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Chapter 23.08

PERFORMANCE AND USE STANDARDS

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1 **23.08.010 General Provisions**

- 2
- 3 (a) The performance and use-specific standards provided in this Chapter are those specific requirements
- 4 that shall be met prior to approval of a proposed development or use within a particular zoning district.
- 5
- 6 (b) Proposed developments and uses may be subject to multiple performance and use-specific standards.
- 7 Where the development is subject to the jurisdiction of the Shoreline Master Program, additional
- 8 regulations and standards may apply, and additional permits may be required.
- 9
- 10 (c) Proposed developments and uses are also subject to the development standards specified in GCC §
- 11 23.12.
- 12
- 13 (d) Proposed developments and uses shall comply with the general purposes and intent of the underlying
- 14 zoning district regulations and any subarea plans.
- 15

16 **23.08.020 Accessory Uses and Structures**

- 17
- 18 (a) Accessory uses are customarily incidental and subordinate to the principal use of a structure or site.
- 19 Accessory structures are permitted under the following provisions:
- 20 (1) Accessory uses/structures not exceeding 1,500 square feet shall be permitted prior to the
- 21 construction of a primary use. These structures are not intended for residential occupancy, business
- 22 or industrial use;
- 23 (2) consistent with the purpose of the zoning district; and
- 24 (3) in compliance with the provisions of GCC Title 23. The land use category of an accessory use shall
- 25 be the same as that of the principal use(s) as listed in Tables 3, 4 and 5, unless otherwise specified.
- 26
- 27 (b) Limitations on Accessory Uses and Structures: Accessory uses and structures are permitted in any
- 28 zoning district, except as limited or prohibited in this section, in Tables 3, 4 and 5 or in the sections
- 29 covering the various zoning districts in GCC § 23.04.
- 30
- 31 (c) Accessory Dwelling Units. Accessory dwelling units are intended to increase the supply of affordable
- 32 and independent housing for a variety of households. One accessory dwelling unit is permitted as
- 33 accessory to an existing single-family dwelling provided that the following requirements are met:
- 34 (1) Extended-Family Living Arrangement: An extended-family living arrangement contemplates the
- 35 allowance of more than one (1) single-family residence, other than a travel trailer, upon a single lot
- 36 where the following apply:
- 37 (A) Owner occupancy: Either the principal unit of the single-family dwelling or the accessory
- 38 dwelling unit shall be occupied by an owner of the property or an immediate family member
- 39 of the property owner; and
- 40 (B) The primary lot tenant will not change; and
- 41 (C) The primary or secondary lot tenant is aged, disabled or dependent upon the other lot tenant;
- 42 and
- 43 (D) Adequate documentation shall be submitted demonstrating that an extended family living
- 44 arrangement is needed and is in the best interest of the primary or secondary lot tenant; and
- 45 (E) There exists between the primary and proposed secondary lot tenants a close personal
- 46 relationship. This is intended to mean a kinship of no less than the second degree as computed
- 47 according to the rules of the Civil Law, provided the Administer may grant a Discretionary Use
- 48 in special circumstances where there is established a long-standing close relationship, which
- 49 may be attested to by a disinterested person; or the Administrator may grant a Discretionary
- 50 Use where a caregiver arrangement is contemplated and can be documented.

- 1 (F) Accessory dwellings units for Extended family living arrangements may not be used for rental
2 income purposes but may be used a compensation or partial compensation for care services
3 rendered.
- 4 (G) On an annual basis and at least 30 days prior to the anniversary date of an approved Extended
5 Family Living Arrangement, the primary lot tenant shall through sworn declaration provide the
6 Administrative Official written verification of the ongoing need for the Extended Family
7 Living arrangement until the need no longer exists; There is approval form the Grant County
8 Health District of the proposed water and sewer systems; and
- 9 (H) No more than one family as defined in the Uniform Building Code shall be allowed to occupy
10 an accessory dwelling unit.
- 11 (2) Guest Homes: Guest homes, houses or rooms for guests in an accessory structure may be an
12 Permitted Use in certain zoning districts as specified in Tables 3, 4 and 5 of GCC § 23.04; provided
13 that such guest home is used only for the occasional housing of guests of the occupants of the
14 principal structure, and not as rental units or for permanent occupancy as housekeeper or caretaker
15 units. No kitchens shall be allowed in guest homes, houses or rooms.
- 16 (3) Farm Housing: Farm housing accessory to a farm residence to accommodate agricultural workers
17 and their families employed on the premises may be an accessory use on parcels greater than 5
18 acres in certain zoning districts as specified in Tables 3, 4 and 5 of GCC § 23.04; as provided below:
- 19 (A) For legal lots larger than five (5) acres and less than twenty (20) acres, one (1) farm housing
20 unit is allowed;
- 21 (B) For legal lots larger than twenty (20) acres and less than forty (40) acres, two (2) farm housing
22 units are allowed;
- 23 (C) For legal lots larger than forty (40) acres and less than sixty (60) acres, three (3) farm housing
24 units are allowed;
- 25 (D) For legal lots larger than sixty (60) acres and less than eighty (80) acres, four (4) farm housing
26 units are allowed;
- 27 (E) For legal lots larger than eighty (80) acres, four (4) farm housing units are allowed; provided
28 that additional farmworker accommodations may be allowed pursuant to GCC § 23.08.190.
- 29 (F) Farm housing units may only be leased, sold or subdivided subject to the density provisions of
30 the underlying zoning district.
- 31 (G) Sewage disposal and water supply shall be in accordance with GCC § 23.12.050 and §
32 23.12.060.
- 33 (4) Caretaker Residence: Caretaker residences shall be only for caretaker, groundskeeper, or security
34 capacity to the primary operation. The number of caretaker residences required to provide care and
35 security shall be reasonable and customary for the associated industry, as determined by the
36 Administrative Official.
- 37 (5) Subdivision: Accessory dwelling units shall not be subdivided or otherwise segregated in
38 ownership from the principal unit of the single-family dwelling, unless allowed by the zoning.
- 39 (6) Size and Scale: The square footage of the accessory dwelling unit shall be no less than the minimum
40 allowed by the building code.
- 41 (7) Building Permit: The owner occupant shall apply for a Grant County building permit for an
42 accessory dwelling unit. The application must demonstrate that all requirements of this section are
43 met. An affidavit affirming that the owner will occupy the principal dwelling or the accessory
44 dwelling unit and agreeing to all the requirements of this section shall be submitted together with
45 the completed building permit application.
- 46 (8) Construction: Structures shall be subject to all applicable building and constructions provisions of
47 the GCC.
- 48 (9) Location: The accessory dwelling unit may be attached to, included within the principal unit of the
49 single-family dwelling, or located in a detached structure.
- 50

- 1 (10) Entrances: The principal unit of the single-family dwelling containing the accessory dwelling unit
2 shall have only one obvious entrance visible to the street except where more than one entrance
3 existed on or before adoption of this section.
- 4 (11) Additions: Additions to an existing structure or newly constructed detached structures created for
5 developing an accessory dwelling unit shall be designed consistent with the existing roof pitch,
6 siding and windows of the principal dwelling unit.
- 7 (12) Parking: The number of parking spaces shall be as specified in GCC § 23.12, Table 5. All parking
8 spaces shall meet the standards of GCC § 23.12.130.
- 9 (13) Changed Conditions: If any of the above conditions change such that the requirements of this
10 section cannot be met, one of the either the primary or accessory dwelling unit shall be converted
11 to another permitted use or shall be removed within ninety (90) days.
- 12 (14) Density Calculations: Accessory dwelling units shall not be included in density calculations.
13 (Ord. 2001-179-CC, 11/01; Ord. 02-192-CC, (part) 12/02)

14
15 (d) Outdoor Residential Storage. This subsection shall apply only to outdoor storage accessory to
16 residential uses. Outdoor storage other than accessory uses subordinate to a primary residential use may
17 be permitted only in those zoning districts where specified as an Permitted Use in Tables 3, 4 and 5 in
18 GCC § 23.04, and shall meet the requirements of GCC § 23.08.280.

- 19 (1) Outdoor residential storage shall be maintained in an orderly manner and shall create no fire, safety,
20 health or sanitary hazard;
- 21 (2) Required front yards shall not be used for outdoor storage, except for firewood;
- 22 (3) Not more than two (2) unlicensed or inoperable vehicles, except for agriculturally related
23 equipment, shall be stored on any lot; such vehicles shall be screened from view of neighboring
24 dwellings and rights-of-way. Such screening shall meet all applicable performance and
25 development standards specific to the zoning district in which the storage is kept, and shall be in
26 keeping with the character of the area. Screening shall meet the requirements of GCC § 23.12.180.
27 Storage of more than two (2) unlicensed or inoperable vehicles is prohibited except in those zoning
28 districts where specified as an Permitted Use in Tables 3, 4 and 5 in GCC § 23.04, and such storage
29 shall meet the requirements of GCC § 23.08.090;
- 30 (4) Temporary placement of a trailer, mobile home, manufactured home, or recreational vehicle or
31 buildings moved from other sites may only be stored on a parcel subject to obtaining a temporary
32 use permit in accordance with the requirements of GCC § 23.04.120.

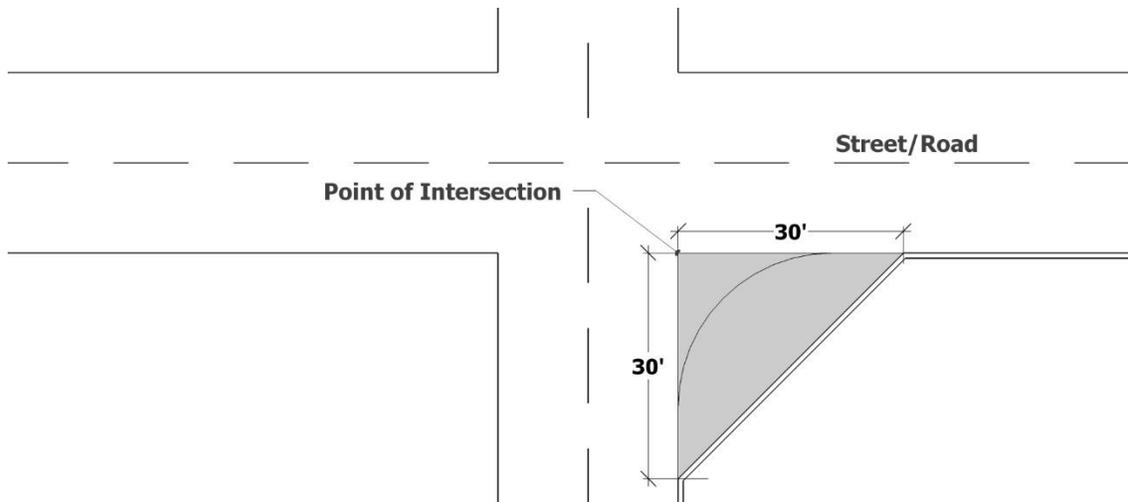
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34 (e) Antenna Structures and Satellite Dishes. Antenna structures and satellite dishes shall not be located
35 within ten (10) feet of any property line.

- 36
37 (f) Fences, walls, hedges, and similar Enclosures.
- 38 (1) Residential uses shall meet the following standards for fences:
- 39 (A) Front yard: Fences not exceeding four (4) feet in height are permitted within the front yard
40 setback (see Figure 2).
- 41 (B) Rear and side yard: Fences not exceeding seven (7) feet in height are permitted in side and rear
42 yards, but shall not extend into the front yard setback.
- 43 (C) Any fence constructed outside of a setback area may exceed seven (7) feet in height with an
44 approved Building Permit.
- 45 (2) Commercial and industrial uses shall meet the following standards for fences:
- 46 (A) A maximum fence height of seven (7) feet shall be observed within any required setback area
47 except when adjacent to residential zoning districts, in which a setback of ten (10) feet is
48 required to accommodate landscaping and visual screening;
- 49 (B) Any fence constructed outside of a setback area may exceed seven (7) feet in height with an
50 approved Building Permit.

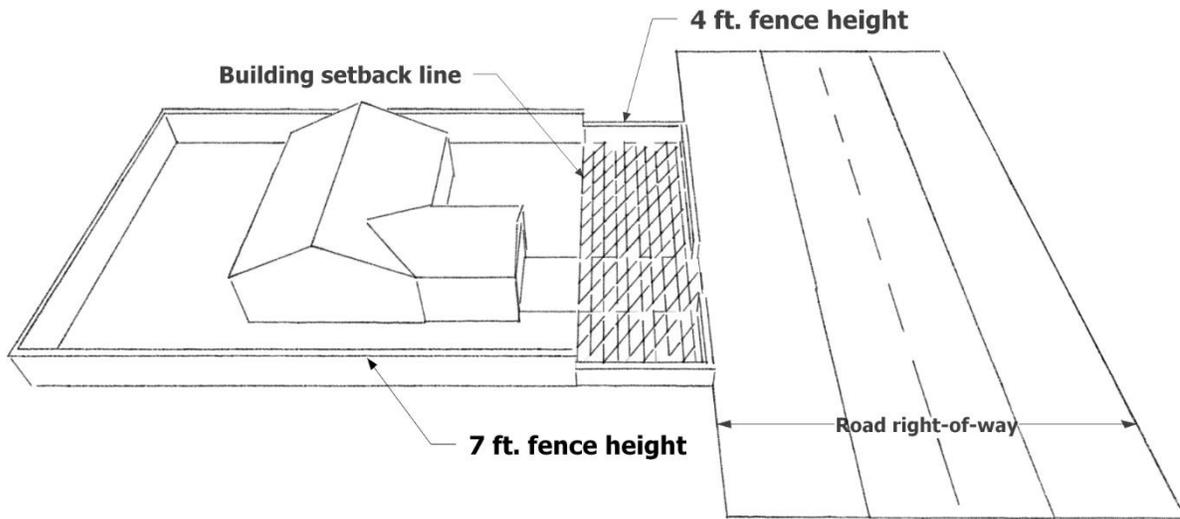
1 (3) General Standards for fences:

- 2 (A) Fence height relating to residential uses shall include the fence and all attachments, including
3 items such as posts and lattice installed at the top of the fence.
- 4 (B) The maximum height for fences accessory to commercial or industrial uses is seven (7) feet,
5 however, up to an additional 18 inches of ancillary material on top of the fence (i.e. stranded
6 wire) is allowed.
- 7 (C) Fences may be constructed of wood, masonry, wire or similar materials employed by standard
8 building practice. Fences may also be formed of dense landscaping. Fences shall not be made
9 of tires or similar salvage materials not originally designed as structural components of fences
10 or buildings.
- 11 (D) Fences shall not conflict with requirements for Vision Clearance Triangle in Chapter 23.12.110
12 (see Figure 1). For public safety reasons, no variances from these provisions shall be applied
13 for or permitted.
- 14 (E) Fences within 200-ft. of a shoreline shall comply with the applicable provisions of the Grant
15 County Shoreline Master Program (Ch. 24.12).
- 16 (F) Fences for marijuana production operations shall be consistent with GCC 23.08.245.
- 17 (G) Fences shall always be required to be built on private property and never in the public right-of-
18 way. Private property lines may be a considerable distance back from actual street surfaces or
19 curb lines.
- 20 (H) It shall be the property owner's responsibility and obligation to identify his/her property line
21 when proposing to construct a fence on said property line. A property survey may be required.
- 22 (I) Fences greater than seven (7) feet in height may be permitted for agricultural buffering or
23 required site screening as a variance in accordance with the requirements of GCC § 25.08.
24

25 Figure 1:
26



1
2 Figure 2:
3



- 24 (g) Barbed Wire Fences. Barbed wire fences are prohibited in urban residential (UR1, UR2, UR3, UR4)
25 zoning districts and rural activity center residential zoning districts (RVR, RC, SD1, SD2, SD3, SD4,
26 RD), except as permitted accessory uses to agricultural operations of one (1) acre or more.
27
- 28 (h) Domestic Animal Maintenance. In addition to livestock maintenance allowed in certain zoning districts,
29 as specified in Tables 3, 4 and 5 of GCC § 23.04, the following animals may be maintained:
30
- 31 (1) Not more than fifteen (15) fowl, other than roosters, quacking ducks, geese, guinea fowl, or pea
32 fowl and not more than fifteen (15) rabbits or guinea pigs for each five thousand (5,000) square
33 feet of area of the parcel of land upon which such fowl, rabbits or guinea pigs are kept; provided
34 that no such animals shall be maintained closer than twenty (20) feet of any dwelling now existing
35 or hereafter erected.
 - 36 (2) Not more than one (1) horse, mule or cow and not more than three (3) goats for each twenty
37 thousand (20,000) square feet of area of the parcel of land upon which such horse, mule, cow or
38 goats are kept; provided that no such animals shall be maintained in a building or corral closer than
39 one hundred (100) feet of any dwelling now existing or hereafter erected.
 - 40 (3) Not more than three (3) dogs, cats or similar household pets, exclusive of animals under six (6)
41 months of age, for each five thousand (5,000) square feet of area of the parcel of land upon which
42 such dogs, cats or similar household pets are kept.
 - 43 (4) Maintenance of animals other than those identified herein (including hogs) or in numbers greater
44 than those specified herein shall be considered Livestock Maintenance. Livestock maintenance may
45 be permitted only in those zoning districts specifying livestock maintenance as a Permitted Use,
46 and shall comply with the requirements of GCC § 23.08.240.
- 47 (i) Parking and Storage of Major Recreational Equipment. Parking or storage of major recreational
48 equipment, including but not limited to travel trailers, boats, boat trailers, motorized dwellings,
49 recreational vehicles, tent trailers, houseboats, and horse trailers and similar recreational equipment
50 shall be subject to the following requirements:
- (1) Such equipment shall not be used for living, sleeping, or other occupancy associated with residential uses when parked or stored on a residential lot or in any other location not approved and permitted for such use; except for temporary uses permitted in accordance with GCC § 23.04.120;

- (2) Such equipment over six (6) feet in average height, when not parked in a garage, carport or other similar structure, shall not be located in any required front or side yard reserved for building setback, except for driveways;
- (3) Such equipment shall not be hooked up to utilities, sewage or septic, or water facilities unless located in a permitted recreational vehicle park; except that an electrical power connection may be made to provide heat necessary to prevent damage from freezing;
- (4) Such equipment shall not be attached to other structures such as, but not limited to, decks, porches, roofs, room additions, foundations, carports, storage units, accessory structures, walls or fences, or other buildings; and
- (5) Travel trailers, motorized dwellings, and recreational vehicles may be temporarily occupied for six (6) months only when located in a permitted recreational vehicle park and hooked up to utilities, sewage or septic, and water facilities.

(j) **Junk Yards.** Junk yards, scrap heaps or refuse piles shall be prohibited, except where permitted as specified in Tables 3, 4 and 5 of GCC § 23.04 and in accordance with the requirements of GCC § 23.08.090.

(k) **Minor Public Facility Accessory Structures.** Minor accessory additions to existing public facilities will be considered as accessory uses not requiring discretionary use review or conditional use permit. Such minor accessory structures include, for example, a water tower or small shed at a fire station, or construction of a cover over an existing playfield at a school or park, but not, for example, construction of a new wing to a public building or construction of a major new building or structure on the site.

(l) **Onsite Hazardous Waste Treatment and Storage Facilities.** Allowed subject to a discretionary use review in certain zoning districts as specified in Tables 3, 4 and 5; provided that (1) such facilities are subject to the state siting criteria adopted pursuant to the requirements of RCW Chapter 70.105.210 and (2) that such facilities are accessory uses pursuant to GCC § 23.04.110 to a primary use which is a generator of hazardous waste.

(m) **Greenhouses.** Allowed as an accessory structure in certain zoning districts as specified in Tables 3, 4 and 5; provided that they are for personal use only and do not include any sales room or other buildings used primarily for the sale of products thereof.

(n) **Residential Accessory Uses and Structures:** In addition to those accessory uses specified above, the following accessory uses to a residential use are permitted in all zoning districts:

- (1) Fallout/bomb shelters;
- (2) Private pools, docks, boathouses, boat launches and piers;
- (3) Storage of yard maintenance equipment;
- (4) Miscellaneous residential support buildings, such as storage sheds, workshops, garages, and barns.

23.08.030 Airports

(a) **General:** All development shall comply with the Federal Aviation Regulations (FAR) Part 77, relating to heights of structures and land uses proximate to airports and protection of airspace's critical to airport operations.

(b) **Height Limitations:** A building, structure, communication tower, use or tree that penetrates any of the Airport Imaginary Surfaces constitutes an obstruction within the ASO overlay zoning district. Therefore, the allowable height of any building, communication tower, use or tree within the ASO shall conform to the following:

- 1 (1) The ground level elevation above mean sea level plus the height of any building, structure,
2 communication tower, use or tree at its proposed location shall not penetrate any FAR, Part 77
3 designated Airport Imaginary Surfaces.
- 4 (2) However, structures thirty-five (35) feet in height may penetrate the Airport Imaginary Surfaces
5 when the Administrative Official, in consultation with the Washington State Department of
6 Transportation (WSDOT) Aviation Division, the FAA, and/or the airport manager, can determine
7 that the structure is not likely to constitute an airspace hazard.
- 8 (3) The Administrative Official may require lights or markers as a warning to aircraft on the building,
9 structure, communication tower, use or tree(s), or to top tree(s) to reduce its height when
10 recommended by the FAA, WSDOT Aviation Division or the airport manager. Lights and markers
11 shall meet FAA specifications.
- 12 (4) Notwithstanding any other provision of this section, the Administrative Official shall not approve
13 any building, structure, communication tower, use or tree when the FAA has designated it a hazard
14 to air navigation.

15 Whenever the height limitations of this section differ from those of any other section of this ordinance,
16 or adopted by another local ordinance or regulation, the more restrictive limitation shall apply.

- 17
- 18 (c) Airport Hazards: No use may be made of land or water within any zoning district in such a manner as
19 to create electrical interference with navigational signals or radio communication between the airport
20 and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare
21 in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike
22 hazards, or otherwise in any way endanger or interfere with the landing, takeoff, or maneuvering of
23 aircraft intending to use the airport.
- 24
- 25 (d) Distances of Rights-of-Way from Primary Surface: All private and public road rights-of-way shall
26 either 1) be set back a minimum of two hundred (200) feet from the end of the primary surface as
27 measured parallel to the extended runway centerline or 2) shall allow a minimum of ten-foot clearance
28 between the road right-of-way and approach surface. In addition, road rights-of-way shall be set back
29 a minimum of two hundred (200) feet from the extended runway centerline, as measured perpendicular
30 thereto.
- 31
- 32 (e) Public Assemblies: Any land use that causes or encourages people to assemble in large numbers,
33 including medium- and high-density residential uses (greater than one (1) dwelling unit per two (2)
34 acres), commercial uses requiring more than ten (10) parking spaces or an equivalent degree of traffic
35 generation, and campgrounds (having more than three (3) campsites per acre), is prohibited in the
36 approach and transitional zones designated by an Airport Safety Overlay.
- 37
- 38 (f) Noise: Any land use that requires a low background noise level or which would be adversely affected
39 by a noise impact greater than the noise exposure forecast level projected for the airport vicinity for the
40 year of application, including auditoriums, schools, churches, hospitals, and concert halls is prohibited
41 in the approach and transitional zones designated by an Airport District Overlay.
- 42
- 43 (g) Interior Noise Levels Established: Interior Day-Night Average Sound Level (Ldn) with windows
44 closed, attributable to exterior sources, shall not exceed the levels described in this Section. For uses
45 not specifically identified, the Administrative Official shall make a determination of the applicable
46 standards using this Section as the basis for that decision. The applicant bears the responsibility of
47 demonstrating compliance through documentation from a qualified professional.
- 48 (1) Residential Uses:
- 49 (A) Single-, Two- or Multi-Family 45 Ldn
- 50 (B) Mobile/Manufactured Homes 50 Ldn

- 1 (2) Commercial/Industrial Uses:
- 2 (A) Offices 60 Ldn
- 3 (B) Retail/Restaurant 60 Ldn
- 4 (C) Other uses 60 Ldn
- 5 (3) Institutional Uses:
- 6 (A) Schools, Churches, Libraries 45 Ldn
- 7 (B) Hospitals, Nursing Homes 45 Ldn

8

9 Field-testing may be required by the Administrative Official or by an individual with vested interest in
 10 the structure(s). Where a complaint as to noncompliance with this Section requires a field test to resolve
 11 the complaint, the complainant shall post a bond or adequate funds in escrow for the cost of such testing.
 12 Such cost shall be chargeable to the complainant when such field tests show that compliance with these
 13 regulations is in fact present. If such tests show noncompliance, then such testing costs shall be borne
 14 by the owner or builder. Actions shall be taken by the owner or builder to comply with the sound
 15 attenuation provisions of this Section. Interior noise measurements shall be taken under conditions of
 16 typical maximum exterior noise levels.

- 17
- 18 (h) Marking and Lighting: The owner of any existing nonconforming structure or tree is hereby required
- 19 to permit the removal, or installation, operation and maintenance thereon of such markers and lights as
- 20 shall be deemed necessary by the FAA or airport manager to indicate to the operators of aircraft in the
- 21 vicinity of the airport the presence of such airport obstruction. Such markers and lights shall be
- 22 installed, operated and maintained at the expense of the airport served.
- 23

24 **23.08.040 Airfields and Airstrips**

- 25
- 26 (a) General standards; General standards for airfields and airstrips shall be as follows:
- 27 (1) The owner of an airfield may allow commercial carriers to land on a regular basis for the purpose
- 28 of delivering mail or freight and may allow non-scheduled charter flights to land.
- 29 (2) In any application for a new or expanded airfield or airstrip, the applicant is required to demonstrate
- 30 that:
- 31 (A) The safety of persons or property on the ground will be assured:
- 32 (B) In order to minimize noise and safety impacts on nearby properties, a non-standard traffic
- 33 pattern and /or landing and take off procedures may be established.
- 34 (C) Drainage will be controlled so that pollutants and sediments will not be carried into water
- 35 bodies or onto adjacent properties. (See GCC 23.12.080).
- 36 (3) Signs may be required in order to post noise control requirements for departures.
- 37
- 38 (b) Standards for Nonconforming Airfields and Airstrips: The following standards apply to all airfields
- 39 and airstrips made nonconforming by the adoption of this UDC:
- 40 (1) Nonconforming airfields and airstrips are deemed abandoned if aircraft operations cease for any
- 41 period of 36 consecutive months.
- 42
- 43 (c) Standards for the alteration or expansion of Airfields and Airstrips; new commercial operations at
- 44 airfields constitute and expanded use and are subject to the use regulations for the applicable zoning
- 45 district (see GCC 23.04, Table 3,4, and 5.)
- 46 (1) Owners of an airstrip applying for airfield status must meet all the requirements listed in paragraph
- 47 2. (Above)
- 48 (2) For other minor, low impact changes, the Administrative Official may apply conditions appropriate
- 49 to ensure that such uses have minimal adverse impacts.
- 50

- 1 (d) Compliance with Washington State airport land use compatibility program:
2 (1) Permits, Variance and re-zoning requests: Due diligence concerns with regards to zoning
3 regulations, permits, and variance as referenced in RCW 14.12.110 shall be paramount in their
4 determination. Factual data rather than anecdotal with regards to airfield/airstrip operations,
5 proposed operations, adjacent land use, re-zone or conditional use considerations, shall be the basis
6 for decision making during the review process.
7 (Ord. 02-66-CC, 04/02)
8

9 **23.08.050 Animal Kennels, Training Schools and Shelters**

- 10
11 (a) Animal Facilities, Clinics, Hospitals, Kennels, Training Schools and Shelters are subject to the
12 following standards:
13 (1) Animals shall be sheltered in suitable, clean structures. Structures and animal runs associated with
14 a kennel shall be located at least 100 feet from any property line;
15 (2) Animal facilities located adjacent to urban residential (UR1, UR2, UR3, UR4) or Rural Village
16 Residential (RVR1, RVR2) zoning districts shall be indoor facilities only;
17 (3) Animals kept on the premises shall be allowed outside only between the hours of 7:00 a.m. and
18 7:00 p.m.; and
19 (4) No use shall be made of equipment or material which produces unreasonable vibration, noise, dust,
20 smoke, odor, electrical interference to the detriment of adjoining property.
21

22 **23.08.060 Asphalt and Concrete Batch Plants**

- 23
24 (a) Both permanent and temporary asphalt and concrete batch plants shall meet the requirements of GCC
25 § 23.08.230, Industrial Uses – Standards for Site Development.
26
27 (b) If necessary to meet the requirements specified in GCC § 23.08.230, all receiving, mixing, and
28 preparation activities related to asphalt and concrete batch plants shall occur in an enclosed space that
29 includes an air filtration exhaust system.
30

31 **23.08.070 Assembly Facilities**

- 32
33 (a) The following standards apply to all assembly facilities:
34 (1) Operators of assembly facilities such as meeting halls, community centers, homeowners
35 associations, private club, fraternal organizations, and churches, if served by a shared private, non-
36 paved road shall mitigate the dust and road maintenance problems associated with the increased
37 road use;
38 (2) The storage of buses or vans over 10,000 pounds gross vehicle weight is permitted on-site only,
39 subject to the following requirements:
40 (A) The location of the parking areas for these vehicles is as indicated on an approved site plan;
41 (B) No more than two (2) large vehicles may be stored on-site at a given period of time;
42 (C) Vehicles and vehicle parking shall not intrude into public rights-of-way or obstruct sight
43 visibility from any driveway;
44 (D) Landscaping and visual screening shall be required to preserve the appearance of the residential
45 character of the neighborhood and to screen vehicles and other activities from adjacent
46 properties and rights-of-way; and
47 (E) All parking spaces shall meet the standards of GCC § 23.12.130;
48 (3) Dwelling Units: Any dwelling allowed in conjunction with assembly facilities shall comply with
49 the provisions governing residential uses for the district where it is located;
50

- 1 (4) Screening: Visual screening shall be provided along the perimeter of any parking lot that is adjacent
2 to or across a road from residential land uses; and
3 (5) Associated Uses: Uses sponsored by a community club or organization such as day schools,
4 auditoriums used for social and sports activities, health centers, convents, pre-school facilities, or
5 convalescent homes, shall be considered separated uses subject to the provisions of this chapter for
6 the zoning district in which they are located. This does not apply to uses sponsored by a religious
7 organization. See also Section 23.08.150 which provides for day care facilities.
8

9 **23.08.080 Automotive Fuel, Service and Repair Stations**

- 10
11 (a) Automobile fuel, service, and repair stations shall conform to the following restrictions and standards:
12 (1) Ingress and egress shall be by means of driveways approved by the County Engineer;
13 (2) All driveways shall be at least thirty-five (35) feet from street intersections;
14 (3) Driveways shall be not less than forty (40) feet apart and not less than fifteen (15) feet from interior
15 property lines;
16 (4) Service stations shall have a minimum of one hundred-fifty (150) feet of frontage on at least one
17 street from which there is access;
18 (5) No outdoor storage is allowed;
19 (6) Automobile service station lighting shall be adequate to permit safe night-time operation, but shall
20 be of direct cutoff design, shielded, or placed to avoid glare or nuisance to nearby residential
21 property and passing street traffic;
22 (7) Any vehicle stored for more than thirty (30) days shall be screened in accordance with GCC §
23 23.12.180; and
24 (8) Visual screening shall be provided along all road frontages as specified in GCC § 23.12.180;
25 (9) No use shall be made of equipment or material which produces unreasonable vibration, noise, dust,
26 smoke, odor, electrical interference to the detriment of adjoining property.
27
28 (b) All automobile service and repair, except fueling, shall be conducted entirely within a building in the
29 following zoning districts:
30 (1) Rural Freeway Commercial (RFC).
31

32 **23.08.090 Automobile Wrecking Yards and Salvage Yards**

- 33
34 (a) Auto wrecking yards and junk (or salvage) yards are subject to the following standards:
35 (1) Total use area shall not exceed five (5) acres;
36 (2) Minimum street frontage shall be one hundred (100) feet;
37 (3) Minimum lot depth shall be one hundred twenty-five (125) feet;
38 (4) Minimum building setback distance from property lines shall be thirty (30) feet on all sides;
39 (5) All operations shall be entirely enclosed by a solid fence or wall, at least eight (8) feet high and
40 shall be structurally sound, or a totally sight-obscuring natural screen, with access only through
41 visually-screened gates. Such fence, wall or screen shall be maintained in good repair and of a
42 uniform color;
43 (6) All outdoor storage shall be within the screened area;
44 (7) At no time shall any items be piled higher than the screening;
45 (8) Scrap tires shall not be stored outside for a period exceeding thirty (30) days or as otherwise limited
46 by federal, state or local law;
47 (9) Provision shall be made for control, treatment and disposal of surface water runoff;
48 (10) Notwithstanding the above regulations, all auto wrecking yards and junkyards shall comply with
49 all state regulations pertaining to this type of use; and
50

1 (11) No use shall be made of equipment or material which produces unreasonable vibration, noise, dust,
2 smoke, odor, electrical interference to the detriment of adjoining property.

3
4 **23.08.100 Cemeteries**

5
6 (a) The following standards shall apply to all cemeteries:

- 7 (1) Access to roads shall be at least 200 feet from any intersection. Points of ingress and egress shall
8 be approved in writing by the County Engineer. A turning lane shall be provided if required by the
9 County Engineer;
- 10 (2) A protective fence and/or landscaped strip of trees or shrubs shall be installed on all common
11 property boundary lines within any urban, rural or rural activity center residential district; and
- 12 (3) No structure shall be located on the cemetery within fifty (50) feet from any property line, provided
13 however, that accessory buildings may be located within ten (10) feet of the side and rear property
14 line.

15
16 **23.08.110 Colleges and Technical Schools**

17
18 (a) College or technical schools shall comply with the requirements of GCC § 23.08.230, Industrial Uses
19 – Standards for Site Development.

20
21 **23.08.120 Commercial Communication Facilities**

22
23 (a) Definition: Commercial communication facilities (CCFs) are communication facilities, including
24 support structures, dishes, or antennas established for the sending or receiving of signals, intended for
25 commercial or governmental use, except those facilities defined as Wireless Communication Facilities
26 pursuant to GCC § 23.08.450.

27
28 (b) Applicability: The requirements of this section apply to all commercial communication facilities,
29 except as follows:

- 30 (1) Pre-Existing CCFs: CCFs for which a permit has been issued prior to the effective date of this
31 chapter shall not be required to meet the requirements of this section.
- 32 (2) Exclusion for Amateur Radio Facilities: This section shall not govern the installation of any
33 amateur radio facility that is owned and operated by a federally licensed amateur radio station
34 operator or is used exclusively for receive-only antennas.

35
36 (c) Permitted Use: CCFs shall be an allowed use, subject to discretionary review or a conditional use
37 permit, in certain zoning districts as specified in Tables 3, 4 and 5 of GCC § 23.04. The following are
38 permitted as a matter of right (that is, they are exempt from any land use approval process), provided
39 that they meet the requirements of GCC § 23.08.020:

- 40 (1) Any satellite dish smaller than one (1) meter in diameter in any zoning district; and
- 41 (2) Any satellite dish smaller than two (2) meters in diameter when associated with a business or
42 industry and located in one of the following zoning districts:
- 43 (A) Urban Commercial 1 (UC1);
- 44 (B) Urban Commercial 2 (UC2);
- 45 (C) Urban Light Industrial (ULI);
- 46 (D) Urban Heavy Industrial (UHI);
- 47 (E) Public Facility (PF).
- 48 (F) Rural Village Commercial (RVC);
- 49 (G) Rural Village Industrial (RVI);
- 50 (H) Rural Community (RC);

- 1 (I) Agricultural Service Center (ASC);
- 2 (J) Rural General Commercial (RGC);
- 3 (K) Rural Neighborhood Commercial (RNC);
- 4 (L) Freeway Commercial (FC);
- 5 (M) Rural Recreational Commercial (RRC);
- 6 (N) Rural Light Industrial (RLI);
- 7 (O) Rural Heavy Industrial (RHI); and
- 8 (P) Master Planned Industrial (MPI).

9
10 (d) CCFs and CCF sites are subject to the following standards:

- 11 (1) No CCF shall be allowed in violation of GCC § 23.04.640 – Airport Safety Overlay (ASO) and the
- 12 standards of Sections 23.08.030 and 23.08.040;
- 13 (2) The entire facility shall be aesthetically and architecturally compatible with its environment. In no
- 14 case will metal exteriors be allowed for accessory buildings in residential zones;
- 15 (3) Facilities shall be located on the lot so that the distance from the base of the facility to any adjoining
- 16 property line or supporting structure of another facility is at least 100 percent of the proposed
- 17 facility height. Facilities that cannot satisfy this 100 percent setback may be approved provided that
- 18 the applicant presents a certification from a licensed structural engineer that the structure is
- 19 designed for a basic wind speed of 90 mph in accordance with the currently adopted edition of the
- 20 ANSI-EIA/TIA-222E;
- 21 (4) CCFs and CCF sites located in the following zoning districts may not include offices, long-term
- 22 vehicle storage, other outdoor storage, broadcast studios (except for emergency purposes), or other
- 23 uses that are not needed to send or receive transmissions:
- 24 (A) Open Space/Recreation (OSR);
- 25 (B) Urban Reserve (UR);
- 26 (C) Rural Residential 1 (RR1);
- 27 (D) Rural Remote (RRem);
- 28 (E) Rural Urban Reserve (RUR).
- 29 (F) Recreational Development (RD);
- 30 (G) Rural Neighborhood Commercial (RNC);
- 31 (H) Rural Recreational Commercial (RRC);
- 32 (I) Open Space Conservation (OSC);
- 33 (J) Master Planned Resort (MPR);
- 34 (5) When lighting is required and permitted by the FAA or other federal or state authority, it shall be
- 35 oriented upward and outward so as not to project onto surrounding residential property. Strobe
- 36 lighting on commercial communication facilities is prohibited;
- 37 (6) Proposals and permit applications for commercial communication facilities shall include
- 38 justification for the height of support structure requested; and
- 39 (7) CCFs shall comply with Federal Communications Commission (FCC) Guidelines regarding
- 40 regulation of Radio Frequency (RF) emissions.

41
42 (e) Co-location Encouraged: In order to minimize facility proliferation, CCFs shall be required, to the

43 greatest extent practicable, to be co-located. applicants shall design, orient, construct and operate CCFs

44 so as to facilitate sharing facilities with other utilities, to co-locate with other existing CCFs, and to

45 accommodating the co-location of future CCFs, where technically, practically, and economically

46 feasible. Co-location will be a condition of any land use permit or other development approval unless

47 an applicant provides data that supports, to the satisfaction of the Decision Maker, the conclusion that

48 sharing space on existing facilities is not feasible or possible based on one or more of the following

49 factors:

50

- 1 (1) Available space on existing facilities;
- 2 (2) The facility owner's ability to lease space;
- 3 (3) The facility's structural capacity;
- 4 (4) Radio frequency interference;
- 5 (5) Geographic service area requirements;
- 6 (6) Mechanical or electrical incompatibilities;
- 7 (7) The comparative costs of co-location and new construction; or
- 8 (8) Any FCC limitation on facility or structural support sharing.

9
10 **23.08.130 Convenience Stores and Car Washes**

- 11
12 (a) Convenience stores of general merchandise and car washes shall be subject to the provisions of GCC §
13 23.08.130(b) and the following standards:
- 14 (1) Emphasis shall be given to maintaining and enhancing the scenic values of Interstate and State
15 Highways and County arterial roads;
 - 16 (2) Access, traffic turning movement, off-street parking and public service needs shall be provided in
17 a safe, convenient, and efficient manner; and
 - 18 (3) Accessory fuel dispensing service may be provided but not motor vehicle repair or sales.

19
20 **23.08.140 Cottage Industry**

- 21
22 (a) Purpose: To provide for small-scale commercial or light industrial activities on residential parcels,
23 subordinate to the primary residential use, if the Administrative Official finds that such activities can
24 be conducted without substantial adverse impact on the residential environment and rural character in
25 the vicinity. The scale and intensity of cottage industries are typically greater than could be
26 accommodated as a Home Occupation, but less than would require a zoning district of Commercial or
27 Industrial.
- 28
29 (b) The following list of uses allowable as Cottage Industries include, but are not necessarily limited to:
- 30 (1) Antique and gift shops;
 - 31 (2) Art or photography studios;
 - 32 (3) Automobile repair;
 - 33 (4) Ironworking or blacksmith shop;
 - 34 (5) Construction office;
 - 35 (6) Furniture repair or refinishing;
 - 36 (7) Pottery shop;
 - 37 (8) Real estate sales office;
 - 38 (9) Woodworking shop.
 - 39 (10) Riding or boarding stable housing up to ten (10) horses, subject to standards regarding animal
40 facilities specified in GCC § 23.08.050.
 - 41 (11) Veterinary clinic or hospital, when located in Agricultural zoning district.
- 42
43 (c) In addition to the standards applicable in the zoning district in which located, all cottage industries shall
44 be subject to the following standards:
- 45 (1) The cottage industry shall be owned and operated by at least one full-time, bona fide resident in a
46 single-family residence of the parcel on which the proposed use is being requested;
 - 47 (2) The cottage industry may not employ more than four (4) persons on the site at any one time who
48 reside off the subject property, except cottage industries located in Rural Remote, Rural Urban
49 Reserve, and Agriculture zones may have 1 employee per 500 square feet of structure used for said
50 cottage industry as allowable in section (4) below;

- 1 (3) Only those buildings or areas as specifically approved by the Decision Maker may be utilized in
2 the conduct of business;
- 3 (4) Any new structure constructed to accommodate the cottage industry shall be limited in scale so that
4 it is in character with neighboring properties. In all zoning districts, a cottage industry may occupy
5 a structure of 2000 square feet, unless prohibited by lot coverage and building coverage
6 requirements. In the Rural Remote, Rural Urban Reserve, and Agriculture zones, a cottage industry
7 may increase the structure size at a rate of 1-percent of the parcel size on which the cottage industry
8 is located to a maximum of 12,000 square feet. In no case shall the size of the structure associated
9 with the cottage industry exceed one-percent of the parcel in the zoning districts identified.
- 10 (5) No exterior display of goods for sale shall be allowed;
- 11 (6) Any business requiring customers to visit the site shall provide the minimum number of parking
12 spaces specified in GCC § 23.12, Table 5. All parking spaces shall meet the standards of GCC §
13 23.12.130;
- 14 (7) All activity related to the cottage industry shall be conducted within an enclosed structure, except
15 that vehicles used in the business may be stored openly;
- 16 (8) All structures and outside activities shall be so located or screened from adjacent properties to avoid
17 disturbance through glare, shading, noise, dirt or other nuisances or hazards;
- 18 (9) No petroleum pumps or above-ground petroleum storage shall be closer than 30 feet from any street
19 right-of-way;
- 20 (10) Outdoor storage areas exceeding 500 square feet shall not be visible from adjacent properties or
21 right-of-way;
- 22 (11) The cottage industry is an accessory use to the residential use of a dwelling unit, and the residential
23 function of the buildings and property shall be maintained;
- 24 (12) No more than one (1) sign is allowed. No sign may be larger than two (2) square feet, be internally
25 illuminated, or be of reflective material. No off site signage is permitted;
- 26 (13) Direct access shall be from a road meeting County standards;
- 27 (14) Sales and service incidental to the principally permitted use are allowed;
- 28 (15) No use shall be made of equipment or material which produces unreasonable vibration, noise, dust,
29 smoke, odor, electrical interference to the detriment of adjoining property; and
- 30 (16) Hours of operation shall be within the hours of 7:00 a.m. and 7:00 p.m.
- 31
- 32 (d) The Administrative Official may attach additional conditions or requirements or may make
33 modifications to the site plan where necessary to protect the health, safety and welfare of the public.
- 34
- 35 (e) The granting of the proposed cottage industry use shall not constitute a rezone.
- 36

37 **23.08.150 Day Care Facilities**

- 38
- 39 (a) The following standards apply to all day care facilities:
 - 40 (1) Day care facilities shall demonstrate compliance with state licensing requirements;
 - 41 (2) Equipment used in the day care operations shall comply with all building setback requirements for
42 the zoning district in which the facility is located;
 - 43 (3) Day Care Facilities as an Accessory Use:
 - 44 (A) A day care facility shall be considered an accessory use if it is sited on the premises of a
45 community service use, such as a private or public school, grange, community center, library,
46 church, or similar adult gathering place, and is operated in association with that activity; and
 - 47 (B) Day care facilities for the exclusive use of employees of a business, government office, or
48 public facility shall also be allowed as an accessory use of the business or facility;
 - 49
 - 50

- 1 (4) No structural or decorative alteration is allowed which would alter the residential character of an
2 existing residential structure used as a day care facility unless visual screening is provided in
3 accordance with GCC § 23.12.180; and
4 (5) Parking spaces shall be provided as follows:
5 (A) An off-street area shall be provided for vehicles to drop off and pick up children commensurate
6 with the number of children served by the facility so that the neighborhood will not be adversely
7 impacted or children endangered;
8 (B) If the day care facility also serves as a private residence, a minimum of two (2) off-street
9 parking spaces shall be provided for the residents; and
10 (C) The minimum number of parking spaces shall be as specified in GCC § 23.12, Table 5. All
11 parking spaces shall meet the standards of GCC § 23.12.130.
12

13 **23.08.160 Detention Facilities**

- 14
15 (a) Detention facilities include jails, juvenile detention centers, prison and pre-release facilities, and work
16 release facilities.
17
18 (b) Permitted Use: Detention facilities shall be an allowed use, subject to a conditional use permit, in those
19 zoning districts specified in Tables 3, 4 and 5 of GCC § 23.04.
20
21 (c) General Requirements: Detention facilities shall meet the following general requirements:
22 (1) Detention facilities shall comply with the Washington Administrative Code and all local, state and
23 federal laws;
24 (2) Adequate sewage disposal facilities and water supply shall be provided without diminishing the
25 level of service for system users or others dependent upon the resource;
26 (3) Work release facilities shall be accessible by public transportation.
27
28 (d) Locational Restrictions: Detention facilities shall be subject to the following locational restrictions:
29 (1) Detention facilities shall not be located closer to the boundary of a zoning district in which the use
30 is not allowed as a conditional use in accordance with the following:
31 (A) Jails: five hundred (500) feet;
32 (B) Juvenile detention centers: two hundred (200) feet;
33 (C) Prison and pre-release facilities: two (2) miles; and
34 (D) Work release facilities: five hundred (500) feet.
35 (2) Detention facilities, except for prison and pre-release facilities, shall not be located closer than one
36 (1) mile from any public or private school and any site for which a conditional use permit
37 application for such school has been submitted to the Department. Prison and pre-release facilities
38 shall not be located closer than two (2) miles from any public or private school and any site for
39 which a conditional use permit application for such school has been submitted to the Department.
40 (3) Detention facilities accommodating persons convicted of violent crimes shall not be located closer
41 than one (1) mile from residential zoning districts with an allowable density of one (1) dwelling
42 unit per two (2) acres or greater;
43 (4) Detention facilities shall be located such that law enforcement officers can respond to a call for
44 assistance within five (5) minutes under average, normal conditions;
45 (5) Detention facilities shall be located such that advance life support service, as defined in RCW
46 18.73.030(19), shall be available within five (5) minutes under average, typical conditions; and
47 (6) The Decision Maker may reduce the locational restrictions of subparagraphs (1), (2) and (3) under
48 subsection (d), above, if, in his/her opinion, a water body, freeway, or other barrier provides
49 separation as effective as the standards.
50

1 (e) Security: An applicant for a conditional use permit shall submit a proposed security plan which, at a
2 minimum, is consistent with applicable WAC security standards. The plan shall identify staffing levels
3 and scheduling, building and site security, an escape search plan, and provisions for immediate public
4 notification procedures for the event of escape. For juvenile detention facilities proposed by Grant
5 County, the security plan shall be reviewed by the Sheriff. For work release facilities, the plan shall
6 also include monitoring programs to verify the presence of the program participants at assigned jobs
7 and training programs, policies for unescorted absences, and policies and penalties for violation of rules
8 and procedures.
9

10 (f) Standards: Detention facilities shall meet the following standards:

11 (1) Setbacks from public rights-of-way and property lines shall be as follows:

12 (A) Jails: seventy-five (75) feet;

13 (B) Juvenile detention centers: seventy-five (75) feet;

14 (C) Prison and pre-release facilities:

15 (i) Capacity up to 200 inmates; one hundred twenty-five (125) feet;

16 (ii) Capacity between 200 and 600 inmates; two hundred (200) feet;

17 (iii) Capacity greater than 600 inmates; two hundred seventy-five (275) feet; and

18 (D) Work release facilities: seventy-five (75) feet.

19 (2) Juvenile detention facilities shall be operated in compliance with Juvenile Rehabilitation
20 Administration standards and applicable state and local regulations;

21 (3) Landscaping: Landscaping shall provide at least a twenty-five (25) foot buffer along rights-of-way
22 and property lines;

23 (4) Fencing: A minimum eight (8) foot high fence shall be constructed along all property lines;

24 (5) Outdoor activity areas: Outdoor activity areas located in residential zoning districts shall not be
25 visible from public rights-of-way or adjacent properties;

26 (6) Noise: Noise impacts shall be mitigated such that maximum permissible noise levels of WAC 173-
27 60 are not exceeded;

28 (7) Lighting: Site lighting shall not produce levels of illumination or glare that would pose a nuisance
29 or hazard for motorists on public rights-of-way or constitute a nuisance for occupants of adjacent
30 properties; and

31 (8) Access: Detention facilities shall have direct access to an arterial or collector road, unless the
32 Decision Maker determines that access via a lesser classification of street would not be detrimental
33 to neighborhood character and would not increase public safety risks.
34

35 (g) Site Plan Review: Detention facilities shall be subject to the requirements of GCC § 23.04.140.
36

37 **23.08.170 Equestrian Stables, Clubs and Riding Academies** 38

39 (a) The following standards shall apply to all equestrian stables, clubs and riding academies, but not limited
40 to:

41 (1) A lot area of not less than ten (10) acres shall be required;

42 (2) Visual screening, increased setback, increased lot size, and other conditions may be required taking
43 into account safety, noise, and odor factors; and

44 (3) If the facility is to contain food service facilities or is intended to be used for exhibitions or shows,
45 additional parking shall be provided as required.
46

47 (b) Minor campgrounds may also be provided, provided that they are secondary to the primary use.
48
49
50

1 **23.08.180 Expansion of Camping Facilities**
2

- 3 (a) Permitted Use: Alteration, modification, or expansion of existing camps and similar small scale
4 recreation and tourism facilities shall be allowed outright; provided that such alteration, modification,
5 or expansion does not expand the current scope, scale or intensity of use or facilities. Where such
6 alteration, modification, or expansion would expand the scope of services (e.g., adding meal service or
7 new recreational facilities, adding new convention, hotel, or marina facilities), increase the scale or
8 intensity of use or facilities, the proposal shall be subject to the procedures for conditional uses pursuant
9 to GCC § 23.04.040 and Chapter 25.08. The Administrative Official may attach reasonable
10 performance standards and/or conditions to ensure that alteration and expansion of such uses have
11 minimal adverse impacts on surrounding areas and uses.
12
- 13 (b) Alteration, modification, or expansion of existing camps and similar small scale recreation and tourism
14 facilities that would add on-site residential housing may only be permitted in a Master Planned Resort
15 (MPR) zoning district, subject to a legislative action to amend the Comprehensive Plan pursuant to
16 GCC § 25.12.
17

18 **23.08.190 Farm Worker Accommodations**
19

- 20 (a) Applicability: The requirements of this section apply to farmworker housing in excess of four (4)
21 dwelling units associated with agricultural activities, except for farm housing as an accessory dwelling
22 unit pursuant to GCC § 23.08.020 and temporary farm housing pursuant to GCC § 23.04.120.
23
- 24 (b) Permitted Use: Farmworker accommodations shall be an allowed use, subject to a conditional use
25 permit, in those zoning districts specified in Tables 3, 4 and 5 of GCC § 23.04.
26
- 27 (c) Standards: The following standards shall apply to farmworker accommodations subject to this section,
28 whether located on the farm parcel(s) or offsite:
29 (1) Accommodations shall be provided only to persons who are directly involved in agricultural
30 activities and employed, contracted or paid by the farm operator;
31 (2) Accommodations shall be clearly subordinate to agricultural activities on site or in the affected
32 agricultural area and shall not detract from the rural environment and agricultural activities;
33 (3) If accommodations are located on the farm parcel, they shall be located so as to minimize the
34 amount of agricultural land loss;
35 (4) Accommodations shall not require the extension of public sewer and water services: on-site sewage
36 disposal systems and water supplies shall be adequate to support the facility;
37 (5) The applicant shall demonstrate that the number of requested units are necessary for the efficient
38 operation of the farm; and
39 (6) The farmworker accommodations shall be located in a manner that will not negatively impact the
40 viability of agricultural practices on the property and neighboring farms.
41
- 42 (d) Site Plan Review: Farmworker accommodations shall be subject to the requirements of GCC §
43 23.04.140.
44

45 **23.08.200 Feedlots, Commercial**
46

- 47 (a) The following standards shall apply to all commercial feedlots, including hog ranches maintaining more
48 than twenty (20) mature head of hogs:
49 (1) Minimum lot area shall be ten (10) acres; and
50

1 (2) Feedlot shall not be closer than five hundred (500) yards of any existing dwelling other than the
2 dwelling of the owner of the feedlot.
3

4 **23.08.210 Home Occupations**
5

6 (a) Home occupations are subordinate to the primary residential use and are permitted in any dwelling unit
7 and include, but are not necessarily limited to:

- 8 (1) Artists and sculptors;
- 9 (2) Authors and composers;
- 10 (3) Dressmakers, seamstresses and tailors;
- 11 (4) Home crafts, such as model making, rug weaving, lapidary work, woodworking and ceramics.
- 12 (5) Office facility of a minister, rabbi, priest or other similar person associated with a religious
13 organization;
- 14 (6) Office facility of a salesman, sales representative or manufacturer's representative, architect, artist,
15 broker, dentist, physician, engineer, planner, landscape architect, public relations practitioner,
16 instructor in arts and crafts, insurance agent, land surveyor, lawyer, musician, real estate agent or
17 typist;
- 18 (7) Classes or specialized instruction;
- 19 (8) Barbershops and beauty parlors;
- 20 (9) Kennels housing five (5) to ten (10) dogs, subject to standards regarding animal facilities specified
21 in GCC § 23.08.050; and
- 22 (10) Riding or boarding stable housing up to ten (10) horses, subject to standards regarding animal
23 facilities specified in GCC § 23.08.050.

24
25 (b) Permitted home occupations do not include the following:

- 26 (1) Funeral chapel or funeral home;
- 27 (2) Medical or dental clinic or hospital; and
- 28 (3) Veterinary clinic or hospital, except when located in Agricultural zoning district.
29

30 (c) Home occupations operating under the following circumstances are permitted as a matter of right (that
31 is, they are exempt from an approval process), provided all of the other standards of this chapter are
32 met:

- 33 (1) No employees;
- 34 (2) No sign;
- 35 (3) All work is done inside the dwelling, not in any accessory buildings; and
- 36 (4) No materials or equipment used in the home occupation is stored, altered or repaired outdoors.
37

38 (d) In addition to the standards applicable in the zoning district in which located, all home occupations
39 shall be subject to the following standards:

- 40 (1) A home occupation shall be conducted within a dwelling which is the bona fide residence of at
41 least one of the persons employed in the occupation or in an accessory building thereto which is
42 normally associated with a residential use;
- 43 (2) No alteration to the exterior of the buildings as permitted in above shall be made which changes
44 the character and appearance as a residential use;
- 45 (3) No outside storage of equipment or materials shall be permitted unless screened or fenced so as to
46 not be visible from streets and neighboring properties. Up to four (4) cords of wood may be stored
47 outdoors in case of persons engaged in a home occupation of selling the wood;
- 48 (4) No more than two (2) persons at any one time other than a member of the immediate family
49 occupying such dwelling shall be employed;
50

- 1 (5) No special use may generate noise at the property line in excess of twenty (20) continuous minutes
2 for a maximum total of one (1) hour per day if the noise is so loud as to be annoying;
- 3 (6) If the occupation is the type in which classes are held or instruction given, there shall be no more
4 than four (4) students allowed in any one (1) class or instruction period;
- 5 (7) Only those buildings or areas as specifically approved by the Decision Maker may be utilized in
6 the conduct of business;
- 7 (8) Any new construction to house the home occupation shall be limited in scale so that it is in character
8 with neighboring properties. In no case shall more than one thousand (1,000) square feet of total
9 building area on the property be devoted to the home occupation;
- 10 (9) All activity related to the conduct of the business shall be constructed with in an enclosed structure
11 except that vehicles used in the business may be stored openly as approved on the site plan;
- 12 (10) Direct access shall be from a road meeting County standards;
- 13 (11) No off site signage is permitted; and
- 14 (12) Any business requiring customers to visit the site shall provide the minimum number of parking
15 spaces specified in GCC § 23.12, Table 5. All parking spaces shall meet the standards of GCC §
16 23.12.130.

- 17
- 18 (e) The Administrative Official may attach additional conditions or requirements or may make
19 modifications to the site plan where necessary to protect the health, safety and welfare of the public.
- 20
- 21 (f) The granting of the proposed home occupation use shall not constitute a rezone.
- 22

23 **23.08.220 Hospitality Commercial Establishments**

- 24
- 25 (a) Bed and Breakfast Inns: The following standards apply to all bed and breakfast inns:
- 26 (1) Neither more than six (6) guest rooms nor more than eighteen (18) guests shall be accommodated
27 at any one time. In bed and breakfast inns in historic structures containing more than six (6) guest
28 rooms, a general standard of three (3) people per room will be used to determine maximum
29 capacity;
- 30 (2) If a building is on a federal, state, or local register of historic structures, then the owner may apply
31 for a bed and breakfast inn for up to ten (10) rooms. A conditional use permit may be granted if the
32 historic character and fabric of the building are preserved, if there are no new structures or additions
33 to the existing structure(s), and if all other bed and breakfast inn standards and restriction are met;
- 34 (3) Bed and breakfast inns served by non-paved County roads for more than 500 feet shall be limited
35 to three guest rooms;
- 36 (4) Bed and breakfast inns are not allowed if access is by means of shared private non-surfaced access
37 roads;
- 38 (5) No meals other than breakfast served before noon shall be provided in bed and breakfast inns.
39 Meals may only be served to overnight guests;
- 40 (6) Kitchen facilities are prohibited in guest rooms;
- 41 (7) Bed and breakfast inns shall be restricted to proprietor-occupied single-family residences;
- 42 (8) Guest occupancies shall be limited to no more than thirty (30) consecutive days;
- 43 (9) The exterior of the building shall retain a residential appearance;
- 44 (10) The bed and breakfast inn shall be operated in a way that will prevent unreasonable disturbance to
45 area residents;
- 46 (11) The minimum number of parking spaces shall be as specified in GCC § 23.12, Table 5. All parking
47 spaces shall meet the standards of GCC § 23.12.130;
- 48 (12) Approval shall be conditional upon compliance with all applicable building code requirements,
49 state liquor laws, and state sanitation requirements;
- 50

1 (13) Hours of operation shall be within the hours of 7:00 a.m. and 10:00 p.m., except for New Years
2 Eve; and

3 (14) No more than one (1) sign is allowed. No sign may be internally illuminated or of reflective
4 materials, or be larger than two square feet. It may contain only name of the business and the hours
5 of operation.
6

7 (b) Bed and Breakfast Residence: The following standards apply to all bed and breakfast residences:

8 (1) Bed and breakfast residences shall be restricted to owner-occupied single-family residences. A bed
9 and breakfast residence shall not occur in the same building with any other type of transient
10 accommodation;

11 (2) No more than three (3) sleeping rooms shall be available for the accommodation of bed and
12 breakfast residence guests;

13 (3) No more than nine (9) guests shall be accommodated at any one time;

14 (4) Bed and breakfast residences shall be limited to a maximum of three (3) guests when located on a
15 private non-surfaced road and when the residence is more than 500 feet along such non-surfaced
16 road;

17 (5) Guest occupancies shall be limited to no more than thirty (30) consecutive days;

18 (6) No meals other than breakfast served before noon shall be provided in bed and breakfast residences.
19 Meals may only be served to guests;

20 (7) The bed and breakfast residence shall be operated in a way that will prevent unreasonable
21 disturbance to area residents;

22 (8) Off-street parking shall be provided as specified in GCC § 23.12, Table 5. All parking spaces shall
23 meet the standards of GCC § 23.12.130;

24 (9) Approval shall be conditional upon compliance with all applicable building code requirements,
25 state liquor laws, and state sanitation requirements;

26 (10) Hours of operation shall be within the hours of 7:00 a.m. and 10:00 p.m., except for New Years
27 Eve; and

28 (11) No more than one (1) sign is allowed. No sign may be internally illuminated or of reflective
29 materials, or be larger than two square feet. It may contain only name of the business and the hours
30 of operation.
31

32 (c) Transient Residence or Transient Guest House: The following standards apply to all short-term (less
33 than 30 days) transient rentals of single-family residential units and guest houses or portions thereof:

34 (1) No more than three (3) guests per bedroom shall be accommodated at any one time;

35 (2) The transient residence or guest house shall be operated in a way that will prevent unreasonable
36 disturbance to area residents;

37 (3) At least one additional off-street parking space shall be provided for the transient use in addition to
38 the parking required for the residence or guest house. All parking spaces shall meet the standards
39 of GCC § 23.12.130;

40 (4) If any food service is to be provided the requirements for a bed and breakfast residence shall be
41 met;

42 (5) No outdoor advertising signs are allowed;

43 (6) Where there are both a principal residence and a guest house, the owner or lessee shall reside on
44 the premises; and

45 (7) Transient accommodations shall meet all local and state regulations, including those pertaining to
46 business licenses and taxes.
47
48
49
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1 **23.08.230 Industrial Uses – Standards for Site Development**
2

- 3 (a) All Industrial Uses: The following standards apply to all industrial uses as listed in GCC § 23.04 Tables
4 3, 4 and 5 and to those other uses determined by the Administrative Official to be industrial uses:
5 (1) The use of chemicals, industrial solvents, or other noxious or hazardous substances shall comply
6 with all federal, state, and county safety, fire, structural, storage, and disposal standards;
7 (2) Water supplies, wastewater, and sewage disposal facilities adequate to serve the proposed use shall
8 be provided as specified in GCC § 23.12;
9 (3) Retail sales and services incidental to a principally permitted use are allowable, provided:
10 (A) The operations are contained within the main structure which houses the primary use;
11 (B) Retail sales occupy no more than fifteen (15) percent of the total building square footage;
12 (C) No retail sales or display of merchandise occurs outside the structure; and
13 (D) All products offered for retail sales on the site are manufactured, warehoused, or assembled on
14 the premises;
15 (4) Electrical Disturbance. No activity shall emit electrical disturbance adversely affecting the
16 operation of equipment or appliances at any point beyond the boundaries of the location site of the
17 use creating such disturbance.
18 (5) Noise. On-site sound levels shall not exceed levels established by noise control regulations of the
19 Department of Labor and Industries. Maximum permissible environmental noise levels shall be
20 determined in accordance with WAC 173-60, Maximum Environmental Noise Levels. Noise levels
21 emitted to adjacent properties shall not exceed levels of the environmental designations for noise
22 abatement (EDNA) as established by the State of Washington, Department of Ecology as now exist,
23 or hereafter amended. Provided that EDNA classifications will conform to certain zone
24 designations based on classification of use as established under this UDC as follows:
25 (A) Class A EDNA: Residential Uses;
26 (B) Class B EDNA: Commercial Uses, Institutional Uses, Recreational Uses; and
27 (C) Class C EDNA: Industrial Uses, Utility Uses, Transportation Uses, Agricultural Uses.
28 (6) Vibration. Every use shall be so operated that the ground vibration inherently and/or recurrently
29 generated from use and/or equipment other than vehicles is not perceptible without instruments at
30 any point on or beyond any zoning district boundary in which the use is located.
31 (7) Smoke and Particulate Matter: Air emissions shall comply with the requirements of the Washington
32 State Department of Ecology or local air control authority requirements;
33 (8) Odors. The emission of gases or matter that are odorous at any point beyond the property line of
34 the use emitting the odor shall be controlled to the greatest extent practicable, as may be usual and
35 customary for the specific use or industry;
36 (9) Heat, Glare and Steam. Except for exterior lighting, uses producing heat and glare shall be
37 conducted entirely within an enclosed building. Any activity producing steam, heat or glare shall
38 be carried on in such a manner that the steam, heat or glare shall not create a nuisance beyond the
39 boundary lines of the zoning district within which the use is located. Building materials with high
40 light reflective qualities shall not be used in construction of buildings where reflected sunlight
41 would throw intense glare on adjacent areas. Artificial lighting shall use full cut-off fixtures so that
42 direct light from high intensity lamps will not result in glare. Lighting shall be directed away from
43 adjoining properties to the greatest extent practicable. Exterior lighting shall meet the requirements
44 of GCC § 23.12.190;
45 (10) Erosion. Property owners must take all reasonable steps to prevent erosion by either wind or water
46 that will carry objectionable substances into or through neighboring properties.
47 (11) Use of a County access road or private road for access to new industrial development shall be
48 permitted only if the application demonstrates that public health, safety and welfare will be
49 protection, and if traffic and maintenance impacts to the private road are minimized by conditions
50 on the permit; and

1 (12) Development standards, including parking, visual screening and landscaping requirements, shall
2 be as specified in GCC § 23.12.

3
4 (b) On-site performance standards:

5 (1) Landscaping installation. All required landscaping shall be installed prior to occupancy. In lieu of
6 such installation, security may be given assuring the installation of the landscaping in an amount
7 and form approved by the Administrative Official, provided that the security may not be for a period
8 exceeding nine (9) months from the issuance of an occupancy permit, at which time installation
9 shall have occurred.

10 (2) Maintenance. The owner, lessee or user shall be responsible for maintaining an orderly appearance
11 of all properties and shall be responsible for the care and maintenance of all installed landscaped
12 areas and any natural growth retained on the site. All required yards, parking areas, storage areas,
13 operation yards and other open uses on the site shall be maintained at all times in a neat and orderly
14 manner, appropriate for the zoning district.

15 (3) Outside Storage. Outside storage is permitted; however, sight-obscuring screening shall be
16 required. Stored materials shall not exceed the height of the screening.

17 (4) Hazardous materials and bulk petroleum products. Plans for the handling, storage, disposal and
18 spill control of hazardous materials, hazardous wastes, and bulk petroleum products shall be
19 approved prior to the issuance of any building permit.

20
21 (c) As a condition approval of any use authorized under this section, the Administrative Official may from
22 time to time require the parcel owner to provide information and data documenting compliance with
23 the requirements of this section and any other terms and conditions of approval.

24
25 **23.08.240 Livestock Maintenance**

26
27 (a) Livestock maintenance may be permitted as specified in Tables 3, 4 and 5 on GCC § 23.04; provided
28 that:

29 (1) Animal runways or buildings are not less than two hundred (200) feet from the nearest existing
30 dwellings other than a dwelling located on the same premises;

31 (2) Farm oriented feed lots shall be located a distance of not less than five hundred (500) feet from any
32 dwelling, other than a dwelling located on the same premises;

33 (3) Feed racks, bunks, or troughs shall be located not less than ten (10) feet from the right-of-way of
34 any public road or highway; and

35 (4) No more than twenty (20) mature head of hogs may be kept; more than twenty (20) mature head
36 shall be deemed to constitute a hog ranch. A hog ranch may be permitted only in the Agriculture
37 (AG) zoning district, and is subject to a conditional use permit and the performance standards
38 specified in GCC § 23.08.200.

39
40 **23.08.245 Marijuana Production, Processing and Retail**

41
42 (a) Marijuana production and processing and retail may be permitted as specified in Tables 3, 4, and 5 of
43 GCC 23.04; provided that:

44 (1) Marijuana production and processing and retail operations are subject to the requirements of Site
45 Plan Review found in GCC 23.04.140 regardless of the zoning district in which they are located.

46 (2) Marijuana producers, processors and retailers shall be subject to the development standards of the
47 underlying zoning district, the Grant County Code, and all other local and state laws except as
48 modified in this chapter.

49 (3) No marijuana producer, processor, or retailer shall be permitted within a dwelling unit or within a
50 building physically attached to a dwelling unit.

- 1 (4) Marijuana production, processing and retail sales in all zones, where allowed, shall be within an
2 entirely enclosed building or rigid greenhouse(reference WAC 314-55-075(1)(b)), except that
3 outdoor production may be permitted in the Agriculture, Rural Remote and Urban Heavy Industrial
4 zoning districts subject to the following buffers (measured from property lines of outdoor marijuana
5 production site):
6 (A) At least 500-yards from the following: any urban growth area boundary, the property lines of
7 any off-premise residence (excluding residences owned or controlled by the
8 producer/processor or the underlying land owner), any residential zoning district, any shoreline
9 development district, the Rural Community zoning district, the Recreational Development
10 zoning district, as well as the park facilities listed in GCC 23.08.245(6). The buffer in this
11 section does not apply to outdoor production operations in the Urban Heavy Industrial Zone.
12 (B) The enclosure in which the outdoor production operation is located shall be at least one hundred
13 (100) feet from any property line of the parcel on which the marijuana production or processing
14 use is located. This requirement does not apply to the Urban Heavy Industrial Zone.
15 (C) Non-rigid greenhouses shall be considered outdoor production operations.
16 (5) In addition to the siting requirements in WAC 314-55-050, all production, processing and retail
17 operations shall be located no less than one-thousand (1,000) feet from a parcel containing public
18 park owned and/or operated by a city, county, special purpose or utility district, state agency or
19 federal agency. The distance shall be measured as the shortest straight line distance from the
20 property line of parcel of the proposed production, processing, retail operation to the property line
21 of the public park.
22 (6) Lighting for marijuana production, processing and retail operations, including any required security
23 lighting, shall be designed, installed, and maintained so as to eliminate light directly projecting
24 across property lines. Indoor production operations shall limit total building façade and roof
25 fenestration to no more than 10-percent. The fenestration requirement does not apply to the Urban
26 Heavy Industrial Zone.
27 (7) Land Use and/or Building permits for structures/properties to be used in marijuana production,
28 processing, and retail sales must be accompanied by documentation that defines the legal source of
29 water for the operation.
30 (8) Fences, when ancillary to an indoor marijuana production, processing, or retail operation, must
31 comply with applicable setback requirements of the underlying zoning designation.
32
33 (b) Existing indoor and out outdoor production operations, processing operations, and retail operations
34 lawfully established and operating prior to March 7, 2017 may continue as is, where is within the terms
35 of any previous approvals granted. Existing fencing and security infrastructure that does not meet the
36 requirements of this or any other applicable provision of the UDC may be maintained with ordinary
37 care. Any expansion of an existing marijuana operation must comply with all applicable UDC
38 provisions.
39
40 (c) A Washington State Liquor and Cannabis Board (LCB) license does not vest marijuana producer,
41 processor, or retailer to the provisions of the Grant County Unified Development Code. Marijuana
42 producers, processor, and retailers can apply for Site Plan Review at any time during their licensing
43 process with the LCB.
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1 **23.08.250 Mobile/Manufactured Home Parks and Subdivisions**

- 2
- 3 (a) The following standards apply to all non-transient mobile/manufactured home parks and subdivisions,
- 4 except for temporary placement to provide temporary housing as specified in GCC § 23.04.120:
- 5 (1) Park density shall not exceed the underlying density standard of that of the zoning district in which
- 6 it is proposed;
- 7 (2) Mobile/manufactured homes shall:
- 8 (A) Have permanent steps or inclined planes affixed to all entrances;
- 9 (B) Maintain a minimum of eighteen (18) inch crawl space under the entire unit;
- 10 (C) Have permanent skirting, sidewalls or decks installed to enclose all areas between the lower
- 11 edge of the outside walls and the ground and to obscure chassis prior to occupancy;
- 12 (D) Be placed and anchored in accordance with the manufacturer’s installation instructions or the
- 13 design of a Professional Engineer or architect licensed in the State of Washington; and
- 14 (E) Have the tow tongue and axles removed.
- 15 (3) Mobile/manufactured home parks placed within flood hazard zones shall comply with the
- 16 requirements of GCC § 24.16.180 and 24.16.190;
- 17 (4) At least twenty (20) percent of the total area of a mobile/manufactured home trailer park shall be
- 18 developed for recreation or maintained in open space;
- 19 (5) Mobile/manufactured homes shall be separated by a minimum of ten (10) feet;
- 20 (6) Mobile/manufactured home parks shall be site-screened with a six-foot high, view-obscuring fence;
- 21 (7) To enhance appearance and provide open space, a ten (10) foot wide landscape strip shall be
- 22 provided on all sides and rear yards surrounding the mobile/manufactured home park or subdivision
- 23 and shall consist of a combination of shrubs, trees and ground cover.
- 24 (8) A common storage area shall be provided at a ratio of fifty (50) square feet per dwelling unit;
- 25 (9) To the greatest extent practicable, units shall be oriented in a manner that avoids repetitive siting,
- 26 encourages privacy, and is compatible with the site layout and topography;
- 27 (10) A mobile/manufactured home park may include storage area for recreational vehicles owned by
- 28 residents of the park, provided that the storage area contains no utility hook-ups and that no
- 29 recreational vehicle within the storage area shall be used as living quarters;
- 30 (11) A carport or garage may be attached to a mobile/manufactured home as an accessory use; and
- 31 (12) Accessory structures shall be located no closer than ten (10) feet to mobile/manufactured homes on
- 32 adjacent spaces.
- 33

34 **23.08.260 Mining, Mineral Extraction, and Reclamation**

- 35
- 36 (a) Permitted Use: Mining, mineral extraction, and reclamation of mining sites shall be permitted uses,
- 37 subject to a conditional use permit, in MRO zoning districts as specified in GCC § 23.04.630.
- 38
- 39 (b) Review Procedures: Applications for mining, mineral extraction, and reclamation of mining sites shall
- 40 be reviewed pursuant to GCC § 23.04.040, GCC Chapter 25.04 – Permit Application Review
- 41 Procedures, and GCC Chapter 25.08 – Conditional Uses and Variances.
- 42
- 43 (c) Pre-Application Review Conference: Prior to submitting a permit application, the applicant may request
- 44 a pre-application review conference as specified in GCC § 25.04.130. Such pre-application review is
- 45 not mandatory.
- 46
- 47 (d) Application Requirements: An applicant shall submit three (3) copies of all application materials, which
- 48 at a minimum shall include the following:
- 49 (1) Those documents and accompanying data specified in GCC § 25.04.140, including:
- 50 (A) Completed application on forms provided by the Department;

- 1 (B) A verified statement by the applicant that the property affected by the application is in the
2 exclusive ownership of the applicant or that the applicant has submitted the application with
3 the consent of all owners of the affected property;
- 4 (C) Identification of a single contact person or entity to receive determinations and notices required
5 by this chapter;
- 6 (D) A property and/or legal description of the site, including Assessor account number and property
7 identification number;
- 8 (E) A list of the names and addresses of all persons owning real property located within five
9 hundred (500) feet from and parallel to the boundaries of the proposed activities and such
10 contiguous area under the legal control of the applicant; and
- 11 (F) The applicable fee(s).
- 12 (2) A vicinity map with a north arrow indicating the area on which the extraction operation is proposed
13 including a legal description, showing access roads to the proposed site from the nearest community
14 and any roads proposed on the site, and showing adjacent properties and land uses within five (5)
15 miles of the area proposed for mineral extraction and related activities;
- 16 (3) An existing (pre-mining) topographic map drawn to scale with an appropriate scale bar showing
17 the permit area and buffers, elevations and contours, natural slopes and other drainage patterns,
18 boundaries of municipalities, boundaries of property ownership, names and addresses of adjacent
19 property owners, locations of nearby mines, locations of all railroads, bridges, utility lines or other
20 rights of way, locations and names of any streams and natural or artificial drainways on or adjacent
21 to the site, locations of parks and other significant features;
- 22 (4) Copy of the surface mining permit for the site from the Washington State Department of Natural
23 Resources;
- 24 (5) Identification and description of those critical areas designated and regulated by GCC § 24.08,
25 together with any critical areas assessments that may be required by GCC § 24.08;
- 26 (6) Identification of any possible Cultural Resource Sites that may be located on the proposed site
27 pursuant to GCC § 24.08 Article VIII;
- 28 (7) Site Plan: A scaled site plan showing the location, point of reference, type, height and horizontal
29 location (coordinates) of the proposed structures, existing buildings, on-site land uses and zoning,
30 adjacent land uses and zoning, adjacent roadway rights-of-way, parking areas if applicable,
31 proposed means of access, setbacks from property lines and the approximate distance between the
32 proposed structures and the property lines;
- 33 (8) Reclamation Plan: A reclamation sequence map drawn to scale with an appropriate scale bar
34 covering the same area as the pre-mining map showing the permit area border and buffers,
35 excavation areas, location of all proposed access roads to be built, location of types of setbacks and
36 berms, numbered segments and the direction of the sequence of mining, soil storage areas and
37 sequence of stripping, storing and replacement of mined segments, overburden storage areas and
38 sequence of stripping, storing and replacement of overburden on mined segments, waste rock piles
39 and how they will be reclaimed and stabilized, operation plant and processing areas, measures to
40 be taken to adjacent surface area to prevent slumping or landslides on adjacent lands, location and
41 description of storm-water and erosion control systems including drainage facilities and settling
42 ponds and estimated runoff served by individual facilities;
- 43 (9) Final Closure Plan: A final reclamation map drawn to scale with an appropriate scale bar covering
44 the same area as the pre-mining map permit area and buffers, final elevations and contours, adjacent
45 natural ground slopes, reclaimed drainage patterns, general topography, locations and names of any
46 roads, utility lines, rights-of-way, streams, bridges, lakes, springs, wetlands, location and depth of
47 topsoil to be replaced after seedbed preparation, permanent drainage and water control systems,
48 area to be re-vegetated and proposed species, 2 cross-sections (at right angles) with horizontal and
49 vertical scales the same that show the original and final topography;
- 50 (10) The estimated quantities of all materials to be extracted;

- 1 (11) An on-site study to determine appropriate mitigation requirements for noise, vibration and dust
- 2 levels. The study should specify what levels the applicant deems satisfactory to mitigate off-site
- 3 disturbances;
- 4 (12) An operations proposal detailing estimated frequency of blasting, estimated truck loads per day,
- 5 what provisions for screening and fencing are proposed, and estimated hours of operation;
- 6 (13) A completed SEPA environmental checklist;
- 7 (14) A review from the County Engineer and/or Washington State Department of Transportation
- 8 demonstrating that roads or bridges are capable of sustaining the necessary traffic for the proposed
- 9 mineral extraction operation, and that the proposed operation meets level-of-service, safety, and
- 10 other standards as outlined in the Grant County Comprehensive Plan.

11
 12 (e) Application Review: Applications shall be processed as a conditional use as specified in GCC §
 13 25.04.080 and defined in GCC § 25.04.070 and as specified in GCC Chapter 25.08. When the
 14 Administrative Official determines that the permit application is technically complete, as defined in
 15 GCC § 25.04.160, the application shall be processed as specified in GCC § 25.04.260.

16
 17 (f) Approval Criteria: A conditional use permit shall be approved by the Decision Maker if the record
 18 contains clear and convincing evidence that the permit application:
 19 (1) Meets the criteria for approval for a conditional use permit specified in GCC § 25.08.060;
 20 (2) Meets the standards of this section, or can comply with the standards through the imposition of
 21 special conditions of approval; and
 22 (3) Complies with the Comprehensive Plan, the Shoreline Master Program, the zoning code and other
 23 land use regulations, and SEPA.

24
 25 (g) Mitigation of Impacts: When reviewing an application for mining operations conditional use permit:
 26 (1) The Decision Maker should recognize that surface mining is an essential economic activity and that
 27 it is not possible to extract minerals without producing some environmental impacts. The Decision
 28 Maker shall consider all relevant evidence and conditions that will mitigate detrimental impacts to
 29 the environment and conditions that protect the general welfare, health and safety. The permit shall
 30 be granted if the impacts are mitigatable. The burden of proof shall be on the applicant. Mitigating
 31 conditions shall be performance based, objective standards that:
 32 (A) Are directly and proportionately related to limiting surface mining impacts;
 33 (B) Are reasonable, practicable and generally capable of being achieved by the mine operator;
 34 and
 35 (C) Take into consideration existing and available technologies applicable to mining operations;
 36 (2) The Decision Maker shall consider the requirements of this section as minimum standards based
 37 on unique site-specific factors or conditions as appropriate to protect public health, safety, and the
 38 environment;
 39 (3) Appropriate site specific conditions shall be required to mitigate existing and potential
 40 incompatibilities between the mineral extraction operation and adjacent parcels. Such limitations
 41 should reflect the differences in potential impacts based on the mineral extraction operation's
 42 location in resource, rural or urban growth areas and recognize that the purpose of designating
 43 mineral resource lands is to conserve mineral resource lands, allow continued operation of existing
 44 legally established mining operations, and assure that use of adjacent lands does not interfere with
 45 the extraction of minerals. The Decision Maker shall take into consideration the January, 1996
 46 publication Best Management Practices for Reclaiming Surface Mines in Washington and Oregon,
 47 published jointly by the Oregon Department of Geology and Mineral Industries and the Washington
 48 State Department of Natural Resources, Chapter 3, Operation and Reclamation Strategies, in
 49 determining appropriate mitigation requirements for operational impacts;

- 1 (4) Appropriate site-specific conditions should be required to mitigate storm water runoff and erosion
2 impact. The Decision Maker shall take into consideration the January, 1996 publication Best
3 Management Practices for Reclaiming Surface Mines in Washington and Oregon, published jointly
4 by the Oregon Department of Geology and Mineral Industries and the Washington State
5 Department of Natural Resources, Chapter 2, Storm Water and Erosion Control, and the National
6 Pollutant Discharge Elimination System (NPDES) Surface Water Protection requirements in
7 determining appropriate conditions for mitigating storm water and erosion impacts; and
8 (5) The Decision Maker shall consider public interests such as fishing, boating, hiking and camping
9 when reviewing a mining operations special use permit, and may impose mitigating measures as
10 necessary and appropriate.
11

12 (h) Performance Standards: Mining operations and sites are subject to the following performance
13 standards:

- 14 (1) Mineral extraction and processing activities shall comply with the RCW 78.44, Surface Mining
15 Act, RCW 90.48, the Water Pollution Control Act, and all other applicable laws and regulations.
16 (2) Site area and width: When the activity includes both extraction and on-site mineral crushing or
17 mineral processing, including asphalt or concrete batching and asphalt or concrete recycling, the
18 site area shall be a minimum of twenty (20) acres. There shall be a minimum lot width of 500 feet
19 for crushing or processing activities. Operations that are limited to extraction and transportation
20 shall comply with dimensional standards of the underlying zoning district.
21 (3) Setback: A minimum 100-foot setback shall be required between on-site crushing, processing, or
22 recycling activities and adjacent properties for the site as a condition for the issuance of a mining
23 operations special use permit. Adjacent properties are required to maintain a 100-foot buffer from
24 the mineral resource designated land or sign a nuisance waiver to reduce the buffer. In the case of
25 a pre-existing structure located in the buffer of adjacent property, the required buffer shall be
26 established on the mineral resource designated land.
27 (4) Maximum permissible noise levels: Maximum permissible noise levels shall be according to the
28 provisions of the WAC 173-60, Maximum Environmental Noise Levels.
29 (5) Blasting: Blasting shall be restricted to daylight hours when the mineral extraction operation is
30 within ¼-mile of a residential area with a greater density than one (1) dwelling unit per ten (10)
31 acres. The Decision Maker may otherwise set blasting hours and conditions based on site-specific
32 circumstances.
33 (6) Surface Water Protection: All mineral and aggregate sites shall meet the minimum requirements of
34 GCC § 23.12.080 as well as all pertinent requirements of the Washington State Department of
35 Ecology, the Department of Natural Resources, Department of Fish & Wildlife and other state and
36 federal regulations regarding surface water protection. Storage pond systems for holding processing
37 waters shall be designed to preclude untreated discharge to natural streams or surface waters, unless
38 the discharges are otherwise regulated and allowed by a state or federal government agency. The
39 flow of natural runoff from extraction sites shall be dispersed or regulated such that soil erosion on
40 receiving lands is prevented.
41 (7) Bench/Terrace: Benches shall be back-sloped and shall be established at not more than 40-foot
42 intervals to control surface drainage and debris. Swales or ditches on benches shall have a
43 maximum gradient of 5 percent.
44 (8) Reclamation: Reclamation of surface mining sites shall be in accordance with the requirements of
45 the State Department of Natural Resources. Reclamation activities shall not allow landfilling unless
46 sites comply with WAC-304, WAC 173-351, Shoreline Master Program, and other relevant state
47 and federal regulations.
48 (9) Hours of operation: Hours of operation shall vary according to the location of the site as stated
49 below:
50 (A) Within Agriculture (AG) zoning districts, the hours of operation may be unlimited;

- 1 (B) Within rural land zoning districts, the hours of operation shall be from dawn to dusk;
- 2 (C) Within urban growth areas and rural activity centers, the hours of operation shall be from 7:00
- 3 a.m. to 7:00 p.m., Monday through Saturday; and
- 4 (D) During emergencies, restrictions on hours of operation may be suspended.
- 5 (10) Chemical Leach Mining: Chemical leach mining shall not be allowed.
- 6 (11) Responsibility: The landowner(s) and operator(s) shall be held jointly responsible for the operation
- 7 of a mineral extraction site.
- 8 (12) Metals mining shall be regulated by RCW 78.56, Metals Mining and Milling Act.
- 9

10 **23.08.270 Outdoor Commercial Amusement Facilities**

- 11
- 12 (a) The following standards shall apply to all outdoor commercial amusement facilities:
- 13 (1) Outdoor commercial amusement facilities shall be located so as to protect adjacent properties from
- 14 adverse impacts. Where the proposed use can reasonably be expected to have adverse impacts on
- 15 adjacent properties, and where existing ground cover, such as trees or shrubs, will not provide an
- 16 adequate buffer between the use and adjoining properties, screening or fencing shall be required;
- 17 (2) Access to such uses shall be only from full width roads, which shall be paved or surfaced in
- 18 accordance with the County Engineer's specifications.
- 19 (3) Parking shall be provided as specified in GCC § 23.12.130;
- 20 (4) Safe access from parking areas to amusement areas shall be provided by means of walkways or
- 21 other suitable facilities; and
- 22 (5) No use shall be made of equipment or material which produces unreasonable vibration, noise, dust,
- 23 smoke, odor, or electrical interference to the detriment of adjoining property.
- 24

25 **23.08.280 Outdoor Storage Yards**

- 26
- 27 (a) All outdoor storage for vehicles, equipment, materials or products used in production, for sale on
- 28 premises, awaiting shipment, or otherwise in conjunction with agricultural production, commercial or
- 29 industrial use, shall be conducted so as to ensure public safety, health, and welfare and to minimize
- 30 detrimental visual impact upon neighboring property and public rights-of-way.
- 31
- 32 (b) Every reasonable effort shall be made by persons operating a commercial or industrial business to store
- 33 vehicles, equipment, materials and products within an enclosed building, except:
- 34 (1) Where such enclosed storage is not practical or desirable for reasons related to health, fire or safety
- 35 requirements;
- 36 (2) Where outside storage of merchandise, manufactured products, or raw materials is normal and
- 37 standard practice, such as in the sale of automotive equipment, farm machinery, lumber, gardening
- 38 materials, nursery stock, manufactured homes, and similar products, or on the site of construction
- 39 projects; or
- 40 (3) When materials or products are temporarily stored outside incidental to shipping, delivery, loading
- 41 or unloading thereof.
- 42
- 43 (c) Materials and products may be stored to height limitations specified and permitted in the particular
- 44 zoning district subject to the provisions of these performance standards and applicable development
- 45 standards specified in GCC § 23.12, but shall be effectively screened from neighboring properties and
- 46 public rights-of-way. Screening shall meet the requirements of GCC § 23.12.180.
- 47
- 48
- 49
- 50

1 **23.08.290 Outdoor Recreation Developments**

2
3 (a) Definition: Outdoor recreation developments include:

- 4 (1) Community Parks;
5 (2) Golf Courses;
6 (3) Outdoor Shooting and Archery Ranges;
7 (4) Recreational Race tracks;
8 (5) Major Campgrounds;
9 (6) Water ski lakes;
10 (7) Motorized, off-road vehicle (ORV), and all-terrain vehicle (ATV) parks and recreational areas; and
11 (8) Similar outdoor developments.

12
13 (b) Applicability: The requirements of this section apply to all outdoor recreation developments.

14
15 (c) Permitted Use: Outdoor recreation developments shall be a permitted use in those zoning districts
16 specified in Tables 3, 4 and 5 of GCC § 23.04. Uses may be allowed outright, or require discretionary
17 use review or a conditional use permit, as specified in Tables 3, 4 and 5.

18
19 (d) Additional Use Requirements: The following additional use requirements shall apply to outdoor
20 recreation developments:

- 21 (1) Parks and campgrounds in which individual lots or spaces are to be leased, sold or otherwise
22 transferred are prohibited;
23 (2) Motorized, off-road vehicle (ORV), and all-terrain vehicle (ATV) parks and recreational areas shall
24 only be permitted in Rural Recreational Commercial (RRC) zoning districts, subject to a
25 conditional use permit;
26 (3) Recreational race tracks shall be permitted only in Urban Commercial 2 (UC2), Rural Heavy
27 Industrial (RHI), and Rural Recreational Commercial (RRC) zoning districts, subject to a
28 conditional use permit;
29 (4) Outdoor shooting and archery ranges shall only be permitted in Rural Remote (RRem), Urban
30 Heavy Industrial (UHI), Urban Light Industrial (ULI), and Agriculture (AG) zoning districts,
31 subject to a conditional use permit;
32 (5) Golf courses shall only be permitted in Open Space/Recreation (OSR), Urban Residential 1 (UR1),
33 Public Facility (PF), Recreational Development (RD), Rural Residential 1 (RR1), Rural Remote
34 (RRem), and Rural Recreational Commercial (RRC) zoning districts, subject to a conditional use
35 permit; and
36 (6) Golf courses and other recreational developments that propose to include on-site residential
37 housing may only be permitted in a:
38 (A) Master Planned Resort (MPR) zoning district (See GCC § 23.04.650), subject to a legislative
39 action to amend the Comprehensive Plan pursuant to GCC § 25.12; or
40 (B) Planned Unit Development (PUD) (See GCC § 23.04 Article VIII).
41 Golf courses proposed as an element of an MPR or PUD shall be reviewed under the pertinent
42 provisions of GCC § 23.04.
43 (7) Water ski lakes shall not be permitted in the Agricultural (AG) zoning district.
44 (8) Access shall be only from full width roads, which shall be paved or surfaced in accordance with
45 the County Engineer's specifications.

46
47 (e) Standards: The following standards shall apply to all outdoor recreation developments; additional
48 standards follow that apply to specific types of outdoor recreation development:

- 49 (1) Outdoor recreation developments shall be located so as to protect adjacent properties from adverse
50 impacts. Where the proposed recreational use can reasonably be expected to have adverse impacts

- 1 on adjacent properties, and where existing ground cover, such as trees or shrubs, will not provide
2 an adequate buffer between the recreational area and adjoining properties, screening or fencing
3 shall be required;
- 4 (2) Parking shall be provided as specified in GCC § 23.12.130;
- 5 (3) Parking areas associated with outdoor recreation developments shall be located inland away from
6 water and beaches and shall be designed to control surface runoff and prevent the pollution of
7 nearby water bodies. Safe access from parking areas to recreation areas shall be provided by means
8 of walkways or other suitable facilities;
- 9 (4) Parks in the Open Space Conservation (OSC) and Public Open Space (POS) zoning districts shall
10 not be designed, created, or operated in a manner which would reduce, limit, or degrade the purpose
11 and intent of the zoning district;
- 12 (5) Community Parks shall meet the following standards:
- 13 (A) Hours of operation shall be limited to the period of sunrise to 10:00 p.m.;
- 14 (B) Any lighting shall be of direct cutoff design and not extend beyond the property boundaries;
- 15 (C) Any trash or garbage receptacles shall be screened from view from surrounding properties; and
- 16 (D) Any restroom facilities shall be screened from view from surrounding properties and the entrance
17 shall be fully visible from the public areas;
- 18 (6) No use shall be made of equipment or material which produces unreasonable vibration, noise, dust,
19 smoke, odor, electrical interference to the detriment of adjoining property;
- 20 (7) Outdoor recreation developments which are also commercial enterprises designed primarily as
21 tourist attractions shall not exceed a gross use area of 5,000 square feet;
- 22
- 23 (f) Outdoor Shooting Ranges: Outdoor shooting ranges include rifle, pistol and archery ranges and gun
24 clubs. The following standards shall apply to outdoor shooting ranges:
- 25 (1) Outdoor shooting and archery ranges shall be located, designed, constructed and operated to prevent the
26 likelihood of discharge of ammunition beyond the boundaries of the parcel where they occur. It is
27 recommended that the National Rifle Association's 'Range Manual' be consulted and used in the
28 development and operation of ranges; Articles 1, 2, and 3 of the safety recommendations for outdoor
29 shooting ranges shall be used as guidelines in the design and construction of shooting ranges.
- 30 (2) The minimum lot size requirement for an outdoor rifle trap or skeet shooting or pistol range used by an
31 organization shall be ten (10) acres. For an outdoor archery range used by an organization, minimum
32 lot size shall be two (2) acres.
- 33 (3) No structure or shooting areas associated with a shooting or firing range shall be located closer than one
34 hundred (100) feet to any lot line.
- 35 (4) A minimum location of five hundred (500) feet is required from any occupied dwelling other than the
36 dwelling of the owner.
- 37 (5) All shooting areas shall be completely fenced.
- 38 (6) The shooting areas shall be surrounded by an eight (8) foot high noise barrier in the form of an earth
39 berm or wall, or be located in a minimal eight (8) foot deep depression.
- 40 (7) In the consideration of an application for a permit, the Approval Authority shall take into account both
41 safety and noise factors, and may prescribe additional conditions with respect thereto.
- 42
- 43 (g) Golf Courses: The following standards shall apply to golf courses:
- 44 (1) Sewage disposal and water supply shall be in accordance with GCC § 23.12.050 and § 23.12.060.
45 Adequate water supply shall be provided without diminishing the level of service for system users;
- 46 (2) Accessory uses, such as eating or drinking establishments, pro shops, and clubhouses, shall only be
47 allowed in RRC and MPR zoning districts; except that a single structure not to exceed twenty-five
48 hundred (2,500) square feet of gross floor area may be allowed, subject to a conditional use permit, to
49 provide such functions in OSR, RR1, and RRem zoning districts and in PUDs.
- 50

- 1 (h) Major Campgrounds: The following standards shall apply to Major Campgrounds, including
2 Destination Campgrounds, Developed Campgrounds having more than fifty (50) camping sites,
3 Institutional Campgrounds, and temporary or permanent Festival Campgrounds:
4 (1) No structure or camp site shall be located closer than ten (10) feet to any lot line;
5 (2) Visual screening, increased setback, increased lot size, and other conditions may be required taking into
6 account safety, noise, and odor factors;
7 (3) If the facility is to contain food service facilities or is intended to be used for exhibitions, shows, or
8 Temporary Outdoor Festivals, additional parking shall be provided as required;
9 (4) Allowable accessory improvements may include facilities for:
10 (A) Picnicking;
11 (B) Showering or Bathing;
12 (C) Sports and recreational activities; and
13 (D) Convenience stores having a gross area of less than 500 square feet and not providing vehicle
14 fueling.
15

16 **23.08.300 Recreational Vehicle Parks and Travel Trailer Parks**
17

- 18 (a) Applicability: The requirements of this section apply to recreational vehicle parks, travel trailer parks,
19 and commercial campgrounds.
20
21 (b) Permitted Use: recreational vehicle parks, travel trailer parks, and commercial campgrounds shall be a
22 permitted use in those zoning districts, subject to a conditional use permit, as specified in Tables 3, 4
23 and 5 of GCC § 23.04. Such uses shall be designed for temporary occupancy not to exceed six (6)
24 months.
25
26 (c) Standards: The following standards shall apply to recreational vehicle parks, travel trailer parks, and
27 campgrounds:
28 (1) No structure or camp site shall be located closer than ten (10) feet to any lot line; and
29 (2) Allowable accessory improvements may include facilities for:
30 (A) Picnicking;
31 (B) Boating;
32 (C) Fishing;
33 (D) Swimming;
34 (E) Outdoor games;
35 (F) Miniature golf courses;
36 (G) Mechanical amusements; and
37 (H) Other sports and activities.
38
39 (d) Site Plan Review: New and expansions of recreational vehicle parks, travel trailer parks, and
40 campgrounds shall be subject to the requirements of GCC § 23.04.140. Proposed improvements and
41 facilities, including accessory improvements, shall be clearly shown on the site plan.
42

43 **23.08.310 Recycling Collection Facilities and Recycling Centers**
44

- 45 (a) Recycling Collection Facilities: Recycling collection facilities provide a neighborhood drop-off point
46 for temporary storage or recyclables but without processing thereof. The following standards apply to
47 all recycling collection facilities:
48 (1) Weather protection of recyclable items shall be ensured by using weatherproof containers or by
49 providing a roof over the storage area;
50

- (2) Only recyclable materials shall be collected and stored at such collection points. Except for initial sorting and bailing of recyclable items by users, all other processing of such materials shall be conducted off-site; and
- (3) All deposited material shall be contained wholly within the recycling box or facility. No litter shall be allowed to accumulate outside the recycling box or facility. The recycling box or facility shall be kept clean and free of odors or pests.

(b) Recycling Centers: An area, with or without buildings, upon which used materials and recyclables are separated and processed for shipment. The following standards apply to all recycling centers:

- (1) Those standards above that apply to recycling collection facilities;
- (2) Direct access to the center shall be from a collector or arterial road;
- (3) Processing operations shall be conducted within a building;
- (4) The operation shall be effectively screened from view from neighboring properties and rights-of-way in accordance with the requirements of GCC § 23.12.180;
- (5) The operation shall meet all federal, state and local requirements for noise and air quality control; and
- (6) The operation shall obtain and maintain a solid waste handling permit from the Grant County Department of Health.

23.08.320 Residential Care Facilities and Health Care Facilities

(a) The following apply to all residential care facilities:

- (1) Residential care facilities housing five (5) or fewer residents, other than staff, are permitted outright in all residential districts. All other residential care facilities are conditional uses subject to the requirements of this chapter and GCC § 23.12;
- (2) Conditional use approval is contingent upon obtaining and maintaining state licensing for operation of the facility. Conditional use approval terminates when the state license is no longer in effect. Furthermore, any increase in the number or change in the class of residents authorized by the state license terminates approval unless a new conditional use authorization is obtained for the new class or number of residents;
- (3) The maximum number of residents permitted in a facility is twenty (20), exclusive of staff;
- (4) Minimum Lot Size: For up to ten (10) residents, exclusive of owners/operators and/or staff, minimum lot size will be twelve thousand five hundred (12,500) square feet or the minimum lot size of the underlying zone, whichever is greater. For facilities with more than ten (10) residents, the minimum lot size shall be twelve thousand (12,500) square feet plus one thousand (1,000) square feet per additional resident, or minimum lot size allowed in the underlying zone, whichever is greater; and
- (5) Minimum Off Street Parking: the minimum number of parking spaces shall be as specified in GCC § 23.12, Table 5. All parking spaces shall meet the standards of GCC § 23.12.130.

(b) The following standards apply to all health care facilities:

- (1) The provider shall demonstrate compliance with state licensing requirements.

23.08.330 Mini Storage Facilities

(a) The following standards apply to all residential (mini) storage facilities:

- (1) The site shall be contiguous to a designated urban arterial or rural collector road, although access may or may not be directly onto such arterial or collector, as determined through the review process;
- (2) A strip of land twenty (20) feet in width, landscaped with any harmonious combination of lawn, flowers, trees, shrubs and ground cover, shall be provided along all street frontages. Xeriscapes

1 and natural features may be included in the design and plan. All other property lines and outdoor
2 storage areas shall be visually screened in accordance with GCC § 23.12.180;

- 3 (3) Signing shall be limited to on-premises signage and shall meet the standards of GCC § 23.12.150;
- 4 (4) Building height shall not exceed eighteen (18) feet;
- 5 (5) Exterior lighting shall meet the standards of GCC § 23.12.190;
- 6 (6) The Decision Maker may require exterior modifications of structures, including use of architectural
7 features or details, materials for siding and roofing, reduction of building mass and number of units
8 when necessary to assure compatibility with adjoining residential zoning districts; and
- 9 (7) Use of the facility shall be limited to the storage of excess personal property. No garage sales,
10 servicing or repair of vehicles or appliances, commercial business or other similar activities shall
11 be conducted on the premises (except Moving Equipment Rental Facilities approved as an
12 accessory to a residential mini storage facility).

13
14 (b) The following standards apply to residential (mini) storage facilities in Urban zones:

- 15 (1) All access, travel surfaces, loading areas, and building aprons shall be surfaced with asphalt,
16 concrete, or other similar hard surface pavement as approved by the Administrative Official.

17
18 (c) The following standards apply to residential (mini) storage facilities in rural zones and rural activity center
19 zones:

- 20 (1) All access, travel surfaces, and loading areas may be surfaced with gravel. Buildings shall be
21 surrounded by a paved apron a minimum of three (3) feet wide. Concrete, asphalt, or other hard
22 surface paving approved by the Administrative Office will be acceptable.
- 23 (2) Visual screening shall only apply when a residence is present within 100 feet of any property line,
24 excluding road frontages, and excluding any residences owned or controlled by the mini storage
25 operator and/or property owner.

26
27 **23.08.340 Seasonal and Permanent Roadside Stands**

28
29 (a) The following standards apply to all seasonal and permanent roadside stands:

- 30 (1) The stand shall be not more than three hundred (300) square feet in size;
- 31 (2) Sales are limited to products produced in Grant County and at least a portion of the agricultural
32 products must be grown onsite;
- 33 (3) No flags, lights, or banners shall be allowed; one non-illuminated, on-premises sign no larger than
34 twenty (20) square feet is permitted; and
- 35 (4) Off-street parking shall be required, and shall have a sufficient area to allow automobiles to park
36 safely off the road right-of-way and to re-enter the traffic in a forward direction. All parking spaces
37 shall meet the standards of GCC § 23.12.130.

38
39 **23.08.350 Slaughter, Packing and Rendering Facilities**

40
41 (a) The following standards shall apply to all slaughter, packing and rendering facilities:

- 42 (1) A minimum lot area of two (2) acres is required;
- 43 (2) Shall be located a minimum distance of one hundred (100) feet from any property line; and
- 44 (3) Shall be located a minimum distance of one thousand (1,000) feet from any occupied dwelling unit
45 other than the dwelling of the owner.

46
47 **23.08.355 Small Scale Recreation and Tourism**

48
49 (a) Definition: Small scale recreation and tourism uses make available opportunities to diversify the
50 economy of rural Grant County by utilizing, in an environmentally sensitive manner, the County's

1 abundant recreational opportunities and scenic and natural amenities. They rely on a rural location and
2 setting to provide recreational or tourist uses, including commercial facilities to serve those uses, but
3 do not include new residential development. They include:

- 4 (1) Minor Campgrounds;
- 5 (2) Open Space Parks;
- 6 (3) Passive recreation;
- 7 (4) Trails or educational enterprises designed to offer special access to natural resource-based and
8 recreational opportunities on lakes, creeks, streams, river corridors, shorelines, and areas with prominent
9 views; and
- 10 (5) Historic sites open to the public;
- 11 (6) Cultural and interpretive facilities; provided that they are limited to those designed for the purpose of
12 conserving or interpreting the natural or cultural history of the property or for the education of visitors
13 about its natural or cultural resources. Any such facility shall be small in scale, shall leave the majority
14 of the site undisturbed, and shall have no more than a minimal impact of the character or value of the
15 conservation area;
- 16 (7) Cabins and other forms of overnight lodging that are rural in scale. New residential development shall
17 not be permitted. New residential development includes the subdivision or sale of land for year-round
18 or second-home residential housing that is owner-occupied or rented. Lodging operators may not allow
19 any person to occupy overnight lodging on the premises for more than 4 months in any year;
- 20 (8) Commercial boathouses;
- 21 (9) Commercial facilities, such as restaurants and small retail shops, if they serve the primary recreational
22 or tourist use;
- 23 (10) Display gardens;
- 24 (11) Outdoor recreational equipment rental and/or guide services; and
- 25 (12) Animal preserves and wildlife management areas.

26
27 (b) Applicability: The requirements of this section apply to all small scale recreation and tourism
28 developments.

29
30 (c) Permitted Use: Small scale recreation and tourism developments shall be a permitted use in those
31 zoning districts specified in Tables 3, 4 and 5 of GCC § 23.04. Uses may be allowed outright, or require
32 discretionary use review or a conditional use permit, as specified in Tables 3, 4 and 5.

33
34 (d) Additional Use Requirements: The following additional use requirements shall apply to small scale
35 recreation and tourism developments:

- 36 (1) Parks and campgrounds in which individual lots or spaces are to be leased, sold or otherwise
37 transferred are prohibited;
- 38 (2) Cabins and other forms of overnight lodging shall be permitted only in Rural Remote (RRem),
39 Rural Residential 1 (RR1), Agriculture (AG), Master Planned Resort (MPR), and Rural
40 Recreational Commercial (RRC) zoning districts, subject to a conditional use permit;
- 41 (3) Open Space Parks, passive recreation, trails, historic sites, and cultural and interpretive facilities
42 shall be the only type of small scale recreation and tourism development allowed in the rural Open
43 Space Conservation Overlay (OSC) and Public Open Space Overlay (POS) zoning districts, subject
44 to a conditional use permit;
- 45 (4) Large-scale tourist attractions such as casinos, golf courses, and theme parks are prohibited.

46
47 (e) Standards: The following standards shall apply to all small scale recreation and tourism developments:

- 48 (1) Small scale recreation and tourism developments shall be located so as to protect adjacent properties
49 from adverse impacts;
- 50 (2) Small scale recreation and tourism developments located in rural lands or resource lands shall not

1 adversely impact the natural resource production in the area and shall not require extension of urban
2 water and sewer services;

- 3 (3) Parking shall be provided as specified in GCC § 23.12.130;
- 4 (4) Parking areas associated with small scale recreation and tourism developments shall be located inland
5 away from water and beaches and shall be designed to control surface runoff and prevent the pollution
6 of nearby water bodies. Safe access from parking areas to recreation areas shall be provided by means
7 of walkways or other suitable facilities;
- 8 (5) Parks in the Open Space Conservation (OSC) and Public Open Space (POS) zoning districts shall not
9 be designed, created, or operated in a manner which would reduce, limit, or degrade the purpose and
10 intent of the zoning district;
- 11 (6) Facilities shall meet the following standards:
- 12 (A) Hours of operation shall be limited to the period of sunrise to 10:00 p.m.;
- 13 (B) Any lighting shall be of direct cutoff design and not extend beyond the property boundaries;
- 14 (C) Any trash or garbage receptacles shall be screened from view from surrounding properties; and
- 15 (D) Any restroom facilities shall be screened from view from surrounding properties and the entrance
16 shall be fully visible from the public areas;
- 17 (7) No use shall be made of equipment or material which produces unreasonable vibration, noise, dust,
18 smoke, odor, electrical interference to the detriment of adjoining property; and
- 19 (8) Small scale recreation and tourism developments which are also commercial enterprises designed
20 primarily as tourist attractions shall not exceed a gross use area of 5,000 square feet.

21
22 **23.08.360 Solid Waste Handling and Disposal Facilities**

- 23
24 (a) The following types of solid waste handling and disposal facilities include:
- 25 (1) Sanitary landfills;
- 26 (2) Transfer stations; and
- 27 (3) Construction, demolition and land clearing (CDL) facilities.
- 28
- 29 (b) Solid waste handling and disposal facilities may be allowed subject to the following conditions in those
30 zoning districts specified in Tables 3, 4 and 5 of GCC § 23.04:
- 31 (1) Obtaining a conditional use permit pursuant to the requirements of GCC § 25.08;
- 32 (2) Obtaining a solid waste handling permit from the Grant County Health Department; and
- 33 (3) Obtaining an access permit from the County Engineer.

34
35 **23.08.370 Storage and Sale of Fertilizer, Pesticides, Herbicides, Soil Sterilants and Fumigants**

- 36
37 (a) The following standards shall apply to all facilities that are used for the storage and sale of fertilizer,
38 pesticides, herbicides, soil sterilants and fumigants:
- 39 (1) A minimum lot area of ten (10) acres is required, except that smaller lot areas may be permissible
40 if the applicant can demonstrate that the nature and quantity of the materials present at the site as
41 well as the proposed site plan will comply with all applicable building code, fire code and zoning
42 code requirements. In no case shall the site be less than 5 acres in size;
- 43 (2) Shall have a minimum setback of fifty (50) feet on all property lines; additional setback may be
44 required by state or federal law;
- 45 (3) All such facilities shall be designed and located with full consideration of their proximity to
46 adjacent uses, their effect upon adjacent property, and to the reduction of nuisance factors;
- 47 (4) The owner or operator of such a use shall furnish evidence that the obnoxious characteristics of the
48 process or activity has been or shall be eliminated sufficiently as not to constitute a nuisance or be
49 detrimental to the health, safety, comfort or general welfare of persons residing or working in or
50 passing through the area; and

1 (5) The owner or operator of such a use shall have continuous obligation to prevent the creation of a
2 nuisance or hazard.

3
4 **23.08.375 Storage and Treatment of Sewage Sludge and Septage**

5
6 (a) Storage and treatment of sewage sludge and septage at any facility other than an approved sewerage
7 system plant, and development of storage or treatment facilities, are industrial uses for the purposes of
8 this UDC and are subject to the site standards for industrial uses in GCC § 23.08.230 and to approval
9 by the Grant County Health Officer.

10
11 (b) The importation of sewage sludge or septage from outside the county is subject to approval by the Grant
12 County Board of Health.

13
14 (c) The application of sewage sludge and septage to land for disposal or for fertilization is subject to
15 approval by the Grant County Board of Health.

16
17 **23.08.380 Sugar Refinery Accessory Uses**

18
19 (a) The following standards shall apply to all sugar refineries:

20 (1) Sugar refinery accessory uses ancillary to the primary agriculture processing facility which is
21 located in an industrial zone and which are a necessary and incidental part of the agriculture
22 processing facility provided: that such uses meet all current federal, state and local standards
23 including but not limited to noise, odor, dust, glare, air emissions, EMF, humidity, industrial waste
24 discharge and handling, electrical interference, fire and explosive hazard, and environmental
25 health; that the accessory uses are not detrimental to uses which are permitted in an agriculture
26 zone; that the property is developed as a single unit under common ownership; that more than fifty
27 (50) percent of the use lies on that portion of the property with the least restrictive zone
28 classification; and, that all accessory uses which may be permitted pursuant to this section shall not
29 have any substantial adverse effect on property which borders the most restrictive zone and shall
30 be in compliance with all applicable local, state and federal requirements and regulations.

31
32 **23.08.390 Tank Farm (Bulk Fuel Storage) Facilities**

33
34 (a) The following standards apply to all tank farm (bulk fueling storage) facilities:

35 (1) Water supplies and sewage disposal facilities adequate to serve the proposed use shall be provided
36 in accordance with the requirements of GCC § 23.12. Occupancy shall not be permitted before
37 water supplies and sewage disposal facilities are approved and installed;

38 (2) All tank farm facilities shall meet the site standards of GCC § 23.08.230, Industrial Uses –
39 Standards for Site Development;

40 (3) Visual screening shall be provided in accordance with GCC § 23.12.180; and

41 (4) All tank farm facilities shall comply with applicable local, state and federal standards.

42
43 **23.08.400 Temporary Outdoor Events**

44
45 (a) Temporary Outdoor Event: A temporary outdoor event is generally defined as any musical, cultural, or
46 social outdoors event which occurs less than four (4) weeks, cumulatively, out of any 12-month period
47 and which attracts two hundred fifty (250) or more people in any one (1) day. For the purposes of this
48 section, each week during which the temporary festival operates for two or more days shall be
49 considered a full week.

- 1 (b) The following temporary outdoor events are permitted as a matter of right and are exempt from an
2 approval process provided that the requirements below are met:
- 3 (1) Garage or yard sales conducted on the premises of a residential dwelling;
 - 4 (2) Rummage sales, outdoor sales and other fund-raising activities sponsored by schools, places of worship
5 or other nonprofit organizations. Such uses shall not occur on a site for more than thirty (30) days in any
6 one (1) calendar year;
 - 7 (3) Outdoor arts and crafts shows and exhibits on public park and/or school property;
 - 8 (4) Neighborhood association meetings or picnics on property owned by the association or its members;
 - 9 (5) One sales office for the purpose of selling lots or home within a subdivision constructed on the site of a
10 subdivision prior to final plat approval and may operate until all of the lots have been developed and
11 sold;
 - 12 (6) Properties rented or used for personal social events, such as wedding receptions, private parties, or
13 similar activities, not more than four (4) times during any one (1) calendar year;
 - 14 (7) Estate sales held on the property of the deceased;
 - 15 (8) Christmas tree sales limited to no more than thirty (30) days of site occupation and operation in only
16 one (1) year period. Merchandise displays may only occupy parking stalls which are in excess of parking
17 requirements;
 - 18 (9) Temporary stands for the sale of fireworks may require state, local, or federal permits, and shall be
19 subject to rules and regulations administered by the Fire District and/or Fire Marshal;
 - 20 (10) Running, walking and biking events associated with charitable or community events;
 - 21 (11) Hay rides, corn mazes, square dances, pony rides, barrel riding, and harvest social gatherings; and
 - 22 (12) Similar uses as determined by the Administrative Official pursuant to GCC § 23.04.040.
- 23
- 24 (c) The following temporary outdoor events are allowed in certain zoning districts specified in Tables 3, 4
25 and 5 in GCC § 23.04, subject to a discretionary use review:
- 26 (1) Outdoor art craft shows and exhibits not exceeding three (3) days and not located on public park and/or
27 school property;
 - 28 (2) Circuses, carnivals, street fairs and similar transient amusement enterprises, limited to not more than
29 thirty (30) days of site occupation and operation in any one (1) calendar year;
 - 30 (3) Rummage and other outdoor sales sponsored by schools, places of worship or other nonprofit
31 organizations occurring more than thirty (30) days in any one (1) calendar year;
 - 32 (4) Charitable or community events, not exceeding seven (7) days in duration and not more than four (4)
33 times in any one (1) calendar year;
 - 34 (5) Overflow off-site parking, not exceeding seven (7) days in duration and not more than four (4) times in
35 any one (1) calendar year;
 - 36 (6) Auctions, not exceeding three (3) days and not located on public park and/or school property; and
 - 37 (7) Similar uses as determined by the Administrative Official pursuant to GCC § 23.04.040.
- 38
- 39 (d) The following temporary outdoor events are allowed in certain zoning districts specified in Tables 3, 4
40 and 5 in GCC § 23.04, subject to a conditional use permit:
- 41 (1) Outdoor art craft shows and exhibits exceeding three (3) days and not located on public park and/or
42 school property;
 - 43 (2) Circuses, carnivals, street fairs and similar transient amusement enterprises, more than thirty (30)
44 days of site occupation and operation in any one (1) calendar year;
 - 45 (3) Charitable or community events exceeding seven (7) days in duration or occurring more than four
46 (4) times per year for any single property;
 - 47 (4) Properties rented or used for personal social events, such as wedding receptions, private parties, or
48 similar activities, more than four (4) times during any one (1) calendar year;
 - 49 (5) Overflow off-site parking, exceeding seven (7) days in duration or more than four (4) times in any
50 one (1) calendar year;

- 1 (6) Auctions, exceeding three (3) days or held more than four (4) times in any one (1) calendar year on
2 the site of any legally established nonresidential use; and
3 (7) Similar uses as determined by the Administrative Official pursuant to GCC § 23.04.040.
4 (e) Temporary outdoor events are subject to the following regulations:
5 (1) No temporary outdoor events shall be permitted on public rights-of-way, unless right-of-way
6 obstruction permit is authorized by the County Engineer;
7 (2) Approval of temporary outdoor events is subject to written permission of the property owner on
8 which the use is to be located;
9 (3) The applicable Approval Authority may apply additional conditions to any conditional use permit
10 for a temporary outdoor event in order to:
11 (A) Ensure compliance with the intent of the Zoning Code;
12 (B) Ensure that such outdoor event is not detrimental to neighboring properties and the community
13 as a whole; and
14 (C) Ensure compliance with the Uniform Building Code and Uniform Fire Code;
15 (4) Within three (3) days after termination of the conditional use permit for any temporary outdoor
16 events, such event shall be abated and all structures, signs and evidence of such use removed. The
17 Administrative Official may require a cash bond be posted by the applicant upon application to
18 defray the cost of cleanup and repair of the property should the applicant fail to do so; and
19 (5) Temporary outdoor event permits not exercised within one hundred eighty (180) days of issuance
20 shall be null and void.
21
22 (f) Violations: In addition to any other remedy provided by this chapter, at any time when such temporary
23 outdoor event is operated in violation of required conditions of this section or a conditional use permit,
24 or otherwise found to constitute a nuisance, the County may revoke the conditional or discretionary use
25 permit. The permittee shall be given notice of and an opportunity to contest the revocation prior to a
26 final determination. If, in the opinion of the Administrative Official, the violation poses a life, health,
27 or safety threat, the use permit may be revoked immediately, and the permittee shall be given the
28 opportunity to request reconsideration and/or appeal.
29

30 **23.08.410 Temporary Festivals**

- 31
32 (a) Temporary Festival: A temporary festival is generally defined as any musical, cultural, or social event
33 conducted at an indoor or outdoor site or facility that is of a duration of more than four (4) weeks
34 cumulatively out of any 12-month period, and attracts two hundred fifty (250) or more people in any
35 one (1) day. For the purposes of this section, each week during which the temporary festival operates
36 for two or more days shall be considered a full week.
37
38 (b) The temporary festivals are allowed in certain zoning districts specified in Tables 3, 4 and 5 in GCC §
39 23.04, subject to a conditional use permit.
40
41 (c) Temporary festivals are subject to the following regulations:
42 (1) Those regulations specified above for temporary outdoor events;
43 (2) Operators of temporary festivals shall submit as part of the application for conditional use permit
44 written plans of operation describing those means and methods to be employed to minimize impacts
45 to neighboring parcels resulting from the temporary festival, including traffic, litter, trespass,
46 vandalism, property damage and sanitation.
47
48 (d) Violations: In addition to any other remedy provided by this chapter, at any time when such temporary
49 festival is operated in violation of required conditions of this section or a conditional use permit, or
50 otherwise found to constitute a nuisance, the County may revoke the conditional use permit. The

1 permittee shall be given notice of and an opportunity to contest the revocation prior to a final
2 determination. If, in the opinion of the Administrative Official, the violation poses a life, health, or
3 safety threat, the use permit may be revoked immediately, and the permittee shall be given the
4 opportunity to request reconsideration and/or appeal.
5

- 6 (e) Festival Campgrounds associated with Temporary Festivals may also be provided in certain zoning
7 districts and subject to the land use review procedure (allowed outright, discretionary, or conditional
8 use review) specified in Tables 3, 4 and 5 in GCC § 23.04. Temporary Festival Campgrounds may also
9 be provided, provided that they are secondary to the primary use, and shall be subject to a conditional
10 use permit. A conditional use permit for a temporary Festival Campground associated with a Temporary
11 Festival may be issued to the operator of the Temporary Festival not more than once per year for a
12 single event and for a duration not to exceed seven (7) consecutive days. Festival Campgrounds shall
13 be subject to the performance standards specified in GCC § 23.08.290.
14

15 **23.08.420 Utility Developments, Minor**

- 16
- 17 (a) Minor Utility Developments: Minor utility developments include utility developments designed to
18 serve a small local community, are not manned and would be considered normal utility services for the
19 area, including but not limited to:
20 (1) Electrical generating facilities less than ten (10) megawatts in output;
21 (2) Electrical substations;
22 (3) Water and sewer pipelines;
23 (4) Pipelines for petroleum or petroleum products with an inside diameter less than six (6) inches or
24 less than five (5) miles in length;
25 (5) Pipelines for natural gas, synthetic natural gas, or liquid propane gas with an inside diameter less
26 than twelve (12) inches or less than five (5) miles in length;
27 (6) Refineries with capacity less than twenty-five thousand (25,000) barrels per day;
28 (7) Liquid natural gas ports less than 100x106 standard cubic feet per day;
29 (8) Petroleum and liquid propane gas ports less than 50x103 barrels per day; and
30 (9) Underground gas storage facilities with capacity less than 100x106 standard cubic feet per day.
31
- 32 (b) The following standards apply to all minor utility developments:
33 (1) Utility developments shall comply with the goals and policies of the Comprehensive Plan and the
34 requirements of the Shoreline Master Program;
35 (2) Environmental impacts resulting from installation or maintenance of utilities and utility facilities
36 shall be avoided or minimized. Where no feasible alternative to the impact exists, and mitigation is
37 not feasible, appropriate compensating measures should be developed;
38 (3) Utilities and transportation facilities shall be installed in the same rights-of-way when the effect
39 will be to reduce the adverse impacts on the physical environment;
40 (4) Extension of community sewerage system lines outside of activity centers shall be allowed only if:
41 (A) The extension is demonstrated to be necessary to remedy existing or potential groundwater
42 contamination problems or to correct existing or impending health hazards, as determined by
43 the County Health Official; or
44 (B) The extension is to provide sewage collection and treatment service to a public elementary or
45 secondary school; and
46 (5) Routine maintenance and replacement of wired utility transmission and distribution lines and poles
47 within existing rights-of-way, where critical areas are not present and where exempt from SEPA
48 and Shoreline Master Program review, are authorized without further permit application and
49 development approval, provide that such construction and activities shall comply with applicable
50 performance and development standards of GCC § 23.08 and § 23.12, respectively.

1 **23.08.430 Utility Developments, Major**
2

- 3 (a) Major Utility Developments: Major utility developments include utility developments designed to serve
4 a broader community or regional area, or are manned, including but not limited to:
5 (1) Electrical generating facilities greater than ten (10) megawatts in output;
6 (2) Pipelines for petroleum or petroleum products with an inside diameter of six (6) inches or greater
7 and exceeding five (5) miles in length;
8 (3) Pipelines for natural gas, synthetic natural gas, or liquid propane gas with an inside diameter of
9 twelve (12) inches or greater and exceeding five (5) miles in length;
10 (4) Refineries with capacity exceeding twenty-five thousand (25,000) barrels per day;
11 (5) Liquid natural gas ports exceeding 100x106 standard cubic feet per day;
12 (6) Petroleum and liquid propane gas ports exceeding 50x103 barrels per day;
13 (7) Underground gas storage facilities with capacity exceeding 100x106 standard cubic feet per day;
14 and
15 (8) Other similar utility or energy facilities not meeting the definition of a minor utility development.
16
- 17 (b) The following standards apply to all major utility developments:
18 (1) The need for the particular location proposed shall be demonstrated by the applicant to the
19 satisfaction of the Decision Maker, including a full accounting of alternative locations and sites;
20 (2) The physical and economic impacts of such facilities shall be evaluated, and measures to mitigate
21 these impacts provided and implemented;
22 (3) Development shall comply with all Federal Energy Regulatory Commission (FERC) and EFSEC
23 requirements; and
24 (4) Development shall comply with the requirements of Section 23.08.230, Industrial Uses –
25 Standards for Site Development.
26

27 **23.08.440 Veterinary Clinics or Hospitals**
28

- 29 (a) Veterinary Clinics or Hospitals: Veterinary Clinics or Hospitals may be allowed in those zoning
30 districts, as an allowed outright use or subject to a conditional use permit, as specified in Tables 3, 4
31 and 5 of GCC § 23.04.
32
- 33 (b) Veterinary Clinics or Hospitals are subject to the following standards:
34 (1) Current construction, maintenance and operation standards of the American Animal Hospital
35 Association shall apply at all times;
36 (2) Boarding and grooming of animals, other than that incidental to medical and surgical care, shall be
37 prohibited; and
38 (3) Development shall comply with the requirements of Section 23.08.230, Industrial Uses –
39 Standards for Site Development; including requirements for off-street parking, visual screening
40 and landscaping.
41

42 **23.08.450 Wireless Communication Facilities**
43

- 44 (a) Definition: A Wireless Communication Facility (WCF) is any unstaffed facility for the transmission
45 and/or reception of wireless communications services, including support structures, transmission
46 cables, equipment facility, and antenna arrays. Other communication facilities not intended for wireless
47 communications services are defined as Commercial Communication Facilities pursuant to GCC §
48 23.08.120.
49
50

1 “Wireless Communications Services” means any personal wireless services as defined in the Federal
2 Telecommunications Act of 1996 which includes FCC licensed commercial wireless
3 telecommunications services including cellular, personal communications services (PCS), specialized
4 mobile radio (SMR), enhanced specialized mobile radio (ESMR), paging, radio, television and similar
5 services that currently exist or that may in the future may be developed.
6

7 (b) Purpose and Goals: The purpose of this section is to further the development of enhanced wireless
8 telecommunications services throughout the county while protecting the public health, safety and
9 welfare, protect property values and minimize visual impact in compliance with the Federal
10 Telecommunications Act of 1996. The goals of this section are to:

- 11 (1) Accommodate an increased need for WCFs to serve the wireless communication needs of county
12 residents;
- 13 (2) Minimize adverse visual impacts of WCFs through careful design, siting, landscaping, screening
14 and innovative camouflaging techniques;
- 15 (3) Protect residential areas and land uses from adverse impacts of WCFs;
- 16 (4) Promote and encourage co-location of WCFs on existing and new structures, where feasible, rather
17 than construction of additional single-use structures and to reduce the number of such structures
18 needed in the future in order to minimize the total number of support structures throughout the
19 county;
- 20 (5) Facilitate the use of public property and structures for WCFs; and
- 21 (6) Facilitate the provision of wireless communication services quickly, effectively and efficiently.
22

23 (c) Intent: The intent of this section is to provide specific regulations for the placement, construction and
24 modification of WCFs. The provisions of this section are not intended to and shall not be interpreted to
25 prohibit or to have the effect of prohibiting the provision of wireless communication services, nor shall
26 the provisions of this section be applied in such a manner as to unreasonably discriminate between
27 providers of functionally equivalent wireless communication services.
28

29 (d) Applicability: The requirements of this section apply to all wireless communication facilities, except
30 as follows:

- 31 (1) Pre-Existing WCFs: WCFs for which a permit has been issued prior to the effective date of this
32 chapter shall not be required to meet the requirements of this section.
- 33 (2) Exclusion for Amateur Radio Facilities: This section shall not govern the installation of any
34 amateur radio facility that is owned and operated by a federally licensed amateur radio station
35 operator or is used exclusively for receive-only antennas.
36

37 (e) Permitted Use: WCFs shall be an allowed use, subject to discretionary review or a conditional use
38 permit, in certain zoning districts as specified in Tables 3, 4 and 5 of GCC § 23.04. As specified in
39 Tables 3, 4 and 5 of GCC § 23.04, Attached WCFs may be reviewed as a discretionary use in certain
40 zoning districts, while WCFs requiring support structures in the may require conditional use permits in
41 the same zoning district.
42

43 (f) Co-location Encouraged: In order to minimize facility proliferation, WCFs shall be required, to the
44 greatest extent practicable, to be co-located. Applicants shall design, orient, construct and operate
45 WCFs so as to facilitate sharing facilities with other utilities, to co-locate with other existing WCFs,
46 and to accommodating the co-location of future WCFs, where technically, practically, and
47 economically feasible. Co-location will be a condition of any land use permit or other development
48 approval unless an applicant submits a demonstration that supports, to the satisfaction of the Decision
49 Maker, the conclusion that sharing space on existing facilities is not feasible or possible based on one
50 or more of the following factors:

- 1 (1) Available space on existing facilities;
- 2 (2) The facility owner's ability to lease space;
- 3 (3) The facility's structural capacity;
- 4 (4) Radio frequency interference;
- 5 (5) Geographic service area requirements;
- 6 (6) Mechanical or electrical incompatibilities;
- 7 (7) The comparative costs of co-location and new construction; or
- 8 (8) Any FCC limitation on facility or structural support sharing.

9
10 (g) Cooperation: No wireless communication services provider, lessee, or agent thereof shall act to exclude
11 or attempt to exclude any other wireless services provider from using the same support structure or
12 location. Wireless services providers, lessees, or agents thereof shall cooperate in good faith to achieve
13 co-location of WCFs and equipment with other wireless services providers. If a dispute arises regarding
14 the feasibility of co-locating, the County may require a third party technical study at the expense of
15 either or both parties to resolve the dispute prior to issuing any development permit or approval. The
16 Decision Maker may impose permit conditions based on the results of any third party review.

17
18 (h) Guidelines for Third Party Review. Wireless communication services providers use various
19 methodologies and analysis tools including geographically based computer software to determine the
20 specific technical parameters of wireless communication services, such as expected coverage area,
21 antenna configuration and topographic constraints that affect signal paths. In certain instances there
22 may be a need for expert review by a third party of the technical data submitted by the wireless
23 communication services provider. The County may require such technical review to be paid for by the
24 applicant for the WCF. The selection of the third party expert shall be by mutual agreement between
25 the applicant and the County or at the discretion of the County. The expert review is intended to be a
26 site-specific review of technical aspects of the WCF and not a subjective review of the site selection.
27 Such a review should address the accuracy and completeness of the technical data, possible interference
28 problems and whether the analysis techniques and methodologies are legitimate. A determination on
29 the validity of the applicant's conclusions, and any specific technical issues outlined by the County or
30 other interested parties shall be made. Based on the results of the third party review, the County may
31 require changes to the application for the WCF that comply with the recommendations of the expert.

32
33 (i) Temporary Use: WCFs proposed for a term not to exceed ninety (90) days are allowed outright as a
34 temporary use in any zoning district in which WCFs are specified in Tables 3, 4 and 5 of GCC § 23.04
35 as an Permitted Use (A, D or C use). Upon approval of the Administrative Official, such temporary use
36 permits may be extended one time for up to an additional ninety (90) days.

37
38 (j) Review Procedures: Applications for WCFs shall be reviewed pursuant to GCC § 23.04.040, GCC
39 Chapter 25.04 – Permit Application Review Procedures, and GCC Chapter 25.08 – Conditional Uses
40 and Variances. WCFs that are proposed as part of a preliminary subdivision, planned unit development
41 (PUD), binding site plan, or other coordinated development approval shall be reviewed and approved
42 through those processes.

43
44 (k) Pre-Application Review Conference: Prior to submitting a permit application for a WCF, the applicant
45 may request a pre-application review conference as specified in GCC § 25.04.130. Such pre-application
46 review is not mandatory.

47
48 (l) Application Requirements: An applicant shall submit three (3) copies of all application materials, which
49 at a minimum shall include the following:

- 50 (1) Those documents and accompanying data specified in GCC § 25.04.140, including:

- 1 (A) Completed application on forms provided by the Department;
2 (B) A verified statement by the applicant that the property affected by the application is in the
3 exclusive ownership of the applicant or that the applicant has submitted the application with
4 the consent of all owners of the affected property;
5 (C) Identification of a single contact person or entity to receive determinations and notices required
6 by this chapter;
7 (D) A property and/or legal description of the site, including Assessor account number and property
8 identification number;
9 (E) A list of the names and addresses of all persons owning real property located within three
10 hundred feet from and parallel to the boundaries of the proposed activities and such contiguous
11 area under the legal control of the applicant;
12 (F) Any SEPA documents, as applicable; and
13 (G) The applicable fee(s).
- 14 (2) Site Plan: A scaled site plan showing the location, point of reference, type, height and horizontal
15 location (coordinates) of the proposed support structures and antennas, existing buildings, on-site
16 land uses and zoning, adjacent land uses and zoning, adjacent roadway rights-of-way, parking areas
17 if applicable, proposed means of access, setbacks from property lines and the approximate distance
18 between the proposed support structures and the property lines. The method of fencing and, if
19 applicable, the method of camouflage, noise screening, and illumination shall be indicated. The
20 application shall also include elevation drawings of the proposed support structure and any other
21 proposed structures;
- 22 (3) Landscaping Plan: A landscaping plan shall be prepared indicating the specific placement of the
23 WCF on the site. Trees and other significant site features, the type and location of plant materials
24 used to screen the facility and the proposed color(s) of the facility shall also be indicated;
- 25 (4) Service Area Map: A current map showing the location of the proposed support structure, the
26 locations and service areas of other WCFs operated by the applicant and those proposed by the
27 applicant that are close enough to impact service within the County;
- 28 (5) Co-location Demonstration pursuant to subsection (f) of this section;
- 29 (6) Co-location Statements: A statement by the applicant as to whether construction of the support
30 structure will accommodate co-location of additional antenna(s) for future users. If so, a signed
31 statement shall be included indicating that: (i) the applicant and landowner agree they will
32 diligently negotiate in good faith to facilitate co-location of additional WCFs by other providers on
33 the applicant's structure or within the same site location; and (ii) the applicant and/or landowner
34 agree to remove the facility within ninety (90) days after abandonment;
- 35 (7) Co-location Attempt: A statement that the applicant has made a diligent attempt to mount the
36 facilities on an existing support structure or structure that is within a 2,500 foot radius of the chosen
37 site;
- 38 (8) Environmental Documentation: Copies of any environmental documents if required by any federal
39 or state agency;
- 40 (9) Compliance Letter: A letter signed by the applicant stating the support structure and antenna will
41 comply with all applicable federal, state and local laws and regulations, EIA standards and this
42 section;
- 43 (10) Interference Certification: Certification that the antenna usage will not interfere with other adjacent
44 or neighboring transmission or reception functions of other communications facilities;
- 45 (11) Licenses: Copies of any FCC licenses required under FCC regulations for the provision of service
46 within the County;
- 47 (12) Lease Agreements: Proof of lease agreements with an FCC-licensed wireless communication
48 services provider if such provider is required to be licensed by FCC regulations;
- 49
50

- 1 (13) Use of Private Roads: In cases where WCFs are to be accessed by private roads which are also used
2 to access adjoining properties, permittee shall repair and maintain roads back to original (pre-
3 facility) conditions, unless all parties of interest agree to a different standard;
- 4 (14) E911 Compliance: All providers shall attest to and demonstrate compliance with FCC and
5 Washington State laws relating to Emergency 911 regulations;
- 6 (15) Financial Security: The application for any support structure shall be accompanied by a letter of
7 credit, performance bond or other security in an amount to be determined by the County which may
8 be drawn upon by the County as necessary to cover the costs of removal of the facility;
- 9 (16) County Recommendation: If the applicant proposes to use County-owned property, a letter of
10 recommendation from the Board of County Commissioners, Public Works Department or other
11 applicable official.
- 12
- 13 (m) Application Review: Applications for WCFs shall be processed as specified in GCC § 25.04.080 and
14 defined in GCC § 25.04.070 based on the land use classification (D or C). When the Administrative
15 Official determines that the permit application is technically complete, as defined in GCC § 25.04.160,
16 the application shall be processed as specified in GCC § 25.04.260.
- 17
- 18 (n) Approval Criteria: A conditional use permit or discretionary review shall be approved by the Decision
19 Maker if the record contains clear and convincing evidence that the permit application:
- 20 (1) Meets the criteria for approval for a conditional use permit specified in GCC § 25.08.060;
- 21 (2) Meets the purpose and goals of this section, or can comply with the purpose and goals through the
22 imposition of special conditions of approval;
- 23 (3) Complies with the Comprehensive Plan, the Shoreline Master Program, the zoning code and other
24 land use regulations, and SEPA;
- 25 (4) Meets all requirements of this section, including the performance standards of subsection (t) of this
26 section;
- 27
- 28 (o) Conditional Approval: For conditional use permit applications, the Decision Maker may impose special
29 conditions of approval to ensure that the criteria listed in subsection (n) of this section are met; provided
30 that the Decision Maker has made findings that:
- 31 (1) The WCF would result in probable significant adverse visual impacts on nearby residences; and
32 (2) The conditions are based upon the purpose and goals of this section or other adopted policies or
33 regulations of the jurisdiction; and
34 (3) The conditions are reasonable and capable of being accomplished.
- 35
- 36 (p) Variances: A variance from any of the performance standards of subsection (t) of this section may be
37 granted by the Decision Maker pursuant to GCC § 25.08.
- 38
- 39 (q) Appeals: Decisions may be appealed in accordance with the procedures specified in GCC § 25.04
40 Article X.
- 41
- 42 (r) Siting Requirements: WCF sites are subject to the following siting requirements:
- 43 (1) An applicant proposing to site a WCF shall demonstrate by a propagation map that the WCF must
44 be located at the site to satisfy its function in the applicant's grid system;
- 45 (2) Further, the applicant must demonstrate by a propagation map that the height requested is the
46 minimum height necessary to fulfill the site's function within the applicant's grid system. An
47 analysis by a Professional Engineer documenting these demonstrations shall accompany the
48 propagation maps; and
49
50

- 1 (3) WCFs shall be located and designed to minimize adverse impact on residential property values.
2 WCFs shall be placed in locations where the existing topography, vegetation, buildings or other
3 structures provide the greatest amount of screening.
4
- 5 (s) Requirements for Siting on County Property: The Board of County Commissioners reserves the right
6 to deny the use of any or all County-owned property by any or all applicants as sites for WCFs.
7 Minimum requirements for siting of WCFs on property that is owned or otherwise controlled by the
8 County by rent, lease, rights-of-way, easement, or similar mechanism shall be as follows:
9 (1) The WCF shall not interfere with the purpose for which the property is intended;
10 (2) The WCF shall not interfere with other users of the property, including:
11 (A) Grant County;
12 (B) Public safety agencies including law enforcement, fire, and ambulance services which are not
13 part of Grant County and private entities with a public safety agreement with Grant County;
14 (C) Other governmental agencies for uses which are not related to public safety; and
15 (D) Other entities providing or using wireless communication services;
16 (3) The applicant shall obtain adequate liability insurance and commit to a lease agreement that
17 includes equitable compensation for the County;
18 (4) The applicant shall submit a letter of credit, performance bond or other security acceptable to the
19 county to cover the costs of removing the WCF;
20 (5) The applicant shall reimburse the County for any related costs that the County incurs because of
21 the presence of the applicant's WCFs; and
22 (6) The applicant must obtain all necessary land use approvals.
23
- 24 (t) Performance Standards: WCFs and WCF sites are subject to the following performance standards:
25 (1) No CCF shall be allowed in violation of GCC § 23.04.645 – Airport Safety Overlay (ASO) and the
26 standards of Sections 23.08.030 and 23.08.040;
27 (2) The entire facility shall be aesthetically and architecturally compatible with its environment. In no
28 case will metal exteriors be allowed for accessory buildings in residential zones;
29 (3) Facilities shall be located on the lot so that the distance from the base of the facility to any adjoining
30 property line or supporting structure of another facility is at least 100 percent of the proposed
31 facility height. Facilities that cannot satisfy this 100 percent setback may be approved provided that
32 the applicant presents a certification from a licensed structural engineer that the structure is
33 designed for a basic wind speed of 90 mph in accordance with the currently adopted edition of the
34 ANSI-EIA/TIA-222E;
35 (4) WCFs and WCF sites located in the following zoning districts may not include offices, long-term
36 vehicle storage, other outdoor storage, broadcast studios (except for emergency purposes), or other
37 uses that are not needed to send or receive transmissions:
38 (A) Open Space/Recreation (OSR);
39 (B) Urban Reserve (UR);
40 (C) Rural Residential 1 (RR1);
41 (D) Rural Remote (RRem);
42 (E) Rural Urban Reserve (RUR);
43 (F) Recreational Development (RD);
44 (G) Rural Neighborhood Commercial (RNC);
45 (H) Rural Recreational Commercial (RRC);
46 (I) Open Space Conservation (OSC);
47 (J) Master Planned Resort (MPR);
48 (5) When lighting is required and permitted by the FAA or other federal or state authority, it shall be
49 oriented upward and outward so as not to project onto surrounding residential property. Strobe
50 lighting on wireless communication facilities is prohibited;

1 (6) WCFs shall comply with Federal Communications Commission (FCC) Guidelines regarding
2 regulation of Radio Frequency (RF) emissions.

3 (7) All WCFs shall meet or exceed current standards and regulations of the FAA, the FCC and any
4 other agency of the federal government with the authority to regulate such facilities. If such
5 standards and regulations are changed, then the wireless communication services providers
6 governed by this section shall bring such facilities into compliance within the timelines provided
7 by the revised standards and regulations. The revised standards and regulations shall not be
8 retroactively applicable to existing WCFs unless otherwise provided or permitted by federal law.
9 Failure to bring WCFs into compliance with such revised standards and regulations shall constitute
10 grounds for the County to remove the WCFs at the provider's expense.

11
12 (u) Development Standards: Development standards shall be as specified in GCC § 23.12.210.

13
14 (v) Non-Use, Abandonment and Removal of WCFs: Any WCF that is not operated for a continuous period
15 of twelve (12) months shall be considered abandoned, and the owner of such a WCF shall remove same
16 within ninety (90) days of notice to the governing authority that the WCF is abandoned. If such WCF
17 is not removed within said ninety (90) days, the governing authority may remove such WCF at the
18 owner's sole expense. The permit shall be reviewed one year after the date of issuance to make sure the
19 permitted use is still the actual use of the land (i.e. to make sure the WCF is still an active tower). If
20 there are two or more users of a single WCF, then this provision shall not become effective until all
21 users cease using the WCF.

22
23 (w) Nonconforming WCFs: WCFs in existence on the date of the adoption of this section that do not comply
24 with the requirements of this section (non-conforming WCFs) may:

25 (1) Continue in use for the purpose now used, but may not be expanded without complying with this
26 section, except as further provided in subsection (w) of this section;

27 (2) Add additional antennas (belonging to the same carrier or other carriers) subject to discretionary
28 review pursuant to GCC § 23.04.040;

29 (3) Be repaired and restored to their former use, location and physical dimensions if damaged or
30 destroyed due to any reason or cause, subject to obtaining a building permit therefore, but without
31 otherwise complying with this section;

32 (4) Be replaced, repaired, rebuilt and/or expanded in order to improve the structural integrity of the
33 WCF support structure, to allow the facility to accommodate co-located antennas or facilities, or to
34 upgrade the facilities to current engineering, technological or communication standards, without
35 having to conform to the provisions of this section, so long as such facilities are not increased in
36 height or setbacks are not decreased.

37
38 (x) Modifications to Existing Facilities Meeting the Requirements of this Section: Existing WCFs
39 permitted under this section may be modified as follows:

40 (1) Minor Modifications: Minor modifications shall be allowed outright. Minor modifications include:

41 (A) Addition of antenna arrays, antennas, microwave dishes and other similar equipment, provided
42 that the addition adds no more than twenty (20) feet in height to the WCF and does not decrease
43 the setback by more than one (1) foot; and

44 (B) Co-location.

45 (2) Major modifications: Major modifications may be approved subject to the underlying land use
46 permit requirement for a WCF in the applicable zoning district. Major modifications are any
47 modifications that exceed the definition of minor modifications.

1 **23.08.460 Oil and Gas Operations Standards**
2

3 (a) Purpose: This section establishes standards for oil and gas operations to protect public health, safety
4 and welfare. This section is not intended to duplicate or contradict the regulatory review and permitting
5 of oil and gas operations conducted by any other local, state or federal agency or jurisdiction, including
6 without limitation the Washington Department of Natural Resources (“DNR”).
7

8 (b) Exempt Activities: Oil and gas testing, including geophysical tests and operations and the drilling of
9 test bores which are not regulated by Chapter 78.52 RCW (the Oil and Gas Conservation Act) shall be
10 exempt from review and regulation under this Chapter.
11

12 (c) SEPA Review: Oil and Gas Operations shall comply with UDC Chapter 24.04 SEPA.
13

14 (d) Application Requirements:

15 (1) Those documents and accompanying data specified in GCC § 25.04.140,

16 (A) Completed application on forms provided by the Department;

17 (B) Identification of a single contact person or entity to receive determinations and notices required
18 by this chapter;

19 (C) A property and/or legal description of the site, including Assessor account number and property
20 identification number;

21 (D) The applicable fee(s).

22 (2) A vicinity map with a north arrow indicating the area on which the drilling site is proposed
23 including a legal description, showing access roads to the proposed site and any roads proposed
24 on the site, and showing adjacent land uses;

25 (3) Copy of the drilling permit application for the site filed with the Washington State Department of
26 Natural Resources.

27 (4) Identification and description of those critical areas designated and regulated by GCC § 24.08,
28 together with any critical areas assessments that may be required by GCC § 24.08;

29 (5) Identification of any possible Cultural Resource Sites that may be located on the proposed site
30 pursuant to GCC § 24.08 Article VIII;

31 (6) Site Plan: A scaled site plan showing the location of the proposed structures, existing buildings,
32 on-site land uses, adjacent roadway rights-of-way, parking areas if applicable, proposed means of
33 access, setbacks from property lines and the approximate distance between the proposed structures
34 and the property lines;

35 (7) A completed SEPA environmental checklist (and SEPA Determination if applicable).

36 (8) A copy of the Agreement between the surface property owner and the applicant or oil and gas rights
37 owner regarding access, area of surface use, and provisions for correcting or compensating for
38 damages. In the event the applicant or the oil and gas rights owner is unable to reach such an
39 agreement with the surface property owner, this requirement shall be deemed satisfied upon the
40 applicant providing the County with an Order issued by a court with jurisdiction, demonstrating
41 that the applicant has provided a bond as security to address these issues.
42

43 (e) General Standards

44 (1) Offensive or noxious odors, fluids, gases, and dust shall be confined to the subject parcel or the
45 leasehold premises to the extent practicable and shall not impact any occupied structures or
46 dwellings.

47 (2) Junk, refuse, trash or abandoned material shall not be disposed of on-site.

48 (3) Any hazardous or toxic material shall be securely contained, stored and removed in accordance
49 with applicable state or federal regulations. On-site disposal is prohibited.
50

- 1 (4) Operations shall be in accordance with the Washington Oil and Gas Conservation Act, Chapter
2 78.52 RCW, or as amended, and all pursuant rules, regulations and procedures.
- 3 (5) Operations approved under this Section shall not commence until the applicant has provided the
4 County with a copy of the DNR drilling permit applicable to the operation.
- 5 (6) The County shall rely upon the verification of ownership or contractual rights to drill for oil and
6 gas as determined by DNR through the issuance of the DNR drilling permit.
- 7 (7) All drilling and production operations (not including any gathering systems or other pipelines),
8 including derricks, retaining pits, vacuum pumps, storage tanks, vehicle parking, structures,
9 machinery and ancillary equipment shall be located at least 600 feet from any dwelling or from any
10 structure used for public assembly, including schools and churches, where the owners of such
11 structures are not a party to the oil and gas lease or other real property transaction enabling the
12 operations.
- 13 (8) All drilling and production operations (not including any gathering systems or other pipelines) shall
14 be located at least 100 feet from public roadways.
- 15 (9) The owner(s) and operator(s) shall be responsible for prevention and prompt removal of spills
16 involving waste materials, oil and toxic or hazardous materials.

17
18 (f) Visual

- 19 (1) The drill site, production site and access roads shall be located, designed and constructed to
20 minimize the removal of trees and shrubs and the amount of surface disturbance, to the extent
21 practicable.
- 22 (2) Glare from site lighting or gas flaring (other than short-term or periodic flaring) shall be located,
23 designed and constructed to minimize impacts on nearby residences, excepting those whose,
24 owners are a party to the oil/gas lease or other property transaction enabling the operation.

25
26 (g) Air and Water Quality and Noise

- 27 (1) Operators shall conform to all current local, state, and federal regulations and standards concerning
28 air quality, water quality, and noise.

29
30 (h) Wildlife, Critical Areas, and Cultural Resources

- 31 (1) Oil and Gas Operations shall comply with Grant County Code Chapter 24.08, "Critical Areas and
32 Cultural Resources" as may be amended.
- 33 (2) For all activities proposed in an area known to contain archaeological artifacts, as identified in
34 Grant County Code Chapter 24.08, the proponent shall provide for the preservation of the resource
35 or provide for the completion of necessary study and monitoring work as may be specified by the
36 Chapter 24.08 before any drilling or excavation work begins. Should a cultural resource be
37 discovered during operations, those operations shall be suspended pending recommendation of the
38 Washington Department of Community Development, Office of Archeology and Historical
39 Preservation.

40
41 (i) Hazards

- 42 (1) Structures and fill proposed within a floodplain shall be carried out in a manner that does not
43 increase flood hazards upstream or downstream, nor reduces the efficiency with which flood waters
44 are carried through the site.
- 45 (2) Oil and Gas Operations shall comply with Grant County Code Chapter 24.16 "Flood Damage
46 Prevention".
- 47 (3) All operations shall provide a fire protection plan.

48
49 (j) Access

- 50 (1) Ingress and egress points shall be located and improved (if needed) in order to:

- 1 (A) Assure adequate capacity for existing and projected traffic volumes; and
2 (B) Provide efficient movement of traffic.
- 3 (2) All applicable governmental permits or approvals shall have been obtained, including:
4 (A) Access or driveway permits to state or county roads (if needed);
5 (B) Construction within state or county highways; and
6 (C) Overweight or oversize loads.
- 7 (3) All weather access roads (including graveled roads), suitable to handle emergency equipment, shall
8 be provided to within 150 feet of any built structure or surface activity area.
9
- 10 (k) Reclamation
11 (1) Reclamation shall be carried out in accordance with Chapter 78.52 RCW.
12 (2) Final land forms shall be stable.
13 (3) Minimize disturbance of soil cover, to the extent practicable.
14 (4) Maintain an abandoned site until reclamation has been completed and revegetation permanently
15 established.
16 (5) Reclamation shall be initiated as soon as weather and growing conditions permit after the
17 installation of any underground facilities and after abandonment or shut-in of the well or installation
18 of production equipment: All reclamation shall be completed no more than one year after the
19 completion of such activities.
20
- 21 (l) Drainage and Infiltration
22 (1) Stream boundaries and alignment should be preserved in a natural undisturbed state whenever
23 possible. Any activities potentially impacting streams shall be in accordance with the Critical Areas
24 and Cultural Resources Ordinance, Chapter 24.08, as may be amended.
25 (2) Roads or other improvements obstructing drainages shall provide for culverts sized for storm flows
26 as determined by the County Engineer.
27 (3) Stormwater shall be retained onsite to the maximum extent possible, and natural drainage patterns
28 shall not be altered in a manner which would channel or intensify pre-existing flows onto adjacent
29 properties.
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