



Columbia County Planning Commission
114 South 2nd Street, Dayton, Washington 99328
Meeting Agenda
Monday, December 10th, 2018 @ 5:30 PM

- 1) Call to Order
- 2) Roll Call and Establish Quorum
- 3) Approval of Meeting Minutes
 - a. November 26th, 2018
- 4) Public Hearings
 - a. 5:35 pm – Cooperative Parks Master Plan Update
- 5) New Business
 - a. 2020 Comprehensive Plan Update: Docket Items
 - i. Review of updated Accessory Dwelling Unit standards
 - ii. Review of updated Countywide Planning Policies
 - iii. Review of new Comprehensive Plan Docketing Procedures
- 6) Old Business
 - a. Final review on Chapter 2.115 edits
 - i. *Request for public hearing to be scheduled for January 19th, 2019 at 5:35 pm*
 - b. Final review on zoning amendments
 - i. *Request for public hearing to be scheduled January 19th, 2019 at 5:50 pm*
- 7) Commissioner Reports
- 8) Director Report
- 9) Comments from the public and items not present on the agenda
- 10) Adjournment
 - a. Next meeting: Monday, January 14th, 2019 @ 5:30PM





Columbia County Planning Commission
114 South 2nd Street, Dayton, Washington 99328
Meeting Minutes
Monday, November 26th, 2018 @ 5:30 PM

- 1) Call to Order
 - a. Vice-Chair Jason Towery called to order the Regular Meeting of the Columbia County Planning Commission at 5:31PM.
- 2) Roll Call and Establish Quorum
 - a. Commission members: Jay Ball, Jason Towery, Swan Eaton; Staff: Megan Bailey
- 3) Approval of Meeting Minutes
 - a. October 22nd, 2018
 1. Ball motioned to approve the meeting minutes as presented, Eaton seconded the motion; none opposed. Motion carries.
- 4) Public Hearing
 - a. None scheduled
- 5) New Business
 - a. Bailey presented the final Public Participation Plan for the Comprehensive Plan amendments. One typo in the formatting was discovered and has been corrected. The website will be maintained throughout the update for most recent information.
 - b. Bailey reminded the present members of the Comprehensive Plan initial workshop, which is scheduled for 11/29/2018, at 6PM in the County Youth Building. Eaton, Towery, and Ball all indicated they would be present.
 - c. Edits to Chapter 2.115 were presented to the planning commission. General support was received, but additional review needs to commence. Bailey will incorporate language on appointment procedures to ensure the appearance of fairness is maintained through board of county

commissioner appointments. The item was shelved until the next regular meeting, and no hearing was scheduled.

- d. The draft updated Parks Plan was presented by staff. Port staff, Dayton Staff, Starbuck staff, and County staff all reviewed and incorporated updates into the pre-existing plan. There are grants that require updating the Parks Plan every five years, and this update meets that requirement.

1. Ball motioned to schedule a public hearing for the final draft revisions to the Parks Plan on December 10th, 2018 at 5:35 PM with the following revision: page 8, under The Last Resort, the acreage should state “28 acres”. Eaton seconded that motion. None opposed. *A public hearing to take testimony for or against the proposed amendments to the Cooperative Park Master Plan is scheduled for December 10th, 2018 at 5:35 PM.*

6) Old Business

- a. Additional review on the zoning amendments commenced. Additional review is needed regarding outdoor production of recreational marijuana. Bailey will incorporate additional edits and request final review at the next regular meeting. The item was shelved until the next regular meeting, and no hearing was scheduled.

7) Commissioner Reports

- a. None presented.

8) Director Report

- a. Bailey provided a general update on the Comp. Plan update schedule and provided a general idea of the upcoming workload. Chuck Reeves was appointed to the Planning Commission and is predicted to be in attendance during the December meeting. Bailey also informed the Planning Commission of an upcoming Affordable Housing discussion during which Bailey will offer a brief presentation on housing issues/concerns in Columbia County and Dayton. The meeting is scheduled for Tuesday, December 4th, 2018 at 4:30 PM at the Walla Walla YWCA (213 South 1st Street, Walla Walla, Washington).

9) Comments from the public and items not present on the agenda

- a. No comments.

10) Adjournment

- a. Eaton motioned to adjourn the regular meeting of the Columbia County Planning Commission at 6:43 PM. Ball seconded. Meeting adjourned.
- b. Next meeting: Monday, December 10th, 2018 @ 5:30 PM.

Approved December 10th, 2018

Bryan Martin, Columbia County Planning Commission Chair; Date

Attest:

Meagan Bailey, Planning Director

Chapter 18.122

ACCESSORY DWELLING UNITS

Sections:

- 18.122.010 Purpose.
- 18.122.020 Definitions.
- 18.122.030 Designation.
- 18.122.040 Procedure.
- 18.122.050 Standards.
- 18.122.060 Additional requirements.

18.122.010 Purpose.

The Columbia County board of county commissioners finds that a variety of affordable, good quality housing opportunities for all income and demographic segments of the population is vital to a healthy community and economy; and that regulations allowing accessory dwelling units provide affordable housing opportunities while maintaining the visual and functional character of single-family residential areas. In addition, as a local agency planning under the Growth Management Act as contained in Chapter 36.70A RCW, Columbia County is required to permit accessory dwelling units per RCW 43.63A.215 and 36.70A.400 consistent with standards developed by the Department of Community, Trade and Economic Development (now the Department of Commerce). ~~[Ord. 2013-01 § 1 (Exh. A).]~~

18.122.020 Definitions.

A. "Accessory dwelling unit (ADU)" means a subordinate dwelling unit, including stick built attached or detached, a prefabricated, modular or manufactured home meeting state of Washington standards and certifications, with complete and independent living facilities on the same lot as and detached from, attached to, or contained within an existing single-family dwelling.

B. "Rental occupancy" means nonownership residence including long-term lease ownership per Chapter 18.59 RCW. ~~[Ord. 2013-01 § 1 (Exh. A).]~~

18.122.030 Designation.

One accessory dwelling unit (ADU) shall be permitted in any zone where single-family dwellings are listed as a permitted use only on parcels which meet the following conditions:

- A. Is a legally created conforming lot.
- B. Contains an existing single-family detached dwelling which is conforming in use.
- C. Contains no other accessory dwelling.
- D. The new ADU conforms to all current bulk and dimension standards of the zone.
- E. The ADU may be constructed within the existing structure, attached as a new addition or partial addition or detached either built on site or moved to the site including state certified manufactured or modular homes set on a permanent foundation as real property. [Ord. 2013-01 § 1 (Exh. A).]

18.122.040 Procedure.

Each accessory dwelling unit shall require an administrative permit as follows:

- A. The permit for an ADU shall be considered a nondiscretionary permit to be approved administratively by the planning director.
- B. The required fee as established by the BOCC shall be submitted with the application.
- C. The application shall be made in accordance with submittal requirements on file with the planning department.

D. Prior to submitting an application the applicant shall meet with the planning department to determine compliance of the property with current zoning codes.

E. The permit shall be recorded prior to occupancy as a deed restriction to run with the land or until such time as removed with the concurrence of the county. ~~-(Ord. 2013-01 § 1 (Exh. A)-)~~

18.122.050 Standards.

A. New construction for an ADU shall comply with all the development standards for a single-family dwelling including, but not limited to, setbacks, height limits, and lot coverage and shall not increase any nonconforming aspect of any existing structure unless otherwise addressed by this chapter.

B. The following standards shall also apply:

~~1. The total floor area of the ADU shall not exceed 800 square feet or 50 percent of the area of the primary unit whichever is less. The accessory dwelling unit, excluding any garage area and other nonhabitable spaces, shall not exceed 1,100 square feet, or 50% of the total square footage of the primary residence, excluding any garage area and other nonhabitable spaces, whichever is less.~~

2. The ADU shall not reduce the size of the primary unit to less than twice the size of the ADU.

3. Both the ADU and the primary unit shall comply with ~~the International Building Code as adopted by the county~~ all applicable building codes.

4. If the ADU is attached to the primary the main exterior entrances may not be on the same side of the building.

5. The architecture and general design of the ADU shall be consistent with that of the primary dwelling.

6. One off-street parking space shall be provided for the ADU in addition to those required for the primary dwelling.

~~7. There shall be no exterior stairway leading to an attached ADU on the front of the structure.~~

~~7~~8. There shall be no more than two bedrooms in an ADU.

~~9. Separate utility connections are not required.~~

8. The ADU shall be no more than 35 feet away from the primary residence.

9. Mobile homes and recreational vehicles shall not be permitted as accessory dwelling units.

10. Accessory dwelling units must be dependent upon the primary residence, and must share at least three of the following criteria with the primary residence:

i. Road access;

ii. Septic system;

iii. Water system;

iv. Utility meter;

v. Yard area; and/or,

~~+~~vi. Parking area.

11. Any additions to the ADU shall meet the requirements of this chapter.

C. An accessory dwelling unit which conforms to the standards in this chapter shall not be considered to exceed the allowable density for the lot upon which it is located and shall be considered a residential use which is consistent with the comprehensive plan and zoning designation for the lot. ~~{Ord. 2013-01 § 1 (Exh. A).}~~

18.122.060 Additional requirements.

Accessory dwelling units shall be subject to the following requirements:

- A. Sale or ownership of such unit separate from the primary residential unit is prohibited.
- B. The occupant of either the ADU or the primary unit shall be the owner of the entire property.
- C. No more than three persons shall occupy the ADU.
- D. A permit for an ADU shall be subject to the payment of any infrastructure impact or general facility fees equal to the established rate for a multifamily dwelling unit.
- E. Prior to issuance of a permit for ADU evidence shall be provided that there is adequate potable water and sanitary sewer capacity for an additional dwelling unit on the lot.
- F. Prohibited occupancy or sale, in addition to authorizing all other remedies available to the county, shall constitute a zoning violation and a nuisance subject to abatement. ~~{Ord. 2013-01 § 1 (Exh. A).}~~

**COUNTY OF COLUMBIA
STATE OF WASHINGTON
RESOLUTION NO. XX
COUNTY-WIDE PLANNING POLICIES**

WHEREAS: The State of Washington’s Growth Management Act requires every county in the State planning under the Growth Management Act to prepare and adopt County Wide Planning Policies to provide a framework for town, city and county comprehensive plans; and

WHEREAS: Columbia county must prepare these policies in cooperation with the municipalities within its boundaries to ensure that county and municipal comprehensive plans are coordinated and consistent; and

WHEREAS: The City of Dayton adopted a resolution of support of these county wide planning policies on XX; and

WHEREAS: The Town of Starbuck adopted a resolution of support of these county wide planning policies on XX; and

THEREFORE BE IT RESOLVED that the Columbia County Board of Commissioners hereby adopt by resolution the following County Wide Planning Policies;

Section 1: Policies to implement RCW 36.70A.110

Policy 1: Encourage development in urban areas where adequate public facilities exist or can be provided in a cost-efficient manner.

Policy 2: Flexibility should be exercised in designating urban growth areas to encourage a variety of housing types, densities, and locations, especially for new fully contained communities and master planned resorts.

Policy 3: Development in urban growth areas shall minimize its impacts on neighboring resource lands of long term commercial significance. Areas already characterized by urban growth are encouraged to meet minimum standards for public facilities and services.

Policy 4: Maintain a permit review process for integrated and consolidated review

Policy 5: Encourage the retention of open space and the development of recreation opportunities, conserve fish and wildlife habitat, and increase access to natural resource lands and water.

Policy 6: Encourage the involvement of citizens in the planning process and ensure coordinate between the communities and jurisdictions to reconcile conflict.

Policy 7: Identify and encourage the preservation of lands, sites, and structures that have historical or archaeological significance.

Section 2: Policies for promotion of contiguous and orderly development and provision of urban services to such development

Policy 8: The County shall allocate future projected populations through the use of the latest population projections published by the Washington State Office of Financial Management (OFM). The County, in consultation with Dayton and Starbuck, will review the OFM population projection ranges (Low, Medium and High) and allocation percentages whenever OFM publishes new GMA population projections.

Policy 9: The locating of Urban Growth Areas within the County shall be accomplished through the use of accepted planning practices which provide sufficient land and service capacity to meet projected populations at urban densities and service standards within Dayton and Starbuck , and urban densities for those portions of the County located within the urban growth areas.

Policy 10: That Urban Growth Areas of Dayton and Starbuck shall be based upon official and accepted population projections for minimum of 20 years. The gross undeveloped and underdeveloped acreage within the city limits and the Urban Growth Area shall be sufficient to meet all the land requirements, for the following: community and essential public facilities, population projection, commercial and industrial activities, employment projections, infill and to prevent inflation of land cost due to a limited land supply.

Policy 11: That within Urban Growth Areas, urban uses shall be concentrated in and adjacent to existing urban services or where they are shown on a capital improvement plan to be available within six years.

Policy 12: That Dayton and Starbuck limit the extension of service district boundaries and water and sewer infrastructure, to areas within each jurisdiction's urban growth area contained in their adopted Comprehensive Plans.

Policy 13: All policies within Dayton and Starbuck comprehensive plans shall be consistent with adopted Countywide policies.

Section 3: Policies for siting public capital facilities of a county-wide or state-wide nature

Policy 14: The process for evaluating the appropriate siting of public capital facilities of a county-or-state-side nature should include opportunities for the early and continuous participation of all county residents. Public capital facilities may locate outside or urban growth areas provided that the minimum county standards for sewer, water, fire and public safety services are met.

Section 4: Policies that consider the need for affordable housing

Policy 15: Land use plans and development regulations should encourage affordable housing opportunities for all citizens by providing for a variety of housing types and densities in the urban growth areas. Development regulations should also contain flexibility in addressing housing needs in rural areas by allowing housing development of abandon homesites, planned unit developments and cluster developments. Cooperative efforts by the county, Starbuck and Dayton at providing public housing assistance programs, such as low income rentals and housing rehabilitation, are encouraged.

Section 5: Policies for county-wide economic development and employment

Policy 16: Land use plans and development regulations should encourage county-wide economic development through the appropriate utilization of Columbia County's natural resources and recreational opportunities. Economic development should also utilize opportunities in agriculture, agri-business, industrial, commercial, public schools, and tourism.

Policy 17: An economic development element should be integrated into the comprehensive plan of each jurisdiction. The economic development element should establish goals and policies for each jurisdiction; actively promote employment opportunities for family-wage jobs; support the retention and expansion of businesses and industry in Columbia County; encourage the development of tourist-related businesses, including those that capitalize on area agriculture and other resources.

Policy 18: Comprehensive Plans should foster and promote a natural environment that will contribute to economic growth and prosperity, and a business environment that offers diverse economic opportunities for businesses of all types and sizes in the region.

Section 6: Policies addressing the fiscal impact of public facilities and services

Policy 19: When development activities create county-wide economic benefits, there should be a flexible approach to financing needed public facility improvements. This may include developing incentives programs, sharing costs between the county,

cities and developer, and accessing federal and state grant and loan programs. Public facilities should be provided in a cost effective manner.

Section 7: Policies for joint planning within urban growth areas

Policy 20: The Columbia County Planning Department should organize and facilitate a Leadership Workshop at least once a year to review, and amend if necessary, the county-wide planning policies and urban growth area designations. Attendees at this Leadership Workshop should minimally include the membership of: the Columbia County Commissioners, the County Planning Commission, the Starbuck Town Council, the Dayton City Council, and the Dayton Planning Commission. The Leadership Workshop shall at a minimum address the 20 year population projection for accuracy and the impact of the county-wide planning policies on orderly growth, urban growth areas, the siting of public facilities of a county-wide and state-wide nature, transportation facilities and strategies, affordable housing, economic development, fiscal impact, and joint county and city planning in urban growth areas.

Section 8: Policies for county-wide transportation facilities and strategies

Policy 21: The goals and policies established by the Palouse Regional transportation Planning Organization’s Transportation Policy Board should serve as a basis for transportation planning within the county and the development of federal, state, and local transportation improvements.

ADOPTED BY THE COLUMBIA COUNTY BOARD OF COMMISSIONERS THIS XX DAY OF XX, 2019.

COLUMBIA COUNTY BOARD OF COMMISSIONERS

XX, Chairman

XX, Commissioner

XX, Commissioner

ATTEST:

Clerk of the Board

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FOR COUNTY WIDE PLANNING POLICIES

WHEREAS: The Planning Commission having held a public hearing on XX, and having fully considered the entire record and all public testimony, correspondence, reports, Growth Management requirements and all those matters of record presented to the Planning Commission prior to and including the XX hearing, RECOMMENDS APPROVAL to the Columbia County Board of Commissioners.

NOW: The Columbia County Planning Commission recommends to the Board of County Commissioners it's approval of the County Wide Planning Policies as supported by the following findings:

1. Public input was given and reviewed at the XX public hearing; and
2. The Planning Commission feels the policies do comply with the purpose and intent of the Growth Management Act and does bring the County into compliance; and
3. It is unlikely that adopting the policies will have a disruptive effect on the stability and continuation of land use patterns on land in Columbia County; and
4. The policies do not unreasonably restrict or prevent use of land within Columbia County; and
5. The public interest will best be served by the policies; and
6. That a public hearing was held pursuant to proper notice and the Planning Commission considered all comments by the public provided in said hearing.

CONCLUSIONS

Based on the above Findings, and following review of the record, public testimony, and the recommendations of the Planning Director and after consideration of the Columbia County Comprehensive Plan, consideration for the public health, safety and welfare of the citizens of Columbia County, the Planning Commission recommends approval of the County Wide Planning Policies to the Columbia County Board of Commissioners.

Dated this XX day of XX, 2019

X, Chairman

X, Secretary

XX.XX.XX - Comprehensive Plan/Development Regulation Review and Amendment Procedures

XX.XX.XX - Purpose.

The purpose of this chapter is to establish procedures, pursuant to Chapter 36.70A RCW, for the review and amendment of the comprehensive plan and implementing development regulations found in specific chapters of Columbia County Code, titles 12, 13, 14, 15, 16, 17, 18, and 19.

XX.XX.XX - Applicability.

This chapter shall govern comprehensive plan map and text amendments, excepting revisions which under state law may be adopted out of cycle. Development regulation amendments that are associated with comprehensive plan amendments being processed through this chapter shall utilize the same review process.

XX.XX.XX - Definitions.

Unless expressly noted otherwise, words and phrases that appear in this chapter shall be given the meaning attributed to them by this section, or chapters contained in Title 18. When not inconsistent with the context, words used in the present tense shall include the future; the singular shall include the plural and the plural the singular; the word "shall" is always mandatory and the words "may" and "should" indicate a use of discretion in making a decision.

Annual review docket means the annual list of proposed comprehensive plan amendments and related development regulations that the Board of Columbia County Commissioners determines, after review and consultation with the Planning Director and Planning Commission, to be included for review and consideration for any given year. It excludes items listed on the periodic review docket.

Application, for purposes of this chapter, means the application to amend the comprehensive plan or related development regulations.

Comprehensive plan (plan) means the comprehensive plan adopted to comply with Chapter 36.70A RCW, including all mandatory and adopted optional elements and subarea plans as they exist or hereafter may be amended by the Board of County Commissioners.

Comprehensive plan amendment means an amendment or change to the text or maps of the comprehensive plan.

Development regulation means the controls placed on development or land use activities including, but not limited to, zoning ordinances, critical area ordinances, shoreline master programs, official controls, planned unit development ordinances, subdivision ordinances, and site plan ordinances, together with any amendments thereto. A development regulation does not include a decision to approve a project permit application, as defined in RCW 36.70B.020.

Docketing refers to compiling and maintaining a list of proposed changes to the comprehensive plan or implementing development regulations either annually or for a periodic update cycle in a manner that will ensure such suggested changes will be considered by the county and will be available for review by the public.

Findings of fact and legislative intent means the formally adopted document that establishes both the factual basis for the comprehensive plan amendment and amendment to development regulations and serves as the interpretive guide for legislative intent.

Periodic review or update refers to the review and, if needed, resulting revisions to the comprehensive plan and development regulations required at multi-year intervals by RCW 36.70A.130 or other state law.

Periodic review docket refers to the docket developed by the Planning Director and approved by the Board of County Commissioners that includes the proposed periodic review work items that are required at multi-year intervals by RCW 36.70A.130 or other state law.

Planning Director means the person appointed by Board of County Commissioners to fulfill the long and short range planning duties of the county.

Site specific amendment means an amendment to the comprehensive plan or development regulations that affects one (1) or a small group of parcels, most frequently an amendment to the land use map and/or zoning atlas.

Work plan or **work plan items** refers to a list of proposed department tasks, maintained by the Planning Director and approved by the Board of County Commissioners, that may be related to commitments made during previous updates, review, research, and/or updates to policies and regulations for which no amendment to the comprehensive plan is required. County-initiated plan amendments not a part of the periodic review will also be a part of the work plan, to be evaluated for inclusion on a future annual docket. Work plan items may span multiple years and may be proposed by the Board of County Commissioners, Planning Commission, Planning Director, or the Department Head responsible for the administration of a development regulation. Members of the public may also request an item to be placed on the work plan, on the same schedule as plan amendment applications per section 10-09.060(A). Work plan items are exempt from the "once a year" plan amendment adoption requirement.

XX.XX.XX - Review process and approving authority.

All amendments to the comprehensive plan and development regulations shall be approved by the Board of County Commissioners and processed according to Chapter 18-05- SEPA threshold determinations associated with decisions that are reviewed under this chapter may be appealed to the hearing examiner. Appeals or further review of the hearing examiner's written decision shall be by the Growth Management Hearings Board according to the procedures set forth in Chapter 36.70A RCW.

XX.XX.XX - General procedures.

- A. Amendments to the plan text or maps may be initiated by the public, the Board of County Commissioners, the Planning Commission, the Planning Director, or the Department Director responsible for the administration of a development regulation.
- B. An amendment must be included on a docket before it can be considered by the Board of County Commissioners. Items will first be docketed, followed by review, public hearing, and recommendation by the Planning Commission, and then considered for final approval, denial, or deferral by the Board of County Commissioners.
- C. Plan amendments may be considered by the Board of County Commissioners no more frequently than once a year and all proposed amendments, as included on the annual docket and periodic docket, shall be considered concurrently so that the cumulative effect of the various amendments can be ascertained, with the exception of the following:
 1. The adoption of emergency amendments or interim maps or regulations or moratoria pursuant to RCW 36.70A.390;
 2. The adoption of amendments to resolve an appeal of the comprehensive plan or development regulations filed with the Growth Management Hearings Board or with the court;
 3. The initial adoption of a subarea plan;
 4. The adoption of amendments to the capital facilities element of the comprehensive plan that occurs concurrently with the adoption or amendment of the county budget;
 5. The adoption or amendment of development regulations that implement the comprehensive plan and for which no amendment to the comprehensive plan is required;
 6. Amendments to the comprehensive plan that are only procedural in nature or affect only procedural requirements;
 7. Amendments to this chapter **XX.XX**; and
 8. Amendments to the comprehensive plan that are merely to correct errors.

- D. All plan amendments adopted by the Board of County Commissioners shall be consistent with Chapter 36.70A RCW and shall comply with Chapter 36.70A RCW and Chapter 43.21C RCW.
- E. All development regulations adopted to implement the comprehensive plan and amendments thereto shall be consistent with the adopted comprehensive plan.
- F. Unless specifically authorized by the Board of County Commissioners, no docketed plan amendment application from the public that is denied by Board may be reinitiated for three (3) years after its consideration by the Board.
 - 1. The Board of County Commissioners may approve an earlier reapplication if the applicant demonstrates a substantial change in circumstances. In no case may such a petition be considered in consecutive years.
 - 2. This limitation does not apply to amendments previously proposed by the Board of County Commissioners, Planning Commission, Planning Director, or the Department Director responsible for the administration of a development regulation.

XX.XX.XX - Annual docket application review procedures.

- A. The annual docket application review will occur pursuant to the schedule below:

TABLE A. ANNUAL DOCKET APPLICATION REVIEW

DUE BY	PROCESS
July 1	Notice shall be published no less than 28 days prior to the docket application due date informing the public of the current calendar year docket close date
August 1	Applications due
September 1	List of all amendments (public, Board of County Commissioners, Planning Commission, or staff requests) presented to the Planning Commission
October 1	Planning Commission reviews the proposed docket items, holds public hearing on docket items, and makes recommendation to the Board of County Commissioners
November 30	Board of County Commissioners determines the docketing request outcomes (include, exclude, or defer)
November 30	Board of County Commissioners approval of docket by Resolution no later than the end of November

- B. For inclusion on any given annual docket, applications initiated by the public must be submitted before August 1 of the prior year. Applications received on or after August 1 of each calendar year shall be reviewed during the next annual docket cycle. A legal ad noting the close date of the current calendar year docket cycle should be published in the paper of record no less than 28 days before the close date

- C. The Planning Director shall forward to the Planning Commission a complete listing of all new applications for amendments requested by the public, the Board of County Commissioners, Planning Commission, or the Planning Director, no later than September 1 of each year. The list shall also include any applications deferred from a previous docket.
- D. The Planning Director shall review the proposed annual docket items with the Planning Commission by October 1 of each year. The Planning Commission shall review and, after holding a duly advertised public hearing, make a recommendation to the Board of County Commissioners of any proposed amendments that should be included on or excluded from the annual review docket, or be deferred to the next annual cycle or periodic review docket cycle pursuant to section 10-09.090.
 - 1. **Include.** The Board of County Commissioners' decision to include an application in the annual docket is procedural only and does not constitute a decision by the Board as to whether the proposed amendment will ultimately be approved.
 - 2. **Exclude.** The Board of County Commissioners' decision to exclude an application from the docket terminates the application without prejudice to the applicant or the proposal.
 - 3. **Defer.** The Board of County Commissioners' decision to defer an application means the application may be considered, as specified by the Board, either for the next annual docket cycle or the next periodic review docket cycle.
- E. In making its docket recommendation, the Planning Commission should consider the following:
 - 1. The application is deemed complete;
 - 2. The application, in light of all proposed amendments being considered for inclusion in the year's annual docket, can be reasonably reviewed within the staffing resources and operational budget allocated to the Department by the Board of County Commissioners;
 - 3. The proposed amendment would not require additional amendments to the comprehensive plan or development regulations not otherwise addressed in the application, and is consistent with other goals, objectives, and policies of the comprehensive plan;
 - 4. The proposed plan amendment raises policy, land use, or scheduling issues, or that the proposal is comprehensive enough in nature that it would more appropriately be addressed as part of a periodic review cycle;
 - 5. The application proposes a regulatory or process change that for which no amendment to the comprehensive plan is required and should be reviewed for potential consideration as a part of the work plan;
 - 6. The application lacks sufficient information or adequate detail to review and assess whether or not the proposal meets the applicable approval criteria. A determination that the proposal contains sufficient information and adequate detail for the purpose of docketing does not preclude the Department from requesting additional information at a later time.
- F. The selected proposed amendments collectively shall be known as the annual review docket for the next calendar year, and shall be adopted by Board of County Commissioners Resolution, preferably by October 31 but no later than November 30 of each calendar year.

XX.XX.XX - Application requirements.

- A. All applications for amendment of the comprehensive plan or development regulations submitted by the public shall, in a format established by the county, and contain the following:
 - 1. Application form signed by the owner(s) of record, address, telephone numbers and agent information;
 - 2. A description of the proposed amendment including proposed map or text changes;
 - 3. The location of the proposed amendment shown on an assessor's map dated and signed by the applicant, if the proposal is for a land use map or zoning atlas amendment;

4. A legal description and a notarized signature of one (1) or more owners, if a change in the zoning atlas is requested by owner(s) concurrent with a requested land use map amendment;
5. An explanation of why the amendment is being proposed and, if applicable, how or why the map or text is in error;
6. An explanation of anticipated impacts to be caused by the change;
7. An explanation of how the proposed amendment is consistent with GMA, the countywide planning policies, the comprehensive plan and adopted findings of fact and legislative intent;
8. An explanation of how the change affects development regulations or how the amendment brings the development regulations into compliance with the plan;
9. If applicable, an explanation of why existing comprehensive plan language should be added, modified, or deleted;
10. A SEPA checklist, if required; and
11. Fees as set by the Board of County Commissioners.

B. The county may prescribe additional application requirements.

C. Persons wishing to initiate an amendment are encouraged, but not required, to use the pre-application procedures of section 18-70-070.

XX.XX.XX - Plan amendments—Review and public notice procedures.

A. Review of annual docket items shall occur pursuant to the schedule below:

TABLE B. REVIEW OF DOCKETED PROPOSED AMENDMENTS

DUE BY	PROCESS
November 30 of prior year	Docket approval, per section XX.XX.XX and posted to web site
Throughout the year	Planning Commission to hold work session public hearing(s) on proposed amendment(s)
No later than November 30	Board of County Commissioners to review and make a decision to approve, deny, or defer action on each item on the docket (may include identification of items that will be continued into next docket cycle)

Comment [DM1]: This refers to developments, but the procedure is the same.

B. Public Notification. Information regarding any proposal pursuant to this chapter shall be broadly disseminated to the public at minimum as provided in subsection 1 below, as well as by any of the other following methods as determined to be appropriate by the Planning Director.

1. Publishing a paid public notice at least ten (10) days prior to a public hearing in the official newspaper of record;
2. Distributing a press release;
3. Posting notice on the Department's website;

4. Posting notice at the County Courthouse, the local library, and/or other “hot spots” of public involvement.
- C. Public Notification - Site-specific comprehensive plan map and zoning atlas amendments. Where public notice is otherwise required by this chapter, such notice shall be mailed directly to the owners of the affected properties, and to all property owners within 300 feet of the subject property.
 - D. Public Participation. In addition to public notice as otherwise required by this chapter, the public shall have the opportunity to participate in county legislative matters via public hearing before the Planning Commission, via public hearing before the Board of County Commissioners if the Board opts to hold its own public hearing, by written comment, and by other forums as appropriate (per RCW 36.70A.140).
 - E. The Planning Commission shall evaluate the proposed amendments as follows:
 1. Does the proposed amendment or revision maintain consistency with other plan elements or development regulations? If not, are amendments or revisions to other plan elements or regulations necessary to maintain consistency also under annual review by the Planning Commission and Board of County Commissioners?;
 2. Do all applicable elements of the comprehensive plan support the proposed amendment or revisions?;
 3. Does the proposed amendment or revision more closely meet the goals, objectives and policies of the comprehensive plan?;
 4. Is the proposed amendment or revision consistent with the countywide planning policies?;
 5. Does the proposed amendment or revision comply with the requirements of the GMA?; and
 6. Are the assumptions underlying the applicable portions of the comprehensive plan or development regulations no longer valid because new information is available which was not considered at the time the plan or regulation was adopted?
 - F. The Planning Commission shall hold one (1) public hearing on the proposed amendments and shall forward the Board of County Commissioners its recommendations and findings of fact and legislative intent.
 - G. Upon receipt of a recommendation on all or any part of a plan, plan amendment or development regulation from the Planning Commission, the Board of County Commissioners shall schedule review of the proposal to consider and take action on the proposed amendments. The Board of County Commissioners' decision to either approve, deny, or defer action on each item in the annual review docket concludes that year's annual docket cycle, which should occur no later than November 30 of each calendar year.
 - H. With each adopted amendment the Board of County Commissioners shall also adopt findings of fact and legislative intent to support the change in the comprehensive plan and/or development regulations. The Board of County Commissioners may choose to incorporate by reference the findings of fact and legislative intent prepared by either the Department or the Planning Commission if the Board so agrees and desires. The Board may also decide to adopt its own findings of fact and legislative intent.
 - I. Findings shall identify, as applicable, the following:
 1. The local circumstances, if any, that have been relied on in reaching a decision on the proposed amendment; and
 2. How the planning goals of Chapter 36.70A RCW have been balanced in the decision on the proposed amendment.
 - J. The Planning Director shall notify the State of Washington pursuant to RCW 36.70A.106 prior to the adoption of comprehensive plan amendments, development regulations or annual review amendments.

K. Within ten (10) days of adoption, the Planning Director shall transmit the adopted plan amendment(s) to the state.

XX.XX.XX - Periodic review and update procedures.

A. The periodic review cycle is established in accordance with RCW 36.70A.130. The periodic review docket shall include:

1. A comprehensive review to provide for a cumulative analysis of the twenty-year plan and its implementing regulations based upon official population growth forecasts and other relevant data in order to consider substantive changes to planning policies language, and changes to the urban growth areas;
2. Items deferred by the Board of County Commissioners in a prior year to be placed on the periodic review docket;
3. County priority review and update items that can be reasonably reviewed within the staffing resources and operational budget allocated to the Department by the Board of County Commissioners; and
4. Items identified for review and updates due to legislative changes, as identified on the Department of Commerce periodic review checklist.

B. The periodic review docket shall be separate from the annual review docket; the dockets may, however, be considered concurrently as per section **XX.XX.XX**

XX.XX.XX - Appeals.

Appeals of decisions to amend the comprehensive plan or development regulations shall comply with the procedures set forth in Chapter 36.70A RCW.

XX.XX.XX - Severability.

If any provision or provisions of this chapter or its/their application to any person or circumstance is held invalid, the remainder of this chapter and the application of such provision or provisions to other persons or circumstances shall not be affected.

Chapter 2.115

PLANNING COMMISSION

Sections:

2.115.010 Planning commission rules and procedures.

2.115.010 Planning commission rules and procedures.

The board of commissioners hereby affirms the continuance of the planning agency and commission in its duties under the Planning Enabling Act, Chapter 36.70 RCW. The board of county commissioners hereby adopts the following rules of composition, organization and operation of the planning commission:

A. The commission shall consist of five numbered member seats with a minimum of one seat from each county commissioner district. The remaining two seats shall serve as “float seats” to fill any district, not to exceed three members from one district.

B. Planning commission members shall be residents of Columbia County and eligible to vote in the county. The selection of planning commission members shall be made from individuals who have an interest in environmental affairs, planning, land use, and residential and commercial development as evidenced by training, work experience, education or general actions. The intent of the section process shall be to evenly represent the areas stated above. This selection process is applicable to all appointment requests, whether request is made as a reappointment or a new appointment.

C. Length of term of service shall be four years.

D. Terms shall be staggered so that no more than two member seat terms shall expire in any year. Following the adoption of the ordinance codified in this section, the board of county commissioners shall reappoint, by minute action, the current planning commission members so that their terms, and those of any vacant seats, are consistent with this section. The planning director may recommend a staggered reappointment in the event two or more seats are to expire within one calendar year. Recommendation will be brought to the board of county commissioners, with final reappointment and terms by minute motion.

E. Members shall be appointed by formal minute motion by the ~~chair of the board of county commissioners~~ county commissioner representing the district from which the seat shall be filled. ~~with the approval of the other board members.~~

F. Vacancies shall be filled to complete the unexpired term of the vacant seat in a manner that keeps the distribution established in subsection (A) of this section. Appointments shall be made from a list submitted by the county commissioner representing the district from which the seat shall be filled.

~~G. Whereas a member’s seat is expiring, the expiring term shall be advertised to solicit for applications to fill said seat. If the current member request reappointment, their request shall be presented at the same time new applications are presented to the BOCC. Appointments shall be made from a list submitted by the county commissioner representing the district from which the seat shall be filled~~

~~H.G.~~ Members may be removed from the planning commission by the chairman of the board of county commissioners with the approval of the board, following a public hearing for inefficiency, neglect of duty, misfeasance in office, or malfeasance in office. The ~~commission secretary~~ shall report ~~regularly~~ regularly on the attendance record of members.

~~H.I.~~ The Columbia County planning director shall serve as secretary to the planning commission.

~~I.J.~~ -The board of county commissioners approves the “Planning Commission Rules of Procedure” as iterated in adopted resolution as codified in this section, subject to adoption by the planning commission.

Compiled Title 18 Amendments—Draft

Chapter 18.10—Definitions **PC APPROVED**

“Short Term Rental” is where bedrooms or an entire residential dwelling unit are rented to overnight guests for a rental period of less than one month, or less than thirty continuous days if the rental period does not begin on the first day of the month; commonly known as *Air B&B’s*.

Section 18.15.045—Use Matrix **PC APPROVED**

All uses in the following zones shall either be permitted as a principal use, as an accessory use, or as a conditional use, or prohibited as indicated within the use matrix below. If a use is not listed, it is prohibited unless the planning director determines that a proposed use is similar in aspects such as size, density effect and impact on surrounding users as a listed use. All restrictions that apply to a listed use shall apply to any use which is permitted as a similar use.

NEW LINE ITEMS:

Use	A-1	A-2	A-3	AR-1	AR-2	C-1	LI-1	HI-1	R-1	W-1
Short Term Rentals	C	C	C	C	C					

Section 18.80.070—Administrative Approvals **PC APPROVED**

- A. Use permit applications for projects that the planning director finds to be minor in scale or with limited potential impacts, localized in nature, such as abandoned and existing home sites, three-acre rock quarries, commercial communication towers, temporary portable sawmill operations, Short Term Rentals, veterinary clinics, minor amendments to existing CUPs and similar uses that the planning director may determine that the decision on an application for a use permit will be made through an administrative process.

Chapter 18.126—Short Term Rentals **PC APPROVED**

Sections:

- 18.126.010 Purpose.
- 18.126.020 Definitions.
- 18.126.030 General requirements.
- 18.126.040 Application requirements.
- 18.126.050 Development standards.
- 18.126.060 Operating without permit and nuisance complaints.
- 18.126.070 Appeal.

18.126.010 Purpose. PC APPROVED

A. The purpose of this chapter is to establish regulations for the operation of short-term rentals within the Columbia County. It does not apply to hotels, motels, and bed and breakfasts.

B. The provisions of this chapter are necessary to promote tourism and economic development while simultaneously preventing unreasonable burdens on services and impacts on residential neighborhoods

posed by short-term rentals. Special regulation of these uses is necessary to ensure that they will be compatible with surrounding residential and agricultural uses.

18.126.020 Definitions. PC APPROVED

The definitions set forth in this section shall apply to short-term rental properties.

- A. “Authorized agent” is a property management company or other entity or person who has been designated by the owner, in writing, to act on their behalf. The authorized agent may or may not be the designated representative for purposes of contact for complaints.
- B. “Event” means wedding, bachelor or bachelorette party, concert, sponsored event, or any similar group activity.
- C. “Local contact” means a person identified by the owner who is available to respond twenty-four hours a day, seven days a week, to any complaint involving the short-term rental.
- D. “Owner” means the person that owns and holds legal and/or equitable title to the property.
- E. “Principal residence” means the residence where the owner personally resides two hundred seventy-five or more days each calendar year.
- F. “Short-term rental” means temporary lodging for charge or fee at a dwelling for a rental period of less than one month, or less than thirty continuous days if the rental period does not begin on the first day of the month.
- G. “Renter” means the individual(s) paying monies to reside at the short-term rental unit.

18.126.030 General requirements. PC APPROVED

No owner or property within unincorporated Columbia County may offer, operate, rent, or otherwise make available or allow any other person to make available for occupancy or use a short-term rental without an approved Conditional Use Permit. Offer includes through any media, whether written, electronic, web-based, digital, mobile, or otherwise.

18.126.040 Application requirements. PC APPROVED

An application to operate a short term rental within the unincorporated areas of Columbia County must comply with the requirements as outlined in CCC Chapter 18.80.

18.126.050 Development standards. PC APPROVED

- A. One designated parking space must be provided specifically for the renter and cannot be used by the authorized agent, local contact, and/or the owner during the entire length of stay by the renter.
- B. Recreational vehicles and other similar vehicles, machines, or recreational devices are not permitted to be parked on site or within the public right-of-way related to short-term rentals.
- C. Owner must have property insurance and liability coverage for the short-term rental.
- D. If the unit is not an owner occupied short-term rental, then a local contact must be provided who is able to respond twenty-four hours a day, seven days a week to any complaints.
- E. Functioning carbon monoxide detectors and smoke detectors shall be kept in operating order and installed as required by the International Residential Code (IRC).
- F. Functioning fire extinguisher(s) shall be installed within the short-term rental. Number and location will be determined based on the size of the structure during the application and permitting process.

G. If the short-term rental property has a pool then the pool must be fenced meeting the requirements of the IRC.

18.126.060 Operating without permit and nuisance complaints. PC APPROVED

A. It is unlawful to rent, offer for rent, or advertise for rent a dwelling unit located on any property within unincorporated Columbia County without first obtaining a Conditional Use Permit. If a short-term rental is found to be renting, offering for rent, or advertising for rent without a Conditional Use Permit, the property is subject to the provisions in Title 19: Code Enforcement

B. Nuisance complaints will be processed as follows, within any time period for the life of the Conditional Use Permit:

- A. First complaint—citation with applicable fee.
- B. Second complaint—citation with applicable fee.
- C. Third complaint—citation with applicable fee and immediate revocation of Conditional Use Permit by the Planning Director.

20.139.090 Appeal. PC APPROVED

Decisions regarding short-term rentals may be appealed to the Hearing Examiner per CCC 18.05.080 (K.3): Procedures for Hearings on an Appeal from Planning Director Decision.

Chapter 18.150—Marijuana UNDER REVIEW

18.150.010 Purpose

The purpose of this chapter is to establish zoning regulations that provide for state licensed recreational and medical marijuana land uses consistent with Washington State law, including but not limited to Chapters 46.61, 69.50 and 69.51 RCW, and Chapter 69.51A RCW, Medical Cannabis, and Chapter 314-55 WAC, adding local standards to address potential public health, safety and welfare considerations.

18.150.020 Authority

Section 69.50.500 RCW states that it is “the duty of the state board of pharmacy, the department of health, the state liquor control board, and their officers, agents, inspectors and representatives, and all law enforcement officers within the state, and of all prosecuting attorneys, to enforce all provisions of Chapter 69.50 . . .”, including those specific to medical marijuana. The implementing rules of Chapter 314-55 WAC defer to the roles of those enforcement agencies adding, however, that “[t]he issuance or approval of a license shall not be construed as a license for, or an approval of, any violations of local rules or ordinances, including, but not limited to: Building and fire codes, zoning ordinances, and business licensing requirements.” WAC 314-55-020(aa). While an approved license does not circumvent local ordinances, the state will also not deny a license based solely on noncompliance with local land use regulations. Therefore, it is incumbent upon Columbia County to adopt the ordinance codified in this section as the county’s policies and procedures with respect to marijuana as allowed.

18.150.030 Definitions

- A. Unless the context clearly requires otherwise, the definitions of CCC 18.10.010 apply herein.
- B. Definitions from RCW 69.50.101 and WAC 315-55-010, as further amended, are adopted herein for the purpose of this chapter only.

18.150.050 Recreational Marijuana Production, Processing and Retail Sales – Conditional Use

- A. Zones wherein recreational marijuana land use is conditionally allowed:
 - 1. Recreational marijuana production land uses may only be allowed subject to conditional use permit approval in A-1, A-2, and A-3 areas identified by the Columbia County Zoning Ordinance Title 18, and whereas the land is not within a designated Urban Growth Area as adopted within the official zoning map.
 - 2. Recreational marijuana processing may only be allowed subject to conditional use approval in LI-1 and HI-1 areas identified by the Columbia County Zoning Ordinance Title 18, and whereas the land is not within a designated Urban Growth Area as adopted within official the zoning map.
 - 3. Recreational marijuana retail sales may only be allowed subject to conditional use approval in C-1 Commercial zone areas identified by the Columbia County Zoning Ordinance Title 18, and whereas the land is not within a designated Urban Growth Area as adopted within the official zoning map.
- B. The Determinations on conditional uses shall be made utilizing the hearing by the hearing examiner pursuant to chapter 18.80 and decision made on conditional uses for marijuana production, processing and/or retail sales shall be afforded substantial weight on review.
- C. Approval of the required conditional use permit shall be only for one year and must be renewed annually.
- D. Recreational marijuana production, processing, and retail sales land use may be allowed if, among other factors, they meet the stated purpose and general intent of the zone in which the uses are proposed to be located and share characteristics common with and not be of greater intensity, density or generate more environmental impact than those uses listed in the land use zone in which they are to be located.
- E. Recreational marijuana production, processing and retail sales land use are subject to and must comply with all currently adopted codes and ordinances.
- F. Where there is a conflict of designations between the land use ordinance and the Comprehensive Plan, the land use ordinance designation shall prevail.
- G. Buildings where cannabis is grown, stored, or dispensed must be equipped with ventilation/air filtration systems so that no odors are detectable off premises.
- H. Marijuana plants, products, and paraphernalia shall not be visible from outside the building in which the marijuana business is located.
- I. For signage, marijuana retail, processing and production businesses shall be subject to the substantive requirements of chapter 314-55-155 WAC. No off-premises signage is permitted.
- J. The Hearing Examiner may revoke conditional use permits based on a finding that the provisions of this section have not been met per CCC 18.08.080(H)3.

18.150.060 Recreational Marijuana Standards

In addition to all requirements set forth in Title 18, and in addition to any special conditions of approval applied to a recreational marijuana conditional use permit, the following standards shall apply:

- A. Marijuana Production

1. Where marijuana production is proposed indoors, it must take place within a fully enclosed secure indoor facility or greenhouse with rigid walls, a roof, and doors, and shall include the following improvements:
 - i. The proposed use or facility must be licensed by the state of Washington and must at all times be in compliance with the laws of Washington State including but not limited to Chapter 314-55 WAC; and,
 - ii. Marijuana plants, products, and equipment utilized for production shall not be visible from outside the building; and,
 - iii. Ventilation and air filtration systems must be installed to ensure no odor escapes the structure; and,
 - iv. Black-out curtains shall be utilized to ensure no light pollution from growing lights affects neighboring landowners; and,
 - v. Any/all buildings utilized for production must meet a setback of at least two times the minimum required per Title 18; and,
 - vi. Existing structures that do not meet the setback requirement cannot be utilized as a marijuana production space; and,
 - vii. The land utilized for processing must be a stand-alone property, with no other uses existing on the parcel/ lot.
2. Outdoor production is permitted where the following conditions can be met:
 - i. 500' setback from any adjacent property line and/or county road;
 - ii. Obstruction of all outdoor grow by use of a sight-obscuring fence of at least 8 feet in height with engineering design and building permit issuance for said fence; and,
 - iii. Marijuana plants, products, and equipment utilized for production shall not be visible from behind the fence or wall; and,
 - iv. The land utilized for processing must be a stand-alone property, with no other uses existing on the parcel/ lot.
 - v. The use must be licensed by the State of Washington and must at all times be in compliance with the laws of Washington State including but not limited to Chapter 314-55 WAC.
3. No more than three marijuana producers shall be allowed within the County, with spatial separation by one marijuana producer per Commissioner District.

B. Marijuana Processing

1. Marijuana processing must take place within a fully enclosed secure indoor facility or greenhouse with rigid walls, a roof, and doors, and shall include the following improvements:
 - i. The proposed use or facility must be licensed by the state of Washington and must at all times be in compliance with the laws of Washington State including but not limited to Chapter 314-55 WAC; and,
 - ii. Marijuana plants, products, and equipment utilized for processing shall not be visible from outside the building; and,

- iii. Ventilation and air filtration systems must be installed to ensure no odor escapes the structure; and,
 - iv. Black-out curtains shall be utilized to ensure no visibility from outside the building; and,
 - v. Any/all buildings utilized for processing must meet a setback of at least two times the minimum required per Title 18; and,
 - vi. Existing structures that do not meet the setback requirement cannot be utilized as a marijuana processing space; and,
 - vii. The land utilized for processing must be a stand-alone property, with no other uses existing on the parcel/ lot.
2. Marijuana processing must take place at least 500' away from any neighboring residential dwelling unit and/or residential zones per the Columbia County zoning map.
 3. No more than three marijuana processors shall be allowed within the County, with spatial separation by one producer per Commissioner District.

C. Marijuana Retail

1. Retailers must ensure that the business does not unnecessarily disrupt neighboring land use through sufficient customer parking, retail space to accommodate anticipated customers inside the retail store, and discouragement of loitering before or after retail transaction.
2. Marijuana retail must take place within a fully enclosed secure indoor facility, and shall include the following improvements:
 - i. The proposed use or facility must be licensed by the state of Washington and must at all times be in compliance with the laws of Washington State including but not limited to Chapter 314-55 WAC; and,
 - ii. Any/all buildings utilized for processing must meet a setback of at least two times the minimum required per Title 18; and,
 - iii. Existing structures that do not meet the setback requirement cannot be utilized as a marijuana processing space.
3. No more than the allowed number of retailer licenses shall be permitted per the Washington State Liquor and Cannabis Board.

18.150.070 Medical Marijuana Standards

This chapter shall not supersede rights and obligations under Washington law for individuals medically authorized users to grow marijuana for their use on private property, or designate individual parties to do so on their behalf pursuant to RCW 69.51A. Unless otherwise specified by state law, facilities associated with the production, processing, transporting, and delivering of cannabis for medical use, including but not limited to collective gardens, must adhere to the following requirements.

- A. The use or facility must be licensed by the State of Washington and must at all times be in compliance with all the laws of Washington State, including, but not limited to the provisions of Chapter 69.51A RCW.
- B. Licensees must maintain documentation demonstrating that all required federal, state, and local taxes, fees, fines, and penalties have been paid and that there are no past due obligations.

- C. All facilities and uses must be located entirely within a fully enclosed, secure, indoor facility or greenhouse with rigid walls, a roof, and doors.
- D. Buildings where cannabis is grown, stored, or dispensed must be equipped with ventilation/air filtration systems so that no doors are detectable off premises.
- E. No medically authorized user shall grow more than the number of marijuana plants specified on their recognition card up to a maximum of six medically authorized marijuana plants.
- F. No more than 15 medically authorized marijuana plants may be grown, processed or possessed in a housing unit with multiple medically authorized marijuana user residents.
- G. No portion of these activities may be seen by normal unaided vision, or smelled from a public place or private housing residence.
- H. Subject to applicable federal, state, and local laws, any owner, lessor, or leasing agent may request or require disclosure of a renter or lessee's desire to produce or process marijuana within a rented or leased dwelling unit.
- I. Production or processing of marijuana or marijuana infused products or storage or growing of plants in residence, pursuant to RCW 69.51A, that can be readily seen by normal unaided vision, or readily smelled, from a public place or private residence shall constitute a nuisance for enforcement purposes.

18.150.080 No Non-Conforming Uses

No use that constitutes or purports to be a marijuana producer, marijuana processor, or marijuana retailer, that was engaged in that activity prior to the enactment of this ordinance shall be deemed to have been legally established use under the provisions of Columbia County Code and that use shall not be entitled to claim legal non-conforming status.

18.150.90 Violations

Any violations of this chapter may be enforced as set forth in Columbia County Code Title 19, Code Enforcement; 69.50 RCW; 314-55 WAC, or other applicable regulation or law. Enforcement and prosecution authority contained herein is nonexclusive to any and all other available enforcement and prosecution available at law.