

ORDINANCE No. 70

Comprehensive Zoning Resolution - See Commissioners Proceedings, Volume Q, Page 28.

For detail of Resolution see Volume³24, pages 142 through 222 inclusive, of Deed Records in the office of the County Auditor. Document No. 489712.

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THE WALLA WALLA COUNTY COMPREHENSIVE ZONING RESOLUTION

RESOLUTION NO. 70

A GENERAL RESOLUTION ESTABLISHING COMPREHENSIVE ZONING REGULATIONS FOR THE UNINCORPORATED TERRITORY OF WALLA WALLA COUNTY, WASHINGTON, AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND AMENDMENT THEREOF, IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 44, LAWS OF THE STATE OF WASHINGTON FOR 1935, AND FOR THE REPEAL OF ALL RESOLUTIONS IN CONFLICT HEREWITH.

WHEREAS Chapter 44, Laws of Washington for 1935, empowers the County to enact a Zoning Resolution, and to provide for its administration, enforcement, and amendment, and

WHEREAS the Board of County Commissioners deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the County, to enact such a Resolution, and

WHEREAS the Board of County Commissioners, pursuant to the provisions of Chapter 44, Laws of Washington for 1935, has appointed a Planning Commission to recommend the boundaries of the various original districts and appropriate regulations to be enforced there in, and

WHEREAS the Planning Commission has divided the County into districts and has prepared regulations pertaining to such districts in accordance with Chapter 35.63 and designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health and general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewage, schools, parks and other public requirements; and

WHEREAS the Planning Commission has given reasonable consideration, among other things, to the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the County; and

WHEREAS the Planning Commission has made a preliminary report and held public hearings thereon, and submitted its final report to the Board of County Commissioners, and

WHEREAS the Board of County Commissioners has given due public notice of hearings relating to zoning districts, regulations, and restrictions, and has held such public hearings, and

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WHEREAS all requirements of Chapter 44, Laws of Washington for 1935, with regard to the preparation of the report of the Planning Commission and the subsequent action of the Board of County Commissioners have been met;

NOW THEREFORE THE COUNTY OF WALLA WALLA, WASHINGTON DOES HEREBY ADOPT AND EXERCISE ALL OF THE POWERS SET FORTH IN CHAPTER 44, LAWS OF 1935, AND ALL AMENDMENTS THERETO AND ALL OTHER POWERS PASSED BY THE LEGISLATURE OF THE STATE OF WASHINGTON CONFERRING POWERS TO REGULATE THE USE OF LAND AND THE COUNTY OF WALLA WALLA, WASHINGTON DOES HEREBY ESTABLISH AND ENACT THIS COMPREHENSIVE ZONING RESOLUTION FOR THE COUNTY OF WALLA WALLA AS FOLLOWS:

CHAPTER II

RULES FOR INTERPRETATION OF DISTRICT BOUNDARIES

Section 2.00 Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply:

- A. Boundaries indicated as appearing to follow the center lines of streets, highways, or alleys shall be construed to follow such center lines;
- B. Boundaries indicated as appearing to follow platted lot lines shall be construed as following such lot lines;
- C. Boundaries indicated as appearing to follow city limits shall be construed as following city limits;
- D. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks;
- E. Boundaries indicated as following shore lines shall be construed to follow such shore lines, and in the event of change in the shore line shall be construed as moving with the actual shore line; boundaries indicated as approximately following the center lines of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such center lines, and in the event of change in the location of streams, rivers, canals, lakes or other bodies of water, shall be construed as moving with the actual body of water and following the center line;
- F. Boundaries indicated as parallel to or extensions of features indicated in subsections A through E above shall be so construed. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map.

CHAPTER III

DEFINITIONS

Section 3.00 For the purpose of this Resolution, certain terms or words used herein are defined as follows:

The word PERSON includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual; the present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular; the word SHALL is mandatory, the word MAY is permissive; the words USED or OCCUPIED include the words INTENDED, DESIGNED, or ARRANGED TO BE USED OR OCCUPIED; and the word LOT includes the words PLOT OR PARCEL.

Section 3.01 Accessory - "Accessory" means a use, a building or structure, part of a building or other structure, which is subordinate to, and the use of which, is incidental to that of the main building, structure or use on the same lot, including a private garage. If an accessory building is attached to the main building by a common wall or roof, such accessory building shall be considered a part of the main building.

Section 3.02 Accessory Living Quarters - "Accessory Living Quarters" means living quarters within an accessory building for the sole use of the family or of persons employed on the premises, or for the temporary use of guests of the occupants of the premises. Such quarters may have kitchen facilities but are not rented or otherwise used as a separate dwelling unit. The term "accessory living quarters" includes "guest house".

Section 3.03 Airport, Heliport, or Aircraft Landing Field - "Airport", "Heliport" or "Aircraft Landing Field" means any runway, landing area or other facility whether publicly or privately owned and operated, and which is designed used or intended to be used either by public carriers or by private aircraft, for landing and taking off of aircraft, including all necessary taxiways, aircraft storage and tiedown areas, hangers and other necessary buildings and open space.

Section 3.04 Alley - "Alley" means a passage or way, other than a public street open to public travel and dedicated to public use, affording generally a secondary means of vehicular access to abutting lots and not intended for general traffic circulation.

Section 3.05 Alterations - "Alterations" mean a change or re-arrangement of the structural parts of existing facilities, or an enlargement by extending the sides or increasing the height or depth, or the moving from one location to another on the same site.

Section 3.06 Apartment - "Apartment" means a room, or a suite of two (2) or more rooms in a multiple dwelling or in any other building not a single-family dwelling or a two-family dwelling occupied or suitable for occupancy as a dwelling unit for one (1) family.

Section 3.07 Apartment Hotel - "Apartment hotel" means a building designed for or containing both apartments and individual guest rooms, or suites, or rooms and apartments catering to permanent tenants and not transients and which building may furnish dining room service for the exclusive use of its tenants.

Section 3.08 Apartment House - "Apartment house" means a building or a portion of a building, designed for occupancy by three (3) or more families living separately from each other and containing three (3) or more dwelling units.

Section 3.09 Automobile, Boat and Trailer Sales Area - "Automobile, boat and trailer sales area" means an open area, other than a street, used for the display, sale or rental of new or used automobiles, boats, or trailers, and where no repair work is done except minor incidental repair of automobiles, boats or trailers to be displayed, sold or rented on the premises.

Section 3.10 Automobile Wrecker - "Automobile wrecker" means any person, corporation or enterprise engaged in automobile wrecking.

Section 3.11 Automobile Wrecking - "Automobile wrecking" means the dismantling or wrecking of motor vehicles or trailers, or the storage, sale, or dumping of dismantled or partially dismantled, obsolete, or wrecked vehicles or their parts.

Section 3.12 Automobile Wrecking Yard - "Automobile wrecking yard" means any premises devoted to automobile wrecking as the term is defined herein.

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Section 3.13 Billboard - An outdoor advertising display directing attention to a product service or commodity not sold on the premises, except as otherwise would be permitted for identification directing signs. See Section 3.55/3.70.

Section 3.14 Board - "Board" means the Board of County Commissioners of the County of Walla Walla, Washington.

Section 3.15 Boarding House - "Boarding house" means the same as lodging house, but where meals (with or without lodging) are provided for compensation and by pre-arrangement for definite periods for three (3) or more persons. Boarding house shall not include rest homes or convalescent homes.

Section 3.16 Boat house, Private - "Private boat house" means an accessory building, or portion of building, which provides shelter and enclosure for a boat or boats owned and operated only by the occupants of the premises. A yacht club in which the storage of a boat is part of club membership is considered a "private boat club".

Section 3.17 Boat House, Public - "Public boat house" means a boat house other than a private boat house, used for the care repair or storage of boats, or where such boats are kept for remuneration, hire or sale.

Section 3.18 Building - "Building" means any structure having a roof but excluding all forms of vehicles even though immobilized. When a use is required to be within a building, or where special authority granted pursuant to this Resolution requires that a use shall be within an entirely enclosed building, then the term "building" means one so designed and constructed that all exterior walls of the structure shall be solid from the ground to the roof line, and shall contain no openings except for windows and doors which are designed so that they may be closed.

Section 3.19 Building Height - "Building height" means the vertical distance measured from the average elevation of the finished grade around the building to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to the average height of the highest gable of a pitch or hip roof.

Section 3.20 Building, Main - "Main building" means the principal building or other structure on a lot or building site designed or used to accommodate the primary use to which the premises are devoted.

Section 3.21 Business or Commerce - "Business" or "Commerce" means the purchase, sale, offering for sale, or other transaction involving the handling or disposition of any article, service, substance, or commodity for liveli-

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hood or profit; or the management or occupancy of the office buildings, offices, recreational or amusement enterprises; or the maintenance and the use of buildings, or persons rendering services.

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Section 3.22 Camp, Public - "Public camp" means any area or tract of land used or designed to accommodate two (2) or more camping parties, including cabins, tents, camping trailers or other camping outfits.

Section 3.23 Carport - "Carport" means a structure to house or protect motor vehicles owned or operated by the occupants of the main building which is open to the weather for at least 40 percent of the total area of its sides.

Section 3.24 Clinic - "Clinic" means a building designed and used for the medical, dental, and surgical diagnosis and treatment of patients under the care of doctors and nurses.

Section 3.25 Club - "Club" means an incorporated or unincorporated association of persons organized for a social, educational, literary or charitable purpose. Property occupied by a club shall be deemed to be semi-private in character and shall be subject to the regulations governing public buildings and places, excluding groups organized primarily to render a service which is normally considered a business.

Section 3.26 Conditional Use - "Conditional Use" means a use permitted in one or more districts as defined by this Resolution but which, because of characteristics peculiar to it, or because of size, technological processes or equipment, or because of the exact location with reference to surroundings, streets, and existing improvements or demands upon public facilities, requires a special degree of control to make such uses consistent with and compatible to other existing or permissible uses in the same district, and to assure that such use shall not be inimical to the public interest.

Section 3.27 Conditional Use Permit - "Conditional use permit" means the documented evidence of authority granted by the Planning Commission to locate a conditional use at a particular location.

Section 3.28 Condominium - "Condominium" means ownership in common with others of a parcel of land and certain parts of a building, together with individual ownership in fee of a particular unit or apartment in such building. Each individual owns a fee title to his apartment which he may sell, mortgage or devise as he could with a single-family dwelling that he owned.

Section 3.29 Court - "Court" means an open, unoccupied space, bounded on two (2) or more sides by the walls of the building. An inner court is a court entirely within the exterior walls of a building. All other courts are outer courts.

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Section 3.30 Dairy Farm - "Dairy farm" means any premises where three or more cows, three (3) or more goats, or any combination thereof are kept, milked or maintained.

Section 3.31 Day Nursery - "Day nursery" means any type of group child day care program, including nurseries for children of working mothers, nursery schools for children under minimum age for education in public schools, privately conducted kindergartens when not a part of public or parochial school and programs convering after-school care for school children; provided any such "day nursery" is licensed by the State or County and conducted in accordance with State and County requirements.

Section 3.32 District - "District" means an area accurately defined as to boundaries and location on an official zoning map and within which area only certain types of land uses are permitted and within which other types of land uses are excluded, as set forth in this Resolution.

Section 3.33 Dwelling - "Dwelling" means a building designed exclusively for residential purposes, including one-family, two-family and multiple dwellings, but not including hotels or motel units having no kitchens.

Section 3.34 Dwellings, Types of -

(a) Dwelling, groups. "Group dwelling" means more than two (2) separate buildings, each containing one (1) or more dwelling units.

(b) Dwelling, One-family. "One-Family dwelling" means a detached building designed exclusively for occupancy by one family and containing one (1) dwelling unit.

(c) Dwelling, Two-Family (Duplex). "Two-family dwelling or duplex" means a building designed exclusively for occupancy by two (2) families living independently of each other, and containing two (2) dwelling units.

(d) Dwelling, Multiple. "Multiple dwelling" means a building designed exclusively for occupancy by three (3) or more families living independently of each other, and containing three (3) or more dwelling units.

Section 3.35 Dwelling Unit - "Dwelling unit" means one or more rooms designed for or occupied by one family for living or sleeping purposes and containing kitchen facilities for use solely by one family. All rooms comprising a dwelling unit shall have access through an interior door to other parts of the dwelling unit. A bachelor apartment constitutes a dwelling unit within the meaning of this Resolution.

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Section 3.36 Family - "Family" means an individual, or two (2) or more persons related by blood, marriage or adoption, or a group of not more than five (5) persons who are not related by blood, marriage or adoption, excluding servants, living together in a dwelling unit.

Section 3.37 Fence - "Fence" means a masonry wall or a barrier composed of posts connected by boards, rails, panels, or wire for the purpose of enclosing space or separating parcels of land. The term "fence" does not include retaining walls.

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Section 3.38 Garage, Private - "Private garage" means an accessory building or an accessory portion of the main building, enclosed on not less than three (3) sides and designed or used only for the shelter or storage of vehicles owned or operated only by the occupants of the main building or buildings.

Section 3.39 Garage, Public - "Public garage" means a building other than a private garage, used for the care, repair or storage of automobiles, or where such vehicles are kept for remuneration, hire or sale.

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Section 3.40 Home Occupation - "Home occupation" means an occupation customarily conducted entirely within a dwelling and carried on by the inhabitants thereof, which use is clearly incidental and secondary to the dwelling for dwelling purposes and does not change the character thereof; provided the use does not involve more than one-fifth or not more than 200 sq. ft. of the total square footage of the dwelling.

Section 3.41 Hospital - "Hospital" means an establishment which provides accommodations, facilities and services over a continuous period of 24 hours or more, for observation, diagnosis and care, of two (2) or more individuals, not related by blood or marriage to the operator, who are suffering from illness, injury, deformity or abnormality, or from any condition requiring obstetrical, medical or surgical services.

Section 3.42 Hospital, Animal - "Animal hospital" means a building or premises for the medical or surgical treatment of animals or pets, including dog, cat and veterinary hospitals, including the boarding of hospitalized animals, the boarding of animals not subjected to medical or surgical treatment.

Section 3.43 Hospital, Mental - "Mental hospital" (including hospital for treatment of alcoholics) means an institution licensed by state agencies under the provisions of law to offer facilities, care and treatment for cases of mental and nervous disorders, and alcoholics. Establishments limiting services to juveniles below the age of five (5) years, and establishments housing and caring for cases of cerebral palsy are not considered mental hospitals.

Section 3.44 Hotel - "Hotel" means a building in which there are six (6) or more guest rooms where lodging with or without meals is provided for compensation, and in which building may be included one (1) apartment for use of the resident manager.

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Section 3.45 Junk Dealer - "Junk dealer" means and includes any person or enterprise having a fixed place of business in the County and engaged in conducting, managing, or carrying on the business, either wholesale or retail of buying, selling or otherwise dealing in any old rags, sacks, bottles, cans, papers, metal, rubber or other articles commonly known as junk.

Section 3.46 Junk Yard - "Junk Yard" means any premises devoted wholly or in part to the storage, buying, or selling or otherwise handling or dealing in old rags, sacks, bottles, cans, papers, metal, rubber or other articles commonly known as junk.

Section 3.47 Kennel - "Kennel" means a place where four (4) or more adult dogs or cats or any combination thereof are kept, whether by owners of the dogs and cats or by persons providing facilities and care, whether or not for compensation, but not including a small animal hospital or clinic.

Section 3.48 Livestock - "Livestock" means horses, bovine animals, sheep, goats, reindeer, donkeys and mules.

Section 3.49 Lodging House - "Lodging House" means a dwelling unit within which not more than five (5) guest rooms are devoted to accommodating not more than ten (10) persons other than members of the family, but wherein meals for guests shall be neither provided or permitted. A lodging house containing guest rooms numbering six (6) or more shall be considered a hotel.

Section 3.50 Lot - "Lot" means a single tract of land, no matter how legally described, whether by metes and bounds and/or by lot or lots and block designation as in a recorded plat, which at the time of applying for a building permit is designated by its owner or developer as the tract to be used, developed or built upon as a unit of land under single ownership or control and assigned to the particular use for which the building permit is being secured and having frontage on or access to a public street over an easement approved by the County Engineer.

Section 3.51 Lot Frontage - "Lot Frontage" means that portion of the lot nearest the public street. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as indicated under YARDS in this section.

Section 3.52 Lot Types -

The following diagram illustrates terminology used in this Resolution with reference to CORNER LOTS, INTERIOR LOTS, REVERSED FRONTAGE LOTS, and THROUGH LOTS:

- A - CORNER LOT, means a lot located at the intersection of two or more streets. A lot abutting on a curved street or streets 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 an interior angle of less than 135 degrees. See lots marked A (1) in the diagram.
- B - INTERIOR LOT, means a lot other than a corner lot with only one frontage on a street other than an alley.
- C - THROUGH LOT, means a lot other than a corner lot with frontage on more than one street other than an alley. Through lots with frontage on two streets, may be referred to as DOUBLE FRONTAGE LOTS.
- D - REVERSED FRONTAGE LOT, means a lot in which the frontage is at right angles, or approximately right angles, to the general pattern in the area involved. A reversed frontage lot may also be a corner lot or an interior lot (See A-D and B-D in diagram).

Section 3.53 Motel - "Motel" means a group of attached or detached buildings containing individual sleeping units where a majority of such units open individually and directly to the outside, and where a garage is attached to or a parking space is conveniently located to each unit, all for the temporary use by automobile tourists or transients, and such word shall include tourist courts, motor courts, automobile courts, automobile camps and motor lodges. A unit in a motel having kitchen facilities shall constitute a dwelling unit and shall be subject to all of the provisions and requirements of this Resolution governing dwelling units for the district in which the establishment is located.

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Section 3.54 Nonconforming Use - "Nonconforming use" means a use which lawfully occupied a building or land at the time this Resolution becomes effective and which does not conform with the use regulations of the district in which it is located.

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Section 3.55 Outdoor Advertising Display - "Outdoor advertising display" means any card, cloth, paper, metal painted signs, wooden, plaster, stone or other sign of any kind or character whatsoever placed for outdoor advertising purposes on the ground or on any tree, wall, bush, rock, post, fence, building, structure or thing whatsoever. The term 'placed' as used in the definition of 'outdoor advertising display' and 'outdoor advertising structure' shall include erecting, construction, posting, painting, printing, tacking, nailing, glueing, sticking, carving or otherwise fastening, affixing or making visible in any manner whatsoever.

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Section 3.56 Pasture - "Pasture" means an area confined within a fence or other physical barrier and which area is used for grazing or roaming of livestock.

Section 3.57 Planning Commission - "Planning Commission" means the Planning Commission of the County of Walla Walla.

Section 3.58 Principal Use - "Principal Use" means the primary or predominant use to which the property is or may be devoted, and to which all other uses on the premises are accessory.

Section 3.59 Public Utility - "Public Utility" means a public service corporation performing some public service and subject to special governmental regulations, or a governmental agency performing similar public services, the services by either of which are paid for directly by the recipients thereof. Such services shall include, but are not limited to, water supply, electric power, gas and transportation for persons and freight.

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Section 3.60 Recreational area, Commercial - "Commercial recreational area" means an area operated for profit and devoted to facilities and equipment for recreational purposes, including swimming pools, tennis courts, playgrounds and other similar uses whether the use of such area is limited to private membership or whether open to the public upon payment of a fee.

Section 3.61 Rest Home, Convalescent Home, Guest Home, Home for the Aged - "Rest home", "Convalescent home", "guest home", and "home for the aged", means a home operated similarly to a boarding house but not restricted to any number of guests or guest rooms and the operator of which is licensed by the State or County to give special care and supervision to his or her charges, and in which nursing, dietary and other personal services are furnished to convalescents, invalids and aged persons, but in which homes are kept no persons suffering from a mental sickness, mental disorder or ailment, or from a contagious or communicable disease, and in which homes are performed no surgery, maternity or other primary treatments such as are customarily provided in sanitariums or hospitals, and in which no persons are kept or served who normally would be admissible to a mental hospital.

Section 3.62 Retirement Home - "Retirement home" means a place of residence for several families or individuals in apartment-like quarters, rented or condominium, which may feature services to retired persons such as limited nursing facilities, minimum maintenance living accommodations, and recreation programs and facilities.

Section 3.63 Row House - "Row house" means a building that has not less than three (3) nor more than ten (10) one-family housekeeping units erected in a row as a single building on adjoining lots, each being separated from the adjoining unit or units by an approved fire wall or walls extending from the basement or cellar floor to above the roof along the dividing lot line, and each such building being separated from any other building by space on all sides.

Section 3.64 Sanitarium - "Sanitarium" means a health station or retreat or other place where resident patients are kept, and which specializes in giving clinical, temporary and emergency services of a medical or surgical nature to human patients and licensed by State agencies under provisions of law to provide facilities and services in surgery, obstetrics and general medical practice as distinguished from treatment of mental and nervous disorders and alcoholics, but not excluding surgical and post surgical treatment of mental cases.

Section 3.65 School, Commercial - "Commercial school" means a building where instruction is given to pupils in arts, crafts, or trades, and operated as a commercial enterprise as distinguished from schools endowed and/or supported by taxations.

Section 3.66 School Elementary, Junior or Senior High, (including Public, Private and Parochial) - "Elementary school", "Junior High school," or "Senior High school" means an institution of learning which offers instruction in the several branches of learning and study required by the Education Code of the State of Washington to be taught in the public and parochial schools.

Section 3.67 Secondary Use - "Secondary use" means a second use for which a lot structure or building is designed or employed in conjunction with but subordinate to its primary use.

Section 3.68 Service Station, Automobile - "Automobile service station" means an occupancy which provides for:

- (a) The servicing of motor vehicles and operations incidental thereto limited to the retail sale of petroleum products and automotive accessories; automobile washing by hand; waxing and polishing of automobiles; tire changing and repairing (excluding recapping;) battery service, charging and replacement, excluding repair and rebuilding; radiator cleaning and flushing, excluding steam cleaning and repair; and installation of accessories.
- (b) the following operations if conducted within a building; lubrication of motor vehicles; brake servicing limited to servicing and replacement of brake cylinders, lines and brake shoes; wheel balancing; the testing, adjustment, and replacement or servicing of carburetors, coils, condensers, distributor caps, fan belts, filters, generators, points, rotors, spark plugs, voltage regulators, water and fuel pumps, water hoses and wiring.

Section 3.69 Shelter, Fall-Out - "Fall-out shelter" means a structure or portion of a structure intended to provide protection to human life during periods of danger to human life from nuclear fallout, air raids, storms, or other emergencies. No fall-out shelter shall be permitted, either above ground or underground, in a required front yard, and shall not be used as a principal, accessory secondary use.

Section 3.70 Sign - "Sign" means any device for visual communications that is used for the purpose of bringing the subject thereof to the attention of the public, provided however that the following shall not be included in the application of the regulations herein. (Also see Outdoor Advertising display).

- (a) Signs not exceeding two (2) square feet in area and bearing only property numbers, post box numbers, names of occupants of premises, professional or announcement signs or other identification of premises not having commercial connotations;
- (b) Real estate signs not exceeding six (6) square feet in area, advertising the sale or rental of premises or land upon which they are erected;
- (c) Flags and insignias of any government except when displayed in connection with commercial promotion;
- (d) Legal notices, identification, information, or directional signs erected or required by governmental bodies;
- (e) Integral decorative or architectural features or buildings, except letters, trademarks, moving parts, or moving lights;
- (f) Signs directing and guiding traffic and parking on private property, but bearing no advertising matter;
- (g) Banners, streamers or emblems over or across any street, alley, or part thereof.

Section 3.71 Stable, Private - "Private stable" means a detached accessory building in which horses or other beast of burden owned by the occupants of the premises are kept, and in which no such animals are kept for hire, remuneration or sale.

Section 3.72 Stable, Public - "Public stable" means a stable other than a private stable.

Section 3.73 Street - "Street" means a dedicated public or recorded private thoroughfare which affords primary means of access to abutting property, intended for general traffic circulation. Street does not include an alley.

Section 3.74 Structure - "Structure" means anything constructed in the ground, or anything erected which requires location on the ground or water, or is attached to something having location on or in the ground, but not including fences less than six (6) feet in height or paved areas.

Section 3.75 Trailer or Mobile Home - "Trailer" or "Mobile Home" means a single-family dwelling designed for transportation after fabrication on streets and highways on its own wheels or on flatbed of other trailers, and arriving at the site where it is to be occupied as a dwelling complete and ready for occupancy, except for minor and incidental unpacking and assembly operations, location on jacks or connection to utilities and the like, and includes all portable contrivances used or intended to be used generally for living and sleeping quarters and which are capable of being moved by its own power, towed or transported by another vehicle.

Section 3.76 Trailer Park or Mobile Home Park - "Trailer Park" or "mobile home park" means land designed or used for the temporary or permanent parking of two (2) or more trailers or mobile homes, where the lot is rented and not sold to the occupant.

Section 3.77 Trailer Park Subdivision or Mobile Home Subdivision - "Trailer park subdivision" or mobile home subdivision means a subdivision designed and intended for residential use where residence is in mobile homes exclusively, and where the lot is generally sold but may be rented to the occupant.

Section 3.78 Variance - "Variance" means an adjustment in the application of the specific regulations of this Resolution to a particular piece of property which property, because of special circumstances applicable to it, is deprived of privileges commonly enjoyed by other properties in the same vicinity and district and which adjustment remedies disparity in privileges.

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Section 3.79 Yard - "Yard" means an open space other than a court on a lot, unoccupied and unobstructed from the ground upward unless specifically otherwise permitted in this Resolution.

Section 3.80 Yard, Front - "Front yard" means a yard extending between side lot lines across the front of a lot. In any required front yard, no fence or wall shall be permitted which materially impedes vision across such yard above the height of forty-two (42) inches. No hedge or other vegetation shall be permitted which materially impedes vision across such yard between the heights of forty-two (42) inches and ten (10) feet, and no fall-out shelter shall be permitted, either above ground or underground.

In the case of THROUGH LOTS, unless the prevailing front yard pattern on adjoining lots indicates otherwise, front yards shall be provided on all frontages. Where one of the front yards that would normally be required on a through lot is not in keeping with the prevailing yard pattern, the Director of Planning may waive the requirement for the normal front yard and substitute therefor a special yard requirement which shall not exceed the average of the yards provided on adjacent lots.

In the case of CORNER LOTS, which do not have reversed frontage, a front yard of the required depth shall be provided in accordance with the prevailing yard pattern and a second front yard of half the depth required generally for front yards in the district shall be provided on the other frontage.

In case of REVERSED FRONTAGE LOTS, a front yard of the required depth shall be provided on either frontage, and a second front yard of half the depth required generally for front yards in the district shall be provided on the other frontage.

In the case of CORNER LOTS with more than two frontages, the Director of Planning shall determine the front yard requirements, subject to the following limitations:

- (1) At least one front yard shall be provided having the full depth required generally in the district.
- (2) No other front yard on such lot shall have less than half the full depth required generally.

Section 3.81 Yard, Side - "Side yard" means a yard extending from the rear line of the required front yard to the rear lot line.

In the case of THROUGH LOTS, side yards shall extend from the rear lines of the front yards required.

In the case of CORNER LOTS with normal frontage, there will be only one side yard, adjacent to the interior lot.

In the case of CORNER LOTS with REVERSED FRONTAGE, the yards remaining after the full and half-depth front yards have been established shall be considered the side yards.

Section 3.82 Yard, Rear - "Rear yard" means a yard extending across the rear of the lot between inner side yard lines.

In the case of THROUGH LOTS AND REVERSED FRONTAGE CORNER LOTS, there will be no rear yard.

In the case of CORNER LOTS with normal frontage, the rear shall extend from the inner side yard line of the side yard adjacent to the interior lot to the rear line of the half-depth front yard.

CHAPTER IV

APPLICATION OF DISTRICT REGULATIONS

Section 4.00 The regulations set by this Resolution within each district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, except as hereinafter provided:

- A. No building, structure, or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved, or structurally altered unless in conformity with all of the regulations herein specified for the district in which it is located.
- B. No building or other structure shall hereafter be erected or altered:
 - 1. to exceed the height:
 - 2. to accommodate or house a greater number of families:
 - 3. to occupy a greater percentage of lot area:
 - 4. to have narrower or smaller rear yards, front yards, side yards, or other open spaces:than herein required; or in any other manner contrary to the provisions of this Resolution.
- C. No part of a yard, or other open space, of off-street parking or loading space required about or in connection with any building for the purpose of complying with this Resolution, shall be included as a part of a yard, open space, or off-street parking or loading space similarly required for any other building.
- D. No yard or lot existing at the time of passage of this Resolution shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Resolution shall meet at least the minimum requirements established by this Resolution.

CHAPTER V

ESTABLISHMENT OF DISTRICTS

Section 5.00 Intent

It is the purpose of this chapter to establish districts wherein compatible uses of land may be located and grouped to create, protect or maintain a mutually satisfying environment for the citizens of Walla Walla County. Agricultural farm land, similarly oriented industry, and recreation are major industries, of the County. Certain aspects of this ordinance should protect and support these uses by preventing encroachment upon them by incompatible land uses. Six broad categories of land uses are herewith established: Residential, Public, Agricultural, Commercial, Industrial and Unclassified, and it is the intent of this chapter to allow a maximum degree of latitude within the regulations to promote orderly growth, conservation, conduct profitable businesses, and to contribute to the economy and general welfare of the County. It is also the purpose of this classification to make it possible to more efficiently and economically design and install all physical public service facilities in terms of size and capacity to adequately and permanently meet needs resulting from a defined intensity of land use and to provide for health, safety, morals, prosperity and well being of the County.

Section 5.01 Establishment of Districts

The County of Walla Walla is hereby divided into fourteen classes of districts with the designations and general purposes listed herein and the specifically permitted uses tabulated in Section 5.02.

| <u>DISTRICT</u> | <u>PURPOSE</u> |
|-----------------------------------|---|
| Suburban Residential R-96 | Exclusively a single family residence district with large plot areas required and including customary accessory uses. |
| Single-Family Residential R-72 | Exclusively a single-family residence district with a adequate plot area required and including the customary accessory uses. |

Single-Family Residential
R-60

Primarily a single-family residence district with adequate plot areas required and including the customary accessory and secondary uses.

Multiple-Family Residential
RM

Primarily a multiple-family residence district with adequate plot areas required and including some single-family residences and the customary accessory and secondary uses.

Farming-Residential
FR

Primarily a single-family residence area where farming is combined within urban development. One acre plots area minimum requirement to encourage the use of productive agricultural land, and residential development. Customary accessory and secondary uses are permitted.

Agricultural-Rural
AR

Primarily a district permitting farming activity and limited agricultural uses. Land within the district is located adjacent to areas of encroaching residential development or expansion. Because of its location, land is primarily reserved for more intensive urban use, however not excluding normal farming activities.

Agricultural-Rural
AR-1

Primarily a district permitting farming activity and limited agricultural uses. Land within the district is located adjacent to areas of encroaching residential development or expansion. Because of its location within a classification of encroaching residential development, normal farming activity is encouraged, until the need for more intensive urban use is desired.

**Agricultural-General
AG**

Primarily a district to regulate the use of land in generally undeveloped areas not subjected to, nor adjacent to land subjected to intensive urban use. Land in this category could be cultivated acreage or land less suitable for cultivation yet suitable for various agricultural enterprises under the broadest scope of the agricultural classification. Land within the classification may be located adjacent to major highways and arterials, however not within areas that would indicate a general commercial classification. It is intended to control the scattered intrusion of business and industrial uses not compatible with an agricultural environment.

**Agricultural-Open Space
AO**

Exclusively a district designed to protect and preserve land for agriculture and related uses. Land within the district is unsubdivided acreage of large holdings, rural in character, mostly cultivated, with a minimum of roads, streets and other utilities. It is the intent of the zoning district to rezone for more intensive residential development around the fringes of incorporated municipalities when the need for land develops and normal public facilities become available and to provide for orderly transition from rural to urban status.

**Neighborhood Commercial
CN**

Exclusively a neighborhood business district for the provision of a convenience shopping for a limited residential area and which involves retail enterprises dispensing commodities, and providing personal services to the individual.

General Commercial
CG

Primarily a general commercial district for the conduct of enterprises which depend on proximity to major streets or arterials for trade or transportation.

Light Industry
IL

Exclusively for limited assembly, fabrication, processing and service facilities involving small or portable machinery and regulated with regards to dissemination of atmosphere, pollutants, noise, vibration, odors and the creation of physical hazards to adjacent uses.

Heavy Industry
IH

Primarily for manufacturing, processing, fabrication and assembling of products or materials, warehousing and storage, and transportation facilities and rolling stock marshalling and storage.

Public Reserve
PR

Exclusively a district reserved for public and semi-public uses in order to preserve and provide lands for those community facilities which serve the public health, safety and general welfare of the County.

Unclassified
LU

Primarily land which has not been classified or designated in any other use districts. It may generally include mountainous, or steep hillside land, or awkwardly shaped lands.

Section 5.02 Tabulation of permitted uses.

Within the various use districts as indicated on the Official Zoning Map of Walla Walla County, Washington and subject to the requirements of Section 5.03, 5.04, 5.05, no land, building or structure shall be used which is intended or designed to be used, in whole or in part, for any of the uses permitted herein. Permitted uses in the various districts are indicated by an "X" in the appropriate column of the following Table.

LIST OF USES

| | Prohibited | IH | PR | IH | IL | CG | CN | AO | AG | AR | FR | RM | R-60 | R-72 | R-96 |
|--|------------|----|----|----|----|----|----|----|----|----|----|----|------|------|------|
| Accessory uses, accessory living quarters and structures incidental to any permitted residential use, such as servants quarters, garages, greenhouses or workshops, provided that none shall be rented or occupied for gain, that no accessory building shall be inhabited by other than employees of the owner, lessee, or tenant of the premises; provided that no accessory building to be used for living quarters shall be constructed upon a plot until the construction of the main building has commenced. | | X | | | | | | X | X | X | X | X | X | X | X |
| Accessory uses clearly incidental to a permitted use and which will not create a nuisance or hazard. | | X | X | X | X | X | X | X | X | X | | | | | |
| Acetylene gas manufacture and/or storage | | | | X | | | | | | | | | | | |
| Acid manufacture of sulphurous, sulphuric, picuric, nitric, hydrochloric, hydroflouric and other similar acids. (By Conditional Use Permit) | | | | X | | | | | | | | | | | |
| Agencies rendering specialized services not involving retail trade with the general public nor maintenance of a stock of goods for sale. | | X | | | | X | X | X | X | | X | X | | | |
| Airports and aircraft landing field. | | X | X | X | X | | | X | X | X | | | | | |
| Airport runway clear zone development within boundaries. (By Conditional Use Permit) | | X | X | X | X | | | X | X | X | | | | | |
| Aircraft charter and rental, service and maintenance. | | X | X | X | X | | | X | X | X | | | | | |
| Alcohol and alcoholic beverages manufacture. | | | | X | | | | | | | | | | | |
| Alcohol beverage packaged retail sales. | | | | | | X | X | | | | | | | | |
| Alcohol beverage distributors | | | | X | X | X | | | | | | | | | |
| Ammonia, bleaching power or chlorine manufacture. | | | | X | | | | | | | | | | | |

LIST OF USES

| | Prohibited | LU | PR | IH | IL | CG | CN | AO | AG | AR | FR | RM | R-60 | R-72 | R-96 |
|--|------------|----|----|-----|----|-----|----|-----|-----|-----|----|----|------|------|------|
| Amusement enterprises similar to billiards - pool, bowling, shooting gallery, roller rink, dance hall, but not including theater. | | | | | | X X | | | | | | | | | |
| Amusement park or zoo. (By Conditional Use Permit) | | X | | | | | | | | X X | | | | | |
| Animal farms, ranches, dairies for the grazing, breeding or raising and training of horses, cattle, sheep, goats, poultry, or small animals on a commercial scale. All accessory buildings such as stables, barns, corrals, or coops shall be located in accordance with requirements of Section 5.03.1. | | X | | | | | | X X | X X | X X | | | | | |
| Animals and fowl kept for individual domestic purposes, not including commercial operations, and subject to conditions and individual animal requirements contained in Section 6.04.1 | | | | | | X X | | | | X | | | X | X X | |
| Antiques, gift and card retail sales. | | | | | | X X | | | | | | | | | |
| Apartment hotel. (Above first floor in CC & CN). | | | | | | X X | | | | | | X | | | |
| Appliance distributors for wholesale. | | | | | X | X | | | | | | | | | |
| Appliances, retail sales. | | | | | | X X | | | | | | | | | |
| Arsenals. (By Conditional Use Permit) | | | | X | | | | | | | | | | | |
| Art supply retail sales. | | | | | | X X | | | | | | | | | |
| Asbestos manufacture. | | | | X | | | | | | | | | | | |
| Asphalt manufacture, refining or batch plant. | | | | X | | | | | | | | | | | |
| Assembly halls, coliseums, stadiums. | | | | | | X | | X | X X | | | | | | |
| Assembly halls, coliseums, and stadiums owned by non-profit organizations. | | X | | | | X | | X | X X | | | | | | |
| Assembly of machines and appliances from previously prepared parts. | | | | X X | | | | | | | | | | | |

| LIST OF USES | Prohibited | LU | PR | IH | IL | CG | CN | AO | AG | AR | FR | RM | R-60 | R-72 | R-96 |
|---|------------|----|----|----|----|----|----|----|----|----|----|----|------|------|------|
| | | | | | | | | | | | | | | | |
| Auction houses, except livestock. | | | | | | X | | | | | | | | | |
| Auction houses, livestock only. | | X | | X | | | | | X | | | | | | |
| Automobile (new and used) and accessory sales. | | | | | X | X | | | | | | | | | |
| Automobile commercial parking enterprise. | | | | X | X | X | X | | | | | | | | |
| Automobile parking operated in conjunction with the requirements of Section 6.01. | | X | X | X | X | X | X | X | X | X | X | X | X | X | X |
| Automobile repair garages, and public garages as defined in Section 3.39 | | | | X | X | X | | | | | | | | | |
| Automobile service stations, as defined in Section 3.68 with no gasolines or oil pump or appliance located within 12 feet of any street line unless within a building. | | | | X | X | X | X | | | | | | | | |
| Automobile and truck assembly. | | | | X | X | | | | | | | | | | |
| Automobile wrecking yard but only when conducted within an enclosure not less than 8 feet in height with a solidity of not less than 60 percent, said enclosure shall be located at 50 feet from any public street. | | | | X | | | | | | | | | | | |
| Bakeries or baking plant. | | | | X | X | X | | | | | | | | | |
| Bakery shops and confectionaries operating both wholesale and retail business, provided when located in CN district such operations are limited to 1,500 square feet of manufacturing area and to the use of non-smoke producing types of furnaces. | | | | X | X | X | X | | | | | | | | |
| Banks, savings and loan institutions. | | | | | X | X | X | | | | | | | | |
| Barber, beauty and other personal services. | | | | | X | X | X | | | | | | | | |
| Bedding, carpet and pillow manufacturing, cleaning and renovating. | | | | X | X | X | | | | | | | | | |
| Bicycle sale and repair. | | | | | | X | X | | | | | | | | |

LIST OF USES

Billboards as defined in Section 3.13

Blacksmith or horseshoeing shops.

Blast Furnace or coke oven.

Blueprinting and photostating establishments.

Boarding and lodging houses as defined in Section 3.15 and 3.49 (see also "Incidental keeping...") and accessory Uses".

Boat building and repair.

Boat sales - new and used.

Boat house, public

Boiler works.

Book Bindery.

Book and Stationery stores.

Booster stations or conversion plants of public utilities or utilities operated by Mutual Agencies. (By Conditional Use Permit)

Bottling works for soft drinks.

Brick, tile or terra cotta manufacture.

Broom or brush manufacture.

Bus passenger stations.

Bus repair and storage terminals

Cabinet shops, and carpenter shops.

Camera supply stores.

Candy products manufacture.

Can manufacture.

| Prohibited | LU | PR | IH | IL | CG | CN | AO | AG | AR | FR | RM | R-60 | R-72 | R-96 |
|------------|----|----|----|----|----|----|----|----|----|----|----|------|------|------|
| | X | | X | X | X | | X | X | X | | | | | |
| | | | X | X | | | | | | | | | | |
| | | | X | | | | | | | | | | | |
| | | | X | X | X | | | | | | | | | |
| | X | | | | X | X | X | X | X | | X | | | |
| | | | X | X | | | | | | | | | | |
| | | | | X | X | X | | | | | | | | |
| | | X | X | X | X | X | | | | | | | | |
| | | | X | | | | | | | | | | | |
| | | | X | X | X | | | | | | | | | |
| | | | | | X | X | | | | | | | | |
| | | | X | X | | | X | X | X | | | | | |
| | | | X | X | X | | | | | | | | | |
| | | | | | X | | | | | | | | | |
| | | | X | X | | | | | | | | | | |
| | | | X | X | | | | | | | | | | |
| | | | | X | X | | | | | | | | | |
| | | | X | X | X | X | | | | | | | | |
| | | | X | X | | | | | | | | | | |

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| LIST OF USES | Prohibited | LU | PR | IH | IL | CG | CN | AO | AG | AR | FR | RM | R-60 | R-72 | R-96 |
|--|------------|----|----|----|----|----|----|----|----|----|----|----|------|------|------|
| | | | | | | | | | | | | | | | |
| Concrete or paving materials mixing plants and manufacture of concrete products. | | | | X | X | | | | | | | | | | |
| Condominiums. | | | | | | X | X | | X | X | X | X | | | |
| Contractors' plants or storage yards. | | | | X | X | X | | | | | | | | | |
| Convalescent, nursing and foster homes conducted within the principal building as an incidental home occupation (By Conditional Use Permit). | | | | | | | | | | | | X | X | | |
| Convalescent, nursing homes, rest homes and homes for the aged. | | | | | | | | | X | X | X | X | X | | |
| Cooperage works. | | | | X | | | | | | | | | | | |
| Cosmetics and perfume manufacture. | | | | X | X | | | | | | | | | | |
| Creosote manufacture or treatment plants | | | | X | | | | | | | | | | | |
| Crops and open field growing, truck gardening, and greenhouses (when incidental to farming uses on premises). | X | | | X | X | X | | X | X | X | X | | | X | X |
| Dairy products processing, bottling and distribution, ice cream manufacture. | X | | | X | X | X | | X | X | | | | | | |
| Dairy bars and ice cream manufacture for retail sale on the premises only. | | | | | | X | X | | | | | | | | |
| Day nursery as defined in Section 3.31. | | | | | | | X | | X | X | X | X | X | | |
| Department stores. | | | | | | X | | | | | | | | | |
| Die casting. | | | | X | X | | | | | | | | | | |
| Distillation of bones, wood, coal, refuse grain, or tar, or manufacture of any of their by-products. | | | | X | | | | | | | | | | | |
| Dog and cat food factory. | | | | X | | | | | | | | | | | |
| Dog pounds.(By Conditional Use Permit) | X | | | | X | | | | X | | | | | | |
| Drive-in theaters.(By Conditional Use Permit) | | | | X | X | | | | X | | | | | | |

| LIST OF USES | Prohibited | LU | PR | IH | IL | CG | CN | AO | AG | AR | FR | RM | R-60 | R-72 | R-96 |
|--|------------|----|----|----|----|----|----|----|----|----|----|----|------|------|------|
| | | | | | | | | | | | | | | | |
| Drop hammer or drop forge. | | | | X | | | | | | | | | | | |
| Drug stores.(Apothecary shop By Conditional Use Permit in an RM District) | | | | | | X | X | | | | | X | | | |
| Dry cleaning pick-up stations. | | | | | | X | X | | | | | | | | |
| Dry Cleaning plants. | | | | X | X | | | | | | | | | | |
| Dry cleaning, pressing and dyeing plants operated in conjunction with retail service counter. | | | | X | X | X | | | | | | | | | |
| Dry cleaning, self-service. | | | | | | X | X | | | | | | | | |
| Dry Kiln. | | | | X | | | | | | | | | | | |
| Dwellings, multi-family, attached row without common interior halls or entrances. | | | | | | | | X | | | | X | | | |
| Dwellings, apartment house and other multi-family. (2nd floor and above in CG & CN) | | | | | | X | X | | X | | | X | | | |
| Dwellings, single-family. | | | X | | | | | X | X | X | X | X | X | X | X |
| Dwellings, two-family. | | | | | | | | | X | X | | X | X | | |
| Dwellings, facilities to accommodate agriculture employees and their families employed by the owner of the premises, provided such facilities are permitted only on holdings containing minimum of 10 acres (20 acres - AO) and provided further that such housing facilities shall be considered accessory to the main dwelling and shall conform to the provisions of the district pertaining to required yards and open spaces for dwellings. | | X | | | | | | X | X | X | | | | | X |
| Dye stuff manufacture. | | | | | X | X | | | | | | | | | |
| Eating and drinking establishments, bars taverns, and cocktail lounges (excluding drive-in curb service) | | | | | | X | | | | | | | | | |
| Eating establishments(drive-in curb service - By Conditional Use Permit) | | | | | | X | X | | | | | | | | |

LIST OF USES

| | Prohibited | LU | IR | IH | IL | CG | CN | AO | AG | AR | FR | RM | R-60 | R-72 | R-96 |
|---|------------|----|----|----|----|----|----|----|----|----|----|----|------|------|------|
| Electrical appliances, manufacture, and assembly. | | | | X | X | | | | | | | | | | |
| Emery Cloth or sandpaper manufacture. | | | | X | X | | | | | | | | | | |
| Enameling, japanning, lacquering, or the plating or galvanizing of metals. | | | | X | X | | | | | | | | | | |
| Excelsior and/or fiber manufacture. | | | | X | | | | | | | | | | | |
| Explosives, manufacture and storage. (By Conditional Use Permit) | | | | X | | | | | | | | | | | |
| Fall-out shelter as defined in Section 3.69 | | X | X | X | X | X | X | X | X | X | X | X | X | X | X |
| Farm machinery assembly. | | | | X | X | | | | | | | | | | |
| Farm machinery repair and sales. | | | | X | X | X | | | | | | | | | |
| Fat rendering (By Conditional Use Permit) | | | | X | | | | | | | | | | | |
| Feed and seed processing and cleaning. | | | | X | X | | | | | | | | | | |
| Feed and seed, farm and garden supply retail sales. | | | | | X | X | | | | | | | | | |
| Felt manufacture. | | | | X | | | | | | | | | | | |
| Fertilizer manufacture. | | | | X | | | | | | | | | | | |
| Fertilizer wholesale sales. | | | | X | X | | | | | | | | | | |
| Fertilizer retail sales. | | | | X | X | X | | | | | | | | | |
| Finance and Loan companies. | | | | | | X | X | | | | | | | | |
| Fire stations.(By Conditional Use Permit) | | | | X | X | X | X | X | X | X | X | X | X | | |
| Florist, retail,(By Conditional Use Permit) AR, AG, & AR. | | | | | | X | X | | X | X | X | | | | |
| Flour mill. | | | | X | | | | | | | | | | | |
| Food products, manufacture, storage, processing and packaging of, but not including the manufacture and processing of lard, pickles, sauerkraut, sausage, or vinegar. | | | | X | X | | | | X | | | | | | |

LIST OF USES

| | Prohibited | LU | PR | IH | IL | CG | CN | AO | AG | AR | FR | RM | R-60 | R-72 | R-96 |
|--|------------|----|----|----|----|----|----|----|----|----|----|----|------|------|------|
| Food products manufacture, storage, processing and packaging of sauerkraut, lard, pickles, sausage or vinegar. | | | | X | | | | | | | | | | | |
| Food stores(retail only): grocery, super-market, delicatessen, meat and fish, but excluding the killing and dressing of any flesh or fowl. | | | | | X | X | | | | | | | | | |
| Forest products, growing and harvesting, including processing of locally harvested crops using portable equipment. | | | | | | | | X | X | X | X | | | | |
| Foundries or metal fabrication plants using plate and structural shapes. | | | | X | | | | | | | | | | | |
| Frozen Food lockers | | | | | X | X | | | | | | | | | |
| Fuel Oil, gasoline and petroleum products in unpressurized tanks of 15,000 gallons or less capacity, bulk storage or sale. | | | | X | X | | | X | X | X | X | | | | |
| Fuel Oil, gasoline and petroleum products in unpressurized tanks of more than 15,00 gallon capacity, bulk storage. | | | | X | | | | | | | | | | | |
| Fuel Oil, l.p gas, and kerosene for domestic heating purpose in above-ground containers not exceeding 750 gallon capacity. | | | | X | X | X | | X | X | X | X | X | X | X | X |
| Fuel oil and kerosene: the incidental sale at retail of same in cans of not over five gallon capacity. | | | | X | X | X | X | | | | | | | | |
| Furnace repair and cleaning. | | | | X | X | X | | | | | | | | | |
| Furniture manufacturing | | | | X | X | | | | | | | | | | |
| Furniture and home furnishings retail sales. | | | | | | X | X | | | | | | | | |
| Fur farms: raising and breeding of foxes mink, beaver, chinchillas and lynx for sale of pelts. | | X | | | | | | X | X | X | | | | | |
| Furriers, retail sales and for storage. | | | | X | | X | | | | | | | | | |

LIST OF USES

| | Prohibited | LU | PR | IH | IL | CG | CN | AO | AG | AR | FR | RM | R-90 | R-72 | R-96 |
|--|------------|----|----|----|----|----|----|----|----|----|----|----|------|------|------|
| Garbage and waste incineration. | | | | X | | | | | | | | | | | |
| Garbage, offal and animal reduction, or processing. (By Conditional Use Permit) | X | | | | | | | | | | | | | | |
| Gas storage in quantities not exceeding 500,000 cubic feet nor within 100 feet of any plot lines, nor exceeding 200 cubic feet if the pressure is greater than 100 pounds per square inch, within 50 feet of any plot lines. | | | | X | | | | | | | | | | | |
| Gases or liquified petroleum gases in approved portable metal cylinders for storage or sale. | | | | X | X | X | | | | | | | | | |
| Glass or glass products manufacture. | | | | X | | | | | | | | | | | |
| Go-karts tracks, race tracks, drag strips motorcycle hills.(By Conditional Use Permit) | | X | | | | | | | | | | | | | |
| Golf Driving range and putting course (By Conditional Use Permit) | | | | | X | X | | | X | X | | | | | |
| Golf courses.(By Conditional Use Permit) | | | | | | | | X | X | X | | | | | |
| Glue, size and gelatin manufacture. | | | | X | | | | | | | | | | | |
| Grain elevators. | | | | X | X | | | X | X | X | | | | | |
| Grounds for games or sports, parks, Country clubs, recreational and community center buildings, gymnasiums, swimming, tennis, yacht and boating clubs, and other similar activities not operated for profit. | | X | X | X | X | X | X | X | X | X | X | X | X | X | X |
| Gun and archery ranges.(By Conditional Use Permit) | | X | X | | | | | X | X | | | | | | |
| Hardware, appliances, and electrical items retail sale. | | | | | | X | X | | | | | | | | |
| Hat cleaning and blocking. | | | | | X | | | | | | | | | | |
| Hatcheries. | | X | | X | X | | | X | X | | | | | | |

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LIST OF USES

Heavy industry not otherwise listed provided the Planning Commission finds such industry is similar to other industries in Industrial Heavy District (By Conditional Use Permit)

Heliports and/or helistops. (By Conditional Use Permit)

Hobby and toy stores.

Hog Farms.

Home occupations (see Table of Conditional Uses)

Hosiery manufacture.

Horticultural nurseries and commercial greenhouses. By Conditional Use Permit in a Residential area.

Hospitals. (By Conditional Use Permit)

Hospitals, mental and alcoholic. (By Conditional Use Permit.)

Hotels catering to transient guests.

Ice manufacturing, storage and sales.

Incidental accessory retail uses such as cafeterias, gift or variety shops, conducted solely for the convenience of the employees, patients, patrons or visitors on the premises wholly within the principal building and without exterior advertising display.

Incidental keeping of non-transient boarders or lodgers by a resident family, provided less than 50 percent of the total floor area in one dwelling unit used for living purpose is devoted to such occupancy.

Industrial chemical manufacture except highly corrosive materials.

| Prohibited | LU | PR | IH | IL | CG | CN | AO | AG | AR | FR | RM | R-60 | R-72 | R-96 |
|------------|----|----|----|----|----|----|----|----|----|----|----|------|------|------|
| | | | X | | | | | | | | | | | |
| | | X | X | X | | | X | X | X | X | | | | |
| | | | | | X | X | | | | | | | | |
| | | | | | | | X | X | | | | | | |
| | X | | | | | | X | X | X | X | X | X | | |
| | | | X | X | | | | | | | | | | |
| | | | | X | X | X | X | X | X | | | | | X |
| | | | | | | | | X | X | X | | X | | |
| | | | | | | | | X | X | | | | | |
| | | | | | X | | | | | | | | | |
| | | | X | X | | | | | | | | | | |
| | X | X | X | X | X | X | X | X | | | | | | |
| | | | | | X | | | X | X | | X | X | | |
| | | | X | | | | | | | | | | | |

LIST OF USES

| | Prohibited | LU | PR | IH | IL | CG | CN | AO | AG | AR | FR | RM | R-60 | R-72 | R-06 |
|---|------------|----|----|----|----|----|----|----|----|----|----|----|------|------|------|
| Ink manufacture. | | | | X | | | | | | | | | | | |
| Insulation material manufacture and sale | | | | X | X | | | | | | | | | | |
| Irrigation systems and equipment, sales service and storage. | | | | X | X | X | | | | | | | | | |
| Jails and penal institutions. | | | X | X | X | | | | | | | | | | |
| Janitor service and/or industrial cleaners. | | | | X | X | X | | | | | | | | | |
| Jewelry and watch sale. | | | | | | X | X | | | | | | | | |
| Junk yards, but only when conducted with- in an enclosure not less than 8 feet in height with a solidity of not less than 60 percent; said enclosure shall be located at least 50 feet from any public street. | | | | X | | | | | | | | | | | |
| Kennels when not accessory to a vetin- ary or animal hospital | | X | | | X | | | | X | | | | | | |
| Laboratories for research and testing. | | | | X | X | X | | | | | | | | | |
| Labor camps (Transient - By Conditional Use Permit) | | | | | | | | | X | X | | | | | |
| Land fills, sanitary, for disposal of stumps, trash and garbage. (by Condi- tional Use Permit) | | | | X | X | | | X | X | | | | | | |
| Laundries: all hand laundries and any small power laundries operated in conjunction with a retail service counter on the premises where not more than 2,000 square feet of floor space is devoted to the laundering and fini- shing processes, provided the total operating capacity of all commercial washing machines shall not exceed 400 pounds and no coal-burning or smoke producing equipment is used. | | | | X | X | X | | | | | | | | | |
| Laundries, steam. | | | | X | X | | | | | | | | | | |
| Launderette service and self service: where individual, family-sized laun- dry equipment is rented for use by the customer. | | | | | | X | X | | | | | | | | |

LIST OF USES

Laundry pick-up stations.

Leather goods, manufacture.

Libraries, museums, and art galleries.

Light manufacturing or processing not otherwise named herein, provided no operations are carried on, or are likely to be carried on which will create smoke, fumes, noise, odor or dust, which will be detrimental to the health, safety or general welfare of the area.

Linseed oil, shellac, turpentine manufacture or refining.

Livestock feed yards.

Livestock auction yards.

Lock and gunsmiths.

Log storage and moorage.

Lodges, fraternal and social organizations, provided that any such establishments shall not be conducted primarily for gain.

Lucrication grease manufacture or oil compounding.

Lumber mills, saw mills, plywood mills or shingle mills.

Lumber yards, building materials storage and sale.

Machine shops.

Machine tool manufacture.

Meat processing and packing to include slaughter when part of a complete meat packing industry.

Medical and dental clinics. (By Conditional Use in Districts Rm & FR)

| Prohibited | LU | PR | IH | IL | CG | CN | AO | AG | AR | FR | RM | R-60 | R-72 | R-96 |
|------------|----|----|----|----|----|----|----|----|----|----|----|------|------|------|
| | | | | | X | X | | | | | | | | |
| | | | X | X | | | | | | | | | | |
| | | X | | | X | X | | | X | | X | | | |
| | | | | X | | | | | | | | | | |
| | | | X | | | | | | | | | | | |
| | X | | X | | | | X | X | | | | | | |
| | X | | X | | | | | X | | | | | | |
| | | | | X | X | | | | | | | | | |
| | | | X | | | | | | | | | | | |
| | | | | | X | X | | X | X | X | X | | | |
| | | | X | | | | | | | | | | | |
| | | | X | | | | | | | | | | | |
| | | | X | X | | | | | | | | | | |
| | | | X | | | | | X | | | | | | |
| | | | X | | | | | | | | | | | |
| | | | | | X | X | | | X | X | X | | | |

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LIST OF USES

| | Prohibited | LU | PR | IH | IL | CG | CN | AO | AG | AR | FR | RM | R-60 | R-72 | R-96 |
|--|------------|----|----|----|----|----|----|----|----|----|----|----|------|------|------|
| Metal fabrication and boiler or tank works. | | | | X | | | | | | | | | | | |
| Microwave relay stations.(By Conditional Use Permit) | | X | | | | | | X | X | | | | | | |
| Motorcycle sales and repair. | | | | | X | X | | | | | | | | | |
| Motels and motor courts. | | | | | X | X | | | | | | | | | |
| Music stores. | | | | | | X | | | | | | | | | |
| News Stands | | | | | | X | X | | | | | | | | |
| Nitrating processes. | | | | X | | | | | | | | | | | |
| Nurseries, horticultural, wholesale and retail. | | | | | | X | X | | X | X | X | | | | |
| Office building: governmental and private office buildings including professional offices, and police stations (By Conditional Use Permit in RM District). | | | X | | | X | X | | X | | | X | | | |
| Office buildings and professional offices in which no activity is carried on catering to retail trade or service with the general public and no stock of goods is maintained for sale.(By Conditional Use in RM & FR) | | | | | | X | X | | | X | X | X | | | |
| Offices for doctors, lawyers, dentist, architects and engineers, etc. operated as an incidental home occupation, but only by a person resident in the building, provided that no more than 200 sq.ft. or 1/5 total floor area in any dwelling unit is devoted to such use. | | | | | | | | | | X | X | X | X | | |
| Office equipment and supplies sales and service. | | | | | | X | | | | | | | | | |
| Oilcloth or linoleum manufacture. | | | | X | | | | | | | | | | | |
| Optical and scientific instrument, jewelry and clock, musical instrument manufacture. | | | | X | X | | | | | | | | | | |

LIST OF USES

| | Prohibited | LU | PR | IH | IL | CG | CN | AO | AG | AR | FR | RM | R-60 | R-72 | R-96 |
|--|------------|----|----|----|----|----|----|----|----|----|----|----|------|------|------|
| Opticians and optical supplies sales. | | | | | | X | X | | | | | | | | |
| Orphanage and charitable institutions all provided that no buildings so used shall be within 100 feet of any plot line. | | | X | | | | | | X | X | | X | X | | |
| Oxygen manufacture and/or storage. | | | | X | | | | | | | | | | | |
| Paint and body shops. | | | | X | X | | | | | | | | | | |
| Paint and enamel manufacture. | | | | X | | | | | | | | | | | |
| Paint retail sales. | | | | | | X | X | | | | | | | | |
| Paper, pulp, cardboard, box, building plaster or wall board manufacture. | | | | X | | | | | | | | | | | |
| Pasturing and grazing. | | X | | | | | | X | X | X | X | | | | X |
| Pawn shops or second-hand stores. | | | | | | X | | | | | | | | | |
| Pet shops, bird stores, taxidermists. | | | | | | X | | | | | | | | | |
| Petroleum refining or manufacture (By Conditional Use Permit) | | | | X | | | | | | | | | | | |
| Pharmaceuticals, manufacturing, processing, packaging, and storage of including drugs, perfumes, toiletries and soap (cold mix only) | | | | X | X | | | | | | | | | | |
| Photographic studios. | | | | | | X | X | | | | | | | | |
| Physical culture establishments. | | | | | | X | | | | | | | | | |
| Planing mill. | | | | X | X | | | | | | | | | | |
| Plastics manufacture. | | | | X | | | | | | | | | | | |
| Plumbing, heating materials, retail only. | | | | | | X | | | | | | | | | |
| Plumbing shop and yard. | | | | X | X | | | | | | | | | | |
| Pottery, porcelain and vitreous china manufacture. | | | | X | | | | | | | | | | | |
| Poultry and small animal killing and dressing for wholesale or retail. (in AG & AO when part of agricultural use of land) | | | | X | | | | X | X | | | | | | |

LIST OF USES

| | Prohibited | LU | PR | IH | IL | CG | CN | AO | AG | AR | FR | RM | R-60 | R-71 | R-96 |
|--------|------------|----|----|----|----|----|----|----|----|----|----|----|------|------|------|
| | | | | X | X | | | | | | | | | | |
| | | | | X | X | X | | | | | | | | | |
| | | | | | | | | | | | | | | | |
| | | | X | X | X | | | X | X | X | X | X | X | X | X |
| | | | | | | | | | | | | | | | |
| | | X | | X | X | | | X | X | X | X | | | | |
| R | | | | | | X | X | | | | | | | | |
| | | | | | | | | | | | | | | | |
| Ra | | | X | | | | | | | | | | | | |
| Rc | | | | | | | | X | X | | | | | | |
| Ro | | | | | | | | | | X | X | | | | |
| Ro1 | | | X | | | | | | | X | X | | | | |
| Rub | | | | | | | | | | X | X | X | X | | |
| Sal | | | | | | X | X | X | | | | | | | |
| Sanc | | | | | | X | | | | | | | | | |
| Scho | | | | | | | | | | | | | | | |
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| or | | | | | | | | | | | | | | | |
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| Scrap | | | | | | | | | | | | | | | |
| bal | | | | | | | | | | | | | | | |
| Sheet | | | | | | | | | | | | | | | |
| Shoe m | | | | | | | | | | | | | | | |
| Shoe r | | | | | | | | | | | | | | | |

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| LIST OF USES | Prohibited | LU | PR | IH | IL | CG | CN | AO | AG | AR | FR | RM | R-60 | R-72 | R-96 |
|---|------------|----|----|----|----|----|----|----|----|----|----|----|------|------|------|
| | | | | | | | | | | | | | | | |
| Tar and water proofing materials manufacture, treatment and storage. | | | | X | | | | | | | | | | | |
| Temporary buildings or structures. (By Conditional Use Permit in R classifications.) | | X | | X | X | X | X | X | X | X | X | X | X | X | X |
| Textile and machinery manufacture. | | | | X | | | | | | | | | | | |
| Theaters, coliseums and assembly halls housed in a permanent indoor structure | | X | | | | X | | | | | | | X | | |
| Tile: manufacture of wall and floor tile and related small tile products. | | | | X | X | | | | | | | | | | |
| Tire recapping and retreading. | | | | | X | X | | | | | | | | | |
| Tobacco, manufacture of, including chewing tobacco. | | | | X | | | | | | | | | | | |
| Trailer parks and mobile home parks: the following shall apply: | | | | | X | X | | X | | | | | X | | |
| a) the minimum site area for a trailer park shall be not less than 2 acres: | | | | | | | | | | | | | | | |
| b) there shall be at least 2,000 square feet of site area per trailer space; plus 1000 square feet; | | | | | | | | | | | | | | | |
| c) the property used for a trailer park shall have access only from a primary or secondary arterial; | | | | | | | | | | | | | | | |
| d) no residence shall be permitted on the trailer park site except a residence for the owner or manager of such trailer park; and | | | | | | | | | | | | | | | |
| e) the trailer park must meet all requirements of the County Mobile Home Park Ordinance. | | | | | | | | | | | | | | | |
| Trailer or Mobile Home outside a mobile home park, the following shall apply: | | X | | | | | | X | X | X | | X | X | | |
| a) satisfy requirements of County Health Department | | | | | | | | | | | | | | | |
| b) land area to comply with bulk, dimensional and general requirements within the zoning classification in which it is located. | | | | | | | | | | | | | | | |
| c) satisfy requirements of the building code; | | | | | | | | | | | | | | | |
| d) an approved Conditional Use Permit issued. | | | | | | | | | | | | | | | |

LIST OF USES

Trailer sales area.

Truck terminals, truck repair shops,
truck hauling and storage yards.

Variety stores.

Undertaking establishments, mortuaries,
funeral homes or parlors. (By Condi-
tional Use Permit.)

Upholstery, paperhanging, and decorator
shops.

Vegetable oil manufacturing, refining or
storage, but excluding fat rendering.

Veterinary hospitals, and animal hos-
pitals, (By Conditional Use Permit) AO

Water and sewage treatment plants and
water towers. (By Conditional Use Permit)

Wholesale and jobbing establishments
including incidental retail outlets
for only such merchandise as is
handled at wholesale.

Woodworking shops, millwork.

| Prohibited | LU | PR | IH | IL | CG | CN | AO | AG | AR | FR | RM | R-60 | R-72 | R-96 |
|------------|----|----|----|----|----|----|----|----|----|----|----|------|------|------|
| | | | | X | X | | | | | | | | | |
| | | | X | X | | | | | | | | | | |
| | | | | | X | X | | | | | | | | |
| | | | | | X | | | X | X | X | X | | | |
| | | | | X | X | | | | | | | | | |
| | | | X | | | | | | | | | | | |
| | X | | | X | X | | X | X | | | | | | |
| | X | | X | X | | | X | X | | | | | | |
| | | | X | X | | | | | | | | | | |
| | | | X | X | | | | | | | | | | |

| Minimum Lot Area Requirements Zone Sq.Ft. Width | Minimum Yard Requirements Front Feet Side Rear | Maximum Lot Coverage | Maximum Height | Fence Limits | General Provisions |
|---|--|----------------------------|--|-------------------------------------|--|
| R-96 9,600 75 | 20 10 25 ea. | 30% | 35 No limit for barns & other agricultural structures | Front: 3-1/2 | Off-street parking required in accordance with Chapter 6. |
| R-72 7,200 60 | 20 5 20 ea. | 35% | 35 | Front: 3-1/2 | Off-street parking required in accordance with Chapter 6. |
| R-60 6,000 60 | 15 5 20 ea. | 35% | 35 | Front: 3-1/2 Side 6 Rear 6 | Off-street parking required in accordance with Chapter 6. |
| RM 6,000 50 | 15 5 20 ea. | 35% | 50 | Front: 3-1/2 Side 6 Rear 6 | Off-street parking required in accordance with Chapter 6. |
| FR 1 acre 100 | 30 10 | 20% | 35 No limit for barns & other agricultural structures | Front: 3-1/2 | Buildings housing fowl, rabbits horses, or other domestic animals or other agricultural buildings shall be set back a minimum of 75 feet. No required side or rear yard setback is required provided no adjoining residential building is located closer than 50 feet from side or rear yard. |

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| Minimum Lot Area Requirements | Minimum Yard Requirements | Maximum Lot Coverage | Maximum Height | Fence Limits | General Provisions |
|---|---------------------------|--|--|-----------------------|---|
| Zone Sq.Ft. Width AR 1 acre 100 AR-1 5 acres 200' | 30 10 | 20% | 35 No limit for barns or other agricultural structure | Front: 3-1/2 | Buildings housing fowl, rabbits, cows, horses, or other domestic animals shall maintain a front yard setback of 75 feet. No side or rear yard setback is required provided no adjoining residential building is located closer than 50 feet from side or rear yard. |
| AG 10 acres 330 | 30 10 | -- | 35 No limit for barns or other agricultural structure | Front: 3-1/2 | Buildings housing domestic animals or warehouses processing or accessory structures shall maintain a front yard setback. No side or rear yard setback is required provided no adjoining residential building is located closer than 50 feet from side or rear yard. |
| AO 20 acres 330 | 30 10 | -- | 35 No limit for barns or other agricultural structure | Front: 3-1/2 | Buildings housing domestic animals or warehouses processing or accessory structures shall maintain a front yard setback no side or rear yard setback is required provided no adjoining residential building is located closer than 50 feet from side or rear yard. |
| CN No restrictions | 15 5 15 ea. | 1 sq.ft. of gross floor area per 3 sq.ft. of lot | 35 | Minimum Side 6 Rear 6 | Off-street parking and loading areas required in accordance with Section 5.04 and Chapter 6. |

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| Minimum Lot Area Requirements | Minimum Yard Requirements | Maximum Lot Coverage | Maximum Height | Fence Limits | General Provisions |
|---------------------------------------|---|---|-----------------|-----------------------|---|
| Zone Sq.ft. Width | Front Side Rear | | | | |
| CG No Restrictions | No Restrictions except where abutting an R-District, then: None 10 15 | 1 sq.ft. of Gross floor area per 1 sq. ft. of lot | 50 | Minimum Side 6 Rear 6 | Off-street parking and loading areas required in accordance with Section 5.04 and Chapter 6. |
| IL No Restrictions | No Restrictions except where abutting an R-District, then: None 10 15 | 1 sq.ft. of Gross floor area per 1 sq. ft. of lot | No Restrictions | Minimum Side 8 Rear 8 | Off-street parking and loading areas required in accordance with Section 5.04 and Chapter 6. |
| IH No Restrictions | No Restrictions except where abutting an R-District, -See Section 5.04. | 75% | 80 | Minimum Side 8 Rear 8 | Off-street parking and loading areas required in accordance with Section 5.04 and Chapter 6. |
| PR No Restrictions | 15 5 ea. 15 | 45% | 80 | Minimum Side 8 Rear 8 | Off-street parking and loading area required in accordance with Section 5.04 and Chapter 6. |
| LU See notes for area requirements | 30 10 | -- | -- | -- | Residential uses to comply with "PR" Classification requirements. Farming-Agricultural uses to comply with "AO" Classification requirements. Industrial uses, rubbish dumps, auto wrecking and junk yards or other similar use to be issued by the Planning Commission. |

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Section 5.03 Bulk and Dimensional Requirements

In recognition of the various topographical conformations and geographic relationships in the County and with consideration for the health, safety, and general welfare of the citizenry, bulk, dimensional and general requirements for the several districts are herewith established and set down in Section 5.03.1.

Section 5.04 Limitations on Uses

Those permitted uses locating in the several districts shall be subject to the following limitations:

- A. All sites in a "C" classified district having a common boundary with an "R" classified property, shall erect and maintain a view-obscuring fence or dense coniferous hedge to a height of not less than 6 feet along such common boundary for purposes of controlling access;
- B. All sites in an "I" classified district having a common boundary with an "R" classified property, shall have planted and maintained along such common boundary a view-obscuring coniferous greenbelt of shrubs, trees and native vegetation not less than 8 feet in height nor less than 10 feet in width, for screening purposes and controlling access;
- C. Greenbelt and fence requirements as herein provided shall be complied with within a period of 6 months from the effective date of this Resolution;
- D. All permitted uses established after the effective date of this Resolution, or enlargements amounting to an increase of 50 percent in gross floor area of a use established prior to the effective date of this Resolution, shall provide off-street parking and loading areas for each use and enlargement in accordance with the provisions of Chapter 6 of this Resolution;
- E. Where lighted signs and illuminated areas are permitted, such illuminating devices shall be shaded and directed so as not to be visible from any "R" classified property;
- F. Industrial uses shall be subject to the following conditions:
 - 1. In all industrial districts, the noise emanating from the premises used for industrial activities

shall be muffled so as to not become objectionable due to intermittent beat, frequency or shrillness;

2. Industrial and exterior lighting shall not be used in such a manner that produces glare on public highways and neighboring property. Arc welding, acetylene torch cutting or similar processes shall be performed so as not to be seen from any point beyond the outside of the property;
3. In terms of fire and safety hazards, the storage and handling of inflammable liquids, liquefied petroleum, gases, and explosives shall comply with rules and regulations of the State and other County regulations, and Uniform Building Code.
4. Provisions must be made for necessary shielding or other preventive measures against interferences occasioned by mechanical, electrical and nuclear equipment, uses, or processes with electrical apparatus in nearby buildings or land uses.
5. The emission of obnoxious odors of any kind shall be minimized and the emission of any toxic or corrosive fumes or gases shall not be permitted. Dust and other types of air pollution borne by the wind from such sources as storage areas and roads, shall be minimized by appropriate landscaping, paving, oiling or other acceptable means.
6. Liquid and solid wastes, and storage of animal or vegetable waste which attracts insects or rodents or otherwise create a health hazard shall be prohibited. No waste products shall be exposed to view from eye level from any property line in an IL district.
7. Open Storage. All storage shall be located within an area not closer than 20 feet from the street right-of-way line and shall be enclosed with a heavy wire fence or of a similar type, with the top of said fence not to be less than 8 feet above the adjoining street level, or by an attractive hedge or board fence at least 8 feet high.

In the case of the open storage of lumber, coal, or other combustible material, a roadway shall be provided, graded, surfaced and maintained from the street to the rear of the property to permit

free access of fire trucks at any time.

Section 5.05 Yellowhawk and Garrison Creeks

Yellowhawk and Garrison Creeks shall be considered public rights-of-way and the appropriate set-back requirements shall apply. In the case of commercial or industrial development abutting these two creeks, no structure shall be permitted within 10 feet of the mean high water mark.

CHAPTER VI

GENERAL PROVISIONS

OFF-STREET PARKING, LOADING AREAS, FENCES, ANIMALS, AND

PLANNED UNIT DEVELOPMENT

Section 6.00 Intent

Provisions of this chapter are of general application to several of the districts described in Chapter 5. It is the intent of this chapter to set down provisions for off-street parking, loading areas, and fences, to prevent congestion in the streets, promote and protect property values and to provide for the health, safety, and welfare of the citizenry.

Section 6.01 General Requirements, Parking

Each off-street parking space shall have a net area of not less than 200 square feet exclusive of driveways or aisles, and shall be of usable shape and condition; to determine on a gross area basis, 300 square feet shall be allowed per vehicle. If the required parking space for a one or two-family dwelling is not provided in a covered garage, then such space shall be not less than 200 square feet, and shall be so located and/or constructed that it may later be covered by a garage structure in accordance with the provisions of this Resolution and the Building Code, where applicable.

- A. Location: off-street parking facilities shall be located as hereinafter specified; where a distance is specified, such distance shall be the walking distance measured from the nearest point of the parking facility to the nearest point of the building that such facility is required to serve.
1. For one and two-family dwellings; on the same lot with the building they are required to serve.
 2. For multiple dwellings: not more than 100 feet.
 3. For hospitals, sanitariums, convalescent homes, nursing homes, rest homes, homes for the aged, asylums, retirement homes, rooming and boarding houses: not more than 300 feet.
 4. For uses other than those specified above: not more than 500 feet.

- B. Expansion and Enlargement: whenever any building is enlarged in height or in ground coverage, off-street parking shall be provided for said expansion or enlargement in accordance with the requirements of the schedule: provided, however, that no parking space need be provided in the case of enlargement or expansion where the number of parking spaces required for such expansion or enlargement is less than 10 percent of the parking spaces specified in the schedule for the building. Nothing in this provision shall be construed to require off-street parking spaces for the portion of such building existing at the time of passage of this Resolution.
- C. Nonconforming Uses: nothing in this Resolution shall be deemed to prevent the voluntary establishment of off-street parking or loading facilities to serve any existing use of land or buildings provided that all regulations herein governing the location, design, and operation of such facilities are adhered to.
- D. Mixed Occupancies: in the case of mixed uses, the total requirements for the various uses shall be computed separately. Off-street parking facilities for one use shall not be considered as hereinafter specified for joint use.
- E. Uses Not Specified: in the case of a use not specifically mentioned in parts below, the requirements for off-street parking facilities shall be determined by the Planning Commission. Such determination shall be based upon the requirements for the most comparable use listed.
- F. Joint Use: the Planning Commission may authorize the joint use of parking facilities for the following uses or activities under conditions specified:
1. Up to 50 percent of the parking facilities required by this chapter for primarily "night time" uses such as theaters, bowling alleys, bars, restaurants and related uses, may be supplied by certain other types of buildings or uses herein referred to as "daytime" uses, such as banks, offices, retail, personal service, or wholesale and related uses;
 2. Up to 50 percent of the parking facilities required by this chapter for primarily "daytime" uses may be supplied by primarily "night time" uses;

3. Up to 100 percent of the parking facilities required by this chapter for a church or for an auditorium incidental to a public or parochial school, may be supplied by the off-street parking facilities provided by uses primarily of a "daytime" nature.

G. Conditions Required For Joint Use: the building or use for which application is being made to utilize the off-street parking facilities provided by another building or use, shall be located within 500 feet of such parking facilities, in addition to which:

1. The applicant shall show that there is no substantial conflict in the principal operating hours of the two buildings or uses for which joint use of off-street parking facilities is proposed; and
2. The applicant shall present a properly drawn legal instrument, recorded with the County Auditor, executed by the parties concerned for joint use of off-street parking facilities, and approved as to form and manner of execution by the County Prosecuting Attorney, to the Planning Commission upon application, such instrument to be filed with the Director of Planning upon approval by the Planning Commission.

H. Table of Minimum Standards: required parking spaces shall be in conformance with the following table and where alternative standards prevail, the greater applies in conflicting computations.

Section 6.01.1 TABLE OF MINIMUM PARKING STANDARDS

| <u>USE</u> | <u>SPACES REQUIRED</u> |
|---|--|
| Residential, Single - family | 1 per dwelling unit |
| Residential, duplex or multi-family | 1.5 per dwelling unit |
| Boarding house, lodging house, and similar uses | 1 per dwelling unit or lodging unit |
| Convalescent, nursing homes, rest homes and homes for the aged | 1 per 6 beds plus 1 per each permanent staff employee |
| Retirement homes | .05 per dwelling unit |
| Motels and motor courts | 1 per sleeping room |
| Hotels | 1 per sleeping room |
| Hospitals and institutions | 1 per 3 beds |
| Theaters | 1 per 3 seats |
| Churches, auditoriums and similar enclosed places of assembly | 1 per 3 seats or 60 lineal inches of pew or 40 square feet of gross floor area used for assembly purposes. |
| Stadiums, sport arenas and similar open assemblies | 1 per 8 seats and/or 1 per 100 square feet of assembly space without fixed seats |
| Bowling alleys | 5 per alley |
| Medical and dental clinics | 1 per 250 square feet of gross floor area |
| Banks, business and professional offices with on-site customer services | 1 per 400 square feet of gross floor area |
| Offices not providing customer services | 1 per 4 employees or 1 per 800 square feet of gross floor area |
| Mortuaries | 1 per 75 square feet of gross floor area used for assembly |
| Warehouse, storage and wholesale business and freight terminals | 1 per 2 employees on maximum working shift |

| | |
|---|---|
| Food & Beverages places with sale and consumption on premises if less than 4,000 sq. ft. of floor area. | 1 per 200 square feet of gross floor area. |
| if over 4,000 square feet of floor area | 20 plus 1 per 100 square feet of gross floor area in excess of 4,000 square feet. |
| Furniture, appliance, hardware clothing, shoe, personal service stores | 1 per 600 square feet of gross floor area |
| Motor vehicle, machinery, plumbing heating, ventilating, building supplies stores and services | 1 per 1,000 square feet of floor area or 1 per 3 employees |
| Other retail: if less than 5,000 square feet of floor area | 1 per 300 square feet of gross floor area |
| if over 5,000 square feet of floor area | 17 plus 1 per 100 square feet in excess of 5,000 square feet. |
| Manufacturing uses, research testing and processing, assembling all industries | 1 per 2 employees on maximum shift and not less than 1 per each 800 square feet of gross floor area |
| Libraries and museums | 1 per 250 square feet of gross floor area |
| Schools, elementary and junior high, public, private or parochial | 1 per each employee and each faculty member |
| Schools, high, public parochial, private | 1 per 50 students plus 1 per each employee and each faculty member |
| Service stations, and drive-in restaurants (by conditional use permit) | 1 per 80 square feet gross floor area with 10 spaces minimum requirement |

I. Plans: the plan of the proposed parking area shall be submitted to the Director of Planning at the time of the application for the building permit for which the parking area is required. Said plan shall clearly indicate the proposed development, including location, size, shape, design, curb cuts, lighting, landscaping, construction details, and other features, and appurtenances required.

1. All traffic control devices such as parking stripes designating car stalls, directional arrows or signs, bull rails, curbs, and other developments, shall be installed and completed as shown on the approved plans. Hard-surfaced parking areas shall use paint or similar devices to delineate car stalls and directional arrows. Gravel parking areas shall use wood or concrete bull rails or wheelstops and posted signs to delineate car stalls and direction of traffic. Where pedestrians walks are used in parking lots for the use of foot traffic only, they shall be curbed, or raised 6 inches above the lot surface. All driveways, off-street parking areas and public off-street areas immediately adjacent to a service driveway which leads to a hard-surfaced public street shall be hard-surfaced with a minimum of 2 inches of asphaltic concrete, and for a driving distance of at least 50 feet from said service driveways.
2. Minimum dimensions of off-street parking space shall be not less than 200 square feet with minimum width of 9 feet.
3. Landscaping shall be included as a part of lot design and shall include tree and shrub plantings within the parking area at approximately 7 feet on center.
4. Screening in the form of walls, architectural fences or dense coniferous hedges shall be erected or planted and maintained where the parking lot has common boundary with any "R" classified property.
5. Lighting of areas provided for off-street parking shall be so arranged to not constitute a nuisance or hazard to passing traffic and where said lots share a common boundary with any "R" classified property, the illuminating devices shall be shaded and directed to play their light away from "R" classified property.

6. Maintenance of all areas provided for off-street parking shall include removal and replacement of dead and dying trees, grass and shrubs, removal of trash and weeds, and repair of traffic control devices, signs, light standards, fences, walls, surfacing material, curbs and railings.

Section 6.02 General Requirements, Loading Areas

Each off-street loading space shall measure not less than 30 feet by 12 feet and shall have an unobstructed height of 14 feet, 6 inches and shall be made permanently available for such purposes, and shall be surfaced, improved and maintained as required in Section 6.01 - I, above.

Section 6.02.1 TABLE OF MINIMUM LOADING STANDARDS

Required loading spaces shall be in conformance with the following table.

Department stores, freight terminals, hospitals, sanitariums, industrial or manufacturing establishments, retail or wholesale stores or storage warehouses or any similar use which has, or intends to have 10,000 square feet or more, shall provide truck loading or unloading berths:

| <u>Square feet of aggregate gross floor area</u> | <u>Required number of berths</u> |
|--|----------------------------------|
| 10,000 to 15,999 | 1 |
| 16,000 to 39,999 | 2 |
| 40,000 to 65,000 | 3 |
| for each additional 16,000 | 1 additional |

Auditoriums, convention or exhibit halls, sports arenas, hotels, office buildings, restaurants or similar uses which have, or intend to have an aggregate gross floor area of 40,000 square feet, or more, shall provide truck loading or unloading berths:

| <u>Square feet of aggregate gross floor area</u> | <u>Required number of berths</u> |
|--|----------------------------------|
| 40,000 to 59,999 | 1 |
| 60,000 to 99,999 | 2 |
| 100,000 to 160,000 | 3 |
| for each additional 60,000 | 1 additional |

Section 6.03 General Requirements, Fences

Solid fences a maximum of 42 inches high are permitted in front yards to the front property lines including corner lots. Open rail fences a maximum of 4 feet 6 inches in height are permitted in front yards where the total fence height is not less than two-thirds open. 6 foot high fences are permitted in side, and rear yards.

Fences which deprive adjacent properties of a natural view of the landscape which is a contributing factor in the value of the land, are prohibited.

Section 6.04 General Requirements, Animals

Animals and fowl kept for individual domestic purposes, not including commercial operations shall be in conformance with the following table.

Section 6.04.1 TABLE OF MINIMUM STANDARDS FOR ANIMALS

| <u>Type of Animal</u> | <u>Conditions</u> |
|-------------------------------------|---|
| Horses - Mules R96, R72, R60, RM | 10,000 square feet of open fenced area for a maximum of two horses or mules. Require 6,000 additional square feet for each additional animal. Barns used for the housing of animals and storage of hay should be considered as any other accessory building in the area in which they are to be constructed. Fences in residential areas for animals-- should allow wood or woven wire construction of not less than 4 ft. in height or more than six ft. A maximum of two strands of either barbed wire or electric fence with proper signs be allowed, if constructed a minimum of 12 inches inside the regular fence. All animal fencing shall be located or constructed in such a manner as to prevent the animals from encroaching on the abutting premises or property in any manner so as to prevent the destruction of trees, shrubbery and bushes of the abutting property. An enclosure for animals which does not provide forage shall be constructed 25 feet from the nearest lot line. |

FR, AR, AG, AO, LU

No restrictions except those in Section 5.03.1

Cows
R96, R72, R60, RM

FR, AR, AG, AO, LU

Sheep and goats
R96, R72, R60, RM

FR, AR, AG, AO, LU

Swine
R96, R72, R60, RM

FR, AR, AG, AO, LU

Poultry, rabbits, chinchillas,
nutrias
R96, R72, R60, RM

FR, AR, AG, AO, LU

Bees
R96, R72, R60, RM

FR, AR, AG, AO, LU

It should be noted that in all cases the enclosures regardless of size and the accessory buildings must be kept reasonably free and clean of flies and accumulated materials and shall be subject to such Health Department regulations as may be now hereafter established.

Minimum requirement of 10,000 sq. feet of open fenced area per animal. Fencing requirements shown for horses applied here.

No restrictions except those in Section 5.03.1

By written permission of abutting neighbors and permit. The permit would limit the number of not more than one per 2500 sq. ft.

No restrictions except those in Section 5.03.1

Not permitted

No Restrictions except those in Section 5.03.1 (Swine Permitted)

Not more than 50 of each per family, and shall be housed in a pen or coop and further enclosed by a fence. Pens and coops shall be not closer than 45 feet from any residence and shall also observe minimum yard requirements. No retail stand or building or killing or dressing of said animals for commercial purposes shall be permitted.

No restrictions except those in Section 5.03.1

The number of colonies of bees shall be limited to one colony for each 2,000 square feet of open space, when permitted by special use permit of the Planning Commission.

No restrictions except those in Section 5.03.1

CHAPTER VII

NON-CONFORMING LOTS, NON-CONFORMING USES OF LAND, NON-CONFORMING STRUCTURES, AND NON-CONFORMING USES OF STRUCTURES AND PREMISES.

Section 7.00 Intent

The provisions of this Chapter shall apply to buildings, structures, lands and uses which become non-conforming as a result of the application of this Resolution to them, or from classification or reclassification of the property under this Resolution or any subsequent amendments thereto. If a use originally authorized by a variance, conditional use permit or other valid use permit prior to the effective date of this Resolution is located within a district in which such use is not permitted by the terms of this Resolution, such use shall be a non-conforming use. Uses validly established prior to the effective date of this Resolution shall not be deemed non-conforming only because of failure to secure a conditional use permit required under this Resolution.

Section 7.01 Non-Conforming lots of record

In any district in which single-family dwellings are permitted, notwithstanding limitations imposed by other provisions of this Resolution, a single-family dwelling and customary accessory buildings may be erected on any vacant single lot of record at the effective date of adoption or amendment of this Resolution. Such lot must be in separate ownership and not of contiguous frontage with other lots in the same ownership. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are generally applicable in the district, provided that yard dimensions and other requirements not involving area or width, or both, of the lot shall conform to the regulations for the district in which such lot is located. Variance of area, width, and yard requirements shall be obtained only through action of the Planning Commission.

If 2 or more vacant lots or combinations of lots and portions of lots with continuous frontage in single ownership are of record at the time of passage or amendment of this Resolution, and if all or part of the lots do not meet the requirements for lot width and area as established by this Resolution, the lands involved shall be considered to be an undivided parcel for the purposes of this resolution, and no portion of said parcel shall be used or sold which does not meet lot width and area requirements established by this Resolution, nor shall

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any division of the parcel be made which leaves remaining any lot with width or area below the requirements stated in this Resolution.

Section 7.02 Non-Conforming uses of Land

Where, at the effective date of adoption or amendment of this Resolution, lawful use of land exists that is made no longer permissible under the terms of this Resolution as enacted or amended, such use may be continued, so long as it remains otherwise lawful, subject to the following provisions:

- A. No such non-conforming use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this Resolution;
- B. No such non-conforming use shall be moved in whole or in part to any other portion of the lot or parcel occupied by such use at the effective date of adoption or amendment of this Resolution;
- C. When a non-conforming use of a structure, or structure and premises in combination is discontinued or abandoned for one (1) year, the structure, or structure and premises in combination, shall not thereafter be used except in conformance with the regulations of the district in which it is located.

Section 7.03 Non-Conforming Structures

Where a lawful structure exists at the effective date of adoption or amendment of this Resolution that could not be built under the terms of this Resolution by reason of restrictions on area, lot coverage, height, yards, or other characteristics of the structure or its location on the lot, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

- A. No such structure may be enlarged or altered in a way which increases its non-conformity, unless an enlargement or structural alteration makes the building more conforming or is required by law;
- B. Should such structure be destroyed by any means to an extent of more than 50 percent of its replacement cost at time of destruction, it shall not be reconstructed except in conformity with the provisions of this Resolution;

- C. Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.
- D. Structural alterations may be permitted if necessary to adapt a non-conforming building to new technologies or equipment pertaining to uses housed in such building. Any enlargement necessary to adapt to new technologies shall be authorized only by a variance.

Section 7.04 Non-Conforming Uses of Structures

If a lawful use of a structure, or of structure and premises in combination, exists at the effective date of adoption or amendment of this Resolution, that would not be allowed in the district under the terms of this Resolution, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

- A. No existing structure devoted to a use not permitted by this Resolution in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located;
- B. Any non-conforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the time of adoption or amendment of this Resolution, but no such use shall be extended to occupy any land outside such building;
- C. If no structural alterations are made, any non-conforming use of a structure, or structure and premises, may be changed to another non-conforming use provided that the Planning Commission, either by general rule or by making findings in the specific case, shall find that the proposed use is equally appropriate or more appropriate to the district than the existing non-conforming use. In permitting such change, the Planning Commission may require appropriate conditions and safeguards in accord with the provisions of this Resolution;
- D. Any structure, or structure and land in combination, in or on which a non-conforming use is superseded by a permitted use, shall thereafter conform to the

regulations for the district in which such structure is located, and the non-conforming use may not thereafter be resumed;

E. When a non-conforming use of a structure, or structure and premises in combination is discontinued for 1 year, it is assumed to have been abandoned, the structure or structures and premises in combination, shall not thereafter be used except in conformance with the regulations of the district in which it is located;

F. Where non-conforming use status applies to a structure and premises in combination, removal or destruction of the structure shall eliminate the non-conforming status of the land.

Section 7.05 Repairs and Maintenance

Nothing in this Resolution shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety upon order of such official.

Section 7.06 Mapping of Non-Conformities

When any non-conforming condition exists it shall be the responsibility of the Director of Planning to ascertain the date upon which the non-conforming use was established or acquired. The Director of Planning shall prepare a map showing the exact location of all non-conforming uses within 120 days of adoption of this Resolution, and the map shall be kept current as conditions are changed.

CHAPTER VIII

CONDITIONAL USES AND VARIANCES

Section 8.00 Conditional Use - Authorization to Review

It is recognized that there are special uses which, because of their unique characteristics, cannot be properly classified in any particular district without consideration in each case of the impact of those uses upon neighboring land and of the public need for the particular use at the particular location. These uses are called conditional uses and the Planning Commission is hereby authorized to review an application for a conditional use.

Section 8.01 Conditional Use - Conditions Governing Application: Procedures.

The Planning Commission shall hear and consider only such conditional uses as they are specifically authorized to pass on by the terms of this Resolution; shall hear and decide such questions as are involved in determining whether conditional uses should be granted; and shall recommend granting conditional uses with such conditions and safeguards as are appropriate under this Resolution, or to deny conditional uses when not in harmony with the purpose and intent of this Resolution. A conditional use shall not be recommended by the Planning Commission unless and until:

- A. A written application for a conditional use is submitted stating the grounds on which it is requested;
- B. Notice shall be given at least 10 days in advance of public hearings. The owner of the property for which conditional use is sought or his agent shall be notified by mail. In addition, property owners of record within 500 feet of the exterior boundaries of the property for which a conditional use permit is sought shall be notified by mail. Notice of such hearings shall be posted on the property for which a conditional use permit is sought, at the County Courthouse, and one notice within the area notified by mail, at least 10 days prior to the public hearing;
- C. The public hearing shall be held. Any party may appear in person, or by agent or by attorney;
- D. The Planning Commission, shall make findings of

fact and state its reasons for recommending the conditional use permit, said findings of fact to include:

1. that the use will not endanger the public health or safety if located where proposed and developed, and that the use will not allow conditions which will tend to generate nuisance conditions such as noise, dust, glare, vibration;
2. that the use meets all required conditions and specifications set forth in the district where it proposes to locate;
3. that the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with the Comprehensive Plan.

To ensure the establishment of the above conditions, the Planning Commission shall have the authority to require and approve specific plans, to increase the requirements set forth above and requirements elsewhere in this Resolution, but in no case shall the Planning Commission have the authority to decrease the requirements of this Resolution for any use in the district it proposes to locate. Any such decrease in the requirements of this Resolution shall only be granted upon the issuance of a variance.

All conditions required by the Planning Commission shall be entered in the minutes of the meeting and also on the certificate of the Conditional Use Permit.

- E. The Planning Commission may prescribe a time limit within which the action for which the conditional use permit is required shall be begun or completed, or both. Failure to begin or complete, or both, such action within the time limit set shall void the conditional use permit.
- F. The following table of conditional uses, identified in permitted uses, will be considered by the Planning Commission. Uses not specifically listed in Section 5.02 require a Conditional Use Permit.

TABLE OF CONDITIONAL USES

Acid, manufacture of sulphurous, sulphuric, picuric, nitric, hydrochloric, hydrofluoric and other similar acids.
Airport runway clear zone development - within boundaries.
Amusement park or zoo.
Arsenals.
Cemeteries, manuseoleums.
Drive-in theaters.
Drive-in restaurants.
Explosives, manufacture and storage.
Fat rendering.
Garages, for storage only of automobiles as an accessory to a public or quasi-public institutions.
Garbage, offal and animal reductions, or processing.
Go-kart tracks, race tracks, drag strips, motorcycle hills.
Golf driving range and putting course.
Gun and archery ranges.
Heliports and/or helistops.
Home Occupations as defined in Section 3.38 and subject to the following conditions: (1) that the occupation or profession shall be carried on wholly within the principle building (2) that not more than one person outside the family shall be employed in the home occupation (3) that there shall be no exterior display, no exterior sign, no exterior storage of materials and no other exterior indication of the home occupations or variation from the residential character of the principal building and that no special equipment different from the normal residential equipment shall be installed, and no offensive noise, vibration, smoke, dust, odors, heat or glare shall be produced as a result thereof. In particular a home occupation shall include, but is not limited to, the following: art studio, dressmaking, professional offices of a dentist, lawyer, physician, engineer, architect, planner or accounts, secretarial typing service, musical or dancing instruction limited to four pupils at a time. In particular, a home occupation shall not include the following: barber shop, beauty parlor, commercial stables or kennels, real estate office, restaurant. The establishment of a home occupation shall require an initial permit granted by the County Planning Commission, revocable by the Planning Commission, upon its finding that there have been violations of the above regulations. The right granted by the initial permit must be maintained by an annual license from the County of Walla Walla.
Hospitals.
Hospitals, mental and alcoholic.
Labor Camps (transient)
Land fills, reclamation to improve steep, low or otherwise unusable land.
Land fills, sanitary, for disposal of stumps, trash and garbage.
Microwave relay stations.
Petroleum refining or manufacture.
Produce stands.
Public utility facilities and installations such as telephone exchanges, electrical distribution substations.
Public facilities, sewage or water pumping stations, water storage reservoirs or tanks necessary for the irrigation and transmission.

Quarries, gravel and rock extraction.
Recreation area, commercial - public or semi-public.
Smelting or refining of aluminum, copper, tin, or zinc.
Temporary buildings or structures.
Undertaking establishments, mortuaries, funeral homes or parlors.
Water and Sewage treatment plants and water towers.

Other uses not specifically identified in Section 5.02

Section 8.02 Variances - Authorization, Conditions Governing Applications; Procedures

The Planning Commission shall have the authority to review a variance from the terms of this Resolution in specific cases where it is found that the variance if granted will not be contrary to the public interest and where, because of special existing conditions with respect to the lot shape or topography, a literal enforcement of the provisions of this Resolution would result in unnecessary hardship. A variance from the terms of this Resolution shall not be considered by the Planning Commission unless and until:

- A. A written application for a variance is submitted demonstrating:
 - 1. that special conditions and circumstances exist which are peculiar to the land, the topography or the shape of the lot or some such thing inherent in the land that causes the hardship, and which are not applicable to other lands in the same district;
 - 2. that literal interpretation of the provisions of this Resolution would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Resolution; and,
 - 3. that the variance requested will not confer on the applicant any special privilege that is denied by this Resolution to other lands in the same district.
- B. Notice of public hearing shall be given as in Section 8.01 B.;
- C. The public hearing shall be held. Any party may appear in person, or by agent or by attorney;
- D. The Planning Commission shall make findings that the requirements of Section 8.02 A have been met by the applicant for a variance;
- E. The Planning Commission shall further make a finding that the variance if approved will be in harmony with the general purpose and intent of this Resolution and with the Comprehensive Plan.
- F. In any variance, the Planning Commission may prescribe appropriate conditions and safeguards in conformity with this Resolution. Violation of such

conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Resolution and punishable under Chapter 14 of this Resolution.

- G. The Planning Commission may prescribe a time limit within which the action for which the variance is required shall be begun or completed, or both. Failure to begin or complete, or both such action within the time limit set shall void the variance.
- H. Under no circumstances shall the Planning Commission consider a variance request to allow a use not permissible under the terms of this Resolution in the district involved or any use expressly or by implication prohibited by the terms of this Resolution in said district.

Section 8.03 Decisions of the Planning Commission

In exercising the above mentioned powers, the Planning Commission forwards its findings and recommendation to the Board of County Commissioners so long as such action is in conformity with the terms of this Resolution. The Board of County Commissioners after reviewing the proceedings may accept, reverse or modify the recommendation, or the Board may refer the application back to the Planning Commission for further consideration, noting certain elements needing clarification.

The concurring vote of 5 members of the Planning Commission shall be necessary to reverse any order, requirement, decision, or determination of the Director of Planning or Building Inspector, or to decide in favor of the applicant on any matter upon which it is required to pass under this Section, or to effect any variation in the application of this Resolution.

Section 8.04 Appeals from the Planning Commission

Any person or persons, or any board, taxpayer, department, board or bureau of the County aggrieved by any recommendation of the Planning Commission regarding variances or conditional uses may seek review from the Board of County Commissioners. Following review by the Board of County Commissioners, any person or persons, taxpayer, board or bureau, aggrieved by the decision, may seek review by the Superior Courts of the State of Washington for Walla Walla County. Such appeal shall be by certiorari and shall be initiated by serving and filing a petition for the writ within 30 days after the

Planning Commission's decision has become final.

Section 8.05 Re-Hearing

If an application for a conditional use, administrative review, or variance is denied by the Planning Commission, and subsequently upheld by the Board of County Commissioners, another application shall not be filed within a period of 1 year from the date of denial, except upon the initiation of the Board of County Commissioners or the Planning Commission after a showing of a change of circumstances which would warrant a re-hearing.

CHAPTER IX

ADMINISTRATION AND ENFORCEMENT - BUILDING PERMITS

Section 9.00 Administration and Enforcement

The Director of Planning for the County of Walla Walla shall administer and enforce this Resolution. He may be provided with the assistance of such other persons as the Board of County Commissioners may direct.

If the Director of Planning shall find that any of the provisions of this Resolution are being violated, he shall notify, in writing, the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it. He shall order discontinuance of illegal use of the land, buildings, or structures; removal of illegal buildings or structures or of additions, alterations, or structural changes thereto; discontinuance of any illegal work being done; or shall take any other action authorized by this Resolution to insure compliance with or to prevent violation of its provisions.

Section 9.01 Building Permits required

No building or other structure shall be erected, moved, added to, or structurally altered without a permit therefor, issued by either the Building Inspector or his authorized assistants.

Section 9.02 Application for Building Permit

All applications for building permits shall be accompanied by plans drawn to scale, showing the actual dimensions and shape of the lot to be built upon; the exact sizes and locations on the lot of buildings already existing, if any; and the location and dimensions of the proposed building or alteration. The applicant shall include such other information as lawfully may be required by the Building Inspector in order to determine conformance with, and provide for the enforcement of, this Resolution and other pertinent resolutions and codes.

Section 9.03 Construction and Use to be as Provided in Applications, Plans, Permits

Building permits issued on the basis of plans and applications approved by the Building Inspector authorize only the use, arrangement and construction set forth in such approved plans and applications, and no other use.

arrangement, or construction. Use, arrangement, or construction at variance with that authorized shall be deemed violation of this Resolution, and punishable as provided by Chapter 14 hereof.

CHAPTER X

DUTIES OF THE DIRECTOR OF PLANNING, BOARD OF COUNTY COMMISSIONERS, AND COURTS ON MATTERS OF APPEAL

Section 10.00 Intent

It is the intent of this Resolution that all questions of interpretation and enforcement shall be first presented to the Director of Planning and that such questions shall be presented to the Planning Commission only on appeal from the decision of the Director of Planning and that recourse from the decision of the Planning Commission shall be to the Board of County Commissioners as provided by State Law.

It is further the intent of this Resolution that the duties of the Board of County Commissioners in connection with this Resolution shall not include hearing and deciding questions of interpretation and enforcement that may arise. The procedure for deciding such questions shall be as stated in this Chapter and this Resolution. Under this Resolution, the Board of County Commissioners shall have only the duties of:

- A. Considering the adopting or rejecting proposed amendments or recommendations of the Planning Commission, or the repeal of this Resolution, as provided by law.

CHAPTER XI

AMENDMENTS

Section 11.00 Procedure

The regulations, restrictions and boundaries set forth in this Resolution may from time to time be amended, supplemented, changed, or repealed, provided however that no such action may be taken until after a public hearing in relations thereto, at which parties in interest and citizens shall have an opportunity to be heard.

An amendment, supplement, change or repeal in this Resolution may be initiated by:

- A. A resolution or request by the Board of County Commissioners;
- B. An official proposal by the Planning Commission; or
- C. A petition to the Planning Commission presented by the property owner or contract purchaser on forms and accompanied by information prescribed by the Planning Director.

All requests for amendment, supplement, change or repeal in this Resolution shall first be referred to the Planning Commission.

Section 11.01 Public Hearing by the Planning Commission

Upon receipt of a request or petition for an amendment, supplement, or change in this Resolution the Planning Commission shall set a date for a public hearing and give public notice of the time and place of such hearing at least 10 days before the time of such hearing. The findings and determination of the Planning Commission resulting from this public hearing shall be made in writing and a copy transmitted to the applicant or petitioner and also to the Board of County Commissioners within 15 days after such hearing.

Section 11.02 Amendment by the Board of County Commissioners

When the Planning Commission approves such request or petition for an amendment, supplement, or change it shall forward its findings and recommendations to the Board of County Commissioners for action. When,

after consideration of the Planning Commission's report and public hearing, the Board of County Commissioners finds such amendment, supplement, or change is of public necessity, benefits the general welfare of the County, or constitutes good planning and zoning practice and after public hearing, it shall then so amend this Resolution.

Section 11.03 Zone Change by Petition

A petition for a change in zone classification or zone boundary lines shall be filed with the Planning Director by the owner or owners or contract purchaser of land to be rezoned.

When the petition has been filed with and certified by the Director of Planning as a valid petition, the Planning Commission shall give at least 10 days notice in advance of the public hearing. The owner or his agent shall be notified by mail. In addition, property owners within 500 feet of the exterior boundaries of the property to be rezoned shall be notified by mail. Notice of such hearing shall be posted on the property to be rezoned, at the County Courthouse, and one notice within the area notified by mail, at least 10 days prior to the public hearing.

The public hearing shall be held. Any party may appear in person, or by agent or attorney.

Section 11.04 Re-Hearing

If a petition for rezoning is denied by the Planning Commission and subsequently the Board of County Commissioners, another petition for a change to the same district shall not be filed within a period of 1 year from the date of denial, except upon the initiation of the Board of County Commissioners, or with the permission of or upon the initiation by the Planning Commission after a showing of a change of circumstances which would warrant a re-hearing.

CHAPTER XII

PROVISIONS OF RESOLUTION DECLARED TO BE MINIMUM REQUIREMENTS

Section 12.00 Intent

In their interpretation and application, the provisions of this Resolution shall be held to be minimum requirements, adopted for the promotion of the public health, safety, morals or general welfare. Wherever the requirements of this Resolution are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances, deed restrictions or covenants, the most restrictive or that imposing the higher standards, shall govern.

CHAPTER XIII

COMPLAINTS REGARDING VIOLATIONS

Section 13.00 Intent

Whenever a violation of this Resolution occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint stating fully the causes and basis thereof shall be filed with the Director of Planning. He shall record properly such complaints, immediately investigate, and take action thereon as provided by the Resolution. The record of complaint shall be available to Board of County Commissioners and Planning Commission members.

CHAPTER XIV

PENALTIES FOR VIOLATION

Section 14.00 Intent

Violation of the provisions of this Resolution or failure to comply with any of its requirements shall constitute a misdemeanor. Any person who violates this Resolution or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$300 or imprisoned for not more than 30 days, or both, and in addition shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense.

The owner or tenant of any building, structure, premises, or part thereof, and any architect, builder, contractor, agent or other person who commits, participates in, assists in, or maintains such violations may each be found guilty of a separate offense and suffer the penalties herein provided.

Nothing herein contained shall prevent the County from taking such other lawful action as is necessary to prevent or remedy any violation, or to bring an action to enjoin any violation of this Resolution.

CHAPTER XVI

SEPARABILITY CLAUSE

Section 16.00 Constitutionality or Invalidity

If any section, sub-section, clause or phrase of this Resolution is for any reason held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this Resolution, and each section, sub-section, sentence, clause, and phrase hereof would have been prepared, proposed, adopted, approved and ratified irrespective of the fact that any one or more sections, sub-sections, sentences, clauses or phrases be declared invalid or unconstitutional.

CHAPTER XVII

REPEAL OF CONFLICTING RESOLUTION: EFFECTIVE DATE

Section 17.00 Repeal of Conflicting Resolutions

The following resolutions or parts of resolutions are hereby repealed.

General Zoning Resolution for Walla Walla County, adopted May 19, 1947, and all amendments thereto.

Furthermore, all resolutions or parts of resolutions in conflict with this zoning Resolution, or inconsistent with the provisions of this Resolution, are hereby repealed to the extent necessary to give this Resolution full force and effect.

Section 17.01 Effective Date

This Resolution is necessary for the immediate preservation of the public health, safety, morals and general welfare; an emergency exists, and this Resolution shall be effective immediately upon its passage and publication.

PASSED by the Board of County Commissioners of the County of Walla Walla, Washington this 16th day of October, 1967



Keith Leper
Chairman
Board of County Commissioners

Harold Bance
Commissioner

Quinn M. Walker
Commissioner

ATTEST:

Gladys Gilman
Clerk of the Board
APPROVED AS TO FORM:

William J. Jackson
Prosecuting Attorney, Walla Walla County
RECOMMENDED BY:

Wendell Jackson
Chairman, County Planning Commission

FILED FOR RECORD Oct 18, 1967 at 2:36 P.M.

By Gladys Gilman County Auditor
GLADYS GILMAN, Walla Walla County Auditor

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