

SKAMANIA COUNTY CODE

TITLE 21 – ZONING

(Amended 5/1/2012)

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CHAPTER 21.04 - GENERAL PROVISIONS

Sections:

- 21.04.010 General title.
- 21.04.020 Short title.
- 21.04.030 Zoning map.
- 21.04.040 Standards, scope and compliance.
- 21.04.045 Effect on previously created parcels
- 21.04.050 Text and zoning map relationship.

21.04.010 **GENERAL TITLE**

The document codified in this title shall be known as and may be cited as the Skamania County zoning code.

21.04.020 **SHORT TITLE**

The document codified in this title may refer to itself internally as "this title". (Ord. 1985-05 §1.0.20).

21.04.030 **ZONING MAP**

- A. A zoning map will be made a part of this title as community areas are zoned which shall be known as the "zoning map". The zoning map shall show the zone classifications and special purpose district boundaries assigned to specific parcels of property.
- B. The zoning map(s) shall be placed on file with the Department of Planning and Community Development. Retired zoning maps shall remain in the archives on file with the Department of Planning and Community Development.

21.04.040 **STANDARDS, SCOPE AND COMPLIANCE**

Standards provided by this title for particular districts and circumstances are determined to be the minimum requirement in the interest of public health, safety, and general welfare to achieve the objectives of the Skamania County Comprehensive Plan A. A parcel of land may be used or developed by land division or otherwise, and a structure may be used or developed by construction, reconstruction, alteration, occupancy or otherwise, only as this title permits. In addition to complying with criteria and other provisions within this title, each development shall comply with the applicable standards set forth in the Supplementary Development Standards section (see 21.70) of this title. The requirements of this title apply to the person undertaking a development or the user of a development, and to the person's successors in interest.

21.04.045 **EFFECT ON PREVIOUSLY CREATED PARCELS**

- A. The applicable minimum lot size shall not be used to prohibit a use which is otherwise allowable on any legally created parcel of land.
- B. Any legally created parcel of land which contains more than one (1) legally placed or constructed single-family dwelling may be divided so as each single-family dwelling is on a separate parcel of land, regardless of the applicable minimum lot size, pursuant to SCC Section 21.70.140.

21.04.050 **TEXT AND ZONING MAP RELATIONSHIP**

- A. The text and zoning map are two distinct parts of zoning. One is ineffective without the other. The land use regulations contained in the text take effect in areas of Skamania County when they are adopted by a symbol on the zoning map.

- B. This title shall consist of the text hereof and the zoning map or maps identified by the approving signature of the Chairman of the Board. If any conflict between the zoning maps and the text of this title arises, the text of this title shall prevail. (Ord. 1985-05 §1.0.50).

CHAPTER 21.08 - DEFINITIONS

21.08.010 DEFINITIONS - INTERPRETATION

Whenever the following words and phrases appear in this title they shall be given the meaning attributed to them by this section. When not consistent with the context, words used in the present tense shall include the future; the singular shall include the plural, and the plural the singular; the word "shall" is always mandatory, and the words "should" and "may" indicates a use of discretion in making a decision. Words used in this title which are not defined in this section shall (when necessary) be defined as to the meaning used in a college level dictionary; or (where required or necessary) as defined in state law under the appropriate RCW, WAC regulations, or county ordinances.

1. Accessory Use or Structure: One which is subordinate to the principal use or structure on the lot serving a purpose clearly incidental to the use or structure.
2. Access Panhandle: A strip of land less than 30 feet wide, primarily used for ingress and egress.
3. Accessory Equipment Structure: an un-staffed structure used to contain the equipment necessary for processing communication signals. The accessory equipment structure does not include guyed, lattice or monopole towers.
4. Agriculture, Commercial: All agricultural practices, including animal husbandry, resulting in commercial sales, whether on or off the premises.
5. Agriculture, Domestic: All agricultural practices, including animal husbandry, which are limited to personal, family use and do not result in commercial sales.
6. Amateur (or Ham) Radio: Radio transmission or receiving antenna or communication device operated for non-commercial purposes by individuals licensed by the Federal Communications Commission (FCC).
7. Antenna Array: One or more rods, panels, discs or similar devices used for the transmission or reception of communication signals, which may include omni-directional antenna (rod), directional antenna (panel), and parabolic antenna (disc). The antenna array does not include the communication tower.
8. Attached Communication Facility: An antenna array that is attached to a building or structure used for other than communication purposes. The term includes but is not limited to utility poles and water towers.
9. Billboard: Any freestanding sign exceeding twelve (12) feet in total height and ninety-six (96) square feet in area.
10. Board: The Board of Skamania County Commissioners.
11. Building: A structure of permanent construction, having a roof and intended to be used for sheltering people, animals, property, or business activities. The term shall include mobile homes, mobile home units, and buildings which are capable of being moved. The term shall also include decks and balconies attached to a permanent structure.
12. Building, Accessory: A building which is on the same lot with, and of a nature customarily incidental and subordinate to, the principal building.
13. Building Coverage: The maximum percent allowable of the total lot area on which buildings and accessory buildings shall be permitted to occupy.
14. Building Location: Any area that is covered by a building, appendage, or architectural projection, to or from the building such as bays, porches, balconies, cornices, belt courses, water tables, sills, capitals, bases, or any other projection.
15. Child Day Care: The provision of supplemental parental care and supervision:
 - a. For a non-related child or children,
 - b. On a regular basis,

- c. For less than 24 hours a day, and
 - d. Under license by the Washington State Department of Social and Health Services.
- As used in chapter 21.86, the term is not intended to include babysitting services of a casual, non-recurring nature or in the child's own home. Likewise, the term is not intended to include cooperative, reciprocative childcare by a group of parents in their respective homes.
16. Child Day Care Facility: A building or structure in which an agency, person, or persons regularly provide care for a group of children for periods of less than 24 hours. It includes the following subcategories:
 - a. Family Day Care Home: A day care home for the care of 10 or fewer children, located in the family dwelling of the provider.
 - b. Child Mini-Day Care Center: A day care facility for the care of 12 or fewer children in a facility other than the family dwelling of the person(s) providing the care.
 - c. Child Day Care Center: A day care facility that provides for the care of 13 or more children. If located in a private family residence, the portion where the children have access must be separate from the family living quarters, or that portion where the children have access must be used exclusively for their care during the hours that the child day care center is operating. (Ord. 1991-06 (part))
 17. Citizen Band Radio: Two-way radio facilities used for short-range personal and business communications and operated without the need of a federal license.
 18. Cluster Development: A form of development where the parcels or buildings in a project are grouped together in a compact arrangement, or clusters, while the larger area of the site is identified for other uses. Development is pre-planned in its entirety.
 19. Co-location: The placement of two or more antenna systems or platforms by separate FCC license holders on a support structure or alternative support structure.
 20. Communication Facility: Any facility used for the transmission and/or reception of communication services. Such facilities usually, but not necessarily consisting of an antenna array, connection cables, and a communication tower to achieve the necessary elevation.
 21. Communication Facility Height: The distance measured from ground level to the highest point on the communication facility, including the Antenna Array.
 22. Communication Services: Any communication services as defined in the Telecommunication Act of 1996, which includes cellular services, personal communication services (PCS), specialized mobile radio (SMR), enhanced specialized mobile radio (ESMR), radio and television towers, paging services and similar services that currently exist or that may in the future be developed.
 23. Communication Tower: A freestanding structure designed and constructed specifically to support an antenna array. The structure may include a monopole tower, self-supporting (lattice) tower, guyed tower and other similar structures.
 24. Conditional Use Permit: A permit issued by the Skamania County Board of Adjustment (BOA) for a conditional use. The term "conditional use" means a use identified in this title as one that requires such a permit from the BOA.
 25. Cottage Occupation: A business operated within a private residence which does not constitute the principle use of that residence, and which principally employs household members associated with that residence or lot on which said business is located; and produces no outside evidence of such occupation with the exception of accepted signs. Such business may include the production, sale, repair, or service of products produced, manufactured, or assembled on the lot; and/or, provide a service to customers and clients.
 26. Department: The Skamania County Department of Planning and Community Development.
 27. Dwelling Types:
 - a. Single-family: A building (including mobile homes) designed for the permanent occupancy of one family and containing one dwelling unit. (Does not include recreational vehicles.)

- b. Duplex: A dwelling having two single-family units, which may be arranged as a single or two-story building.
 - c. Triplex: A dwelling having three single-family units, which may be arranged as a single or two-story building.
 - d. Fourplex: A dwelling having four single-family units, which may be arranged as a single or two-story building.
28. Dwelling Unit: A structure, or that part of a structure, which is used as a home, residence, or sleeping place by one family that contains kitchen facilities and sanitary facilities. (Does not include recreational vehicles.)
 29. Family: Any number of individuals living together in a structure sharing kitchen facilities in such structure for cooking.
 30. Floor Area: The total area of all floors of a building as measured to the outside surfaces of exterior walls; including halls, stairways, elevator shafts, attached garages, and decks.
 31. Frontage: Any portion of a parcel that abuts a public road right-of-way or private access easement.
 32. Guest House: A building that is detached from the single family dwelling that contains up to two bedrooms and sanitary facilities, but does not contain kitchen facilities.
 33. Guyed Tower: Any structure, including but not limited to lattice towers or monopoles, using guy wires connecting above grade portions of a communication tower diagonally with the ground in a radial pattern around the tower.
 34. Hazardous Waste: All dangerous and extremely hazardous waste as defined in RCW (70.105.010) except for moderate-risk waste.
 35. Hazardous Waste Storage: The holding of dangerous waste for a temporary period as regulated by the State Dangerous Waste Regulations, Chapter 173-303 WAC.
 36. Hazardous Waste Treatment: The physical, chemical, or biological processing of dangerous waste to make wastes non-dangerous or less dangerous, safer for transport, amenable for energy or material resource recovery, amenable for storage, or reduced in volume.
 37. Hazardous Waste Treatment And Storage Facility, Off-Site: These treatment and storage facilities treat and store waste from generators on properties other than those on which the off-site facilities are located.
 38. Hazardous Waste Treatment And Storage Facility, On-Site: These Amended treatment and storage facilities treat and store wastes generated on the same geographically contiguous, or bordering property.
 39. Hearing Examiner: is an appointed official vested with the duties established by Skamania County Ordinance Number 2006-16.
 40. Housing for People with Functional Disabilities
Housing used, or intended for use, by persons with functional disabilities. The term includes, but is not limited to, the following subcategories:
 - a. Adult Family Home: The regular dwelling of a person or persons who are providing personal care, and room and board in a protective family-like environment to more than one but not more than four adults, with functional disabilities, who are not related by blood or marriage to the person or persons providing the services; except that a maximum of six adults may be permitted if the Washington State Department of Social and Health Services determines that the home and the provider are capable of meeting standards and qualifications provided for by law (RCW 70.128.010). Adult family homes are a permitted use in all areas zoned for residential use (RCW 70.128.175).
 - b. Residential Care Facility: A facility, licensed by the state, that cares for at least five but not more than fifteen people with functional disabilities, that has not been licensed as an Adult Family Home pursuant to RCW 70.128.175.
 - c. Supported Living Arrangement: A living unit owned or rented by one or more persons with

functional disabilities who receive assistance with activities of daily living, instrumental activities of daily living, and/or medical care from an individual or agency licensed and/or reimbursed by a public agency to provide such assistance.

41. Land Use: A term used to indicate the utilization of any piece of land. The way in which land is being used is the land use.
42. Lattice Tower: A structure which consists of a network or vertical and horizontal supports and crossed metal braces, forming a tower which is usually triangular or square in cross-section.
43. Light Home Industry: A business operated within a building separate from the residential building(s) on a lot or parcel of land, and which principally employs persons who reside on the lot where said business is located. Such business may include the production, sale, repair, or service of products produced, manufactured, or assembled on the lot; and/or, provide a service to customers and clients.
44. Lodging Unit: A room utilized for victims of domestic violence or sexual assault and their children including those rooms used for sleeping or sitting.
45. Lot: A parcel of land of sufficient size to meet minimum zoning classification requirements including but not limited to; use, building coverage, area, setback, and off-street parking.
46. Lot Line: The property line bounding a lot.
47. Lot Lines:
 - a. Front: The front line of a lot shall be that line which parallels a public road right-of-way, or private road easement, or that line where a road, driveway, or access panhandle enters a lot;
 - b. Side: Any lot line which is not a front or rear lot line;
 - c. Rear: A lot line which is opposite and farthest from the front lot line.
48. Lot Measurements:
 - a. Lot depth; The distance measured from the mid-point of the lot line fronting a road or street, to the mid-point of the lot line opposite, or where the lot line does not front on a roadway depth shall refer to the greatest principal dimension.
 - b. Lot width; The distance measured between the mid-points of the two principle side lot lines and at approximate right angles to the lot depth.
49. Lot of Record: A lot which is part of a subdivision or short plat subdivision officially recorded; or a lot or parcel described by metes and bounds, and the description of which has been so recorded in the Skamania County Auditor's office.
50. Lot Size: The total horizontal area within the lot line.
51. Lot Size, Minimum: The minimum horizontal area of a parcel of land used, or which is capable of being used, under the regulations of this title.
52. Lot Types:
 - a. Corner Lot: A lot located at the intersection of two or more roads. A lot abutting a curved road shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than 135 degrees.
 - b. Interior Lot: A lot other than a corner lot with only one frontage on a road.
 - c. Double Frontage Lot: A lot other than a corner lot with frontage on more than one road.
 - d. Reversed Frontage Lot: A lot on which the frontage is at right angles or approximate right angles to the general pattern in the area. A reversed frontage lot may also be an interior lot or a through lot.
53. Mobile Home: A dwelling unit that is placed on a parcel other than the parcel where it is made or assembled, is equipped with the necessary service connections for the hook up of required utilities, may or may not require a permanent foundation as per manufacturer's instruction (i.e., mobile homes and manufactured homes), and that does not meet the requirements of the applicable building codes. This definition does not include recreational vehicles. (From MH/RV

- Park Ordinance)
54. Mapping: The assignment of zone classifications and/or special purpose districts to specific parcels of property.
 55. Map, Zoning: A legal document, adopted by the Board of County Commissioners that assigns zone classifications and/or special purpose districts to individual parcels of property.
 56. Monopole Tower: A structure consisting of a single pole to support antennas and connecting appurtenances.
 57. Non-conforming Uses of Land means a use which was lawfully conducted at the time the ordinance codified in this title becomes effective and which does not conform with the use regulation of the zone classification and/or special purpose district in which it is located.
 58. Non-conforming Lot means a lot lawfully existing at the time the ordinance codified in this title becomes effective which does not meet the area or width requirements of the zone classification and/or special purpose district in which it is located.
 59. Non-conforming Structure means a building or structure, or portion thereof, lawfully existing at the time the ordinance codified in this title becomes effective which was designed, erected, or structurally altered for a use that does not conform to the use regulations of the zone classification and/or special purpose district in which it is located, or which does not conform to the setbacks or other provisions herein established for the zone classification and/or special purpose district.
 60. Open Space or Open Land: Land not having buildings thereon. Vegetative cover may include trees, brush species, cut over timberland and unimproved pastureland on land used for commercial agriculture or forestry purposes.
 61. Outdoor Storage: Tangible items of a permanent or reusable nature stored on a parcel of land without enclosure by a permanent structure. Highly transient consumable items such as firewood or materials for a building in process are not considered as outdoor storage by this title.
 62. Parcel: A fractional part of divided lands having fixed boundaries, being of sufficient area and dimension to meet minimum zoning requirements for width, depth and area. The term shall include tracts or lots.
 63. People with Functional Disabilities:
 - a. A person who, because of a recognized chronic physical or mental condition or disease, is functionally disabled to the extent of:
 - i. Needing care, supervision or monitoring to perform activities of daily living or instrumental activities of daily living, or
 - ii. Needing supports to ameliorate or compensate for the effects of the functional disability so as to lead as independent a life as possible, or
 - iii. Having a physical or mental impairment which substantially limits one or more of such person's major life activities, or
 - iv. Having a record of having such impairment.
 - b. Being regarded as having such impairment, but such term does not include current, illegal use of or active addiction to a controlled substance; or sex offenders.
 64. Permit: A written government approval or license issued by an authorized official empowering the holder thereof to undertake an action.
 65. Planning Commission: The Skamania County Planning Commission.
 66. Planning Director: The administrative head of the Skamania County Department of Planning and Community Development or his/her designee.
 67. Professional Services: Public and/or private services offered by licensed practitioners or businesses.
 68. Public Displays: Outdoor stands used for sale of agricultural and horticultural commodities, or other goods and services in conjunction with cottage occupation or light home industry.
 69. Public Facilities and Utilities: Facilities which are owned, operated, and maintained by public

- entities which provide a public service required by local governing bodies and state laws.
70. Recreational Facility: Facilities intended for public or private group recreation.
 71. Recreational Vehicle: A vehicle or trailer designed or used for recreational camping or travel use, whether self-propelled or mounted on or drawn by another vehicle, or any structure inspected, approved and designated a recreational vehicle by and bearing the insignia of the State of Washington or any other state or federal agency having the authority to approve recreational vehicles. Recreational vehicles include any dependent or independent recreational vehicle which are described as follows:
 - a. Dependent Recreational Vehicle: any tent, trailer, camper, motor home or similar recreational vehicles that do not have self-contained sewer, water or electrical systems, which is dependent upon a service building for toilet and lavatory facilities.
 - b. Independent Recreational Vehicle: any trailer, camper, motor home, or similar recreational vehicles, which can operate independent of connections to sewer, water and electrical systems. The vehicle may contain a water-flushed toilet, lavatory, shower or kitchen sink, all of which are connected to water storage and sewage holding tanks located within the vehicle.
 72. Safe Home: A shelter that has two or less lodging units and has a working agreement with or is owned and/or operated by the Skamania County Domestic Violence Council.
 73. Semi-public Facilities: Facilities intended for public use which may be owned and operated by a private entity.
 74. Setback: The unobstructed distance from adjacent property lines to the building location.
 75. Shelter Home: A shelter that has three or more lodging units and either is a component of or has a working agreement with or is owned and/or operated by the Skamania County Domestic Violence Council.
 76. Sign: Any device which identifies, describes, illustrates, or otherwise directs attention to a product, place, activity, person, institution, or business, and which is affixed to a building, structure, or the land. Each display surface of a sign shall be considered a separate sign.
 77. Sign, Free Standing: A sign which is higher than five feet above the ground and supported by one or more poles, columns, or supports anchored in the ground.
 78. Sign, Off-Premise: A sign which advertises a product, service, or company (cottage occupation or light home industry) not located on the property on which the sign is situated.
 79. Sign, On-Premise: A sign which advertises a product, service, or company (cottage occupation or light home industry) located on the property on which the sign is situated.
 80. Site: A parcel of land intended or suitable for development. It may also refer to the physical location on which a building exists or may be constructed.
 81. Site Plan: A scale drawing showing proposed uses and structures for a parcel of land as required by the applicable regulations. A site plan is a more detailed representation of a proposed development than shown in a plat, and may also include density and statistical data.
 82. Site Plan Review: The process whereby the Hearing Examiner and Planning staff review the site plan of a development to assure that it meets the purpose and standards of zoning and other county regulations.
 83. Slope: The horizontal to vertical distance standard in feet.
 84. Structure: Anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground including, but not limited to, buildings, mobile homes, walls and fences.
 85. Substantial Change in Circumstances: A significant change in conditions affecting the planning area as a whole or a substantial portion thereof. Examples include, but are not limited to, substantial in-fill affecting the rural character of a community, 60% in-fill in any zone, or legal circumstances sufficient to defeat the purposes of a policy established in the comprehensive plan or subarea plan. However, the creation of the National Scenic Area and any zone changes

or existing zone districts within adjacent counties will not be considered to be a substantial change in circumstance. Additionally, due to the existing residences in the Northwestern Lake R-2 zone, the complete in-fill of this R-2 zone would not be a substantial change in circumstance.

86. Use: The purpose or activity for which a piece of land or its building is designed, arranged, or intended, or for which it is occupied or maintained.
87. Use, Allowable: Any use listed in this title that is allowed outright, which does not require obtaining Planning Director's review and approval, or a conditional use permit. However, an Allowable Use may require other permits or approvals, including but not limited to: a building permit, Mobile Home Placement permit, SEPA review, or critical area review.
88. Use, Conditional: Certain uses because of their size, special requirements, or possible safety hazards may have detrimental effects on surrounding properties, but may also be compatible with the other uses if they are properly designed. Such uses are conditional and require conditional use review. A conditional use may be granted after review by the Hearing Examiner, at which time conditions may be imposed.
89. Use, Administrative Review: A use which is specifically authorized by a particular zone with an administrative review by the Department for consistency with standards place upon those uses under this title.
90. Variance: Permission granted pursuant to SCC 21.16.070(B) to a parcel owner to allow relief from certain provisions of this title when, due to the particular physical surroundings, shape, or topographical conditions unique to the parcel, compliance would result in a particular hardship upon the owner, as distinguished from a mere inconvenience or further economic benefit.
91. Wind Turbine: A machine with turbine apparatus (rotor blades, nacelle and tower) capable of producing electricity by converting the kinetic energy of wind to rotational, mechanical and electrical energy; provided, the term does not include electrical distribution or transmission lines, or electrical substations.
92. Yard: Land unoccupied or unobstructed from the ground upward; except, for such encroachments as may be permitted (or not regulated) by this title surrounding a building site.
93. Yard, Front: A yard extending between side lines across the front of a lot adjoining a public road right-of-way or private road easement.
94. Yard, Side: A yard extending from the rear line of the required front yard to the rear lot line.
95. Yard, Rear: A yard extending across the rear of the lot line between inner side yard lines.
96. Zoning: The process by which the county may legally control the use of property and physical configuration of development upon tracts of land within its jurisdiction. (Ord. 1992-06 (part): Ord. 1991-06 (part): Ord. 1988-02 §1: Ord 1985-05 §2.0.00)).

CHAPTER 21.12 - APPLICABILITY

Sections:

- 21.12.010 Applicability.
21.12.020 Permits and consistency with plan and laws.

21.12.010 **APPLICABILITY**

The Zoning Ordinance shall apply to every person or persons, partnership, association, organization, corporation, local or state agency, public or municipal corporation, or any other nonfederal entity which develops, owns, leases or administers land within the unincorporated area of Skamania County. (Ord. 1985-05 §3.0.10).

21.12.020 **PERMITS AND CONSISTENCY WITH PLAN AND LAWS**

There shall be no permits of any kind required for activities which are allowed outright under this title; except, for those activities which require a permit under other applicable county ordinance or state law. (i.e. building permit, or shoreline substantial development permit); provided, that permit or application review shall be required for activities which are designated in this document as conditional uses, map amendments, cluster developments or any other applications required by the county or a state agency shall be abided by for all uses addressed in this title. Actions initiated under this title shall be consistent with the intent of land use designations of the Skamania County Comprehensive Plan A, or any subarea plan and with the regulations of applicable state laws and county ordinances.

CHAPTER 21.16 - ADMINISTRATION

Sections:

- 21.16.010 Purpose - Intent.
- 21.16.020 Administrator.
- 21.16.030 Cooperation of other county departments.
- 21.16.040 Cooperation of other county agencies and organizations.
- 21.16.050 Interpretations.
- 21.16.060 Hearing Examiner Authority.
- 21.16.070 Hearing Examiner – Duties and responsibilities.
- 21.16.080 Notice of hearing.
- 21.16.090 Notice of alleged permit violation.
- 21.16.100 Hearing Examiner - Action final.
- 21.16.110 Inclusion of findings of fact.
- 21.16.120 Fees.
- 21.16.130 Annual review.

21.16.010 **PURPOSE - INTENT**

The provisions of this title shall be held to be the minimum requirements for the promotion of the public health, safety and general welfare in Skamania County. Where this title imposes greater restriction than is imposed or required by other state laws or county ordinance rules and regulations, the provisions of this title shall prevail. In the event of conflict of the provisions in this title, the more restrictive requirements shall govern. Shorelines covered by the Skamania County Shorelines Management Master Program and Permits Ordinance are subject to the provisions and regulations of that plan and ordinance, the Washington State Shoreline Management Act, and WAC regulations as they hereby exist or are hereafter amended. The area inside of the National Scenic Area Boundary, excluding unincorporated urban areas, are not subject to the provisions and regulations of this title.

21.16.020 **ADMINISTRATOR**

The Skamania County Planning Department Director, or designee, is vested with the duty of administering the provisions of this title and shall insure that this title is enforced through the proper legal channels. No building permit, subdivision, short subdivision, mobile home park, or other development permit shall be approved unless such development conforms in all aspects with the provisions and regulations of this title. The Director, or designee, shall prepare and require the use of such forms as determined to be essential to the administration of this title.

21.16.030 **COOPERATION OF OTHER COUNTY DEPARTMENTS**

The Administrator may request, and shall receive so far as may be necessary in the discharge of his duties, the assistance and cooperation of other county departments, including but not limited to the County Road Department, and County Parks and Recreation Department. (Ord. 1985-05 §9.1.11)

21.16.040 **COOPERATION OF OTHER COUNTY AGENCIES AND ORGANIZATIONS**

The Administrator shall seek the recommendation of the following agencies and organization with regard to their interest, concern or special area of expertise in the administration of this title:

- A. Skamania County Health Department
- B. Public Utility District No. 1 of Skamania County
- C. Skamania County fire and school districts
- D. Community councils
- E. Outdoor recreation organizations located within the county
- F. Underwood Conservation District
- G. Washington State Department Of Transportation
- H. Washington State Department's of Game, Fisheries and Ecology
- I. Other relevant agencies and organizations as deemed necessary by the Administrator. (Ord. 1985-05 §9.1.12).

21.16.050 **INTERPRETATIONS**

It shall be the duty of the Planning Director, Planning Commission, Hearing Examiner, and Board to:

- A. Interpret in a zone classification and/or special purpose district any use not described in this title as an allowable, Administrative Review or conditional use, and deem it to be in general keeping with the uses authorized in such zone classifications and special purpose districts.
- B. Interpret the provisions of this title in such a manner as to carry out the intent and purpose of the zoning map(s);
- C. Interpret and/or administer the provisions of this title in such a manner as to carry out the intent and purpose of the Skamania County Comprehensive Plan A as it presently exist or is hereafter amended;
- D. A record shall be kept by the Planning Director of such interpretations to facilitate equitable future administration and to permit periodic amendments to this title.

21.16.060 **HEARING EXAMINER AUTHORITY**

- A. There is created an office of Hearing Examiner to hear appeals from decisions of the Planning Director related to this title and to consider requests for variances, conditional use permits, and other quasi-judicial and administrative determinations as set forth by Chapter 36.70 RCW and Skamania County Code Chapter 2.80.
- B. The office of Hearing Examiner is created by the Board of County Commissioners. The Hearing Examiner shall interpret, review and implement land use regulations, hear appeals from permits, decisions or determinations made by a county official as set for in this chapter, and review and hear other matters as provided for in the Skamania County Code and other County ordinances. The term “Hearing Examiner” shall likewise include the Deputy Hearing Examiner.
- C. The Hearing Examiner shall have all the authority provided by the laws of the state and shall operate pursuant to RCW 36.70.970, and Skamania County Code Chapter 2.80.

21.16.070 **HEARING EXAMINER - DUTIES AND RESPONSIBILITIES**

The Hearing Examiner shall hear and decide:

- A. Applications for conditional uses. Conditional uses are those uses, which may or may not be compatible with permitted uses in a specific zoning designation. If the Hearing Examiner determines that the use is not compatible with permitted or existing uses in the specific area of the proposed use then the proposed use shall be denied. Alternatively, if the Hearing Examiner determines that the proposed use is compatible with permitted and existing uses in the specific area of the proposed use then the proposed use may be approved or approved with conditions to make it compatible with the area.
- 1) In determining whether the use is compatible with the area, the proposed use shall:
 - a) Be either compatible with other uses in the surrounding area or is no more incompatible than are other outright permitted uses in the applicable zoning district;
 - b) Not materially endanger the health, safety, and welfare of the surrounding community to an extent greater than that associated with other permitted uses in the applicable zoning district;
 - c) Not cause the pedestrian and vehicular traffic associated with the use to conflict with existing and anticipated traffic in the neighborhood to an extent greater than that associated with other permitted uses in the applicable zoning district;
 - d) Be supported by adequate service facilities and would not adversely affect public services to the surrounding area;
 - e) Not hinder or discourage the development of permitted uses on neighboring properties in the applicable zoning district as a result of the location, size or height of the buildings, structures, walls, or required fences or screening vegetation to a greater extent than other permitted uses in the applicable zoning district;
 - f) Not be in conflict with the goals and policies expressed in the current version of the County's comprehensive plan.
 - 2) Criteria for determining conditions to be imposed on conditional uses shall be based on the health, safety and general welfare of the public, any environmental standards in force in Skamania County, other applicable provisions set forth in this title and shall be subject to conditions which may include, but are not limited to the following:
 - a) Limiting the manner in which the use is conducted including restricting the time an activity may take place and restraints to minimize such environmental effects as noise, vibration, air pollution, glare and odor.
 - b) Establishing a special yard, open space, lot area or lot dimensions.
 - c) Limiting the height, size, or location of a building or other structure.
 - d) Designating the size, number, location, and nature of vehicle access points.
 - e) Increasing the amount of street dedication, roadway width or improvements within the street right-of-way.
 - f) Limiting or otherwise designating the number, size, location, height and lighting of signs.
 - g) Limiting the location and intensity of outdoor lighting and requiring it to be shielded.
 - h) Requiring berming, screening, landscaping or another facility to protect adjacent or nearby properties and designating standards for its installation and maintenance.
 - i) Designating the size, height, location and materials for a fence.
 - j) Protecting and preserving existing trees, vegetation, water resources, wildlife habitat or other significant natural, historic, or cultural resources.
- B. Application for variances from the terms of this title, with the exception of minimum lot size/density; provided, that any variance granted shall be subject to such conditions as will assure

that the adjustment thereby authorized shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated, and that the following circumstances are found to apply;

- 1) Because of special circumstances applicable to subject property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance is found to deprive subject property of rights and privileges enjoyed by other properties in the vicinity and under identical zone classification and/or special purpose district;
- 2) That the granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone classification and/or special purpose district in which subject property is situated;

C. Revocation of Conditional Use Permit. Noncompliance with any condition placed on a conditional use permit shall be grounds for revocation of the permit. Revocation of a conditional use permit shall be considered a land use action and reviewed by the Hearing Examiner. The following procedures shall be completed at least twenty (20) days prior to the date of the revocation hearing:

- 1) A notice of alleged permit violation pursuant to Section 21.16.090 shall be sent by certified mail or personal service to the owner of the property on which the conditional use takes place and the operator of the conditional use, in the event that they are different.
- 2) Notice of the public hearing shall be made pursuant to Section 21.16.080 - Notice of Hearing.
- 3) The owner of the land or operator of the conditional use should be present. However, in the event that they are not, the hearing will still be conducted and a final decision shall be rendered.

D. Appeals of any decision of the Planning Director, or the Director's designee, relating to this title. Any aggrieved person with standing may file an appeal on forms supplied by the Planning Department. Such appeals shall be filed in writing with the Hearing Examiner within 14 calendar days of the date of the action being appealed, and must include the non-refundable appeal fee as set by the Board of County Commissioners. Upon the filing of an appeal from an administrative determination the Planning Department shall set the time and place at which the matter will be considered. At least a 10 calendar day notice of such time and place shall be given to the appeal applicant, and the Planning Director (and the adverse parties of record in the case if not the same as the appeal applicant) together with a copy of the written appeal. The Planning Director shall transmit to the Hearing Examiner all of the records pertaining to the decision being appealed, together with such additional written report as the Director deems pertinent. A Notice of Hearing shall be made pursuant to Section 21.16.080 Notice of Hearing. In exercising the powers granted herein, the Hearing Examiner may reverse, affirm, or modify all or in part, the order, requirement, decision or determination appealed from, and may make such order, requirement, decision or determination as should be made and, to that end, shall have all the powers of the Planning Director from whom the appeal is taken, insofar as the decision on the particular issue is concerned. (Ord. 2002-19: Ord. 1987-06)

21.16.080 **NOTICE OF HEARING**

Upon filing of an application for a conditional use permit or a variance or in the case of a request for a

revocation of a conditional use permit, the Planning Department shall set the time and place for a public hearing on such matter, and written notice thereof shall be mailed to all property owners of record located within five hundred (500) feet of any portion of the boundary of the subject property and any contiguous lots in the same ownership. The written notice shall be mailed not less than twenty (20) days prior to the hearing. In addition, the Planning Department shall insure that additional notice of such application is given by arranging for publication of the Notice Of Hearing not less than 10 days prior to the hearing in the official county newspaper. (Ord. 2002-19: Ord. 1985-05 § 9.2.10)

21.16.090 **NOTICE OF ALLEGED PERMIT VIOLATION**

A notice of alleged permit violation shall contain the following:

- A. The following statement shall appear at the top of the first page: “NOTICE OF ALLEGED PERMIT VIOLATION”;
- B. A brief description of the nature of the violation;
- C. The name of the County Department and staff member of that department to contact regarding the violation;
- D. The date that the warning is issued;
- E. That failure to correct the alleged violation or to contact the appropriate County Department may result in a formal action to revoke any applicable permits or the imposition of a fine up to \$500 per violation. (Ord. 2002-19: Ord. 1985-05 § 9.2.20)

21.16.100 **HEARING EXAMINER - ACTION FINAL**

The action by the Hearing Examiner shall be final and conclusive, unless within the timeframe provided in RCW 36.70C, the applicant or an adverse party makes application to a court of competent jurisdiction for judicial review of the land use decision, or unless such action is appealed to the Columbia River Gorge Commission as provided in SCC Section 22.06.060. (Ord. 2002-19: Ord. 1985-05 § 9.2.30)

21.16.110 **INCLUSION OF FINDINGS OF FACT**

The Hearing Examiner shall, in making an order, requirement, decision or determination include in a written record of the case the findings of fact upon which the action is based. (Ord. 2002-19: Ord. 1985-05 § 9.2.40)

21.16.120 **FEES**

Upon submittal and acceptance of an application from the party or parties initiating a conditional use permit, variance, Administrative Appeal under Section 21.16.070(D), or a zoning or comprehensive plan map change, the applicant shall pay a fee to be established by the Board of County Commissioners from time to time, for initiating the permit or said action. Fees shall be submitted to the Department and checks shall be made payable to the Skamania County Treasurer. Fees are not refundable. (Ord. 1995-08 (part): Ord. 1991-06 (part): Ord. 1985-05 § 9.4.00)

21.16.130 **ANNUAL REVIEW**

This title shall be reviewed annually for its effect and use in protecting the public health, safety, and general welfare in Skamania County. (Ord. 1985-05 §10.0.00).

CHAPTER 21.18 - ZONING TEXT AND MAP AMENDMENTS

Sections:

- 21.18.010 Purpose
- 21.18.020 Textual Amendments
- 21.18.030 County Initiated Map Amendments
- 21.18.040 Petitions for Zoning Map Amendments
- 21.18.050 Frequency of Petitions for Zoning Map Amendments
- 21.18.060 Notice of Hearing on Petitions for Zoning Map Amendments
- 21.18.070 Hearing by Hearing Examiner on Petitions for Zoning Map Amendments

21.18.010 **PURPOSE.**

From time to time a change in circumstances or conditions may warrant a change in the zoning code text or map created pursuant to this title. The purpose of this chapter is to establish the procedures to amend zoning code text and/or maps. (Ord. 2002-21 (part))

21.18.020 **TEXTUAL AMENDMENTS.**

The Board of County Commissioners, upon recommendation of the Planning Commission, or upon its own motion and referral to and report from the Planning Commission and after a public hearing, may amend, delete, supplement, or change by ordinance the regulations herein established, provided such revision is in accordance with the procedures set forth in RCW 36.70. An amendment to the text of this title may only be initiated by the Board of County Commissioners or the Planning Commission and shall be consistent with the terms of the Comprehensive Plan. (Ord. 2002-21 (part))

21.18.030 **COUNTY INITIATED MAP AMENDMENTS.**

County initiated map amendments are amendments to the official zoning map that are not proposed for specific parcels by the landowners of the parcels. Rather, the amendments are generally countywide in nature. These legislative actions usually occur when a new zone classification is created, when the Board of County Commissioners has adopted an amendment to the land use maps in the Comprehensive Plan, or when it is determined that the existing zone classification is out of character with the surrounding area. Such action shall occur in accordance with the procedures set forth in RCW 36.70. County initiated map amendments may only be initiated by the Board of County Commissioners or the Planning Commission. (Ord. 2002-21 (part))

21.18.040 **PETITIONS FOR ZONING MAP AMENDMENTS.**

Petitions for zoning map amendments are requests to change the zone classification shown on the official zoning map for a specific parcel or parcels by one or more landowners. Requests for such amendments may be initiated by filing with the Planning Department a completed application on forms supplied by the Planning Department, a completed environmental checklist, and a non-refundable fee as established by resolution of the Board of County Commissioners. Petitions for a zoning map amendment may be initiated by the person or persons that own all the property for which the amendment is sought or for a larger area that includes the property that the applicant owns. Where an amendment is requested for an area larger than the parcels owned by the applicants, the signatures on the application must represent 100 percent of the owners of the total number of parcels within the entire area proposed for amendment. If a

parcel has multiple owners, then all of the owners' signatures must be obtained and are counted as a single signature when calculating the percentage of owners' signatures obtained. (Ord. 2002-21 (part))

21.18.050 **FREQUENCY OF PETITIONS FOR ZONING MAP AMENDMENTS.**

To ensure a comprehensive review of petitions for zoning map amendments, all petitions must be complete and submitted to the Planning Department on or before December 31st of each calendar year. The petitions for zoning map amendments will then be placed on the Hearing Examiner's schedule for public hearing as follows: petitions within Commissioner District 1 (west end) will be heard beginning in June, petitions within Commissioner District 2 (mid county) will be heard beginning in May, petitions for Commissioner District 3 (east end) will be heard beginning in April. Due to the number of petitions received each year, there may need to be more than one public hearing scheduled for each of the Commissioner Districts. In addition, any of the public hearings may be continued as determined by the Hearing Examiner. If a petition for a zoning map amendment is denied, the petition can be resubmitted no sooner than the third year from the date of denial by the Hearing Examiner. Zoning map amendments do not constitute an emergency (i.e., an immediate threat to life or property for which action must be taken to alleviate the threat).

The Hearing Examiner will review the list of zoning map amendment applications received at the first meeting in February and set the schedule of hearings. (Ord. 2002-21 (part))

21.18.060 **NOTICE OF HEARING ON PETITIONS FOR ZONING MAP AMENDMENTS.**

Written notice of an application for a petition for zoning map amendment under 21.18.040 shall be by:

- A. First class United States mail addressed to the applicants; all owners of the real property subject to the proposed amendment; and to all real property owners, as shown in the records of the Skamania County Assessor, located within one thousand (1000) feet from any boundary of the property subject to the proposed map amendment. If the owner of the property for which the proposed map amendment is requested owns another parcel or parcels adjoining a parcel subject to the amendment, then notification also shall be mailed to owners of real property located within one thousand (1000) feet from any boundary of such adjoining parcels. Notification of the hearing schedule for all applications shall be mailed no later than the last business day of February. Failure by any person listed above to receive such notice shall not invalidate any proceedings or decision in connection with the proposed map amendment. Notices addressed to the last known owners of record as shown on the County Assessor records shall be deemed proper notice to the owner of such property; and,
- B. Publication in a newspaper of general circulation in the County shall consist of:
 - 1. a list of all applications received, and the hearing schedule to be published on the last date the newspaper is published in February, and
 - 2. a legal notice of the hearing to be published at least ten (10) days prior to the open record hearing date. (Ord. 2002-21 (part))

21.18.070 **HEARING BY HEARING EXAMINER ON PETITIONS FOR ZONING MAP AMENDMENTS.**

The Hearing Examiner hearing process on petitions for zoning map amendments under SCC 21.18.040 shall be as follows:

- A. The Hearing Examiner shall hold at least one (1) public hearing on all proposed petitions for zoning map amendments. At the conclusion of such hearing or hearings, the Hearing Examiner consider all testimony and documents presented and shall determine whether, based on the criteria set forth in SCC 21.18.070(b), the proposed petition for zoning map amendment should be approved or denied. The Hearing Examiner's decision shall be supported by appropriate findings of fact based exclusively on the evidence presented.
- B. The Hearing Examiner may approve the proposed petition for zoning map amendment if the zoning map amendment: (1) bears a substantial relationship to the public health, safety, and/or welfare (is the amendment consistent with the comprehensive plan); (2) is contiguous to the requested designation by at least 100 feet, therefore not being a grant of special privilege; and (3) circumstances have substantially changed in the area since the adoption of the existing zoning designation.
- C. In the case where a petition for zoning map amendment requires an amendment to the comprehensive plan in order to assure consistency between SCC Title 21 and the comprehensive plan, the review processes for the petition for zoning map amendment and the comprehensive plan amendment may proceed concurrently by holding the hearings for each amendment at the same meetings. (Ord. 2002-21 (part))

CHAPTER 21.20 - NON-CONFORMITIES

Sections:

- 21.20.010 Purpose - Intent.
- 21.20.020 Non-conforming uses of land
- 21.20.030 Non-conforming Lots
- 21.20.040 Non- conforming Structures.

21.20.010 **PURPOSE - INTENT**

All land uses, lots and structures lawfully existing on the effective date of adoption of the ordinance codified in this title, or of amendments thereto which do not conform to the zone classifications and special purpose districts in which they are located, shall be deemed non-conforming and may be continued subject to the regulations in this section. (Ord. 1985-05 §4.0.10).

21.20.020 **NON-CONFORMING USES OF LAND**

- A. Subdivisions and short plat subdivisions submitted prior to the effective date of the adoption of a zone map which meet the applicable platting ordinance acceptance standards which are not in conformance with the zone classification and/or special purpose district regulations in which they are located shall be deemed a conforming use of land and given final plat approval, providing that they meet all the terms of preliminary plat approval and comply with Chapter 58.17 RCW Plat-Subdivisions-Dedications, the county subdivision or short plat ordinance, and other applicable state laws and county ordinances in effect at the time of preliminary plat approval.
- B. The Hearing Examiner may recognize a legal non-conforming use and/or may authorize the reinstatement of a non-conforming use. The procedure for recognizing and/or reinstatement shall be the same as for Conditional Use Permits, conditions may be imposed if reinstatement is allowed.
- C. The use of land (not having buildings thereon) for agriculture, forestry, or as open land which does not conform to the provisions of the zone classification and/or special purpose district in which it is located shall be permitted to continue for such use. All other non-conforming uses may be continued unless use is discontinued for twelve (12) consecutive months, in which case further use of the property or structures shall conform to this title. (Ord. 1990-01 (part))

21.20.030 **NON-CONFORMING LOTS**

Land parcels and lots of record which do not meet the minimum lot size or dimension requirements of the zone classification and/or special purpose district in which they are located may be put to a conforming use. If the proposed use of the property fails to comply with setback or height requirements, the procedure outlined under Variances in Section 21.16.060 shall apply.

21.20.040 **NON-CONFORMING STRUCTURES**

- A. Nothing contained in this title shall require any change in the plans, construction, alteration, or designated use of a structure upon which construction has commenced prior to the effective date of a zoning map. Future use of the property shall be in conformance with the zone classification

and/or special purpose district in which the property is located.

- B. Construction plans for a building or structure filed with the Building Department prior to the effective date of a zoning map shall not be denied for not conforming with the zone classification and/or special purpose district within which the property is located. Other future use of the property shall be in conformance with the zone classification and/or special purpose district in which the property is located.
- C. Normal repairs and alterations may be made to a lawful non-conforming building. No existing non-conforming structure designed, arranged, intended for or devoted to a use not permitted under this title for the district in which such structure is located shall be enlarged, extended, reconstructed, structurally altered, or moved unless such use is changed to a use permitted under the regulations specified by this title for the district in which said building is located; unless such enlargement, extension, reconstruction or structural alteration, or relocation is approved by the Hearing Examiner under a Conditional Use Permit. And provided further, that nothing in this title shall be deemed to prevent the strengthening or restoring to a safe condition of any building or structure or part thereof to a safe condition.
- D. When a building or other structure containing a non-conforming use is damaged by accidental fire or by any other natural causes then such building may be rebuilt if the owner(s) or a subsequent owner(s) apply for a building permit to rebuild within 12 months from the date that the damage occurred. Provided, that such a building or structure may not be increased in squared foot floor area or height unless such increase is approved under a Conditional Use Permit by the Hearing Examiner. And provided further, that when any building or structure is completely rebuilt as a result of accidental fire or other natural cause, it shall also meet the setback requirements of the zone classification or special purpose district in which it is located unless a setback variance is granted by the Hearing examiner. (Ord. 1990-01 (part))

CHAPTER 21.24 - RELATIONSHIP TO COMPREHENSIVE PLAN

Sections:

- 21.24.010 Purpose - Intent
- 21.24.021 Zone classifications
- 21.24.031 Consistency of zone classifications with land use area.
- 21.24.040 Zone boundaries

21.24.010 **PURPOSE - INTENT**

It is the intent of this chapter to implement the Skamania County Comprehensive Plan A in a manner which shall be consistent with the Rural I, Rural II, and Conservancy Land Use Areas. (Ord. 1985-05 §5.0.10). Carson Final Zoning is listed in SCC 21.65, and Northwestern Lake Zoning is listed in SCC 21.66

21.24.021 **ZONE CLASSIFICATIONS**

Zones shall be shown on the zoning map and its revisions. Zones implement the intent of the three land use area designations of the Comprehensive Plan A and shall be uniformly interpreted and mapped within appropriate area designations. Where the abbreviated designation is used it has the same meaning as the entire zone classification title.

<u>ABBREVIATED DESIGNATION/ ZONE CLASSIFICATION TITLE</u>	<u>MAPPING SYMBOL</u>
Residential 1	R-1
Residential 2	R-2
Residential 5	R-5
Residential 10	R-10
Rural Estate	RES-20
Community Commercial	CC
Commercial Recreation	CR
Industrial	MG
Resource Production Zone	For/Ag-10, For/Ag-20
Natural	NAT
Unmapped (Ord. 1990-01 (part))	UNM

21.24.031 **CONSISTENCY OF ZONE CLASSIFICATIONS WITH LAND USE AREA**

The series of zones that shall be adopted herein shall be consistent with the Comprehensive Plan A Land Use Area designations. The matrix indicates consistency (C) and non-consistency (NC) in the table below. (Ord. 1985-05 §5.0.40)

	Rural 1	Rural 2	Conservancy
R-1	C	NC	NC
R-2	C	C	NC
R-5	NC	C	NC
R-10	NC	C	C
RES-20	NC	C	C

CC	C	NC	NC
CR	C	C	C
MG	C	NC	NC
For/Ag-10 & 20	NC	C	C
NAT	C	C	C
UNM	C	C	C
(Ord. 1990-01 (part))			

21.24.040 **ZONE BOUNDARIES**

Unless otherwise specified, zone boundaries shall be property lines, the centerlines of road rights-of-way, utility rights-of-way and railroad rights-of-way, and legal subdivisional lines (section and section breakdown lines, township and range lines).

CHAPTER 21.28 - RESIDENTIAL 1 ZONE CLASSIFICATION (R-1)

Section:

- 21.28.010 Purpose - Intent.
- 21.28.020 Allowable uses.
- 21.28.025 Administrative Review Uses
- 21.28.030 Conditional uses.
- 21.28.040 Temporary uses permitted
- 21.28.050 Minimum development standards.

21.28.010 **PURPOSE - INTENT**

The R-1 zone classification is intended to encourage population concentration in areas where public or private services, utilities, and access can be provided with a minimum burden to community resources in the Rural I Land Use Area of the County Comprehensive Plan A. (Ord. 1985-05 §6.1.10).

21.28.020 **ALLOWABLE USES**

- A. Single-family dwellings
 - B. Duplexes
 - C. Triplexes
 - D. Four-plexes
 - E. Professional services
 - F. Public facilities and utilities
 - G. Cottage occupation (in accordance with Chapter 21.70)
 - H. Light home industry (In accordance with Chapter 21.70)
 - I. Domestic agriculture
 - J. Residential care facilities (In accordance with Chapter 21.85)
 - K. Family day care home (In accordance with Chapter 21.86.020)
 - L. Safe home
 - M. Accessory Equipment Structures
 - N. Attached communication facilities located on BPA towers (In accordance with Section 21.70.160)
- Ord. 2002-20 (part): Ord. 1992-06 (part): Ord. 1991-06 (part): Ord. 1985-05 § 6.1.20)

21.28.025 **ADMINISTRATIVE REVIEW USES**

- A. Child Mini Day Care Center (In accordance with Chapter 21.86.030)
- B. Attached communication facilities, not located on BPA towers. (In accordance with Section 21.70.160)

21.28.030 **CONDITIONAL USES**

- A. Recreation facilities
- B. Public display
- C. Geothermal energy facilities
- D. Surface mining
- E. Cluster developments

- F. Semi-public facilities
 - G. Mobile Home Parks
 - H. Child Day Care Center (In accordance with Section 21.86.040)
 - I. Communication towers (In accordance with Section 21.70.160)
 - J. Co-location of communication towers (In accordance with Section 21.70.160)
- Ord. 2002-20 (part); Ord. 1991-06 (part); Ord. 1985-05 § 6.1.30)

21.28.040 **TEMPORARY USES PERMITTED**

Temporary uses shall be permitted in accordance with requirements of Section 21.70.120. (Ord. 1985-05 §6.1.40).

21.28.050 **MINIMUM DEVELOPMENT STANDARDS**

A. **LOT SIZE**

The standard minimum lot size, dimensions, and proportions shall be as follows:

1. Where water supply is individual wells, and individual sewage disposal systems are used, minimum lot size shall be two (2) acres. Minimum lot width shall be 200 feet.
2. Where an adequate public water supply and individual sewage disposal system is used, minimum lot size shall be 12,500 square feet. Minimum lot width shall be 90 feet. Minimum lot depth shall be 120 feet.
3. Where adequate public water supply and adequate public sewer lines are used, the minimum lot size shall be 8,000 square feet. Minimum lot width shall be 70 feet.
4. In subsection A 1, 2, & 3 of this section the lot depth should not exceed the lot width by more than a ratio of four to one (four being the depth). Access panhandles shall not be taken into account as part of the area calculations relative to minimum lot size indicated above.

B. **DENSITY REQUIREMENTS**

1. Single-family: Each single family housing unit (including mobile homes) shall require minimum lot area listed under Section 21.28.050(A).
2. Duplex: Each duplex shall require 150 percent of the minimum lot area listed under Section 21.28.050, but shall not be less than 18,000 square feet.
3. Triplex: Each triplex shall require 200 percent of the minimum lot area listed under Section 21.28.050, but shall not be less than 24,000 square feet.
4. Fourplex: Each fourplex shall require 250 percent of the minimum lot area listed under Section 21.28.050, but shall not be less than 32,000 square feet.

C. **SETBACKS**

1. 2 Acres.
 - a. Front yard: No building or accessory building shall be constructed closer than 50 feet from the centerline of the public road right-of-way or 35 feet from the centerline of a private road (not including private driveways), or 20 feet from the front property line, whichever is greater.
 - b. Side yard: On each side of the building or accessory building, a side yard shall be provided of not less than 20 feet.
 - c. Rear yard: A rear yard shall be provided of not less than 20 feet, including accessory buildings.
 - d. Non-conforming lots: Lots of less than 2 acres in size shall conform to at least standard

Building Code setback requirements for unzoned lots.

2. 12,500 square feet
 - a. Front yard: No building or accessory building shall be constructed closer than 45 feet from the centerline of the public road right-of-way or 35 feet from the centerline of a private road (not including private driveways), or road or 15 feet from the front property line, whichever is greater.
 - b. Side yard: On each side of the building or accessory building a side yard shall be provided of not less than 5 feet.
 - c. Rear yard: A rear yard shall be provided of not less than 15 feet, including accessory buildings.
3. 8,000 square feet
 - a. Front yard: No building or accessory building shall be constructed closer than 45 feet from the centerline of the public road right-of-way or 35 feet from the centerline of a private road (not including private driveways), or road or 15 feet from the front property line, whichever is greater.
 - b. Side yard: On each side of the building or accessory building a side yard shall be provided of not less than 5 feet.
 - c. Rear yard: A rear yard shall be provided of not less than 15 feet, including accessory buildings.
4. A Yard That Fronts On More Than One Road: A setback requirement for the front yard of a lot that fronts on more than one road shall be the required setback for that zone classification. All other frontages shall have a setback of 15 feet from the property line, or the edge of the public road right-of-way or private road easement, whichever is greater if the parcel is less than 2 acres. If the parcel is greater than two (2) acres, the setback shall be 20 feet from the property line, or the edge of the public road right-of-way or private road easement, whichever is greater.
5. Setbacks from cul-de-sacs and hammerhead turn arounds shall be 20 feet from the property line, or the edge of the public road right-of-way or private road easement, whichever is greater.

D. OTHER STANDARDS

1. Building coverage shall not exceed 30 percent of the total lot area.
2. Building height limit for permitted uses shall not exceed 35 feet above average site grade, with the exception of Section 21.70.050.
3. Standards for off-street parking shall comply with Section 21.70.070. (Ord. 1992-06 (part): Ord. 1985-05 §6.1.50 - §6.1.54).
4. No building or structure may be located within any easements.

CHAPTER 21.32 - RESIDENTIAL 2 ZONE CLASSIFICATION (R-2)

Sections:

- 21.32.010 Purpose - Intent.
- 21.32.020 Allowable uses.
- 21.32.025 Administrative Review Uses
- 21.32.031 Conditional uses.
- 21.32.040 Temporary uses permitted.
- 21.32.050 Minimum development standards.

21.32.010 **PURPOSE - INTENT**

The R-2 zone classification is intended to provide a transition zone of medium density residential development which will maintain a rural character of the areas in the Rural I and Rural II Land Use Areas of the County Comprehensive Plan A. (Ord. 1985-05 §6.2.10).

21.32.020 **ALLOWABLE USES**

- A. Single-family dwellings
- B. Commercial and domestic agriculture
- C. Forestry
- D. Public facilities and utilities
- E. Professional services
- F. Cottage occupation (In accordance with Chapter 21.70)
- G. Light home industry (In accordance with Chapter 21.70)
- H. Residential care facilities (In accordance with Chapter 21.85)
- I. Family day care home (In accordance with Chapter 21.86.020)
- J. Safe home
- K. Accessory equipment structures
- L. Attached communication facilities located on BPA towers (In accordance with Section 21.70.160)
(Ord. 1992-06 (part); Ord. 1991-06 (part); Ord. 1991-01 (part))

21.32.025 **ADMINISTRATIVE REVIEW USES**

- A. Child mini day care center (In accordance with Section 21.56.030)
- B. Attached communication facilities, not located on BPA towers. (In accordance with Section 21.70.160)

21.32.031 **CONDITIONAL USES**

- A. Recreation facilities
- B. Geothermal energy facilities
- C. Public displays
- D. Surface mining
- E. Cluster development
- F. Duplexes
- G. Mobile home parks

- H. Semi-public facilities
- I. Child day care center (In accordance with Section 21.86.040)
- J. Communication towers (In accordance with Section 21.70.160)
- K. Co-location of communication towers (In accordance with Section 21.70.160)
(Ord. 1992-06 (part): Ord. 1991-06 (part): Ord. 1990-01 (part))

21.32.040 **TEMPORARY USES PERMITTED**

Temporary uses shall be permitted in accordance with the requirements of Section 21.70.120. (Ord. 1985-05 §6.2.40).

21.32.050 **MINIMUM DEVELOPMENT STANDARDS**

A. **LOT SIZE**

Minimum lot size shall be 2 acres. The lot depth should not exceed the lot width by more than a ratio of four to one (four being the depth). Minimum lot width shall be 200 feet. Access panhandles shall not be taken into account as part of the area calculations relative to minimum lot size indicated above.

B. **DENSITY REQUIREMENTS**

1. Single-family: Each single-family housing unit (including mobile homes) shall require the minimum lot area listed under Section 21.32.050(A).
2. Duplex: Each duplex shall require 150 percent of the minimum lot area listed under Section 21.32.050(A).

C. **SETBACKS**

The standard setback requirements shall be as follows:

1. Front yard: No building or accessory building shall be constructed closer than 50 feet from the centerline of the public road right-of-way or 35 feet from the centerline of a private road (not including private driveways), or 20 feet from the front property line, whichever is greater.
2. Side yard: On each side of the building or accessory building a side yard shall be provided of not less than 20 feet.
3. Rear yard: A rear yard shall be provided of not less than 20 feet, including accessory buildings.
4. Non-conforming lots: Lots of less than 2 acres in size shall conform to standard Building Code setback requirements.
5. A Yard That Fronts On More Than One Road: A setback requirement for the front yard of a lot that fronts on more than one road shall be the required setback for that zone classification. All other frontages shall have a setback of 15 feet from the property line, or the edge of the public road right-of-way or private road easement, whichever is greater if the parcel is less than 2 acres. If the parcel is greater than two (2) acres, the setback shall be 20 feet from the property line, or the edge of the public road right-of-way or private road easement, whichever is greater.
6. Setbacks from cul-de-sacs and hammerhead turn arounds shall be 20 feet from the property line, or the edge of the public road right-of-way or private road easement, whichever is greater.

D. **OTHER STANDARDS**

1. Building height limit for permitted residential uses shall not exceed 35 feet above average site grade, with the exception of Section 21.70.050.
2. Standards for off-street parking shall comply with Section 21.70.070. (Ord. 1991-06 (part): Ord. 1985-05 §6.2.50 - §6.2.54).
3. No building or structure may be located within any easement.

CHAPTER 21.36 - RESIDENTIAL 5 ZONE CLASSIFICATION (R-5)

Sections:

- 21.36.010 Purpose - Intent.
- 21.36.020 Allowable uses.
- 21.36.025 Administrative Review Uses
- 21.36.031 Conditional uses.
- 21.36.040 Temporary uses permitted.
- 21.36.050 Minimum development standards.

21.36.010 **PURPOSE - INTENT**

To provide a transition zone of medium to low density residential development which will maintain a rural character of the area in the Rural II Land Use Area of the County Comprehensive Plan A. (Ord. 1985-05 §6.3.10).

21.36.020 **ALLOWABLE USES**

- A. Single-family dwellings
 - B. Commercial and Domestic agriculture
 - C. Forestry
 - D. Public facilities and utilities
 - E. Cottage occupation (In accordance with Chapter 21.70)
 - F. Light home industry (In accordance with Chapter 21.70)
 - G. Residential care facilities (In accordance with Chapter 21.85)
 - H. Family day care home (In accordance with Chapter 21.86.020)
 - I. Safe home
 - J. Accessory equipment structures
 - K. Attached communication facilities located on BPA towers. (In accordance with Section 21.70.160)
- (Ord. 1985-05 §6.3.20).

21.36.025 **ADMINISTRATIVE REVIEW USES**

- A. Child mini day care center (In accordance with Section 21.86.030)
- B. Attached communication facilities not located on BPA towers. (In accordance with Section 21.70.160)
- C. Communication towers. (In accordance with Section 21.70.160)
- D. Co-location of communication towers. (In accordance with Section 21.70.160)

21.36.031 **CONDITIONAL USES**

- A. Surface mining
- B. Recreational facilities
- C. Professional services
- D. Geothermal energy facilities
- E. Public displays
- F. Cluster developments

- G. Semi-public facilities
- H. Small and Large-Scale Recreational Vehicle Parks.
- I. Child day center (In accordance with Chapter 21.86.040)
(Ord. 2002-20 (part): O1991-06 (part): Ord. 1990-01 (part))

21.36.040 **TEMPORARY USES PERMITTED**

Temporary uses shall be permitted in accordance with the requirements of Section 21.70.120. (Ord. 1985-05 §6.3.40).

21.36.050 **MINIMUM DEVELOPMENT STANDARDS**

A. **LOT SIZE**

Minimum lot size shall be 5 acres. The lot depth should not exceed the lot width by more than a ratio of four to one (four being the depth). Access panhandles shall not be taken into account as part of the area calculations relative to minimum lot size indicated above.

B. **DENSITY REQUIREMENTS**

Single-family: Each single-family housing unit (including mobile homes) shall require the minimum lot area listed in subsection A of this section.

C. **SETBACKS**

The standard minimum setback requirements shall be as follows:

1. Front yard: No building or accessory building shall be constructed closer than 50 feet from the centerline of the public road right-of-way or 35 feet from the centerline of a private road (not including private driveways), or 20 feet from the front property line, whichever is greater.
2. Side yard: On each side of the building or accessory building a side yard shall be provided of not less than 20 feet.
3. Rear yard: A rear yard shall be provided of not less than 20 feet, including accessory buildings.
4. Non-conforming lots: Lots of less than 2 acres in size shall conform to standard Building Code setback requirements.
5. A Yard That Fronts On More Than One Road: A setback requirement for the front yard of a lot that fronts on more than one road shall be the required setback for that zone classification. All other frontages shall have a setback of 15 feet from the property line, or the edge of the public road right-of-way or private road easement, whichever is greater if the parcel is less than 2 acres. If the parcel is greater than two (2) acres, the setback shall be 20 feet from the property line, or the edge of the public road right-of-way or private road easement, whichever is greater.
6. Setbacks from cul-de-sacs and hammerhead turn arounds shall be 20 feet from the property line, or the edge of the public road right-of-way or private road easement, whichever is greater.

D. **OTHER STANDARDS**

1. Building height limit for permitted uses shall not exceed 35 feet above average site grade, with the exception of Section 21.70.050.

2. Standards for off-street parking shall comply with Section 21.70.070. (Ord. 1991-06 (part): Ord. 1985-05 §6.2.50 - §6.2.54).
3. No building or structure may be located within any easement.

CHAPTER 21.40 - RESIDENTIAL 10 ZONE CLASSIFICATION (R-10)

Sections:

- 21.40.010 Purpose - Intent.
- 21.40.020 Allowable.
- 21.40.025 Administrative Review Uses
- 21.40.030 Conditional uses.
- 21.40.040 Temporary uses permitted.
- 21.40.050 Minimum development standards.

21.40.010 **PURPOSE - INTENT**

The R-10 zone classification is intended to provide a transition zone of low density rural residential development which will maintain the rural character of areas within the Rural II and Conservancy Land Use Areas of the County Comprehensive Plan A. (Ord. 1985-05 §6.4.10).

21.40.020 **ALLOWABLE USES**

- A. Single-family dwellings
 - B. Commercial and domestic agriculture
 - C. Forestry
 - D. Public facilities and utilities
 - E. Cottage occupation (In accordance with Chapter 21.70)
 - F. Light home industry (In accordance with Chapter 21.70)
 - G. Residential care facilities (In accordance with Chapter 21.85)
 - H. Family day care home (In accordance with Chapter 21.86.020)
 - I. Safe home
 - J. Accessory equipment structures
 - K. Attached communication facilities located on BPA towers. (In accordance with Section 21.70.160)
- (Ord. 1992-06 (part); Ord. 1991-06 (part); Ord. 1985-05 §6.4.20).

21.40.025 **ADMINISTRATIVE REVIEW USES**

- A. Child mini day care center (In accordance with Section 21.86.030)
- B. Attached communication facilities not located on BPA towers. (In accordance with Section 21.70.160)
- C. Communication towers. (In accordance with Section 21.70.160)
- D. Co-location of communication towers. (In accordance with Section 21.70.160)

21.40.030 **CONDITIONAL USES**

- A. Recreational facilities
- B. Geothermal energy facilities
- C. Public displays
- D. Professional services
- E. Surface mining
- F. Cluster developments

- G. Semi-public facilities
- H. Small and Large-Scale Recreational Vehicle Parks.
- I. Child day care center (In accordance with Chapter 21.86.040)
(Ord. 2002-20 (part); Ord. 1990-06 (part); 1985-05 § 6.4.30)

21.40.040 **TEMPORARY USES PERMITTED**

Temporary uses shall be permitted in accordance with the requirements of Section 21.70.120. (Ord. 1985-05 §6.4.40).

21.40.050 **MINIMUM DEVELOPMENT STANDARDS**

A. **LOT SIZE**

Minimum lot size shall be 10 acres. The lot depth should not exceed the lot width by more than a ratio of four to one (four being the depth). Access panhandles shall not be taken into account as part of the area calculations relative to minimum lot size indicated above.

B. **DENSITY REQUIREMENTS**

Single family: Each single-family housing unit (including mobile homes) shall require the minimum lot area listed in subsection A of this section.

C. **SETBACKS**

The standard minimum setback requirements shall be as follows:

1. Front yard: No building or accessory building shall be constructed closer than 50 feet from the centerline of the public road right-of-way or 35 feet from the centerline of a private road (not including private driveways), or 20 feet from the front property line, whichever is greater.
2. Side yard: On each side of the building or accessory building a side yard shall be provided of not less than 20 feet.
3. Rear yard: A rear yard shall be provided of not less than 20 feet, including accessory buildings.
4. Non-conforming lots: Lots of less than 2 acres in size shall conform to standard Building Code setback requirements.
5. A Yard That Fronts On More Than One Road: A setback requirement for the front yard of a lot that fronts on more than one road shall be the required setback for that zone classification. All other frontages shall have a setback of 15 feet from the property line, or the edge of the public road right-of-way or private road easement, whichever is greater if the parcel is less than 2 acres. If the parcel is greater than two (2) acres, the setback shall be 20 feet from the property line, or the edge of the public road right-of-way or private road easement, whichever is greater.
6. Setbacks from cul-de-sacs and hammerhead turn arounds shall be 20 feet from the property line, or the edge of the public road right-of-way or private road easement, whichever is greater.

D. **OTHER STANDARDS**

1. Building height limit for permitted uses shall not exceed 35 feet above average site grade, with the exception of Section 21.70.050.
2. Standards for off-street parking shall comply with Section 21.70.070. (Ord. 1991-06 (part):

Ord. 1985-05 §6.2.50 - §6.2.54).

3. No building or structure may be located within any easement.

CHAPTER 21.44 - RURAL ESTATE ZONE CLASSIFICATION (RES-20)

Sections:

- 21.44.010 Purpose - Intent.
- 21.44.020 Allowable uses.
- 21.44.025 Administrative Review Uses
- 21.44.030 Conditional uses.
- 21.44.040 Temporary uses permitted.
- 21.44.050 Minimum development standards.

21.44.010 **PURPOSE - INTENT**

The RES-20 zone classification is intended to provide for areas of low density, which are less suitable to development because of topographical features or location from an established community area. It is intended to encourage retention of open space and small timber or agricultural operations within the Rural II and Conservancy Land Use Areas of the County Comprehensive Plan A. (Ord. 1985-05 §6.5.10).

21.44.020 **ALLOWABLE USES**

- A. Single family dwelling
- B. Commercial and domestic agriculture
- C. Public facilities and utilities
- D. Recreational facilities
- E. Unique biological areas
- F. Open space
- G. Forestry practices
- H. Cottage occupation (In accordance with Chapter 21.70)
- I. Light home industry (In accordance with Chapter 21.70)
- J. Surface mining
- K. Residential care facilities (In accordance with Chapter 21.85)
- L. Family day care home (In accordance with Chapter 21.86.020)
- M. Accessory equipment structures
- N. Attached communication facilities located on BPA towers. (In accordance with Section 21.70.160)
(Ord. 1991-06 (part): Ord. 1985-05 §6.5.20).

21.44.025 **ADMINISTRATIVE REVIEW USES**

- A. Attached communication facilities not located on BPA towers. (In accordance with Section 21.70.160)
- B. Communication towers. (In accordance with Section 21.70.160)
- C. Co-location of communication towers. (In accordance with Section 21.70.160)

21.44.030 **CONDITIONAL USES**

- A. Semi-public facilities
- B. Churches, cemeteries and mausoleums
- C. Geothermal energy facilities
- D. Moto-cross recreation

- E. Firing ranges
- F. Cluster developments
- G. Small-scale and Large-Scale Recreational Vehicle Parks
- H. Child day care center (In accordance with Chapter 21.86.040)
- I. Child mini day care center (In accordance with 21.86.030)
(Ord. 2002-20 (part); Ord. 1985-05 §6.5.30)

21.44.040 **TEMPORARY USES PERMITTED**

Temporary uses shall be permitted in accordance with the requirements of Section 21.70.120. (Ord. 1985-05 §6.5.40).

21.44.050 **MINIMUM DEVELOPMENT STANDARDS**

A. **LOT SIZE**

Minimum lot size shall be 20 acres. The lot depth should not exceed the lot width by more than a ratio of four to one (four being the depth). Access panhandles shall not be taken into account as part of the area calculations relative to minimum lot size as indicated above.

B. **DENSITY REQUIREMENTS**

Single-family: Each single-family housing unit (including mobile homes) shall require the minimum lot area listed under subsection A of this section.

C. **SETBACKS**

1. Front yard: No building or accessory buildings shall be constructed closer than 50 feet from the centerline of the public road right-of-way or 35 feet from the centerline of a private road (not including private driveways), or 20 feet from the front property line, whichever is greater.
2. Side yard: On each side of the building or accessory building a side yard shall be not less than 20 feet.
3. Rear yard: A rear yard shall be provided of not less than 25 feet, including accessory buildings.
4. Non-conforming lots: Lots of less than 2 acres in size shall conform to standard Building Code setback requirements.
5. A Yard That Fronts On More Than One Road: A setback requirement for the front yard of a lot that fronts on more than one road shall be the required setback for that zone classification. All other frontages shall have a setback of 15 feet from the property line, or the edge of the public road right-of-way or private road easement, whichever is greater if the parcel is less than 2 acres. If the parcel is greater than two (2) acres, the setback shall be 20 feet from the property line, or the edge of the public road right-of-way or private road easement, whichever is greater.
6. Setbacks from cul-de-sacs and hammerhead turn arounds shall be 20 feet from the property line, or the edge of the public road right-of-way or private road easement, whichever is greater.

D. **OTHER STANDARDS**

1. Building height limit for permitted uses shall not exceed 35 feet above average site grade, with the exception of Section 21.70.050.
2. Standards for off-street parking shall comply with Section 21.70.070. (Ord. 1991-06 (part):

Ord. 1985-05 §6.2.50 - §6.2.54).

3. No building or structure may be located within any easement.

CHAPTER 21.48 - COMMUNITY COMMERCIAL ZONE CLASSIFICATION (CC)

Sections:

- 21.48.010 Purpose - Intent.
- 21.48.020 Allowable uses.
- 21.48.025 Administrative Review Uses
- 21.48.031 Conditional uses.
- 21.48.035 Accessory uses.
- 21.48.040 Temporary uses permitted.
- 21.48.050 Minimum development standards.

21.48.010 **PURPOSE - INTENT**

The CC zone classification is intended to provide commercial services for the needs of the residents in the unincorporated communities within the Rural I Land Use Area of the County Comprehensive Plan A. (Ord. 1985-05 §6.6.10).

21.48.020 **ALLOWABLE USES**

- A. Residential
 - 1. Single-family dwellings
 - 2. Duplex
 - 3. Triplex
 - 4. Fourplex
 - 5. Cluster Developments
- B. Food
 - 1. Grocery markets, including `mini-marts' with fuel pumps
 - 2. Delicatessen
 - 3. Dairy products, including egg and poultry stores
 - 4. Fruit and vegetable markets
 - 5. Meat and fish markets
 - 6. Health food stores
- C. Apparel and Accessories
 - 1. Men's, women's, and children's - singularly or in combination
 - 2. Specialty apparel shops - shoes, tailors, etc.
- D. General Merchandise
 - 1. Department stores, general merchandise
- E. Home Furnishings
 - 1. Household furniture and appliance stores
 - 2. Radio, television, video rentals, and music stores
- F. Building Materials, Farm and Logging Equipment
 - 1. Lumber and other building material stores and yards with only incidental re-cutting and

- planting of products sold
- 2. Heating and plumbing equipment, including incidental fabrication
- 3. Paint, glass, and wallpaper stores
- 4. Electrical supply stores
- 5. Hardware stores
- 6. Farm and logging equipment and implement dealer

G. Miscellaneous Specialty Stores

- 1. Antique, stamp, coin shops
- 2. Bicycles.
- 3. Books and stationery
- 4. Camera and photographic supplies
- 5. Drug and proprietary
- 6. Sewing and knitting shops
- 7. Fabric (yard goods)
- 8. Farm and garden supplies, including nurseries
- 9. Florists
- 10. Gift, novelty and souvenirs
- 11. Hay, grain, and feed stores
- 12. Ice dealers
- 13. Jewelry
- 14. Liquor
- 15. News and magazine dealers
- 16. Pharmacies
- 17. Sporting goods
- 18. Tobacco and smoker supplies
- 19. Secondhand stores (providing that merchandise displayed and sold is from within an entirely enclosed building).

H. Business

- 1. Adjustment and collection agencies
- 2. Advertising agencies, including commercial artists
- 3. Auto, truck, trailer and other equipment rental
- 4. Business and management services
- 5. Car wash
- 6. Duplicating addressing, blueprinting, photocopying, mailing, and stenographic services
- 7. Employment agencies
- 8. Equipment service and repair shop (includes lawn mowers and power saws)
- 9. Telephone answering service
- 10. Warehousing
- 11. Vehicle service stations
- 12. Mobile home sales
- 13. Off-street parking facilities
- 14. Offices housing personnel who provide special services to businesses
- 15. Services to buildings (including dwellings), cleaning and exterminating
- 16. Miscellaneous business services, including auctioneers, bondsmen, drafting, security agencies, notary public, and other similar services
- 17. Vehicle repair shops (located entirely within an enclosed building)
- 18. Fuel dealers

- I. Finance
 - 1. Banking, savings and loan institutions

- J. Professional Office
 - 1. Accounting, auditing, and bookkeeping
 - 2. Architectural, landscape architecture
 - 3. Artists studios
 - 4. Engineering, including surveying
 - 5. Law
 - 6. Clinic, (outpatient)
 - 7. Professionals, other
 - 8. Real Estate
 - 9. Insurance agencies

- K. Membership Organization
 - 1. Business and professional
 - 2. Civic, social and fraternal
 - 3. Charitable
 - 4. Labor
 - 5. Political
 - 6. Religious

- L. Restaurants, Drinking places
 - 1. Restaurants - including take out and restaurants with a liquor license
 - 2. Drinking places serving alcoholic beverages

- M. Automotive and Related
 - 1. Motor vehicle dealers, including recreational vehicles and travel trailers (new and used)
 - 2. Auto parts and accessory stores
 - 3. Boats, trailers, sailboards, marine supplies and accessories
 - 4. Motorcycles

- N. Products (Custom fabricating, processed, assembled, installed, repaired, or printed on the premises within an entirely enclosed building.)
 - 1. Cabinet shop
 - 2. Electrical shop
 - 3. Plumbing shop
 - 4. Sign shop
 - 5. Upholstery shop
 - 6. Heating, air conditioning, solar, wind machine
 - 7. Printing, publishing, and lithographic shop
 - 8. Radio and television repair shop
 - 9. Home appliance repair shop
 - 10. Other such custom fabricating businesses as outlined under Products above that the Administrator determines to be in keeping with the intent of such purpose.

- O. Personal
 - 1. Laundry facilities, including self-service laundries
 - 2. Barber and beauty shops

3. Shoe repair shops
 4. Photographic studios
 5. Clothing rental establishments
 6. Transportation terminals
 7. Mortuaries
- P. Lodging Places
1. Hotels and motels
- Q. Medical and Health
1. Hospitals
 2. Medical and dental laboratories
 3. Convalescent and rest homes
 4. Residential care facilities (In accordance with Chapter 21.85)
 5. Veterinary with outdoor kennels
- R. Amusement
1. Amusement centers (video centers and arcades)
 2. Art galleries
 3. Billiard and pool parlors
 4. Bowling alleys
 5. Dance studios and schools
 6. Golf (miniature)
 7. Skating rinks, ice and/or roller
 8. Health clubs
 9. Theaters (indoor and outdoor drive in)
 10. Stadium and sports arena facilities
 11. Skateboard facilities (indoor and outdoor)
- S. Educational
1. Family day care home (In accordance with Section 21.86.020)
 2. Libraries
 3. General education facilities and related facilities; e.g., playgrounds, sport fields, bus barns.
 4. Music schools
 5. Child day care center (In accordance with Section 21.86.040)
- T. Public Services and Facilities
1. Fire stations (including ambulances)
 2. Public and private utility buildings
 3. Museums
 4. Correctional Facilities
 5. Attached Communication facilities located on BPA towers
(Ord. 2002-20 (part): Ord. 1992-06 (part): Ord. 1991-06 (part): Ord. 1990-01 (part): Ord. 1985-05 §6.6.20).

21.48.025 **ADMINISTRATIVE REVIEW USES**

- A. Child mini day care center (In accordance with Section 21.86.030)
- B. Attached communication facilities not located on BPA towers. (In accordance with Section

21.70.160)

- C. Communication towers. (In accordance with Section 21.70.160)
- D. Co-location of communication towers. (In accordance with Section 21.70.160)

21.48.031 **CONDITIONAL USES**

- A. All commercial uses and/or other uses other than those commercial uses listed in Section 21.48.020 and 21.48.025 shall be considered as conditional uses.
- B. Small-Scale and Large-Scale Recreational Vehicle Parks.
(Ord. 2002-20 (part): Ord. 1990-01 (part))

21.48.035 **ACCESSORY USES**

On-Site hazardous waste treatment and storage facilities, subject to State Siting Criteria (RCW 70.105.210) generated in Skamania County. (Ord. 1990-01 (part))

21.48.040 **TEMPORARY USES PERMITTED**

Temporary uses shall be permitted in accordance with requirements of Section 21.70.120. (Ord. 1991-06 (part): Ord. 1985-05 §6.6.40)

21.48.050 **MINIMUM DEVELOPMENT STANDARDS**

A. **LOT SIZE**

- 1. Minimum lot size shall be 10,890 square feet.
- 2. Water supply and sewage disposal shall comply with the state health laws.
- 3. The lot depth should not exceed the lot width by more than a ratio of three to one (three being the depth). Access panhandles shall not be taken into account as part of the area calculations.

B. **DENSITY REQUIREMENT**

Density will be established by the zone setback requirements.

C. **SETBACKS**

- 1. Front yard: No building or accessory building shall be constructed closer than 50 feet from the centerline of the public road right-of-way or 35 feet from the centerline of a private road (not including private driveways), or 20 feet from the front property line, whichever is greater.
- 2. Side yard: On each side of the building or accessory building, the side yard shall be not less than 20 feet when abutting land in the R-1, R-2, R-5, R-10, RES-20, and MG zone classifications. If the side yard is not abutting one of the above, the side yard shall be not less than ten (10) feet, including accessory buildings.
- 3. Rear yard: A rear yard shall be not less than 20 feet when abutting land in the R-1, R-2, R-5, R-10, RES-20, and MG zone classifications. If the rear yard is not abutting one of the above, the rear yard shall be not less than 15 feet plus an additional 1/2 foot for each foot the building exceeds 20 feet in height. Setbacks shall also pertain to accessory buildings.
- 4. Setbacks from cul-de-sacs and hammerhead turn arounds shall be 20 feet from the property line, or the edge of the public road right-of-way or private road easement, whichever is greater.

D. **OTHER STANDARDS**

1. Building height limit for permitted uses shall not exceed 35 feet above average site grade, with the exception of Section 21.70.050.
2. No building or structure may be located within any easement.

E. **OFF STREET PARKING**

Parking shall be provided for new or enlarged buildings as set forth in this section (minimum requirement). Required parking shall be available for use upon completion of initial building construction or enlargement. The following minimum parking requirements are for customers, clients, patients and visitors. Additional parking shall be required for anticipated employees, and delivery and shipping of business products and produce. Subdivisions 1 through 8 of this subsection E refer to category items under Section 21.48.020.

1. Food, restaurants - Drinking Places, Home Furnishings, Amusement, museums; one space per 100 square feet of floor area.
2. Apparel and Accessories, General Merchandise, medical and dental laboratories, veterinary, Educational; one space per 200 square feet of floor area.
3. Automotive and related, building materials - Farm and logging Equipment, Miscellaneous Specialty Stores, Products, Personal, Business, Finance, Professional Office, Public Services and Facilities; one space per 400 square foot of floor area.
4. Lodging Places; one and one-half space per room or camping unit.
5. Hospitals, convalescent and rest homes; one space per bed.
6. Bowling alleys; three spaces per lane.
7. Membership Organization; one space per four seats or eight feet of bench length in the main auditorium. If no permanent seats are provided one space per 35 square foot of floor area used for meeting room.
8. Residential; two spaces per residential unit. (Ord. 1991-06 (part): Ord. 1985-05 §6.6.50 - §6.6.541).

CHAPTER 21.50 - COMMERCIAL RECREATION ZONE CLASSIFICATION (CR)

Sections:

- 21.50.010 Purpose - Intent.
- 21.50.020 Allowable uses.
- 21.50.025 Administrative Review uses
- 21.50.030 Conditional uses.
- 21.50.040 Temporary uses permitted.
- 21.50.050 Minimum development standards

21.50.010 **PURPOSE - INTENT**

The Commercial Recreation zone is intended for tourist commercial uses and outdoor recreation facilities.

21.50.020 **ALLOWABLE USES**

- A. Overnight lodging facilities.
- B. Food and drink service facilities.
- C. Recreational service facilities and related equipment sales and rentals.
- D. Outdoor recreational facilities such as piers and docks, boat launches, tennis courts, swimming pools, fee fishing ponds, and golf courses.
- E. Cluster developments when approved in accordance with county standards promulgated for same.
- F. Forestry
- G. One single-family residential dwelling when used by the caretaker or the owner of the permitted commercial recreation development.
- H. One single-family residential dwelling may be permitted on lots created prior to the date of adoption of this ordinance.
- I. Accessory equipment structures.
- J. Residential Care facilities (In accordance with Chapter 21.85)
- K. Attached communication facilities located on BPA towers. (In accordance with Section 21.70.160)
(Ord. 2002-20 (part): Ord. 1992-06 (part): Ord. 1990-01 (part))

21.50.025 **ADMINISTRATIVE REVIEW USES**

- A. Attached communication facilities not located on BPA towers. (In accordance with Section 21.70.160)
- B. Communication towers. (In accordance with Section 21.70.160)
- C. Co-location of communication towers (in accordance with Section 21.70.160)

21.50.030 **CONDITIONAL USES**

- A. Convenience store
- B. Automobile service station
- C. Buildings and uses of a public works, public service or public utility nature.
- D. Small-Scale and Large-Scale Recreational Vehicle Parks
- E. Child care facilities (In accordance with Chapter 21.86)
(Ord. 2002-20 (part): Ord. 1990-01 (part))

21.50.040 **TEMPORARY USES PERMITTED**

Temporary uses in the CR zone are as follows: None (Ord. 1990-01 (part))

21.50.050 **MINIMUM DEVELOPMENT STANDARDS**

A. **LOT SIZE**

The standard minimum lot size, dimensions, and proportions shall be as follows:

1. Minimum lot size shall be that necessary for protection of public health as determined by the planning director and the jurisdictional health department unless otherwise regulated, but not less than 12,500 square feet.
2. Lot depth shall not exceed lot width by more than a ratio of four to one (with four being the lot depth).
3. "Pan handle" or "flag" lots shall not be allowed.

B. **DENSITY REQUIREMENTS**

Density will be established by the zone setback requirements.

C. **SETBACKS**

1. Front yard: No building or accessory building shall be constructed closer than 50 feet from the centerline of the public road right-of-way or 35 feet from the centerline of a private road (not including private driveways), or 20 feet from the front property line, whichever is greater.
2. Side yard: 10 feet, unless a transition zone lot, in which case the setback shall be the same as that for the more restrictive district.
3. Rear yard: 20 feet.
4. Setbacks from cul-de-sacs and hammerhead turn arounds shall be 20 feet from the property line, or the edge of the public road right-of-way or private road easement, whichever is greater.

D. **OTHER STANDARDS**

1. Building coverage shall not exceed 35 percent of the total lot area.
2. Building heights shall be limited so as not to appreciably block the view shed of existing home sites. Buildings over 35 feet in height shall be classified as a conditional use, with the exception of Section 21.70.050.
3. No building or structure may be located within any easement.

E. **OFF STREET PARKING**

1. Dining and drinking, amusement, museums; one space per 100 square feet of floor area.
2. Retail and rental: one space per 200 square feet of floor area.
3. Repair shop, automotive and related, miscellaneous specialty stores, public services and facilities: one space per 400 square feet of floor area.
4. Place of assembly: one space per 4 seats of 8 feet of bench length; or one space per 35 square feet of floor area of meeting room.
5. Commercial accommodations: one and one half (1 1/2) space per room or camping unit.
6. Bowling alleys: three spaces per lane.
7. Standards for off-street parking shall also comply with Chapter 21.70.070.

CHAPTER 21.52 - INDUSTRIAL ZONE CLASSIFICATION (MG)

Sections:

- 21.52.010 Purpose - Intent.
- 21.52.020 Allowable uses.
- 21.52.025 Administrative Review uses
- 21.52.030 Conditional uses.
- 21.52.040 Temporary uses permitted.
- 21.52.045 Accessory uses.
- 21.52.050 Minimum development standards.

21.52.010 **PURPOSE - INTENT**

The MG zone classification is intended to provide sites that permit the establishment of processing, fabrication, storage, and manufacturing activities. (Ord. 1985-05 §6.7.10).

21.52.020 **ALLOWABLE USES**

- A. All manufacturing uses except chemical plants, pulp mills, wood preservation treatment plants, and refinement or production of raw metals. (Ord. 1991-06 (part): 1987-16 §1; Ord. 1985-05 §6.7.25)
- B. Accessory equipment structures
- C. Attached communication facilities located on BPA tower (in accordance with Section 21.70.160)

21.52.025 **ADMINISTRATIVE REVIEW USES**

- A. Attached communication facilities not located on BPA towers. (In accordance with Section 21.70.160)
- B. Communication towers. (In accordance with Section 21.70.160)
- C. Co-location of communication towers (in accordance with Section 21.70.160)

21.52.030 **CONDITIONAL USES**

Chemical plants, pulp mills, wood preservation treatment plants, refinement or production of raw metals, and off-site treatment and storage facilities, subject to State Siting Criteria (RCW 70.105.210), will be considered a conditional use. (Ord. 1991-06 (part): Ord 1988-02 §3; 1987-16 §2; Ord. 1985-05 §6.7.35)

21.52.040 **TEMPORARY USES PERMITTED**

Temporary uses shall be permitted in accordance with requirements of Section 21.70.120. (Ord. 1991-06 (part): Ord. 1985-05 §6.7.40)

21.52.045 **ACCESSORY USES**

On-site and off-site hazardous waste treatment and storage facilities, subject to State Siting Criteria (RCW 70.105.210) generated in Skamania County. (Ord. 1988-02 §4)

21.52.050 **MINIMUM DEVELOPMENT STANDARDS**

A. **LOT SIZE**

Minimum lot size shall be subject to meeting all setback requirements in subsection C of this section including provisions under subsection E of this section. Minimum lot size will also be dependent on type of water service and sewage disposal. The lot depth should not exceed the lot width by more than a ratio of three to one (three being the depth). Access panhandles shall not be taken into account as part of the area calculations relative to minimum lot size indicated.

B. **DENSITY REQUIREMENTS**

There are no density requirements in the MG zone.

C. **SETBACKS**

1. Front yard: No building or accessory building shall be constructed closer than 25 feet in an MG zone classification from the property line.
2. Side yard: On each side of the building or accessory building, a side yard shall be provided of not less than 25 feet.
3. Rear yard: A rear yard shall be provided of not less than 15 feet, including accessory buildings.
4. No yards are required at points where side or rear yards abut a railroad right-of-way or spur track..
5. Setbacks from cul-de-sacs and hammerhead turn arounds shall be 25 feet from the property line, or the edge of the public road right-of-way or private road easement, whichever is greater.
6. No building or structure may be located within any easement.

D. **INDUSTRIAL HEIGHT LIMITATIONS**

Height of structures shall conform where applicable, to the general requirements of the building code.

E. **OUTDOOR INDUSTRIAL STORAGE**

Outdoor storage in the industrial district when significantly visible from nonforestry, nonagricultural, or non-industrial zoning district designations shall be maintained in an orderly manner. The following standards also apply:

1. Wrecked auto and scrap metal storage yards and other similar highly obnoxious storage facilities shall be fully screened with sight-obscuring fencing or approved vegetative buffers.
2. Storage shall be no closer than 25 feet from any public road right-of-way and not closer than 50 feet from any residential zone classification.
3. Storage of animal or vegetable wastes shall be conducted in a fashion so as not to constitute a public nuisance nor a threat to the public health.

F. **PERFORMANCE STANDARDS**

No land or structure shall be used or occupied within this district unless there is continuing compliance with the following performance standards.

Each industry shall employ the best pollution control and nuisance abatement technology when reasonable and practicably available for each particular industry; provided that where federal, state, or regional laws or regulations provide for the level of technology to be employed, the appropriate standards shall apply.

1. Noise: Maximum permissible noise levels shall be as determined by WAC 173-60, or as amended.
2. Smoke And Particulate Matter: Air emissions must be approved by the Southwest Washington Air Pollution Control Authority or Department of Ecology.
3. Vibration: Significant vibration which is discernable without instruments, other than that caused by vehicles, trains, or construction activity, shall not be permitted beyond the boundaries of any industrial, commercial, forestry, or agricultural district.
4. Odors: The emission of continuous or frequent obnoxious odors beyond the bounds of any industrial district shall be prohibited.
5. Heat, Light and Glare: All operations and facilities producing heat, light or glare including exterior lighting shall be so constructed, screened or used as to not unreasonably infringe upon the use and enjoyment of property beyond the boundaries of the district.
6. Administration: As a condition for the granting of a building permit, at the request of the county, information sufficient to determine the degree of compliance with the standards in this subsection, shall be furnished by the industry. Such request may include continuous records of operation, for periodic checks to assure maintenance of standards, or for special surveys. (Ord. 1985-05 §6.7.50 - §6.7.542).

CHAPTER 21.56 - RESOURCE PRODUCTION ZONE CLASSIFICATION (FOR/AG 10 & 20)

Sections:

- 21.56.010 Purpose - Intent.
- 21.56.020 Allowable uses.
- 21.56.025 Administrative Review uses
- 21.56.030 Conditional uses.
- 21.56.040 Temporary uses permitted.
- 21.56.050 Minimum development standards.

21.56.010 **PURPOSE - INTENT**

- A. The purposes of this zone classification are:
 - 1. To provide land for present and future commercial farm and forest operations in areas that have been and are currently suitable for such operations.
 - 2. To prevent conflicts between forestry and farm practices, and non-resource production uses by not allowing inappropriate development of land within this zone classification.
- B. It is intended that the Resource Production zone classification be permitted only within areas designated Rural II and Conservancy Land Use Areas on the County Comprehensive Plan A Map. (Ord. 1985-05 §6.8.10).

21.56.020 **ALLOWABLE USES**

- A. Forestry practices and associated management activities of any forest crop in accordance with Washington Forest Practices Act of 1974 including timber, Christmas trees, nursery stock, and surface mining.
- B. Commercial and domestic agriculture
- C. Orchards and vineyards
- D. Horticulture
- E. Cottage Occupation (In accordance with Chapter 21.70)
- F. Light home industry (In accordance with Chapter 21.70)
- G. Management of unique biological areas
- H. Management and propagation of fish and wildlife
- I. Water resources management facilities
- J. Storage of explosives, fuels, and chemicals
- K. Accessory uses normally associated with an allowable use
- L. Public and private conservation areas or structures for retention of water, soil, open space, forest, or wildlife resources.
- M. Log sorting and storage areas, scaling stations, temporary crew quarters, forest industry storage and maintenance facilities.
 - 1. The intent of the processing is initial reduction in bulk and/or to facilitate transport to secondary processing centers. Such uses shall not include the manufacture of finished wood products such as furniture, lumber, or plywood nor the retail sales of products from the site.
- N. Individual single family dwelling units used as the principal residence for the farm or forestry operator. One single-family dwelling may be permitted on lots created prior to the date of adoption of the zone classification.
- O. Family day care home (In accordance with Chapter 21.86.020).

- P. Residential care facilities (In accordance with Chapter 21.85).
- Q. Farm labor housing.
- R. Accessory equipment structures
- S. Attached communication facilities located on BPA towers (in accordance with Section 21.70.160) (Ord. 1992-06 (part): Ord. 1991-06 (part): Ord. 1985-05 §6.8.20).

21.56.025 **ADMINISTRATIVE REVIEW USES**

- A. Attached communication facilities not located on BPA towers. (In accordance with Section 21.70.160)
- B. Communication towers. (In accordance with Section 21.70.160)
- C. Co-location of communication towers (in accordance with Section 21.70.160)

21.56.030 **CONDITIONAL USES**

- A. Individual single family residences not provided in conjunction with forest or farm management, including residential and resource related development may be permitted conditionally, provided they meet the following:
 1. The subdivision or short subdivision of land or the filing of a binding site plan affecting such land shall have a notation placed on the face of the plat, subdivision covenants, documents of conveyance, and building permits indicating that said parcels are situated in a Resource Production zone classification. Such parcels are therefore subject to noise, dust, smoke, and odors resulting from harvesting, planting, fertilization, and pest control associated with usual and normal resource management practices, and as such these normal forestry and farm practices when performed in accordance with state and federal law, shall not be subject to legal action as public nuisances.
 2. All residential and recreational development within the Resource Production zone classification shall maintain approved fire trails or other effective fire line buffers on their perimeters with commercial resource land as established by the local fire district. Such development shall also provide adequate fire suppression as approved by the local fire district and Department Of Natural Resources.
 3. The creation of any residential or recreational parcel in the Resource Production zone classification shall be accompanied by a filed and recorded restrictive covenant requiring spark arresters on all chimneys.
 4. New residential or recreational domestic water supplies shall be certified by the Southwest Washington Health District and shall not be located on or within 100 feet of adjacent property without a recorded easement from the adjacent property owner.
 5. Residential and recreational developments and individual lot owners outside of an established solid waste service area shall be responsible for providing adequate solid waste disposal service.
- B. Recreational facilities
- C. Semi-public facilities and utilities
- D. Sawmills, shake and shingle mills, chippers, pole and log yards
- E. Geothermal energy facilities
- F. Aircraft landing fields
- G. Cluster developments
- H. Child mini day care center (In accordance with Section 21.86.030)
- I. Child day care center (In accordance with Section 21.86.040)

21.56.040 **TEMPORARY USES PERMITTED**

Temporary uses shall be permitted in accordance with the requirements of Section 21.70.120. (Ord. 1985-05 §6.8.40).

21.56.050 **MINIMUM DEVELOPMENT STANDARDS**

A. **LOT SIZE**

Minimum lot sizes, dimensions, and proportions shall be either 10 acres in the FORAG 10 zone classification or 20 acres in the FORAG 20 zone classification. The lot depth should not exceed the width by more than a ratio of four to one (four being the depth). Access panhandles shall not be taken into account as part of the area calculation.

B. **DENSITY REQUIREMENTS**

Single-family: Each single-family housing unit including mobile homes shall require the minimum lot area listed in subsection A of this section.

C. **SETBACKS**

1. Front yard: No building or accessory building shall be constructed closer than 50 feet from the centerline of the public road right-of-way or 35 feet from the centerline of a private road (not including private driveways), or 20 feet from the property line whichever is greater.
2. Side yard: On each side of the building or accessory building the side yard shall be not less than 25 feet.
3. Rear yard: A rear yard shall be not less than 25 feet.
4. Non-conforming lots: Lots of less than 2 acres in size shall conform to at least standard Building Code setback requirements for unzoned lots.
5. A Yard That Fronts On More Than One Road: A setback requirement for the front yard of a lot that fronts on more than one road shall be the required setback for the zone classification. All other frontages shall have a setback of 15 feet from the property line, or the edge of the public road right-of-way or private road easement, whichever is greater if the parcel is less than 2 acres. If the parcel is greater than two (2) acres, the setback shall be 20 feet from the property line, or the edge of the public road right-of-way or private road easement, whichever is greater.
6. Setbacks from cul-de-sacs and hammerhead turn arounds shall be 20 feet from the property line, or the edge of the public road right-of-way or private road easement, whichever is greater.

D. **OTHER STANDARDS**

1. Building height limit for permitted uses shall not exceed 35 feet above average site grade, with the exception of Section. 21.70.050
2. Standards for off-street parking shall comply with Section. 21.70.070 (Ord. 1992-06 (part): 1985-05 §6.8.50 - §6.8.54).
3. No building or structure may be located within any easement.

CHAPTER 21.60 - NATURAL ZONE CLASSIFICATION (NAT)

Sections:

- 21.60.010 Purpose - Intent.
- 21.60.020 Uses.
- 21.60.030 Minimum lot size.

21.60.010 **PURPOSE - INTENT**

The Natural zone is intended for those areas which have extreme importance for the maintenance of natural systems in which any developmental intrusion by man would result in a substantial impact on the system, thereby impairing its visually or physically unique qualities. (Ord. 1985-05 §6.9.10).

21.60.020 **USES**

No permanent structures are allowed; Except, such structures which are necessary to protect property from overbank flow of high water and to stabilize eroding stream banks. No roads other than foot trails are allowed. Recreational developments shall be considered as conditional uses. Timber harvesting shall be permitted only when necessary to prevent epidemic outbreaks of insect or disease infestations, or salvage areas devastated by extensive wind throw or fire. All other uses will not be permitted. Access shall only be provided when such access is of a nature and volume that will assure no adverse impact upon the area or system of which it is a part. (Ord. 1985-05 §6.9.20).

21.60.030 **MINIMUM LOT SIZE**

Minimum lot size shall be 10 acres. The lot depth should not exceed the lot width by more than a ratio of four to one (four being the depth). Access panhandles shall not be taken into account as part of the area calculations relative to minimum lot size indicated above. (Ord. 1985-05 §6.9.30).

CHAPTER 21.64 - UNMAPPED CLASSIFICATION (UNM)

Sections:

21.64.010 Purpose - Intent.

21.64.020 Allowable uses.

21.64.010 **PURPOSE - INTENT**

Those areas of the County where no formal adoption of any zoning map has taken place will be designated as Unmapped (UNM). All lands within Skamania County which are not zoned shall be regulated by Chapter 17.64 of this code and other applicable county ordinances and state laws. (Ord. 1985-05 §6.10.10).

21.64.020 **ALLOWABLE USES**

In the areas classified as Unmapped (UNM) all uses which have not been declared a nuisance by statute, resolution, ordinance, or court of jurisdiction are allowable. The standards, provisions, and conditions of this title shall not apply to unmapped areas. (Ord. 1985-05 §6.10.20).

CHAPTER-21.65 - CARSON FINAL ZONING

Sections:

- 21.65.010 APPLICABILITY
- 21.65.020 EFFECTIVE DATE
- 21.65.030 ZONING MAP
- 21.65.040 RELATIONSHIP TO BALANCE OF TITLE 21
- 21.65.050 ZONE CLASSIFICATIONS
- 21.65.060 HIGH DENSITY RESIDENTIAL ZONE CLASSIFICATION (HDR)
- 21.65.070 RURAL RESIDENTIAL ZONE CLASSIFICATION (RR)
- 21.65.080 RURAL ESTATE ZONE CLASSIFICATION (RE)
- 21.65.090 COMMERCIAL (C)
- 21.65.100 INDUSTRIAL (I)
- 21.65.110 DESTINATION RESORT (DR)

21.65.010 **APPLICABILITY**

This chapter applies to all lands in that portion of Skamania County lying within the Carson Planning Area, as depicted on the map entitled “Carson Comprehensive Plan” adopted on December 19, 1994. (Ord. 1997-04 (part))

21.65.020 **EFFECTIVE DATE**

This chapter shall become effective upon adoption hereof by the Board of County Commissioners. (Passed into law December 29, 1997) (Ord. 1997-04 (part))

21.65.030 **ZONING MAP**

A zoning map will be made a part of this chapter and shall be known as “the Carson Community Zoning Map”. The zoning map shall show the zone classifications assigned to specific parcels of property. (Ord. 1997-04 (part))

21.65.040 **RELATIONSHIP TO BALANCE OF TITLE 21**

Except to the extent that the provisions of this chapter are in conflict with or contradict the provisions of the balance of Title 21, the provisions set out in Title 21 shall remain in full force and effect in the Carson Community Planning Area. When conflict arises, the provisions of this Chapter shall be controlling. (Ord. 1997-04 (part))

21.65.050 **ZONE CLASSIFICATIONS**

Zones are shown on the Carson Community Zoning Map and its revisions.

ABBREVIATED DESIGNATION

ZONE CLASSIFICATION TITLE MAPPING SYMBOL

High Density Residential	HDR
Rural Residential	RR

Rural Estate	RE
Commercial	C
Industrial	I
Destination Resort (Ord. 1997-04 (part))	DR

21.65.060 **HIGH DENSITY RESIDENTIAL ZONE CLASSIFICATION (HDR).**

A. ALLOWABLE USES.

1. Single-family dwellings.
2. Public facilities.
3. Domestic agriculture.
4. Advertising signs; on-premises advertising only.
5. Accessory equipment structures
6. Attached communication facilities located on BPA towers.

B. ADMINISTRATIVE REVIEW USES.

1. Multi-family housing units.
2. Light home industry, consistent with Chapter 21.70 of this title.
3. Cottage occupations, consistent with Chapter 21.70 of this title.
4. Residential care facilities, consistent with Chapter 21.85 of this title.
5. Child care facilities, consistent with Chapter 21.86 of this title.
6. Safe homes.
7. Cluster Developments.
8. Attached communication facilities not located on BPA towers, (In accordance with Section 21.70.160)

C. CONDITIONAL USES.

1. Professional services.
2. Commercial agriculture.
3. Mobile Home Parks
4. Communication towers
5. Co-location of communication towers (In accordance with Section 21.70.160)

D. TEMPORARY USES.

Uses allowed subject to the requirements of Section 21.70.120 of this title.

E. PROHIBITED USES.

Any uses not listed above are prohibited, including but not limited to:

1. Commercial uses.
2. Industrial uses.
3. Billboards.
4. Above ground utility lines, unless no practical alternative exists.
5. Unconcealed, outdoor storage of non-functioning vehicles and parts thereof, appliances, construction materials, debris and household garbage.

F. MINIMUM DEVELOPMENT STANDARDS.

1. Lot Size. The standard minimum lot size, dimensions and proportions shall be as follows:
 - a) The minimum lot size shall be ½ acre.

- b) Lot depth shall not exceed lot width by more than a ratio of four to one, respectively.
 - c) Access panhandles shall not be taken into account as part of the area calculations relative to minimum lot size.
2. Density Requirements.
- a) Single-family: Each single family housing unit shall require minimum lot area of ½ acre.
 - b) Duplex: Each duplex shall require ¾ of an acre.
 - c) Triplex: Each triplex shall require one acre.
 - d) Fourplex: Each fourplex shall require 1-1/4 acre.
 - e) Apartment complexes greater than fourplex: Each apartment complex shall require a minimum of 2 acres. Additional land may be required to ensure adequate parking, landscaping and buffers.
3. Setbacks.
- a) Front yard: No building or accessory building shall be constructed closer than 45 feet from the centerline of the public road right-of-way or 35 feet from the centerline of a private road (not including private driveways), or 15 feet from the front property line, whichever is greater.
 - b) Side yard: No building or accessory building shall be constructed closer than 7 feet from the property line on each side of the structure.
 - c) Rear yard: No building or accessory building shall be constructed closer than 15 feet from the rear property line.
 - d) Yards fronting on two roads: In addition to the required front yard setback, on lots fronting two roads, no building or accessory building shall be constructed closer than 15 feet from any established public road right-of-way or private road easement. (Ord. 2002-20 (part): Ord. 1997-04 (part))
 - e) Setbacks from cul-de-sacs and hammerhead turn arounds shall be 20 feet from the property line, or the edge of the public road right-of-way or private road easement, whichever is greater.
 - f) no building or structure may be located within any easements.

21.65.070 **RURAL RESIDENTIAL ZONE CLASSIFICATION (RR).**

A. ALLOWABLE USES.

- 1. Single-family dwellings.
- 2. Domestic agriculture.
- 3. Industrial forestry.
- 4. Public facilities.
- 5. Low-Intensity recreation.
- 6. Advertising signs; on-premises advertising only.
- 7. Accessory equipment structures
- 8. Attached communication facilities located on BPA towers, (In accordance with Section 21.70.160)

B. ADMINISTRATIVE REVIEW USES.

- 1. Light home industry, consistent with Chapter 21.70 of this title.
- 2. Cottage occupations, consistent with Chapter 21.70 of this title.
- 3. Commercial agriculture.
- 4. Residential care facilities, consistent with Chapter 21.85 of this title.
- 5. Child care facilities, consistent with Chapter 21.86 of this title.

6. Safe homes.
7. Cluster Developments
8. Attached communication facilities not located on BPA towers, (In accordance with Section 21.70.160)

C. CONDITIONAL USES.

1. Multi-family housing units.
2. Mobile home parks.
3. Professional services.
4. Commercial agriculture.
5. Communication towers (In accordance with Section 21.70.160)
6. Co-location of communication towers (In accordance with Section 21.70.160)

D. TEMPORARY USES.

Uses allowed subject to the requirements of Section 21.70.120 of this title.

E. PROHIBITED USES.

Any uses not listed above are prohibited, including but not limited to:

1. Small-Scale and Large-Scale Recreational Vehicle Parks
2. Commercial uses.
3. Industrial uses.
4. Billboards.
5. Above ground utility lines, unless no practical alternative exists.
6. Unconcealed, outdoor storage of non-functioning vehicles and parts thereof, appliances, construction materials, debris and household garbage.

F. MINIMUM DEVELOPMENT STANDARDS.

1. Lot Size. The standard minimum lot size, dimensions and proportions shall be as follows:
 - a) The minimum lot size shall be one (1) acre.
 - b) Lot depth shall not exceed lot width by more than a ratio of four to one, respectively.
 - c) Access panhandles shall not be taken into account as part of the area calculations relative to minimum lot size.
2. Density Requirements.
 - a) Single-family: Each single family housing unit shall require minimum lot area of 1 acre.
 - b) Duplex: Each duplex shall require 1-1/2 of an acre.
 - c) Triplex: Each triplex shall require one 2 acres.
 - d) Fourplex: Each fourplex shall require 2-1/2 acres.
 - e) Apartment complexes greater than fourplex: Each apartment complex shall require a minimum of 3 acres. Additional land may be required to ensure adequate parking, landscaping and buffers.
3. Setbacks.
 - a) Front yard: No building or accessory building shall be constructed closer than 45 feet from the centerline of the public road right-of-way or 35 feet from the centerline of a private road (not including private driveways), or 15 feet from the front property line, whichever is greater.
 - b) Side yard: No building or accessory building shall be constructed closer than 15 feet from the property line on each side of the structure.
 - c) Rear yard: No building or accessory building shall be constructed closer than 25 from

the rear property line.

- d) Yards fronting on two roads: In addition to the required front yard setback, on lots fronting two roads, no building or accessory building shall be constructed closer than 15 feet from any established public road right-of-way or private road easement. (Ord. 2002-20 (part): Ord. 1997-04 (part))
- e) Setbacks from cul-de-sacs and hammerhead turn arounds shall be 20 feet from the property line, or the edge of the public road right-of-way or private road easement, whichever is greater.
- f) no building or structure may be located within any easements.

21.65.080 **RURAL ESTATE ZONE CLASSIFICATION (RE).**

A. ALLOWABLE USES.

- 1. Single-family dwellings.
- 2. Low-intensity recreational uses.
- 3. Domestic agriculture.
- 4. Industrial forestry.
- 5. Public facilities.
- 6. Advertising signs; on-premises advertising only.
- 7. Accessory equipment structures
- 8. Attached communication facilities located on BPA towers, (In accordance with Section 21.70.160)

B. ADMINISTRATIVE REVIEW USES.

- 1. Light home industry, consistent with Chapter 21.70 of this title.
- 2. Cottage occupations, consistent with Chapter 21.70 of this title.
- 3. Commercial Agriculture.
- 4. Residential care facilities, consistent with Chapter 21.85 of this title.
- 5. Child care facilities, consistent with Chapter 21.86 of this title.
- 6. Safe homes.
- 7. Cluster developments.
- 8. Attached communication facilities not located on BPA towers, (In accordance with Section 21.70.160)
- 9. Communication towers (In accordance with Section 21.70.160)
- 10. Co-location of communication towers (In accordance with Section 21.70.160)

C. CONDITIONAL USES.

- 1. Multi-family housing units.
- 2. Small and Large-Scale Recreational Vehicle Parks.
- 3. Commercial agriculture.

D. TEMPORARY USES.

Uses allowed subject to the requirements of Section 21.70.120 of this title.

E. PROHIBITED USES.

Any uses not listed above are prohibited, including, but not limited to:

- 1. Commercial uses.
- 2. Industrial uses.
- 3. Professional services.

4. Billboards.
5. Mobile Home Parks
6. Above ground utility lines, unless no practical alternative exists.
7. Unconcealed, outdoor storage of non-functioning vehicles and parts thereof, appliances, construction materials, debris and household garbage.

F. **MINIMUM DEVELOPMENT STANDARDS.**

1. Lot Size. The standard minimum lot size, dimensions and proportions shall be as follows:
 - a) The minimum lot size shall be 5 acres.
 - b) Lot depth shall not exceed lot width by more than a ratio of four to one, respectively.
 - c) Access panhandles shall not be taken into account as part of the area calculations relative to minimum lot size.
2. Density Requirements.
 - a) Single-family: Each single family housing unit shall require minimum lot area of 5 acres.
3. Setbacks.
 - a) Front yard: No building or accessory building shall be constructed closer than 50 feet from the centerline of the public road right-of-way or 35 feet from the centerline of a private road (not including private driveways), or 20 feet from the front property line, whichever is greater.
 - b) Side yard: No building or accessory building shall be constructed closer than 25 feet from the property line on each side of the structure.
 - c) Rear yard: No building or accessory building shall be constructed closer than 25 feet from the rear property line.
 - d) Yards fronting on two roads: In addition to the required front yard setback, on lots fronting two roads, no building or accessory building shall be constructed closer than 15 feet from any established public road right-of-way or private road easement. (Ord. 2002-20 (part); Ord. 1997-04 (part))
 - e) Setbacks from cul-de-sacs and hammerhead turn arounds shall be 20 feet from the property line, or the edge of the public road right-of-way or private road easement, whichever is greater.
 - f) no building or structure may be located within any easements.

21.65.90 **COMMERCIAL (C).**

A. **ALLOWABLE USES**

1. Professional Services
2. Advertising signs; on-premises advertising only.
3. Accessory equipment structures
4. Attached communication facilities located on BPA towers (In accordance with Section 21.70.160)

B. **ADMINISTRATIVE REVIEW USES.**

1. Commercial Uses, unless specifically listed in Section 21.65.090(A, B, or C).
2. Attached communication facilities not located on BPA towers, (In accordance with Section 21.70.160)
3. Communication towers (In accordance with Section 21.70.160)
4. Co-location of communication towers (In accordance with Section 21.70.160)

C. **CONDITIONAL USES**

1. Residential use above/over a commercial use; street level floor must be commercial/professional use only.
2. Owner/caretaker residence in conjunction with commercial use.
3. Small and Large-Scale Recreational Vehicle Parks.

D. **TEMPORARY USES**

Uses allowed subject to the requirements of Section 21.70.120 of this title.

E. **PROHIBITED USES**

Any uses not listed above are prohibited, including but not limited to:

1. Residential uses.
2. Billboards.
3. Mobile Home Parks.
4. Above ground utility lines, unless no practical alternative exists.
5. Unconcealed, outdoor storage of non-functioning vehicles and parts thereof, appliances, construction materials, debris and household garbage.

F. **MINIMUM DEVELOPMENT STANDARDS.**

1. Lot Size. The standard minimum lot size, dimensions and proportions shall be as required to accommodate the use, including landscaping, open space and parking requirements.
2. Setbacks. The setbacks will be established by the review of the listed criteria for each use or the following, whichever is greater:
3. No building or structure may be located within any easements.
4. No building or accessory building shall be constructed closer than 20 feet from a property line that is adjacent to land that is used for or suitable for residential use. (Ord. 2002-20 (part); Ord. 1997-04 (part))

21.65.100 **INDUSTRIAL (I).**

A. **ALLOWABLE USES.**

1. Advertising signs; on-premises advertising only.
2. Accessory equipment structures
3. Attached communication facilities located on BPA towers, (In accordance with Section 21.70.160)

B. **ADMINISTRATIVE REVIEW USE.**

1. Industrial Uses
2. Uses that are accessory to Industrial Uses.
3. Attached communication facilities not located on BPA towers, (In accordance with Section 21.70.160)
4. Communication towers (In accordance with Section 21.70.160)
5. Co-location of communication towers (In accordance with Section 21.70.160)

C. **CONDITIONAL USES.**

1. Owner/caretaker residence in conjunction with an industrial use.

D. **TEMPORARY USES.**

Uses allowed subject to the requirements of Section 21.70.120 of this title.

E. PROHIBITED USES.

Any uses not listed above are prohibited, including but not limited to:

1. Residential uses.
2. Recreational vehicle parks and campgrounds
3. Billboards.
4. Unconcealed, outdoor storage of non-functioning vehicles and parts thereof, appliances, debris and household garbage.

F. MINIMUM DEVELOPMENT STANDARDS.

1. Lot Size. The standard minimum lot size, dimensions and proportions shall be as required to accommodate the use, including landscaping, open space and parking requirements.
2. Setbacks. The setbacks will be established by the review of the listed criteria for each use or the following, whichever is greater:
3. No building or structure may be located within any easements.
4. No building or accessory building shall be constructed closer than 20 feet from a property line that is adjacent to land that is used for or suitable for residential use. Buffers shall be provided to reasonably mitigate adverse noise, dust and glare impacts between industrial and immediately adjacent non-industrial properties. Such buffers may include fencing vegetation and any other combination of open space and/or physical barriers. In no event shall the industrial use be required to devote more than 25 feet to such buffers. (Ord. 1997-04 (part))

21.65.110 **DESTINATION RESORT (DR).**

A. ALLOWABLE USES.

1. Overnight lodging and convention facilities.
2. Food and drink service facilities.
3. Recreational service facilities and related equipment sales and rentals.
4. Outdoor recreational facilities.
5. Advertising signs; on-premises advertising only.
6. Accessory equipment structures
7. Attached communication facilities located on BPA towers, (In accordance with Section 21.70.160)

B. ADMINISTRATIVE REVIEW USE.

1. Attached communication facilities not located on BPA towers, (In accordance with Section 21.70.160)
2. Communication towers (In accordance with Section 21.70.160)
3. Co-location of communication towers (In accordance with Section 21.70.160)

C. CONDITIONAL USES.

1. Owner/caretaker residence in conjunction with a destination resort. One per resort. The residence shall use the same access as the resort itself, not through existing adjacent neighborhood accesses.
2. Small and Large-Scale Recreational Vehicle Parks and Campgrounds.
3. Residential development in conjunction with destination resort facilities. The density of the residential development shall not exceed the density of the residential areas. Additionally, the residential development shall use the access as the resort itself, not through existing adjacent neighborhood access.

D. TEMPORARY USES.

Uses allowed subject to the requirements of Section 21.70.120 of this title.

E. PROHIBITED USES.

Any uses not listed above are prohibited, including but not limited to:

1. Residential uses.
2. Mobile Home Parks
3. Billboards.
4. Above ground utility lines, unless no practical alternative exists.
5. Unconcealed, outdoor storage of non-functioning vehicles and parts thereof, appliances, construction materials, debris and household garbage.

F. MINIMUM DEVELOPMENT STANDARDS.

1. Lot Size. The standard minimum lot size, dimensions and proportions shall be as required to accommodate the use, including landscaping, open space and parking requirements.
2. Setbacks. The setbacks will be established by the review of the listed criteria for each use or the following, whichever is greater:
3. No building or structure may be located within any easements.
4. No building or accessory building shall be constructed closer than 20 feet from a property line that is adjacent to land that is used for or suitable for residential use. (Ord. 2002-20 (part); Ord. 1997-04 (part))

CHAPTER 21.66- NORTHWESTERN LAKE ZONING

Sections

- 21.66.010 Applicability
- 21.66.020 Effective Date
- 21.66.030 Zoning Map
- 21.66.040 Relationship to Balance of Title 21
- 21.66.050 Residential 2 Zone Classification (R-2)
- 21.66.060 Residential 5 Zone Classification (R-5)

21.66.010 **APPLICABILITY**

This chapter applies to all lands in that portion of Skamania County lying within the portion of Sections 2 and 3 of T3N, R10E W.M., and designated Rural 2, as depicted on the map entitled “Land Use Areas”, adopted as part of the Skamania County Comprehensive Plan July, 11, 1977. (Ord. 2000-02 (part))

21.66.020 **EFFECTIVE DATE**

This chapter becomes effective upon adoption hereof by the Board of County Commissioners. (Passed into law May 9, 2000) (Ord. 2000-02 (part))

21.66.030 **ZONING MAP**

A zoning map will be made a part of this chapter and shall be known as the “Northwestern Lake Area Zoning Map”. The zoning map shall show the zone classifications assigned to specific parcels of property. (Ord. 2000-02 (part))

21.66.040 **RELATIONSHIP TO BALANCE OF TITLE 21**

Except to the extent that the provisions of this chapter are in conflict with or contradict the provisions of the balance of Title 21, the provisions set out in Title 21 shall remain in full force and effect in the Northwestern Lake Area. When conflict arises, the provisions of this Chapter shall be controlling. (Ord. 2000-02 (part))

21.66.050 **RESIDENTIAL 2 ZONE CLASSIFICATION (R-2)**

A. ALLOWABLE USES

1. Single-family dwellings
2. Commercial and domestic agriculture
3. Forestry
4. Public facilities and utilities
5. Professional services
6. Cottage occupations (in accordance with Chapter 21.70)
7. Light home industry (in accordance with Chapter 21.70)
8. Residential care facilities (in accordance with Chapter 21.85)
9. Child care facilities (in accordance with Chapter 21.86)
10. Safe home
11. Open Space and Public Parks

12. Accessory equipment structures
13. Attached communication facilities located on BPA towers, (In accordance with Section 21.70.160)

B. ADMINISTRATIVE REVIEW USES

1. Attached communication facilities not located on BPA towers, (In accordance with Section 21.70.160)

C. CONDITIONAL USES

1. Recreation facilities consistent with the rural residential character of the area, except that for all properties adjacent to Northwestern Lake and/or the White Salmon River, only recreation facilities owned and operated by public entities.
2. Public displays which do not use fluorescent colors, bright lights, or exceed 15 square feet.
3. Cluster developments
4. Duplexes
5. Fill, grading and excavation of more than 250 cubic yards of material not associated with residential activities; however, solid waste disposal is not an allowed use.
6. Expansion of pre-existing non-conforming uses and associated infrastructure.
7. Communication towers (In accordance with Section 21.70.160)
8. Co-location of communication towers (In accordance with Section 21.70.160)

D. TEMPORARY USES PERMITTED

1. Uses allowed subject to the requirements of Section 21.70.120 of this Title.

E. MINIMUM DEVELOPMENT STANDARDS

1. LOT SIZE

Minimum lot size shall be 2 acres. The lot depth should not exceed the lot width by more than a ratio of four to one (four being the depth). Minimum lot width shall be 200 feet. Access panhandles shall not be taken into account as part of the area calculations relative to minimum lot size indicated above.

2. DENSITY REQUIREMENTS

- a. Single-family: Each single-family housing unit (including mobile homes) shall require the minimum lot area listed under Section 21.66.050(E)(1).
- b. Duplex: Each duplex shall require 150 percent of the minimum lot area listed under Section 21.66.050(E)(1).

3. SETBACKS

The standard setback requirements shall be as follows:

- a. Front yard: No building or accessory building shall be constructed closer than 50 feet from the centerline of the public road right-of-way or 35 feet from the centerline of a private road easement (not including private driveways), or 20 feet from the front property line, whichever is greater.
- b. Side yard: On each side of the building or accessory building, a side yard shall be provided of not less than 20 feet.
- c. Rear yard: A rear yard shall be provided of not less than 20 feet, including accessory buildings.
- d. Non-conforming lots: Lots of less than 2 acres in size shall conform to standard

- Building Code setback requirements.
- e. A Yard That Fronts On More Than One Road: A setback requirement for the front yard of a lot that fronts on more than one road shall be the required setback for that zone classification All other frontages shall have a setback of 15 feet from the property line, or the edge of the public road right-of-way or private road easement, whichever is greater if the parcel is less than 2 acre. If the parcel is greater than two (2) acres, the setback shall be 20 feet from the property line, or the edge of the public road right-of-way or private road easement, whichever is greater.
 - f. Setbacks from cul-de-sacs and hammerhead turn arounds shall be 20 feet from the property line, or the edge of the public road right-of-way or private road easement, whichever is greater.
 - g. No building or structure may be located within any easements.

21.66.060 **RESIDENTIAL 5 ZONE CLASSIFICATION (R-5)**

A. ALLOWABLE USES

- 1. Single-family dwellings
- 2. Commercial and domestic agriculture
- 3. Forestry
- 4. Public facilities and utilities
- 5. Professional services
- 6. Cottage occupations (in accordance with Chapter 21.70)
- 7. Light home industry (in accordance with Chapter 21.70)
- 8. Residential care facilities (in accordance with Chapter 21.85)
- 9. Child care facilities (in accordance with Chapter 21.86)
- 10. Safe home
- 11. Open Space and Public Parks
- 12. Accessory equipment structures
- 13. Attached communication facilities located on BPA towers, (In accordance with Section 21.70.160)

B. ADMINISTRATIVE REVIEW USES

- 1. Attached communication facilities not located on BPA towers, (In accordance with Section 21.70.160)
- 2. Communication towers (In accordance with Section 21.70.160)
- 3. Co-location of communication towers (In accordance with Section 21.70.160)

C. CONDITIONAL USES

- 1. Recreation facilities consistent with the rural residential character of the area, except that for all properties adjacent to Northwestern Lake and/or the White Salmon River, only recreation facilities owned and operated by public entities.
- 2. Public displays which do not use fluorescent colors, bright lights, or exceed 15 square feet.
- 3. Cluster developments
- 4. Duplexes
- 5. Fill, grading and excavation of more than 250 cubic yards of material not associated with residential activities; however, solid waste disposal is not an allowed use.
- 6. Expansion of pre-existing non-conforming uses and associated infrastructure.

D. TEMPORARY USES PERMITTED

- 1. Uses allowed subject to the requirements of Section 21.70.120 of this Title.

E. MINIMUM DEVELOPMENT STANDARDS

1. LOT SIZE

Minimum lot size shall be 5 acres. The lot depth should not exceed the lot width by more than a ratio of four to one (four being the depth). Minimum lot width shall be 200 feet. Access panhandles shall not be taken into account as part of the area calculations relative to minimum lot size indicated above.

2. DENSITY REQUIREMENTS

- a. Single-family: Each single-family housing unit (including mobile homes) shall require the minimum lot area listed under Section 21.66.060(E)(1).
- b. Duplex: Each duplex shall require 150 percent of the minimum lot area listed under Section 21.66.060(E)(1).

3. SETBACKS

The standard setback requirements shall be as follows:

- a. Front yard: No building or accessory building shall be constructed closer than 50 feet from the centerline of the public road right-of-way or 35 feet from the centerline of a private road easement (not including private driveways) or 20 feet from the front property line, whichever is greater.
- b. Side yard: On each side of the building or accessory building, a side yard shall be provided of not less than 20 feet.
- c. Rear yard: A rear yard shall be provided of not less than 20 feet, including accessory buildings.
- d. Non-conforming lots: Lots of less than 2 acres in size shall conform to standard Building Code setback requirements.
- e. A Yard That Fronts On More Than One Road: A setback requirement for the front yard of a lot that fronts on more than one road shall be the required setback for that zone classification. All other frontages shall have a setback of 15 feet from the property line, or the edge of the public road right-of-way or private road easement, whichever is greater if the parcel is less than 2 acre. If the parcel is greater than two (2) acres, the setback shall be 20 feet from the property line, or the edge of the public road right-of-way or private road easement, whichever is greater.
- f. Setbacks from cul-de-sacs and hammerhead turn arounds shall be 20 feet from the property line, or the edge of the public road right-of-way or private road easement, whichever is greater.
- g. no building or structure may be located within any easements.

CHAPTER 21.67 – WEST END SUBAREA FINAL ZONING

Sections:

21.67.010	Applicability
21.67.020	Effective Date
21.67.030	Zoning Map
21.67.040	Relationship to Balance of SCC Title 21
21.67.050	Zone Classifications
21.67.060	Rural Lands 2 Zone Classification (RL2)
21.67.070	Rural Lands 5 Zone Classification (RL5)
21.67.080	Rural Lands 10 Zone Classification (RL10)
21.67.090	West End Forest Lands 20 Zone Classification (WE-FL20)
21.67.100	West End Commercial Resource Lands 40 Zone Classification (WE-CRL40)
21.67.110	Neighborhood Commercial Zone Classification (NC)

21.67.010 **APPLICABILITY**

This chapter applies to all lands in that portion of unincorporated Skamania County located within Township 1 North, Range 5 East; Township 2 North, Range 5 East; Township 3 North, Range 5 East; Township 1 North, Range 6 East; Township 2 North, Range 6 East; Township 3 North, Range 6 East, Willamette Meridian, lying northerly of the Columbia River Gorge National Scenic Area Boundary and southerly of the Gifford Pinchot National Forest Boundary, commonly known as the “West End” of the County and depicted on the Final West End Community Comprehensive Subarea Plan Map.

21.67.020 **EFFECTIVE DATE**

This chapter shall become effective upon adoption hereof by the Board of County Commissioners.

21.67.030 **ZONING MAP**

A zoning map will be made a part of this chapter and shall be known as the “West End Zoning Map”. The zoning map shall show the zone classifications assigned to specific parcels of property.

21.67.040 **RELATIONSHIP TO BALANCE OF SCC TITLE 21**

Except to the extent that the provisions of this Chapter are in conflict with or contradict the provisions of the balance of SCC Title 21, the provisions set out in SCC Title 21 shall remain in full force and effect in the West End Community planning area. When conflict arises, the provisions of this Chapter are controlling.

21.67.050 **ZONE CLASSIFICATIONS**

Zones shall be shown on the West End Zoning Map and its revisions. Where the abbreviated designation is used it has the same meaning as the entire zone classification title.

<u>ABBREVIATED DESIGNATION/ZONE</u> <u>CLASSIFICATION TITLE</u>	<u>MAPPING SYMBOL</u>
Rural Lands 2	RL2
Rural Lands 5	RL5
Rural Lands 10	RL10
West End Forest Lands 20	WE-FL20
West End Commercial Resource Lands 40	WE-CRL40
Neighborhood Commercial	NC

21.67.060 **RURAL LANDS 2 ZONE CLASSIFICATION (RL2)**

A. **PURPOSE – INTENT**

The Rural Lands 2 (RL2) zone classification is intended to provide areas of lower residential density to preserve the rural character of the community. Typically rural lands are used to accommodate demands for rural living and to provide buffers between urban, agricultural, and forestry uses. These lands are proposed to be dividable into a minimum of two acres.

B. **ALLOWABLE USES**

1. Single-family dwellings;
2. Public facilities and/or utility systems;
3. Residential care facilities, (In accordance with SCC Chapter 21.85);
4. Child care facilities, (In accordance with SCC Chapter 21.86);
5. Public or private schools (K-12);
6. Safe homes and/or shelter homes;
7. Cottage occupations, (In accordance with SCC Chapter 21.70);
8. Light home industries, (In accordance with SCC Chapter 21.70);
9. Professional services;
10. Religious facilities;
11. Commercial and domestic agriculture;
12. Forest practices and associated management activities of any forest crop, including but not limited to timber harvesting of forest resources (mushrooms, bear grass, boughs berries etc.), Christmas trees, and nursery stock;
13. Management and enhancement of unique biological areas, propagation of fish and wildlife, and water resource management facilities;
14. Scientific monitoring or research devices;
15. Landscaping features, (Not located within a critical area);
16. Libraries;
17. Parks and/or public water access facilities;
18. Attached communication facilities located on BPA towers, (In accordance with SCC Section 21.70.160)
19. Accessory uses normally associated with allowable uses.

C. **ADMINISTRATIVE REVIEW USES**

1. Attached communication facilities located on non-BPA towers, (In accordance with SCC Section 21.70.160).

D. **CONDITIONAL USES**

1. Communication tower(s), (In accordance with SCC Section 21.70.160);
2. Meetings halls, (such as, civic, social, and fraternal organizations);
3. Commercial kennel facilities;
4. Auto repair yards, vehicle storage yards, and/or the sale of new and/or used automobiles, motorcycles, marine, recreational vehicles, and/or off-road vehicles. Provided the outdoor storage of non-functioning vehicles and parts thereof are fully screened from view from a roadway (public or private) and from adjacent properties under different ownership than the

- subject property;
5. New recreational vehicle parks;
 6. Multi-family dwellings (up to two units);
 7. Expansion of existing legally established mineral resource extraction and/or processing sites;
 8. Expansion of existing legally established scout camp, church camps and/or youth camps.

E. TEMPORARY USES PERMITTED

1. Temporary uses shall be permitted in accordance with the requirements of SCC Section 21.70.120.

F. PROHIBITED USES

1. Any uses not listed above are prohibited.

G. MINIMUM DEVELOPMENT STANDARDS

1. **LOT SIZE**

The standard minimum lot size, dimensions, and proportions shall be as follows (Unless the Local Health Authority requires a greater lot size):

- a. Minimum lot size shall be 2 acres.

2. **DENSITY REQUIREMENTS**

- a. Single-family: Each single-family dwelling unit (including mobile homes) shall require the minimum lot area listed under SCC Section 21.67.060(G)(1).
- b. Multi-family: Each two unit multi-family dwelling shall require a minimum lot size of three (3) acres.

3. **SETBACKS**

The following are the minimum lot line setbacks for all buildings and accessory buildings:

- a. Front yard: No building or accessory building shall be constructed closer than fifty (50) feet from the centerline of the public road right-of-way or thirty-five (35) from the centerline of a private road (not including private driveways), or twenty (20) feet from the front property line, whichever is greater.
- b. Side yard: No building or accessory building shall be constructed closer than twenty (20) feet from the property line on each side of the structure.
- c. Rear yard: No building or accessory building shall be constructed closer than twenty (20) feet from the rear property line.
- d. Non-conforming Lots: Lots of less than two (2) acres in size shall conform to standard Building Code setback requirements.
- e. A Yard That Fronts on More Than One Road: The setback requirement for the front yard of a lot that fronts on more than one road shall be the required setback for that zone classification. All other frontages shall have a setback of fifteen (15) feet from the property line, the edge of the public road right-of-way, or private road easement, whichever is greater if the parcel is less than two (2) acres. If the parcel is greater than two (2) acres the setback shall be twenty (20) feet from the property line, the edge of the public road right-of-way, or private road easement, whichever is greater.
- f. Cul-de-sacs and hammerhead turnarounds: The setback requirement for a cul-de-sac or hammerhead turnaround shall be twenty (20) feet from the property line, the edge of the

public road right-of-way, or private road easement, whichever is greater.

4. OTHER STANDARDS

- a. Building height limit for permitted uses shall not exceed 35 feet above grade, with the exception of SCC Section 21.70.050, and SCC Section 21.70.160.
- b. No building or structure shall be located within any easement.

21.67.070 **RURAL LANDS 5 ZONE CLASSIFICATION (RL5)**

A. **PURPOSE – INTENT**

The Rural Lands 5 (RL5) zone classification is intended to provide areas of lower residential density to preserve the rural character of the community. Typically rural lands are used to accommodate demands for rural living and to provide buffers between urban, agricultural, and forestry uses. These lands are proposed to be dividable into a minimum of five acres.

B. **ALLOWABLE USES**

1. Single-family dwellings;
2. Public facilities and/or utility systems;
3. Residential care facilities, (In accordance with SCC Chapter 21.85);
4. Child care facilities, (In accordance with SCC Chapter 21.86);
5. Public or private schools (K-12);
6. Safe homes and/or shelter homes;
7. Cottage occupations, (In accordance with SCC Chapter 21.70);
8. Light home industries, (In accordance with SCC Chapter 21.70);
9. Professional services;
10. Religious facilities;
11. Commercial and domestic agriculture;
Forest practices and associated management activities of any forest crop, including but not limited to timber harvest, harvesting of forest resources (mushrooms, bear grass, boughs, berries, etc), Christmas trees, and nursery stock;
12. Management and enhancement of unique biological areas, propagation of fish and wildlife, and water resource management facilities;
13. Scientific monitoring or research devices;
14. Landscaping features, (Not located within a critical area);
15. Libraries;
16. Parks and/or public water access facilities;
17. Attached communication facilities located on BPA towers, (In accordance with SCC Section 21.70.160);
18. Accessory uses normally associated with an allowable use.

C. **ADMINISTRATIVE REVIEW USES**

1. Attached communication facilities located on non-BPA towers, (In accordance with SCC Section 21.70.160).

D. **CONDITIONAL USES**

1. Communication tower(s), (In accordance with SCC Section 21.70.160);
2. Meetings halls, (such as, civic, social and fraternal organizations);
3. Commercial kennel facilities;
4. Auto repair yards, vehicle storage yards, and/or the sale of new and/or used automobiles, motorcycles, marine, recreational vehicles, and/or off-road vehicles. Provided the outdoor storage of non-functioning vehicles and parts thereof are fully screened from view from a roadway (public or private) and from adjacent properties under different ownership than the

- subject property;
5. New recreational vehicle parks;
 6. Multi-family dwellings (up to 2 units);
 7. Expansion of existing legally established mineral resource extraction and/or processing sites;
 8. Scout camps, church camps, and/or youth camps;

E. TEMPORARY USES PERMITTED

1. Temporary uses shall be permitted in accordance with the requirements of SCC Section 21.70.120.

F. PROHIBITED USES

1. Any uses not listed above are prohibited.

G. MINIMUM DEVELOPMENT STANDARDS

1. **LOT SIZE**

The standard minimum lot size, dimensions, and proportions shall be as follows (Unless the Local Health Authority requires a greater lot size):

- a. Minimum lot size shall be 5 acres.

2. **DENSITY REQUIREMENTS**

- a. Single-family: Each single-family dwelling (including mobile homes) shall require the minimum lot area listed under SCC Section 21.67.070(G)(1).
- b. Multi-family: Each two unit multi-family dwelling shall require a minimum lot size of seven and one half (7.5) acres.

3. **SETBACKS**

The following are the minimum lot line setbacks for all buildings and accessory buildings:

- a. Front yard: No building or accessory building shall be constructed closer than fifty (50) feet from the centerline of the public road right-of-way or thirty-five (35) feet from the centerline of a private road (not including private driveways), or twenty (20) feet from the front property line, whichever is greater.
- b. Side yard: No building or accessory building shall be constructed closer than twenty (20) feet from the property line on each side of the structure.
- c. Rear yard: No building or accessory building shall be constructed closer than twenty (20) feet from the rear property line.
- d. Non-conforming Lots: Lots of less than two (2) acres in size shall conform to standard Building Code setback requirements.
- e. A Yard That Fronts on More Than One Road: The setback requirement for the front yard of a lot that fronts on more than one road shall be the required setback for that zone classification. All other frontages shall have a setback of fifteen (15) feet from the property line, the edge of the public road right-of-way, or private road easement, whichever is greater if the parcel is less than two (2) acres. If the parcel is greater than two (2) acres the setback shall be twenty (20) feet from the property line, or the edge of the public road right-of-way or private road easement, whichever is greater.
- f. Cul-de-sacs and hammerhead turnarounds: The setback requirement for a cul-de-sac or hammerhead turnaround shall be twenty (20) feet from the property line, the edge of the public road right-of-way, or private road easement, whichever is greater.

4. OTHER STANDARDS

- a. Building height limit for permitted uses shall not exceed 35 feet above grade, with the exception of SCC Section 21.70.050, and SCC Section 21.70.160.
- b. No building or structure shall be located within any easement.

21.67.080 **RURAL LANDS 10 ZONE CLASSIFICATION (RL10)**

A. **PURPOSE – INTENT**

The Rural Lands 10 (RL10) zone classification is intended to provide areas of lower residential density to preserve the rural character of the community. Typically rural lands are used to accommodate demands for rural living and to provide buffers between urban, agricultural, and forestry uses. These lands are proposed to be dividable into a minimum of ten acres.

B. **ALLOWABLE USES**

1. Single-family dwellings;
2. Public facilities and/or utility systems;
3. Residential care facilities, (in accordance with SCC Chapter 21.85);
4. Child care facilities, (in accordance with SCC Chapter 21.86);
5. Public or private schools (K-12);
6. Safe homes and/or shelter homes;
7. Cottage occupations, (In accordance with SCC Chapter 21.70);
8. Light home industries, (In accordance with SCC Chapter 21.70);
9. Professional services;
10. Religious facilities;
11. Commercial and domestic agriculture;
12. Forest practices and associated management activities of any forest crop, including but not limited to timber harvest, harvesting of forest resources (mushrooms, bear grass, boughs, berries, etc), Christmas trees, and nursery stock;
13. Management and enhancement of unique biological areas, propagation of fish and wildlife, and water resource management facilities;
14. Scientific monitoring or research devices;
15. Landscaping features, (Not located within a critical area);
16. Libraries;
17. Parks and/or public water access facilities;
18. Attached communication facilities located on BPA towers, (In accordance with SCC Section 21.70.160);
19. Accessory uses normally associated with an allowable use.

C. **ADMINISTRATIVE REVIEW USES**

1. Attached communication facilities located on non-BPA towers, (In accordance with SCC Section 21.70.160).

D. **CONDITIONAL USES**

1. Communication tower(s), (In accordance with SCC Section 21.70.160);
2. Meetings halls, (such as civic, social and fraternal organizations);
3. Commercial kennel facilities;
4. Auto repair yards, vehicle storage yards, and/or the sale of new and/or used automobiles, motorcycles, marine, recreational vehicles, and/or off-road vehicles. Provided the outdoor storage of non-functioning vehicles and parts thereof are fully screened from view from a roadway (public or private) and from adjacent properties under different ownership than the

- subject property;
5. New recreational vehicle parks;
 6. Multi-family dwellings (up to two units);
 7. Expansion of existing legally established mineral resource extraction and/or processing sites;
 8. Scout camps, church camps and/or youth camps;

E. TEMPORARY USES PERMITTED

1. Temporary uses shall be permitted in accordance with the requirements of SCC Section 21.70.120.

F. PROHIBITED USES

1. Any uses not listed above are prohibited.

G. MINIMUM DEVELOPMENT STANDARDS

1. LOT SIZE

The standard minimum lot size, dimensions, and proportions shall be as follows (Unless the Local Health Authority requires a greater lot size):

- a. Minimum lot size shall be 10 acres.

2. DENSITY REQUIREMENTS

- a. Single-family: Each single-family dwelling (including mobile homes) shall require the minimum lot area listed under SCC Section 21.67.080(G)(1).
- b. Multi-family: Each two unit multi-family dwelling shall require a minimum lot size of fifteen (15) acres.

3. SETBACKS

The following are the minimum lot line setbacks for all buildings and accessory buildings:

- a. Front yard: No building or accessory building shall be constructed closer than fifty (50) feet from the centerline of the public road right-of-way or thirty-five (35) feet from the centerline of a private road (not including private driveways), or twenty (20) feet from the front property line, whichever is greater. However, if the front yard is adjacent to a private road easement, then no building or accessory building shall be constructed closer than five (5) feet from the edge of a private road easement.
- b. Side yard: No building or accessory building shall be constructed closer than twenty (20) feet from the property line on each side of the structure.
- c. Rear yard: No building or accessory building shall be constructed closer than twenty (20) feet from the rear property line.
- d. Non-conforming Lots: Lots of less than two (2) acres in size shall conform to standard Building Code setback requirements.
- e. A Yard That Fronts on More Than One Road: The setback requirement for the front yard of a lot that fronts on more than one road shall be the required setback for that zone classification. All other frontages shall have a setback of fifteen (15) feet from the property line, the edge of the public road right-of-way, or private road easement, whichever is greater if the parcel is less than two (2) acres. If the parcel is greater than two (2) acres the setback shall be twenty (20) feet from the property line, the edge of the public road right-of-way, or private road easement, whichever is greater. However, if the

other frontages are private road easements, then no building or accessory building shall be constructed closer than five (5) feet from the edge of a private road easement.

- f. Cul-de-sacs and hammerhead turnarounds: The setback requirement for a cul-de-sac or hammerhead turnaround shall be twenty (20) feet from the property line, the edge of the public road right-of-way, or private road easement, whichever is greater.
4. OTHER STANDARDS
- a. Building height limit for permitted uses shall not exceed 35 feet above grade, with the exception of SCC Section 21.70.050, and SCC Section 21.70.160.
 - b. No building or structure shall be located within any easement.

21.67.090 **WEST END FOREST LANDS 20 (WE-FL20)**

A. **PURPOSE – INTENT**

The West End Forest Lands 20 (WE-FL20) zone classification is intended to provide land for present and future non-industrial forestry operations. A secondary purpose is to provide buffers between Commercial Resource Lands and Rural Lands designations.

B. **ALLOWABLE USES**

1. Forest practices and associated management activities of any forest crop, including but not limited to timber harvest, harvesting of forest resources (mushrooms, bear grass, boughs, berries, etc), Christmas trees, and nursery stock;
2. Log sorting and storage areas, scaling stations, and forest industry storage and maintenance facilities, provided the intent of the processing is initial reduction in bulk and/or to facilitate transport of products to a secondary processing center. These uses shall not include commercial and manufacturing uses such as but not limited to: manufacture of finished wood products, such as furniture, lumber, or plywood, nor the retail sales of products from the site;
3. Commercial and domestic agriculture;
4. Management and enhancement of unique biological areas, propagation of fish and wildlife, and, water resource management facilities;
5. Scientific monitoring or research devices;
6. Storage of explosives, fuels and chemicals allowed by state and federal laws;
7. Attached communication facilities located on BPA towers, (In accordance with SCC Section 21.70.160);
8. Public facilities and/or utility systems;
9. Scout camps, church camps, and/or youth camps;
10. One single-family dwelling per legal lot of record;
11. Cottage occupations, (In accordance with SCC Chapter 21.70);
12. Light home industries, (In accordance with SCC Chapter 21.70);
13. Professional services;
14. Landscaping features, (Not located within a critical area);
15. Accessory uses normally associated with an allowable use.

C. **ADMINISTRATIVE REVIEW USES**

1. Attached communication facilities located on non-BPA towers, (In accordance with SCC Section 21.70.160);
2. Temporary crew quarters and/or farm labor housing in conjunction with forest or agricultural activities.

D. **CONDITIONAL USES**

1. Extraction and processing of gravel and rock for construction and maintenance of roads and trails within the forest owner's property, provided:
 - a. Ownership is a minimum of twenty (20) contiguous acres;
 - b. Land is in a forest tax classification;
 - c. There is a Forest Management Plan for the property;
2. Recreational facilities;

3. Commercial kennel facilities;
4. Semi-public facilities and utilities;
5. Sawmills, shake and shingle mills, and chipper facilities;
6. Communication tower(s), (In accordance with SCC Section 21.70.160).

E. TEMPORARY USES PERMITTED

1. Temporary uses shall be permitted in accordance with the requirements of SCC Section 21.70.120.

F. PROHIBITED USES

1. Any uses not listed above are prohibited.

G. MINIMUM DEVELOPMENT STANDARDS

1. LOT SIZE

The standard minimum lot size, dimensions, and proportions shall be as follows (Unless the Local Health Authority requires a greater lot size):

- a. Minimum lot size shall be 20 acres.

2. DENSITY REQUIREMENTS

- a. Single-family: Each single-family dwelling (including mobile homes) shall require the minimum lot area listed under SCC Section 21.67.090(G)(1).
- b. One single-family dwelling per legal lot of record allowed.
- c. Multi-family: No multi-family dwellings (two or more units) are allowed within the WE-FL20 zone classification.

3. SETBACKS

The following are the minimum lot line setbacks for all buildings and accessory buildings:

- a. Front yard: No building or accessory building shall be constructed closer than fifty (50) feet from the centerline of the public road right-of-way or thirty-five (35) feet from the centerline of a private road (not including private driveways), or twenty (20) feet from the front property line, whichever is greater.
- b. Side yard: No building or accessory building shall be constructed closer than twenty (20) feet from the property line on each side of the structure.
- c. Rear yard: No building or accessory building shall be constructed closer than twenty (20) feet from the rear property line.
- d. Non-conforming Lots: Lots of less than two (2) acres in size shall conform to standard Building Code setback requirements.
- e. A Yard That Fronts on More Than One Road: The setback requirement for the front yard of a lot that fronts on more than one road shall be the required setback for that zone classification. All other frontages shall have a setback of fifteen (15) feet from the property line, the edge of the public road right-of-way, or private road easement, whichever is greater if the parcel is less than two (2) acres. If the parcel is greater than two (2) acres the setback shall be twenty (20) feet from the property line, the edge of the public road right-of-way, or private road easement, whichever is greater.
- f. Cul-de-sacs and hammerhead turnarounds: The setback requirement for a cul-de-sac or hammerhead turnaround shall be twenty (20) feet from the property line, the edge of the

public road right-of-way, or private road easement, whichever is greater.

4. OTHER STANDARDS

- a. Building height limit for permitted uses shall not exceed 35 feet above grade, with the exception of SCC Section 21.70.050, and SCC Section 21.70.160.
- b. No building or accessory structure shall be located within any easement.

21.67.100 **WEST END COMMERCIAL RESOURCE LANDS 40 (WE-CRL40)**

A. **PURPOSE – INTENT**

The West End Commercial Resource Lands 40 (WE-CRL40) zone classification is intended to designate and protect forest, agricultural, and mineral resource lands of long-term significance. This designation shall take into account the proximity to human settlement, the size of the parcel, and the long-term economic conditions for the commercial production of timber and agriculture, and the commercial extraction of minerals.

B. **ALLOWABLE USES**

1. Forest practices and associated management activities of any forest crop, including but not limited to timber harvest, harvesting of forest resources (mushrooms, bear grass, boughs, berries, etc), Christmas trees, and nursery stock;
2. Log sorting and storage area, scaling stations, forest industry storage and maintenance facilities, sawmills, shake and shingle mills, and chipper facilities;
3. Commercial and domestic agriculture;
4. Management and enhancement of unique biological areas, propagation of fish and wildlife, and water resource management facilities;
5. Scientific monitoring or research devices;
6. Storage of explosives, fuels, and chemicals allowed by state and federal laws;
7. Attached communication facilities located on BPA towers, (In accordance with SCC Section 21.70.160);
8. Public and/or semi-public facilities and utility systems;
9. Historic sites open to the public that do not interfere with resource land management;
10. Extraction of gravel and rock for road and trail construction and maintenance purposes, and the operation of portable rock crushers, provided the material is used within the WE-CRL40 designation, WE-FL20 designations, or on the forest owner's property;
11. Accessory uses normally associated with an allowable use;
12. Landscaping features, (Not located within a critical area);

C. **ADMINISTRATIVE REVIEW USES**

1. Attached communication facilities located on non-BPA towers, (In accordance with SCC Section 21.70.160);
2. Temporary crew quarters and/or farm labor housing in conjunction with forest and agricultural activities.

D. **CONDITIONAL USES**

1. Communication tower(s), (In accordance with SCC Section 21.70.160);
2. Recreation facilities;
3. Sand and/or gravel pit, stone quarry, mining, crushing, stockpiling or mineral resources and similar uses for the development of natural resources extracted on-site, and not otherwise outright permitted above;
4. Private aircraft landing field as an accessory use to forest management or a legal non-conforming use;
5. Natural resource training/research facilities;

E. TEMPORARY USES PERMITTED

1. Temporary uses shall be permitted in accordance with the requirements of SCC Section 21.70.120.

F. PROHIBITED USES

1. Any uses not listed above are prohibited.

G. MINIMUM DEVELOPMENT STANDARDS

1. LOT SIZE

The standard minimum lot size, dimensions, and proportions shall be as follows (Unless the Local Health Authority requires a greater lot size):

- a. Minimum lot size shall be 40 acres.
- 2. DENSITY REQUIREMENTS**
- a. No dwelling units are allowed in the WE-CRL40 zone classification.
- 3. SETBACKS**
- The following are the minimum lot line setbacks for all buildings and accessory buildings:
- a. Front yard: No building or accessory building shall be constructed closer than fifty (50) feet from the centerline of the public road right-of-way or thirty-five (35) feet from the centerline of a private road (not including private driveways), or twenty (20) feet from the front property line, whichever is greater.
 - b. Side yard: No building or accessory building shall be constructed closer than twenty (20) feet from the property line on each side of the structure.
 - c. Rear yard: No building or accessory building shall be constructed closer than twenty (20) feet from the rear property line.
 - d. Non-conforming Lots: Lots of less than two (2) acres in size shall conform to standard Building Code setback requirements.
 - e. A Yard That Fronts on More Than One Road: The setback requirement for the front yard of a lot that fronts on more than one road shall be the required setback for that zone classification. All other frontages shall have a setback of fifteen (15) feet from the property line, the edge of the public road right-of-way, or private road easement, whichever is greater if the parcel is less than two (2) acres. If the parcel is greater than two (2) acres the setback shall be twenty (20) feet from the property line, the edge of the public road right-of-way, or private road easement, whichever is greater.
 - f. Cul-de-sacs and hammerhead turnarounds: The setback requirement for a cul-de-sac or hammerhead turnaround shall be twenty (20) feet from the property line, the edge of the public road right-of-way, or private road easement, whichever is greater.
- 4. OTHER STANDARDS**
- a. Building height limit for permitted uses shall not exceed 35 feet above grade, with the exception of SCC Section 21.70.050, and SCC Section 21.70.160.
 - b. No building or structure shall be located within any easement.

21.67.110 **NEIGHBORHOOD COMMERCIAL ZONE CLASSIFICATION (NC)**

A. **PURPOSE – INTENT**

The Neighborhood Commercial (NC) zone classification is intended to enable businesses to conveniently provide residents with the variety of immediate day-to-day goods and services typically sought outside of the context of weekly shopping trips to the city.

B. **ALLOWABLE USES**

1. Public and/or semi-public facilities and/or utility systems;
2. Professional services;
3. Retail stores with all merchandise within an enclosed building;
4. Service establishments with all services provided within an enclosed building;
5. Single-family dwellings;
6. Cottage occupations, (In accordance with SCC Chapter 21.70);
7. Light home industries, (In accordance with SCC Chapter 21.70);
8. Bed & breakfast establishments, lodging facilities, and/or retreat centers with up to 12 rooms for rent, and are owner occupied;
9. Meeting halls, (such as civic, social and fraternal);
10. Domestic agriculture;
11. Residential care facilities, (In accordance with SCC Chapter 21.85);
12. Management and enhancement of unique biological areas, propagation of fish and wildlife, and water resource management facilities;
13. Scientific monitoring or research devices;
14. Landscaping features, (Not located within a critical area);
15. Attached communication facilities located on BPA towers, (In accordance with SCC Section 21.70.160);
16. Accessory uses normally associated with an allowable use.

C. **ADMINISTRATIVE REVIEW USES**

1. Attached communication facilities located on non-BPA towers, (In accordance with SCC Section 21.70.160).

D. **CONDITIONAL USES**

1. Communication tower(s), (In accordance with SCC Section 21.70.160);
2. Commercial buildings requesting a footprint of over 2,500 square feet and/or over 5,000 square feet in total floor area;
3. New recreational vehicle parks.

E. **TEMPORARY USES PERMITTED**

1. Temporary uses shall be permitted in accordance with the requirements of SCC Section 21.70.120.

F. PROHIBITED USES

1. Any uses not listed above are prohibited.

G. MINIMUM DEVELOPMENT STANDARDS

1. LOT SIZE

The standard minimum lot size, dimensions, and proportions shall be as follows (Unless the Local Health Authority requires a greater lot size):

- a. Single-family: Minimum lot size shall be 2 acres.
- b. Commercial use: Minimum lot size shall be 2 acres.

2. DENSITY REQUIREMENTS

- a. Single-family: Each single-family dwelling (including mobile homes) shall require the minimum lot area listed under SCC Section 21.67.110(G)(1).
- b. Commercial: Each commercial use shall require the minimum lot area listed under SCC Section 21.67.110(G)(1).

3. SETBACKS

The following are the minimum lot line setbacks for all buildings and accessory buildings:

- a. Front yard: No building or accessory building shall be constructed closer than fifty (50) feet from the centerline of the public road right-of-way or thirty-five (35) feet from the centerline of a private road (not including private driveways), or twenty (20) feet from the front property line, whichever is greater.
- b. Side yard: No building or accessory building shall be constructed closer than twenty (20) feet from the property line on each side of the structure.
- c. Rear yard: No building or accessory building shall be constructed closer than twenty (20) feet from the rear property line.
- d. Non-conforming Lots: Lots of less than two (2) acres in size shall conform to standard Building Code setback requirements.
- e. A Yard That Fronts on More Than One Road: The setback requirement for the front yard of a lot that fronts on more than one road shall be the required setback for that zone classification. All other frontages shall have a setback of fifteen (15) feet from the property line, the edge of the public road right-of-way, or private road easement, whichever is greater if the parcel is less than two (2) acres. If the parcel is greater than two (2) acres the setback shall be twenty (20) feet from the property line, the edge of the public road right-of-way, or private road easement, whichever is greater.
- f. Cul-de-sacs and hammerhead turnarounds: The setback requirement for a cul-de-sac or hammerhead turnaround shall be twenty (20) feet from the property line, the edge of the public road right-of-way, or private road easement, whichever is greater.

4. OTHER STANDARDS

- a. Building height limit for permitted uses shall not exceed 28 feet from grade to the highest point on the roof with the exception of SCC Section 21.70.050, and SCC Section 21.70.160.
- b. Allowable establishments are limited in size to a footprint of 2,500 square feet, and two (2) stories (28 feet) in height without the need for a conditional use permit.
- c. No building or structure shall be located within any easement.

CHAPTER 21.68 – SWIFT SUBAREA FINAL ZONING

Sections:

- 21.68.010 Applicability
- 21.68.020 Effective Date
- 21.68.030 Zoning Map
- 21.68.040 Relationship to Balance of SCC Title 21
- 21.68.050 Zone Classifications
- 21.68.060 Mountain Recreational 5 Zone Classification (MR5)
- 21.68.070 Mountain Recreational 10 Zone Classification (MR10)
- 21.68.080 Mountain Recreational 20 Zone Classification (MR20)
- 21.68.090 Swift Forest Lands 20 Zone Classification (SW-FL20)
- 21.68.100 Swift Commercial Resource Lands 40 Zone Classification (SW-CRL40)
- 21.68.110 Swift Recreational Zone Classification (SR)

21.68.010 **APPLICABILITY**

This chapter applies to all lands in that portion of unincorporated Skamania County located within Township 6 North, Range 5 East; Township 6 North, Range 6 East; Township 7 North, Range 5 East; and Township 7 North, Range 6 East, Willamette Meridian. Commonly known as the “Swift Subarea” of Skamania County and depicted on the Geographic Location of Subarea Map (Figure 2-1) in the Swift Subarea Plan.

21.68.020 **EFFECTIVE DATE**

This chapter shall become effective upon adoption hereof by the Board of County Commissioners.

21.68.030 **ZONING MAP**

A zoning map will be made a part of this chapter and shall be known as the “Swift Subarea Zoning Map”. The zoning map shall show the zone classifications assigned to specific parcels of property.

21.68.040 **RELATIONSHIP TO BALANCE OF SCC TITLE 21**

Except to the extent that the provisions of this Chapter are in conflict with or contradict the provisions of the balance of SCC Title 21, the provisions set out in SCC Title 21 shall remain in full force and effect in the Swift Subarea planning area. When conflict arises, the provisions of this Chapter are controlling.

21.68.050 **ZONE CLASSIFICATIONS**

Zones shall be shown on the Swift Subarea Zoning Map and its revisions. Where the abbreviated designation is used it has the same meaning as the entire zone classification title.

<u>ABBREVIATED DESIGNATION/ZONE</u>	<u>MAPPING SYMBOL</u>
<u>CLASSIFICATION TITLE</u>	
Mountain Recreational 5	MR5
Mountain Recreational 10	MR10
Mountain Recreational 20	MR20
Swift Forest Lands 20	SW-FL20
Swift Commercial Resource Lands 40	SW-CRL40
Swift Recreational	SR

21.68.060 **MOUNTAIN RECREATIONAL 5 ZONE CLASSIFICATION (MR5)**

A. **PURPOSE – INTENT**

The Mountain Recreational 5 (MR5) zone classification is intended to provide areas of recreational uses at very low density to preserve the primitive recreational character of the area and to provide opportunities for limited small-scale commercial uses related to recreational activities. These lands are proposed to be dividable into a minimum of five acres.

B. **ALLOWABLE USES**

1. Single-family dwellings;
2. Public, semi-public, and/or private facilities and/or utility systems;
3. Accessory uses normally associated with an allowable use;
4. Attached communication facilities located on BPA towers, (In accordance with SCC Section 21.70.160);
5. Cottage occupations, (In accordance with SCC Chapter 21.70);
6. Light home industries, (In accordance with SCC Chapter 21.70);
7. Professional services;
8. Forest practices and associated management activities of any forest crop, including but not limited to timber harvest, harvesting of forest resources (mushrooms, bear grass, boughs, berries, etc.), Christmas trees, and nursery stock;
9. Domestic agriculture;
10. Residential care facilities, (In accordance with SCC Chapter 21.85);
11. Management and enhancement of unique biological areas, propagation of fish and wildlife, and water resource management facilities;
12. Scientific monitoring or research devices;
13. Landscaping features, (Not located within a critical area);
14. Cluster developments, (In accordance with SCC Section 21.70.150);
 - a) Any land division utilizing the cluster development concept shall not be granted a change in Comprehensive Plan designation or zoning classification for a minimum of ten (10) years from the date of recording the land division;
 - b) All clustered lots within the land division shall be at least two (2) acres in size;
 - c) The total number of allowable lots within the land division shall not exceed the overall density set by the Comprehensive Plan and the zoning classification; and
 - d) All open space/common areas shall be owned in common by all landowners within the land division, with each land owner listed on the recorded deed.
15. Boat docks and boat ramps;
16. Picnic areas;
17. Trails for recreation;
18. Restrooms and comfort facilities;
19. Parking areas and trailheads;
20. Structures associated with hunting and fishing operations;
21. Resource enhancement projects, subject to compliance with other applicable Federal, State, and County codes;
22. Visitor information and environmental educational signs and/or displays;
23. Interpretive signs and displays, not exceeding a total of fifty (50) square feet.

C. ADMINISTRATIVE REVIEW USES

1. Attached communication facilities located on non-BPA towers, (In accordance with SCC Section 21.70.160);
2. Scenic viewpoints and overlooks;
3. Wildlife and botanical viewing and nature study areas.

D. CONDITIONAL USES

1. Meeting halls, (such as religious, civic, social, and fraternal);
2. Scout camps, church camps, and/or youth camps;
3. New recreational vehicle parks and/or campgrounds;
4. Camping cabin facilities, (In accordance with SCC Section 21.70.170);
5. Communication tower(s), (In accordance with SCC Section 21.70.160);
6. Expansion of existing legally established mineral resource extraction and/or processing sites;
7. Limited small-scale commercial uses related to recreational activities;
8. Recreational facilities;
9. Nature resource training/research facilities.

E. TEMPORARY USES PERMITTED

1. Temporary uses shall be permitted in accordance with the requirements of SCC Section 21.70.120.

F. PROHIBITED USES

1. Any uses not listed above are prohibited.

G. MINIMUM DEVELOPMENT STANDARDS

1. LOT SIZE

The standard minimum lot size, dimensions, and proportions shall be as follows (Unless the Local Health Authority requires a greater lot size):

- a. Minimum lot size shall be 5 acres.

2. DENSITY REQUIREMENTS

- a. Single-family: Each single-family dwelling (including mobile homes) shall require the minimum lot area listed under SCC Section 21.68.060(G)(1).
- b. If more than one single-family dwelling is constructed or placed on a parcel, the total parcel size (acreage) is required to be at least five times the number of units.

3. SETBACKS

The following are the minimum lot line setbacks for all buildings and accessory buildings:

- a. Front yard: No building or accessory building shall be constructed closer than fifty (50) feet from the centerline of the public road right-of-way or private access easement (not including private driveways), or twenty (20) feet from the front property line, whichever is greater.
- b. Side yard: No building or accessory building shall be constructed closer than twenty (20) feet from the property line on each side of the structure.

- c. Rear yard: No building or accessory building shall be constructed closer than twenty (20) feet from the rear property line.
 - d. Non-conforming Lots: Lots of less than two (2) acres in size shall conform to standard Building Code setback requirements.
 - e. A Yard That Fronts on More Than One Road: The setback requirement for the front yard of a lot that fronts on more than one road shall be the required setback for that zone classification. All other frontages shall have a setback of fifteen (15) feet from the property line, the edge of the public road right-of-way, or private road easement, whichever is greater if the parcel is less than two (2) acres. If the parcel is greater than two (2) acres the setback shall be twenty (20) feet from the property line, the edge of the public road right-of-way, or private road easement, whichever is greater.
 - f. Cul-de-sacs and hammerhead turnarounds: The setback requirement for a cul-de-sac or hammerhead turnaround shall be twenty (20) feet from the property line, the edge of the public road right-of-way, or private road easement, whichever is greater.
4. OTHER STANDARDS
- a. Building height limit for permitted uses shall not exceed 35 feet above grade, with the exception of SCC Section 21.70.050, and SCC Section 21.70.160.
 - b. No building or structure shall be located within any easement, except structures related to recreational activity may be allowed in flowage easements if written permission is granted by the easement holder and submitted with a complete application.

21.68.070 **MOUNTAIN RECREATIONAL 10 ZONE CLASSIFICATION (MR10)**

A. **PURPOSE – INTENT**

The Mountain Recreational 10 (MR10) zone classification is intended to provide areas of recreational uses at very low density to preserve the primitive recreational character of the area and to provide opportunities for limited small-scale commercial uses related to recreational activities. These lands are proposed to be dividable into a minimum of ten acres.

B. **ALLOWABLE USES**

1. Single-family dwellings;
2. Public, semi-public, and/or private facilities and/or utility systems;
3. Accessory uses normally associated with an allowable use;
4. Attached communication facilities located on BPA towers, (In accordance with SCC Section 21.70.160);
5. Cottage occupations, (In accordance with SCC Chapter 21.70);
6. Light home industries, (In accordance with SCC Chapter 21.70);
7. Professional services;
8. Domestic agriculture;
9. Residential care facilities, (In accordance with SCC Chapter 21.85);
10. Forest practices and associated management activities of any forest crop including, but not limited to, timber harvest, harvesting of forest resources (mushrooms, bear grass, boughs, berries, etc.), Christmas trees, and nursery stock;
11. Management and enhancement of unique biological areas, propagation of fish and wildlife, and water resource management facilities;
12. Scientific monitoring or research devices;
13. Landscaping features, (Not located within a critical area);
14. Cluster developments, (In accordance with SCC Section 21.70.150);
 - a) Any land division utilizing the cluster development concept shall not be granted a change in Comprehensive Plan designation or zoning classification for a minimum of ten (10) years from the date of recording the land division;
 - b) All clustered lots within the land division shall be at least two (2) acres in size;
 - c) The total number of allowable lots within the land division shall not exceed the overall density set by the Comprehensive Plan and the zoning classification; and
 - d) All open space/ common areas shall be owned in common by all landowners within the land division, with each landowner listed on the recorded deed.
15. Boat docks and boat ramps;
16. Picnic areas;
17. Trails for recreation;
18. Restrooms and comfort facilities;
19. Parking areas and trailheads;
20. Structures associated with hunting and fishing operations;
21. Resource enhancement projects, subject to compliance with other applicable Federal, State, and County codes;
22. Visitor information and environmental educational signs and/or displays;
23. Interpretive signs and displays, not exceeding a total of fifty (50) square feet.

C. ADMINISTRATIVE REVIEW USES

1. Attached communication facilities located on non-BPA towers, (In accordance with SCC Section 21.70.160);
2. Scenic viewpoints and overlooks;
3. Wildlife and botanical viewing and nature study areas.

D. CONDITIONAL USES

1. Meeting halls, (such as religious, civic, social, and fraternal);
2. Scout camps, church camps, and/or youth camps;
3. New recreational vehicle parks and/or campgrounds;
4. Camping cabin facilities, (In accordance with SCC Section 21.70.170);
5. Communication tower(s), (In accordance with SCC Section 21.70.160);
6. Expansion of existing legally established mineral resource extraction and/or processing sites;
7. Limited small-scale commercial uses related to recreational activities;
8. Recreational facilities;
9. Nature resource training/research facilities.

E. TEMPORARY USES PERMITTED

1. Temporary uses shall be permitted in accordance with the requirements of SCC Section 21.70.120.

F. PROHIBITED USES

1. Any uses not listed above are prohibited.

G. MINIMUM DEVELOPMENT STANDARDS

1. LOT SIZE

The standard minimum lot size, dimensions, and proportions shall be as follows (Unless the Local Health Authority requires a greater lot size):

- a. Minimum lot size shall be 10 acres.

2. DENSITY REQUIREMENTS

- a. Single-family: Each single-family dwelling (including mobile homes) shall require the minimum lot area listed under SCC Section 21.68.070(G)(1).
- b. If more than one single-family dwelling is constructed or placed on a parcel, the total parcel size (acreage) is required to be at least ten times the number of units.

3. SETBACKS

The following are the minimum lot line setbacks for all buildings and accessory buildings:

- a. Front yard: No building or accessory building shall be constructed closer than fifty (50) feet from the centerline of the public road right-of-way or private access easement (not including privates driveways), or twenty (20) feet from the front property line, whichever is greater.
- b. Side yard: No building or accessory building shall be constructed closer than twenty (20) feet from the property line on each side of the structure.

- c. Rear yard: No building or accessory building shall be constructed closer than twenty (20) feet from the rear property line.
 - d. Non-conforming Lots: Lots of less than two (2) acres in size shall conform to standard Building Code setback requirements.
 - e. A Yard That Fronts on More Than One Road: The setback requirement for the front yard of a lot that fronts on more than one road shall be the required setback for that zone classification. All other frontages shall have a setback of fifteen (15) feet from the property line, the edge of the public road right-of-way, or private road easement, whichever is greater if the parcel is less than two (2) acres. If the parcel is greater than two (2) acres the setback shall be twenty (20) feet from the property line, the edge of the public road right-of-way, or private road easement, whichever is greater.
 - f. Cul-de-sacs and hammerhead turnarounds: The setback requirement for a cul-de-sac or hammerhead turnaround shall be twenty (20) feet from the property line, the edge of the public road right-of-way, or private road easement, whichever is greater.
4. OTHER STANDARDS
- a. Building height limit for permitted uses shall not exceed 35 feet above grade, with the exception of SCC Section 21.70.050, and SCC Section 21.70.160.
 - b. No building or structure shall be located within any easement, except structures related to recreational activity may be allowed in flowage easements if written permission is granted by the easement holder and submitted with a complete application.

21.68.080 **MOUNTAIN RECREATIONAL 20 ZONE CLASSIFICATION (MR20)**

A. **PURPOSE – INTENT**

The Mountain Recreational 20 (MR20) zone classification is intended to provide areas of recreational uses at very low density to preserve the primitive recreational character of the area and to provide opportunities for limited small-scale commercial uses related to recreational activities. These lands are proposed to be dividable into a minimum of twenty acres.

B. **ALLOWABLE USES**

1. Single-family dwellings;
2. Public, semi-public, and/or private facilities and/or utility systems;
3. Accessory uses normally associated with an allowable use;
4. Attached communication facilities located on BPA towers, (In accordance with SCC Section 21.70.160);
5. Cottage occupations, (In accordance with SCC Chapter 21.70);
6. Light home industries, (In accordance with SCC Chapter 21.70);
7. Professional services;
8. Management and enhancement of unique biological areas, propagation of fish and wildlife, and water resource management facilities;
9. Scientific monitoring or research devices;
10. Landscaping features, (Not located within a critical area);
11. Forest practices and associated management activities of any forest crop including, but not limited to, timber harvest, harvesting of forest resources (mushrooms, bear grass, boughs, berries, etc.), Christmas trees, and nursery stock;
12. Cluster developments, (In accordance with SCC Section 21.70.150);
 - a) Any land division utilizing the cluster development concept shall not be granted a change in Comprehensive Plan designation or zoning classification for a minimum of ten (10) years from the date of recording the land division;
 - b) All clustered lots within the land division shall be at least two (2) acres in size;
 - c) The total number of allowable lots within the land division shall not exceed the overall density set by the Comprehensive Plan and the zoning classification; and
 - d) All open space/ common areas shall be owned in common by all landowners within the land division, with each landowner listed on the recorded deed.
13. Boat docks and boat ramps;
14. Picnic areas;
15. Trails for recreation;
16. Restrooms and comfort facilities;
17. Parking areas and trailheads;
18. Structures associated with hunting and fishing operations;
19. Resource enhancement projects, subject to compliance with other applicable Federal, State, and County codes;
20. Visitor information and environmental educational signs and/or displays;
21. Interpretive signs and displays, not exceeding a total of fifty (50) square feet.

C. ADMINISTRATIVE REVIEW USES

1. Attached communication facilities located on non-BPA towers, (In accordance with SCC Section 21.70.160);
2. Scenic viewpoints and overlooks;
3. Wildlife and botanical viewing and nature study areas.

D. CONDITIONAL USES

1. Meeting halls, (such as religious, civic, social, and fraternal);
2. Scout camps, church camps, and/or youth camps;
3. New recreational vehicle parks and/or campgrounds;
4. Camping cabin facilities, (In accordance with SCC Section 21.70.170);
5. Communication tower(s), (In accordance with SCC Section 21.70.160);
6. Expansion of existing legally established mineral resource extraction and/or processing sites;
7. Limited small-scale commercial uses related to recreational activities;
8. Recreational facilities;
9. Nature resource training/research facilities.

E. TEMPORARY USES PERMITTED

1. Temporary uses shall be permitted in accordance with the requirements of SCC Section 21.70.120.

F. PROHIBITED USES

1. Any uses not listed above are prohibited.

G. MINIMUM DEVELOPMENT STANDARDS

1. LOT SIZE

The standard minimum lot size, dimensions, and proportions shall be as follows (Unless the Local Health Authority requires a greater lot size):

- a. Minimum lot size shall be 20 acres.

2. DENSITY REQUIREMENTS

- a. Single-family: Each single-family dwelling (including mobile homes) shall require the minimum lot area listed under SCC Section 21.68.080(G)(1).
- b. If more than one single-family dwelling is constructed or placed on a parcel, the total parcel size (acreage) is required to be at least twenty (20) times the number of units.

3. SETBACKS

The following are the minimum lot line setbacks for all buildings and accessory buildings:

- a. Front yard: No building or accessory building shall be constructed closer than fifty (50) feet from the centerline of the public road right-of-way or private access easement (not including private driveways), or twenty (20) feet from the front property line, whichever is greater.
- b. Side yard: No building or accessory building shall be constructed closer than twenty (20) feet from the property line on each side of the structure.

- c. Rear yard: No building or accessory building shall be constructed closer than twenty (20) feet from the rear property line.
 - d. Non-conforming Lots: Lots of less than two (2) acres in size shall conform to standard Building Code setback requirements.
 - e. A Yard That Fronts on More Than One Road: The setback requirement for the front yard of a lot that fronts on more than one road shall be the required setback for that zone classification. All other frontages shall have a setback of fifteen (15) feet from the property line, the edge of the public road right-of-way, or private road easement, whichever is greater if the parcel is less than two (2) acres. If the parcel is greater than two (2) acres the setback shall be twenty (20) feet from the property line, the edge of the public road right-of-way, or private road easement, whichever is greater.
 - f. Cul-de-sacs and hammerhead turnarounds: The setback requirement for a cul-de-sac or hammerhead turnaround shall be twenty (20) feet from the property line, the edge of the public road right-of-way, or private road easement, whichever is greater.
4. OTHER STANDARDS
- a. Building height limit for permitted uses shall not exceed 35 feet above grade, with the exception of SCC Section 21.70.050, and SCC Section 21.70.160.
 - b. No building or structure shall be located within any easement, except structures related to recreational activity may be allowed in flowage easements if written permission is granted by the easement holder and submitted with a complete application.

21.68.090 **SWIFT FOREST LANDS 20 ZONE CLASSIFICATION (SW-FL20)**

A. PURPOSE – INTENT

The Swift Forest Lands 20 (SW-FL20) zone classification is intended to provide land for present and future non-industrial forestry operations. A secondary purpose is to provide buffers between Commercial Resource Lands and Rural Lands designations.

B. ALLOWABLE USES

1. Forest practices and associated management activities of any forest crop including, but not limited to, timber harvest, harvesting of forest resources (mushrooms, bear grass, boughs, berries, etc.), Christmas trees, and nursery stock;
2. Log sorting and storage areas, scaling stations, and forest industry storage and maintenance facilities, provided the intent of the processing is initial reduction in bulk and/or to facilitate transport of products to a secondary processing center. These uses shall not include commercial and manufacturing uses such as, but not limited to: manufacture of finished wood products such as furniture, lumber, or plywood, nor the retail sales of products from the site;
3. Commercial and domestic agriculture;
4. Management and enhancement of unique biological areas, propagation of fish and wildlife, and/or water resource management facilities;
5. Scientific monitoring or research devices;
6. Storage of explosives, fuels, and chemicals, as allowed by state and federal laws;
7. Attached communication facilities located on BPA towers, (In accordance with SCC Section 21.70.160);
8. Public, semi-public, and/or private facilities and/or utility systems;
9. Scout camps, church camps, and/or youth camps;
10. Accessory uses normally associated with an allowable use;
11. One single-family dwelling per legal lot of record;
12. Cottage occupations, (In accordance with SCC Chapter 21.70);
13. Light home industries, (In accordance with SCC Chapter 21.70);
14. Professional services;
15. Landscaping features, (Not located within a critical area);
16. Extraction of gravel and rock for road and trail construction and maintenance purposes, and the operation of portable rock crushers provided the material is used within the Swift Subarea or on the forest owners' property. (This does not include commercial rock sources supplying rock outside of the area);
17. Cluster developments, (In accordance with SCC Section 21.70.150);
 - a. Any land division utilizing the cluster development concept shall not be granted a change in Comprehensive Plan designation or zoning classification for a minimum of ten (10) years from the date of recording the land division;
 - b. All clustered lots within the land division shall be at least two (2) acres in size;
 - c. The total number of allowable lots within the land division shall not exceed the overall density set by the Comprehensive Plan and the zoning classification; and
 - d. All open space/ common areas shall be owned in common by all landowners within the land division, with each landowner listed on the recorded deed.
18. Resource enhancement projects, subject to compliance with other applicable Federal, State, and County codes.

C. ADMINISTRATIVE REVIEW USES

1. Attached communication facilities located on non-BPA towers, (In accordance with Section 21.70.160);
2. Temporary crew quarters and/or farm labor housing in conjunction with forest or agricultural activities;

D. CONDITIONAL USES

1. Communication tower(s), (In accordance with SCC Section 21.70.160);
2. Sawmills, shake and shingle mills, and chipper facilities;
3. Recreational facilities;
4. Visitor information and environmental educational signs and/or displays;
5. Natural resource training/research facilities;
6. Boat docks and boat ramps;
7. Picnic areas;
8. Trails for recreation;
9. Restrooms and comfort facilities;
10. Parking areas and trailheads;
11. Structures associated with hunting and fishing operations;
12. Scenic viewpoints and overlooks;
13. Wildlife and botanical viewing and nature study areas;
14. Interpretive signs and displays, not exceeding a total of fifty (50) square feet;

E. TEMPORARY USES PERMITTED

1. Temporary uses shall be permitted in accordance with the requirements of SCC Section 21.70.120.

F. PROHIBITED USES

1. Any uses not listed above are prohibited.

G. MINIMUM DEVELOPMENT STANDARDS

1. LOT SIZE

The standard minimum lot size, dimensions, and proportions shall be as follows (Unless the Local Health Authority requires a greater lot size):

- a. Minimum lot size shall be 20 acres.

2. DENSITY REQUIREMENTS

- a. Single-family: Each single-family dwelling (including mobile homes) shall require the minimum lot area listed under SCC Section 21.68.090(G)(1).
- b. Only one single-family dwelling per legal lot of record.

3. SETBACKS

The following are the minimum lot line setbacks for all buildings and accessory buildings:

- a. Front yard: No building or accessory building shall be constructed closer than fifty (50) feet from the centerline of the public road right-of-way or private access easement (not including private driveways), or twenty (20) feet from the front property line, whichever is greater.
 - b. Side yard: No building or accessory building shall be constructed closer than twenty (20) feet from the property line on each side of the structure.
 - c. Rear yard: No building or accessory building shall be constructed closer than twenty (20) feet from the rear property line.
 - d. Non-conforming Lots: Lots of less than two (2) acres in size shall conform to standard Building Code setback requirements.
 - e. A Yard That Fronts on More Than One Road: The setback requirement for the front yard of a lot that fronts on more than one road shall be the required setback for that zone classification. All other frontages shall have a setback of fifteen (15) feet from the property line, the edge of the public road right-of-way, or private road easement, whichever is greater if the parcel is less than two (2) acres. If the parcel is greater than two (2) acres the setback shall be twenty (20) feet from the property line, the edge of the public road right-of-way, or private road easement.
 - f. Cul-de-sacs and hammerhead turnarounds: The setback requirement for a cul-de-sac or hammerhead turnaround shall be twenty (20) feet from the property line, the edge of the public road right-of-way, or private road easement, whichever is greater.
4. OTHER STANDARDS
- a. Building height limit for permitted uses shall not exceed 35 feet above grade, with the exception of SCC Section 21.70.050, and SCC Section 21.70.160.
 - b. No building or structure shall be located within any easement, except structures related to recreational activity may be allowed in flowage easements if written permission is granted by the easement holder and submitted with a complete application.

21.68.100 **SWIFT COMMERCIAL RESOURCE LANDS 40 ZONE CLASSIFICATION (SW-CRL40)**

A. **PURPOSE – INTENT**

The Swift Commercial Resource Lands 40 (SW-CRL40) zone classification is intended to designate and protect forest, agricultural, and mineral resource lands of long-term significance and for the harvesting and use of all other natural resources.

B. **ALLOWABLE USES**

1. Forest practices and associated management activities of any forest crop including, but not limited to, timber harvest, harvesting of forest resources (mushrooms, bear grass, boughs, berries, etc.), Christmas trees, and nursery stock;
2. Log sorting and storage areas, scaling stations, and forest industry storage and maintenance facilities, sawmills, shake and shingle mills, and chipper facilities, provided that the retail sales of products from the site shall be prohibited;
3. Commercial and domestic agriculture;
4. Management and enhancement of unique biological areas, propagation of fish and wildlife, and/or water resource management facilities;
5. Scientific monitoring or research devices;
6. Storage of explosives, fuels, and chemicals, as allowed by state and federal laws;
7. Attached communication facilities located on BPA towers, (In accordance with SCC Section 21.70.160);
8. Public, semi-public, and/or private facilities and/or utility systems;
9. Historic sites open to the public that do not interfere with the management of resource lands;
10. Scout camps, church camps, and/or youth camps;
11. Accessory uses normally associated with an allowable use;
12. Landscaping features, (Not located within a critical area);
13. Extraction of gravel and rock for road and trail construction and maintenance purposes, and the operation of portable rock crushers provided the material is used within the Swift Subarea or on the forest owners' property. (This does not include commercial rock sources supplying rock outside of the area).
14. Resource enhancement projects, subject to compliance with other applicable Federal, State, and County codes.

C. **ADMINISTRATIVE REVIEW USES**

1. Attached communication facilities located on non-BPA towers, (In accordance with SCC Section 21.70.160);
2. Temporary crew quarters and/or farm labor housing in conjunction with forest or agricultural activities.

D. **CONDITIONAL USES**

1. Communication tower(s), (In accordance with SCC Section 21.70.160);
2. Commercial sand and/or gravel pit, stone quarry, mining, crushing, stockpiling of mineral resources and similar uses for the development of natural resources extracted on-site, not otherwise allowed under SCC Section 21.68.100(B);

3. Aircraft landing field, private; as an accessory use to forest management or an existing legal non-conforming use;
4. Natural resource training/research facilities;
5. Recreational facilities;
6. Visitor information and environmental educational signs and/or displays;
7. Boat docks and boat ramps;
8. Picnic areas;
9. Trails for recreation;
10. Restrooms and comfort facilities;
11. Parking areas and trailheads;
12. Structures associated with hunting and fishing operations;
13. Scenic viewpoints and overlooks;
14. Wildlife and botanical viewing and nature study areas;
15. Interpretive signs and displays, not exceeding a total of fifty (50) square feet;

E. TEMPORARY USES PERMITTED

1. Temporary uses shall be permitted in accordance with the requirements of SCC Section 21.70.120.

F. PROHIBITED USES

1. Any uses not listed above are prohibited.

G. MINIMUM DEVELOPMENT STANDARDS

1. LOT SIZE

The standard minimum lot size, dimensions, and proportions shall be as follows (Unless the Local Health Authority requires a greater lot size):

- a. Minimum lot size shall be 40 acres.

2. DENSITY REQUIREMENTS

- a. No dwelling units are allowed in the Swift Commercial Resource Lands 40 (S-CRL40) zone.

3. SETBACKS

The following are the minimum lot line setbacks for all buildings and accessory buildings:

- a. Front yard: No building or accessory building shall be constructed closer than fifty (50) feet from the centerline of the public road right-of-way or private access easement (not including private driveways), or twenty (20) feet from the front property line, whichever is greater.
- b. Side yard: No building or accessory building shall be constructed closer than twenty (20) feet from the property line on each side of the structure.
- c. Rear yard: No building or accessory building shall be constructed closer than twenty (20) feet from the rear property line.
- d. Non-conforming Lots: Lots of less than two (2) acres in size shall conform to standard Building Code setback requirements.
- e. A Yard That Fronts on More Than One Road: The setback requirement for the front yard of a lot that fronts on more than one road shall be the required setback for that zone

classification. All other frontages shall have a setback of fifteen (15) feet from the property line, the edge of the public road right-of-way, or private road easement, whichever is greater if the parcel is less than two (2) acres. If the parcel is greater than two (2) acres the setback shall be twenty (20) feet from the property line, the edge of the public road right-of-way, or private road easement, whichever is greater.

- f. Cul-de-sacs and hammerhead turnarounds: The setback requirement for a cul-de-sac or hammerhead turnaround shall be twenty (20) feet from the property line, the edge of the public road right-of-way, or private road easement, whichever is greater.

4. OTHER STANDARDS

- a. Building height limit for permitted uses shall not exceed 35 feet above grade, with the exception of SCC Section 21.70.050, and SCC Section 21.70.160.
- b. No building or structure shall be located within any easement, except structures related to recreational activity may be allowed in flowage easements if written permission is granted by the easement holder and submitted with a complete application.

21.68.110 **SWIFT RECREATIONAL ZONE CLASSIFICATION (SR)**

A. **PURPOSE – INTENT**

The Swift Recreational (SR) zone classification is intended to promote recreational opportunities within the Swift Subarea.

B. **ALLOWABLE USES**

1. Public, semi-public, and/or private facilities and/or utility systems;
2. Existing retail stores and service establishments where merchandise is displayed and sold and/or services are provided within an enclosed building;
3. Trails for recreation;
4. Scenic viewpoints and overlooks;
5. Boat docks and boat ramps;
6. Wildlife and botanical viewing and nature study areas;
7. Interpretative signs and displays, not exceeding a total of fifty (50) square feet;
8. Visitor information and environmental educational signs, displays and/or facilities;
9. Picnic areas;
10. Restrooms and comfort facilities;
11. Parking areas and trailheads;
12. Structures associated with hunting and fishing operations;
13. Forest practices and associated management activities of any forest crop, including but not limited to timber harvest, harvesting of forest resources (mushrooms, bear grass, boughs, berries, etc.), Christmas trees, and nursery stock;
14. Attached communication facilities located on BPA towers, (In accordance with SCC Section 21.70.160);
15. Replacement of any of the 204 legally established privately owned cabins in the Northwoods development;
16. A single new cabin on each of the four vacant cabin spaces in the Northwoods development;
17. Management and enhancement of unique biological areas, propagation of fish and wildlife, and water resource management facilities;
18. Resource enhancement project, subject to compliance with other applicable federal, state, and county codes;
19. Scientific monitoring or research devices;
20. Landscaping features, (Not located within a critical area);
21. Accessory uses normally associated with an allowable use.

C. **ADMINISTRATIVE REVIEW USES**

1. Attached communication facilities located on non-BPA towers, (In accordance with SCC Section 21.70.160);

D. **CONDITIONAL USES**

1. New recreational vehicle parks and/or campgrounds;
2. Camping cabin facilities, (In accordance with SCC Section 21.70.170);
3. Communication tower(s), (In accordance with SCC Section 21.70.160);
4. Expansion of existing legally established mineral resource extraction and/or processing sites.

E. TEMPORARY USES PERMITTED

1. Temporary uses shall be permitted in accordance with the requirements of SCC Section 21.70.120.

F. PROHIBITED USES

1. Any uses not listed above are prohibited.

G. MINIMUM DEVELOPMENT STANDARDS

1. LOT SIZE

The standard minimum lot size, dimensions, and proportions shall be as follows (Unless the Local Health Authority requires a greater lot size):

- a. There is no minimum lot size in the Swift Recreational (SR) zone. Land divisions, unless there is evidence that the land division would further promote the recreational opportunities of the land will not be allowed. If a land division is allowed, then the minimum lot size for the new lots are that which is necessary to promote the recreational opportunity, or such size as required by the Local Health Department Authority.
- 2. DENSITY REQUIREMENTS**
- a. No dwelling units are allowed in the Swift Recreational (SR) zone (except for cabins on the vacant parcels in the Northwoods Development).

3. SETBACKS

The following are the minimum lot line setbacks for all buildings and accessory buildings:

- a. Front yard: No building or accessory building shall be constructed closer than fifty (50) feet from the centerline of the public road right-of-way or private access easement (not including private driveways) or twenty (20) feet from the front property line, whichever is greater.
- b. Side yard: No building or accessory building shall be constructed closer than twenty (20) feet from the property line on each side of the structure.
- c. Rear yard: No building or accessory building shall be constructed closer than twenty (20) feet from the rear property line.
- d. Non-conforming Lots: Lots of less than two (2) acres in size shall conform to standard Building Code setback requirements.
- e. A Yard That Fronts on More Than One Road: The setback requirement for the front yard of a lot that fronts on more than one road shall be the required setback for that zone classification. All other frontages shall have a setback of fifteen (15) feet from the property line, the edge of the public road right-of-way, or private road easement, whichever is greater if the parcel is less than two (2) acres. If the parcel is greater than two (2) acres the setback shall be twenty (20) feet from the property line, the edge of the public road right-of-way for private road easement, whichever is greater.
- f. Cul-de-sacs and hammerhead turnarounds: The setback requirement for a cul-de-sac or hammerhead turnaround shall be twenty (20) feet from the property line, the edge of the public road right-of-way, or private road easement, whichever is greater.

4. OTHER STANDARDS

- a. Building height limit for permitted uses shall not exceed 35 feet above grade, with the exception of SCC Section 21.70.050, and SCC Section 21.70.160.
- b. No building or structure shall be located within any easement, except structures related to recreational activity may be allowed in flowage easements if written permission is granted by the easement holder and submitted with a complete application.

CHAPTER 21.70- SUPPLEMENTARY DEVELOPMENT AND USE STANDARDS

Sections:

21.70.010	Purpose - Intent.
21.70.020	Classes of uses and developments
21.70.030	Archaeological resources.
21.70.040	Cottage occupation/light home industry.
21.70.050	Height exceptions.
21.70.060	Lot size computation.
21.70.070	Off-street parking.
21.70.080	Outdoor storage.
21.70.090	Public displays.
21.70.100	Setbacks.
21.70.110	Signs.
21.70.120	Temporary dwellings.
21.70.130	Vision clearance.
21.70.140	Lot reduction.
21.70.150	Cluster Development Standards
21.70.160	Communication Facility Criteria
21.70.170	Camping Cabin Facilities

21.70.010 **PURPOSE - INTENT**

The provisions of this chapter shall apply to all zone classifications (except for the unmapped classification) unless otherwise noted in a particular zone classification. The standards are intended for certain uses, types of development, and as additional minimum development standards for each zone classification. These standards have been set forth in a single section of this title to avoid unnecessary duplication by being listed in each zone classification.

21.70.020 **CLASSES OF USES AND DEVELOPMENT**

Within unincorporated Skamania County there are three types of uses/development reviews.

- A. **ALLOWABLE USES:** Uses which are allowed outright, with review only for consistency with setbacks, density requirements and the substantive provisions of other titles of the Skamania County Code.
- B. **ADMINISTRATIVE REVIEW USES:** Uses which are allowed, with administrative review by the Department for consistency with standards placed upon those uses under this title and the following:
 1. Submit a completed application and fee.
 2. Submit a site plan, which includes the following:
 - a) north arrow
 - b) scale
 - c) boundaries, dimensions, and size of subject parcel
 - d) significant terrain features or landforms
 - e) existing vegetation
 - f) watercourses/drainage

- g) location and size of existing and proposed structures
 - h) location and width of existing and proposed roads, driveways and trails
 - i) location of existing and proposed services, including water, sewage, power and telephone
 - j) location and depth of all grading and ditching
3. Notice to all adjacent property owners within 300 feet.
 4. Fourteen (14) day comment period (calendar days).
 5. An appeal of the Planning Director's decision shall be processed and heard pursuant to SCC 21.16.070(D).
 6. The subject request will be reviewed for compliance with the following:
 - a) compatibility with the surrounding development/area
 - b) sufficient off-street parking
 - c) clear and safe routes of ingress and egress
 - d) adequate buffers with surrounding uses to assure visual and audible screening. Buffers may include but are not limited to open space, vegetation, and fencing.
- C. **CONDITIONAL USES:** Uses which are subject to review by the Hearing Examiner, as described in Section 21.16.070 of this title. (Ord. 1997-04 (part))

21.70.030 **ARCHAEOLOGICAL RESOURCES**

- A. No development permit shall be issued in an area known to have archaeological resources until the Washington State Office of Archaeology and Historic Preservation has been notified. The Skamania County Museum shall serve as reference for such archaeological areas of the county.
- B. If during the excavation or development of a site or building project, which has been issued a development permit by the County an area of potential archaeological significance is uncovered all development activity shall be discontinued and the Planning Director shall be notified.
- C. The Planning Director shall notify the State Office Of Archaeology And Historic Preservation of a development permit application where there is a known archaeological resource during the normal permit review period, and within 3 working days when notified by a permittee that an archaeological find has been unearthed. The State Office shall have 30 calendar days from the date of notification by the Planning Director to inform the County of its interest in such a site, unless the permit applicant or permittee agrees to an extension of that time period. Such interest could include recommendations which would mitigate the impact on the archaeological resource or acquisition by a public or private entity. Such recommendation by the State Office shall be nonbinding on the County, permit applicant or permittee, and shall serve only as a recommendatory course of action which could be taken by the applicant or permittee to negate or mitigate any considerable effects to the archaeological resource, if the development is completed as proposed or permitted under the County development permit. (Ord. 1985-05 §8.0.20).

21.70.040 **COTTAGE OCCUPATION/LIGHT HOME INDUSTRY**

- A. Type of use: Home occupations when permitted are those occupations which are carried on within a residential dwelling or a separate building constructed for such a use. Such activity shall

be secondary to the use of the dwelling used for living purposes.

- B. **Disturbing Influences:** No home occupation shall be permitted which creates objectionable noise, dust, smoke, odor, glare, or traffic attraction greater than that of other residential properties in the vicinity.
- C. **Exterior Modification:** There shall be no exterior modification or adornment of the residential dwelling which would suggest a use other than residential; Except, for light home industry which may be located in a separate building.
- D. **Work Force Limitation:** Nonmember household worker (those workers who do not live on the property) shall be limited to 5 persons per day.
- E. **The Hearing Examiner may hear requests for waiver, exemption, reduction or modification of these requirements if the proposed use and modifications are determined to be in keeping with the purpose and intent of the zone classification involved. (Ord. 1985-05 §8.0.30).**

21.70.050 **HEIGHT EXCEPTIONS**

The following structures are not subject to the thirty-five (35) foot height limitations of this title: church spires, fixed utility equipment, transmission towers, masts, aerials, geothermal rigs, wind machines, wind turbines, temporary logging equipment, flag poles, and livestock, farm and agricultural buildings or structures, such as barns, silos, and horse arenas. (Ord. 1985-05 §8.0.40).

21.70.060 **LOT SIZE COMPUTATION**

For purposes of computing a minimum required lot size the lot area may include one-half (1/2) of the public road right-of-way adjacent to the parcel in question and private road easements within the boundary of the parcel. This computation does not affect total ownership of land or assessment of acreage for tax purposes.

21.70.070 **OFF STREET PARKING**

On-site parking shall be required for all vehicles owned or leased by the property owner or lessee including but not limited to; passenger vehicles, boats, campers, recreational vehicles, utility trailers, farm and forestry equipment. (Ord. 1985-05 §8.0.60).

21.70.080 **OUTDOOR STORAGE**

Refuse storage (including unlicensed passenger motor vehicles) shall be kept in an orderly fashion and screened from public view by fencing or landscaping. This provision shall not include unlicensed logging and agricultural equipment; provided, such equipment is serviceable (in useable condition, with exception of minor repair). If such equipment is in storage as refuse or for spare parts, then it shall be screened or hidden from public view. (Ord. 1985-05 §8.0.70).

21.70.090 **PUBLIC DISPLAYS**

Stands shall be limited to one seasonal, movable stand for the sale and display of products. Setback shall be a minimum of 15 feet from any public road right-of-way or private road easement or property line. (Ord. 1985-05 §8.0.90).

21.70.100 **SETBACKS**

- A. The minimum required setback for all yards shall be measured from the public road right-of-way/private road easement centerline or property line to the furthest edge of the roof line extended vertically to the ground line, and measured perpendicular to the yard line. Where decks or porches extend beyond the roof line the setback distance shall be measured to the furthest edge of such appendages.
- B. All yard lines shall be established parallel to the lot property lines.
- C. The front yard for a corner, double frontage, and reversed frontage lot shall be the yard accessed by a driveway from a public or private road. (Ord. 1985-05 §8.0.90).

21.70.110 **SIGNS**

Sign standards are as follows:

A. **General Provisions.**

- 1. No sign shall be erected or placed in such a manner so that by reasons of its position, shape, or color it may interfere or be confused with, or obstruct the view of any traffic sign, signal, or device.
- 2. Signs shall be maintained in a neat, clean, and attractive condition.
- 3. Off-premise signs erected in any zone classification shall be subject to a conditional use permit.
- 4. Signs shall be designed to be compatible with the environment of the area. Florescent colors are prohibited.
- 5. No free standing sign shall exceed 12 feet in total height.

B. **Prohibited signs.**

- 1. Moving signs (exempted are time/temperature display)
- 2. Flashing or mobile lights; Except, for seasonal holidays
- 3. Signs which project over public right-of-way
- 4. Neon signs (except in-store display signs)

C. **Exempt Signs.**

- 1. Traffic signs, signals, and notices erected by public authority
- 2. Building plaques, corner stones, name plates, and similar building identifications
- 3. House and building numbers
- 4. Temporary signs in connection with political and civic campaigns; Provided that such signs are removed within 15 days following the conclusion of the campaign
- 5. Signs within sports parks or arenas designed for view by patrons within such facilities
- 6. Signs or notices erected by public officers pursuant to law, administrative order, or court order
- 7. Informational signs erected by the forest industry to indicate forestry activities such as Christmas tree cutting, wood cutting, tree farm, road closures, road identification, fire directional, junction markers, recreation areas, and logging operations.
- 8. Signs indicating membership in farm organizations
- 9. Signs located within a building

10. On-premise directional signs
11. Signs posted by property owners indicating prohibited uses like "no trespassing", "no hunting", "no fishing"
12. Construction signs which identify the architects, engineers, contractors and other individuals or firms involved with the construction (but not including the advertisement of any product) during the construction period, to a maximum area of 16 square feet for each firm. The signs shall be confined to the site of the construction and shall be removed within 14 days of the beginning of the intended use of the project.
13. Real estate signs advertising the sale or lease of the premises or part of the premises on which the signs are displayed, up to a total area of 12 square feet. Such signs shall be removed within 14 days of the sale or lease.
14. Rental signs on the premises announcing rooms for rent, room and board, apartment or house for rent, and not exceeding 4 square feet in area.
15. Signs not exceeding 2 square feet in area, attached flat against the building, stationary and not illuminated, announcing only the names and occupation of building tenant.
16. Governmental or official notices, flags, emblems or insignia.

Exempt signs shall be subject to provisions of subdivisions 1, 2, 3 and 4 of subsection A of this section.

D. Sign Dimensions.

The total sign area permitted shall not exceed twelve times the square root of the building frontage (see sign Dimension Chart below). In the case of multiple occupancy of a building, it shall be the owner's responsibility to distribute the permitted sign area between the various occupants. The maximum area of an individual ground sign shall be 96 square feet. Where frontage is on more than one street, only the signs computed with respect to the frontage on a street shall face that street. Frontage on a limited access highway which provides no access to the property cannot be used to compute sign area.

Building Frontage (feet)	Allowed Sign Area (square feet)
15	46
20	54
25	60
30	66
35	71
40	76
50	85
60	93
70	100
80	107
90	114
100	120
125	134
150	147
175	159
200	170
250	190
300	208

400	240
500	268

21.70.120 **TEMPORARY DWELLINGS**

The purpose of this section is to allow temporary dwellings under certain circumstances to satisfy personal, but not financial hardships. Because such hardships or needs are personal and generally transitory, the approval of temporary dwellings does not constitute a long-term use commitment that conflicts with the comprehensive plan and implementing ordinances.

- A. An owner of a parcel shall not allow a recreational vehicle on his or her parcel to be occupied for more than fourteen (14) consecutive days or more than a total of one hundred twenty (120) days during a calendar year. An owner of a parcel shall not allow a mobile home to be located on the parcel if such location would result in a violation of density requirements of that zone, unless a temporary dwelling permit is issued to the parcel owner. A parcel owner may apply for a temporary dwelling permit to authorize up to one temporary dwelling on his or her parcel under no more than one of the following circumstances:
 - 1. an occupant of the recreational vehicle or mobile home will receive continuous care or assistance from someone who resides in a dwelling unit located on the parcel at issue, or such occupant will administer such care or assistance to someone else residing on the parcel at issue; or
 - 2. the owner or owners of a parcel are in the process of building or placing a dwelling intended for the owner's occupancy on the parcel.

- B. To apply for a temporary dwelling permit a parcel owner shall submit a completed application on a form supplied by the Planning Department. The application shall be accompanied by:
 - 1. a site plan drawn to a scale large enough to allow determination the following:
 - a. the size and boundaries of the parcel;
 - b. the size and location of access, including driveways and access easements, from the parcel to a County, state road;
 - c. the location and size of all existing structures on the parcel; and,
 - d. the proposed location and size of the temporary dwelling.
 - 2. a description of the proposed dwelling;
 - 3. a notarized statement signed by all owners of the parcel (excluding lien holders) setting forth the circumstances which necessitate the temporary dwelling; and,
 - 4. A non-refundable fee as set by resolution of the Board of County Commissioners.
 - 5. a statement from a physician substantiating a need for a person residing on the parcel to receive or administer continuous care and assistance, if applying pursuant to SCC Section 21.70.120(A)(1).

- C. Every temporary dwelling authorized in accordance with this chapter shall meet the following minimum criteria:
 - 1. the temporary dwelling shall be designed, constructed and maintained in a manner which will facilitate its removal or conversion to an approved permanent structure on expiration or termination of the permit.
 - 2. A current vehicular license shall be maintained for the recreational vehicle used as a

- temporary dwelling.
3. There shall be no more than one temporary dwelling per parcel.
 4. No rent, fee or payment of any kind may be paid to the parcel owner for the placement and/or occupancy of the temporary dwelling.
 5. The placement of the temporary dwelling must meet the Skamania County Health Department requirements.
 6. Setback requirements applicable to other structures in the same zone classification shall be met.
- D. A permit for a temporary dwelling shall be issued by the Planning Director after receipt of a completed application if he or she finds grounds exist for the application under 21.70.120(A) and the criteria in 21.70.120(C) are met.
- E. If, after reviewing the completed application, the Planning Director determines that the applicant does not meet the requirements of this chapter, he or she shall deny the request and inform the applicant in writing of the reasons for the denial.
- F. Permit term, renewal and revocation
1. Term: A temporary dwelling permit issued to an applicant based on 21.70.120(A) shall be valid for one year, or until the cessation of the facts creating the basis for the application, whichever occurs first. Temporary dwelling permits may be renewed only under the circumstances set forth below.
 2. Renewal:
 - a. A request for renewal of a temporary dwelling permit issued under 21.70.110(A)(1) shall be submitted by the applicant at least thirty (30) days prior to the expiration of the permit. That request must be made by filing a statement from a physician substantiating a need for a person residing on the parcel to receive or administer continuous care and assistance, and a notarized statement listing any changes in the information provided on the application for the original permit. Such temporary dwelling permit may be renewed for twelve (12) month intervals if the then existing conditions for renewal are met. However, if a request for renewal of a temporary dwelling permit under this subsection is not received thirty (30) days prior to the expiration of the permit, the permit shall become null and void.
 - b. A request for renewal of a temporary dwelling permit issued under 21.70.120(A)(2) shall be submitted at least thirty (30) days prior to the expiration of the permit. That request must be accompanied by a notarized statement showing that the conditions authorizing the temporary dwelling continue to exist and listing any changes in the information provided on the application for the original permit. A temporary dwelling permit may be renewed only once and for a term no longer the term of the initial temporary dwelling permit.
 3. Revocation: If the Planning Director determines that:
 - a. any of the requirements of this chapter have not been satisfied;
 - b. any of the conditions attached to the permit have not been met; or,
 - c. the grounds authorizing the permit no longer exist.

The temporary dwelling permit may be revoked after notice to the holder of the permit. If the permit holder has not demonstrated to the Planning Director within seven (7) days of the mailing of such notice that no grounds for revocation exist, then the permit may be revoked

and the matter referred to code enforcement for appropriate action pursuant to SCC 21.100.

4. Expiration: Occupancy of a temporary dwelling shall cease immediately upon expiration of a temporary dwelling permit and within fourteen (14) days after mailing, by certified mail, of notification of revocation; all utilities shall be disconnected within thirty (30) days after the date of expiration or revocation; and, if the temporary dwelling is a mobile home it shall be removed from the parcel within thirty (30) days after the date of expiration or revocation, unless prior to such deadlines the parcel owner can demonstrate to the Planning Director that grounds did not exist for revocation. An unoccupied recreation vehicle may be stored on the property with all utilities disconnected, except for electrical power.
5. An appeal of the Planning Director's decision under this chapter shall be processed and heard pursuant to SCC 21.16.070(D).

21.70.130 **VISION CLEARANCE**

The Board may order the removal or modification of sight obstructions which constitute a traffic hazard to operations of motor vehicles on public roads. (Ord. 1985-05 §8.0.120).

21.70.140 **LOT REDUCTION**

- A. No property may be so reduced in area that it would be in violation of minimum lot size, yard provision lot coverage, off-street parking or any other requirements of the zone classification or use. However, lots may be so reduced in area for purposes of disposing of a second or multiple legally placed or constructed single-family dwellings which existed prior to the adoption of the zoning requirements which prohibited such reduction provided the lots would not be in violation of other requirements of the zone classification.
- B. Lots may also be so reduced in area for purposes of establishing a building or use for public works, fire district, hospital district, or public and private provided such lots are restricted to the use and restricted from locating dwelling units thereon, and that such restrictions appear on the face of any plat creating same, and provided further, that such lots would not be in violation of other requirements of the zone classification. Setback requirements for such lots: Front yard - If accessed by public road, in accordance with setback requirements for public roads, otherwise, 5 feet from property line. Side and rear yard - 5 feet from property line. However, no building or structure may be located within any easements.

21.70.150 **CLUSTER DEVELOPMENT STANDARDS.**

Development which is replanned in its entirety with the subdivision and zoning controls applied to the project as a whole rather than to individual lots. Densities are calculated for the entire development, usually permitting a trade-off between clustering of housing and open space held in common by lot owners.

- A. Where authorized, land divisions may create parcels smaller than the designated minimum size and may include a density bonus in order to cluster new development. Approval of cluster developments shall be contingent upon submission of plans specifying dwelling/structure sites and common areas.
- B. Density bonuses shall be allowed only if clustering development will result in one or more of the following objectives:
 - 1) Avoidance of significance landscape features;

- 2) Protection of the rural residential character of the landscape setting;
 - 3) Reduction of interference with movement of deer or elk;
 - 4) Consolidation of road access, septic drain fields or other development features to reduce impacts associated with grading or ground disturbance;
 - 5) Reduction of adverse effects upon riparian areas, wetlands, natural areas, sensitive wildlife sites or habitat;
 - 6) Increase in the likelihood of agricultural or forest management on the undeveloped land left by the cluster development; or
 - 7) To allow a parcel which is partially within an urban exempt area and partially within the National Scenic Area (See Title 22) to realize the full density which would be allowed on the parcel if it were located entirely within the urban exempt area and within the same zone.
- C. Following cluster development, no further division of any resulting parcel shall be allowed until and unless the property has a legislative or quasi-judicial map amendment to allow a greater density on the entire parcel than was allowed at the time the cluster development was created.
- D. In the Carson Planning area, cluster developments may create up to 25 percent more parcels than otherwise allowed by the minimum parcel size on lands zoned High Density Residential, up to 35 percent more than otherwise allowed in the Rural Residential zone, and up to 50% more than otherwise allowed in the Rural Estate zone.
- E. At least 50% of the land subject to a cluster development shall be permanently protected as undeveloped land. (Ord. 1997-04 (part))

21.70.160 **COMMUNICATION FACILITY CRITERIA**

- A. The purpose of this chapter is to set forth regulations for the placement, development, and permitting communication facilities, including communication towers and antennas. These standards are designed to comply with the Telecommunications Act of 1996 and intended to minimize visual impacts and flight hazards while furthering the development of enhanced telecommunication services in the county.
- B. Unless otherwise exempted under SCC 21.70.160(C), the requirements of this chapter shall apply to the installation of any communication facilities, and the expansion and/or alteration of any communication facilities existing as of the effective date of this title, that are located within the unincorporated areas of the County, except for the General and Special Management Area portions of the National Scenic Area.
- C. The following facilities and activities are exempt from the provisions of this chapter:
1. Direct-to-home satellite services in any zoning district;
 2. Antennas for citizen band radios and amateur (or ham) radio facilities; provided, such antennas and facilities are no more than sixty-five (65) feet above the ground level;
 3. Military, federal, state, and local government communication facilities that are used for emergency preparedness and public safety purposes; provided, such facilities are no more than one hundred fifty (150) feet above ground level; and
 4. Maintenance, repair and replacement of existing communication facilities and related equipment that do not increase the size, footprint, or bulk of such facilities and that complies with local, state and federal laws and regulations.
 5. Attached communication facilities located on BPA towers.
- D. The development standards that follow shall apply to all non-exempt communication facilities and

alterations thereto.

1. Height
 - a. An attached communication facility shall not add more than twenty (20) feet in height to an existing building or other structure to which it is attached.
 - b. Communication towers shall have the following maximum height as measured from the ground to the highest point on the communication facility, including the associated array:
 - (i) One hundred and twenty (120) feet in the R-1, R-2, R-5, R-10, RES-20, CC, CR; Carson: HDR, RR, RE, DR, C; and Northwestern Lake: R-2, R-5.
 - (ii) One hundred and fifty (150) feet in the MG, FORAG-10, FORAG-20; Carson: I.
 - c. Accessory equipment structures shall have a maximum height of thirty-five (35) feet as measured from the ground to the highest point on the structure.
2. Setbacks
 - a. Attached communication facilities may extend up to five (5) feet horizontally beyond the edge of a property setback, building or structure to which it is attached, so long as the attached communication facility does not encroach upon any easements nor upon an adjoining parcel or public road right-of-way.
 - b. All communication towers shall be set back from all property lines the greater of the following distances: fifty (50) feet or one (1) foot for every foot in height of the communication tower.
 - c. Accessory equipment structures shall meet the setback requirements for accessory buildings in the underlying zoning district in which they are located.
3. Lighting and fencing
 - a. Lighting, if any, of a communication facility shall be as required by the Federal Aviation Administration (FAA), which shall, to the extent feasible, be installed in a manner to minimize impacts on adjacent residences.
4. Painting
 - a. All painting of communication facilities shall be consistent with any such requirements of the FAA.
5. Aviation Requirements
 - a. All communication facilities must comply with Federal Aviation Regulation Part 77, Objects Affecting Navigable Airspace, including but not limited to, providing such notice to the FAA as required thereunder and compliance with all requirements or prohibitions imposed by the FAA on the applicant's proposed communication facility.
 - b. All communication towers shall be located at least one half (½) mile from the end of and at least one thousand (1000) feet from the sides of all runways which are available for public use and identified on the most current edition of the Sectional Aeronautical Charts produced by the National Aeronautical Charting Office (NACO).
6. Landscaping and screening
 - a. Landscaping shall be placed within or outside of the security fence and shall consist of fast growing vegetation with a minimum planted height of six feet, and placed so as to form a solid hedge within two year of planting.
 - b. An applicant may choose to provide brown privacy slats within the security fence rather

than plant new vegetative screening.

- E. Where stated in this title that a communication facility may be permitted upon Administrative Review, the following procedures set forth in SCC 21.70.160(F) through 21.70.160(N) shall apply.
- F. The communication facility owner shall submit a complete application consisting of:
 - 1. A completed application form supplied by the Planning Department and signed by the facility owner and the parcel owner;
 - 2. A scaled site plan detailing: the outer boundary and dimensions of the property, all structures located on the parcel, the location of and height of the proposed communication facility, the distances from all proposed structures to all parcel lines, the distance of the proposed communication facility to the nearest point of the nearest runway of the nearest airport available for public use, the location of all public and private roads, the location of all easements, location of existing and proposed landscaping, the scale and a north arrow;
 - 3. For communication facilities proposed to be located within four (4) miles of the nearest point of the nearest runway of the nearest airport available for public use, the applicant must provide a written statement from the Federal Aviation Administration (FAA) that confirms the FAA has reviewed the proposal and which sets forth the FAA's response, comments and requirements, if any, for the proposal; and,
 - 4. For communication facilities proposed to be located within four (4) miles of a runway identified on the most current edition of the Sectional Aeronautical Charts produced by the National Aeronautical Charting Office (NACO), the applicant must provide a scale site plan showing the location of any such runways.
- G. A non-refundable application fee as established by resolution of the Board of County Commissioners shall be paid at the time the application is submitted.
- H. The Planning Director shall refer the matter to appropriate agencies, allowing fourteen (14) calendar days for their comments, and shall issue a communication facility permit if he or she determines that the proposed attached communication facility and/or communication tower will conform with the development regulations set forth in SCC 21.70.160(D) and any other applicable SCC provisions.
- I. Notice of the Planning Director's decision as to whether the communication facility meets the necessary criteria and of the Planning Director's decision whether to allow the use requested under this chapter shall be sent by first class mail to all persons signing the application.
- J. Notice of the Planning Director's decision will also be sent to the owners of all real property, as shown in the records of the Skamania County Assessor, located within three hundred (300) feet of any boundary of the property for which the proposed communication facility will be located; provided, if the owner of the property for which the property for which the proposed facility will be located owns another parcel or parcels adjacent to such property, notification also shall be mailed to owners of real property located within three hundred (300) feet of any boundaries of such adjacent parcels.
- K. The notification shall contain a statement as to whether the proposed use is not allowed or allowed and under what conditions.

- L. The notification shall state that any person with standing shall have fourteen (14) calendar days to file a written appeal of the Planning Director's decision.
- M. The Planning Director's decision shall be deemed final upon the date of mailing of the written decision, unless a timely appeal is filed pursuant to SCC 21.70.160(N).
- M. An appeal of the Planning Director's decision under this chapter shall be processed and heard pursuant to SCC 21.16.070(D).

21.70.170 **CAMPING CABIN FACILITIES**

A. PURPOSE

- 1. Skamania County has a wide range of natural features, including climate, vegetation, water resources, scenic qualities, cultural, and geological features, which are desirable for a wide range of recreational users. The purpose of this section is to enhance and diversify the recreational and economic opportunities in Skamania County through the development of camping cabin facilities that complement the natural and cultural attractiveness of the area without significant adverse effects on natural and environmental features, and cultural or historic resources. This section allows for development of camping cabin facilities, which shall provide a designed mixture of visitor-oriented accommodations, and recreation uses consistent with the comprehensive plan.

B. CAMPING CABIN STANDARDS

- 1. Each camping cabin shall be allowed a maximum footprint of nine hundred (900) square feet measured to outside of exterior walls (not including decks);
- 2. Total floor area for each camping cabin shall not exceed one thousand two hundred (1,200) square feet (not including decks);
- 3. Decks shall be limited in size to thirty percent (30%) of the buildings footprint to which the deck is attached. Decks may be covered but shall not be enclosed.
- 4. Above or below ground basements are prohibited.
- 5. Crawl spaces must meet the minimum building code requirement but shall not exceed forty-eight (48) inches to the bottom of the floor joists.
- 6. Camping cabins shall be separated from other buildings and structures by at least ten (10) feet;
- 7. Camping cabins are detached facilities and shall not be connected to another building;
- 8. Individual camping cabins shall not have attached accessory structures but shall be allowed one (1) temporary or permanent detached accessory structure with a maximum footprint not to exceed two hundred (200) square feet;
- 9. At least two hundred (200) square feet of parking space shall be required for each vehicle, with a minimum of two (2) parking spaces located at each camping cabin. A common overflow parking area shall be provided equal to ten percent (10%) of the required number of spaces. Common parking areas shall be uncovered and no parking structures shall be allowed above or below ground.
- 10. No person seeking to develop a camping cabin facility shall be permitted to divide the land so that an individual cabin is located on an individual parcel. The owner of the development shall be permitted to sell the camping cabin units individually, but the land the structure is located on shall stay under the ownership of one entity. If the camping cabins are sold separately the development shall continue to function as one entity with respect to but not limited to: lot access, interior circulation, common area, landscaping, drainage facilities, maintenance, and parking.

11. Camping cabin facilities shall not be full time residential dwelling units.
12. The camping cabin facilities shall meet all applicable State and Local Health Jurisdiction requirements.
13. Utility sheds for each individual camping cabin shall be allowed to house individual power generators. The utility shed shall be designed to meet the need of each individual cabin and they shall be no larger than necessary to store a generator and related power generation components. The utility shed shall be for the purpose of power generation only and is prohibited for use as a storage unit or storage area.

C. DENSITY REQUIREMENTS

1. The maximum overall density for a camping cabin facility shall not exceed one (1) individual camping cabin per acre within the approved development. No land division shall be approved to locate existing or proposed camping cabins onto separate parcels from the approved development.

D. COMMON AREA

1. At least fifty percent (50%) of the total land within all camping cabin facilities shall be designated as common area on the site plan.
 - a. Common area shall be land dedicated to common facilities such as picnic shelters, gazebos, restrooms, playgrounds, water systems, utility facilities, overflow parking areas, or recreation space.
 - b. At least half (50%) of the common area must be suitable for active recreational pursuits and not include any buildings or structures.
 - c. This common area shall not include roads, or any commercial uses.
The layout of common facilities and circulation (vehicular and pedestrian) within the development shall be designed in such a way to protect the public health, safety, and welfare. Pedestrian safety shall be addressed at points where walkways cross roads.

E. PROPOSED SITE PLAN REQUIREMENTS

1. The applicant(s) shall submit a proposed site plan drawing of the camping cabin facility to the County Planning Department in addition to the required conditional use permit application. The proposed site plan drawing shall be drawn to a scale of at least one hundred feet to one inch, on an eighteen inch by twenty-four inch paper, showing at least, but not limited to, the following features:
 - a. The area and dimensions of the parcel of land, indicating the portion to be used for the camping cabin facility;
 - b. The scale of the map and North directional indication;
 - c. The number, approximate location, and size of all proposed camping cabin sites;
 - d. The approximate location, names, and widths of all access roads, interior roads, and easements;
 - e. The approximate location of all existing and proposed structures, including but not limited to buildings, fences, culverts, bridges, roads and railroads;
 - f. The approximate location of all existing and proposed sewage disposal and water systems or wells, all existing and proposed utility lines and easements;
 - g. The approximate location of all areas to be preserved as buffers or reserved for a public or private use as recreational and open space;
 - h. The approximate location of all wetlands and the approximate location and direction of flow of all streams, creeks, and rivers;
 - i. A vicinity map;

- j. Major pedestrian, equestrian, bicycle trails, ski trails, and any other recreational system, (if applicable);
 - k. If the development is proposed to occur in phases, a graphic breakdown of each phase as it relates to the whole development and its general timetable for completion.
2. A title report shall be submitted by the applicant for the property being developed which includes the legal description, all easements, and encumbrances of record, the status of property taxes, and confirms the ownership interest is vested in the name of the owners whose signatures appear on the application. Title reports cannot be more than two months old at the time the final site plan is recorded.
 3. All conditional use applications shall be complete with all required information prior to review. An application lacking sufficient information for review shall be returned by the Administrator and shall be accompanied by a written statement citing the reasons for return.
 4. In addition to the above requirements, the applicant may be required to submit additional information as requested by the Administrator.

F. FINAL SITE PLAN

1. Following the approval of the proposed site plan by the Hearing Examiner, the applicant(s) shall have one (1) year to meet the conditions of approval and to submit a final site plan, drawn by a Washington State licensed professional land surveyor, incorporating any changes required in the preliminary approval, unless the Administrator grants an extension. An applicant's request for an extension must be received in the Planning Department at least ten (10) days before the deadline expires. If the Administrator finds that the applicant has been duly diligent in attempting to submit a final site plan, the Administrator may extend the deadline for an additional six (6) months. The Administrator may only grant three extensions.
2. The final site plan shall be administratively reviewed and approved if in compliance with the requirements set out herein and the conditions of approval required by the Hearing Examiner. The final site plan shall be on a sheet of stable base mylar polyester film having dimensions of eighteen inches by twenty-four inches. All drawing and lettering shall be in permanent black ink. All signatures affixed to the final site plan shall be original and written in permanent black ink. The final site plan shall include all of the information in the proposed site plan along with any amendments required by conditions of approval and the following information for recording in the County Auditor's Office:
 - a. The legal description of the parcel the development plan is located within;
 - b. The name, signature, and certification stamp of the Washington State Registered Professional Land Surveyor;
 - c. A certificate giving:
 - i. A statement that the development has been made with the free consent and in accordance with the desires of the owner(s);
 - ii. The notarized signatures of the owner(s) having an interest in the land being developed.
 - iii. The owners name printed below the owner's signature line.
 - d. The signature block on the final site plan shall include individual spaces for the signatures of the Administrator, County Engineer, County Treasurer, County Assessor, Local Health Department Authority, and County Auditor. Specific wording for the individual space shall be determined by each department prior to mylar printing.
 - e. The applicant shall pay for the cost of recording the final site plan in the Auditor's records. The recording fee shall be submitted to the Planning Department along with the final site plan for recording. The recording fee shall be made payable to the Skamania County Auditor.

3. The camping cabin facility shall not be allowed to operate until the final site plan has been recorded and all conditions of approval have been met.

G. MODIFICATION OF APPROVED PERMIT

The final site plan may be amended or modified at the request of the applicant or the applicant's successor in interest by applying with the Hearing Examiner to amend the Conditional Use Permit approval. If the request is approved then the modified final site plan shall be recorded in the Auditor's records following the same procedure as the original final site plan.

CHAPTER 21.85 RESIDENTIAL CARE FACILITIES

Sections:

- 21.85.010 Purpose - Intent.
- 21.85.020 Housing for People with Functional Disabilities.

21.85.010 **PURPOSE - INTENT**

Housing facilities for special needs populations are protected under provisions of the Federal Fair Housing Amendments Act of 1988. The location of such facilities is critical to the well-being of special members of the community, and fulfills a needed community service. It is the purpose of this chapter to facilitate the siting of Residential Care Facilities and Adult Family Homes.

21.85.020 **HOUSING FOR PEOPLE WITH FUNCTIONAL DISABILITIES**

- A. Housing for people with functional disabilities, as defined herein, shall be considered a residential use of property for zoning purposes. They shall be an allowable use in all areas zoned for residential or commercial purposes and shall be subject to the following requirements:
 - 1. Meet Washington State licensing requirements;
 - 2. Comply with all building, fire safety, and health code requirements;
 - 3. Lot size, building size, setbacks, and lot coverage conform to the standards of the zoning district, except if the structure is a legal non-conforming structure;
 - 4. A safe passenger loading area must be provided;
 - 5. Signage, if any, will conform to Chapter 21.70.110.
- B. The conversion of an existing residential structure to housing for people with functional disabilities shall not be deemed a change of use or an abandonment or discontinuity of the prior use of the structure, if such structure constituted a prior non-conforming use. (Ord. 1991-06 (part))

CHAPTER 21.86 CHILD CARE FACILITIES

Sections:

- 21.86.010 Purpose - Intent.
- 21.86.020 Family Day Care Home.
- 21.86.030 Child Mini-Day Care Center.
- 21.86.040 Child Day Care Center.
- 21.86.050 Registration.

21.86.010 **PURPOSE - INTENT**

Affordable, good quality, and licensed child day care is critical to the well-being of parents and children in the community and is a needed community service. It is the purpose of this chapter to facilitate the siting of licensed child day care facilities in a manner which simplifies the review and approval process while ensuring conformance with the surrounding land uses.

21.86.020 **FAMILY DAY CARE HOME**

- A. A family day care home shall be allowable in R-1, R-2, R-5, R-10, RES-20, Community Commercial, FA-10 and FA-20 zone classifications and shall be subject to the following requirements:
 - 1. Meet Washington State child day care licensing requirements;
 - 2. Comply with all building, fire safety, health code, and business licensing requirements;
 - 3. Lot size, building size, setbacks, and lot coverage conform to the standards of the zoning district, except if the structure is a legal non-conforming structure;
 - 4. A safe passenger loading area must be provided;
 - 5. Signage, in any, will conform to Chapter 21.70.110;
 - 6. Filing of a child day care registration form with Skamania County as provided for in Section 21.86.060 of this chapter;
 - 7. No structural or decorative alteration which will alter the single-family character of an existing or proposed residential structure or be incompatible with surrounding residences is permitted.
- B. A family day care home may be permitted in all other zone classifications only upon issuance of a Conditional Use Permit pursuant to Chapter 21.16.070. (Ord. 1991-06 (part))

21.86.030 **CHILD MINI-DAY CARE CENTER**

Child mini-day care center not located in the residence of the care provider shall be permitted in R-1, R-2, R-5, R-10, and Community Commercial zone classifications and shall be permitted upon Administrative Review.

- A. Notice. Written notice of the proposal shall be mailed to all property owners of record location within three hundred (300) feet of any portion of the boundary of the subject property and any contiguous lots in the same ownership, and shall include a description of the proposal, site location, deadline for submitting written comments, and the address and phone number of the County Planning Department.

- B. Administrative Review. The Planning Director shall review applications for a mini-day care center not located in the residence of the care provider and may approve, modify, or deny the application subject to the following requirements:
1. Meet Washington State child day care licensing requirements;
 2. Comply with all building, fire safety, health code, and business licensing requirements;
 3. Signage, if any, will conform to the requirements of Chapter 21.70.110;
 4. Filing of a child day care registration form with Skamania County as provided for in Section 21.86.050 of the chapter;
 5. Parking requirements shall comply with Chapter 21.70.070;
 6. The site must be landscaped in a manner compatible with adjacent residences;
 7. No structural or decorative alteration which will alter the residential character of an existing residential structure used for a child mini-day care center is permitted. Any new or remodeled structure must be designed to be compatible with the residential character of the surrounding neighborhood;
 8. The child mini-day care center shall not be located within 300 feet of another child mini-day care center or child day care center not located in the residence of the care provider, excluding any child day care center which is an accessory use pursuant to Section 21.86.040(D) of this chapter;
 9. The Planning Director may attach conditions to the permit in order to reduce conflicts between the child mini-day care center and surrounding neighborhood; i.e., noise attenuation, special parking needs, and hours of operation;
 10. If the Planning Director finds that there is just cause for a public hearing, final approval shall be determined through the Conditional Use Permit process pursuant to Chapter 21.16.070 and shall be subject to the requirements of Section 21.86.040 of this chapter. The process used to appeal an Administrative Review decision is contained in Chapter 21.16.070.
- C. A child mini-day care center may be permitted in all other zone classifications only upon issuance of a Conditional Use Permit pursuant to Chapter 21.16.070. (Ord. 1992-03(part); Ord. 1991-06 (part))

21.86.040 **CHILD DAY CARE CENTER**

- A. A child day care center shall be allowable in the Community Commercial zone classification and shall be subject to the following requirements:
1. Meet Washington State child day care licensing requirements;
 2. Comply with all building, fire safety, traffic safety, health code, and business licensing requirements;
 3. Setbacks, screening, landscaping, lot size, building size, and lot coverage shall conform to the pertinent portions of the zoning code;
 4. Parking requirements shall conform to Chapter 21.70.070.
 5. Filing of a child day care registration form with Skamania County as provided for in Section 21.86.060 of this chapter.
- B. A child day care center may be permitted in all other zone classifications only upon issuance of a Conditional Use Permit pursuant to Chapter 21.16.070.

- C. Limitations in Use of a Family Residence. No child day care center shall be located in a private family residence unless the portion of the residence where the children have access is used exclusively for the children during the hours the center is in operation, or is separate from the usual living quarters of the family.
- D. Accessory Use. A child day care center, if sited on the premises of an operating community service facility shall be considered accessory to the principal use of the property concerned. (Ord. 1991-06 (part))

21.86.050 **REGISTRATION**

Each child day care service provider must register with Skamania County Planning Department by completing a Child Day Care Registration form, as provided by the Planning Department, prior to initiation of the use. Upon registration, the child day care provider must be able to demonstrate compliance with the applicable conditions of this chapter. (Ord. 1992-03 (part); Ord. 1991-06 (part))

CHAPTER 21.100 – VIOLATION – PENALTY

Sections:

- 21.100.010 Violation – Penalty
- 21.100.020 Notice of alleged violation
- 21.100.030 District Court jurisdiction

21.100.010 **VIOLATION - PENALTY**

Any person who shall knowingly violate any of the provisions of Skamania County Code Title 21, or fails to comply with any order issued by the Planning Department or Hearing Examiner, shall be guilty of a violation punishable by a fine of not more than \$500.00 per violation. A violation will be deemed to occur for each day that the violation continues after the person has been notified by certified mail or personal service of the apparent violation. (Ord. 2002-19)

21.100.020 **NOTICE OF ALLEGED VIOLATION**

In the event the Planning Director, or the Director’s designee, has sufficient basis to believe that a violation of this title has occurred, the Planning Director, or the Director’s designee will notify the violator of the alleged violation by certified mail or personal service and allow fourteen (14) calendar days for the violator to respond. A notice of alleged violation shall contain substantially the following information:

- A. The following statement shall appear at the top of the first page: “NOTICE OF ALLEGED VIOLATION”;
- B. A brief description of the nature of the violation;
- C. The name of the County Department and staff member of that department to contact regarding the violation;
- D. The date that the warning is issued;
- E. That failure to correct the alleged violation or to contact the appropriate County Department may result in a formal action to revoke any applicable permits and/or the imposition of a fine of up to \$500 per violation; and/or any other appropriate legal action to address the violation. (Ord. 2002-19)

21.100.030 **DISTRICT COURT JURISDICTION**

In addition to any other legal remedies that may be available to the County to address the violation, any person that has been served a notice of alleged violation as provided in Section 21.100.020 may be cited into the Skamania County District Court which shall have jurisdiction over all complaints involving alleged violations of Title 21. After conduction a hearing, the District Court may impose penalties as provided in Section 21.100.010.

The imposition or the violator’s payment of a penalty shall not excuse the violation, or permit the violator to continue to violate the County’s ordinance. All persons shall be required to correct or remedy such violations or defects within a reasonable time as specified by the Planning Director. A violation will be deemed to occur for each day that the violation continues after the person has been notified, including but not limited to the time that the matter is pending before the County District Court. (Ord. 2002-19)

CHAPTER 21.110 – SEVERABILITY

Sections:

21.110.010 Severability

21.110.010 **SEVERABILITY**

If any provision of this Title or its application to any person or circumstance is held invalid, the remainder of this Title or the application of the provision to other persons or circumstances shall not be affected.