

Chapter 23.08
PERFORMANCE AND USE STANDARDS

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1 **23.08.010 General Provisions**
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- 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
5 district.
6
- 7 (b) Proposed developments and uses may be subject to multiple performance and use-specific standards.
8 Where the development is subject to the jurisdiction of the Shoreline Master Program, additional
9 regulations and standards may apply, and additional permits may be required.
10
- 11 (c) Proposed developments and uses are also subject to the development standards specified in GCC §
12 23.12.
13
- 14 (d) Proposed developments and uses shall comply with the general purposes and intent of the underlying
15 zoning district regulations and any subarea plans.
16

17 **23.08.020 Accessory Uses and Structures**
18

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

1 grant a Discretionary Use where a caregiver arrangement is contemplated and can be
2 documented.

3 (F) Accessory dwellings units for Extended family living arrangements may not be used for
4 rental income purposes but may be used a compensation or partial compensation for care
5 services rendered.

6 (G) On an annual basis and at least 30 days prior to the anniversary date of an approved
7 Extended Family Living Arrangement, the primary lot tenant shall through sworn
8 declaration provide the Administrative Official written verification of the ongoing need for
9 the Extended Family Living arrangement until the need no longer exists; There is approval
10 form the Grant County Health District of the proposed water and sewer systems; and

11 (H) No more than one family as defined in the Uniform Building Code shall be allowed to
12 occupy an accessory dwelling unit.

13 (2) Guest Homes: Guest homes, houses or rooms for guests in an accessory structure may be an
14 Permitted Use in certain zoning districts as specified in Tables 3, 4 and 5 of GCC § 23.04;
15 provided that such guest home is used only for the occasional housing of guests of the occupants
16 of the principal structure, and not as rental units or for permanent occupancy as housekeeper or
17 caretaker units. No kitchens shall be allowed in guest homes, houses or rooms.

18 (3) Farm Housing: Farm housing accessory to a farm residence to accommodate agricultural
19 workers and their families employed on the premises may be an accessory use on parcels greater
20 than 5 acres in certain zoning districts as specified in Tables 3, 4 and 5 of GCC § 23.04; as
21 provided below:

22 (A) For legal lots larger than five (5) acres and less than twenty (20) acres, one (1) farm
23 housing unit is allowed;

24 (B) For legal lots larger than twenty (20) acres and less than forty (40) acres, two (2) farm
25 housing units are allowed;

26 (C) For legal lots larger than forty (40) acres and less than sixty (60) acres, three (3) farm
27 housing units are allowed;

28 (D) For legal lots larger than sixty (60) acres and less than eighty (80) acres, four (4) farm
29 housing units are allowed;

30 (E) For legal lots larger than eighty (80) acres, four (4) farm housing units are allowed;
31 provided that additional farmworker accommodations may be allowed pursuant to GCC §
32 23.08.190.

33 (F) Farm housing units may only be leased, sold or subdivided subject to the density provisions
34 of the underlying zoning district.

35 (G) Sewage disposal and water supply shall be in accordance with GCC § 23.12.050 and §
36 23.12.060.

37 (4) Caretaker Residence: Caretaker residences shall be only for caretaker, groundskeeper, or
38 security capacity to the primary operation. The number of caretaker residences required to
39 provide care and security shall be reasonable and customary for the associated industry, as
40 determined by the Administrative Official.

41 (5) Subdivision: Accessory dwelling units shall not be subdivided or otherwise segregated in
42 ownership from the principal unit of the single-family dwelling, unless allowed by the zoning.

43 (6) Size and Scale: The square footage of the accessory dwelling unit shall be no less than the
44 minimum allowed by the building code.

45 (7) Building Permit: The owner occupant shall apply for a Grant County building permit for an
46 accessory dwelling unit. The application must demonstrate that all requirements of this section
47 are met. An affidavit affirming that the owner will occupy the principal dwelling or the
48 accessory dwelling unit and agreeing to all the requirements of this section shall be submitted
49 together with the completed building permit application.

50

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

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

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

37
38 (e) Antenna Structures and Satellite Dishes. Antenna structures and satellite dishes shall not be located
39 within ten (10) feet of any property line.

40
41 (f) Fences and Similar Enclosures. Fences, walls, hedges and similar enclosures not exceeding forty-
42 eight (48) inches in height shall be permitted in any front yard. Fences, walls, hedges and similar
43 enclosures not exceeding six (6) feet in height shall be permitted in any side or rear yard, except on
44 corner lots. On corner lots any fence exceeding four feet shall not extend closer to either street than
45 the required building setback line. Fences greater than six (6) feet in height may be permitted for
46 agricultural buffering or required site screening as a variance in accordance with the requirements of
47 GCC § 25.08.

- 1 (g) Barbed Wire Fences. Barbed wire fences are prohibited in urban residential (UR1, UR2, UR3, UR4)
2 zoning districts and rural activity center residential zoning districts (RVR, RC, SD1, SD2, SD3, SD4,
3 RD), except as permitted accessory uses to agricultural operations of one (1) acre or more.
4
- 5 (h) Domestic Animal Maintenance. In addition to livestock maintenance allowed in certain zoning
6 districts, as specified in Tables 3, 4 and 5 of GCC § 23.04, the following animals may be maintained:
7 (1) Not more than fifteen (15) fowl, other than roosters, quacking ducks, geese, guinea fowl, or pea
8 fowl and not more than fifteen (15) rabbits or guinea pigs for each five thousand (5,000) square
9 feet of area of the parcel of land upon which such fowl, rabbits or guinea pigs are kept; provided
10 that no such animals shall be maintained closer than twenty (20) feet of any dwelling now
11 existing or hereafter erected.
12 (2) Not more than one (1) horse, mule or cow and not more than three (3) goats for each twenty
13 thousand (20,000) square feet of area of the parcel of land upon which such horse, mule, cow or
14 goats are kept; provided that no such animals shall be maintained in a building or corral closer
15 than one hundred (100) feet of any dwelling now existing or hereafter erected.
16 (3) Not more than three (3) dogs, cats or similar household pets, exclusive of animals under six (6)
17 months of age, for each five thousand (5,000) square feet of area of the parcel of land upon
18 which such dogs, cats or similar household pets are kept.
19 (4) Maintenance of animals other than those identified herein (including hogs) or in numbers greater
20 than those specified herein shall be considered Livestock Maintenance. Livestock maintenance
21 may be permitted only in those zoning districts specifying livestock maintenance as an Permitted
22 Use, and shall comply with the requirements of GCC § 23.08.240.
23
- 24 (i) Parking and Storage of Major Recreational Equipment. Parking or storage of major recreational
25 equipment, including but not limited to travel trailers, boats, boat trailers, motorized dwellings,
26 recreational vehicles, tent trailers, houseboats, and horse trailers and similar recreational equipment
27 shall be subject to the following requirements:
28 (1) Such equipment shall not be used for living, sleeping, or other occupancy associated with
29 residential uses when parked or stored on a residential lot or in any other location not approved
30 and permitted for such use; except for temporary uses permitted in accordance with GCC §
31 23.04.120;
32 (2) Such equipment over six (6) feet in average height, when not parked in a garage, carport or other
33 similar structure, shall not be located in any required front or side yard reserved for building
34 setback, except for driveways;
35 (3) Such equipment shall not be hooked up to utilities, sewage or septic, or water facilities unless
36 located in a permitted recreational vehicle park; except that an electrical power connection may
37 be made to provide heat necessary to prevent damage from freezing;
38 (4) Such equipment shall not be attached to other structures such as, but not limited to, decks,
39 porches, roofs, room additions, foundations, carports, storage units, accessory structures, walls
40 or fences, or other buildings; and
41 (5) Travel trailers, motorized dwellings, and recreational vehicles may be temporarily occupied for
42 six (6) months only when located in a permitted recreational vehicle park and hooked up to
43 utilities, sewage or septic, and water facilities.
44
- 45 (j) Junk Yards. Junk yards, scrap heaps or refuse piles shall be prohibited, except where permitted as
46 specified in Tables 3, 4 and 5 of GCC § 23.04 and in accordance with the requirements of GCC §
47 23.08.090.
48
- 49 (k) Minor Public Facility Accessory Structures. Minor accessory additions to existing public facilities
50 will be considered as accessory uses not requiring discretionary use review or conditional use permit.

1 Such minor accessory structures include, for example, a water tower or small shed at a fire station, or
2 construction of a cover over an existing playfield at a school or park, but not, for example,
3 construction of a new wing to a public building or construction of a major new building or structure
4 on the site.
5

- 6 (l) Onsite Hazardous Waste Treatment and Storage Facilities. Allowed subject to a discretionary use
7 review in certain zoning districts as specified in Tables 3, 4 and 5; provided that (1) such facilities are
8 subject to the state siting criteria adopted pursuant to the requirements of RCW Chapter 70.105.210
9 and (2) that such facilities are accessory uses pursuant to GCC § 23.04.110 to a primary use which is
10 a generator of hazardous waste.
11
- 12 (m) Greenhouses. Allowed as an accessory structure in certain zoning districts as specified in Tables 3, 4
13 and 5; provided that they are for personal use only and do not include any sales room or other
14 buildings used primarily for the sale of products thereof.
15
- 16 (n) Residential Accessory Uses and Structures: In addition to those accessory uses specified above, the
17 following accessory uses to a residential use are permitted in all zoning districts:
18 (1) Fallout/bomb shelters;
19 (2) Private pools, docks, boathouses, boat launches and piers;
20 (3) Storage of yard maintenance equipment;
21 (4) Miscellaneous residential support buildings, such as storage sheds, workshops, garages, and
22 barns.
23

24 **23.08.030 Airports**

25

- 26 (a) General: All development shall comply with the Federal Aviation Regulations (FAR) Part 77, relating
27 to heights of structures and land uses proximate to airports and protection of airspace's critical to
28 airport operations.
29
- 30 (b) Height Limitations: A building, structure, communication tower, use or tree that penetrates any of the
31 Airport Imaginary Surfaces constitutes an obstruction within the ASO overlay zoning district.
32 Therefore, the allowable height of any building, communication tower, use or tree within the ASO
33 shall conform to the following:
34 (1) The ground level elevation above mean sea level plus the height of any building, structure,
35 communication tower, use or tree at its proposed location shall not penetrate any FAR, Part 77
36 designated Airport Imaginary Surfaces.
37 (2) However, structures thirty-five (35) feet in height may penetrate the Airport Imaginary Surfaces
38 when the Administrative Official, in consultation with the Washington State Department of
39 Transportation (WSDOT) Aviation Division, the FAA, and/or the airport manager, can
40 determine that the structure is not likely to constitute an airspace hazard.
41 (3) The Administrative Official may require lights or markers as a warning to aircraft on the
42 building, structure, communication tower, use or tree(s), or to top tree(s) to reduce its height
43 when recommended by the FAA, WSDOT Aviation Division or the airport manager. Lights and
44 markers shall meet FAA specifications.
45 (4) Notwithstanding any other provision of this section, the Administrative Official shall not
46 approve any building, structure, communication tower, use or tree when the FAA has designated
47 it a hazard to air navigation.

48 Whenever the height limitations of this section differ from those of any other section of this
49 ordinance, or adopted by another local ordinance or regulation, the more restrictive limitation shall
50

1 apply.

- 2
- 3 (c) Airport Hazards: No use may be made of land or water within any zoning district in such a manner as
- 4 to create electrical interference with navigational signals or radio communication between the airport
- 5 and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare
- 6 in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike
- 7 hazards, or otherwise in any way endanger or interfere with the landing, takeoff, or maneuvering of
- 8 aircraft intending to use the airport.
- 9
- 10 (d) Distances of Rights-of-Way from Primary Surface: All private and public road rights-of-way shall
- 11 either 1) be set back a minimum of two hundred (200) feet from the end of the primary surface as
- 12 measured parallel to the extended runway centerline or 2) shall allow a minimum of ten-foot clearance
- 13 between the road right-of-way and approach surface. In addition, road rights-of-way shall be set back
- 14 a minimum of two hundred (200) feet from the extended runway centerline, as measured
- 15 perpendicular thereto.
- 16
- 17 (e) Public Assemblies: Any land use that causes or encourages people to assemble in large numbers,
- 18 including medium- and high-density residential uses (greater than one (1) dwelling unit per two (2)
- 19 acres), commercial uses requiring more than ten (10) parking spaces or an equivalent degree of traffic
- 20 generation, and campgrounds (having more than three (3) campsites per acre), is prohibited in the
- 21 approach and transitional zones designated by an Airport Safety Overlay.
- 22
- 23 (f) Noise: Any land use that requires a low background noise level or which would be adversely affected
- 24 by a noise impact greater than the noise exposure forecast level projected for the airport vicinity for
- 25 the year of application, including auditoriums, schools, churches, hospitals, and concert halls is
- 26 prohibited in the approach and transitional zones designated by an Airport District Overlay.
- 27
- 28 (g) Interior Noise Levels Established: Interior Day-Night Average Sound Level (Ldn) with windows
- 29 closed, attributable to exterior sources, shall not exceed the levels described in this Section. For uses
- 30 not specifically identified, the Administrative Official shall make a determination of the applicable
- 31 standards using this Section as the basis for that decision. The applicant bears the responsibility of
- 32 demonstrating compliance through documentation from a qualified professional.
- 33 (1) Residential Uses:
- 34 (A) Single-, Two- or Multi-Family 45 Ldn
- 35 (B) Mobile/Manufactured Homes 50 Ldn
- 36 (2) Commercial/Industrial Uses:
- 37 (A) Offices 60 Ldn
- 38 (B) Retail/Restaurant 60 Ldn
- 39 (C) Other uses 60 Ldn
- 40 (3) Institutional Uses:
- 41 (A) Schools, Churches, Libraries 45 Ldn
- 42 (B) Hospitals, Nursing Homes 45 Ldn
- 43

44 Field-testing may be required by the Administrative Official or by an individual with vested interest

45 in the structure(s). Where a complaint as to noncompliance with this Section requires a field test to

46 resolve the complaint, the complainant shall post a bond or adequate funds in escrow for the cost of

47 such testing. Such cost shall be chargeable to the complainant when such field tests show that

48 compliance with these regulations is in fact present. If such tests show noncompliance, then such

49 testing costs shall be borne by the owner or builder. Actions shall be taken by the owner or builder to

50

1 comply with the sound attenuation provisions of this Section. Interior noise measurements shall be
2 taken under conditions of typical maximum exterior noise levels.
3

- 4 (h) Marking and Lighting: The owner of any existing nonconforming structure or tree is hereby required
5 to permit the removal, or installation, operation and maintenance thereon of such markers and lights
6 as shall be deemed necessary by the FAA or airport manager to indicate to the operators of aircraft in
7 the vicinity of the airport the presence of such airport obstruction. Such markers and lights shall be
8 installed, operated and maintained at the expense of the airport served.
9

10 **23.08.040 Airfields and Airstrips**

- 11
- 12 (a) General standards; General standards for airfields and airstrips shall be as follows:
- 13 (1) The owner of an airfield may allow commercial carriers to land on a regular basis for the purpose
14 of delivering mail or freight and may allow non-scheduled charter flights to land.
- 15 (2) In any application for a new or expanded airfield or airstrip, the applicant is required to
16 demonstrate that:
- 17 (A) The safety of persons or property on the ground will be assured;
- 18 (B) In order to minimize noise and safety impacts on nearby properties, a non-standard traffic
19 pattern and /or landing and take off procedures may be established.
- 20 (C) Drainage will be controlled so that pollutants and sediments will not be carried into water
21 bodies or onto adjacent properties. (See GCC 23.12.080).
- 22 (3) Signs may be required in order to post noise control requirements for departures.
23
- 24 (b) Standards for Nonconforming Airfields and Airstrips: The following standards apply to all airfields
25 and airstrips made nonconforming by the adoption of this UDC:
- 26 (1) Nonconforming airfields and airstrips are deemed abandoned if aircraft operations cease for any
27 period of 36 consecutive months.
28
- 29 (c) Standards for the alteration or expansion of Airfields and Airstrips; new commercial operations at
30 airfields constitute and expanded use and are subject to the use regulations for the applicable zoning
31 district (see GCC 23.04, Table 3,4, and 5.)
- 32 (1) Owners of an airstrip applying for airfield status must meet all the requirements listed in
33 paragraph 2. (Above)
- 34 (2) For other minor, low impact changes, the Administrative Official may apply conditions
35 appropriate to ensure that such uses have minimal adverse impacts.
36
- 37 (d) Compliance with Washington State airport land use compatibility program:
- 38 (1) Permits, Variance and re-zoning requests: Due diligence concerns with regards to zoning
39 regulations, permits, and variance as referenced in RCW 14.12.110 shall be paramount in their
40 determination. Factual data rather than anecdotal with regards to airfield/airstrip operations,
41 proposed operations, adjacent land use, re-zone or conditional use considerations, shall be the
42 basis for decision making during the review process.
43 (Ord. 02-66-CC, 04/02)
44

45 **23.08.050 Animal Kennels, Training Schools and Shelters**

- 46
- 47 (a) Animal Facilities, Clinics, Hospitals, Kennels, Training Schools and Shelters are subject to the
48 following standards:
- 49 (1) Animals shall be sheltered in suitable, clean structures. Structures and animal runs associated
50 with a kennel shall be located at least 100 feet from any property line;

- 1 (2) Animal facilities located adjacent to urban residential (UR1, UR2, UR3, UR4) or Rural Village
2 Residential (RVR1, RVR2) zoning districts shall be indoor facilities only;
3 (3) Animals kept on the premises shall be allowed outside only between the hours of 7:00 a.m. and
4 7:00 p.m.; and
5 (4) No use shall be made of equipment or material which produces unreasonable vibration, noise,
6 dust, smoke, odor, electrical interference to the detriment of adjoining property.
7

8 **23.08.060 Asphalt and Concrete Batch Plants**
9

- 10 (a) Both permanent and temporary asphalt and concrete batch plants shall meet the requirements of GCC
11 § 23.08.230, Industrial Uses – Standards for Site Development.
12
13 (b) If necessary to meet the requirements specified in GCC § 23.08.230, all receiving, mixing, and
14 preparation activities related to asphalt and concrete batch plants shall occur in an enclosed space that
15 includes an air filtration exhaust system.
16

17 **23.08.070 Assembly Facilities**
18

- 19 (a) The following standards apply to all assembly facilities:
20 (1) Operators of assembly facilities such as meeting halls, community centers, homeowners
21 associations, private club, fraternal organizations, and churches, if served by a shared private,
22 non-paved road shall mitigate the dust and road maintenance problems associated with the
23 increased road use;
24 (2) The storage of buses or vans over 10,000 pounds gross vehicle weight is permitted on-site only,
25 subject to the following requirements:
26 (A) The location of the parking areas for these vehicles is as indicated on an approved site plan;
27 (B) No more than two (2) large vehicles may be stored on-site at a given period of time;
28 (C) Vehicles and vehicle parking shall not intrude into public rights-of-way or obstruct sight
29 visibility from any driveway;
30 (D) Landscaping and visual screening shall be required to preserve the appearance of the
31 residential character of the neighborhood and to screen vehicles and other activities from
32 adjacent properties and rights-of-way; and
33 (E) All parking spaces shall meet the standards of GCC § 23.12.130;
34 (3) Dwelling Units: Any dwelling allowed in conjunction with assembly facilities shall comply with
35 the provisions governing residential uses for the district where it is located;
36 (4) Screening: Visual screening shall be provided along the perimeter of any parking lot that is
37 adjacent to or across a road from residential land uses; and
38 (5) Associated Uses: Uses sponsored by a community club or organization such as day schools,
39 auditoriums used for social and sports activities, health centers, convents, pre-school facilities,
40 or convalescent homes, shall be considered separated uses subject to the provisions of this
41 chapter for the zoning district in which they are located. This does not apply to uses sponsored
42 by a religious organization. See also Section 23.08.150 which provides for day care facilities.
43

44 **23.08.080 Automotive Fuel, Service and Repair Stations**
45

- 46 (a) Automobile fuel, service, and repair stations shall conform to the following restrictions and standards:
47 (1) Ingress and egress shall be by means of driveways approved by the County Engineer;
48 (2) All driveways shall be at least thirty-five (35) feet from street intersections;
49 (3) Driveways shall be not less than forty (40) feet apart and not less than fifteen (15) feet from
50 interior property lines;

- 1 (4) Service stations shall have a minimum of one hundred-fifty (150) feet of frontage on at least one
- 2 street from which there is access;
- 3 (5) No outdoor storage is allowed;
- 4 (6) Automobile service station lighting shall be adequate to permit safe night-time operation, but
- 5 shall be of direct cutoff design, shielded, or placed to avoid glare or nuisance to nearby
- 6 residential property and passing street traffic;
- 7 (7) Any vehicle stored for more than thirty (30) days shall be screened in accordance with GCC §
- 8 23.12.180; and
- 9 (8) Visual screening shall be provided along all road frontages as specified in GCC § 23.12.180;
- 10 (9) No use shall be made of equipment or material which produces unreasonable vibration, noise,
- 11 dust, smoke, odor, electrical interference to the detriment of adjoining property.
- 12

13 (b) All automobile service and repair, except fueling, shall be conducted entirely within a building in the
14 following zoning districts:

- 15 (1) Rural Freeway Commercial (RFC).
- 16

17 **23.08.090 Automobile Wrecking Yards and Salvage Yards**

18
19 (a) Auto wrecking yards and junk (or salvage) yards are subject to the following standards:

- 20 (1) Total use area shall not exceed five (5) acres;
- 21 (2) Minimum street frontage shall be one hundred (100) feet;
- 22 (3) Minimum lot depth shall be one hundred twenty-five (125) feet;
- 23 (4) Minimum building setback distance from property lines shall be thirty (30) feet on all sides;
- 24 (5) All operations shall be entirely enclosed by a solid fence or wall, at least eight (8) feet high and
- 25 shall be structurally sound, or a totally sight-obscuring natural screen, with access only through
- 26 visually-screened gates. Such fence, wall or screen shall be maintained in good repair and of a
- 27 uniform color;
- 28 (6) All outdoor storage shall be within the screened area;
- 29 (7) At no time shall any items be piled higher than the screening;
- 30 (8) Scrap tires shall not be stored outside for a period exceeding thirty (30) days or as otherwise
- 31 limited by federal, state or local law;
- 32 (9) Provision shall be made for control, treatment and disposal of surface water runoff;
- 33 (10) Notwithstanding the above regulations, all auto wrecking yards and junkyards shall comply with
- 34 all state regulations pertaining to this type of use; and
- 35 (11) No use shall be made of equipment or material which produces unreasonable vibration, noise,
- 36 dust, smoke, odor, electrical interference to the detriment of adjoining property.
- 37

38 **23.08.100 Cemeteries**

39
40 (a) The following standards shall apply to all cemeteries:

- 41 (1) Access to roads shall be at least 200 feet from any intersection. Points of ingress and egress shall
- 42 be approved in writing by the County Engineer. A turning lane shall be provided if required by
- 43 the County Engineer;
- 44 (2) A protective fence and/or landscaped strip of trees or shrubs shall be installed on all common
- 45 property boundary lines within any urban, rural or rural activity center residential district; and
- 46 (3) No structure shall be located on the cemetery within fifty (50) feet from any property line,
- 47 provided however, that accessory buildings may be located within ten (10) feet of the side and
- 48 rear property line.
- 49
- 50

1 **23.08.110 Colleges and Technical Schools**

- 2
3 (a) College or technical schools shall comply with the requirements of GCC § 23.08.230, Industrial Uses
4 – Standards for Site Development.
5

6 **23.08.120 Commercial Communication Facilities**

- 7
8 (a) Definition: Commercial communication facilities (CCFs) are communication facilities, including
9 support structures, dishes, or antennas established for the sending or receiving of signals, intended for
10 commercial or governmental use, except those facilities defined as Wireless Communication
11 Facilities pursuant to GCC § 23.08.450.
12

- 13 (b) Applicability: The requirements of this section apply to all commercial communication facilities,
14 except as follows:

- 15 (1) Pre-Existing CCFs: CCFs for which a permit has been issued prior to the effective date of this
16 chapter shall not be required to meet the requirements of this section.
17 (2) Exclusion for Amateur Radio Facilities: This section shall not govern the installation of any
18 amateur radio facility that is owned and operated by a federally licensed amateur radio station
19 operator or is used exclusively for receive-only antennas.
20

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

- 25 (1) Any satellite dish smaller than one (1) meter in diameter in any zoning district; and
26 (2) Any satellite dish smaller than two (2) meters in diameter when associated with a business or
27 industry and located in one of the following zoning districts:
28 (A) Urban Commercial 1 (UC1);
29 (B) Urban Commercial 2 (UC2);
30 (C) Urban Light Industrial (ULI);
31 (D) Urban Heavy Industrial (UHI);
32 (E) Public Facility (PF).
33 (F) Rural Village Commercial (RVC);
34 (G) Rural Village Industrial (RVI);
35 (H) Rural Community (RC);
36 (I) Agricultural Service Center (ASC);
37 (J) Rural General Commercial (RGC);
38 (K) Rural Neighborhood Commercial (RNC);
39 (L) Freeway Commercial (FC);
40 (M) Rural Recreational Commercial (RRC);
41 (N) Rural Light Industrial (RLI);
42 (O) Rural Heavy Industrial (RHI); and
43 (P) Master Planned Industrial (MPI).
44

- 45 (d) CCFs and CCF sites are subject to the following standards:

- 46 (1) No CCF shall be allowed in violation of GCC § 23.04.640 – Airport Safety Overlay (ASO) and
47 the standards of Sections 23.08.030 and 23.08.040;
48 (2) The entire facility shall be aesthetically and architecturally compatible with its environment. In
49 no case will metal exteriors be allowed for accessory buildings in residential zones;
50 (3) Facilities shall be located on the lot so that the distance from the base of the facility to any

1 adjoining property line or supporting structure of another facility is at least 100 percent of the
2 proposed facility height. Facilities that cannot satisfy this 100 percent setback may be approved
3 provided that the applicant presents a certification from a licensed structural engineer that the
4 structure is designed for a basic wind speed of 90 mph in accordance with the currently adopted
5 edition of the ANSI-EIA/TIA-222E;

- 6 (4) CCFs and CCF sites located in the following zoning districts may not include offices, long-term
7 vehicle storage, other outdoor storage, broadcast studios (except for emergency purposes), or
8 other uses that are not needed to send or receive transmissions:

- 9 (A) Open Space/Recreation (OSR);
10 (B) Urban Reserve (UR);
11 (C) Rural Residential 1 (RR1);
12 (D) Rural Remote (RRem);
13 (E) Rural Urban Reserve(RUR).
14 (F) Recreational Development (RD);
15 (G) Rural Neighborhood Commercial (RNC);
16 (H) Rural Recreational Commercial (RRC);
17 (I) Open Space Conservation (OSC);
18 (J) Master Planned Resort (MPR);

- 19 (5) When lighting is required and permitted by the FAA or other federal or state authority, it shall be
20 oriented upward and outward so as not to project onto surrounding residential property. Strobe
21 lighting on commercial communication facilities is prohibited;

- 22 (6) Proposals and permit applications for commercial communication facilities shall include
23 justification for the height of support structure requested; and

- 24 (7) CCFs shall comply with Federal Communications Commission (FCC) Guidelines regarding
25 regulation of Radio Frequency (RF) emissions.

- 26
27 (e) Co-location Encouraged: In order to minimize facility proliferation, CCFs shall be required, to the
28 greatest extent practicable, to be co-located. applicants shall design, orient, construct and operate
29 CCFs so as to facilitate sharing facilities with other utilities, to co-locate with other existing CCFs,
30 and to accommodating the co-location of future CCFs, where technically, practically, and
31 economically feasible. Co-location will be a condition of any land use permit or other development
32 approval unless an applicant provides data that supports, to the satisfaction of the Decision Maker, the
33 conclusion that sharing space on existing facilities is not feasible or possible based on one or more of
34 the following factors:

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

43 44 **23.08.130 Convenience Stores and Car Washes**

- 45
46 (a) Convenience stores of general merchandise and car washes shall be subject to the provisions of GCC
47 § 23.08.130(b) and the following standards:

- 48 (1) Emphasis shall be given to maintaining and enhancing the scenic values of Interstate and State
49 Highways and County arterial roads;

- 1 (2) Access, traffic turning movement, off-street parking and public service needs shall be provided
2 in a safe, convenient, and efficient manner; and
3 (3) Accessory fuel dispensing service may be provided but not motor vehicle repair or sales.
4

5 **23.08.140 Cottage Industry**
6

7 (a) Purpose: To provide for small-scale commercial or light industrial activities on residential parcels,
8 subordinate to the primary residential use, if the Administrative Official finds that such activities can
9 be conducted without substantial adverse impact on the residential environment and rural character in
10 the vicinity. The scale and intensity of cottage industries are typically greater than could be
11 accommodated as a Home Occupation, but less than would require a zoning district of Commercial or
12 Industrial.
13

14 (b) The following list of uses allowable as Cottage Industries include, but are not necessarily limited to:

- 15 (1) Antique and gift shops;
16 (2) Art or photography studios;
17 (3) Automobile repair;
18 (4) Ironworking or blacksmith shop;
19 (5) Construction office;
20 (6) Furniture repair or refinishing;
21 (7) Pottery shop;
22 (8) Real estate sales office;
23 (9) Woodworking shop.
24 (10) Riding or boarding stable housing up to ten (10) horses, subject to standards regarding animal
25 facilities specified in GCC § 23.08.050.
26 (11) Veterinary clinic or hospital, when located in Agricultural zoning district.
27

28 (c) In addition to the standards applicable in the zoning district in which located, all cottage industries
29 shall be subject to the following standards:

- 30 (1) The cottage industry shall be owned and operated by at least one full-time, bona fide resident in
31 a single-family residence of the parcel on which the proposed use is being requested;
32 (2) The cottage industry may not employ more than four (4) persons on the site at any one time who
33 reside off the subject property;
34 (3) Only those buildings or areas as specifically approved by the Decision Maker may be utilized in
35 the conduct of business;
36 (4) Any new structure constructed to accommodate the cottage industry shall be limited in scale so
37 that it is in character with neighboring properties. In no case shall more than two thousand
38 (2,000) square feet of total building area on the property be devoted to the cottage industry.
39 (5) No exterior display of goods for sale shall be allowed;
40 (6) Any business requiring customers to visit the site shall provide the minimum number of parking
41 spaces specified in GCC § 23.12, Table 5. All parking spaces shall meet the standards of GCC §
42 23.12.130;
43 (7) All activity related to the cottage industry shall be conducted within an enclosed structure,
44 except that vehicles used in the business may be stored openly;
45 (8) All structures and outside activities shall be so located or screened from adjacent properties to
46 avoid disturbance through glare, shading, noise, dirt or other nuisances or hazards;
47 (9) No petroleum pumps or above-ground petroleum storage shall be closer than 30 feet from any
48 street right-of-way;
49 (10) Outdoor storage areas exceeding 500 square feet shall not be visible from adjacent properties or
50 right-of-way;

- 1 (11) The cottage industry is an accessory use to the residential use of a dwelling unit, and the
2 residential function of the buildings and property shall be maintained;
- 3 (12) No more than one (1) sign is allowed. No sign may be larger than two (2) square feet, be
4 internally illuminated, or be of reflective material. No off site signage is permitted;
- 5 (13) Direct access shall be from a road meeting County standards;
- 6 (14) Sales and service incidental to the principally permitted use are allowed;
- 7 (15) No use shall be made of equipment or material which produces unreasonable vibration, noise,
8 dust, smoke, odor, electrical interference to the detriment of adjoining property; and
- 9 (16) Hours of operation shall be within the hours of 7:00 a.m. and 7:00 p.m.

10
11 (d) The Administrative Official may attach additional conditions or requirements or may make
12 modifications to the site plan where necessary to protect the health, safety and welfare of the public.
13

14 (e) The granting of the proposed cottage industry use shall not constitute a rezone.
15

16 **23.08.150 Day Care Facilities**
17

18 (a) The following standards apply to all day care facilities:

- 19 (1) Day care facilities shall demonstrate compliance with state licensing requirements;
- 20 (2) Equipment used in the day care operations shall comply with all building setback requirements
21 for the zoning district in which the facility is located;
- 22 (3) Day Care Facilities as an Accessory Use:
 - 23 (A) A day care facility shall be considered an accessory use if it is sited on the premises of a
24 community service use, such as a private or public school, grange, community center,
25 library, church, or similar adult gathering place, and is operated in association with that
26 activity; and
 - 27 (B) Day care facilities for the exclusive use of employees of a business, government office, or
28 public facility shall also be allowed as an accessory use of the business or facility;
- 29 (4) No structural or decorative alteration is allowed which would alter the residential character of an
30 existing residential structure used as a day care facility unless visual screening is provided in
31 accordance with GCC § 23.12.180; and
- 32 (5) Parking spaces shall be provided as follows:
 - 33 (A) An off-street area shall be provided for vehicles to drop off and pick up children
34 commensurate with the number of children served by the facility so that the neighborhood
35 will not be adversely impacted or children endangered;
 - 36 (B) If the day care facility also serves as a private residence, a minimum of two (2) off-street
37 parking spaces shall be provided for the residents; and
 - 38 (C) The minimum number of parking spaces shall be as specified in GCC § 23.12, Table 5. All
39 parking spaces shall meet the standards of GCC § 23.12.130.

40
41 **23.08.160 Detention Facilities**
42

43 (a) Detention facilities include jails, juvenile detention centers, prison and pre-release facilities, and work
44 release facilities.
45

46 (b) Permitted Use: Detention facilities shall be an allowed use, subject to a conditional use permit, in
47 those zoning districts specified in Tables 3, 4 and 5 of GCC § 23.04.
48

49 (c) General Requirements: Detention facilities shall meet the following general requirements:
50

- 1 (1) Detention facilities shall comply with the Washington Administrative Code and all local, state
2 and federal laws;
- 3 (2) Adequate sewage disposal facilities and water supply shall be provided without diminishing the
4 level of service for system users or others dependent upon the resource;
- 5 (3) Work release facilities shall be accessible by public transportation.
6
- 7 (d) Locational Restrictions: Detention facilities shall be subject to the following locational restrictions:
 - 8 (1) Detention facilities shall not be located closer to the boundary of a zoning district in which the
9 use is not allowed as a conditional use in accordance with the following:
 - 10 (A) Jails: five hundred (500) feet;
 - 11 (B) Juvenile detention centers: two hundred (200) feet;
 - 12 (C) Prison and pre-release facilities: two (2) miles; and
 - 13 (D) Work release facilities: five hundred (500) feet.
 - 14 (2) Detention facilities, except for prison and pre-release facilities, shall not be located closer than
15 one (1) mile from any public or private school and any site for which a conditional use permit
16 application for such school has been submitted to the Department. Prison and pre-release
17 facilities shall not be located closer than two (2) miles from any public or private school and any
18 site for which a conditional use permit application for such school has been submitted to the
19 Department.
 - 20 (3) Detention facilities accommodating persons convicted of violent crimes shall not be located
21 closer than one (1) mile from residential zoning districts with an allowable density of one (1)
22 dwelling unit per two (2) acres or greater;
 - 23 (4) Detention facilities shall be located such that law enforcement officers can respond to a call for
24 assistance within five (5) minutes under average, normal conditions;
 - 25 (5) Detention facilities shall be located such that advance life support service, as defined in RCW
26 18.73.030(19), shall be available within five (5) minutes under average, typical conditions; and
 - 27 (6) The Decision Maker may reduce the locational restrictions of subparagraphs (1), (2) and (3)
28 under subsection (d), above, if, in his/her opinion, a water body, freeway, or other barrier
29 provides separation as effective as the standards.
30
- 31 (e) Security: An applicant for a conditional use permit shall submit a proposed security plan which, at a
32 minimum, is consistent with applicable WAC security standards. The plan shall identify staffing
33 levels and scheduling, building and site security, an escape search plan, and provisions for immediate
34 public notification procedures for the event of escape. For juvenile detention facilities proposed by
35 Grant County, the security plan shall be reviewed by the Sheriff. For work release facilities, the plan
36 shall also include monitoring programs to verify the presence of the program participants at assigned
37 jobs and training programs, policies for unescorted absences, and policies and penalties for violation
38 of rules and procedures.
39
- 40 (f) Standards: Detention facilities shall meet the following standards:
 - 41 (1) Setbacks from public rights-of-way and property lines shall be as follows:
 - 42 (A) Jails: seventy-five (75) feet;
 - 43 (B) Juvenile detention centers: seventy-five (75) feet;
 - 44 (C) Prison and pre-release facilities:
 - 45 (i) Capacity up to 200 inmates; one hundred twenty-five (125) feet;
 - 46 (ii) Capacity between 200 and 600 inmates; two hundred (200) feet;
 - 47 (iii) Capacity greater than 600 inmates; two hundred seventy-five (275) feet; and
 - 48 (D) Work release facilities: seventy-five (75) feet.
 - 49 (2) Juvenile detention facilities shall be operated in compliance with Juvenile Rehabilitation
50 Administration standards and applicable state and local regulations;

- 1 (3) Landscaping: Landscaping shall provide at least a twenty-five (25) foot buffer along rights-of-
- 2 way and property lines;
- 3 (4) Fencing: A minimum eight (8) foot high fence shall be constructed along all property lines;
- 4 (5) Outdoor activity areas: Outdoor activity areas located in residential zoning districts shall not be
- 5 visible from public rights-of-way or adjacent properties;
- 6 (6) Noise: Noise impacts shall be mitigated such that maximum permissible noise levels of WAC
- 7 173-60 are not exceeded;
- 8 (7) Lighting: Site lighting shall not produce levels of illumination or glare that would pose a
- 9 nuisance or hazard for motorists on public rights-of-way or constitute a nuisance for occupants
- 10 of adjacent properties; and
- 11 (8) Access: Detention facilities shall have direct access to an arterial or collector road, unless the
- 12 Decision Maker determines that access via a lesser classification of street would not be
- 13 detrimental to neighborhood character and would not increase public safety risks.
- 14

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

16
17 **23.08.170 Equestrian Stables, Clubs and Riding Academies**

- 18
- 19 (a) The following standards shall apply to all equestrian stables, clubs and riding academies, but not
 - 20 limited to:
 - 21 (1) A lot area of not less than ten (10) acres shall be required;
 - 22 (2) Visual screening, increased setback, increased lot size, and other conditions may be required
 - 23 taking into account safety, noise, and odor factors; and
 - 24 (3) If the facility is to contain food service facilities or is intended to be used for exhibitions or
 - 25 shows, additional parking shall be provided as required.

26
27 (b) Minor campgrounds may also be provided provided that they are secondary to the primary use.

28
29 **23.08.180 Expansion of Camping Facilities**

- 30
- 31 (a) Permitted Use: Alteration, modification, or expansion of existing camps and similar small scale
 - 32 recreation and tourism facilities shall be allowed outright; provided that such alteration, modification,
 - 33 or expansion does not expand the current scope, scale or intensity of use or facilities. Where such
 - 34 alteration, modification, or expansion would expand the scope of services (e.g., adding meal service
 - 35 or new recreational facilities, adding new convention, hotel, or marina facilities), increase the scale or
 - 36 intensity of use or facilities, the proposal shall be subject to the procedures for conditional uses
 - 37 pursuant to GCC § 23.04.040 and Chapter 25.08. The Administrative Official may attach reasonable
 - 38 performance standards and/or conditions to ensure that alteration and expansion of such uses have
 - 39 minimal adverse impacts on surrounding areas and uses.
 - 40
 - 41 (b) Alteration, modification, or expansion of existing camps and similar small scale recreation and
 - 42 tourism facilities that would add on-site residential housing may only be permitted in a Master
 - 43 Planned Resort (MPR) zoning district, subject to a legislative action to amend the Comprehensive
 - 44 Plan pursuant to GCC § 25.12.
 - 45

46 **23.08.190 Farm Worker Accommodations**

- 47
- 48 (a) Applicability: The requirements of this section apply to farmworker housing in excess of four (4)
 - 49 dwelling units associated with agricultural activities, except for farm housing as an accessory
 - 50

1 dwelling unit pursuant to GCC § 23.08.020 and temporary farm housing pursuant to GCC §
2 23.04.120.

- 3
4 (b) Permitted Use: Farmworker accommodations shall be an allowed use, subject to a conditional use
5 permit, in those zoning districts specified in Tables 3, 4 and 5 of GCC § 23.04.
6
7 (c) Standards: The following standards shall apply to farmworker accommodations subject to this
8 section, whether located on the farm parcel(s) or offsite:
9 (1) Accommodations shall be provided only to persons who are directly involved in agricultural
10 activities and employed, contracted or paid by the farm operator;
11 (2) Accommodations shall be clearly subordinate to agricultural activities on site or in the affected
12 agricultural area and shall not detract from the rural environment and agricultural activities;
13 (3) If accommodations are located on the farm parcel, they shall be located so as to minimize the
14 amount of agricultural land loss;
15 (4) Accommodations shall not require the extension of public sewer and water services: on-site
16 sewage disposal systems and water supplies shall be adequate to support the facility;
17 (5) The applicant shall demonstrate that the number of requested units are necessary for the efficient
18 operation of the farm; and
19 (6) The farmworker accommodations shall be located in a manner that will not negatively impact
20 the viability of agricultural practices on the property and neighboring farms.
21
22 (d) Site Plan Review: Farmworker accommodations shall be subject to the requirements of GCC §
23 23.04.140.
24

25 **23.08.200 Feedlots, Commercial**

- 26
27 (a) The following standards shall apply to all commercial feedlots, including hog ranches maintaining
28 more than twenty (20) mature head of hogs:
29 (1) Minimum lot area shall be ten (10) acres; and
30 (2) Feedlot shall not be closer than five hundred (500) yards of any existing dwelling other than the
31 dwelling of the owner of the feedlot.
32

33 **23.08.210 Home Occupations**

- 34
35 (a) Home occupations are subordinate to the primary residential use and are permitted in any dwelling
36 unit and include, but are not necessarily limited to:
37 (1) Artists and sculptors;
38 (2) Authors and composers;
39 (3) Dressmakers, seamstresses and tailors;
40 (4) Home crafts, such as model making, rug weaving, lapidary work, woodworking and ceramics.
41 (5) Office facility of a minister, rabbi, priest or other similar person associated with a religious
42 organization;
43 (6) Office facility of a salesman, sales representative or manufacturers representative, architect,
44 artist, broker, dentist, physician, engineer, planner, landscape architect, public relations
45 practitioner, instructor in arts and crafts, insurance agent, land surveyor, lawyer, musician, real
46 estate agent or typist;
47 (7) Classes or specialized instruction;
48 (8) Barbershops and beauty parlors;
49 (9) Kennels housing five (5) to ten (10) dogs, subject to standards regarding animal facilities
50 specified in GCC § 23.08.050; and

- 1 (10) Riding or boarding stable housing up to ten (10) horses, subject to standards regarding animal
2 facilities specified in GCC § 23.08.050.
3
- 4 (b) Permitted home occupations do not include the following:
5 (1) Funeral chapel or funeral home;
6 (2) Medical or dental clinic or hospital; and
7 (3) Veterinary clinic or hospital, except when located in Agricultural zoning district.
8
- 9 (c) Home occupations operating under the following circumstances are permitted as a matter of right
10 (that is, they are exempt from an approval process), provided all of the other standards of this chapter
11 are met:
12 (1) No employees;
13 (2) No sign;
14 (3) All work is done inside the dwelling, not in any accessory buildings; and
15 (4) No materials or equipment used in the home occupation is stored, altered or repaired outdoors.
16
- 17 (d) In addition to the standards applicable in the zoning district in which located, all home occupations
18 shall be subject to the following standards:
19 (1) A home occupation shall be conducted within a dwelling which is the bona fide residence of at
20 least one of the persons employed in the occupation or in an accessory building thereto which is
21 normally associated with a residential use;
22 (2) No alteration to the exterior of the buildings as permitted in above shall be made which changes
23 the character and appearance as a residential use;
24 (3) No outside storage of equipment or materials shall be permitted unless screened or fenced so as
25 to not be visible from streets and neighboring properties. Up to four (4) cords of wood may be
26 stored outdoors in case of persons engaged in a home occupation of selling the wood;
27 (4) No more than two (2) persons at any one time other than a member of the immediate family
28 occupying such dwelling shall be employed;
29 (5) No special use may generate noise at the property line in excess of twenty (20) continuous
30 minutes for a maximum total of one (1) hour per day if the noise is so loud as to be annoying;
31 (6) If the occupation is the type in which classes are held or instruction given, there shall be no more
32 than four (4) students allowed in any one (1) class or instruction period;
33 (7) Only those buildings or areas as specifically approved by the Decision Maker may be utilized in
34 the conduct of business;
35 (8) Any new construction to house the home occupation shall be limited in scale so that it is in
36 character with neighboring properties. In no case shall more than one thousand (1,000) square
37 feet of total building area on the property be devoted to the home occupation;
38 (9) All activity related to the conduct of the business shall be constructed with in an enclosed
39 structure except that vehicles used in the business may be stored openly as approved on the site
40 plan;
41 (10) Direct access shall be from a road meeting County standards;
42 (11) No off site signage is permitted; and
43 (12) Any business requiring customers to visit the site shall provide the minimum number of parking
44 spaces specified in GCC § 23.12, Table 5. All parking spaces shall meet the standards of GCC §
45 23.12.130.
46
- 47 (e) The Administrative Official may attach additional conditions or requirements or may make
48 modifications to the site plan where necessary to protect the health, safety and welfare of the public.
49
- 50 (f) The granting of the proposed home occupation use shall not constitute a rezone.

1 **23.08.220 Hospitality Commercial Establishments**
2

3 (a) Bed and Breakfast Inns: The following standards apply to all bed and breakfast inns:

- 4 (1) Neither more than six (6) guest rooms nor more than eighteen (18) guests shall be
5 accommodated at any one time. In bed and breakfast inns in historic structures containing more
6 than six (6) guest rooms, a general standard of three (3) people per room will be used to
7 determine maximum capacity;
- 8 (2) If a building is on a federal, state, or local register of historic structures, then the owner may
9 apply for a bed and breakfast inn for up to ten (10) rooms. A conditional use permit may be
10 granted if the historic character and fabric of the building are preserved, if there are no new
11 structures or additions to the existing structure(s), and if all other bed and breakfast inn standards
12 and restriction are met;
- 13 (3) Bed and breakfast inns served by non-paved County roads for more than 500 feet shall be
14 limited to three guest rooms;
- 15 (4) Bed and breakfast inns are not allowed if access is by means of shared private non-surfaced
16 access roads;
- 17 (5) No meals other than breakfast served before noon shall be provided in bed and breakfast inns.
18 Meals may only be served to overnight guests;
- 19 (6) Kitchen facilities are prohibited in guest rooms;
- 20 (7) Bed and breakfast inns shall be restricted to proprietor-occupied single-family residences;
- 21 (8) Guest occupancies shall be limited to no more than thirty (30) consecutive days;
- 22 (9) The exterior of the building shall retain a residential appearance;
- 23 (10) The bed and breakfast inn shall be operated in a way that will prevent unreasonable disturbance
24 to area residents;
- 25 (11) The minimum number of parking spaces shall be as specified in GCC § 23.12, Table 5. All
26 parking spaces shall meet the standards of GCC § 23.12.130;
- 27 (12) Approval shall be conditional upon compliance with all applicable building code requirements,
28 state liquor laws, and state sanitation requirements;
- 29 (13) Hours of operation shall be within the hours of 7:00 a.m. and 10:00 p.m., except for New Years
30 Eve; and
- 31 (14) No more than one (1) sign is allowed. No sign may be internally illuminated or of reflective
32 materials, or be larger than two square feet. It may contain only name of the business and the
33 hours of operation.

34
35 (b) Bed and Breakfast Residence: The following standards apply to all bed and breakfast residences:

- 36 (1) Bed and breakfast residences shall be restricted to owner-occupied single-family residences. A
37 bed and breakfast residence shall not occur in the same building with any other type of transient
38 accommodation;
- 39 (2) No more than three (3) sleeping rooms shall be available for the accommodation of bed and
40 breakfast residence guests;
- 41 (3) No more than nine (9) guests shall be accommodated at any one time;
- 42 (4) Bed and breakfast residences shall be limited to a maximum of three (3) guests when located on
43 a private non-surfaced road and when the residence is more than 500 feet along such non-
44 surfaced road;
- 45 (5) Guest occupancies shall be limited to no more than thirty (30) consecutive days;
- 46 (6) No meals other than breakfast served before noon shall be provided in bed and breakfast
47 residences. Meals may only be served to guests;
- 48 (7) The bed and breakfast residence shall be operated in a way that will prevent unreasonable
49 disturbance to area residents;
- 50

- 1 (8) Off-street parking shall be provided as specified in GCC § 23.12, Table 5. All parking spaces
2 shall meet the standards of GCC § 23.12.130;
- 3 (9) Approval shall be conditional upon compliance with all applicable building code requirements,
4 state liquor laws, and state sanitation requirements;
- 5 (10) Hours of operation shall be within the hours of 7:00 a.m. and 10:00 p.m., except for New Years
6 Eve; and
- 7 (11) No more than one (1) sign is allowed. No sign may be internally illuminated or of reflective
8 materials, or be larger than two square feet. It may contain only name of the business and the
9 hours of operation.

10
11 (c) Transient Residence or Transient Guest House: The following standards apply to all short-term (less
12 than 30 days) transient rentals of single-family residential units and guest houses or portions thereof:

- 13 (1) No more than three (3) guests per bedroom shall be accommodated at any one time;
- 14 (2) The transient residence or guest house shall be operated in a way that will prevent unreasonable
15 disturbance to area residents;
- 16 (3) At least one additional off-street parking space shall be provided for the transient use in addition
17 to the parking required for the residence or guest house. All parking spaces shall meet the
18 standards of GCC § 23.12.130;
- 19 (4) If any food service is to be provided the requirements for a bed and breakfast residence shall be
20 met;
- 21 (5) No outdoor advertising signs are allowed;
- 22 (6) Where there are both a principal residence and a guest house, the owner or lessee shall reside on
23 the premises; and
- 24 (7) Transient accommodations shall meet all local and state regulations, including those pertaining
25 to business licenses and taxes.

26 **23.08.230 Industrial Uses – Standards for Site Development**

27
28
29 (a) All Industrial Uses: The following standards apply to all industrial uses as listed in GCC § 23.04
30 Tables 3, 4 and 5 and to those other uses determined by the Administrative Official to be industrial
31 uses:

- 32 (1) The use of chemicals, industrial solvents, or other noxious or hazardous substances shall comply
33 with all federal, state, and county safety, fire, structural, storage, and disposal standards;
- 34 (2) Water supplies, wastewater, and sewage disposal facilities adequate to serve the proposed use
35 shall be provided as specified in GCC § 23.12;
- 36 (3) Retail sales and services incidental to a principally permitted use are allowable, provided:
37 (A) The operations are contained within the main structure which houses the primary use;
38 (B) Retail sales occupy no more than fifteen (15) percent of the total building square footage;
39 (C) No retail sales or display of merchandise occurs outside the structure; and
40 (D) All products offered for retail sales on the site are manufactured, warehoused, or assembled
41 on the premises;
- 42 (4) Electrical Disturbance. No activity shall emit electrical disturbance adversely affecting the
43 operation of equipment or appliances at any point beyond the boundaries of the location site of
44 the use creating such disturbance.
- 45 (5) Noise. On-site sound levels shall not exceed levels established by noise control regulations of
46 the Department of Labor and Industries. Maximum permissible environmental noise levels shall
47 be determined in accordance with WAC 173-60, Maximum Environmental Noise Levels. Noise
48 levels emitted to adjacent properties shall not exceed levels of the environmental designations
49 for noise abatement (EDNA) as established by the State of Washington, Department of Ecology
50

1 as now exist, or hereafter amended. Provided that EDNA classifications will conform to certain
2 zone designations based on classification of use as established under this UDC as follows:

3 (A) Class A EDNA: Residential Uses;

4 (B) Class B EDNA: Commercial Uses, Institutional Uses, Recreational Uses; and

5 (C) Class C EDNA: Industrial Uses, Utility Uses, Transportation Uses, Agricultural Uses.

- 6 (6) Vibration. Every use shall be so operated that the ground vibration inherently and/or recurrently
7 generated from use and/or equipment other than vehicles is not perceptible without instruments
8 at any point on or beyond any zoning district boundary in which the use is located.
- 9 (7) Smoke and Particulate Matter: Air emissions shall comply with the requirements of the
10 Washington State Department of Ecology or local air control authority requirements;
- 11 (8) Odors. The emission of gases or matter that are odorous at any point beyond the property line of
12 the use emitting the odor shall be controlled to the greatest extent practicable, as may be usual
13 and customary for the specific use or industry;
- 14 (9) Heat, Glare and Steam. Except for exterior lighting, uses producing heat and glare shall be
15 conducted entirely within an enclosed building. Any activity producing steam, heat or glare shall
16 be carried on in such a manner that the steam, heat or glare shall not create a nuisance beyond
17 the boundary lines of the zoning district within which the use is located. Building materials with
18 high light reflective qualities shall not be used in construction of buildings where reflected
19 sunlight would throw intense glare on adjacent areas. Artificial lighting shall use full cut-off
20 fixtures so that direct light from high intensity lamps will not result in glare. Lighting shall be
21 directed away from adjoining properties to the greatest extent practicable. Exterior lighting shall
22 meet the requirements of GCC § 23.12.190;
- 23 (10) Erosion. Property owners must take all reasonable steps to prevent erosion by either wind or
24 water that will carry objectionable substances into or through neighboring properties.
- 25 (11) Use of a County access road or private road for access to new industrial development shall be
26 permitted only if the application demonstrates that public health, safety and welfare will be
27 protection, and if traffic and maintenance impacts to the private road are minimized by
28 conditions on the permit; and
- 29 (12) Development standards, including parking, visual screening and landscaping requirements, shall
30 be as specified in GCC § 23.12.

31
32 (b) On-site performance standards:

- 33 (1) Landscaping installation. All required landscaping shall be installed prior to occupancy. In lieu
34 of such installation, security may be given assuring the installation of the landscaping in an
35 amount and form approved by the Administrative Official, provided that the security may not be
36 for a period exceeding nine (9) months from the issuance of an occupancy permit, at which time
37 installation shall have occurred.
- 38 (2) Maintenance. The owner, lessee or user shall be responsible for maintaining an orderly
39 appearance of all properties and shall be responsible for the care and maintenance of all installed
40 landscaped areas and any natural growth retained on the site. All required yards, parking areas,
41 storage areas, operation yards and other open uses on the site shall be maintained at all times in a
42 neat and orderly manner, appropriate for the zoning district.
- 43 (3) Outside Storage. Outside storage is permitted; however, sight-obscuring screening shall be
44 required. Stored materials shall not exceed the height of the screening.
- 45 (4) Hazardous materials and bulk petroleum products. Plans for the handling, storage, disposal and
46 spill control of hazardous materials, hazardous wastes, and bulk petroleum products shall be
47 approved prior to the issuance of any building permit.

- 48
49 (c) As a condition approval of any use authorized under this section, the Administrative Official may
50 from time to time require the parcel owner to provide information and data documenting compliance

1 with the requirements of this section and any other terms and conditions of approval.

2
3 **23.08.240 Livestock Maintenance**
4

- 5 (a) Livestock maintenance may be permitted as specified in Tables 3, 4 and 5 on GCC § 23.04; provided
6 that:
- 7 (1) Animal runways or buildings are not less than two hundred (200) feet from the nearest existing
8 dwellings other than a dwelling located on the same premises;
 - 9 (2) Farm oriented feed lots shall be located a distance of not less than five hundred (500) feet from
10 any dwelling, other than a dwelling located on the same premises;
 - 11 (3) Feed racks, bunks, or troughs shall be located not less than ten (10) feet from the right-of-way of
12 any public road or highway; and
 - 13 (4) No more than twenty (20) mature head of hogs may be kept; more than twenty (20) mature head
14 shall be deemed to constitute a hog ranch. A hog ranch may be permitted only in the Agriculture
15 (AG) zoning district, and is subject to a conditional use permit and the performance standards
16 specified in GCC § 23.08.200.
17

18 **23.08.250 Mobile/Manufactured Home Parks and Subdivisions**
19

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

1 **23.08.260 Mining, Mineral Extraction, and Reclamation**
2

- 3 (a) Permitted Use: Mining, mineral extraction, and reclamation of mining sites shall be permitted uses,
4 subject to a conditional use permit, in MRO zoning districts as specified in GCC § 23.04.630.
5
- 6 (b) Review Procedures: Applications for mining, mineral extraction, and reclamation of mining sites
7 shall be reviewed pursuant to GCC § 23.04.040, GCC Chapter 25.04 – Permit Application Review
8 Procedures, and GCC Chapter 25.08 – Conditional Uses and Variances.
9
- 10 (c) Pre-Application Review Conference: Prior to submitting a permit application, the applicant may
11 request a pre-application review conference as specified in GCC § 25.04.130. Such pre-application
12 review is not mandatory.
13
- 14 (d) Application Requirements: An applicant shall submit three (3) copies of all application materials,
15 which at a minimum shall include the following:
16 (1) Those documents and accompanying data specified in GCC § 25.04.140, including:
17 (A) Completed application on forms provided by the Department;
18 (B) A verified statement by the applicant that the property affected by the application is in the
19 exclusive ownership of the applicant or that the applicant has submitted the application
20 with the consent of all owners of the affected property;
21 (C) Identification of a single contact person or entity to receive determinations and notices
22 required by this chapter;
23 (D) A property and/or legal description of the site, including Assessor account number and
24 property identification number;
25 (E) A list of the names and addresses of all persons owning real property located within five
26 hundred (500) feet from and parallel to the boundaries of the proposed activities and such
27 contiguous area under the legal control of the applicant; and
28 (F) The applicable fee(s).
29 (2) A vicinity map with a north arrow indicating the area on which the extraction operation is
30 proposed including a legal description, showing access roads to the proposed site from the
31 nearest community and any roads proposed on the site, and showing adjacent properties and land
32 uses within five (5) miles of the area proposed for mineral extraction and related activities;
33 (3) An existing (pre-mining) topographic map drawn to scale with an appropriate scale bar showing
34 the permit area and buffers, elevations and contours, natural slopes and other drainage patterns,
35 boundaries of municipalities, boundaries of property ownership, names and addresses of
36 adjacent property owners, locations of nearby mines, locations of all railroads, bridges, utility
37 lines or other rights of way, locations and names of any streams and natural or artificial
38 drainways on or adjacent to the site, locations of parks and other significant features;
39 (4) Copy of the surface mining permit for the site from the Washington State Department of Natural
40 Resources;
41 (5) Identification and description of those critical areas designated and regulated by GCC § 24.08,
42 together with any critical areas assessments that may be required by GCC § 24.08;
43 (6) Identification of any possible Cultural Resource Sites that may be located on the proposed site
44 pursuant to GCC § 24.08 Article VIII;
45 (7) Site Plan: A scaled site plan showing the location, point of reference, type, height and horizontal
46 location (coordinates) of the proposed structures, existing buildings, on-site land uses and
47 zoning, adjacent land uses and zoning, adjacent roadway rights-of-way, parking areas if
48 applicable, proposed means of access, setbacks from property lines and the approximate distance
49 between the proposed structures and the property lines;
50

- 1 (8) Reclamation Plan: A reclamation sequence map drawn to scale with an appropriate scale bar
2 covering the same area as the pre-mining map showing the permit area border and buffers,
3 excavation areas, location of all proposed access roads to be built, location of types of setbacks
4 and berms, numbered segments and the direction of the sequence of mining, soil storage areas
5 and sequence of stripping, storing and replacement of mined segments, overburden storage areas
6 and sequence of stripping, storing and replacement of overburden on mined segments, waste
7 rock piles and how they will be reclaimed and stabilized, operation plant and processing areas,
8 measures to be taken to adjacent surface area to prevent slumping or landslides on adjacent
9 lands, location and description of storm-water and erosion control systems including drainage
10 facilities and settling ponds and estimated runoff served by individual facilities;
- 11 (9) Final Closure Plan: A final reclamation map drawn to scale with an appropriate scale bar
12 covering the same area as the pre-mining map permit area and buffers, final elevations and
13 contours, adjacent natural ground slopes, reclaimed drainage patterns, general topography,
14 locations and names of any roads, utility lines, rights-of-way, streams, bridges, lakes, springs,
15 wetlands, location and depth of topsoil to be replaced after seedbed preparation, permanent
16 drainage and water control systems, area to be re-vegetated and proposed species, 2 cross-
17 sections (at right angles) with horizontal and vertical scales the same that show the original and
18 final topography;
- 19 (10) The estimated quantities of all materials to be extracted;
- 20 (11) An on-site study to determine appropriate mitigation requirements for noise, vibration and dust
21 levels. The study should specify what levels the applicant deems satisfactory to mitigate off-site
22 disturbances;
- 23 (12) An operations proposal detailing estimated frequency of blasting, estimated truck loads per day,
24 what provisions for screening and fencing are proposed, and estimated hours of operation;
- 25 (13) A completed SEPA environmental checklist;
- 26 (14) A review from the County Engineer and/or Washington State Department of Transportation
27 demonstrating that roads or bridges are capable of sustaining the necessary traffic for the
28 proposed mineral extraction operation, and that the proposed operation meets level-of-service,
29 safety, and other standards as outlined in the Grant County Comprehensive Plan.
- 30
- 31 (e) Application Review: Applications shall be processed as a conditional use as specified in GCC §
32 25.04.080 and defined in GCC § 25.04.070 and as specified in GCC Chapter 25.08. When the
33 Administrative Official determines that the permit application is technically complete, as defined in
34 GCC § 25.04.160, the application shall be processed as specified in GCC § 25.04.260.
- 35
- 36 (f) Approval Criteria: A conditional use permit shall be approved by the Decision Maker if the record
37 contains clear and convincing evidence that the permit application:
- 38 (1) Meets the criteria for approval for a conditional use permit specified in GCC § 25.08.060;
- 39 (2) Meets the standards of this section, or can comply with the standards through the imposition of
40 special conditions of approval; and
- 41 (3) Complies with the Comprehensive Plan, the Shoreline Master Program, the zoning code and
42 other land use regulations, and SEPA.
- 43
- 44 (g) Mitigation of Impacts: When reviewing an application for mining operations conditional use permit:
- 45 (1) The Decision Maker should recognize that surface mining is an essential economic activity and
46 that it is not possible to extract minerals without producing some environmental impacts. The
47 Decision Maker shall consider all relevant evidence and conditions that will mitigate detrimental
48 impacts to the environment and conditions that protect the general welfare, health and safety.
49 The permit shall be granted if the impacts are mitigatable. The burden of proof shall be on the
50 applicant. Mitigating conditions shall be performance based, objective standards that:

- 1 (A) Are directly and proportionately related to limiting surface mining impacts;
2 (B) Are reasonable, practicable and generally capable of being achieved by the mine operator;
3 and
4 (C) Take into consideration existing and available technologies applicable to mining
5 operations;
- 6 (2) The Decision Maker shall consider the requirements of this section as minimum standards based
7 on unique site-specific factors or conditions as appropriate to protect public health, safety, and
8 the environment;
- 9 (3) Appropriate site specific conditions shall be required to mitigate existing and potential
10 incompatibilities between the mineral extraction operation and adjacent parcels. Such limitations
11 should reflect the differences in potential impacts based on the mineral extraction operation's
12 location in resource, rural or urban growth areas and recognize that the purpose of designating
13 mineral resource lands is to conserve mineral resource lands, allow continued operation of
14 existing legally established mining operations, and assure that use of adjacent lands does not
15 interfere with the extraction of minerals. The Decision Maker shall take into consideration the
16 January, 1996 publication *Best Management Practices for Reclaiming Surface Mines in*
17 *Washington and Oregon*, published jointly by the Oregon Department of Geology and Mineral
18 Industries and the Washington State Department of Natural Resources, Chapter 3, Operation and
19 Reclamation Strategies, in determining appropriate mitigation requirements for operational
20 impacts;
- 21 (4) Appropriate site-specific conditions should be required to mitigate storm water runoff and
22 erosion impact. The Decision Maker shall take into consideration the January, 1996 publication
23 *Best Management Practices for Reclaiming Surface Mines in Washington and Oregon*,
24 published jointly by the Oregon Department of Geology and Mineral Industries and the
25 Washington State Department of Natural Resources, Chapter 2, Storm Water and Erosion
26 Control, and the National Pollutant Discharge Elimination System (NPDES) Surface Water
27 Protection requirements in determining appropriate conditions for mitigating storm water and
28 erosion impacts; and
- 29 (5) The Decision Maker shall consider public interests such as fishing, boating, hiking and camping
30 when reviewing a mining operations special use permit, and may impose mitigating measures as
31 necessary and appropriate.
32
- 33 (h) Performance Standards: Mining operations and sites are subject to the following performance
34 standards:
- 35 (1) Mineral extraction and processing activities shall comply with the RCW 78.44, Surface Mining
36 Act, RCW 90.48, the Water Pollution Control Act, and all other applicable laws and regulations.
- 37 (2) Site area and width: When the activity includes both extraction and on-site mineral crushing or
38 mineral processing, including asphalt or concrete batching and asphalt or concrete recycling, the
39 site area shall be a minimum of twenty (20) acres. There shall be a minimum lot width of 500
40 feet for crushing or processing activities. Operations that are limited to extraction and
41 transportation shall comply with dimensional standards of the underlying zoning district.
- 42 (3) Setback: A minimum 100-foot setback shall be required between on-site crushing, processing, or
43 recycling activities and adjacent properties for the site as a condition for the issuance of a mining
44 operations special use permit. Adjacent properties are required to maintain a 100-foot buffer
45 from the mineral resource designated land or sign a nuisance waiver to reduce the buffer. In the
46 case of a pre-existing structure located in the buffer of adjacent property, the required buffer
47 shall be established on the mineral resource designated land.
- 48 (4) Maximum permissible noise levels: Maximum permissible noise levels shall be according to the
49 provisions of the WAC 173-60, Maximum Environmental Noise Levels.
50

- 1 (5) **Blasting:** Blasting shall be restricted to daylight hours when the mineral extraction operation is
2 within ¼-mile of a residential area with a greater density than one (1) dwelling unit per ten (10)
3 acres. The Decision Maker may otherwise set blasting hours and conditions based on site-
4 specific circumstances.
- 5 (6) **Surface Water Protection:** All mineral and aggregate sites shall meet the minimum requirements
6 of GCC § 23.12.080 as well as all pertinent requirements of the Washington State Department of
7 Ecology, the Department of Natural Resources, Department of Fish & Wildlife and other state
8 and federal regulations regarding surface water protection. Storage pond systems for holding
9 processing waters shall be designed to preclude untreated discharge to natural streams or surface
10 waters, unless the discharges are otherwise regulated and allowed by a state or federal
11 government agency. The flow of natural runoff from extraction sites shall be dispersed or
12 regulated such that soil erosion on receiving lands is prevented.
- 13 (7) **Bench/Terrace:** Benches shall be back-sloped and shall be established at not more than 40-foot
14 intervals to control surface drainage and debris. Swales or ditches on benches shall have a
15 maximum gradient of 5 percent.
- 16 (8) **Reclamation:** Reclamation of surface mining sites shall be in accordance with the requirements
17 of the State Department of Natural Resources. Reclamation activities shall not allow landfilling
18 unless sites comply with WAC-304, WAC 173-351, Shoreline Master Program, and other
19 relevant state and federal regulations.
- 20 (9) **Hours of operation:** Hours of operation shall vary according to the location of the site as stated
21 below:
22 (A) Within Agriculture (AG) zoning districts, the hours of operation may be unlimited;
23 (B) Within rural land zoning districts, the hours of operation shall be from dawn to dusk;
24 (C) Within urban growth areas and rural activity centers, the hours of operation shall be from
25 7:00 a.m. to 7:00 p.m., Monday through Saturday; and
26 (D) During emergencies, restrictions on hours of operation may be suspended.
- 27 (10) **Chemical Leach Mining:** Chemical leach mining shall not be allowed.
- 28 (11) **Responsibility:** The landowner(s) and operator(s) shall be held jointly responsible for the
29 operation of a mineral extraction site.
- 30 (12) **Metals mining** shall be regulated by RCW 78.56, Metals Mining and Milling Act.

31
32 **23.08.270 Outdoor Commercial Amusement Facilities**
33

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

47
48 **23.08.280 Outdoor Storage Yards**
49

- 50 (a) All outdoor storage for vehicles, equipment, materials or products used in production, for sale on

1 premises, awaiting shipment, or otherwise in conjunction with agricultural production, commercial or
2 industrial use, shall be conducted so as to ensure public safety, health, and welfare and to minimize
3 detrimental visual impact upon neighboring property and public rights-of-way.
4

- 5 (b) Every reasonable effort shall be made by persons operating a commercial or industrial business to
6 store vehicles, equipment, materials and products within an enclosed building, except:
- 7 (1) Where such enclosed storage is not practical or desirable for reasons related to health, fire or
8 safety requirements;
 - 9 (2) Where outside storage of merchandise, manufactured products, or raw materials is normal and
10 standard practice, such as in the sale of automotive equipment, farm machinery, lumber,
11 gardening materials, nursery stock, manufactured homes, and similar products, or on the site of
12 construction projects; or
 - 13 (3) When materials or products are temporarily stored outside incidental to shipping, delivery,
14 loading or unloading thereof.
15
- 16 (c) Materials and products may be stored to height limitations specified and permitted in the particular
17 zoning district subject to the provisions of these performance standards and applicable development
18 standards specified in GCC § 23.12, but shall be effectively screened from neighboring properties and
19 public rights-of-way. Screening shall meet the requirements of GCC § 23.12.180.
20

21 **23.08.290 Outdoor Recreation Developments**

22

- 23 (a) Definition: Outdoor recreation developments include:
- 24 (1) Community Parks;
 - 25 (2) Golf Courses;
 - 26 (3) Outdoor Shooting and Archery Ranges;
 - 27 (4) Recreational Race tracks;
 - 28 (5) Major Campgrounds;
 - 29 (6) Water ski lakes;
 - 30 (7) Motorized, off-road vehicle (ORV), and all-terrain vehicle (ATV) parks and recreational areas; and
 - 31 (8) Similar outdoor developments.
32
- 33 (b) Applicability: The requirements of this section apply to all outdoor recreation developments.
34
- 35 (c) Permitted Use: Outdoor recreation developments shall be a permitted use in those zoning districts
36 specified in Tables 3, 4 and 5 of GCC § 23.04. Uses may be allowed outright, or require discretionary
37 use review or a conditional use permit, as specified in Tables 3, 4 and 5.
38
- 39 (d) Additional Use Requirements: The following additional use requirements shall apply to outdoor
40 recreation developments:
- 41 (1) Parks and campgrounds in which individual lots or spaces are to be leased, sold or otherwise
42 transferred are prohibited;
 - 43 (2) Motorized, off-road vehicle (ORV), and all-terrain vehicle (ATV) parks and recreational areas
44 shall only be permitted in Rural Recreational Commercial (RRC) zoning districts, subject to a
45 conditional use permit;
 - 46 (3) Recreational race tracks shall be permitted only in Urban Commercial 2 (UC2), Rural Heavy
47 Industrial (RHI), and Rural Recreational Commercial (RRC) zoning districts, subject to a
48 conditional use permit;
 - 49 (4) Outdoor shooting and archery ranges shall only be permitted in Rural Remote (RRem), Urban
50 Heavy Industrial (UHI), Urban Light Industrial (ULI), and Agriculture (AG) zoning districts,

- 1 subject to a conditional use permit;
- 2 (5) Golf courses shall only be permitted in Open Space/Recreation (OSR), Urban Residential 1
3 (UR1), Public Facility (PF), Recreational Development (RD), Rural Residential 1 (RR1), Rural
4 Remote (RRem), and Rural Recreational Commercial (RRC) zoning districts, subject to a
5 conditional use permit; and
- 6 (6) Golf courses and other recreational developments that propose to include on-site residential
7 housing may only be permitted in a:
- 8 (A) Master Planned Resort (MPR) zoning district (See GCC § 23.04.650), subject to a
9 legislative action to amend the Comprehensive Plan pursuant to GCC § 25.12; or
- 10 (B) Planned Unit Development (PUD) (See GCC § 23.04 Article VIII).
- 11 Golf courses proposed as an element of an MPR or PUD shall be reviewed under the pertinent
12 provisions of GCC § 23.04.
- 13 (7) Water ski lakes shall not be permitted in the Agricultural (AG) zoning district.
- 14 (8) Access shall be only from full width roads, which shall be paved or surfaced in accordance with
15 the County Engineer's specifications.
- 16
- 17 (e) Standards: The following standards shall apply to all outdoor recreation developments; additional
18 standards follow that apply to specific types of outdoor recreation development:
- 19 (1) Outdoor recreation developments shall be located so as to protect adjacent properties from
20 adverse impacts. Where the proposed recreational use can reasonably be expected to have
21 adverse impacts on adjacent properties, and where existing ground cover, such as trees or shrubs,
22 will not provide an adequate buffer between the recreational area and adjoining properties,
23 screening or fencing shall be required;
- 24 (2) Parking shall be provided as specified in GCC § 23.12.130;
- 25 (3) Parking areas associated with outdoor recreation developments shall be located inland away
26 from water and beaches and shall be designed to control surface runoff and prevent the pollution
27 of nearby water bodies. Safe access from parking areas to recreation areas shall be provided by
28 means of walkways or other suitable facilities;
- 29 (4) Parks in the Open Space Conservation (OSC) and Public Open Space (POS) zoning districts
30 shall not be designed, created, or operated in a manner which would reduce, limit, or degrade the
31 purpose and intent of the zoning district;
- 32 (5) Community Parks shall meet the following standards:
- 33 (A) Hours of operation shall be limited to the period of sunrise to 10:00 p.m.;
- 34 (B) Any lighting shall be of direct cutoff design and not extend beyond the property boundaries;
- 35 (C) Any trash or garbage receptacles shall be screened from view from surrounding properties; and
- 36 (D) Any restroom facilities shall be screened from view from surrounding properties and the
37 entrance shall be fully visible from the public areas;
- 38 (6) No use shall be made of equipment or material which produces unreasonable vibration, noise,
39 dust, smoke, odor, electrical interference to the detriment of adjoining property;
- 40 (7) Outdoor recreation developments which are also commercial enterprises designed primarily as
41 tourist attractions shall not exceed a gross use area of 5,000 square feet;
- 42
- 43 (f) Outdoor Shooting Ranges: Outdoor shooting ranges include rifle, pistol and archery ranges and gun
44 clubs. The following standards shall apply to outdoor shooting ranges:
- 45 (1) Outdoor shooting and archery ranges shall be located, designed, constructed and operated to prevent
46 the likelihood of discharge of ammunition beyond the boundaries of the parcel where they occur. It is
47 recommended that the National Rifle Association's 'Range Manual' be consulted and used in the
48 development and operation of ranges; Articles 1, 2, and 3 of the safety recommendations for outdoor
49 shooting ranges shall be used as guidelines in the design and construction of shooting ranges.
- 50

- 1 (2) The minimum lot size requirement for an outdoor rifle trap or skeet shooting or pistol range used by
2 an organization shall be ten (10) acres. For an outdoor archery range used by an organization,
3 minimum lot size shall be two (2) acres.
- 4 (3) No structure or shooting areas associated with a shooting or firing range shall be located closer than
5 one hundred (100) feet to any lot line.
- 6 (4) A minimum location of five hundred (500) feet is required from any occupied dwelling other than the
7 dwelling of the owner.
- 8 (5) All shooting areas shall be completely fenced.
- 9 (6) The shooting areas shall be surrounded by an eight (8) foot high noise barrier in the form of an earth
10 berm or wall, or be located in a minimal eight (8) foot deep depression.
- 11 (7) In the consideration of an application for a permit, the Approval Authority shall take into account
12 both safety and noise factors, and may prescribe additional conditions with respect thereto.

13
14 (g) Golf Courses: The following standards shall apply to golf courses:

- 15 (1) Sewage disposal and water supply shall be in accordance with GCC § 23.12.050 and § 23.12.060.
16 Adequate water supply shall be provided without diminishing the level of service for system users;
- 17 (2) Accessory uses, such as eating or drinking establishments, pro shops, and clubhouses, shall only be
18 allowed in RRC and MPR zoning districts; except that a single structure not to exceed twenty-five
19 hundred (2,500) square feet of gross floor area may be allowed, subject to a conditional use permit, to
20 provide such functions in OSR, RR1, and RRem zoning districts and in PUDs.

21
22 (h) Major Campgrounds: The following standards shall apply to Major Campgrounds, including
23 Destination Campgrounds, Developed Campgrounds having more than fifty (50) camping sites,
24 Institutional Campgrounds, and temporary or permanent Festival Campgrounds:

- 25 (1) No structure or camp site shall be located closer than ten (10) feet to any lot line;
- 26 (2) Visual screening, increased setback, increased lot size, and other conditions may be required taking
27 into account safety, noise, and odor factors;
- 28 (3) If the facility is to contain food service facilities or is intended to be used for exhibitions, shows, or
29 Temporary Outdoor Festivals, additional parking shall be provided as required;
- 30 (4) Allowable accessory improvements may include facilities for:
 - 31 (A) Picknicking;
 - 32 (B) Showering or Bathing;
 - 33 (C) Sports and recreational activities; and
 - 34 (D) Convenience stores having a gross area of less than 500 square feet and not providing vehicle
35 fueling.

36
37 **23.08.300 Recreational Vehicle Parks and Travel Trailer Parks**

38
39 (a) Applicability: The requirements of this section apply to recreational vehicle parks, travel trailer parks,
40 and commercial campgrounds.

41
42 (b) Permitted Use: recreational vehicle parks, travel trailer parks, and commercial campgrounds shall be a
43 permitted use in those zoning districts, subject to a conditional use permit, as specified in Tables 3, 4
44 and 5 of GCC § 23.04. Such uses shall be designed for temporary occupancy not to exceed six (6)
45 months.

46
47 (c) Standards: The following standards shall apply to recreational vehicle parks, travel trailer parks, and
48 campgrounds:

- 49 (1) No structure or camp site shall be located closer than ten (10) feet to any lot line; and
- 50 (2) Allowable accessory improvements may include facilities for:

- 1 (A) Picknicking;
- 2 (B) Boating;
- 3 (C) Fishing;
- 4 (D) Swimming;
- 5 (E) Outdoor games;
- 6 (F) Miniature golf courses;
- 7 (G) Mechanical amusements; and
- 8 (H) Other sports and activities.

9
10 (d) Site Plan Review: New and expansions of recreational vehicle parks, travel trailer parks, and
11 campgrounds shall be subject to the requirements of GCC § 23.04.140. Proposed improvements and
12 facilities, including accessory improvements, shall be clearly shown on the site plan.

13
14 **23.08.310 Recycling Collection Facilities and Recycling Centers**

15
16 (a) Recycling Collection Facilities: Recycling collection facilities provide a neighborhood drop-off point
17 for temporary storage or recyclables but without processing thereof. The following standards apply to
18 all recycling collection facilities:

- 19 (1) Weather protection of recyclable items shall be ensured by using weatherproof containers or by
20 providing a roof over the storage area;
- 21 (2) Only recyclable materials shall be collected and stored at such collection points. Except for
22 initial sorting and bailing of recyclable items by users, all other processing of such materials
23 shall be conducted off-site; and
- 24 (3) All deposited material shall be contained wholly within the recycling box or facility. No litter
25 shall be allowed to accumulate outside the recycling box or facility. The recycling box or facility
26 shall be kept clean and free of odors or pests.

27
28 (b) Recycling Centers: An area, with or without buildings, upon which used materials and recyclables are
29 separated and processed for shipment. The following standards apply to all recycling centers:

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

39
40 **23.08.320 Residential Care Facilities and Health Care Facilities**

41
42 (a) The following apply to all residential care facilities:

- 43 (1) Residential care facilities housing five (5) or fewer residents, other than staff, are permitted
44 outright in all residential districts. All other residential care facilities are conditional uses subject
45 to the requirements of this chapter and GCC § 23.12;
- 46 (2) Conditional use approval is contingent upon obtaining and maintaining state licensing for
47 operation of the facility. Conditional use approval terminates when the state license is no longer
48 in effect. Furthermore, any increase in the number or change in the class of residents authorized
49 by the state license terminates approval unless a new conditional use authorization is obtained
50 for the new class or number of residents;

- 1 (3) The maximum number of residents permitted in a facility is twenty (20), exclusive of staff;
2 (4) Minimum Lot Size: For up to ten (10) residents, exclusive of owners/operators and/or staff,
3 minimum lot size will be twelve thousand five hundred (12,500) square feet or the minimum lot
4 size of the underlying zone, whichever is greater. For facilities with more than ten (10) residents,
5 the minimum lot size shall be twelve thousand (12,500) square feet plus one thousand (1,000)
6 square feet per additional resident, or minimum lot size allowed in the underlying zone,
7 whichever is greater; and
8 (5) Minimum Off Street Parking: the minimum number of parking spaces shall be as specified in
9 GCC § 23.12, Table 5. All parking spaces shall meet the standards of GCC § 23.12.130.

10
11 (b) The following standards apply to all health care facilities:

- 12 (1) The provider shall demonstrate compliance with state licensing requirements.
13

14 **23.08.330 Mini Storage Facilities**
15

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

- 17 (1) The site shall be contiguous to a designated urban arterial or rural collector road, although access
18 may or may not be directly onto such arterial or collector, as determined through the review process;
19 (2) A strip of land twenty (20) feet in width, landscaped with any harmonious combination of lawn,
20 flowers, trees, shrubs and ground cover and provided with a permanent watering system, shall be
21 provided along all street frontages. All other property lines and outdoor storage areas shall be visually
22 screened in accordance with GCC § 23.12.180;
23 (3) All access, travel surface, loading areas, and building aprons shall be surfaced with asphalt and/or
24 concrete;
25 (4) Signage shall be limited to on-premises signage and shall meet the standards of GCC § 23.12.150;
26 (5) Building height shall not exceed eighteen (18) feet;
27 (6) Exterior lighting shall meet the standards of GCC § 23.12.190;
28 (7) The Decision Maker may require exterior modifications of structures, including use of architectural
29 features or details, materials for siding and roofing, reduction of building mass and number of units
30 when necessary to assure compatibility with adjoining residential zoning districts; and
31 (8) Use of the facility shall be limited to the storage of excess personal property. No garage sales,
32 servicing or repair of vehicles or appliances, commercial business or other similar activities shall be
33 conducted on the premises.
34

35 **23.08.340 Seasonal and Permanent Roadside Stands**
36

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

- 38 (1) The stand shall be not more than three hundred (300) square feet in size;
39 (2) Sales are limited to products produced in Grant County and at least a portion of the agricultural
40 products must be grown onsite;
41 (3) No flags, lights, or banners shall be allowed; one non-illuminated, on-premises sign no larger
42 than twenty (20) square feet is permitted; and
43 (4) Off-street parking shall be required, and shall have a sufficient area to allow automobiles to park
44 safely off the road right-of-way and to re-enter the traffic in a forward direction. All parking
45 spaces shall meet the standards of GCC § 23.12.130.
46

47 **23.08.350 Slaughter, Packing and Rendering Facilities**
48

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

- 50 (1) A minimum lot area of two (2) acres is required;

- (2) Shall be located a minimum distance of one hundred (100) feet from any property line; and
- (3) Shall be located a minimum distance of one thousand (1,000) feet from any occupied dwelling unit other than the dwelling of the owner.

23.08.355 Small Scale Recreation and Tourism

- (a) Definition: Small scale recreation and tourism uses make available opportunities to diversify the economy of rural Grant County by utilizing, in an environmentally sensitive manner, the County's abundant recreational opportunities and scenic and natural amenities. They rely on a rural location and setting to provide recreational or tourist uses, including commercial facilities to serve those uses, but do not include new residential development. They include:
 - (1) Minor Campgrounds;
 - (2) Open Space Parks;
 - (3) Passive recreation;
 - (4) Trails or educational enterprises designed to offer special access to natural resource-based and recreational opportunities on lakes, creeks, streams, river corridors, shorelines, and areas with prominent views; and
 - (5) Historic sites open to the public;
 - (6) Cultural and interpretive facilities; provided that they are limited to those designed for the purpose of conserving or interpreting the natural or cultural history of the property or for the education of visitors about its natural or cultural resources. Any such facility shall be small in scale, shall leave the majority of the site undisturbed, and shall have no more than a minimal impact of the character or value of the conservation area;
 - (7) Cabins and other forms of overnight lodging that are rural in scale. New residential development shall not be permitted. New residential development includes the subdivision or sale of land for year-round or second-home residential housing that is owner-occupied or rented. Lodging operators may not allow any person to occupy overnight lodging on the premises for more than 4 months in any year;
 - (8) Commercial boathouses;
 - (9) Commercial facilities, such as restaurants and small retail shops, if they serve the primary recreational or tourist use;
 - (10) Display gardens;
 - (11) Outdoor recreational equipment rental and/or guide services; and
 - (12) Animal preserves and wildlife management areas.
- (b) Applicability: The requirements of this section apply to all small scale recreation and tourism developments.
- (c) Permitted Use: Small scale recreation and tourism developments shall be a permitted use in those zoning districts specified in Tables 3, 4 and 5 of GCC § 23.04. Uses may be allowed outright, or require discretionary use review or a conditional use permit, as specified in Tables 3, 4 and 5.
- (d) Additional Use Requirements: The following additional use requirements shall apply to small scale recreation and tourism developments:
 - (1) Parks and campgrounds in which individual lots or spaces are to be leased, sold or otherwise transferred are prohibited;
 - (2) Cabins and other forms of overnight lodging shall be permitted only in Rural Remote (RRem), Rural Residential 1 (RR1), Agriculture (AG), Master Planned Resort (MPR), and Rural Recreational Commercial (RRC) zoning districts, subject to a conditional use permit;

- 1 (3) Open Space Parks, passive recreation, trails, historic sites, and cultural and interpretive facilities
2 shall be the only type of small scale recreation and tourism development allowed in the rural
3 Open Space Conservation Overlay (OSC) and Public Open Space Overlay (POS) zoning
4 districts, subject to a conditional use permit;
- 5 (4) Large-scale tourist attractions such as casinos, golf courses, and theme parks are prohibited.
6
- 7 (e) Standards: The following standards shall apply to all small scale recreation and tourism
8 developments:
- 9 (1) Small scale recreation and tourism developments shall be located so as to protect adjacent properties
10 from adverse impacts;
- 11 (2) Small scale recreation and tourism developments located in rural lands or resource lands shall not
12 adversely impact the natural resource production in the area and shall not require extension of urban
13 water and sewer services;
- 14 (3) Parking shall be provided as specified in GCC § 23.12.130;
- 15 (4) Parking areas associated with small scale recreation and tourism developments shall be located
16 inland away from water and beaches and shall be designed to control surface runoff and prevent the
17 pollution of nearby water bodies. Safe access from parking areas to recreation areas shall be provided
18 by means of walkways or other suitable facilities;
- 19 (5) Parks in the Open Space Conservation (OSC) and Public Open Space (POS) zoning districts shall not
20 be designed, created, or operated in a manner which would reduce, limit, or degrade the purpose and
21 intent of the zoning district;
- 22 (6) Facilities shall meet the following standards:
- 23 (A) Hours of operation shall be limited to the period of sunrise to 10:00 p.m.;
- 24 (B) Any lighting shall be of direct cutoff design and not extend beyond the property boundaries;
- 25 (C) Any trash or garbage receptacles shall be screened from view from surrounding properties; and
- 26 (D) Any restroom facilities shall be screened from view from surrounding properties and the
27 entrance shall be fully visible from the public areas;
- 28 (7) 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 (8) Small scale recreation and tourism developments which are also commercial enterprises designed
31 primarily as tourist attractions shall not exceed a gross use area of 5,000 square feet.
32

33 **23.08.360 Solid Waste Handling and Disposal Facilities**

- 34
- 35 (a) The following types of solid waste handling and disposal facilities include:
- 36 (1) Sanitary landfills;
- 37 (2) Transfer stations; and
- 38 (3) Construction, demolition and landclearing (CDL) facilities.
39
- 40 (b) Solid waste handling and disposal facilities may be allowed subject to the following conditions in
41 those zoning districts specified in Tables 3, 4 and 5 of GCC § 23.04:
- 42 (1) Obtaining a conditional use permit pursuant to the requirements of GCC § 25.08;
- 43 (2) Obtaining a solid waste handling permit from the Grant County Health Department; and
- 44 (3) Obtaining an access permit from the County Engineer.
45

46 **23.08.370 Storage and Sale of Fertilizer, Pesticides, Herbicides, Soil Sterilants and Fumigants**

- 47
- 48 (a) The following standards shall apply to all facilities that are used for the storage and sale of fertilizer,
49 pesticides, herbicides, soil sterilants and fumigants:
- 50 (1) A minimum lot area of ten (10) acres is required;

- 1 (2) Shall have a minimum setback of fifty (50) feet on all property lines; additional setback may be
2 required by state or federal law;
- 3 (3) All such facilities shall be designed and located with full consideration of their proximity to
4 adjacent uses, their effect upon adjacent property, and to the reduction of nuisance factors;
- 5 (4) The owner or operator of such a use shall furnish evidence that the obnoxious characteristics of
6 the process or activity has been or shall be eliminated sufficiently as not to constitute a nuisance
7 or be detrimental to the health, safety, comfort or general welfare of persons residing or working
8 in or passing through the area; and
- 9 (5) The owner or operator of such a use shall have continuous obligation to prevent the creation of a
10 nuisance or hazard.

11
12 **23.08.375 Storage and Treatment of Sewage Sludge and Septage**

- 13
14 (a) Storage and treatment of sewage sludge and septage at any facility other than an approved sewerage
15 system plant, and development of storage or treatment facilities, are industrial uses for the purposes of
16 this UDC and are subject to the site standards for industrial uses in GCC § 23.08.230 and to approval
17 by the Grant County Health Officer.
- 18
19 (b) The importation of sewage sludge or septage from outside the county is subject to approval by the
20 Grant County Board of Health.
- 21
22 (c) The application of sewage sludge and septage to land for disposal or for fertilization is subject to
23 approval by the Grant County Board of Health.

24
25 **23.08.380 Sugar Refinery Accessory Uses**

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

40
41 **23.08.390 Tank Farm (Bulk Fuel Storage) Facilities**

- 42
43 (a) The following standards apply to all tank farm (bulk fueling storage) facilities:
 - 44 (1) Water supplies and sewage disposal facilities adequate to serve the proposed use shall be
45 provided in accordance with the requirements of GCC § 23.12. Occupancy shall not be
46 permitted before water supplies and sewage disposal facilities are approved and installed;
 - 47 (2) All tank farm facilities shall meet the site standards of GCC § 23.08.230, Industrial Uses –
48 Standards for Site Development;
 - 49 (3) Visual screening shall be provided in accordance with GCC § 23.12.180; and
 - 50 (4) All tank farm facilities shall comply with applicable local, state and federal standards.

1 **23.08.400 Temporary Outdoor Events**
2

- 3 (a) Temporary Outdoor Event: A temporary outdoor event is generally defined as any musical, cultural,
4 or social outdoors event which occurs less than four (4) weeks, cumulatively, out of any 12-month
5 period and which attracts two hundred fifty (250) or more people in any one (1) day. For the purposes
6 of this section, each week during which the temporary festival operates for two or more days shall be
7 considered a full week.
8
- 9 (b) The following temporary outdoor events are permitted as a matter of right and are exempt from an
10 approval process provided that the requirements below are met:
11 (1) Garage or yard sales conducted on the premises of a residential dwelling;
12 (2) Rummage sales, outdoor sales and other fund-raising activities sponsored by schools, places of
13 worship or other nonprofit organizations. Such uses shall not occur on a site for more than thirty (30)
14 days in any one (1) calendar year;
15 (3) Outdoor arts and crafts shows and exhibits on public park and/or school property;
16 (4) Neighborhood association meetings or picnics on property owned by the association or its members;
17 (5) One sales office for the purpose of selling lots or home within a subdivision constructed on the site of
18 a subdivision prior to final plat approval and may operate until all of the lots have been developed
19 and sold;
20 (6) Properties rented or used for personal social events, such as wedding receptions, private parties, or
21 similar activities, not more than four (4) times during any one (1) calendar year;
22 (7) Estate sales held on the property of the deceased;
23 (8) Christmas tree sales limited to no more than thirty (30) days of site occupation and operation in only
24 one (1) year period. Merchandise displays may only occupy parking stalls which are in excess of
25 parking requirements;
26 (9) Temporary stands for the sale of fireworks may require state, local, or federal permits, and shall be
27 subject to rules and regulations administered by the Fire District and/or Fire Marshal;
28 (10) Running, walking and biking events associated with charitable or community events;
29 (11) Hay rides, corn mazes, square dances, pony rides, barrel riding, and harvest social gatherings; and
30 (12) Similar uses as determined by the Administrative Official pursuant to GCC § 23.04.040.
31
- 32 (c) The following temporary outdoor events are allowed in certain zoning districts specified in Tables 3,
33 4 and 5 in GCC § 23.04, subject to a discretionary use review:
34 (1) Outdoor art craft shows and exhibits not exceeding three (3) days and not located on public park
35 and/or school property;
36 (2) Circuses, carnivals, street fairs and similar transient amusement enterprises, limited to not more than
37 thirty (30) days of site occupation and operation in any one (1) calendar year;
38 (3) Rummage and other outdoor sales sponsored by schools, places of worship or other nonprofit
39 organizations occurring more than thirty (30) days in any one (1) calendar year;
40 (4) Charitable or community events, not exceeding seven (7) days in duration and not more than four (4)
41 times in any one (1) calendar year;
42 (5) Overflow off-site parking, not exceeding seven (7) days in duration and not more than four (4) times
43 in any one (1) calendar year;
44 (6) Auctions, not exceeding three (3) days and not located on public park and/or school property; and
45 (7) Similar uses as determined by the Administrative Official pursuant to GCC § 23.04.040.
46
- 47 (d) The following temporary outdoor events are allowed in certain zoning districts specified in Tables 3,
48 4 and 5 in GCC § 23.04, subject to a conditional use permit:
49 (1) Outdoor art craft shows and exhibits exceeding three (3) days and not located on public park
50 and/or school property;

- 1 (2) Circuses, carnivals, street fairs and similar transient amusement enterprises, more than thirty
- 2 (30) days of site occupation and operation in any one (1) calendar year;
- 3 (3) Charitable or community events exceeding seven (7) days in duration or occurring more than
- 4 four (4) times per year for any single property;
- 5 (4) Properties rented or used for personal social events, such as wedding receptions, private parties,
- 6 or similar activities, more than four (4) times during any one (1) calendar year;
- 7 (5) Overflow off-site parking, exceeding seven (7) days in duration or more than four (4) times in
- 8 any one (1) calendar year;
- 9 (6) Auctions, exceeding three (3) days or held more than four (4) times in any one (1) calendar year
- 10 on the site of any legally established nonresidential use; and
- 11 (7) Similar uses as determined by the Administrative Official pursuant to GCC § 23.04.040.

12
13 (e) Temporary outdoor events are subject to the following regulations:

- 14 (1) No temporary outdoor events shall be permitted on public rights-of-way, unless right-of-way
- 15 obstruction permit is authorized by the County Engineer;
- 16 (2) Approval of temporary outdoor events is subject to written permission of the property owner on
- 17 which the use is to be located;
- 18 (3) The applicable Approval Authority may apply additional conditions to any conditional use
- 19 permit for a temporary outdoor event in order to:
 - 20 (A) Ensure compliance with the intent of the Zoning Code;
 - 21 (B) Ensure that such outdoor event is not detrimental to neighboring properties and the
 - 22 community as a whole; and
 - 23 (C) Ensure compliance with the Uniform Building Code and Uniform Fire Code;
- 24 (4) Within three (3) days after termination of the conditional use permit for any temporary outdoor
- 25 events, such event shall be abated and all structures, signs and evidence of such use removed.
- 26 The Administrative Official may require a cash bond be posted by the applicant upon application
- 27 to defray the cost of cleanup and repair of the property should the applicant fail to do so; and
- 28 (5) Temporary outdoor event permits not exercised within one hundred eighty (180) days of
- 29 issuance shall be null and void.

30
31 (f) Violations: In addition to any other remedy provided by this chapter, at any time when such

32 temporary outdoor event is operated in violation of required conditions of this section or a conditional

33 use permit, or otherwise found to constitute a nuisance, the County may revoke the conditional or

34 discretionary use permit. The permittee shall be given notice of and an opportunity to contest the

35 revocation prior to a final determination. If, in the opinion of the Administrative Official, the

36 violation poses a life, health, or safety threat, the use permit may be revoked immediately, and the

37 permittee shall be given the opportunity to request reconsideration and/or appeal.

38
39 **23.08.410 Temporary Festivals**

- 40
41 (a) Temporary Festival: A temporary festival is generally defined as any musical, cultural, or social event
- 42 conducted at an indoor or outdoor site or facility that is of a duration of more than four (4) weeks
- 43 cumulatively out of any 12-month period, and attracts two hundred fifty (250) or more people in any
- 44 one (1) day. For the purposes of this section, each week during which the temporary festival operates
- 45 for two or more days shall be considered a full week.
- 46
47 (b) The temporary festivals are allowed in certain zoning districts specified in Tables 3, 4 and 5 in GCC §
- 48 23.04, subject to a conditional use permit.
- 49
50 (c) Temporary festivals are subject to the following regulations:

- 1 (1) Those regulations specified above for temporary outdoor events;
- 2 (2) Operators of temporary festivals shall submit as part of the application for conditional use permit
- 3 written plans of operation describing those means and methods to be employed to minimize
- 4 impacts to neighboring parcels resulting from the temporary festival, including traffic, litter,
- 5 trespass, vandalism, property damage and sanitation.
- 6

7 (d) Violations: In addition to any other remedy provided by this chapter, at any time when such
8 temporary festival is operated in violation of required conditions of this section or a conditional use
9 permit, or otherwise found to constitute a nuisance, the County may revoke the conditional use
10 permit. The permittee shall be given notice of and an opportunity to contest the revocation prior to a
11 final determination. If, in the opinion of the Administrative Official, the violation poses a life, health,
12 or safety threat, the use permit may be revoked immediately, and the permittee shall be given the
13 opportunity to request reconsideration and/or appeal.

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

23 23.08.420 Utility Developments, Minor

24
25
26 (a) Minor Utility Developments: Minor utility developments include utility developments designed to
27 serve a small local community, are not manned and would be considered normal utility services for
28 the area, including but not limited to:

- 29 (1) Electrical generating facilities less than ten (10) megawatts in output;
- 30 (2) Electrical substations;
- 31 (3) Water and sewer pipelines;
- 32 (4) Pipelines for petroleum or petroleum products with an inside diameter less than six (6) inches or
33 less than five (5) miles in length;
- 34 (5) Pipelines for natural gas, synthetic natural gas, or liquid propane gas with an inside diameter less
35 than twelve (12) inches or less than five (5) miles in length;
- 36 (6) Refineries with capacity less than twenty-five thousand (25,000) barrels per day;
- 37 (7) Liquid natural gas ports less than 100×10^6 standard cubic feet per day;
- 38 (8) Petroleum and liquid propane gas ports less than 50×10^3 barrels per day; and
- 39 (9) Underground gas storage facilities with capacity less than 100×10^6 standard cubic feet per day.
- 40

41 (b) The following standards apply to all minor utility developments:

- 42 (1) Utility developments shall comply with the goals and policies of the Comprehensive Plan and
43 the requirements of the Shoreline Master Program;
- 44 (2) Environmental impacts resulting from installation or maintenance of utilities and utility facilities
45 shall be avoided or minimized. Where no feasible alternative to the impact exists, and mitigation
46 is not feasible, appropriate compensating measures should be developed;
- 47 (3) Utilities and transportation facilities shall be installed in the same rights-of-way when the effect
48 will be to reduce the adverse impacts on the physical environment;
- 49 (4) Extension of community sewerage system lines outside of activity centers shall be allowed only
50 if:

- 1 (A) The extension is demonstrated to be necessary to remedy existing or potential groundwater
2 contamination problems or to correct existing or impending health hazards, as determined
3 by the County Health Official; or
4 (B) The extension is to provide sewage collection and treatment service to a public elementary
5 or secondary school; and
6 (5) Routine maintenance and replacement of wired utility transmission and distribution lines and
7 poles within existing rights-of-way, where critical areas are not present and where exempt from
8 SEPA and Shoreline Master Program review, are authorized without further permit application
9 and development approval, provide that such construction and activities shall comply with
10 applicable performance and development standards of GCC § 23.08 and § 23.12, respectively.
11

12 **23.08.430 Utility Developments, Major**
13

- 14 (a) Major Utility Developments: Major utility developments include utility developments designed to
15 serve a broader community or regional area, or are manned, including but not limited to:
16 (1) Electrical generating facilities greater than ten (10) megawatts in output;
17 (2) Pipelines for petroleum or petroleum products with an inside diameter of six (6) inches or
18 greater and exceeding five (5) miles in length;
19 (3) Pipelines for natural gas, synthetic natural gas, or liquid propane gas with an inside diameter of
20 twelve (12) inches or greater and exceeding five (5) miles in length;
21 (4) Refineries with capacity exceeding twenty-five thousand (25,000) barrels per day;
22 (5) Liquid natural gas ports exceeding 100×10^6 standard cubic feet per day;
23 (6) Petroleum and liquid propane gas ports exceeding 50×10^3 barrels per day;
24 (7) Underground gas storage facilities with capacity exceeding 100×10^6 standard cubic feet per day;
25 and
26 (8) Other similar utility or energy facilities not meeting the definition of a minor utility
27 development.
28
29 (b) The following standards apply to all major utility developments:
30 (1) The need for the particular location proposed shall be demonstrated by the applicant to the
31 satisfaction of the Decision Maker, including a full accounting of alternative locations and sites;
32 (2) The physical and economic impacts of such facilities shall be evaluated, and measures to
33 mitigate these impacts provided and implemented;
34 (3) Development shall comply with all Federal Energy Regulatory Commission (FERC) and EFSEC
35 requirements; and
36 (4) Development shall comply with the requirements of Section 23.08.230, Industrial Uses –
37 Standards for Site Development.
38

39 **23.08.440 Veterinary Clinics or Hospitals**
40

- 41 (a) Veterinary Clinics or Hospitals: Veterinary Clinics or Hospitals may be allowed in those zoning
42 districts, as an allowed outright use or subject to a conditional use permit, as specified in Tables 3, 4
43 and 5 of GCC § 23.04.
44
45 (b) Veterinary Clinics or Hospitals are subject to the following standards:
46 (1) Current construction, maintenance and operation standards of the American Animal Hospital
47 Association shall apply at all times;
48 (2) Boarding and grooming of animals, other than that incidental to medical and surgical care, shall
49 be prohibited; and
50

- 1 (3) Development shall comply with the requirements of Section 23.08.230, Industrial Uses –
2 Standards for Site Development; including requirements for off-street parking, visual screening
3 and landscaping.
4

5 **23.08.450 Wireless Communication Facilities**
6

- 7 (a) Definition: A Wireless Communication Facility (WCF) is any unstaffed facility for the transmission
8 and/or reception of wireless communications services, including support structures, transmission
9 cables, equipment facility, and antenna arrays. Other communication facilities not intended for
10 wireless communications services are defined as Commercial Communication Facilities pursuant to
11 GCC § 23.08.120.
12

13 “Wireless Communications Services” means any personal wireless services as defined in the Federal
14 Telecommunications Act of 1996 which includes FCC licensed commercial wireless
15 telecommunications services including cellular, personal communications services (PCS), specialized
16 mobile radio (SMR), enhanced specialized mobile radio (ESMR), paging, radio, television and
17 similar services that currently exist or that may in the future may be developed.
18

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

- 23 (1) Accommodate an increased need for WCFs to serve the wireless communication needs of county
24 residents;
25 (2) Minimize adverse visual impacts of WCFs through careful design, siting, landscaping, screening
26 and innovative camouflaging techniques;
27 (3) Protect residential areas and land uses from adverse impacts of WCFs;
28 (4) Promote and encourage co-location of WCFs on existing and new structures, where feasible,
29 rather than construction of additional single-use structures and to reduce the number of such
30 structures needed in the future in order to minimize the total number of support structures
31 throughout the county;
32 (5) Facilitate the use of public property and structures for WCFs; and
33 (6) Facilitate the provision of wireless communication services quickly, effectively and efficiently.
34

- 35 (c) Intent: The intent of this section is to provide specific regulations for the placement, construction and
36 modification of WCFs. The provisions of this section are not intended to and shall not be interpreted
37 to prohibit or to have the effect of prohibiting the provision of wireless communication services, nor
38 shall the provisions of this section be applied in such a manner as to unreasonably discriminate
39 between providers of functionally equivalent wireless communication services.
40

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

- 43 (1) Pre-Existing WCFs: WCFs for which a permit has been issued prior to the effective date of this
44 chapter shall not be required to meet the requirements of this section.
45 (2) Exclusion for Amateur Radio Facilities: This section shall not govern the installation of any
46 amateur radio facility that is owned and operated by a federally licensed amateur radio station
47 operator or is used exclusively for receive-only antennas.
48

- 49 (e) Permitted Use: WCFs shall be an allowed use, subject to discretionary review or a conditional use
50 permit, in certain zoning districts as specified in Tables 3, 4 and 5 of GCC § 23.04. As specified in

1 Tables 3, 4 and 5 of GCC § 23.04, Attached WCFs may be reviewed as a discretionary use in certain
2 zoning districts, while WCFs requiring support structures in the may require conditional use permits
3 in the same zoning district.
4

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

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

21
22 (g) Cooperation: No wireless communication services provider, lessee, or agent thereof shall act to
23 exclude or attempt to exclude any other wireless services provider from using the same support
24 structure or location. Wireless services providers, lessees, or agents thereof shall cooperate in good
25 faith to achieve co-location of WCFs and equipment with other wireless services providers. If a
26 dispute arises regarding the feasibility of co-locating, the County may require a third party technical
27 study at the expense of either or both parties to resolve the dispute prior to issuing any development
28 permit or approval. The Decision Maker may impose permit conditions based on the results of any
29 third party review.
30

31 (h) Guidelines for Third Party Review. Wireless communication services providers use various
32 methodologies and analysis tools including geographically based computer software to determine the
33 specific technical parameters of wireless communication services, such as expected coverage area,
34 antenna configuration and topographic constraints that affect signal paths. In certain instances there
35 may be a need for expert review by a third party of the technical data submitted by the wireless
36 communication services provider. The County may require such technical review to be paid for by the
37 applicant for the WCF. The selection of the third party expert shall be by mutual agreement between
38 the applicant and the County or at the discretion of the County. The expert review is intended to be a
39 site-specific review of technical aspects of the WCF and not a subjective review of the site selection.
40 Such a review should address the accuracy and completeness of the technical data, possible
41 interference problems and whether the analysis techniques and methodologies are legitimate. A
42 determination on the validity of the applicant's conclusions, and any specific technical issues outlined
43 by the County or other interested parties shall be made. Based on the results of the third party review,
44 the County may require changes to the application for the WCF that comply with the
45 recommendations of the expert.
46

47 (i) Temporary Use: WCFs proposed for a term not to exceed ninety (90) days are allowed outright as a
48 temporary use in any zoning district in which WCFs are specified in Tables 3, 4 and 5 of GCC §
49 23.04 as an Permitted Use (A, D or C use). Upon approval of the Administrative Official, such
50 temporary use permits may be extended one time for up to an additional ninety (90) days.

- 1
2 (j) Review Procedures: Applications for WCFs shall be reviewed pursuant to GCC § 23.04.040, GCC
3 Chapter 25.04 – Permit Application Review Procedures, and GCC Chapter 25.08 – Conditional Uses
4 and Variances. WCFs that are proposed as part of a preliminary subdivision, planned unit
5 development (PUD), binding site plan, or other coordinated development approval shall be reviewed
6 and approved through those processes.
7
- 8 (k) Pre-Application Review Conference: Prior to submitting a permit application for a WCF, the
9 applicant may request a pre-application review conference as specified in GCC § 25.04.130. Such
10 pre-application review is not mandatory.
11
- 12 (l) Application Requirements: An applicant shall submit three (3) copies of all application materials,
13 which at a minimum shall include the following:
14 (1) Those documents and accompanying data specified in GCC § 25.04.140, including:
15 (A) Completed application on forms provided by the Department;
16 (B) A verified statement by the applicant that the property affected by the application is in the
17 exclusive ownership of the applicant or that the applicant has submitted the application
18 with the consent of all owners of the affected property;
19 (C) Identification of a single contact person or entity to receive determinations and notices
20 required by this chapter;
21 (D) A property and/or legal description of the site, including Assessor account number and
22 property identification number;
23 (E) A list of the names and addresses of all persons owning real property located within three
24 hundred feet from and parallel to the boundaries of the proposed activities and such
25 contiguous area under the legal control of the applicant;
26 (F) Any SEPA documents, as applicable; and
27 (G) The applicable fee(s).
28 (2) Site Plan: A scaled site plan showing the location, point of reference, type, height and horizontal
29 location (coordinates) of the proposed support structures and antennas, existing buildings, on-
30 site land uses and zoning, adjacent land uses and zoning, adjacent roadway rights-of-way,
31 parking areas if applicable, proposed means of access, setbacks from property lines and the
32 approximate distance between the proposed support structures and the property lines. The
33 method of fencing and, if applicable, the method of camouflage, noise screening, and
34 illumination shall be indicated. The application shall also include elevation drawings of the
35 proposed support structure and any other proposed structures;
36 (3) Landscaping Plan: A landscaping plan shall be prepared indicating the specific placement of the
37 WCF on the site. Trees and other significant site features, the type and location of plant
38 materials used to screen the facility and the proposed color(s) of the facility shall also be
39 indicated;
40 (4) Service Area Map: A current map showing the location of the proposed support structure, the
41 locations and service areas of other WCFs operated by the applicant and those proposed by the
42 applicant that are close enough to impact service within the County;
43 (5) Co-location Demonstration pursuant to subsection (f) of this section;
44 (6) Co-location Statements: A statement by the applicant as to whether construction of the support
45 structure will accommodate co-location of additional antenna(s) for future users. If so, a signed
46 statement shall be included indicating that: (i) the applicant and landowner agree they will
47 diligently negotiate in good faith to facilitate co-location of additional WCFs by other providers
48 on the applicant's structure or within the same site location; and (ii) the applicant and/or
49 landowner agree to remove the facility within ninety (90) days after abandonment;
50

- 1 (7) Co-location Attempt: A statement that the applicant has made a diligent attempt to mount the
2 facilities on an existing support structure or structure that is within a 2,500 foot radius of the
3 chosen site;
- 4 (8) Environmental Documentation: Copies of any environmental documents if required by any
5 federal or state agency;
- 6 (9) Compliance Letter: A letter signed by the applicant stating the support structure and antenna will
7 comply with all applicable federal, state and local laws and regulations, EIA standards and this
8 section;
- 9 (10) Interference Certification: Certification that the antenna usage will not interfere with other
10 adjacent or neighboring transmission or reception functions of other communications facilities;
- 11 (11) Licenses: Copies of any FCC licenses required under FCC regulations for the provision of
12 service within the County;
- 13 (12) Lease Agreements: Proof of lease agreements with an FCC-licensed wireless communication
14 services provider if such provider is required to be licensed by FCC regulations;
- 15 (13) Use of Private Roads: In cases where WCFs are to be accessed by private roads which are also
16 used to access adjoining properties, permittee shall repair and maintain roads back to original
17 (pre-facility) conditions, unless all parties of interest agree to a different standard;
- 18 (14) E911 Compliance: All providers shall attest to and demonstrate compliance with FCC and
19 Washington State laws relating to Emergency 911 regulations;
- 20 (15) Financial Security: The application for any support structure shall be accompanied by a letter of
21 credit, performance bond or other security in an amount to be determined by the County which
22 may be drawn upon by the County as necessary to cover the costs of removal of the facility;
- 23 (16) County Recommendation: If the applicant proposes to use County-owned property, a letter of
24 recommendation from the Board of County Commissioners, Public Works Department or other
25 applicable official.
- 26
- 27 (m) Application Review: Applications for WCFs shall be processed as specified in GCC § 25.04.080 and
28 defined in GCC § 25.04.070 based on the land use classification (D or C). When the Administrative
29 Official determines that the permit application is technically complete, as defined in GCC §
30 25.04.160, the application shall be processed as specified in GCC § 25.04.260.
- 31
- 32 (n) Approval Criteria: A conditional use permit or discretionary review shall be approved by the Decision
33 Maker if the record contains clear and convincing evidence that the permit application:
- 34 (1) Meets the criteria for approval for a conditional use permit specified in GCC § 25.08.060;
- 35 (2) Meets the purpose and goals of this section, or can comply with the purpose and goals through
36 the imposition of special conditions of approval;
- 37 (3) Complies with the Comprehensive Plan, the Shoreline Master Program, the zoning code and
38 other land use regulations, and SEPA;
- 39 (4) Meets all requirements of this section, including the performance standards of subsection (t) of
40 this section;
- 41
- 42 (o) Conditional Approval: For conditional use permit applications, the Decision Maker may impose
43 special conditions of approval to ensure that the criteria listed in subsection (n) of this section are met;
44 provided that the Decision Maker has made findings that:
- 45 (1) The WCF would result in probable significant adverse visual impacts on nearby residences; and
- 46 (2) The conditions are based upon the purpose and goals of this section or other adopted policies or
47 regulations of the jurisdiction; and
- 48 (3) The conditions are reasonable and capable of being accomplished.
- 49
- 50

- 1 (p) Variances: A variance from any of the performance standards of subsection (t) of this section may be
2 granted by the Decision Maker pursuant to GCC § 25.08.
3
- 4 (q) Appeals: Decisions may be appealed in accordance with the procedures specified in GCC § 25.04
5 Article X.
6
- 7 (r) Siting Requirements: WCF sites are subject to the following siting requirements:
8 (1) An applicant proposing to site a WCF shall demonstrate by a propagation map that the WCF
9 must be located at the site to satisfy its function in the applicant's grid system;
10 (2) Further, the applicant must demonstrate by a propagation map that the height requested is the
11 minimum height necessary to fulfill the site's function within the applicant's grid system. An
12 analysis by a Professional Engineer documenting these demonstrations shall accompany the
13 propagation maps; and
14 (3) WCFs shall be located and designed to minimize adverse impact on residential property values.
15 WCFs shall be placed in locations where the existing topography, vegetation, buildings or other
16 structures provide the greatest amount of screening.
17
- 18 (s) Requirements for Siting on County Property: The Board of County Commissioners reserves the right
19 to deny the use of any or all County-owned property by any or all applicants as sites for WCFs.
20 Minimum requirements for siting of WCFs on property that is owned or otherwise controlled by the
21 County by rent, lease, rights-of-way, easement, or similar mechanism shall be as follows:
22 (1) The WCF shall not interfere with the purpose for which the property is intended;
23 (2) The WCF shall not interfere with other users of the property, including:
24 (A) Grant County;
25 (B) Public safety agencies including law enforcement, fire, and ambulance services which are
26 not part of Grant County and private entities with a public safety agreement with Grant
27 County;
28 (C) Other governmental agencies for uses which are not related to public safety; and
29 (D) Other entities providing or using wireless communication services;
30 (3) The applicant shall obtain adequate liability insurance and commit to a lease agreement that
31 includes equitable compensation for the County;
32 (4) The applicant shall submit a letter of credit, performance bond or other security acceptable to the
33 county to cover the costs of removing the WCF;
34 (5) The applicant shall reimburse the County for any related costs that the County incurs because of
35 the presence of the applicant's WCFs; and
36 (6) The applicant must obtain all necessary land use approvals.
37
- 38 (t) Performance Standards: WCFs and WCF sites are subject to the following performance standards:
39 (1) No CCF shall be allowed in violation of GCC § 23.04.645 – Airport Safety Overlay (ASO) and
40 the standards of Sections 23.08.030 and 23.08.040;
41 (2) The entire facility shall be aesthetically and architecturally compatible with its environment. In
42 no case will metal exteriors be allowed for accessory buildings in residential zones;
43 (3) Facilities shall be located on the lot so that the distance from the base of the facility to any
44 adjoining property line or supporting structure of another facility is at least 100 percent of the
45 proposed facility height. Facilities that cannot satisfy this 100 percent setback may be approved
46 provided that the applicant presents a certification from a licensed structural engineer that the
47 structure is designed for a basic wind speed of 90 mph in accordance with the currently adopted
48 edition of the ANSI-EIA/TIA-222E;
49
50

- 1 (4) WCFs and WCF sites located in the following zoning districts may not include offices, long-
2 term vehicle storage, other outdoor storage, broadcast studios (except for emergency purposes),
3 or other uses that are not needed to send or receive transmissions:
4 (A) Open Space/Recreation (OSR);
5 (B) Urban Reserve (UR);
6 (C) Rural Residential 1 (RR1);
7 (D) Rural Remote (RRem);
8 (E) Rural Urban Reserve(RUR).
9 (F) Recreational Development (RD);
10 (G) Rural Neighborhood Commercial (RNC);
11 (H) Rural Recreational Commercial (RRC);
12 (I) Open Space Conservation (OSC);
13 (J) Master Planned Resort (MPR);
14 (5) When lighting is required and permitted by the FAA or other federal or state authority, it shall be
15 oriented upward and outward so as not to project onto surrounding residential property. Strobe
16 lighting on wireless communication facilities is prohibited;
17 (6) WCFs shall comply with Federal Communications Commission (FCC) Guidelines regarding
18 regulation of Radio Frequency (RF) emissions.
19 (7) All WCFs shall meet or exceed current standards and regulations of the FAA, the FCC and any
20 other agency of the federal government with the authority to regulate such facilities. If such
21 standards and regulations are changed, then the wireless communication services providers
22 governed by this section shall bring such facilities into compliance within the timelines provided
23 by the revised standards and regulations. The revised standards and regulations shall not be
24 retroactively applicable to existing WCFs unless otherwise provided or permitted by federal law.
25 Failure to bring WCFs into compliance with such revised standards and regulations shall
26 constitute grounds for the County to remove the WCFs at the provider's expense.
27

28 (u) Development Standards: Development standards shall be as specified in GCC § 23.12.210.
29

30 (v) Non-Use, Abandonment and Removal of WCFs: Any WCF that is not operated for a continuous
31 period of twelve (12) months shall be considered abandoned, and the owner of such a WCF shall
32 remove same within ninety (90) days of notice to the governing authority that the WCF is abandoned.
33 If such WCF is not removed within said ninety (90) days, the governing authority may remove such
34 WCF at the owners sole expense. The permit shall be reviewed one year after the date of issuance to
35 make sure the permitted use is still the actual use of the land (i.e. to make sure the WCF is still an
36 active tower). If there are two or more users of a single WCF, then this provision shall not become
37 effective until all users cease using the WCF.
38

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

- 41 (1) Continue in use for the purpose now used, but may not be expanded without complying with this
42 section, except as further provided in subsection (w) of this section;
43 (2) Add additional antennas (belonging to the same carrier or other carriers) subject to discretionary
44 review pursuant to GCC § 23.04.040;
45 (3) Be repaired and restored to their former use, location and physical dimensions if damaged or
46 destroyed due to any reason or cause, subject to obtaining a building permit therefore, but
47 without otherwise complying with this section;
48 (4) Be replaced, repaired, rebuilt and/or expanded in order to improve the structural integrity of the
49 WCF support structure, to allow the facility to accommodate co-located antennas or facilities, or
50 to upgrade the facilities to current engineering, technological or communication standards,

1 without having to conform to the provisions of this section, so long as such facilities are not
2 increased in height or setbacks are not decreased.
3

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

6 (1) Minor Modifications: Minor modifications shall be allowed subject to a discretionary review.

7 Minor modifications include:

8 (A) Addition of no more than two (2) antenna arrays, provided that the addition adds no more
9 than twenty (20) feet in height to the WCF and does not decrease the setback by more than
10 one (1) foot; and

11 (B) Co-location of up to one (1) antenna array.

12 (2) Major modifications: Major modifications may be approved subject to a conditional use permit.

13 Major modifications are any modifications that exceed the definition of minor modifications.
14

15 **23.08.460 Oil and Gas Operations Standards**

16
17 (a) Purpose: This section establishes standards for oil and gas operations to protect public health,
18 safety and welfare. This section is not intended to duplicate or contradict the regulatory
19 review and permitting of oil and gas operations conducted by any other local, state or federal
20 agency or jurisdiction, including without limitation the Washington Department of Natural
21 Resources (“DNR”).
22

23 (b) Exempt Activities: Oil and gas testing, including geophysical tests and operations and the
24 drilling of test bores which are not regulated by Chapter 78.52 RCW (the Oil and Gas
25 Conservation Act) shall be exempt from review and regulation under this Chapter.
26

27 (c) SEPA Review: Oil and Gas Operations shall comply with UDC Chapter 24.04 SEPA.
28

29 (d) Application Requirements:

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

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

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

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

36 (D) The applicable fee(s).

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

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

42 (4) Identification and description of those critical areas designated and regulated by GCC
43 § 24.08, together with any critical areas assessments that may be required by GCC §
44 24.08;

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

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

- 1 (7) A completed SEPA environmental checklist (and SEPA Determination if applicable).
2 (8) A copy of the Agreement between the surface property owner and the applicant or oil and
3 gas rights owner regarding access, area of surface use, and provisions for correcting or
4 compensating for damages. In the event the applicant or the oil and gas rights owner is
5 unable to reach such an agreement with the surface property owner, this requirement shall
6 be deemed satisfied upon the applicant providing the County with an Order issued by a
7 court with jurisdiction, demonstrating that the applicant has provided a bond as security
8 to address these issues.
9

10 (e) General Standards

- 11 (1) Offensive or noxious odors, fluids, gases, and dust shall be confined to the subject parcel
12 or the leasehold premises to the extent practicable and shall not impact any occupied
13 structures or dwellings.
14 (2) Junk, refuse, trash or abandoned material shall not be disposed of on-site.
15 (3) Any hazardous or toxic material shall be securely contained, stored and removed in
16 accordance with applicable state or federal regulations. On-site disposal is prohibited.
17 (4) Operations shall be in accordance with the Washington Oil and Gas Conservation Act,
18 Chapter 78.52 RCW, or as amended, and all pursuant rules, regulations and procedures.
19 (5) Operations approved under this Section shall not commence until the applicant has
20 provided the County with a copy of the DNR drilling permit applicable to the operation.
21 (6) The County shall rely upon the verification of ownership or contractual rights to drill for
22 oil and gas as determined by DNR through the issuance of the DNR drilling permit.
23 (7) All drilling and production operations (not including any gathering systems or other
24 pipelines), including derricks, retaining pits, vacuum pumps, storage tanks, vehicle
25 parking, structures, machinery and ancillary equipment shall be located at least 600 feet
26 from any dwelling or from any structure used for public assembly, including schools and
27 churches, where the owners of such structures are not a party to the oil and gas lease or
28 other real property transaction enabling the operations.
29 (8) All drilling and production operations (not including any gathering systems or other
30 pipelines) shall be located at least 100 feet from public roadways.
31 (9) The owner(s) and operator(s) shall be responsible for prevention and prompt removal of
32 spills involving waste materials, oil and toxic or hazardous materials.
33

34 (f) Visual

- 35 (1) The drill site, production site and access roads shall be located, designed and constructed
36 to minimize the removal of trees and shrubs and the amount of surface disturbance, to the
37 extent practicable.
38 (2) Glare from site lighting or gas flaring (other than short-term or periodic flaring) shall be
39 located, designed and constructed to minimize impacts on nearby residences, excepting
40 those whose owners are a party to the oil/gas lease or other property transaction enabling
41 the operation.
42

43 (g) Air and Water Quality and Noise

- 44 (1) Operators shall conform to all current local, state, and federal regulations and standards
45 concerning air quality, water quality, and noise.
46

47 (h) Wildlife, Critical Areas, and Cultural Resources

- 48 (1) Oil and Gas Operations shall comply with Grant County Code Chapter 24.08, "Critical
49 Areas and Cultural Resources" as may be amended.
50

- 1 (2) For all activities proposed in an area known to contain archaeological artifacts, as
2 identified in Grant County Code Chapter 24.08, the proponent shall provide for the
3 preservation of the resource or provide for the completion of necessary study and
4 monitoring work as may be specified by the Chapter 24.08 before any drilling or
5 excavation work begins. Should a cultural resource be discovered during operations,
6 those operations shall be suspended pending recommendation of the Washington
7 Department of Community Development, Office of Archeology and Historical
8 Preservation.
9
- 10 (i) Hazards
11 (1) Structures and fill proposed within a floodplain shall be carried out in a manner that does
12 not increase flood hazards upstream or downstream, nor reduces the efficiency with
13 which flood waters are carried through the site.
14 (2) Oil and Gas Operations shall comply with Grant County Code Chapter 24.16 “Flood
15 Damage Prevention”.
16 (3) All operations shall provide a fire protection plan.
17
- 18 (j) Access
19 (1) Ingress and egress points shall be located and improved (if needed) in order to:
20 (A) Assure adequate capacity for existing and projected traffic volumes; and
21 (B) Provide efficient movement of traffic.
22 (2) All applicable governmental permits or approvals shall have been obtained, including:
23 (A) Access or driveway permits to state or county roads (if needed);
24 (B) Construction within state or county highways; and
25 (C) Overweight or oversize loads.
26 (3) All weather access roads (including graveled roads), suitable to handle emergency
27 equipment, shall be provided to within 150 feet of any built structure or surface activity
28 area.
29
- 30 (k) Reclamation
31 (1) Reclamation shall be carried out in accordance with Chapter 78.52 RCW.
32 (2) Final land forms shall be stable.
33 (3) Minimize disturbance of soil cover, to the extent practicable.
34 (4) Maintain an abandoned site until reclamation has been completed and revegetation
35 permanently established.
36 (5) Reclamation shall be initiated as soon as weather and growing conditions permit after the
37 installation of any underground facilities and after abandonment or shut-in of the well or
38 installation of production equipment: All reclamation shall be completed no more than
39 one year after the completion of such activities.
40
- 41 (l) Drainage and Infiltration
42 (1) Stream boundaries and alignment should be preserved in a natural undisturbed state
43 whenever possible. Any activities potentially impacting streams shall be in accordance
44 with the Critical Areas and Cultural Resources Ordinance, Chapter 24.08, as may be
45 amended.
46 (2) Roads or other improvements obstructing drainages shall provide for culverts sized for
47 storm flows as determined by the County Engineer.
48 (3) Stormwater shall be retained onsite to the maximum extent possible, and natural drainage
49 patterns shall not be altered in a manner which would channel or intensify pre-existing
50 flows onto adjacent properties.