1907
1908 **17A.080.060 Density**

1909 Density restrictions are as follows:

- 1910 A. Maximum of one dwelling unit per two acres, except that one single-family
1911 dwelling unit and one accessory dwelling may be permitted on any lot so long as
1912 adequate provisions for water and septic are permitted by Okanogan County
1913 Public Health.

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

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

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

- 1919 A. Front: minimum is 25 feet.
1920 B. Side: minimum is 25 feet.
1921 C. Rear: minimum is 25 feet.
1922 D. Structures located on a lot which is adjacent to railroad facilities, and the
1923 structure is accessory to a designated railroad loading facility, shall be exempt
1924 from the setback along the property line bordering railroad property and/or right-
1925 of-way.
1926

1927 **17A.080.080 Height**

1928 Height restrictions are as follows:

- 1929 A. Maximum height for all uses in the zone shall be 35 feet except as noted in
1930 subsections B through G of this section.
1931 B. Maximum height shall be 50 feet for: appurtenances and decorative nonstructural
1932 architectural components on roofs of single- and multiple-family dwelling units
1933 and on roofs of accessory buildings, except agricultural buildings; parapet walls.
1934 C. Maximum height for agricultural uses shall be 65 feet, except as noted in
1935 subsections D and E of this section.
1936 D. Maximum height for the following list of uses shall be 65 feet, unless otherwise
1937 limited by condition of a conditional use permit, PUD, as identified in the district
1938 use chart: agricultural wind machines; barns; church steeples, spires, belfries,
1939 cupolas, and domes; crosses and other religious and civic monuments; elevator
1940 penthouses; fire towers; fruit and vegetable packing facilities; hose towers;
1941 school auditoriums and theaters.
1942 E. Maximum height for the following list of uses is 100 feet: agricultural commodity
1943 storage; amateur radio poles or antennas; grain elevators; private communication
1944 poles or antennas; single-family residential windmills; water tanks.
1945 F. Maximum height for electric transmission and distribution towers and poles shall
1946 be 150 feet.
1947 G. Maximum height for communication facilities (commercial or public agency radio
1948 and TV, microwave or other antennas for transmitting and receiving) shall be 200
1949 feet.
1950

1951 **17A.080.090 Lot coverage**

1952 Maximum lot coverage is 20 percent.
1953

1954 **17A.080.100 Parking**

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

1957 **17A.080.110 Special provisions**

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

1960
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~~permitted for Cluster Land Divisions in accordance with OCC Title 16. For the purpose of calculating maximum density within Cluster Land Divisions, the base density of this zone is 1 single family dwelling unit per five acres. Fractional calculations shall be rounded up to the nearest whole number (i.e. density calculated at 12.4 lots and/or units shall be rounded to 13 lots and/or units).~~

~~2.1. Lot area and width: In order to achieve alternative lot design and clustering, deviations to lot area and width beyond that permitted by this Chapter may be permitted for Cluster Land Division in accordance with OCC Title 16.~~

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

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Sections:

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

17A.090.010 Purpose of classification

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

17A.090.020 Permitted uses

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

17A.090.030 Conditional uses

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

17A.090.040 Accessory uses

Accessory uses are as follows:

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

17A.090.050 Lot area and width

Lot area and width requirements are as follows:

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

17A.090.060 Density

Density restrictions are as follows:

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

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

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

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

- 2021 A. Front: minimum is 25 feet.
- 2022 B. Side: minimum is five feet.
- 2023 C. Rear: minimum is 25 feet.

2024
2025 **17A.090.080 Height**

2026 Height restrictions are as follows:

- 2027 A. Maximum height is 35 feet.

2028
2029 **17A.090.090 Lot coverage**

2030 Lot coverage restrictions are as follows:

- 2031 A. Maximum lot coverage is 40 percent.

2032
2033 **17A.090.100 Parking**

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

2036 **17A.090.110 Special provisions**

2037 **A. Cluster Land Divisions**

- 2038 ~~1. Density: Increases to density beyond that permitted by this Chapter may be~~
- 2039 ~~permitted for Cluster Land Divisions in accordance with OCC Title 16. For the~~
- 2040 ~~purpose of calculating maximum density within Cluster Land Divisions, the~~
- 2041 ~~base density of this zone is one dwelling unit per one-fifth acre. Fractional~~
- 2042 ~~calculations shall be rounded up to the nearest whole number (i.e. density~~
- 2043 ~~calculated at 12.4 lots and/or units shall be rounded to 13 lots and/or units).~~
- 2044 ~~2. Lot area and width: In order to achieve alternative lot design and clustering,~~
- 2045 ~~deviations to lot area and width beyond that permitted by this Chapter may be~~
- 2046 ~~permitted for Cluster Land Division in accordance with OCC Title 16.~~

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2049 **Chapter 17A.100**
2050 **COMMERCIAL (C)**

2051
2052 **Sections:**

2053	17A.100.010	Purpose of classification
2054	17A.100.020	Permitted uses
2055	17A.100.030	Conditional uses
2056	17A.100.040	Accessory uses
2057	17A.100.050	Lot area and width
2058	17A.100.060	Density
2059	17A.100.070	Property line setbacks
2060	17A.100.080	Height
2061	17A.100.090	Lot coverage
2062	17A.100.100	Parking
2063	17A.100.110	Special provisions

2064
2065 **17A.100.010 Purpose of classification**

2066 The purpose of this district is to provide for commercial development options which are
2067 consistent with Okanogan County's comprehensive plan.
2068

2069 **17A.100.020 Permitted uses**

2070 Permitted uses are as indicted on the district use chart (see Chapter 17A.220 OCC).
2071

2072 **17A.100.030 Conditional uses**

2073 Conditional uses are as indicated on the district use chart (see Chapter 17A.220 OCC).
2074

2075 **17A.100.040 Accessory uses**

2076 Accessory uses are as follows:

- 2077 A. Normal accessory uses customary and incidental to the permitted and/or
- 2078 conditional use of the property;
- 2079 B. One attached or detached dwelling unit for employee housing or the private use
- 2080 of the business owner shall be permitted on the same site as the business.

2081
2082 **17A.100.050 Lot area and width**

2083 Lot area and width requirements are as follows:

- 2084 A. The minimum lot area is 5,000 square feet.
- 2085 B. The minimum lot width is 50 feet.

2086
2087 **17A.100.060 Density**

2088 Reserved
2089

2090 **17A.100.070 Property line setbacks**

2091 All permitted structures shall have the following required property line setbacks:

- 2092 A. Front: none;
- 2093 B. Side: none, except minimum is 10 feet when abutting a residential or agricultural
- 2094 district;

2095 C. Rear: none, except minimum is 25 feet when abutting a residential or agricultural
2096 district.

2097

2098 **17A.100.080 Height**

2099 Height restrictions are as follows:

- 2100 A. Maximum height for all uses in the zone shall be 65 feet, except as noted in
2101 subsections B through D of this section.
- 2102 B. Maximum height for the following list of uses is 100 feet: agricultural commodity
2103 storage; amateur radio poles or antennas; water tanks.
- 2104 C. Maximum height for electric transmission and distribution towers and poles shall
2105 be 150 feet.
- 2106 D. Maximum height for communication facilities (commercial or public agency radio
2107 and TV, microwave or other antennas for transmitting and receiving) shall be 200
2108 feet.

2109

2110 **17A.100.090 Lot coverage**

2111 Lot coverage is not applicable.

2112

2113 **17A.100.100 Parking**

2114 Parking requirements are as indicated in Chapter 17A.240 OCC.

2115

2116 **17A.100.110 Special provisions**

2117 Reserved

2118

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

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Sections:

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

17A.110.010 Purpose of classification

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

17A.110.020 Permitted uses

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

17A.110.030 Conditional uses

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

17A.110.040 Accessory uses

Accessory uses are as follows:

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

17A.110.050 Lot area and width

Lot area and width requirements are as follows:

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

17A.110.060 Density

Density restrictions are as follows:

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

17A.110.070 Property line setbacks

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

- A. Front: 25 feet;

- 2165 B. Side: none, except minimum is 25 feet when abutting a residential or agricultural
2166 land district;
2167 C. Rear: none, except minimum is 25 feet when abutting a residential or agricultural
2168 district.

2169

2170 **17A.110.080 Height**

2171 Height restrictions are as follows:

- 2172 A. Maximum height is 65 feet, unless the manufacturing process requires a taller
2173 structure.

2174

2175 **17A.110.090 Lot coverage**

2176 Lot coverage restrictions are as follows:

- 2177 A. Maximum lot coverage is 70 percent.

2178

2179 **17A.110.100 Parking**

2180 Parking requirements are as indicated in Chapter 17A.240 OCC.

2181

2182 **17A.110.110 Special provisions**

2183 Reserved

2184

2185 **Chapter 17A.120**
2186 **AIRPORT DEVELOPMENT (AD)**

2187 Sections:

2189	17A.120.010	Purpose of classification
2190	17A.120.020	Permitted uses
2191	17A.120.030	Conditional uses
2192	17A.120.040	Accessory uses
2193	17A.120.050	Lot area and width
2194	17A.120.060	Density
2195	17A.120.070	Property line setbacks
2196	17A.120.080	Height
2197	17A.120.090	Lot coverage
2198	17A.120.100	Parking
2199	17A.120.110	Special provisions

2200
2201 **17A.120.010 Purpose of classification**

2202 The purpose of this district is to provide industrial and commercial development options
2203 which are consistent with Okanogan County's comprehensive plan and which support
2204 continued use of airport facilities..

2205
2206 **17A.120.020 Permitted uses**

2207 Permitted uses are as indicated on the district use chart (see Chapter 17A.220 OCC).

2208
2209 **17A.120.030 Conditional uses**

2210 Conditional uses are as indicated on the district use chart (see Chapter 17A.220 OCC).

2211
2212 **17A.120.040 Accessory uses**

2213 Accessory uses are as follows:

- 2214 A. Normal accessory uses customary and incidental to the permitted and/or
2215 conditional use of the property.

2216
2217 **17A.120.050 Lot area and width**

2218 Lot area and width requirements are as follows:

- 2219 A. The minimum lot area is 10,000 square feet.
2220 B. The minimum lot width is 50 feet.

2221
2222 **17A.120.060 Density**

2223 Density restrictions are as follows:

- 2224 A. Maximum floor area equals lot area.

2225
2226 **17A.120.070 Property line setbacks**

2227 All permitted structures shall have the following required property line setbacks:

- 2228 A. Front: minimum is 10 feet except when facing outward on the perimeter of the
2229 airport district, in which instance the setback shall be a minimum of 25 feet;

- 2230 B. Side: minimum is 10 feet except when abutting a residential or agricultural land
2231 district, in which instance the setback shall be a minimum of 25 feet;
2232 C. Rear: none, except minimum is 25 feet when abutting the perimeter of the airport
2233 district.
2234

2235 **17A.120.080 Height**

2236 Height restrictions are as follows:

- 2237 A. Maximum height is 65 feet, however, no obstruction (structural or natural) shall
2238 extend into the transitional, approach, horizontal or conical surfaces of the
2239 runway (see safety standards in OCC 17A.300 & OCC 17A.301).
2240 B. Maximum height shall be 100 feet for: air traffic control towers; communication
2241 facilities (amateur radio poles or antennas, commercial or public agency radio
2242 and TV, microwave or other antennas for transmitting and receiving); fire towers;
2243 hose towers. However, no obstruction (structural or natural) shall extend into the
2244 transitional, approach, horizontal or conical surfaces of the runway, unless the
2245 structure is absolutely essential to the operation of the airport (see safety
2246 standards in OCC 17A.300 & OCC 17A.301).
2247

2248 **17A.120.090 Lot coverage**

2249 Lot coverage restrictions are as follows:

- 2250 A. Maximum lot coverage is 70 percent.
2251

2252 **17A.120.100 Parking**

2253 Parking requirements are as indicted in Chapter 17A.240 OCC.
2254

2255 **17A.120.110 Special provisions**

- 2256 A. No use shall be permitted within this district which creates electrical interference
2257 with navigational signals or radio communications between the airport and
2258 aircraft.
2259 B. Any use which would foster an increased bird population and thereby increase
2260 the likelihood of a bird strike problem shall provide a waste management/bird
2261 control plan as part of their development proposal.
2262 C. There shall be no emission of smoke, fly ash, dust, vapor, gases or other forms
2263 of air pollution that may conflict with any present or planned operations of the
2264 airport.
2265 D. All uses within the airport development district shall be directly served by safe
2266 and usable access, as determined by the county department of public works.
2267 E. Building materials shall not produce glare which may conflict with any present or
2268 planned operation of the airport.
2269 F. Storage of flammable substances such as fuel or petroleum products shall be in
2270 conformance with current laws. Mobile aviation fuel trucks and lubricating oil shall
2271 be permitted.
2272 G. A site plan review and approval is required prior to the development and
2273 operation of any use.
2274 H. Those uses not specifically identified in the district use chart as allowed or
2275 allowed by conditional use permit, but which are similar uses, shall only be

2276 allowed by the administrator subject to the provisions of Chapter 17A.220 OCC if
2277 they are related to air transportation.
2278 I. Signs shall be indirectly illuminated, made of non-glare materials, and be no
2279 larger than 32 square feet.
2280 J. Unless necessary for safe and convenient air travel, sign lighting and exterior
2281 lighting shall not project into the runway, taxiway or approach zone or areas.
2282
2283

2284 **Chapter 17A.130**
2285 **METHOW REVIEW DISTRICT (MRD)**

2286
2287 Sections:

2288	17A.130.010	Purpose of classification
2289	17A.130.020	Permitted uses
2290	17A.130.030	Conditional uses
2291	17A.130.040	Accessory uses
2292	17A.130.050	Lot area and width
2293	17A.130.060	Density
2294	17A.130.070	Property line setbacks
2295	17A.130.080	Height
2296	17A.130.090	Lot coverage
2297	17A.130.100	Parking
2298	17A.130.110	Special provisions

2299
2300 **17A.130.010 Purpose of classification**

2301 District Purpose: The purpose of this district is to provide rural development options
2302 which are consistent with Okanogan County's comprehensive plan, including the
2303 Methow Valley More Completely Planned Area..
2304

2305 **17A.130.020 Permitted uses**

2306 Indicated on the district use chart (see OCC 17A.220).
2307

2308 **17A.130.030 Conditional uses**

2309 Indicated on the district use chart (see OCC 17A.220).
2310

2311 **17A.130.040 Accessory uses**

- 2312 A. Normal accessory uses customary and incidental to the permitted and/or
2313 conditional use of the property.
2314 B. Accessory dwelling units:
2315 1. On lots which meet or exceed the minimum lot size requirement of the district,
2316 one additional attached or detached accessory dwelling unit is allowed. The
2317 accessory dwelling unit must be 1500 square feet or less and must be located
2318 no further than one hundred feet from the primary dwelling or structure in
2319 MRD VF5 and MRD VF1, and no further than 400 feet in MRD UL20. No
2320 clustering is required in MRD VF12,500.
2321 2. On nonconforming lots, an accessory dwelling unit for extended family
2322 members is allowed only if a demonstrated family hardship exists (See OCC
2323 17A.310.060(B)(1)).
2324 3. No more than one accessory dwelling unit shall be located on any lot.
2325

2326 **17A.130.050 Lot area and width**

- 2327 A. MRD UL20.
2328 1. Minimum lot area is 20 acres.

- 2329 2. When the height of structures for permitted manufacturing, commercial, and
- 2330 industrial uses exceed 35 feet minimum lot area is 20 acres. These structures
- 2331 cannot be placed on lots that are less than minimum size.
- 2332 3. Minimum lot width is 100 feet.
- 2333 B. MRD VF5.
- 2334 1. Minimum lot area is five acres.
- 2335 2. When the height of structures for permitted manufacturing, commercial, and
- 2336 industrial uses exceeds 35 feet minimum lot area is five acres. These
- 2337 structures cannot be placed on lots that are less than minimum size.
- 2338 3. Minimum lot width is 100 feet.
- 2339 C. MRD VF1.
- 2340 1. Minimum lot area is one acre.
- 2341 2. When the structures for permitted manufacturing, commercial, and industrial
- 2342 uses exceed 35 feet minimum lot area is five acres.
- 2343 3. Minimum lot width is 100 feet.
- 2344 D. MRD VF12,500.
- 2345 1. Minimum lot area is 12,500 square feet.
- 2346 2. When the structures for permitted manufacturing, commercial, and industrial
- 2347 uses exceed 35 feet minimum lot area is five acres.
- 2348 3. Minimum lot width is 100 feet.

17A.130.060 Density

- 2350 A. MRD UL20.
- 2351 1. Maximum of one dwelling unit per 20 acres with an allowance for a second
- 2352 unit per OCC 17A.130.040(B).
- 2353 B. MRD VF5.
- 2354 1. Maximum of one dwelling unit per five acres with an allowance for a second
- 2355 unit per OCC 17A.130.040(B).
- 2356 C. MRD VF1.
- 2357 1. Maximum of one dwelling unit per acre.
- 2358 D. MRD VF12,500.
- 2359 1. Maximum of one dwelling unit per 12,500 square feet.
- 2360 E. General Density Requirements: This subsections applies to subsections A
- 2361 through D of this section (OCC 17A.130.060 Density).
- 2362 1. When density requirements of this Section would not be met, an additional
- 2363 dwelling unit for extended family members may be permitted only if a
- 2364 demonstrated emergency family hardship exists (See OCC
- 2365 17A.310.060(B)(1)).
- 2366
- 2367

17A.130.070 Property line setbacks

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

- 2368 A. MRD UL20.
- 2369 1. Front: minimum is 50 feet;
- 2370 2. Side: minimum is 50 feet;
- 2371 3. Rear: minimum is 50 feet;
- 2372
- 2373

- 2374 4. Manufacturing, commercial, or industrial structures: yard setbacks from all
2375 property lines shall not be less than two feet horizontal for every one foot of
2376 vertical height; or, the setback established in this section, whichever is
2377 greater. (Example: A 65-foot tall structure shall be required to be set back 130
2378 feet from all property lines).
- 2379 B. MRD VF5.
- 2380 1. Front: minimum is 25 feet;
2381 2. Side: minimum is 25 feet;
2382 3. Rear: minimum is 25 feet;
2383 4. Manufacturing, commercial, or industrial structures: yard setbacks from all
2384 property lines shall not be less than two feet horizontal for every one foot of
2385 vertical height; or, the setback established in this section, whichever is
2386 greater. (Example: A 65-foot tall structure shall be required to be set back 130
2387 feet from all property lines).
- 2388 C. MRD VF1.
- 2389 1. Front: minimum is 25 feet;
2390 2. Side: minimum is 15 feet;
2391 3. Rear: minimum is 25 feet;
2392 4. Manufacturing, commercial, or industrial structures: yard setbacks from all
2393 property lines shall not be less than two feet horizontal for every one foot of
2394 vertical height; or, the setback established in this section, whichever is
2395 greater. (Example: A 65-foot tall structure shall be required to be set back 130
2396 feet from all property lines).
- 2397 D. MRD VF12,500.
- 2398 1. Front: minimum is 25 feet;
2399 2. Side: minimum is 5 feet;
2400 3. Rear: minimum is 25 feet;
2401 4. Manufacturing, commercial, or industrial structures: yard setbacks from all
2402 property lines shall not be less than two feet horizontal for every one foot of
2403 vertical height; or, the setback established in this section, whichever is
2404 greater. (Example: A 65-foot tall structure shall be required to be set back 130
2405 feet from all property lines).

2406 **17A.130.080 Height**

2407 Height restrictions are as follows:

- 2408 A. Maximum height for all uses in the zone shall be 35 feet, except as noted in
2409 subsections B through F of this section.
- 2410 B. Maximum height for the following list of uses shall be 50 feet: appurtenances and
2411 decorative nonstructural architectural components on roofs of single-family
2412 dwelling units, multifamily dwelling units, inns, lodges and on roofs of accessory
2413 agricultural buildings.
- 2414 C. Maximum height for the following list of uses shall be 65 feet: agricultural wind
2415 machines; barns, hay storage sheds; church steeples, spires, belfries, cupolas,
2416 and domes; county administrative and criminal justice buildings; drive-in movie
2417 theater screens; elevator penthouses; fire towers; fruit and vegetable packing
2418 facilities; gas holders or other similar structures; hose towers; parapet walls;
2419

- 2420 performing arts centers (theaters, community centers, sports facilities and
2421 complexes); petroleum storage tanks; school auditoriums and theaters.
2422 D. Maximum height for the following list of uses shall be 100 feet: amateur radio
2423 poles or antennas; grain elevators; agricultural commodity storage; private
2424 communication poles or antennas; single-family residential windmills; water
2425 tanks.
2426 E. Maximum height for electric transmission and distribution towers and poles shall
2427 be 150 feet.
2428 F. Maximum height for communication facilities (commercial or public agency radio
2429 and TV, microwave or other antennas for transmitting and receiving) shall be 200
2430 feet.
2431

2432 **17A.130.090 Lot coverage**

- 2433 A. MRD UL20.
2434 1. Single-family development: maximum lot coverage is 5 percent;
2435 2. All other development: maximum lot coverage is 10 percent.
2436 B. MRD VF5.
2437 1. Single-family development: maximum lot coverage is 10 percent;
2438 2. All other development: maximum lot coverage is 40 percent.
2439 C. MRD VF1.
2440 1. Single-family development: maximum lot coverage is 30 percent;
2441 2. All other development: maximum lot coverage is 40 percent.
2442 D. MRD VF12,500.
2443 1. Single-family development: maximum lot coverage is 35 percent;
2444 2. All other development: maximum lot coverage is 40 percent.
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2446 **17A.130.100 Parking**

2447 As indicated in Chapter 17A.240 OCC.
2448

2449 **17A.130.110 Special provisions**

- 2450 A. Multifamily dwellings and mobile home parks are allowed by Conditional Use
2451 Permits only on lots which meet or exceed the minimum lot size requirement of
2452 the of the zone (see OCC 17A.130.050 OCC), which supersedes OCC
2453 17A.330.010 "Legal pre-existing lots".
2454 B. Inns, lodges or guest ranches, campgrounds, and RV parks, all of which are
2455 defined within the "Definitions" chapter of this Title (OCC 17A.020), shall be
2456 approved by Conditional Use Permit only on lots which meet or exceed the
2457 minimum lot size of this zone (see OCC 17A.130.050 OCC), which supersedes
2458 OCC 17A.330.010 "Legal pre-existing lots", and shall incorporate the following
2459 additional design standards:
2460 1. Intensity: For the purposes of this section, one equivalent residential unit
2461 (dwelling unit) shall equal a lodging unit with or without kitchen facilities,
2462 containing four or fewer rental bedrooms, or a maximum of 10 occupants. The
2463 number of camping spaces cannot exceed the number allowable by
2464 Okanogan County health district on-site sewage standards.

- 2465 2. Signage: Only indirectly illuminated signs made of natural materials are
2466 allowed.
2467 3. Setback for Intensive Uses: Setback from property line of adjacent residential
2468 properties for residential structures, campsites, and other areas of intense
2469 use shall be 75 feet.
2470 4. Screening of parking areas within 100 feet of the property line of adjacent
2471 residential properties shall be required.
2472 5. Light and Glare: Outdoor lighting, including street and parking lot lighting,
2473 shall be directed downward and shielded to minimize potential glare to
2474 motorists and off-site residents. No exterior light with a direct source visible
2475 from a neighboring property shall be installed. Indirect sources and horizontal
2476 cut-off fixtures are recommended to reduce glare and provide general
2477 ambient light. Holiday lighting is exempt from these requirements.
2478 C. Construction in Flood Hazard Areas: No structures for human habitation shall be
2479 constructed or placed in the 100-year floodplain.

2480 ~~D. Cluster Land Divisions~~

- 2481 ~~1. Density: Increases to density beyond that permitted by this Chapter may be~~
2482 ~~permitted for Cluster Land Divisions in accordance with OCC Title 16. For the~~
2483 ~~purpose of calculating maximum density within Cluster Land Divisions, the~~
2484 ~~base density of this zone is as follows~~
2485 ~~a. MRD-UL20: 1 lot per 20 acres.~~
2486 ~~b. MRD-VF5: 1 lot per 5 acres.~~
2487 ~~c. MRD-VF1: 1 lot per acre.~~
2488 ~~d. MRD-VF12,500: 1 lot per 12,500 square feet.~~
2489 ~~e. Fractional calculations shall be rounded down to the nearest whole~~
2490 ~~number (i.e. density calculated at 12.7 lots and/or dwelling units shall be~~
2491 ~~rounded to 12 lots and/or units).~~
2492 ~~2. Lot area and width: In order to achieve alternative lot design and clustering,~~
2493 ~~deviations to lot area and width beyond that permitted by this Chapter may be~~
2494 ~~permitted for Cluster Land Division in accordance with OCC Title 16.~~

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2499 **Chapter 17A.140**
2500 **RURAL RESIDENTIAL (RR)**

2501
2502 **Sections:**

- 2503 17A.140.010 Purpose of classification
2504 17A.140.020 Permitted uses
2505 17A.140.030 Conditional uses
2506 17A.140.040 Accessory uses
2507 17A.140.050 Lot area and width
2508 17A.140.060 Density
2509 17A.140.070 Property line setbacks
2510 17A.140.080 Height
2511 17A.140.090 Lot coverage
2512 17A.140.100 Parking
2513 17A.140.110 Special provisions
2514 17A.140.120 Signs

2515
2516 **17A.140.010 Purpose of classification**

2517 The purpose of this district is to provide rural/low-density development options which
2518 are consistent with Okanogan County's comprehensive plan, including the Methow
2519 Valley More Completely Planned Area Sub-Unit A.

2520
2521 **17A.140.020 Permitted uses**

2522 Permitted uses are as indicated on the district use chart, Chapter 17A.220 OCC.

2523
2524 **17A.140.030 Conditional uses**

2525 Conditional uses are as indicated on the district use chart, Chapter 17A.220 OCC.

2526
2527 **17A.140.040 Accessory uses**

2528 Accessory uses are as follows:

- 2529 A. Normal accessory uses customary and incidental to the permitted and/or
2530 conditional use of the property.
2531 B. Accessory dwellings:
2532 1. On lots which meet or exceed the minimum lot size requirement of the district,
2533 one additional attached or detached accessory dwelling is allowed. The
2534 accessory dwelling unit must be 1500 square feet or less and must be located
2535 no further than one hundred feet from the primary dwelling unit or structure.
2536 2. On nonconforming lots, an accessory dwelling unit for extended family
2537 members is allowed only if a demonstrated family hardship exists (See OCC
2538 17A.310.060(B)(1)).
2539 3. No more than one accessory dwelling unit shall be located on any lot.

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2541 **17A.140.050 Lot area and width**

2542 Lot area and width requirements are as follows:

- 2543 A. The minimum lot area is five acres.
2544 B. The minimum lot width is 100 feet.

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17A.140.060 Density

Density restrictions are as follows:

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

17A.140.070 Property line setbacks

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

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

17A.140.080 Height

Height restrictions are as follows:

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

17A.140.090 Lot coverage

Lot coverage restrictions are as follows:

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

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17A.140.100 Parking

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

17A.140.110 Special provisions

- A. Inns, lodges or guest ranches, campgrounds, and RV parks, all of which are defined within the “Definitions” chapter of this Title (OCC 17A.020), shall be approved by Conditional Use Permit only on lots which meet or exceed the minimum lot size of this zone (see OCC 17A.140.050), which supersedes OCC 17A.330.010 “Legal pre-existing lots”, and shall incorporate the following additional design standards:
 - 1. Intensity: For the purposes of this section, one equivalent residential unit (dwelling unit) shall equal a lodging unit with or without kitchen facilities, containing four or fewer rental bedrooms, or a maximum of 10 occupants. The number of camping spaces cannot exceed the number allowable by Okanogan County health district on-site sewage standards.
 - 2. Signage: Only indirectly illuminated signs made of natural materials are allowed.
 - 3. Setback for Intensive Uses: Setback from property line of adjacent residential properties for residential structures, campsites, and other areas of intense use shall be 75 feet.
 - 4. Screening of parking areas within 100 feet of the property line of adjacent residential properties shall be required.
 - 5. Light and Glare: Outdoor lighting, including street and parking lot lighting, shall be directed downward and shielded to minimize potential glare to motorists and off-site residents. No exterior light with a direct source visible from a neighboring property shall be installed. Indirect sources and horizontal cut-off fixtures are recommended to reduce glare and provide general ambient light. Holiday lighting is exempt from these requirements.
- B. Construction in Flood Hazard Areas: No structures for human habitation shall be constructed or placed in the 100-year floodplain.

~~C. Cluster Land Divisions~~

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

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

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

2665 **17A.140.120 Signs**

2666 Any sign advertising a business or organization not located on the parcel containing the
2667 business or organization is prohibited except those signs erected by the state of
2668 Washington or Okanogan County.
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Chapter 17A.150
LOW DENSITY RESIDENTIAL (LDR)

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Sections:

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

17A.150.010 Purpose of classification

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

17A.150.020 Permitted uses

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

17A.150.030 Conditional uses

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

17A.150.040 Accessory uses

Accessory uses are as follows:

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

17A.150.050 Lot area and width

Lot area and width requirements are as follows:

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

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17A.150.060 Density

Density restrictions are as follows:

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

17A.150.070 Property line setbacks

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

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

17A.150.080 Height

Height restrictions are as follows:

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

17A.150.090 Lot coverage

Lot coverage restrictions are as follows:

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

17A.150.100 Parking

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

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17A.150.110 Special provisions

- A. Multifamily dwellings and manufactured home parks are allowed by Conditional Use Permits only on lots which meet or exceed the minimum lot size requirement of the of the zone (see OCC 17A.150.050 OCC).
- B. Inns, lodges or guest ranches, campgrounds, and RV parks, all of which are defined within the “Definitions” chapter of this Title (OCC 17A.020), shall be approved by Conditional Use Permit only on lots which meet or exceed the minimum lot size requirement of the of this zone (see OCC 17A.150.050 OCC), which supersedes OCC 17A.330.010 “Legal pre-existing lots”, and shall incorporate the following additional design standards:
 - 1. Intensity: For the purposes of this section, one equivalent residential unit (dwelling unit) shall equal a lodging unit with or without kitchen facilities, containing four or fewer rental bedrooms, or a maximum of 10 occupants. The number of camping spaces cannot exceed the number allowable by Okanogan County health district on-site sewage standards.
 - 2. Signage: Only indirectly illuminated signs made of natural materials are allowed.
 - 3. Setback for Intensive Uses: Setback from property line of adjacent residential properties for residential structures, campsites, and other areas of intense use shall be 75 feet.
 - 4. Screening of parking areas within 100 feet of the property line of adjacent residential properties shall be required.
 - 5. Light and Glare: Outdoor lighting, including street and parking lot lighting, shall be directed downward and shielded to minimize potential glare to motorists and off-site residents. No exterior light with a direct source visible from a neighboring property shall be installed. Indirect sources and horizontal cut-off fixtures are recommended to reduce glare and provide general ambient light. Holiday lighting is exempt from these requirements.
- C. Construction in Flood Hazard Areas: No structures for human habitation shall be constructed or placed in the 100-year flood.

~~D. Cluster Land Divisions~~

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

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

- 2806 1. Aircraft hangars and noncommercial airport-related service structures in
2807 areas platted for residential (noncommercial) airport-related uses. With
2808 respect to individual residential lots within such plat, such structures shall be
2809 set back no less than 10 feet from the taxiway serving such residential lots,
2810 and shall comply in all other respects with lot coverage restrictions pertinent
2811 to this district.
- 2812 2. Aircraft fuel pumps and fuel storage; provided, that any such fuel pumps
2813 and/or fuel storage facilities shall comply with all state and federal laws and
2814 regulations regarding such facilities.
- 2815 | **F.E.** Pre-application consultation with the local advisory committee or other
2816 entity established by the county, and the office of planning and development is
2817 mandatory for all uses requiring a conditional use permit (Chapter 17A.310 OCC)
2818 or planned unit development (Chapter 17A.200 OCC) for approval.
- 2819 1. Within 14 days of receiving a request for pre-application consultation, the
2820 office of planning and development will set a meeting date, time and place for
2821 the pre-application consultation. The purpose of the meeting is to assist the
2822 applicant in identification of site development and design considerations and
2823 suggest potential solutions where possible. The local review board or other
2824 entity established by the county shall base its comments and
2825 recommendations on guidelines established pursuant to the county
2826 comprehensive plan. These comments and recommendations shall be
2827 provided to the applicant and the office of planning and development within 7
2828 days of the pre-application consultation meeting.
- 2829 2. The request for a pre-application consultation shall vest the applicant to the
2830 existing regulations, so long as the applicant submits a completed application
2831 to the office of planning and development within 30 days of the request for a
2832 pre-application consultation or within 7 days of the pre-application
2833 consultation, whichever is later.

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2835 **17A.150.120 Signs**

2836 Any sign advertising a business or organization not located on the parcel containing the
2837 business or organization is prohibited except those signs erected by the state of
2838 Washington or Okanogan County.
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2840 **Chapter 17A.160**
2841 **URBAN RESIDENTIAL (UR)**

2842 **Sections:**

- 2843
- 2844 17A.160.010 Purpose of classification
- 2845 17A.160.020 Permitted uses
- 2846 17A.160.030 Conditional uses
- 2847 17A.160.040 Accessory uses
- 2848 17A.160.050 Lot area and width
- 2849 17A.160.060 Density
- 2850 17A.160.070 Property line setbacks
- 2851 17A.160.080 Height
- 2852 17A.160.090 Lot coverage
- 2853 17A.160.100 Parking
- 2854 17A.160.110 Special provisions

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2856 **17A.160.010 Purpose of classification**

2857 The purpose of this district is to provide areas of high-density development options,
2858 near existing commercial areas, which are consistent with Okanogan County's
2859 comprehensive plan, including the Methow Valley More Completely Planned Area Sub-
2860 Unit A.

2861 **17A.160.020 Permitted uses**

2862 Permitted uses are as indicated on the district use chart (see Chapter 17A.220 OCC).

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2865 **17A.160.030 Conditional uses**

2866 Conditional uses are as indicated on the district use chart (see Chapter 17A.220 OCC).

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2868 **17A.160.040 Accessory uses**

2869 Accessory uses are as follows:

- 2870 A. Normal accessory uses customary and incidental to the permitted and/or
2871 conditional use of the property.

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2873 **17A.160.050 Lot area and width**

2874 Lot area and width requirements are as follows:

- 2875 A. The minimum lot area is 5,000 square feet.
- 2876 B. The minimum lot width is 50 feet.

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2878 **17A.160.060 Density**

2879 Density restrictions are as follows:

- 2880 A. Single-family: Maximum of 1 dwelling unit per 5,000 square feet;
- 2881 B. Multifamily: Maximum of 1 dwelling unit per 3,600 square feet.
- 2882 C. One single-family dwelling unit and one accessory dwelling may be permitted on
2883 any lot so long as adequate provisions for water and septic are permitted by
2884 Okanogan County Public Health.

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17A.160.070 Property line setbacks

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

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

17A.160.080 Height

Height restrictions are as follows:

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

17A.160.090 Lot coverage

Lot coverage restrictions are as follows:

- A. Maximum lot coverage is 45 percent.

17A.160.100 Parking

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

17A.160.110 Special provisions

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

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~~E. Cluster Land Divisions~~

- ~~1. Density: Increases to density beyond that permitted by this Chapter may be permitted for Cluster Land Divisions in accordance with OCC Title 16. For the purpose of calculating maximum density within Cluster Land Divisions, the base density of this zone is 1 lot per 5,000 square 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.~~

2943 **Chapter 17A.170**
2944 **NEIGHBORHOOD USE (NU)**

2945 Sections:

- 2946 17A.170.010 Purpose of classification
2947 17A.170.020 Permitted uses
2948 17A.170.030 Conditional uses
2949 17A.170.040 Accessory uses
2950 17A.170.050 Lot area and width
2951 17A.170.060 Density
2952 17A.170.070 Property line setbacks
2953 17A.170.080 Height
2954 17A.170.090 Lot coverage
2955 17A.170.100 Parking
2956 17A.170.110 Special provisions
2957

2958
2959 **17A.170.010 Purpose of classification**

2960 The purpose of this district is to provide areas of commercial development, located near
2961 rural population centers, which are consistent with Okanogan County's comprehensive
2962 plan, including the Methow Valley More Completely Planned Area Sub-Unit A.
2963

2964 **17A.170.020 Permitted uses**

2965 Permitted uses are as indicated on the district use chart (see Chapter 17A.220 OCC).
2966

2967 **17A.170.030 Conditional uses**

2968 Conditional uses are as indicated on the district use chart (see Chapter 17A.220 OCC).
2969

2970 **17A.170.040 Accessory uses**

2971 Accessory uses are as follows:

- 2972 A. Normal accessory uses customary and incidental to the permitted and/or
2973 conditional use of the property.
2974

2975 **17A.170.050 Lot area and width**

2976 Lot area and width requirements are as follows:

- 2977 A. The minimum lot area is 5,000 square feet.
2978 B. The minimum lot width is 50 feet.
2979

2980 **17A.170.060 Density**

- 2981 A. Density restrictions are not applicable (see lot coverage, OCC 17.170.090).
2982

2983 **17A.170.070 Property line setbacks**

2984 All permitted structures shall have the following required property line setbacks:

- 2985 A. Front: none.
2986 B. Side: none.
2987 C. Rear: none.

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17A.170.080 Height

Height restrictions are as follows:

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

17A.170.090 Lot coverage

Lot coverage restrictions are as follows:

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

17A.170.100 Parking

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

17A.170.110 Special provisions

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

~~F. Cluster Land Divisions~~

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

3034 | ~~permitted for Cluster Land Divisions in accordance with OCC Title 16. For the~~
3035 | ~~purpose of calculating maximum density within Cluster Land Divisions, the~~
3036 | ~~base density of this zone is 1 lot per 5,000 square feet. Fractional calculations~~
3037 | ~~shall be rounded down to the nearest whole number (i.e. density calculated at~~
3038 | ~~12.7 lots and/or dwelling units shall be rounded to 12 lots and/or units).~~
3039 | ~~2. Lot area and width: In order to achieve alternative lot design and clustering,~~
3040 | ~~deviations to lot area and width beyond that permitted by this Chapter may be~~
3041 | ~~permitted for Cluster Land Division in accordance with OCC Title 16.~~
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3043 |

3044 **Chapter 17A.180**
3045 **NEIGHBORHOOD COMMERCIAL (NC)**

3046
3047 Sections:

- 3048 17A.180.010 Purpose of classification
3049 17A.180.020 Permitted uses
3050 17A.180.030 Conditional uses
3051 17A.180.040 Accessory uses
3052 17A.180.050 Lot area and width
3053 17A.180.060 Density
3054 17A.180.070 Property line setbacks
3055 17A.180.080 Height
3056 17A.180.090 Lot coverage
3057 17A.180.100 Parking
3058 17A.180.110 Special provisions

3059
3060 **17A.180.010 Purpose of classification**

3061 The purpose of this district is to provide areas of high-density and commercial
3062 development options, near and within existing unincorporated communities, which are
3063 consistent with Okanogan County's comprehensive plan.

3064
3065 **17A.180.020 Permitted uses**

3066 Permitted uses are as indicated on the district use chart (see Chapter 17A.220 OCC).

3067
3068 **17A.180.030 Conditional uses**

3069 Conditional uses are as indicated on the district use chart (see Chapter 17A.220 OCC).

3070
3071 **17A.180.040 Accessory uses**

3072 Accessory uses are as follows:

- 3073 A. Normal accessory uses customary and incidental to the permitted and/or
3074 conditional use of the property.
3075 B. Accessory dwelling units.

3076
3077 **17A.180.050 Lot area and width**

3078 Lot area and width requirements are as follows:

- 3079 A. The minimum lot area is 5,000 square feet.
3080 B. The minimum lot width is 50 feet.

3081
3082 **17A.180.060 Density**

- 3083 A. Density of residential and commercial development shall be determined by
3084 providing adequate water and septic service which must comply with regulations
3085 administered by Okanogan County Public Health.

3086 ~~B. Cluster Land Divisions: Increases to density beyond that permitted by this section~~
3087 ~~may be permitted for Cluster Land Divisions in accordance with OCC Title 16.~~
3088 ~~For the purpose of calculating maximum density within Cluster Land Divisions,~~
3089 ~~the base density of this zone is 1 single family dwelling unit per 5,000 square~~

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

3093
3094 | **17A.180.070 Property line setbacks**

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

- 3096 | A. Front: none.
- 3097 | B. Side: none.
- 3098 | C. Rear: none.

3099
3100 | **17A.180.080 Height**

3101 | Height restrictions are as follows:

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

3110
3111 | **17A.180.090 Lot coverage**

3112 | Reserved.

3113
3114 | **17A.180.100 Parking**

3115 | Parking requirements are as indicated in Chapter 17A.240 OCC.

3116
3117 | **17A.180.110 Special provisions**

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

3122 | ~~B. Cluster Land Divisions~~

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

3129 | ~~2. Lot area and width: In order to achieve alternative lot design and clustering,~~
3130 | ~~deviations to lot area and width beyond that permitted by this Chapter may be~~
3131 | ~~permitted for Cluster Land Division in accordance with OCC Title 16.~~

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3135 **Chapter 17A.190**
3136 **SPECIAL REVIEW COMMERCIAL (SRC)**

3137
3138 Sections:

- 3139 17A.190.010 Purpose of classification
3140 17A.190.020 Permitted uses
3141 17A.190.030 Conditional uses
3142 17A.190.040 Accessory uses
3143 17A.190.050 Lot area and width
3144 17A.190.060 Density
3145 17A.190.070 Property line setbacks
3146 17A.190.080 Height
3147 17A.190.090 Lot coverage
3148 17A.190.100 Parking
3149 17A.190.110 Special provisions

3150
3151 **17A.190.010 Purpose of classification**

3152 The purpose of this district is to provide areas rural/high-density and commercial
3153 development options which are consistent with Okanogan County's comprehensive
3154 plan, and the Methow Review District More Completely Planned Area, Sub-Unit A.
3155

3156 **17A.190.020 Permitted uses**

3157 Permitted uses are as indicated on the district use chart, Chapter 17A.220 OCC.
3158

3159 **17A.190.030 Conditional uses**

3160 Conditional uses are as indicated on the district use chart, Chapter 17A.220 OCC.
3161

3162 **17A.190.040 Accessory uses**

3163 Accessory uses are as follows:

- 3164 A. Normal accessory uses customary and incidental to the permitted and/or
3165 conditional use of the property.
3166

3167 **17A.190.050 Lot area and width**

3168 Lot area and width restrictions are as follows:

- 3169 A. Minimum lot area is 5,000 square feet.
3170 B. Minimum lot width is 50 feet.
3171

3172 **17A.190.060 Density**

- 3173 A. Density restrictions are not applicable (see lot coverage, OCC 17A.190.090).
3174

3175 **17A.190.070 Property line setbacks**

3176 All permitted structures shall have the following required property line setbacks:

- 3177 A. Front: none;
3178 B. Side: none, except 10 feet when abutting a residential or agricultural district;
3179 C. Rear: none, except a minimum of 25 feet when abutting a residential or
3180 agricultural district.

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17A.190.080 Height

Height restrictions are as follows:

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

17A.190.090 Lot coverage

Lot coverage restrictions are as follows:

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

17A.190.100 Parking

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

17A.190.110 Special provisions

- A. Residences on second floor. Dwelling units shall be located only on the second floor of structures within this zone.
- B. Construction in Flood Hazard Areas: No structures for human habitation shall be constructed or placed in the 100-year flood.

~~C. Cluster Land Divisions~~

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

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

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

- 1. Within 14 days of receiving a request for pre-application consultation, the office of planning and development will set a meeting date, time and place for the pre-application consultation. The purpose of the meeting is to assist the applicant in identification of site development and design considerations and suggest potential solutions where possible. The local review board or other entity established by the county shall base its comments and

3227 recommendations on guidelines established pursuant to the county
3228 comprehensive plan. These comments and recommendations shall be
3229 provided to the applicant and the office of planning and development within 7
3230 days of the pre-application consultation meeting.

3231 2. The request for a pre-application consultation shall vest the applicant to the
3232 existing regulations, so long as the applicant submits a completed application
3233 to the office of planning and development within 30 days of the request for a
3234 pre-application consultation or within 7 days of the pre-application
3235 consultation, whichever is later.

3236 | F.E. Signs: No signs shall be erected within this zone which do not comply with
3237 the regulations contained herein.

3238 1. Design and Materials. Signs shall be constructed from wood or natural
3239 appearing materials and colors. No fluorescent materials or reflective
3240 materials shall be allowed except for official signs for public safety. Signs
3241 should be reflective of the natural forest and rustic theme and may include the
3242 uses of wrought iron.

3243 2. Allowed Public Signs. The following signs, which are generally public in
3244 nature, are allowed outright:

3245 a) Signs erected or posted and maintained for public safety and welfare or
3246 pursuant to any governmental law or regulation.

3247 b) A bulletin board, either one or two-sided with no face exceeding 20 square
3248 feet in display area, associated with any church, museum, library, school
3249 or similar public use; provided, that the top of such sign is less than eight
3250 feet high and meets all other provisions of this chapter.

3251 c) Directional signs indicating ingress or egress where display area does not
3252 exceed three square feet.

3253 d) Banners, not exceeding 30 square feet in area, or sandwich boards not
3254 exceeding 12 square feet in area, displayed by nonprofit or community
3255 organizations are not required to be displayed on the premises of the
3256 business or organization. Signs may be displayed for a maximum of two
3257 periods not exceeding 14 days total within any calendar year.

3258 3. Allowed Private and Residential Signs. The following signs, which are
3259 primarily private and residential in nature, are allowed outright:

3260 a) Mailbox and address signs displaying address numbers shall not exceed
3261 two square feet of area. An additional sign not exceeding two square feet
3262 is allowed to display a name associated with the dwelling.

3263 b) Window signs not exceeding 25 percent of the individual window area and
3264 a maximum total area of four square feet.

3265 c) A single sign, not exceeding 24 square feet in area, mounted between
3266 posts, at a height not exceeding 20 feet above grade, displaying the name
3267 of a farm.

3268 d) An agricultural products sign, allowed at each street frontage, advertising
3269 products grown on or produced at the subject property. Signs shall be
3270 erected for a period not exceeding 10 days prior to the availability of the
3271 products for sale and removed when the products are no longer available

- 3272 for purchase. The maximum sign area shall not exceed 10 square feet for
3273 each face of a single or two-faced sign.
- 3274 e) Garage sale signs on site and off site not to exceed three square feet per
3275 sign face and placed no more than two days before the sale and removed
3276 within one day after the sale.
- 3277 f) Election signs; provided, that they are removed within seven days after the
3278 final election for the named candidate or election issue. No election signs
3279 are allowed in public right-of-way.
- 3280 g) For sale, rent or lease signs are allowed only on property being sold or
3281 rented. One sign not exceeding eight square feet is allowed on each street
3282 frontage. Such sign shall be removed within seven days after sale, rental,
3283 or lease of the property.
- 3284 h) Signs relating to trespassing and hunting, each sign not exceeding four
3285 square feet of area.
- 3286 i) Residential developments of five parcels or more may have a single
3287 freestanding identification sign with a maximum sign area of 10 square
3288 feet.
- 3289 j) Multifamily residential developments of 10 or more may have a sign with a
3290 maximum sign area of 24 square feet at one vehicular entrance on each
3291 street frontage.
- 3292 k) Home occupations may have a single or two-sided sign that identifies the
3293 service provided. Such sign shall not exceed six square feet.
- 3294 4. Allowed Commercial Signs. The following commercial signs are allowed:
- 3295 a) Facade Signs.
- 3296 i. Buildings may have one facade sign for each tenant not more than
3297 12 square feet with dimensions not to exceed six feet in length or
3298 three feet in height.
- 3299 ii. Facade signs shall be located less than 20 feet above grade.
- 3300 b) Directory Sign. A single directory sign, combining the name of the
3301 commercial complex and the individual names of businesses located
3302 within is allowed, provided no other facade signs on the building exceed
3303 20 square feet. Maximum sign area of this directory is 48 square feet.
- 3304 c) Freestanding Signs. No more than one freestanding sign shall be allowed
3305 per building. The sign shall not exceed 32 square feet on any single
3306 surface nor a total of 64 square feet if two-sided. Maximum height shall
3307 not exceed 12 feet above the natural grade. Setbacks for signs will be a
3308 minimum of five feet from walkways and 10 feet from curb cuts.
- 3309 i. No signs shall be allowed in the shoreline area as described by the
3310 Okanogan County shoreline master program.
- 3311 ii. A freestanding identification sign combining the name of the
3312 commercial complex and the individual names of businesses
3313 located within if there are more than two businesses or tenants,
3314 with a maximum sign area of 40 square feet on any single surface
3315 and a total of 40 square feet if two-sided. No individual tenant
3316 freestanding signs may be erected on the same property that
3317 contains this freestanding sign.

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

- 3364 d) No sign shall be illuminated between the hours of 10:00 p.m. and 6:00
3365 a.m. unless the premises on which it is located is open for business.
3366 e) A facade sign may be internally illuminated provided that:
3367 i. The background does not emit light.
3368 ii. The background constitutes a minimum of 80 percent of the sign
3369 area.
3370 iii. The illumination source is shielded.
- 3371 8. Nonconforming Signs. Any sign which does not conform to the regulations
3372 herein and which lawfully existed at the time of adoption of the ordinance
3373 codified in this chapter may continue unchanged. Said sign cannot be
3374 enlarged, reworded, redesigned or altered in any way except to conform to
3375 the requirements of this chapter.
3376

3377 Chapter 17A.200
3378 PLANNED UNIT DEVELOPMENT (PUD)
3379

3380 Sections:

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

3400
3401 **17A.200.010 District Purpose**

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

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

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

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

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

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

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

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

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

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

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3439 **17A.200.020 StandardsEffect on allowed uses**

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

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

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

3452

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

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

3471
3472

3473 **17A.200.030 ~~Review~~ [Minimum area, maximum density, open space, height and](#)**
3474 **[setbacks.](#)**

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

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

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

3487 ~~1. Application fee as adopted within Okanogan County's fee schedule.~~

3488 ~~2. Rezone application (OCC 17A.340)~~

3489 ~~3. Development agreement (OCC 18.05 & RCW 36.70B)~~

3490 ~~4. SEPA checklist~~

3491 ~~5. Subdivision or short plat with supporting information (OCC Title 16)~~

3492 ~~1. Project description: The scope of the project description varies greatly~~

3493 ~~between applications for planned unit development as the planned unit~~
3494 ~~development process may be used by a variety of different project types.~~

3495

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

3502 [A. Specifications.](#)

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

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

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

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

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

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

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

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

3528 7. Maximum building height = 35 feet.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3598

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

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

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

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

3611

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

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

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

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

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

3625

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

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

3628 known as "planned developments" which are no longer authorized by Okanogan County
3629 Code. A planned unit development is composed of multiple elements including a zone
3630 boundary (rezone), development agreement, and a cluster plat. An application for a
3631 modification to a planned unit development may narrowly focus on one of these
3632 elements or it may apply to each element. Modifications affecting a single element are
3633 processed in accordance with the application requirement of that individual component.

3634 A. A modification to the planned unit development zone boundary is processed in
3635 accordance with rezone procedures in accordance with OCC 17A.340.

3636 B. An alteration to the final plat is processed in accordance with plat alterations
3637 procedures found in OCC Title 16.

3638 C. A modification to the development agreement is processed in accordance with
3639 OCC 18.05 and RCW 36.70B.

3640 D. On a case-by-case basis, the development agreement for a planned unit
3641 development may include modification procedures which are different than those
3642 identified by this Section so long as those procedures are legally sound.

3643 E. —

3644
3645 A. Fifty percent of the open space within the development is required to be owned in
3646 common (undivided interest), therefor up to 50 percent may be privately owned.

3647 B. Common open space in a planned development district shall meet the following
3648 standards:

3649 1. The location, shape, size and character of the open space must be suitable for
3650 its intended use within the planned development;

3651 2. Common open space must be retained or restored to its native state or used
3652 for agricultural or recreational purposes, e.g., part of an organized trail system or used
3653 as designated conservation open space. The uses authorized for common open space
3654 must be appropriate to the scale and character of the planned development, considering
3655 its size, density, expected population, topography and number and type of dwelling units
3656 to be provided; and

3657 3. Common open space must be managed for its intended use. Common open
3658 space to be retained or restored to its natural condition, must provide suitable weed
3659 control and revegetation plans and programs. The buildings, structures and
3660 improvements which are permitted in the common open space must be appropriate to
3661 the uses which are authorized and must conserve and enhance the natural features of
3662 the common open space.

3663 C. The development schedule, which is part of the development plan, must
3664 coordinate improvement of common open space, construction of buildings, structures
3665 and improvements for recreational purposes, and the construction of residential
3666 dwellings in the planned development.

3667 D. The preliminary development plan and program shall include a provision which
3668 assures permanent retention and maintenance of the common open space in a planned
3669 development. Such assurance may be in the form of restrictive covenants, or
3670 undertaken by an association of owners of the property within the planned development,
3671 and/or in any other form or by any other method approved by the board as being
3672 practical and legally sufficient to assure the permanent retention and maintenance of
3673 the common open space.

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

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

3688 **17A 200.080 Underground utilities**

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

3694 **17A 200.090 Planned development standards**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3783

3784 **17A 200.100 Preapplication consultation**

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

3791

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

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

3796 A. Application.

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

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

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

3807 b. Boundaries of the site;

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

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

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

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

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

3906 D. Evaluation Criteria.

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

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

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

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

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

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

3934 E. Decision.

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

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

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3944 **17A 200.120 Board of county commissioner's action.**

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

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

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

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

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3965 **17A 200.130 Final plan-Submittal**

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

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3978 **17A 200.140 Final plan and program requirements.**

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

3980 A. Plan Elements.

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

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

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

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

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

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

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

4055 **17A 200.160 Building permits**

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

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

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

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

4081 C. Major Modifications. Applications for major modifications of a final development
4082 plan and program shall include those changes not deemed a minor or intermediate
4083 modification by the planning director. All applications for major modifications shall be
4084 processed as if such application were an original application for a planned development
4085 and shall be submitted to the regional planning commission, hearings held and
4086 recommendations made to the board of county commissioners for approval or denial.
4087 (Ord. 2002-1 § 2, 2002; Ord. 94-10 § 2, 1994).
4088

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

4090 If, within five years after the granting of final approval of a planned development,
4091 building permits have not been issued pursuant to the approved project, the planning
4092 commission shall review on its own motion the grant of such planned development at a
4093 public hearing after giving written notice of such hearing to all persons claiming any
4094 right, title or interest of record in and to the affected property and adjacent property
4095 owners. Notice shall be given at least 20 days prior to such hearing, and after otherwise
4096 giving notice of such hearing as required by this title. Hearings shall be held at times
4097 and in a manner prescribed by this title and may be continued as provided therein. The
4098 planning commission shall determine whether the continued existence of the planned
4099 development is in the public interest, and such determination shall be based on the
4100 criteria specified in OCC 17.02.030 and 17A.200.010. The planning commission shall
4101 adopt a motion by a majority of its voting members which shall recommend to the board
4102 of county commissioners that the final planned development be continued or
4103 extinguished. (Ord. 94-10 § 2, 1994).
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4105

4106 **17A 200.190 Damaged building restoration**

4107 Replacement or reconstruction of any building or improvements to buildings
4108 damaged or destroyed shall substantially conform to the originally approved planned
4109 development. (Ord. 94-10 § 2, 1994).
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**Chapter 17A.210
PLANNED DESTINATION RESORT (PDR)**

Sections:

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

17A.210.010 District purpose

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

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17A.210.020 Uses allowed

- A. Principal Uses. The following uses shall be permitted outright as principal uses, provided they are part of, and are intended to serve persons at, a destination resort approved pursuant to this chapter:
 - 1. Visitor-oriented accommodations designed to provide for the needs of visitors to the resort, including the following uses:
 - a) Overnight lodging, including lodges, hotels, motels, bed and breakfast facilities, time-share units, campgrounds and similar transient lodging facilities,
 - b) Convention and conference facilities and meeting rooms,
 - c) Retreat centers,
 - d) Special studies centers,
 - e) Restaurants, lounges and similar eating and drinking establishments, and
 - f) Other visitor-oriented accommodations compatible with the purposes of this chapter;
 - 2. Developed recreational facilities designed to provide for the needs of visitors and residents of the resort, including the following uses:
 - a) Golf courses, driving ranges, clubhouses and academies,
 - b) Indoor and outdoor spas and swimming pools,
 - c) Indoor and outdoor tennis and other sport courts,
 - d) Recreational, health facilities and fitness facilities,
 - e) Downhill ski facilities including lift stations and gondolas,
 - f) Equestrian facilities,
 - g) Wildlife observation shelters,
 - h) Theaters and amphitheaters,
 - i) Fishing facilities,
 - j) Walkways, bike paths, jogging paths, nordic and alpine ski trails, equestrian and other athletic and recreation trails,
 - k) Marinas, boat launches, swimming floats, and other water dependent facilities compatible with the purpose of this chapter and with the Okanogan County shoreline master program, and
 - l) Other recreational facilities compatible with the purposes of this chapter;
 - 3. Residential:
 - a) Single-family dwellings,
 - b) Duplexes and other multifamily dwellings,
 - c) Condominiums,
 - d) Townhouses,
 - e) Timeshare projects,
 - f) Sufficient residential units for necessary full-time and seasonal employees, and
 - g) Other residential dwellings compatible with the purposes of this chapter;
 - 4. Commercial services and specialty shops designed to provide for visitors of the resort, including the following uses:
 - a) Specialty shops such as clothing stores, bookstores, specialty food shops, state-licensed liquor stores, sport shops and photo developing shops,

- 4202 b) Restaurants and taverns,
 4203 c) Gift shops,
 4204 d) Barbershops/beauty salons,
 4205 e) Automobile service stations,
 4206 f) Craft and art studios and galleries,
 4207 g) Real estate and other professional offices,
 4208 h) Grocery stores,
 4209 i) Laundromat and laundry facilities,
 4210 j) Licensed day care facilities, and
 4211 k) Other commercial services which provide for the needs of resort visitors
 4212 and are compatible with the purposes of this chapter; provided, however,
 4213 that all commercial uses within the approved PDR shall meet the following
 4214 conditions:
- 4215 i. Such commercial uses shall be within the approved boundaries of
 4216 the PDR,
 - 4217 ii. Such commercial uses shall be oriented to the resort and located
 4218 away from or screened from highways or other major roadways,
 4219 and
 - 4220 iii. Such commercial uses shall be limited to those uses necessary or
 4221 desirable to serve the needs of resort visitors in that their primary
 4222 purpose is to provide goods or services that are typically provided
 4223 to overnight or other short-term visitors to the resort, or the use is
 4224 necessary or desirable for operation, maintenance or promotion of
 4225 the destination resort;
- 4226 5. Permitted uses may be combined within a mixed use building where
 4227 permitted commercial uses are located with visitor-oriented accommodations
 4228 and/or residential dwellings in the same or adjoining buildings;
- 4229 6. Open space areas:
- 4230 a) Wildlife areas,
 - 4231 b) Natural areas,
 - 4232 c) Trails,
 - 4233 d) Parks,
 - 4234 e) Lakes, rivers and streams,
 - 4235 f) Golf courses,
 - 4236 g) Landscaped setbacks,
 - 4237 h) Pasture and agricultural lands,
 - 4238 i) Any land which is not part of the area used for an accessory use to visitor-
 4239 oriented accommodations, developed recreational facilities or residential
 4240 dwellings, and
 - 4241 j) Other open space areas compatible with the purposes of this chapter.
- 4242 B. Accessory Uses. The following uses shall be permitted outright as accessory to a
 4243 destination resort or to principal uses located therein:
- 4244 1. Transportation, including roads and parking, and utility facilities;
 - 4245 2. Emergency medical facilities;
 - 4246 3. Storage structures and areas;
 - 4247 4. Kennels as a service for resort guests only;

- 4248 5. Heliports providing emergency services to the destination resort only and not
4249 for the general purpose of providing tours;
4250 6. Ticket booths;
4251 7. Public facilities, such as police and fire stations, and similar uses;
4252 8. Facilities necessary for public safety and utility service within the destination
4253 resort or the county, notwithstanding any limiting provision of this subsection
4254 to the contrary; and
4255 9. Other uses which are compatible with the purposes of the chapter.
4256 C. Conditional Uses. The following uses may be approved as conditional uses
4257 subject to the provisions for conditional uses in this zoning title:
4258 1. Helicopter skiing or other operations and facilities not otherwise allowed by
4259 subsection B(5) of this section.
4260 D. Prohibited Uses. All uses not included above as principal, accessory or
4261 conditional uses, are prohibited in the PDR zone.
4262

4263 **17A.210.030 General requirements**

4264 In addition to accomplishing the purpose of the PDR established in OCC 17A.210.010,
4265 development in a PDR zone shall meet the following requirements:

- 4266 A. The minimum size for a PDR shall be 640 acres, at least 50 percent of which
4267 shall be in one contiguous parcel;
4268 B. The maximum density for a PDR shall be three and one-half dwelling units per
4269 acre. For the purposes of calculating the density of a PDR, each two units of
4270 transient tourist accommodations (those accommodations without kitchen
4271 facilities or fixtures) shall equal one dwelling unit. Dormitory-style seasonal
4272 employee housing shall not be included in the calculation of residential density;
4273 C. At least 60 percent of the total acreage included in the development shall be
4274 dedicated to and maintained as permanent open space as defined by OCC
4275 17A.210.020(A)(6), and/or recreational areas, excluding required streets and
4276 parking areas. The amount of site coverage shall be recommended by the
4277 planning commission and approved by the board of county commissioners.
4278 D. The method of calculating the ratio of permanent residential units to visitor-
4279 oriented dwelling units is as follows:
4280 1. The ratio of permanent residential units to visitor-oriented dwelling units shall
4281 not exceed two and one-half to one. For purposes of this section, "visitor
4282 oriented dwelling units" are those units, whether a single-family house,
4283 townhouse, condominium or transient tourist accommodations, which are
4284 made regularly available to the traveling public for stays of limited duration.
4285 Dormitory housing for seasonal employees shall be provided as required in
4286 any permit or approval, but shall not be included in calculating this ratio.
4287 2. The developer is required to provide, in the final development plan, an
4288 enforceable program that adequately demonstrates this ratio will not be
4289 exceeded at any time in the development of the project.
4290 3. This ratio shall not affect the calculation of maximum density set forth in OCC
4291 17A.210.030(B).

- 4292 E. No building permit or building occupancy permit shall be issued for any structure
4293 or use to be located within PDR zone unless the structure and use complies with
4294 the requirements of the final plan and program and this section.
4295 F. The PDR shall provide public transit proposals which satisfy public transportation
4296 demands generated by the planned destination resort.
4297 G. No structures or uses, except those which are necessary for maintenance, shall
4298 be permitted within areas designated as buffer areas. Buffer areas shall contain
4299 natural vegetation, fences, berms and landscaped areas as indicated in the
4300 applicable preliminary or final plan and program.
4301 H. Any additional requirements of the final approval shall be met during that review
4302 process.
4303

4304 **17A.210.040 Pre-application consultation**

- 4305 A. An applicant may request an informal review of a PDR prior to submittal of an
4306 application. Upon receiving a request for an informal review, the administrator will
4307 request a meeting with the appropriate county and resource agencies and the
4308 developer. The purpose of this meeting is to assist the developer in identification
4309 of site constraints and suggest potential solutions where possible.
4310

4311 **17A.210.050 Application for planned destination resort**

4312 A rezone to a PDR designation requires submittal of a rezone application. This
4313 application shall be reviewed in two steps 1) a preliminary development plan and
4314 program for the entire development, together with the rezone application, and 2) a final
4315 development plan for the entire development, or for each individual phase of the PDR.
4316 The preliminary development plan and program and rezone application shall include
4317 sufficient schematic or concept information to permit a comprehensive review of the
4318 entire development.

- 4319 A. The actual rezone of the property will occur upon approval of the preliminary
4320 development plan and program and rezone by the board of county
4321 commissioners, and shall include, where appropriate, conditions to be satisfied
4322 by the final development plan or plans. The final development plan shall be in
4323 greater detail to permit a determination that the final development plan conforms
4324 with the preliminary development plan and program and rezone approval.
4325 B. Upon submittal of a complete application, the preliminary PDR rezone request
4326 will proceed as follows:
4327 1. The applicant shall submit a complete PDR rezone application requesting a
4328 change of zone to planned destination resort;
4329 2. The rezone application shall be accompanied by a preliminary development
4330 plan and program (hereinafter referred to jointly as the "rezone application")
4331 which includes the following information:
4332 a) A development site plan which includes one or more scale drawings of the
4333 existing conditions on the entire site, at a scale to be prearranged with the
4334 administrator or designee, and which shall include the following:
4335 i. A vicinity map at a reduced scale showing the proposed
4336 development in relation to existing landmarks (e.g., state or county
4337 roads, towns, etc.),

- 4338 ii. Boundaries of the site,
4339 iii. Names and dimensions of all existing roads serving, adjacent to or
4340 lying within one-quarter mile of the site of the proposed
4341 development,
4342 iv. Location of major physiographic features, such as railroads,
4343 drainageways, canals and shorelines,
4344 v. Existing topographic contours, at intervals of not more than five
4345 feet, for the entire site, using the best information available, such as
4346 USGS maps or highway department maps, within the immediate
4347 vicinity (250 feet plus) of development activities. Contours should
4348 be shown together with existing drainage and identification of
4349 significant vegetation,
4350 vi. Important natural features of the site, including habitat of
4351 threatened or endangered species as listed on state or federal
4352 government registers, streams, rivers, riparian vegetation within
4353 100 feet of streams and significant wetlands shall be protected
4354 consistent with shoreline, SEPA, critical areas regulations, etc.,
4355 b) One or more site plan sheets showing in concept form the following:
4356 i. The location and number of acres reserved as open space as
4357 defined in OCC 17A.210.020(A)(6), along with a conceptual
4358 landscape plan showing areas of preservation, removal and
4359 restoration of vegetation,
4360 ii. Major pedestrian, equestrian, bicycle trails, ski trails, and any other
4361 recreational systems,
4362 iii. The number and general location of off-street parking facilities,
4363 showing points of ingress to and egress from the site, as well as
4364 proposed roads and pedestrian and vehicular circulation patterns,
4365 iv. Proposed land uses, densities, and building limit lines, building
4366 type, height and bulk,
4367 v. Proposed public dedications,
4368 vi. Proposed utility systems (i.e., water, wastewater, storm and power),
4369 vii. Snow removal/storage/water quality protection plan,
4370 c) A written program that includes an explanation of the density of
4371 development proposed and open space provisions together with the
4372 following:
4373 i. A description in a concise statement of the general public benefit
4374 that will result from the development of the proposed project.
4375 Benefits to be described may include, but are not limited to:
4376 (A) Increased usable open space,
4377 (B) Special wildlife or recreation benefits resulting from innovative
4378 or optional development techniques,
4379 (C) The creation of compatible multiple use projects that include
4380 uses authorized by this chapter and,
4381 (D) The development of perimeter transition with surrounding land
4382 uses,

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

4425 **17A.210.060 Processing of application for PDR**

4426 An application for a PDR shall require a quasi-judicial review process in accordance
4427 with OCC Title 20 "Development Permit Procedures and Administration". The Board of
4428 Adjustment or Hearing Examiner approves or denies an application. The Board of

4429 Okanogan County Commissioners perfect approval of the application by approving an
4430 amendment to the County zone map and by approving the final development plan.

4431 A. When the proposal calls for construction or alteration of roads, utilities or other
4432 improvements for which the public agencies would have responsibility for
4433 completion should the applicant fail to make adequate installation, and when
4434 such required improvements will not be completed at the time of final
4435 development plan approval, the administrator shall recommend that the Board of
4436 Adjustment or Hearing Examiner require a bond or acceptable surety
4437 indemnifying the required improvements in an amount at least equal to 120
4438 percent of the estimated cost of the required improvements. A bond may also be
4439 required to assure site restoration in the event a partially completed project is
4440 abandoned. Bonding may be adjusted to meet the schedule of phased
4441 development. Bonds shall be filed with the Okanogan County department of
4442 public works prior to the board making a decision on the final development plan.
4443

4444 **17A.210.070 Board of county commissioner's review and decision**

4445 A. In the event the board approves or conditionally approves the rezone application,
4446 such approval shall give the applicant the right to proceed with submission of a
4447 final development plan for one or more phases of the development, and such
4448 approval shall also be binding as to the general intent and apportionment of land
4449 for buildings, stipulated use and circulation patterns.
4450 B. Approval of the rezone application shall constitute authorization for the applicant
4451 to develop streets, utilities, and other such infrastructure improvements in
4452 accordance with construction drawings and permits approved by the Okanogan
4453 County public works department.
4454 C. Upon approval of the rezone application, the county zoning map shall be
4455 changed to indicate the designation of the subject property as PDR with
4456 reference to the specific ordinance that defines the terms of approval.
4457

4458 **17A.210.080 Final development plan submittal requirements**

4459 The final development plan submittal shall include the following:

4460 A. A map or maps, prepared under the direction of a land surveyor or civil engineer
4461 drawn to a scale or scales acceptable to the administrator, for the entire PDR or
4462 phase being requested for approval with proposed contours shown at one to five
4463 foot intervals within 150 feet of the major construction activities. In addition, the
4464 administrator may require a scale model, illustrative renderings or perspective
4465 drawings. The maps will include the following:
4466 1. Locations, with the names of all existing and proposed streets, public ways,
4467 railroad and utility rights-of-way, parks or other open spaces, and all land
4468 uses within 500 feet of the boundary of the development,
4469 2. Existing on-site or sanitary sewer systems, water wells or mains, and other
4470 underground facilities within and adjacent to the development, and their
4471 certified capacities,
4472 3. Proposed on-site or sanitary sewer systems or other waste disposal facilities,
4473 water mains and other underground utilities,
4474 4. Preliminary subdivision plan,

- 4475 5. Proposed land use site plan including on-site or public recreation facilities or
4476 areas, if any,
4477 6. Community facilities plan,
4478 7. Location and amount of open space as defined in OCC 17A.210.020(A)(6),
4479 8. Traffic flow plan,
4480 9. A landscape plan as defined in OCC 17A.210.050(B)(2)(b)(i),
4481 10. Location, arrangement, number and dimensions of truck loading and
4482 unloading spaces and docks,
4483 11. Location, arrangement, number and dimensions of auto garages and parking
4484 spaces, width of aisles, bays and angles of parking,
4485 12. Preliminary plans, elevations of typical buildings and/or structures, indicating
4486 general height, bulk, square footages, number of dwelling units and
4487 provisions for employee housing,
4488 13. Approximate location, height and materials of all walls, fences and screen
4489 plantings,
4490 14. A narrative as to the details of compliance of the proposed final development
4491 plan with the approved rezone application;
4492 B. Proposed covenants, conditions and restrictions which shall include, at a
4493 minimum, provisions for:
4494 1. Use, improvement and maintenance of all common open space areas which
4495 may be accomplished through a homeowners, or business owners'
4496 association,
4497 2. The availability of private security patrol,
4498 3. Architectural control over all residential dwellings and the establishment of a
4499 residential design review committee,
4500 4. Limitations on the nature and extent of individual business signage so that all
4501 commercial uses are publicized as an integral part of the resort and are
4502 oriented toward the resort,
4503 5. Dimensional standards for all residential dwellings, and
4504 6. The ability of the county to enforce those provisions which are designated as
4505 a requirement for approval of the preliminary plan, and which may not be
4506 amended without board of county commissioners approval. Such designated
4507 portions of the preliminary plan shall be considered a part of the zoning
4508 requirements of this chapter and non-enforcement shall not result in waiver of
4509 the right to subsequently enforce.

4510
4511 **17A.210.090 Procedure for review of a final development plan – Phased**
4512 **development**

- 4513 A. A destination resort authorized pursuant to this chapter may be developed in
4514 phases. The applicant shall within 18 months from the date of the approval by the
4515 board of the rezone application, file a final development plan of one or more of
4516 the phases of the proposed destination resort with the administrator; provided,
4517 that the board of adjustment or hearing examiner may, upon request of the
4518 applicant, grant an extension for the filing of the final development plan of up to
4519 24 additional months with annual review and additional conditions if deemed
4520 necessary. If the final development plan is not filed within 18 months or within the

4521 extended time period, if any, the board of adjustment or hearing examiner may
4522 rescind approval of the rezone application following a 30-day appeal period after
4523 notification to the applicant of record of the board of adjustment or hearing
4524 examiner's proposed action.

4525
4526 The addition of property to a PDR zone, which addition is less than five percent
4527 of the total acreage in the PDR zone as originally proposed, and which does not
4528 result in any significant alteration to the approved PDR, shall not require referral
4529 to the hearing examiner, but shall be considered by the board as part of its
4530 review of the final development plan. The board's review of such addition of
4531 property to a PDR zone shall consist of determining conformance with the
4532 requirements of OCC 17A.210.010 through 17A.210.030.

- 4533 1. The administrator shall review the final development plan to determine that all
4534 requirements of OCC 17A.210.080 are satisfied, and that the final
4535 development plan is in substantial compliance with the rezone application as
4536 approved by the hearing examiner. The administrator shall then forward the
4537 proposed final development plan to the board, together with the conclusions
4538 from the administrator's review.
- 4539 2. The board shall, at its next public meeting or any continued meeting
4540 determine:
- 4541 a) Whether the final development plan is substantially consistent with the
 - 4542 rezoning application as approved by the board; and
 - 4543 b) Whether any conditions of approval required to be satisfied prior to
 - 4544 approval of the final development plan have been fulfilled, or alternatively,
 - 4545 whether the bond assures the completion of improvements.

4546
4547 The board shall thereupon take action to approve, refer to the planning
4548 commission for further review and recommendation, or disapprove the
4549 proposed final development plan. If the board approves the final
4550 development plan, the developer shall submit the original reproducible
4551 copy on stable base mylar polyester film or equivalent approved material,
4552 to be signed by the same parties who are authorized to sign final plats,
4553 pursuant to OCC Title 16. One additional copy which may be of paper,
4554 shall be submitted to the county office of planning and development.

- 4555 3. The final development plan, including all terms and conditions of approval,
4556 shall be filed with the Okanogan County auditor.
- 4557 4. The terms and conditions of the final development plan, including the map
4558 approved by the board, shall constitute limitations on the use, design and
4559 structures on the site which shall be enforced by any and all means included
4560 in Chapter 17A.360 OCC, provided, that the applicant may enter into an
4561 agreement with the county, executed concomitantly with and as consideration
4562 for approval of the final development plan, by which the applicant agrees to
4563 develop, maintain and/or use the area within the PDR as specified in the final
4564 development plan.
- 4565 5. Approval by the board of the final development plan shall constitute
4566 authorization for the applicant, its heirs, successors, grantees or assignees of

- 4567 the applicant to develop the site in accordance with the final development
4568 plan and any conditions imposed by the board.
- 4569 6. Authorization for a PDR shall expire if construction of the first phase of
4570 development as described in the final development plan is not commenced
4571 within two years of the date the final development plan is approved or if the
4572 project is abandoned. Time extensions or scheduled modifications may be
4573 granted by the board in up to 18-month increments and with additional
4574 conditions if deemed appropriate following review by the planning
4575 commission.
- 4576 7. After approval of the final development plan, building permits shall be issued
4577 for construction only in accordance with the final development plan as
4578 approved by the board of county commissioners. The facilities and
4579 accommodations described in the final development plan shall be physically
4580 provided or financially assured prior to the closures of sales, rental or lease of
4581 any residential dwellings to the general public, except that the developer may
4582 sell undeveloped land to sub-developers or builders for the purposes of
4583 constructing the commercial, recreational or residential facilities required by
4584 this chapter; provided, that all purchasers shall agree to abide by the
4585 conditions of the approval of the PDR.
- 4586 B. If a proposed resort is to be developed in phases, each phase shall be described
4587 in the preliminary development plan. The phasing shall meet the following
4588 requirements:
- 4589 1. The first phase shall include the following as minimum requirements:
4590 a) At least 75 separate rentable units for visitor-oriented lodging; and
4591 b) Visitor-oriented eating establishments for at least 100 persons and
4592 meeting rooms which provide seating for approximately 100 persons.
- 4593 2. Each phase, together with previously completed phases, if any, shall be
4594 capable of operating in a manner consistent with the intent and purpose of
4595 this chapter.
- 4596 3. All phases of the destination resort taken cumulatively shall meet the
4597 minimum requirements of OCC 17A.210.030.
- 4598 4. Each phase may include two or more distinct noncontiguous areas within the
4599 PDR zone.
- 4600 5. All subsequent development of any property zoned PDR shall be in
4601 substantial conformance with the preliminary development plan.

4602
4603 **17A.210.100 Procedure for modification of a final development plan**

- 4604 A. Applications for major modifications in the final development plan must be
4605 submitted to the hearing examiner as a quasi-judicial application and review
4606 process in accordance with OCC 17A.210.060 and OCC Title 20 "Development
4607 Permit Procedures and Administration".
- 4608 B. Minor modifications to the final development plan may be approved by the
4609 administrator as an administrative review process in accordance with OCC Title
4610 20 "Development Permit Procedures and Administration". Such changes are
4611 ones that would not materially affect the findings and conclusions of the board on
4612 the preliminary development plan, such as, but not limited to, minor shifting of the

4613 location of buildings, proposed streets, public or private ways between
4614 easements, parks or other features of the plan; minor changes in densities so
4615 long as overall densities as described in the preliminary development plan are
4616 maintained; or minor changes in building height or bulk. Changes of boundaries
4617 of the PDR zone or changes in land use beyond the range of uses contemplated
4618 in the rezone application shall not be considered minor changes.
4619

4620 **17A.210.110 Violation of terms of approval**

4621 Deviation from any condition shown on the approved final development plan, without
4622 prior compliance with OCC 17A.210.100, shall constitute a violation of this title and shall
4623 be punishable and enforceable in the manner provided for in Chapter 17A.360 OCC.
4624

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

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LEGEND	Low Density Residential (LDR) LD	Rural Residential (RR) RR	Special Review Commercial (SRC) SPC	Neighborhood Commercial (NC) NC	Neighborhood Use (NU) NU	Urban Residential (UR) UR	Airport Development (AD) AD	Metrow Review District (MRD) MRD	Agricultural Residential (AR) AR	Industrial (IN) IN	Commercial (C) C	Suburban Residential (SR) SR	Agricultural (AG) AG	Rural 20 (R20) R20	Rural 5 (R5) R5	Rural 1 (R1) R1	Minimum Requirement (MR) MR
Concrete batch plants – permanent								C									
Concrete batch plants – temporary ¹								C									
Crematory, cemetery, funeral home								C									
Dairy farms								C	P								
Day care facilities								C	C	C	C						
Drive-in movies								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	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
Feedlots	C	C	C	C	C				C	C							
Fertilizer manufacture	C	C	C	C	C				P								
Florist, retail	P	P	P	P	P			P	P	P	C			P	P	P	C
Florist, wholesale/floriculture	P	P	P	P	P			P	P	P	C				P	P	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

LEGEND																
<p style="text-align: right;"> <u>Low Density Residential (LDR)</u> <u>LDPR</u> <u>Rural Residential (RR)</u> <u>RRR</u> <u>Special Review Commercial (SRC)</u> <u>SRRC</u> <u>Neighborhood Commercial (NC)</u> <u>NC</u> <u>Neighborhood Use (NU)</u> <u>NU</u> <u>Urban Residential (UR)</u> <u>UR</u> <u>Airport Development (AD)</u> <u>AD</u> <u>Metrow/Review District (MRD)</u> <u>MRD</u> <u>Agricultural Residential (AR)</u> <u>AR</u> <u>Industrial (I)</u> <u>I</u> <u>Commercial (C)</u> <u>C</u> <u>Suburban Residential (SR)</u> <u>SR</u> <u>Agricultural (AG)</u> <u>AG</u> <u>Rural 20 (R20)</u> <u>R20</u> <u>Rural 5 (R5)</u> <u>R5</u> <u>Rural 1 (R1)</u> <u>R1</u> <u>Minimum Requirement (MR)</u> <u>MR</u> </p>																
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
Emergency vehicle facilities, police, fire	P	P	P	P	C	C	C	P	C	C	P	C	C	P	C	C
Maintenance shops, warehouses (also see professional buildings)	P	P	P	P	C		C	P	C	C	P		C	C		C
Gravel pits & quarries under three acres	P	P	P	P	C			C		C					2	2
Gravel pits & quarries three acres or larger	C	C	C	C	C			C		C					2	2
Helipad	P	P	P	P	C	C	C	C	C	P			P		C	C
Heliport	C	C	C	C	C		C	C		C	P					C
Home Occupations	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P
Horticultural services	P	P	P	P	P				P	P				P		P
Hospital	P	P	P	P			P	C		C			C	C	P	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
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 Cannabis Operations:																
Production facility – outdoor	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
Processing facility	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
Marina	P	P	P	P	P	P	P	P	C	C	P	P	P		P	C
Meat packing plant	P	P	P	P	C			C		C				P		

LEGEND	Low Density Residential (LDR) LDR	Rural Residential (RR) RR	Special Review Commercial (SRC) SRC	Neighborhood Commercial (NC) NC	Neighborhood Use (NU) NU	Urban Residential (UR) UR	Airport Development (AD) AD	Metroware Review District (MRD) MRD	Agricultural Residential (AR) AR	Industrial (IN) IN	Commercial (C) C	Suburban Residential (SR) SR	Agricultural (AG) AG	Rural 20 (R20) R20	Rural 5 (R5) R5	Rural 1 (R1) R1	Minimum Requirement (MR) MR	
Medical/dental clinic			P	P	P			C		C		C						P
Mines			C	C	C			C										C
Mini-storage			P	P	P			C	C		P							P
Motorized vehicle track/facilities (commercial)			C	C	C			C										C
Nurseries			P	P	P			P	P									P
Orchards			P	P	P			P	P									P
Petroleum service stations			P	P	P			C	C									P
Petroleum bulk plant, except petroleum products stored for private use or agricultural use			C	C	C			C	C									P
Private clubs, fraternal lodges, country clubs			P	P	P			C	C									P
Professional buildings (offices)			P	P	P			P	P									P
Propane/natural gas storage tanks (commercial)			C	C	C			C	C									P
Recreation site (high-intensity)			P	P	P			C	C									P
Recreation site (low-intensity)			P	P	P			P	P									P
Recycling collection center			C	C	C			C	C									P
Recycling processing center			C	C	C			C	P									P
Restaurants, cafes, etc.			P	P	P			C	C									P
Retail stores or gift shops			P	P	P			C	C									P
Salvage (junk) yards			C	C	C			C	C									P
Sanitary landfills			C	C	C			C										P
Sawmills, portable (commercial)			P	P	P			C										P
Sawmills and pulp mills (commercial)			C	C	C			C										P
Schools			C	C	C			C	C									P
Septic Lagoon					C			C										P
Shooting ranges			C	C	C			C										P
Slaughterhouses			C	C	C			C	P									P
Solid waste transfer station			C	C	C			C										P

LEGEND

Low Density Residential (LDR) ~~LDR~~

Rural Residential (RR) ~~RR~~

Special Review Commercial (SRC) ~~SRC~~

Neighborhood Commercial (NC) ~~NC~~

Neighborhood Use (NU) ~~NU~~

Urban Residential (UR) ~~UR~~

Airport Development (AD) ~~AD~~

Method Review District (MRD) ~~MRD~~

Agricultural Residential (AR) ~~AR~~

Industrial (I) ~~I~~

Commercial (C) ~~C~~

Suburban Residential (SR) ~~SR~~

Agricultural (AG) ~~AG~~

Rural 20 (R20) ~~R20~~

Rural 5 (R5) ~~R5~~

Rural 1 (R1) ~~R1~~

Minimum Requirement (MR) ~~MR~~

Tourist accommodations:

Bed and breakfasts ³	P	P	P	P	P	P	C	C	P	P	C	P	P	P	P	P	P
Campgrounds	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Guest Ranch	C	C	C	C	C	C	C		C	C		C	C	C	C	C	C
Hotels/Motels	P	P	P	P		C	P				C			C			
Inns and lodges	P	P	P	P		C	P		C	C		P		C	P		C
Nightly rentals ⁷	P	P	P	P	P	P	P	P	P	CP	C	C	C	P	C	CP	CP
RV parks	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Veterinarian clinics ⁴	P	P	P	P	P		P		P	C			C	C		C	C
Wholesale establishments	P	P	P	P			P	P	C		P			C	C		
Winery	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

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

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

Sections:

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

17A.230.010 Purpose and intent

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

17A.230.020 Required

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

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

17A.230.030 Application requirements

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

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17A.230.040 Temporary uses

The following uses shall be considered allowed temporary uses subject to all conditions found herein, as well as all other applicable state and county requirements. This is not a comprehensive list but may also include any other use that is deemed consistent with the purpose and intent of this chapter as determined by the administrator.

Use	Description	Conditions
Agricultural products stand	Stand not accessory to the existing use on the parcel on which it is located; may be owned and operated by person or persons not owning the property on which it is located	<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	•Limited to 10 days •Must be adjunct to an existing authorized medical or dental facility located within the county
Sawmill, portable (noncommercial)	See definition of "sawmill, portable" in OCC 17A.020.780	•Lumber produced must be used on-site •May be operated for only the amount of time necessary to accomplish the immediate project
Single-family dwellings associated with the construction of a primary residence	An existing residence that will be moved or demolished upon completion of the new residence; sometimes travel trailers or mobile homes are brought to the site to be used as a temporary residence	•Limited to the life of the building permit or upon final approval for occupancy of the new residence
Special event camping	Camping limited to a week before, during, and after a special event, such as the Omak Stampede	•Not applicable to this chapter. Permitted as a festival in accordance with OCC 5.25 "Assemblies and Festivals".

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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

4735 applicant are just cause. If granted, the extension may not be greater than 50 percent of
4736 the original approval time.

4737

4738 **17A.24.080 Approval**

4739 In addition to the administrative review process of OCC Title 20 "Development Permit
4740 Procedures and Administration", the administrator shall complete written findings,
4741 pursuant to the intent of this chapter, documenting the considerations given in denying
4742 or approving with conditions of approval.

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4744 **17A.230.090 Revocation**

4745 In the event complaints are received and deemed valid by the administrator that an
4746 operating temporary use is not in conformance with the provisions of this section, the
4747 permit may be revoked, or the administrator may place additional conditions thereon in
4748 accordance with OCC 17A.230.100.

4749

4750 **17A.24.100 Additional conditions of approval**

4751 If deemed necessary by the administrator, additional conditions of approval may be
4752 added to an existing permitted temporary use to keep the temporary use in compliance
4753 with the purpose and intent of this chapter.

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4756 **Chapter 17A.240**
4757 **OFF-STREET PARKING AND LOADING**

4758
4759 Sections:

- 4760 17A.240.010 Artificial lighting
4761 17A.240.020 Off-street parking – Nonresidential structures
4762 17A.240.030 Off-street parking – Residential structures
4763 17A.240.040 Off-street parking – Hotels, motels, inns and lodges
4764 17A.240.050 Off-street parking – Dormitory-type housing
4765 17A.240.060 Off-street parking – Space size
4766 17A.240.070 Parking areas – Snow storage and removal
4767 17A.240.080 Deviations
4768

4769 **17A.240.010 Artificial lighting**

4770 Light and Glare: Outdoor lighting, including street and parking lot lighting, shall be
4771 directed downward and shielded to minimize potential glare to motorists and off-site
4772 properties. No exterior light with a direct source visible from a neighboring property shall
4773 be installed.

- 4774 A. Christmas lighting is exempt from these requirements.
4775 B. Emergency camps, such as emergency fire camps, are exempt from this Section.
4776

4777 **17A.240.020 Off-street parking – Nonresidential structures**

4778 The minimum number of off-street parking spaces for nonresidential floor area shall be
4779 as follows:

- 4780 A. For commercial: one parking space per 250 square feet;
4781 B. For industrial (light manufacturing, manufacturing or warehouse): one space per
4782 300 square feet;
4783 C. For office: one parking space per 200 square feet.
4784 D. Where it can be demonstrated that fewer parking spaces are needed for the
4785 proposed use, these requirements may be reduced by the approval authority.
4786 The applicant shall bear the responsibility of providing information necessary to
4787 make such a determination.
4788

4789 **17A.240.030 Off-street parking – Residential structures**

4790 For all residential structures, two parking spaces are required per dwelling unit.
4791

4792 **17A.240.040 Off-street parking – Hotels, motels, inns and lodges**

4793 For hotels, motels, inns and lodges, one parking space is required per rental unit or
4794 bedroom, plus commercial and/or office standards identified by OCC 17A.240.020 in
4795 order to account for employee parking and other business related activity.
4796

4797 **17A.240.050 Off-street parking – Dormitory-type housing**

4798 For dormitory-type housing, one parking space is required for every four sleeping
4799 spaces provided.

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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.

4817 **Chapter 17A.250**
4818 **SETBACK REGULATIONS**

4819 Sections:

- 4820 17A.250.010 Architectural features
- 4821 17A.250.020 Corner lots
- 4822 17A.250.030 Half-streets
- 4823 17A.250.040 Side designations

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4826 **17A.250.010 Architectural features**

4827 Roof Eaves, Chimneys, Balcony Rails and Other Features. Roof eaves, chimneys,
4828 balcony rails and other architectural features, etc., may extend into the required setback
4829 areas up to a maximum of two feet.

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4831 **17A.250.020 Corner lots**

4832 Corner Lots. Both road frontages on a corner lot are subject to the required front
4833 property line setback of the zone.

4834
4835 **17A.250.030 Half-streets**

4836 Half-Streets. In an area adjacent to a half street and where there is reason to believe or
4837 there is a plan for necessary additional right-of-way, and such right-of-way should be
4838 dedicated, acquired or otherwise come from the subject property, structures shall be set
4839 back from the half-street a distance sufficient to provide for the additional half-street in
4840 addition to the normal setback requirement.

4841
4842 **17A.250.040 Side designations**

4843 Front, rear, and side property line setbacks sometimes require differing setback
4844 distances. For this reason, each is defined as:

- 4845 A. Front property line: That line which is marked by the road frontage, point of
4846 access, and by frontage to a body of water. A lot may have more than one front
4847 property line.
 - 4848 B. Rear property line: That lot line which is opposite from the front property line.
4849 Some lots may not have a rear property line, which is usually the case for corner
4850 lots.
 - 4851 C. Side property line: Those property lines extending between the front and rear
4852 property lines.
- 4853
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**Chapter 17A.260
BED AND BREAKFASTS**

Sections:

- 4859 17A.260.010 Purpose and intent
- 4860 17A.260.020 Standards
- 4861 17A.260.030 Outward appearance
- 4862 17A.260.040 Signs
- 4863 17A.260.050 Health code applicability
- 4864 17A.260.060 Occupancy of residential units
- 4865 17A.260.070 Guest bedrooms
- 4866 17A.260.080 Health inspection
- 4867 17A.260.090 Retail sales
- 4868 17A.260.100 Guest parking
- 4869 17A.260.110 Cooking facilities
- 4870 17A.260.120 Food service
- 4871 17A.260.130 Permit required
- 4872 17A.260.140 Conditions of approval

17A.260.010 Purpose and intent

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

17A.260.020 Standards

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

17A.260.030 Outward appearance

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

17A.260.040 Signs

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

17A.260.050 Health code applicability

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

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4900 **17A.260.060 Occupancy of residential units**
4901 The residential unit shall be occupied by the owner or manager of the business.
4902
4903 **17A.260.070 Guest bedrooms**
4904 A maximum of eight bedrooms shall be provided for guests.
4905
4906 **17A.260.080 Health inspection**
4907 Bed and breakfast facilities may be subject to an on-site inspection prior to operation to
4908 assure compliance with planning and health district standards.
4909
4910 **17A.260.090 Retail sales**
4911 All retail sales of merchandise or other services shall be an accessory use and shall not
4912 overshadow the primary bed and breakfast use of the property. For this reason, all retail
4913 sales shall be limited to no more than a total of 100 square feet anywhere on the same
4914 property as the bed and breakfast.
4915
4916 **17A.260.100 Guest parking**
4917 All guest parking shall be provided off-street and shall be a minimum of 1 space per
4918 guest room, or the minimum number of spaces identified by OCC 17A.240 "Off-Street
4919 Parking and Loading", whichever is greater.
4920
4921 **17A.260.110 Cooking facilities**
4922 Neither cooking facilities in the guest rooms nor auxiliary kitchens shall be allowed for
4923 the use of guests.
4924
4925 **17A.260.120 Food service**
4926 Bed and breakfast facilities shall provide food service which meets the criteria of WAC
4927 246-215-Part 9-Subpart C "Bed and Breakfast Operations".
4928
4929 **17A.260.130 Permit required**
4930 A permit issued under provisions of this chapter is required in order to operate a bed
4931 and breakfast. See OCC 17A.220 "District Use Chart" for specific permit requirements.
4932 An application fee may be required as adopted by Okanogan County's fee schedule.
4933
4934 **17A.260.140 Conditions of approval**
4935 A bed and breakfast permit, or conditional use permit, may include conditions which are
4936 specific to the individual permit. Those conditions must be consistent with this chapter
4937 and other applicable landuse regulations administered by Okanogan County, including
4938 but not limited to Zoning, Critical Areas, and the Shoreline Master Program.
4939 A. A conditional use permit may strike or amend conditions in this chapter, but only
4940 if specifically proposed by the original application or as the result of a finding from
4941 the permitting authority (i.e. administrator, hearing examiner, board of
4942 adjustment) so long as such a finding would mitigate a specific impact.
4943

4944 **Chapter 17A.270**
4945 **NIGHTLY RENTALS**

4946 Sections:

- 4947 17A.270.010 Purpose
4948 17A.270.020 Permit required
4949 17A.270.030 Amortization Period
4950 17A.270.040 Conditions
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4953 **17A.270.010 Purpose**

4954 The purpose of this Chapter is to ensure that Nightly rentals observe the legal
4955 requirements of other transient tourist accommodations so that they compete fairly for
4956 commerce, and to preserve the residential character of the areas in which they are
4957 located.

4958
4959 **17A.270.020 Permit required**

4960 A permit is required in order for any landowner to operate a nightly rental. See OCC
4961 17A.220 "District Use Chart" in order to determine whether a nightly rental permit or
4962 conditional use permit is required.

- 4963 A. A nightly rental permit, or conditional use permit for a nightly rental, shall include
4964 conditions which are specific to the individual permit. Those conditions must be
4965 consistent with this chapter.
4966 B. A conditional use permit for a nightly rental may include additional conditions
4967 which are not specifically identified by this chapter.
4968 C. Operation of a nightly rental within a Planned Development or Planned Unit
4969 Development is exempt from these permit requirements so long as nightly rentals
4970 were approved as a permitted use within the specific Planned Development or
4971 Planned Unit Development.

4972
4973 **17A.270.040 Conditions**

- 4974 A. The following conditions shall be required for the operation of all nightly rentals.
4975 These conditions shall be required for the approval of all nightly rental permits.
4976 1. Appearance: The outward appearance of a single-family residence shall be
4977 retained.
4978 B. The following conditions, in addition to those also identified in Section A (OCC
4979 17A.270.040(A)), shall be required for the operation of all nightly rentals within
4980 areas designated by Okanogan County's comprehensive plan as the Methow
4981 Valley More Completely Planned Area or Methow Valley More Completely
4982 Planned Area Sub-Unit A. These conditions shall be required for the approval of
4983 all nightly rental permits.
4984 1. Annual Renewal: Nightly Rental Permits must be renewed annually prior to
4985 the anniversary date of original issuance of the permit. A nightly rental permit
4986 is not automatically transferable as part of the sale of property. A permit
4987 application from the new property owner must be approved to continue as a
4988 transient tourist accommodation.

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2. Unified business identifier: The owner of the nightly rental shall provide a valid Washington State unified business identifier (UBI) number for taxation purposes, along with supporting information validating registration of the specific nightly rental. At no time shall the nightly rental operate without a valid unified business identifier.
 3. Public Health permit: The owner or operator shall possess, and keep valid at all times, an overnight transient accommodation permit (OTA permit) from Okanogan County Public Health to operate the facility. At no time shall the nightly rental operate without a valid OTA permit from Okanogan County Public Health.
 4. Only one dwelling may be rented per owner. Each property owner may rent only one nightly rental regardless of the number of properties owned. A nightly rental permit is required for a single dwelling on a lot of record or for a second dwelling on a lot of minimum size for the zone in which it is located. For a second dwelling on a parcel to be rented as a transient tourist accommodation, the owner must live in the main residence. No permit shall be issued to the holder of an existing bed and breakfast license for a nightly rental structure on the same property. In no case shall the primary dwelling and the accessory dwelling be rented at the same time;
 5. Signs: No more than one sign shall be provided on the premises. The sign shall be made of natural materials not exceeding two square feet in area and, if illuminated, shall be indirectly illuminated;
 6. Mobile homes, manufactured homes, travel trailers, or recreational vehicles shall not be used for residential transient tourist accommodations (nightly rentals). A modular home may be used as a nightly rental when its owner is in possession of a valid building permit.
 7. The maximum number of individuals served by a nightly rental is 10.
 8. Occupancy and operation of a nightly rental shall be in a manner that is compatible with the surrounding neighborhood character. Factors upon which compatibility will be judged include but are not limited to noise, traffic, light and glare.
 9. Amortization Period: As of January 1, 2021, all permitted, unpermitted, or legal pre-existing nightly rentals shall cease and no longer be legally permitted to operate, except:
 - a) Nightly rentals permitted in accordance with this chapter, or
 - b) Nightly rentals located within a planned development, planned unit development, or planned destination resort, which has been permitted to allow nightly rentals and the residence in which the nightly rental is operating was permitted as a nightly rental.

5030 | **Chapter 17A.2870**
5031 **HOME OCCUPATIONS**

5032
5033 Sections:

- 5034 17A.270.010 Purpose and intent
5035 17A.270.020 Performance standards
5036 17A.270.030 Allowed uses
5037 17A.270.040 Enforcement
5038 17A.270.050 Compliance with other regulations
5039

5040 | **17A.2870.010 Purpose and intent**

5041 The purpose of this chapter is to provide limited business within homes and/or upon
5042 private property while minimizing the impacts to the character of neighborhoods. Home
5043 occupations are permitted as an accessory use to the primary residential use with
5044 compliance of the home occupation performance standards found herein.
5045

5046 | **17A.2870.020 Performance standards**

5047 A home occupation shall meet the following criteria:

- 5048 A. Home occupations are an accessory use to the primary residential use of the
5049 subject property which is occupied by the manager and/or owner of the business.
5050 B. There shall be no change in the outside appearance of the building or other
5051 visible evidence of conduct of the home business other than those activities
5052 permitted by this chapter.
5053 C. No more than three persons that do not reside at the location of the home
5054 occupation may be working on-site simultaneously.
5055 D. The conduct of the home occupation shall be in such a manner that no emission
5056 of noise, vibration, dust, glare, heat, smoke or odors shall occur that are out of
5057 the normal residential character of the property and the surrounding
5058 neighborhood.
5059 E. Exterior indications of home occupations are limited to the permitted signage.
5060 Any other variation of the residential character of the property resulting from the
5061 home occupation is prohibited.
5062 F. Two signs not exceeding twelve square feet each shall be allowed. Any vehicle
5063 signage used to supplement the allowed signage, except for typical vehicle door
5064 signage on vehicles used in the conduct of business, is prohibited.
5065 G. The total space devoted to the home occupation shall not exceed 2,500 square
5066 feet which may be a combination of designated area(s) within the residence, out
5067 buildings, and outdoor storage as permitted by this chapter.
5068 H. Outdoor storage of any kind related to the home occupation shall be limited to
5069 250 square feet. Up to an additional 250 square feet of outdoor storage may be
5070 permitted so long as it is located within a perimeter fence. Fencing must be solid-
5071 walled, or of a similar sight obscuring design, and a minimum of ~~6~~8 feet in height.
5072 All outdoor storage shall be limited to a maximum of eight feet in height. Vehicles
5073 and heavy equipment used primarily for purposes of the home occupation shall
5074 not count toward square footage limitations of outdoor storage.
5075 I. Home occupations shall not generate materially greater traffic volumes that

- 5076 would normally be expected in the residential neighborhood or area in which it
5077 exists.
- 5078 J. Designated off-street parking for a home occupation may include spaces with
5079 maneuvering area provided specifically for business use on the site which will
5080 accommodate all expected traffic.
- 5081 K. Any outdoor lighting shall be downcast and shielded from neighboring properties.
- 5082 L. Home occupations may be subject to an on-site inspection to assure compliance
5083 with all county regulations.
- 5084 M. If a home occupation grows beyond the requirements of this chapter, then it shall
5085 be required to downsize until it can comply with the requirements, or relocate to a
5086 zoning district that permits such activities, or receive a permit for such use if such
5087 a permit is available (i.e. receive a conditional use permit if such a permit is
5088 available in the zone district as identified by OCC Title 17A).

5089
5090 | **17A.2870.030 Allowed uses**

5091 Any use that the administrator determines to meet the above home occupation
5092 performance standards shall be considered an allowed use.

5093
5094 | **17A.2870.040 Enforcement**

5095 In the event the administrator determines that a home occupation is not in compliance
5096 with the provisions of this section, the owner of such business shall be subject to the
5097 enforcement provisions of Chapter 17A.360 OCC.

5098
5099 | **17A.2870.050 Compliance with other regulations**

5100 Home occupations shall obtain all pertinent permits and licenses required by federal,
5101 state and local agencies and must meet all county requirements. All required permits
5102 and licenses shall be made available for the administrator to review, upon request.

5103

Chapter 17A.290

MARIJUANA CANNABIS - OPERATIONS

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Sections:

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

17A.290.010 Purpose and intent

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

17A.290.020 Types of [marijuana cannabis](#) operations

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

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

17A.290.030 Permit required

A permit issued under provisions of this chapter is required in order to operate a [marijuana cannabis](#) operation. See OCC 17A.220 “District Use Chart” for specific permit requirements.

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

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

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

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

5157 A. The project shall have a lawful source of water.

5158 1. From an irrigation district.

5159 2. If on a water right, that the use is within the approved limits of the water right
5160 certificate.

5161 3. If on an exempt well, that the total for any project (whether one user on one or
5162 more properties or more than one user on a single parcel that the total not
5163 exceed exempt well limits (maximum appropriation of 5000 gpd.)

5164 B. To ensure compliance, the conditions of approval shall include:

5165 1. Continued operations shall be in compliance with all state laws and
5166 regulations and the conditions of the permit.

5167 2. The facility shall be in compliance with the following to the extent applicable to
5168 the agriculture activity:

5169 a) Fugitive dust: WAC 173-400-040(9)

5170 b) Visible emissions: WAC 173-400-040(2)

5171 c) Fugitive volatile organic compound (VOC) emissions: WAC 173-400-
5172 040(4)

5173 d) Odors: WAC 173-400-040(5)

5174 e) Noise: WAC 173-58-080 and WAC 173-60-010 to 173-60-120 including
5175 definitions: WAC 173:60-020 and WAC 173-60-030 and Maximum
5176 permissible noise levels: WAC 173-60-040.

5177 3. Upon notice of violation the County may direct compliance and upon failure to
5178 comply the permit may be suspended until necessary corrections are made or
5179 terminated upon failure to comply or repeated violations.

5180 4. Appeals of any violation notice shall be to the hearings examiner.

5181 5. All outdoor lighting, including but not limited to security lighting and
5182 illumination of signs, shall be downcast and shielded from neighboring
5183 properties.

5184 6. Adequate off street parking shall be provided.

5185 **17A.290.050 License – Washington State Liquor & Cannabis Control Board**

5186 The owner of the ~~marijuana~~cannabis operation shall provide a valid license issued by
5187 Washington State Liquor Control Board. At no time shall the ~~marijuana~~cannabis
5188 operation operate without a valid license.

5189 **17A.290.060 Other permits**

5190 All other associated permits must be obtained and maintained in good standing
5191 throughout the duration of the project. Associated permits include but are not limited to
5192

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

5197 |
5198 |
5199 |

5200 | **17A.290.070 Lighting**

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

5203 |
5204 | [17A.290.080 Legal Pre-Existing Cannabis Operations](#)

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

5207 | ~~**17A.290.080 Neighborhood character**~~

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

5214 |
5215 | ~~**17A.290.090 Amortization Period**~~

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

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Chapter 17A.300
Airport Public Safety

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Sections:

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

17A.300.010 General purpose

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

- A. This Chapter identifies zones, policies, recommendations, and regulations which may be used by Okanogan County to evaluate whether the identified zones 1-5 should be adopted surrounding individual public airports. Adoption of these zones is not automatic and must be accomplished by ordinance of the Board Okanogan County Commissioners following completion of an open record public hearing.
- B. Landowners and users of properties within this zoning district are obligated to follow the airport operations notification as described in section 17A.300.140 "Site analysis requirements". The five zones within the District are impacted due to their proximity to airport operations by noise, vibrations, fumes, odors, lighting, and accident hazards. The airport operations notification is established to ensure long term viability of airport operations which preceded most non-agricultural development in the Airport Public Safety District zoning.

- 5269 C. Okanogan County is authorized to establish this zoning ordinance in accordance
5270 with RCW 14.08.290 (County airport districts authorized).
- 5271 D. By enacting this policy, Okanogan County is recognizing the long term
5272 significance of airports to the public which include the following:
- 5273 1. Emergency response including airlift and search and rescue services
 - 5274 2. Wildfire suppression
 - 5275 3. Military operations
 - 5276 4. Transportation
 - 5277 5. Economic development
 - 5278 6. Freight including mail services and commodities
 - 5279 7. Recreational opportunities
 - 5280 8. Crop management

5281
5282 **17A.300.020 Definitions**

- 5283 A. The following are definitions which apply to the administration of this Chapter,
5284 OCC 17A.290 "Airport Public Safety".
- 5285 1. Agriculture: "Agriculture," means the raising of livestock and crops, however
5286 excludes growing or storing cereal grains. See 17A.300.020 "livestock" in this
5287 Section for more information. Also found in OCC 17A.020.060 "agriculture".
 - 5288 2. Airport: "Airport" means a public runway having any or all of the following
5289 characteristics: facilities for storage; supply and maintenance of aircraft;
5290 commercial uses and services such as flight instruction, charter or air freight
5291 service; passenger service; agricultural services including herbicide or
5292 pesticide application; and facilities maintained or operated by governmental
5293 units, agencies or private corporations. Also found in OCC 17A.020.095
 - 5294 3. Airport elevation: "Airport elevation" means the highest point of an airport's
5295 useable runway area measured in feet above mean sea level.
 - 5296 4. Airport affects area: "Airport affects area" means the area in such a
5297 relationship with an airport that both land uses and development can impact
5298 airport operations and those airport operations can impact land uses. This
5299 area requires regulation to ensure both adjacent land and airport users are
5300 safe.
 - 5301 5. Approach surface: "Approach surface" means a surface longitudinally
5302 centered on the extended runway centerline and extending outward and
5303 upward from such end of the primary surface. An approach surface is applied
5304 to the end of each runway based upon the type of approach available or
5305 planned for that runway end. Also found in OCC 17A.020.125
 - 5306 6. Bird and wildlife attractant: "Bird and wildlife attractant" means a man-made
5307 structure or feature, including landscaping elements, that causes migratory
5308 waterfowl, raptors, large upland game birds, turkeys, wild canine predators,
5309 wild feline predators, or medium/big game animals to come to or linger in an
5310 area by providing a food source, nesting, bedding, or den sites to an extent
5311 that exceeds the level naturally occurring in the immediate vicinity.
 - 5312 7. Electrical interference: "Electrical interference" means anything which disrupts
5313 aircraft communications or navigational devices.
 - 5314 8. Encroachment: "Encroachment" means an action that diminishes the utility or

- 5315 viability of an existing use.
- 5316 9. FAR Part 77: "FAR Part 77" means the part of Federal Aviation Regulations
- 5317 that deal with all objects affecting navigable airspace.
- 5318 10. FAR Part 77 Surfaces: "FAR Part 77 Surfaces" means imaginary airspace
- 5319 surfaces established by FAA with relation to each runway in an airport. There
- 5320 are five types of surfaces: primary, approach, transitional, horizontal, and
- 5321 conical. Each type of imaginary airspace surface has unique protection
- 5322 afforded to them by FAA.
- 5323 11. Federal Aviation Administration: "Federal Aviation Administration" means the
- 5324 U.S. Government agency that is responsible for ensuring the safe and
- 5325 efficient use of the nation's airports and airspace.
- 5326 12. Federal Aviation Regulations (FAR): "Federal Aviation Regulations" means
- 5327 regulations formally issued by the FAA to regulate air commerce.
- 5328 13. Glare: "Glare" means the reflection of the sun or other light sources from
- 5329 materials for structures and accessories that cause an obstruction of sight for
- 5330 pilots.
- 5331 14. Hazardous materials: "Hazardous materials" means contents that are
- 5332 flammable, explosive, corrosive or toxic which pose a special concern to the
- 5333 extent that an aircraft accident could cause a release of the materials and
- 5334 thereby endanger people and property in the vicinity.
- 5335 15. Helipad: "Helipad" means a small, designated area, usually with a prepared
- 5336 surface, on a heliport, airport, landing/takeoff area, apron/ramp, or movement
- 5337 area used for takeoff, landing, or parking of helicopters.
- 5338 16. Heliport: "Heliport" means a facility used for operating, basing, housing, and
- 5339 maintaining helicopters.
- 5340 17. Lighting: "Lighting" means any apparatus used for the purpose of increasing
- 5341 visibility, which may cause confusion for runway lighting or impair visibility for
- 5342 pilots.
- 5343 18. Livestock: "Livestock" means animals kept for the purpose of collecting
- 5344 agricultural product. Examples include cattle, sheep, alpaca, and goat.
- 5345 Livestock excludes luxury or recreationally used animals such as horses,
- 5346 mules, miniature horses, and ponies, with the exception of breeding for the
- 5347 sale of offspring.
- 5348 19. Navigational aid: "Navigational aid" means any visual or electronic device
- 5349 airborne or on the surface that provides point-to-point guidance information or
- 5350 position data to aircraft in flight.
- 5351 20. Noise sensitive facilities: "Noise sensitive facilities" means facilities that rely
- 5352 on comparatively quiet environments to ensure optimal success and include
- 5353 health and education.
- 5354 21. Non-precision instrument runway: "Non-precision instrument runway" means
- 5355 a runway with an approved or planned straight-in instrument approach
- 5356 procedure that has no existing or planned precision instrument approach
- 5357 procedure.
- 5358 22. Obstruction: "Obstruction" means any object of natural growth, terrain, or
- 5359 permanent or temporary construction or alteration, including equipment or
- 5360 materials used therein, the height of which exceed the standards established

- 5361 in Subpart C of Federal Aviation Regulations Part 77 “Objects Affecting
5362 Navigable Airspace”.
- 5363 23. Persons: “Persons” means any resident, property owner, or user of properties
5364 in the Airport Public Safety District.
- 5365 24. Special function uses: “Special function uses” means uses that include
5366 children, elderly, the infirm, or other regarded as having comparatively little
5367 control over their own lives.
- 5368 25. Traffic pattern: “Traffic pattern” means the traffic flow that is prescribed for
5369 aircraft landing at, taxiing on, or taking off from an airport. The components of
5370 a typical traffic pattern are upwind leg, crosswind leg, downwind leg, base leg,
5371 and final approach.
- 5372 26. Tree: “Tree” means any tree, shrub, bush, or other greenery in the Airport
5373 Public Safety District, defined as such to limit possible aircraft operation
5374 hazards.

5375
5376 **17A.300.030 Airport zoning designations**

5377 The following zones may be adopted by Okanogan County for administration of
5378 development regulation surrounding public airports which includes but is not limited to
5379 Anderson Field (Brewster), Dorothy Scott Field (Oroville), Legion Airport (Okanogan),
5380 Methow State Intercity Airport (near Winthrop), Omak Municipal Airport, Tonasket
5381 Municipal, and Twisp Airport.

- 5382 A. Zone 1 “Flight Operations”
5383 B. Zone 2 “Approach/Departure”
5384 C. Zone 3 “Transition”
5385 D. Zone 4 “Passage”
5386 E. Zone 5 “Airport Affects Area”

5387
5388 **17A.300.040 General prohibitions**

5389 General prohibitions are intended to prevent incompatible uses surrounding airport
5390 facilities for public safety and nuisance reasons. General prohibitions apply to all zones
5391 except Zone 5 and include storage of hazardous materials, noise sensitive facilities,
5392 special function uses, electrical interference, critical obstruction of airspace, creation of
5393 bird or wildlife attractant hazards, or otherwise in any way endanger or interfere with the
5394 landing, takeoff, or maneuvering of aircraft intended to use airport facilities.

- 5395 A. Storage of hazardous materials: Contents that are flammable, explosive,
5396 corrosive or toxic which pose a special concern to the extent that an aircraft
5397 accident could cause a release of the materials and thereby endanger people
5398 and property in the vicinity are prohibited. Examples of these uses incompatible
5399 with airport operations include the manufacturing of explosives, acid, compost,
5400 asphalt, cement, lime, gypsum, and fertilizer, and also commercial storage of
5401 propane, natural gases, petroleum, acid, lime, fertilizer, gypsum, wastewater,
5402 solid waste, or explosive contents.
- 5403 B. Noise sensitive facilities: Facilities that rely on comparatively quiet environments
5404 to ensure optimal success and include health and education are prohibited.
5405 These include churches, schools, halls, stadiums, auditoriums, medical facilities,
5406 and campgrounds.

- 5407 C. Concentration of special function uses: Uses that include children, elderly, the
5408 infirm, or other regarded as having comparatively little control over their own lives
5409 are prohibited. Examples include K-12 schools, daycare facilities, hospitals,
5410 nursing homes, convalescent centers and other similar uses.
- 5411 D. Electrical interference: Electrical uses involving transmitting or receiving signals
5412 that could disrupt aircraft communications or navigations are prohibited.
5413 Examples include transmission lines, and wireless communication facilities,
5414 towers, or antennas.
- 5415 E. Critical obstruction of airspace: No structure, tree, terrain, or land use may
5416 produce or encourage interference with critical airspace including excess smoke,
5417 dust, or heat plumes.
- 5418 F. Creation of bird or wildlife attractant hazards: Activities that encourage wildlife,
5419 especially birds, into critical space utilized by aircraft operations and includes
5420 raising or storing cereal grains; golf courses; dairy farms; water storage,
5421 processing, or otherwise management facilities; waste management facilities;
5422 landfills; slaughterhouses; rendering plants; feedlots; septic lagoons and similar
5423 byproducts used for crop enhancement; fowl or dead animal reduction,
5424 composting, or disposal; creation of nesting habitat with the expectation of
5425 endangered species; and other wildlife attractants that cause hazards to flight are
5426 prohibited.

5427
5428 **17A.300.050 Glare**

5429 No uses or building materials may be permitted that have reflective surfaces which
5430 produce glare directed upward and interfere with the operations and safety of the airport
5431 in Zones 1-4.

5432
5433 **17A.300.060 Lighting**

5434 Lighting accessories must obey height restrictions, must be directed downward, and
5435 may need to be partially shaded or covered to eliminate possible interference with
5436 airport operations in Zones 1-4. Examples of lighting hazards include flood lights,
5437 signage, or other accessory lighting. Lighting necessary for aircraft maneuvering is
5438 exempt from this requirement.

5439
5440 **17A.300.070 Height**

5441 No structure or tree shall exceed thirty-five ft (35 feet) in height in Zones 1-3. Terminal
5442 buildings, hangars, and navigational improvements are exceptions. For Zones 4 and 5,
5443 agricultural, commercial, and emergency service structural accessories shall not exceed
5444 20:1ft slope (twenty feet horizontal to one foot vertical) for a horizontal distance of 4,000
5445 ft (four thousand feet) from the center of the non-precision instrument runway centerline
5446 as defined by FAA as critical airspace.

5447
5448 **17A.300.080 Zone 1 Flight operations**

5449 A. Purpose: Zone 1 Flight Operations is the area directly surrounding the runway.
5450 The principle risk in this zone is from loss of directional control with landing or
5451 taking off from the runway. The purpose of this zone is to prevent conflicts that
5452 may result in an aircraft accident. Conflicts include animal attractants,

- 5453 electromagnetic interference, and critical airspace obstructions such as lighting,
5454 glare, tall trees, terrain, and structures. Airport operations greatly impact
5455 properties in this zone with noise, vibrations, lighting, fumes, and accident
5456 hazards.
- 5457 B. Permitted uses: Permitted uses for Zone 1 Flight Operations are direct aviation
5458 related facilities including terminal buildings, hangars, navigational aids and aid
5459 improvements, landing strips, taxiways, aircraft sales, fuel storage/dispensing,
5460 offices, charter services, aviation research and development, aviation schools,
5461 roadways, parking areas, and storage yards; permitted agricultural uses includes
5462 the raising of orchards, row crops, livestock feed, and grazing; police,
5463 emergency, and fire suppression services and buildings; irrigation systems; and
5464 underground utilities.
- 5465 C. Conditional uses: Conditional uses for Zone 1 Flight Operations include gravel
5466 pits less than three acres; quarries and borrow pits less than three acres; mini
5467 storage; and low intensity recreational fields.
- 5468 D. Density: Zone 1 Flight Operations density denies further subdivision of
5469 properties.
5470

5471 **17A.300.090 Zone 2 Approach/departure**

- 5472 A. Purpose: Zone 2 encompasses the area from the end of Zone 1 Flight
5473 Operations out diagonally to Zone 5 Airport Affects Area. The risk of accidents is
5474 greatest here because, on departure from the runway, aircraft are typically at full
5475 speed and on approach, are at low altitude preparing for landing. Due to its
5476 proximity to the runway, airport operations are in direct conflict with residential
5477 development. Airport operations greatly impact properties in this zone with noise,
5478 vibrations, lighting, and accident hazards.
- 5479 B. Permitted uses: Permitted uses for Zone 2 include residential; direct aviation
5480 related facilities including navigational aids and aid improvements, taxiways,
5481 aircraft sales, charter services, aviation research and development, roadways,
5482 parking areas, and storage yards; permitted agricultural uses includes the raising
5483 of orchards, row crops, livestock feed, and grazing; agriculture storage,
5484 processing, and sales of products grown on the premises; irrigation systems;
5485 mini storage; underground utilities; warehousing and outdoor storage; florist retail
5486 and wholesale; food store; horticultural services; manufactured home sales
5487 facilities; quarries and borrow pits less than three acres; governmental buildings;
5488 and parking lots.
- 5489 C. Conditional uses: Zone 2 conditional uses include offices; gravel pits; quarries
5490 and borrow pits three acres or larger; manufacturing (light and heavy); recycling
5491 collection centers, recycling processing centers; recreational fields; agricultural
5492 stands; shooting ranges; commercial kennels; private clubs; gift shops;
5493 cemeteries; laundromats; commercial saw mills (portable and stationary);
5494 automobile rentals, repair, wrecking, and towing; tourist accommodations of
5495 motels/hotels, inns and lodges, RV parks, aviation related campgrounds, bed and
5496 breakfasts, and nightly rentals.
- 5497 D. Density: Zones 2 Approach/Departure densities allow subdivision of property for
5498 lots 5 (five) acres or larger. In City Expansion Areas, where water and sewer

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

5503

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

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

5538

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

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

5545 restrictions and general prohibitions in order to prevent visual or physical
5546 obstructions to critical airspace near airports. Airport operations impact properties
5547 in this zone to a lesser degree than Zones 1-3 with noise, lighting, and accident
5548 hazards.

5549 B. Permitted uses: Permitted uses for Zone will be determined by the underlying
5550 zone.

5551 C. Conditional uses: Zone 4 conditional uses will be determined by the underlying
5552 zone. General prohibitions and restrictions on glare, lighting, and height apply.

5553 D. Density: Zone 4 density is determined by the underlying zoning.

5554

5555 **17A.300.120 Zone 5 Airport effects area**

5556 A. Purpose: Zone 5 contains the remaining airport environment where aircraft may
5557 fly as they approach or depart from the runway. Aircraft are at higher altitudes in
5558 this zone, which fosters a reduced risk of accidents. The purpose of this zone is
5559 to implement federal restrictions on structure height, the critical factor in securing
5560 safe airport operations in this zone. Default to underlying zoning for land use
5561 regulations except for height. Airport operations impact properties in this zone
5562 minimally with noise, lighting and accident hazards.

5563 B. Permitted uses: Permitted uses in Zone 5 will be determined by the underlying
5564 zone. Height restrictions apply.

5565 C. Conditional uses: Zone 5 conditional uses are determined by the underlying
5566 zoning. Height restrictions apply.

5567 D. Density: Zone 5 density is determined by the underlying zoning.

5568

5569 **17A.300.130 Required setbacks**

5570 A. Setbacks apply to Zones 1-3; Zones 4 and 5 defaults to underlying zoning.

5571 1. Front: 35ft (thirty-five feet). Where parking is located, an additional 10 ft (ten
5572 feet) is required. Where property lines meet airport property boundaries,
5573 required setback is 45ft (forty-five feet). Sides and rear: 20 ft (twenty feet).

5574 B. Development should be sited as far away from airport boundaries as is
5575 reasonably possible for the safety and comfort of neighboring residents and
5576 airport users

5577 C. FAA requirements manage setbacks of buildings on airport properties.

5578

5579 **17A.300.140 Site analysis requirements**

5580 A. Purpose: A site analysis, processed as an administrative application in
5581 accordance with OCC Title 20 "Development Permit Procedures and
5582 Administration", is required with any new building permit or change in use of land.
5583 The purpose of this site analysis review is to inform applicants of the
5584 recommended criteria for proposals in the Airport Public Safety District to protect
5585 the safety and welfare of the public while preserving the viability of airport
5586 facilities.

5587 1. The purpose of this review is to ensure all new or remodeled buildings, or
5588 change in use of land is compatible with the requirements in the Airport Public
5589 Safety District by addressing possible interference hazards with airport
5590 operations in order to balance the needs of the general public and airport

- 5591 facilities. Conditions are applied as necessary for each new development or
5592 change in use.
- 5593 2. In addition to a site analysis, notification is required for the sale, or further
5594 development, or change in use of property. Property owners must inform
5595 prospective property purchasers, and similarly must have recorded against
5596 the title a notice at the time of a site analysis or sale stating the property is
5597 located within the Airport Public Safety District.
- 5598 B. Site analysis recommendations: The list below includes recommended criteria for
5599 the site analysis of proposals in the Airport Public Safety District, however, is not
5600 limited to these considerations. The administrator can apply other requirements
5601 in order to prevent incompatible uses in the District.
- 5602 1. Orientation is outside of airport's usual traffic pattern or is parallel to the
5603 runway
- 5604 2. Utilities and accessories do not interfere with airport operations
- 5605 3. Proposal is not listed in OCC 17A.300.130 General prohibitions of this
5606 Chapter
- 5607 4. Glare is prevented
- 5608 5. Lighting is directed away from traffic pattern and airport facility or shaded
5609 downward
- 5610 6. Possible animal attractants are managed accordingly to prevent interference
5611 with airport operations
- 5612 7. Open space is established in critical airport operations areas
- 5613 8. Waste disposal practices are managed strictly which may include covering,
5614 containing, wetting, drying, or held in tanks until further removal
- 5615 9. Plumes are screened, diverted, cooled, and/or filtered
- 5616 C. Conditions:
- 5617 1. Persons that may be affected acknowledge that airports are essential facilities
5618 to Okanogan County, and therefore accept impacts associated with
5619 operations which may include noise, lighting, vibration, and fumes. Persons
5620 agree impacts from airport operations will not negatively affect their proposed
5621 use and will not later create incompatibility between uses. Similarly, the
5622 proposed development or change in use will not conflict with airport
5623 operations and cause an accident hazard.
- 5624 2. Persons affected accept that airport facilities are utilized by fire suppression
5625 services which can result in noise, lighting, vibrations, or fumes. This usage is
5626 legal, consistent with accepted customs and standards, conducted in a non-
5627 negligent manner, and protected by the Airport Public Safety.
- 5628 3. Persons affected accept that residential uses can be most greatly impacted in
5629 the Airport Public Safety.
- 5630 4. Persons affected accept their right to utilize their property for uses as
5631 described by OCC 17A.300 "Airport Public Safety" and OCC Code 17A.220
5632 "District Use Chart".
- 5633 5. Persons shall acknowledge the designation of Airport Public Safety District
5634 and use of the region as space critical to airport operations.
- 5635 D. Notification
- 5636 1. Notice requirements:

- 5637 a) To inform persons of the significant impact airport operations may have on
5638 properties adjacent to airport facilities or in Airport Public Safety District
5639 where impact from airport operations is likely, an airport operations
5640 disclosure letter is required for the sale or, further development, or change
5641 in use of properties in Zones 1-3. Okanogan County Department of
5642 Planning and Development has a copy of this letter available upon
5643 request.
- 5644 b) A title notice must be recorded against any site analysis of properties in
5645 the Airport Public Safety District. Information pertaining to this notice is
5646 available at the County Assessor's and Department of Planning and
5647 Development offices.
- 5648 2. Title notice
- 5649 a) Properties located in Zones 1-3 where impact to adjacent use can be
5650 significant: "Your property is located within Okanogan County's Airport
5651 Public Safety District (OCC 17A.300) designated Zones 1-3. You may be
5652 subjected to inconveniences or discomfort arising from airport operations
5653 which may include noise, vibrations, lighting, odors, and dust. Such
5654 operations are protected in this zoning district provided the operations are
5655 legal, consistent with accepted customs and standards, and conducted in
5656 a non-negligent manner. For more information pertaining to this zoning
5657 policy, see OCC 17A.300.230, 17A.300.260, or OCC 17A.300.290."
- 5658 b) Properties located in Zone 4-5 where impact to adjacent use can be
5659 moderate to minimum: "Your property is located within Okanogan
5660 County's Airport Public Safety zone district (OCC 17A.300) designated
5661 Zone 4 or 5. You may be subjected to minor inconveniences or discomfort
5662 arising from airport operations which may include noise, lighting, and dust.
5663 Such operations are protected in this zoning district provided the
5664 operations are legal, consistent with accepted customs and standards,
5665 and conducted in a non-negligent manner. For more information pertaining
5666 to this zoning policy, see OCC 17A.300.110 and OCC 17A.300.120."
- 5667 3. Administrator
- 5668 a) The administrator responsible for the review of site analysis in the Airport
5669 Public Safety District is Okanogan County Director of Planning and
5670 Development. The Director may choose staff from the department to assist
5671 with or handle review as needed.

5672
5673 **17A.300.150 Nonconforming lots**

5674 A single-family dwelling and customary accessory buildings may be erected on any lot
5675 legally created before the effective date of this chapter. This provision shall apply even
5676 though such lot fails to meet the density requirements of the Airport Public Safety
5677 District, providing the lot meets current health district requirements for water and sewer.

5678
5679 **17A.300.160 Nonconforming use in zoning district**

5680 Where lawful use of land within a zoning district exists at the effective date of adoption
5681 of this code, which is not permissible under the terms of this code, such use may be
5682 continued so long as it remains otherwise lawful.

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17A.300.170 Nonconforming structure

Where a lawful structure exists at the effective date of adoption of this code, that could not be built under the terms of this code, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

- A. No structure may be enlarged or altered in a way which increases its nonconformity without the issuance of a conditional use permit or variance.
- B. Should such a structure be destroyed by any means, it may be replaced along existing foundation lines within one year. Should a structure be destroyed to an extent of more than 50 percent of its replacement cost at the time of destruction, and not rebuilt within one year, it shall not be reconstructed except in conformity with the provisions of the Airport Public Safety District.
- C. Should such structure be moved any distance for any reason whatever, it shall thereafter conform to the general regulations for the district in which it is located after it is moved.

17A.300.180 Abandonment

Any nonconforming use or nonconforming structure which is abandoned and/or discontinued for one year shall not be reconstructed except in conformity with the provisions of the Airport Public Safety District.

17A.300.190 Unsafe buildings

Nothing in this code shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety.

17A.300.200 Conflicting regulations

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

17A.300.210 Violations and enforcement

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

17A.300.220 Appeals

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

5725 **Chapter 17A.301**
5726 **AIRPORT SAFETY OVERLAY**

5727 Sections:

- 5728 17A.301.010 Purpose
5729 17A.301.020 Transition and approach zone dimensions
5730 17A.301.030 Uses resulting in the assembly of large groups
5731 17A.301.040 Uses creating electrical interference
5732 17A.301.050 Uses fostering an increased bird population
5733 17A.301.060 Structures prohibited in clear zones
5734 17A.301.070 Storage of flammable substances
5735 17A.301.080 Air pollution
5736 17A.301.090 Location of roadways
5737 17A.301.100 Sign and exterior lighting
5738 17A.301.110 Building materials producing glare prohibited
5739 17A.301.120 Extension of structures into transitional or approach surface of
5740 runway
5741
5742

5743 **17A.301.010 Purpose**

5744 The purpose of this section is to protect lives and property on lands which lie within the
5745 transition and approach zones surrounding an airport or landing field. Also, the district is
5746 intended to prevent the establishment of air space obstructions through height
5747 restrictions and other land use controls for the safety of persons airborne. This section
5748 shall be applied to lands where airports are classified by the Federal Aviation
5749 Administration as visual utility, non-precision and precision runways. Use requirements
5750 and standards of the underlying zone shall apply unless in conflict with provisions of this
5751 section.

5752 **17A.301.020 Transition and approach zone dimensions**

5753 The dimensions of the transition and approach zones shall be determined by the current
5754 Federal Aviation Administration use classification and standards.
5755
5756

5757 **17A.301.030 Assembly of large groups**

5758 Uses such as schools, churches, auditoriums, etc., where large groups of people
5759 assemble shall not be allowed within the airport safety overlay.
5760

5761 **17A.301.040 Electrical interference**

5762 No use shall be permitted within this district in such a manner as to create electrical
5763 interference with navigational signals or radio communications between the airport and
5764 aircraft.
5765

5766 **17A.301.050 Increased bird population**

5767 No use shall be permitted within this district which would foster an increased bird
5768 population and thereby increase the likelihood of a bird strike problem.
5769

5770 **17A.301.060 Structures prohibited in clear zones**
5771 No structure shall be allowed in the designated clear zones.

5772
5773 **17A.301.070 Storage of flammable substances**
5774 Storage of flammable substances such as fuel or petroleum products shall be in
5775 accordance with all current standards and regulations.

5776
5777 **17A.301.080 Air pollution**
5778 There shall be no emission of smoke, fly ash, dust, vapor, gases or other forms of air
5779 pollution that may conflict with any present or planned operations of the airport.

5780
5781 **17A.301.090 Location of roadways**
5782 Roadways shall be located in such a manner that vehicle lights will not make it difficult
5783 for pilots to distinguish between airport runway landing lights or result in glare or in any
5784 other way impair visibility in the vicinity of the landing or takeoff approach.

5785
5786 **17A.301.100 Sign and exterior lighting**
5787 Unless necessary for safe and convenient air travel, sign lighting and exterior lighting
5788 shall not project into the runway, taxiway or approach zone.

5789
5790 **17A.301.110 Building materials - glare prohibited**
5791 Building materials shall not produce glare which may conflict with any present or
5792 planned operation of the airport.

5793
5794 **17A.301.120 Extension of structures into transitional or approach surface of
5795 runway**
5796 No obstructions (structural or natural) shall extend into the transitional or approach
5797 surface of the runway.

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5799

5800 **Chapter 17A.310**
5801 **CONDITIONAL USE PERMITS**

5802 Sections:

- 5803 17A.310.010 Purpose
5804 17A.310.020 Authority
5805 17A.310.030 Applications
5806 17A.310.040 Environmental review
5807 17A.310.050 Review process
5808 17A.310.060 Administrative conditional use permits
5809 17A.310.070 Setting for hearing
5810 17A.310.080 Standards and criteria
5811 17A.310.090 Compatibility
5812 17A.310.100 Potential conditions
5813 17A.310.110 Permit, operation
5814 17A.310.120 Records
5815 17A.310.130 Amendments
5816 17A.310.140 Termination
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5818

5819 **17A.310.010 Purpose**

5820 The purpose of the this Chapter is to authorize the use of conditional use permits in
5821 accordance with RCW 36.70, and implement a review process by which Okanogan
5822 County may determine whether a proposed use may be integrated into a community,
5823 which may be suitable only upon adoption of certain conditions. The following standards
5824 and criteria, and procedures apply to conditional use permits authorized by this Chapter,
5825 and those conditional use permits previously authorized by similar conditional use
5826 permit regulations adopted by Okanogan County but which may no longer be in effect.
5827

5828 **17A.310.020 Authority**

5829 Okanogan County's Office of Planning and Development administers the provisions of
5830 this chapter, processes applications for conditional use permits including applications to
5831 amend or terminate such permits, and periodically monitors and inspects existing
5832 project sites permitted under the provisions of this chapter. The Office of Planning and
5833 Development ~~may~~ shall prepare, and require the use of, such forms as are essential to
5834 the administration of this Chapter, and may issue such orders, requirements, decisions,
5835 or determinations concerning the application of this chapter.

- 5836 A. The hearing examiner or board of adjustment shall hear and decide all
5837 applications processed in accordance with this chapter, as a quasi-judicial
5838 process in accordance with OCC Title 20 "Development Permit Procedures and
5839 Administration", except for those applications which do not require a hearing or
5840 do not require involvement by the hearing examiner or board of adjustment.
5841 B. The zoning administrator is the authorized zoning adjustor pursuant to RCW
5842 36.70.200, and in this capacity shall decide on administrative orders in
5843 accordance with this chapter and OCC Title 20 "Development Permit Procedures
5844 and Administration", which includes but is not limited to:

- 5845 1. Administrative amendments authorized by this Chapter (see OCC
5846 17A.310.130(B)).
5847 2. Administrative terminations authorized by this Chapter (see OCC
5848 17A.310.140(B)).
5849 3. Administrative conditional use permits authorized by this Chapter (see OCC
5850 17A.310.060).
5851

5852 **17A.310.030 Applications**

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

- 5855 A. Application Fee as [adopted by resolution specified and available at Okanogan](#)
5856 [County Planning in Okanogan County's fee schedule](#) which may include
5857 collection of application fees for other department and/or agencies.
5858 B. Land Use Permit Application.
5859 C. Project description: A thorough narrative explaining the purpose and scope of the
5860 propose activity. The project description should include a clear and thorough
5861 explanation of proposed uses which should include integration with existing uses.
5862 The description should explain type, if any, of construction and/or services
5863 needed to support the project including but not limited to, structures, roads,
5864 parking lots, utilities and water systems, excavation, staging areas, etc. Identify
5865 phasing if phasing is proposed. The Planning Department may require additional
5866 information which further explains the scope of the proposal in order to
5867 adequately assess impacts to surrounding areas and/or communities. The scope
5868 of the project description will depend greatly on the nature of proposal.
5869 D. Site plan: The site plan is a map, drawn to scale, which clearly represents
5870 existing conditions and depicts the proposed development activity and
5871 associated structures and other improvements. The site plan should be
5872 consistent with the project description and includes but not be limited to
5873 structures, areas intended for a specific purpose, property lines, roads,
5874 easements, parking areas, access points and circulation patterns, wells, utilities
5875 and utility easements. Include location of critical areas such as lakes, rivers, and
5876 streams, wetlands, floodplains, steep slopes, etc. The scope of the site plan will
5877 depend greatly on the nature of proposal.
5878 E. SEPA environmental checklist. The SEPA environmental checklist is required
5879 only if the proposal is not categorically exempt in accordance with OCC 14.04
5880 "Environmental Policy" and/or WAC 197-11 Part Nine – Categorical Exemptions
5881 (see OCC 17A.310.040).
5882

5883 **17A.310.040 Environmental review**

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

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

5896 **17A.310.050 Review process**

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

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

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

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

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

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

5928 **17A.310.0670 Setting for hearing**

5929 The hearing examiner or board of adjustment shall hear and decide all applications for
5930 conditional use permits, except for those applications which are processed
5931 administratively if such a process is authorized by this chapter.
5932

- 5933
- 5934 | **17A.310.07080 Standards and criteria**
- 5935 | The hearing examiner or board of adjustment shall consider the following standards and
- 5936 | criteria in evaluating the conditional use permit:
- 5937 | A. That the conditions imposed are reasonably calculated to insure the proposed
- 5938 | conditional use is and will remain compatible with the comprehensive plan,
- 5939 | zoning for the subject area, other landuse actions including but not limited to
- 5940 | plats, planned developments, and other conditions use permits; and
- 5941 | B. That the proposed activity is and will remain compatible with current and future
- 5942 | uses on the subject property; and
- 5943 | C. That such conditions are not unnecessarily onerous; and
- 5944 | D. That the proposed conditions will protect the public health, morals and general
- 5945 | welfare; and
- 5946 |
- 5947 | **17A.310.08090 Compatibility**
- 5948 | Those uses, activities, structures shall be compatible and shall remain compatible with
- 5949 | current and future permitted uses on the same property. For example, if future
- 5950 | applications proposed a use other than what was permitted by the conditional use
- 5951 | permit, then the proposed application may be approved only if it can be determined that
- 5952 | the proposal is compatible or accessory to the conditional use permit.
- 5953 |
- 5954 | **17A.310.90400 Potential conditions**
- 5955 | The types of conditions which the hearing examiner or board of adjustment may impose
- 5956 | on a conditional use permit include, but are not limited to, and are shown herein only as
- 5957 | examples and do not represent a comprehensive list:
- 5958 | A. Requiring a performance bond or acceptable surety in an amount and with
- 5959 | conditions satisfactory to the hearing examiner or board of adjustment, to assure
- 5960 | the performance of conditions imposed or the construction of improvements;
- 5961 | B. Specifying a time limit within which the action, shall be begun or completed or
- 5962 | both;
- 5963 | C. Requiring an annual review of the issued permit to assure compliance with any
- 5964 | imposed conditions;
- 5965 | D. Increasing the required lot size or lot dimensions;
- 5966 | E. Limiting the height or total lot coverage of buildings and impervious surfaces;
- 5967 | F. Specifying the number and location of vehicular access points to the property;
- 5968 | G. Specifying the street width;
- 5969 | H. Specifying the number of off-street parking or loading spaces;
- 5970 | I. Requiring suitable landscaping;
- 5971 | J. Specifying signing;
- 5972 | K. Specifying the exact locations of activities or structures as a means of minimizing
- 5973 | hazards to life, limb, property damage, erosion, landslide or traffic;
- 5974 | L. Mitigating nuisance-generating features such as noise, colors, air pollution,
- 5975 | wastes, vibration, traffic, physical hazards, off-site light glare, etc.;
- 5976 | M. Requiring structural features or equipment essential to accomplish the purpose
- 5977 | set forth in subsection L of this section;
- 5978 | N. Specifying the hours of operation;

- 5979 O. Insuring against imposing excessive demands upon public facilities and services.
5980 P. Kennels, business or commercial, shall be appropriately conditioned as follows:
5981 1. The structure(s) housing the animals shall be adequately soundproofed to
5982 meet Chapter 173-60 WAC as determined by the noise levels during a period
5983 of normal operation for the number of animals to be kept;
5984 2. That compliance with noise standards for a commercial noise source as
5985 identified by WAC 173-60-040 shall be demonstrated by the applicant;
5986 3. The structure(s) and outside runs or areas housing the animals shall be not
5987 less than 200 feet from any dwelling other than the dwelling of the owner, and
5988 shall be no less than 50 feet to any property line of the subject site;
5989 4. Any permitted outside runs or areas shall be completely screened from view
5990 by sight-obscuring fencing or landscaping, or both, as determined by the
5991 hearing examiner or board of adjustment, to serve as a visual and noise
5992 abatement buffer;
5993 5. All animals are to be housed within a structure and no outside boarding of
5994 animals is permitted between the hours of 10:00 p.m. and 6:00 a.m.;
5995 6. One off-street parking space shall be provided for each 10 animals kept on
5996 the premises;
5997 7. The permit shall be granted for a period not to exceed one year. At the end of
5998 such period an inspection shall be made of the premises to determine:
5999 a) Compliance with all the conditions of approval; and
6000 b) The advisability of renewing such permit;
6001 8. The applicant shall submit adequate information to aid the hearing examiner
6002 or board of adjustment in determining that the preceding standards are
6003 satisfied prior to the public hearing;
6004 9. Additional conditions or safeguards as deemed necessary may be imposed
6005 by the hearing examiner or board of adjustment for the protection of the
6006 health, safety and welfare of the nearby residences.
6007 Q. Septic Lagoons include the following conditions of approval, or similar versions
6008 thereof, in addition to any conditions which are required through the review
6009 process:
6010 1. Construction, design, and management of the septic lagoon shall comply with
6011 WAC 173-308 "biosolids management" and WAC 173-350-330 "Surface
6012 Impoundments and Tanks".
6013 2. The septic lagoon shall be designed and constructed with an adequate leak
6014 detection system. Periodic reporting of leak detection activity shall be
6015 submitted to Okanogan County Office of Planning and Development and
6016 Washington State Department of Ecology.
6017 3. Nuisance odors for wastes or liquids shall be controlled by the use of aeration
6018 and Lime added to the liquids. It is the owner or operators responsibility to
6019 control nuisance odors in accordance with WAC 173-350-330(4) (iii)
6020 "Operating Standards".
6021 4. Security fencing shall be installed around the parameter of the septic lagoon
6022 and associated facilities.
6023 5. Security lighting, if any, shall be shielded or downcast so that no direct light
6024 from such lighting may enter nearby residential properties.

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

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

6033 **17A.310.100410 Permit, operation**

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

6039 **17A.310.110420 Records**

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

6045 **17A.310.120060 Administrative Conditional Use Permits**

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

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

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

6053 1. Emergency family hardship: The administrator shall consider applications for
6054 an emergency family hardship in the event that an additional residential unit
6055 would not comply with the density requirements of the zone district in which
6056 the proposal is located. It shall be the applicant's burden to adequately
6057 demonstrate a legitimate emergency family hardship exists. Such information
6058 provided shall be reviewed by the administrator in order to determine whether
6059 to approve such applications on the basis of the facts presented. Any
6060 residential units approved in accordance with this section shall be strictly
6061 limited in duration to the period of the hardship. The administrator may require
6062 such periodic reporting and/or documentation as deemed necessary to
6063 validate the existence and continuation of the hardship. Upon the expiration of
6064 any permit, it shall be the applicant's duty to abate and remove such
6065 residential unit within 90 days. If at any time during the duration of a permit,
6066 the administrator determines that the emergency hardship no longer exists,
6067 the permit shall be summarily revoked and the permitted residential unit shall
6068 be abated and removed, at the permittee's expense, within 90 days of the
6069 administrator's revocation order.
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17A.310.130 Amendments

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

- A. Amendments: All applications for amendments which are beyond the scope of an administrative amendment, as defined herein, shall be processed the same as a new application in accordance with this Chapter. Amendments may be narrowly focused in order to amend only specific elements of the original permit without jeopardizing the integrity of the existing permitted operation.
- B. Administrative amendments: The administrator may approve minor amendments to conditional use permits. Minor amendments shall be categorized as changes which only clarify the scope of the existing permit (i.e. clarification of accessory uses, definitions of uses, etc.) but does not expand the scope of the permit (i.e. expansion of project areas, inclusion of additional uses, changes to hours of operation, etc.). Applications for administrative amendments shall be processed by the Office of Planning and Development as an administrative process in accordance with OCC Title 20 “Development Permit Procedures and Administration”. The administrator shall issue the final order which shall explain the scope of the amendment. Such order shall become part of the record and shall be filed accordingly. Notice of the amendment shall be transmitted immediately to the landowner.

17A.310.140 Termination

- A. Termination: The permit may be terminated in whole or in part as a result of non-compliance with the terms or conditions of the permit and/or this Title. Such termination shall be approved only by order of the hearing examiner or board of adjustment. The order shall include findings supporting the reason(s) for terminating the permit. Termination by non-compliance does not require an application or application fee.
- B. Administrative termination: The termination of a permit may be approved by the administrator/zoning adjuster if all outstanding obligations have been resolved and/or completed and the termination has been requested by the landowner. Applications for termination by request shall be processed by the Office of Planning and Development and require an application fee in accordance with Okanogan County’s fee schedule.

**Chapter 17A.320
VARIANCES**

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Sections:

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

17A.320.010 Purpose

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

17A.320.020 Authority

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

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

17A.320.030 Applications

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

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

- 6155 C. SEPA environmental checklist. The SEPA environmental checklist is required
6156 only if the proposal is not categorically exempt in accordance with OCC 14.04
6157 “Environmental Policy” and/or WAC 197-11 Part Nine – Categorical Exemptions
6158 (see OCC 17A.320.040).
- 6159 D. Project description: A thorough narrative explaining the purpose and scope of the
6160 proposed activity and/or structure. The scope of the project description will
6161 depend greatly on the nature of proposal. The project description should explain,
6162 but not be limited to, the purpose for the variance, whether for the variance
6163 affects permitted uses or structure(s), and other elements relative to the project
6164 which may include use of structure(s), roads, utilities and systems, excavation,
6165 etc. The project description explains how the proposal is consistent with the
6166 standards and criteria section of this chapter (see OCC 17A.320.070).
- 6167 E. Site plan: The site plan is a map, drawn to scale, which clearly represents
6168 existing conditions and the proposed development activity and should be
6169 consistent with the project description. The scope of the site plan will depend
6170 greatly on the nature of proposal. The site plan should include but not be limited
6171 to existing and proposed structures, property lines, roads, easements, parking
6172 areas and access points and circulation patterns, wells, utilities. Include location
6173 of critical areas such as lakes, rivers, and streams, wetlands, floodplains, steep
6174 slopes, etc.

6175
6176 **17A.320.040 Environmental review**

6177 SEPA review, including submission of a completed SEPA environmental checklist, is
6178 required for those applications which are not exempt from review in accordance with
6179 OCC 14.04 “Environmental Policy” and/or WAC 197-11 Part Nine – Categorical
6180 Exemptions. When SEPA review is required, application and SEPA procedures shall
6181 run concurrently where possible. Concurrent processing includes consolidated
6182 publications, public and agency notifications, and appeal procedures.

- 6183 A. Previous SEPA review: Pertaining to new applications and amendments of
6184 existing applications, if the SEPA responsible official determines that a previously
6185 adopted SEPA determination is adequate for the current proposal (WAC 197-11-
6186 600) then additional review shall not be required.

6187
6188 **17A.320.050 Review process**

6189 The Office of Planning and Development shall process complete applications for
6190 variances in accordance with OCC Title 20 “Development Permit Procedures and
6191 Administration” as a quasi-judicial process. Following the submission of a complete
6192 application, the review process shall proceed including a comment period, notifications,
6193 publication, and preparation for the public hearing.

6194
6195 **17A.320.060 Setting for hearing**

6196 The hearing examiner or board of adjustment shall hear and decide all applications for
6197 variances, except for those applications which are processed administratively if such a
6198 process is authorized by this chapter.
6199

6200 **17A.320.070 Standards and criteria**

6201 Before any variance is granted by the hearing examiner or board of adjustment, it shall
6202 be known that all the following criteria apply:

- 6203 A. Any variance granted shall be subject to such conditions as will assure that the
6204 adjustment thereby authorized shall not constitute a grant of special privileges
6205 inconsistent with the limitations of other properties in the vicinity and zone in
6206 which the subject property is situated; and
- 6207 B. Because of special circumstances applicable to the subject property, including
6208 size, shape, topography, location or surroundings, the strict application of the
6209 zoning code is found to deprive the subject property of rights and privileges
6210 enjoyed by other properties in the vicinity and under identical zone
6211 classifications; and
- 6212 C. That the granting of the variance will not be materially detrimental to the public
6213 welfare or injurious to the property or improvements in which the subject property
6214 or improvements are situated; and

6215
6216 **17A.320.080 Conditions**

6217 Conditions may be required for the approval of a variance in order to mitigate any
6218 impacts which may result from the approval of the application. Any conditions imposed
6219 should be reasonably calculated to insure the proposal will remain consistent with the
6220 comprehensive plan and zoning for the subject area. Any conditions imposed should not
6221 be unnecessarily onerous.

6222
6223 **17A.320.090 Permit, operation**

6224 The final order of the hearing examiner or board of adjustment is conclusive and
6225 authorizes immediate operation of the proposed activity, unless otherwise specified. All
6226 conditions of approval must be met prior to operation and throughout the duration of the
6227 project.

6228
6229 **17A.320.100 Records**

6230 The variance application, evidence of notice, the record of proceedings and other
6231 material accepted as evidence and the written decision along with findings of facts and
6232 conclusions shall become a part of the official records of the hearing examiner or board
6233 of adjustment and shall be retained in the office of planning and development.

6234
6235 **17A.320.110 Administrative variances**

6236 The authorized zoning adjuster shall review and subsequently approve, approve with
6237 conditions, or deny, applications for administrative variances.

- 6238 A. Applications for administrative variances shall be processed in accordance with
6239 administrative application procedures in accordance with OCC Title 20
6240 "Development Permit Procedures and Administration":
- 6241 B. The types of administrative variances which are authorized by this chapter
6242 include:
- 6243 1. Property line setbacks. A deviation may be granted from the required front,
6244 side, or rear property line setback required by this Title upon a finding that the
6245 criteria of OCC 17A.320.070 apply.

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

6249 Sections:

- 6250 17A.330.010 Legal pre-existing lots
6251 17A.330.020 Legal pre-existing use in zoning district
6252 17A.330.030 Legal pre-existing structure
6253 17A.330.040 Abandonment
6254 17A.330.050 Unsafe buildings
6255

6256 **17A.330.010 Legal pre-existing lots**

6257 Those uses and structures which are permitted or conditional on a conforming lot within
6258 a zone district shall also be permitted or conditional on a legal pre-existing lot located
6259 within the same zone. Legal pre-existing lots which do not meet lot area and width
6260 requirements may be reduced in size by use of the boundary line adjustment process
6261 (OCC 16.04.080). These provisions shall apply even though such lot fails to meet the
6262 density requirements of the zone district, providing the lot meets current health district
6263 requirements for water and sewer.
6264

6265 **17A.330.020 Legal pre-existing use in zoning district**

6266 Where lawful use of land within a zoning district exists at the effective date of adoption
6267 of this code, which is not permissible under the terms of this code, such use may be
6268 continued so long as it remains otherwise lawful. A legal pre-existing use which is
6269 discontinued for three consecutive years shall be considered abandoned in accordance
6270 with this chapter.
6271

6272 **17A.330.030 Legal pre-existing structure**

6273 Where a lawful structure exists at the effective date of adoption of this code that could
6274 not be built under the terms of this code, such structure may be continued so long as it
6275 remains otherwise lawful, subject to the following provisions:

- 6276 A. A structure may be enlarged or altered so long as the alteration does not make
6277 the structure more out of compliance with this Title. For example, if a structure is
6278 located 15 feet from a property line which requires a 25 foot setback, then the
6279 addition may be constructed at 15 feet from the property line.
- 6280 B. Should such a structure be destroyed by any means, in whole or in part, it may
6281 be replaced, or repaired, along existing foundation lines within three years,
6282 otherwise it shall be considered abandoned in accordance with this chapter.
- 6283 1. Similar manufactured homes vary in size and shape. Therefore,
6284 manufactured homes may be replaced by similar manufactured homes along
6285 a similar footprint. Example: a single-wide may be replaced with a different
6286 sized single-wide so long as it is placed in the same location, although it may
6287 follow a slightly different foundation line.
- 6288 C. Should such structure be moved any distance for any reason whatever, it shall
6289 thereafter have to comply with the general regulations for the district in which it
6290 is located after it is moved.

6291 D. For nightly rentals located within the boundary of the Methow Valley More
6292 Completely Planned Area as designated by the Okanogan County
6293 Comprehensive Plan: Structures used as a nightly rental, but has not been
6294 permitted as a nightly rental before January 1, 2021, must comply with the OCC
6295 17A.270 "Nightly Rentals".
6296

6297 **17A.330.040 Abandonment**

6298 Any legal pre-existing use or nonconforming structure which is abandoned and/or
6299 discontinued for three consecutive years shall not be continued or reconstructed except
6300 in conformity with the provisions of this code.

- 6301 A. Abandoned legal pre-existing uses and buildings may be subject to the
6302 abatement provisions of this code (see OCC 17A.360.030).
- 6303 B. When determining whether a use or structure has been abandoned, the
6304 administrator shall determine whether:
- 6305 1. Substantial progress has been made to use the structure or continue the use
6306 in a reasonable manner and timeframe; or
 - 6307 2. The use or structure is a verified nuisance;
 - 6308 3. The use or structure presents a detriment to public health, safety, or general
6309 welfare.
- 6310

6311 **17A.330.050 Unsafe buildings**

6312 Nothing in this code shall be deemed to prevent the strengthening or restoring to a safe
6313 condition of any building or part thereof declared to be unsafe by any official charged
6314 with protecting the public safety.
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**Chapter 17A.340
AMENDMENT OF ZONING CODE**

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Sections:

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

17A.340.010 General

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

17A.340.020 Purpose

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

17A.340.030 Evaluation criteria

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

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

17A.340.040 Initiation

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

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

17A.340.050 Review process – determination

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

- 6364 be used to determine whether an amendment is legislative or quasi-judicial.
6365
6366 A. Quasi-judicial: A proposal is quasi-judicial if the action is site specific (would not
6367 be generally applicable) and affects only one property, or group of adjoining
6368 properties under identical ownership. Quasi-judicial proposals are limited to
6369 rezones which would result in a change to the official zone map. This quasi-
6370 judicial application process is available for text amendments only if the applicant
6371 demonstrates that the amendment is site specific (would not be generally
6372 applicable) and would affect only one property, or group of adjoining properties
6373 under identical ownership.
6374 B. Legislative: A proposal is legislative if the action is generally applicable and
6375 applies to a relatively large geographic area containing several property owners.
6376 Legislative proposals may include amendments to the text of this title or area-
6377 wide rezones which would result in a change to the official zone map.

6378 **17A.340.060 Applications**

6379 Applications include the following items and shall be submitted to the Office of Planning
6380 and Development. Applications submitted by the public shall include the following items.

- 6381 A. Application Fee: As specified in Okanogan County's fee schedule which may
6382 include collection of application fees for other agencies. This application item
6383 shall not be required for proposals initiated by Okanogan County.
6384 B. Land Use Permit Application. This application item shall not be required for
6385 proposals initiated by Okanogan County.
6386 C. SEPA environmental checklist. The SEPA environmental checklist is required
6387 only if the proposal is not categorically exempt in accordance with OCC 14.04
6388 "Environmental Policy" and/or WAC 197-11 Part Nine – Categorical Exemptions.
6389 D. Project description: A thorough narrative explaining the purpose and scope of the
6390 proposed amendment. The scope of the project description will depend greatly
6391 on the nature of proposal. The project description should explain how the
6392 proposal is consistent with the comprehensive plan and pertinent land use
6393 regulations administered by Okanogan County.
6394 E. Vicinity map: The vicinity map is required for zone map amendments, rezones,
6395 and text amendments which impact specific geographic areas. The type of
6396 vicinity map will depend greatly on the nature of proposal.
6397

6398 **17A.340.070 Environmental review**

6399 SEPA review, including submission of a completed SEPA environmental checklist, is
6400 required for those applications which are not exempt from review in accordance with
6401 OCC 14.04 "Environmental Policy" and/or WAC 197-11 Part Nine – Categorical
6402 Exemptions. When SEPA review is required, application and SEPA procedures shall
6403 run concurrently where possible. Concurrent processing includes consolidated
6404 publications, public and agency notifications, and appeal procedures.
6405

6406 **17A.340.080 Public hearing not required – procedural amendments**

6407 In accordance with RCW 36.70.800, "[a]n amendment to the text of a zoning ordinance
6408 which does not impose, remove or modify any regulation theretofore existing and
6409 affecting the zoning status of land shall be processed in the same manner prescribed by

6410 this chapter for the adoption of an official control except that no public hearing shall be
6411 required either by the commission or the board”.

- 6412 A. Such amendments must be adopted by ordinance of the Board of Okanogan
6413 County Commissioners.
- 6414 B. At the discretion of the Board of Okanogan County Commissioners, a public
6415 hearing may be required for proposals meeting the terms of this section.

6416

6417 **17A.340.090 Legislative review**

- 6418 A. Legislative amendments shall be processed by the Office of Planning and
6419 Development in accordance with the procedures outlined in this section and OCC
6420 Title 20 “Development Permit Procedures and Administration”. Planning
6421 Commission: the Planning Commission shall conduct and open record public
6422 hearing for the proposal. The Planning Commission may order amendments to
6423 the proposal. From the record of the hearing, the Planning Commission shall
6424 make a recommendation to the Board of Commissioners.
- 6425 B. Board of Commissioners: The record from the Planning Commission shall be
6426 transmitted to the Board of Commissioners. The Board of Commissioners shall
6427 conduct an open-record public hearing. As a result of the hearing, the Board of
6428 Commissioners may order that the proposed legislation is approved, denied,
6429 amended, or remanded for further consideration of specific issues. Legislation
6430 shall be approved by ordinance.
- 6431 C. Effect: Legislation adopted by ordinance takes effect immediately and is thereby
6432 enforceable, unless otherwise specified.

6433

6434 **17A.340.100 Quasi-judicial review**

- 6435 A. Quasi-judicial rezones shall be processed by The Office of Planning and
6436 Development in accordance with the procedures outlined in this section and OCC
6437 Title 20 “Development Permit Procedures and Administration”.
- 6438 B. Effect: The decision of the hearing examiner or board of adjustment takes effect
6439 immediately and is thereby enforceable, unless otherwise specified.
- 6440 C. BOCC review and zone map amendment: The hearing examiner is unable to
6441 order changes to the official zone map. When a rezone is approved by the
6442 hearing examiner, the decision shall be presented to the Board of Okanogan
6443 County Commissioners during a closed-record public hearing. Amendments to
6444 the official zone map shall be adopted by ordinance of the Board of Okanogan
6445 County Commissioners, thereby perfecting the decision of the hearing examiner.

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**Chapter 17A.350
APPEALS**

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Sections:

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

17A.350.010 Appeals of administrative actions

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

17A.350.020 Appeals of quasi-judicial actions

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

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

17A.350.030 Appeals of legislative actions

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

6477 **Chapter 17A.360**
6478 **ENFORCEMENT**

6479 Sections:

- 6480
6481 17A.360.010 Generally
6482 17A.360.020 Misdemeanor
6483 17A.360.030 Abatement
6484 17A.360.040 Additional enforcement
6485 17A.360.050 Cost of enforcement action
6486

6487 **17A.360.010 Generally**

6488 No structure, lot or area of land shall hereafter be used or occupied and no structure or
6489 part thereof shall be erected, moved, reconstructed, extended, enlarged or altered
6490 except in compliance with the provisions of this code.
6491

6492 **17A.360.020 Misdemeanor**

6493 It is unlawful for any person, firm, corporation or other organization whether as owner,
6494 lessee, subleasee or occupant to allow, use or maintain any building, structure,
6495 premises, land or portion thereof contrary to or in violation of any of the provisions of
6496 this code or its amendments. Each and every such violation or contrary act shall
6497 constitute a misdemeanor. Each misdemeanor may be punished by a maximum of 90
6498 days in jail or a fine of \$500.00 or by both such fine and imprisonment. There shall be
6499 an additional misdemeanor for each 30-day period during which the violation continues.
6500

6501 **17A.360.030 Abatement**

6502 All violations of this code are determined and declared to be detrimental to the public
6503 health, safety and welfare and public nuisances. All conditions which render any
6504 building, structure, premises, land use or portion thereof to be used or maintained in
6505 violation of this code shall be abated if provisions for their continuance made pursuant
6506 to this code are not satisfied. See OCC 17A.020.010 for definition of "Abatement of
6507 zoning violation".
6508

6509 **17A.360.040 Additional enforcement**

6510 Notwithstanding the existence or use of any other remedy, the county prosecuting
6511 attorney may seek legal or equitable relief to enjoin any acts or practices and abate any
6512 conditions which constitute or will constitute a violation of this code or amendments to it.
6513 The prosecuting attorney, on behalf of Okanogan County, may collect the abatement
6514 work costs by use of all appropriate legal remedies.
6515

6516 **17A.360.050 Cost of enforcement action**

6517 In addition to costs and disbursements provided for by statute, the prevailing party in an
6518 action for abatement, a foreclosure action, or collection action under this code may, in
6519 the court's discretion, be allowed interest and a reasonable attorney's fee. The
6520 prosecuting attorney shall seek such costs, interest and the reasonable attorney's fees
6521 on behalf of Okanogan County when the county is the party.
6522