

075425 THE BOARD OF WHITMAN COUNTY COMMISSIONERS met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **Monday, May 5, 2014 at 9:00 a.m.** Chairman Arthur D Swannack, Dean Kinzer and Michael Largent, Commissioners and Maribeth Becker, CMC, Clerk of the Board attended.

9:00 a.m. - Call to Order/Board Business/Workshop.

Present: Gary Petrovich, Kelli Campbell, Bill Spence (9:00 a.m.), Bill McKee and Sally Ousley (9:05) a.m. and Commissioner Swannack (9:10 a.m.).

075426 1. Items discussed included County Financial Policy, K&L Gates, Avista TAC meeting, LSC meeting, Mayor's Roundtable, RTP0 meeting update, CIP process, electronic data retention and tax sharing. No action taken.

9:25 a.m. - Recess.

10:00 a.m. - Flag Salute.

Present: Sally Ousley, Bill Spence and Bill McKee.

D075426A 2. Pledge of Allegiance.

Consent Agenda:

D075426B 3. Motion by Commissioner Largent to accept the consent agenda. Motion **seconded** by Commissioner Kinzer and **carried**.

075427 4. General Claims/Veterans' Relief/Payroll warrants numbered **310144-310220** for **\$114,254.37** approved.

075428 5. April 21, 2014 minutes approved.

075429-075430 6. Personnel change orders approved.

10:05 a.m. - Bob Reynolds.

075431 7. Recommendations were received from the Blue Ribbon Advisory Task Committee for award of the 2014 - Public Facilities (.09) grant funds as follows:

\$ 00	#01-2014 City of Pullman Sanitary Truck Sewer
\$15,000	#02-2014 Pullman-Moscow Regional Airport Runway Lighting Regulator
\$29,087	#03-2014 Rural Library District Community Enrichment Center
\$25,913	#04-2014 Town of Rosalia Municipal Airport Maintenance
\$30,000	#05-2014 Town of Uniontown Library

075432 8. Commissioner Kinzer **moved** Commissioner Largent **seconded** the motion and it **carried** to award the 2014 Public Facilities (.09) grant funds as recommended by the Blue Ribbon Advisory Task Committee.

075433 9. Commissioner Largent **moved** Commissioner Kinzer **seconded** the motion and it **carried** to authorize the Chairman to sign a letter of appreciation to Kathy Brown for her service on the Citizens Commission on Salaries for Elected Officials.

075434 10. Mr. Reynolds had submitted an amendment to the current contract with Beaman Architecture, Ltd. extending the term of the contract for timing issues for the Courthouse ADA project noting no additional funding is being requested. Commissioner Kinzer **moved** Commissioner Largent **seconded** the motion and it **carried** Beaman Architect

075435 11. Washington State Liquor Control Board marijuana application #9 filed by Garrett Lunders of RL Farms, Asotin, WA. As has been the past practice, the commissioners took no action.

075435A 11A. Commissioner Kinzer **moved** Commissioner Largent **seconded** the motion and it **carried** to authorize the publishing of a notice of call for Developmental Services RFQ's.

D075435B 12. No correspondence received.

075436 13. Commissioners pending list reviewed.

10:15 a.m. - Recess.

11:00 a.m. - Mark Storey, Public Works Director.

Present: Phil Meyer, Alan Thomson, Jerry Basler, Dan Gladwill, Sally Ousley and Bill Spence.

ACTION ITEMS

075437 14. The 2013 County Road Administration Board Certificate of Good Practice was presented by the Chairman to the Public Works Director.

075438 15. Hearing convened by the Chairman for the Scott O'Laughlin zoning map change. Staff report provided by Jerry Basler as follows:

The applicant is requesting 2.6 acres of land be changed from the Agricultural District to the Heavy Industrial District in the St. John area with specific uses specified.

The hearing was opened to public comment. There being none, the hearing was adjourned.

075439 16. 11:00 a.m. - Commissioner Largent **moved** Commissioner Kinzer **seconded** the motion and it **carried** to approve the amendment of the Whitman County Zoning Map, changing 2.6 acres from the Agricultural District to a Heavy Industrial District, located southwest of St. John, WA on Lancaster Road in the N ½ of Section 21, Township 18 N., Range 41 E.W.M., Whitman County, WA.

ORDINANCE NO. 075439

AN ORDINANCE AMENDING THE WHITMAN COUNTY ZONING MAP TO CHANGE THE ZONING FROM AGRICULTURAL DISTRICT TO HEAVY INDUSTRIAL.

BE IT ORDAINED and enacted by the Board of County Commissioners of Whitman County, State of Washington, it having been determined by the Board after hearing the Recommendations and Findings of Fact of the Whitman County Planning Commission that these should be accepted and this action is consistent with the Whitman County Comprehensive Plan.

Change the zoning for Scott O’Laughlin for 2.6 acres from Agricultural District to Limited Heavy Industrial District for property located southwest of St. John, WA on Lancaster Road in the N ½ of Section 21, Township 18 N., Range 41 E. W.M., Whitman County, Washington.

PASSED AND APPROVED by the Board of Whitman County Commissioners of Whitman County, Washington, on the 5th day of May, 2014.

BOARD OF COUNTY COMMISSIONERS
OF WHITMAN COUNTY, WASHINGTON

Arthur D Swannack, Chairman

ATTEST:

Dean Kinzer, Commissioner

Maribeth Becker, CMC
Clerk of the Board

Michael Largent, Commissioner

075440 17. 11:05 a.m. - Hearing convened by the Chairman for amendment to the zoning codes Chapter 19.12 and 19.53.

Staff report provided by Alan Thomson as follows:

- Chapter 19.12 - Remove fire flow language that is no longer required for Cluster Residential Districts;
- Chapter 19.53 - Rewrite of the Sign Code language.

The hearing was opened to public comment. There being none, the hearing was adjourned.

11:10 a.m. - Bill McKee.

Commissioner Kinzer asked if the county has authority over signs on private property for individuals that wish to put up a sign along the road. Alan Thomson said it depends on the type of signage. In the Agricultural District a farmer can erect a sign in his field advertising a crop. The sign must deal with the landowners’ occupation and temporary political signage is also permitted.

BOCC MINUTES-05/05/14

Commissioner Kinzer also wondered if these changes violate any first amendment issues but Mr. Thomson did not believe so. The county has the right to address these types of issue by law.

Commissioner Kinzer asked about the size of signs and if national motto signs are permitted. Mr. Thomson said the size of signs is also clarified in the code. With regard to national mottos they are technically not allowed, but it is up to the Board if they want to take a stand.

Commissioner Swannack asked if the proposed code makes things not previously addressed now illegal. Mr. Thomson said that type of signage was not previously legal because they are not advertising a business use. If it is not specified in the code, the sign cannot be erected.

Commissioner Kinzer's concern was possibly putting the county in a litigation situation. Mr. Thomson said this sign code is very limited and pertains to businesses only. Nobody is stepping in to tell landowners they can't erect statement signs, i.e. "Save Our Dams" unless it becomes a problem. If the Board would like to add other signage language, further discussion would be required.

Mark Storey wondered if this is something the Board would like staff to visit with the Prosecutor about and Commissioner Kinzer indicated he would feel more comfortable if that occurred. Mr. Storey continued there are two ways to approach this: 1) review the proposed amendments again or 2) adopt the amendments with the knowledge that the ordinance could be amended again in the near future.

Alan Thomson interjected the opening statement was taken directly from several other Washington codes. Therefore, this is standard operating sign code language from counties, towns and cities throughout the state. When putting this together he looked at many codes to see what other jurisdictions are doing. If the commissioners see something signage-wise that is presenting an issue, then the Board will be faced with a choice. This language gives the commissioners the latitude to make a decision. He reiterated this language is very standard for many jurisdictions and has not gone untested.

Commissioner Largent said in the challenge of any piece of legislation the courts will consider legislative intent. Clearly the minutes will reflect that the legislative intent was not to limit free speech rights in any way, shape or form. The intent of this legislation is to regulate commercial advertising without infringing upon their right of free speech. Our legislative intent is clearly not to address or impinge upon a citizens' right to express their opinion in any way that is otherwise legal.

Mr. Thomson said safety is an issue too. If a sign is causing a safety issue, the county has the ability to resolve that issue and Commissioner Swannack concurred.

Commissioner Largent asked if the other members agreed with his legislative intent comment and both responded yes. He added a scenario would be, county government would be intent on impinging upon someone's right to express an opinion they might otherwise disagree with is not the intent of this legislation.

Commissioner Swannack asked about restrictions on temporary signs/sizes and Mr. Thomson said that would depend upon the zoning district.

Commissioner Kinzer said with the clarifications provided, he was ready to act on the ordinance.

075441 18. Commissioner Kinzer **moved** Commissioner Largent **seconded** the motion and it **carried** to approve the amendment of the Whitman County Zoning Ordinance (Chapters 19.12 and 19.53), as stated in the approved findings of fact.

ORDINANCE NO. 075441

AN ORDINANCE AMENDING CHAPTER 19.12 - CLUSTER RESIDENTIAL DISTRICT; AND CHAPTER 19.53 - OUTDOOR SIGNS, to approve eliminating the requirement for on-site fire flow in the Cluster Residential District code Chapter 19.12; and the rewrite of Chapter 19.53 - Outdoor Signs, as described in the proposed ordinance hereto attached and made a part of by reference. These changes are consistent with the Whitman County Comprehensive Plan and Zoning Ordinance.

BE IT ORDAINED and enacted by the Board of County Commissioners of Whitman County, State of Washington, it having been determined by the Board after hearing the Planning Department's Recommendations and Findings of Fact, after the Board's public hearing and adoption of Findings of Fact.

PASSED AND APPROVED by the Board of Whitman County Commissioners of Whitman County, Washington, on the 5th day of May, 2014.

BOARD OF COUNTY COMMISSIONERS
OF WHITMAN COUNTY, WASHINGTON

Arthur D Swannack, Chairman

ATTEST:

Dean Kinzer, Commissioner

Maribeth Becker, CMC
Clerk of the Board

Michael Largent, Commissioner

Chapter 19.12 - CLUSTER RESIDENTIAL DISTRICT
(Adopted 12/22/2003; Ordinance #061970)

19.12.010 - Declaration of Intent.

The Cluster Residential District provides minimum standards for specified areas in order to allow more non-farm rural residential places while at the same time protecting the ability of other, neighboring agricultural producers to continue farming and raising livestock.

19.12.020 - Permitted Uses.

- A. One single-family dwelling per buildable lot.
- B. Accessory structures to a permitted use.
- C. Temporary stands for sale of agricultural non-livestock products produced on the premises.
- D. Home-based businesses utilizing only those accessory buildings and structures permitted under this chapter, and which from the premises' property line cannot be seen or heard or felt or smelled and will not have customer visits. (For more information on home-based businesses permitting, see Chapter 19.56) (Revised April 21, 2008; Resolution No. 068024)
- E. Agricultural activities including but not limited to cropping and grazing of livestock.
- F. Level 1 and level 2 Electric Vehicle Charging Stations. (Revised 10/17/11, Ordinance #072330)

19.12.030 - Zone and Lot Size Requirements, and House to Acreage Ratios.

- A. The minimum zone size for a short plat consisting of four buildable lots shall be 20 acres. The minimum zone size for a long plat consisting of at least six buildable lots shall be 60 acres.
- B. This zone must be capable of creating at least four lots that are suitable for building a single-family residence.
- C. Lots may be as small as ½ acre as long as the short plat ratio of at least 5 acres per residence is maintained, or the long plat ratio of at least 10 acres per residence is maintained.

19.12.040 - Yard Requirements.

The minimum setback for all principal and accessory uses and structures shall be twenty feet on all sides, provided that a minimum setback of thirty-five feet shall be required for any yard adjacent to the right-of-way of any state or county roadway designated as a primary or secondary arterial in the Comprehensive Plan. To facilitate setback location, measurement may be made from the centerline of the road. The front yard setback shall be half the distance of that specific right-of-way width, plus thirty-five feet, as measured from the road centerline.

19.12.050 - Height of Buildings.

The maximum height of buildings and structures in this district shall be thirty-five feet as measured from the average of the highest and lowest natural grade points of the foundation, to the top of the roof.

19.12.070 - Short Plat and Long Plat Subdivisions.

Whitman County shall accept no short plat or subdivision for residential use within this Cluster Residential District unless such plat complies with this chapter:

- A. Short plats:
 - 1. A short plat in this zoning district must create four buildable lots in a zone of at least 20 acres; additional non-buildable

lots, to be held in common ownership by a homeowners' association and not certified as eligible residential parcels, may also be created. The short plat shall identify any non-buildable lots as non-buildable and include a note stating that no residences may be constructed on parcels so labeled.

2. The four buildable lots must meet code requirements so that they are eligible for residential building permits. These lots must be platted, and the plat must show the private road right-of-way, drain field locations, well locations and utility easements. Road construction must be completed to each lot prior to the issuance of any building permit. Proof of adequate, potable water is required prior to approval of the short plat.
3. Minimum lot size shall be $\frac{1}{2}$ acre and there is no maximum lot size.
4. If land is not held in common ownership, easements for roads and utilities must be provided. Road and utility construction and maintenance agreements are required.
5. Cluster Residential Districts, once created and platted, shall not be further subdivided unless the zoning classification is changed or the land is annexed. Minor boundary line adjustments may be allowed as long as these changes do not jeopardize the integrity of each lot as a building site nor the accessory systems developed to support the plat.
6. Prior to approval of the plat, the land owner shall file with the County Auditor a deed restriction and/or easement of acceptance of agricultural operations document. This document shall also be printed on the plat or adequately referenced so that future buyers have opportunity to be aware of this deed restriction and/or easement. Applicants for any residential building permit shall sign and file a form that indicates they are aware of the deed restrictions and/or easements. Documents that in the future convey the land to new owners shall also acknowledge the existence of these filed documents. The deed restriction and/or easement sample is attached to the last part of this chapter.
7. Once an area has been successfully zoned Cluster Residential District, the process of platting may be initiated and completed. Upon successful completion of platting, the lots may be conveyed and building permits sought.

B. Long plats:

1. A long plat must create at least six buildable lots in a zone of at least 60 acres; additional non-buildable lots, to be held in common ownership by a homeowners' association and not certified as eligible residential parcels, may also be created. The preliminary and final plats shall identify any non-buildable lots as non-buildable and include a note stating that no residences may be constructed on parcels so labeled.

2. For each additional buildable lot, the zone size must be expanded by 10 acres, so that the ratio of 10 acres per residence is maintained.
3. The six or more buildable lots must meet code requirements so that they are eligible for residential building permits. These lots must be platted, and the plat must show the private road right-of-way, drain field locations, well locations and utility easements. Since a long plat can be phased, road construction must be completed to each lot prior to approval of that phase of the long plat, (the Final Plat). Proof of adequate, potable water is required prior to approval of the Final Plat, although a developer may wish to assure an adequate supply of potable water earlier in the process.
4. Minimum lot size shall be ½ acre and there is no maximum lot size.
5. If land is not held in common ownership, easements for roads and utilities must be provided. Road and utility construction and maintenance agreements are required.
6. Cluster Residential Districts, once created and platted, shall not be further subdivided unless the zoning classification is changed or the land is annexed. Minor boundary line adjustments may be allowed as long as these changes do not jeopardize the integrity of each lot as a building site nor the accessory systems developed to support the plat.
7. Prior to approval of the plat, the land owner shall file with the County Auditor a deed restriction and/or easement of acceptance of agricultural operations document. This document shall also be printed on the plat or adequately referenced so that future buyers have opportunity to be aware of this deed restriction and/or easement. Applicants for any residential building permit shall sign and file a form that indicates they are aware of the deed restrictions and/or easements. Documents that in the future convey the land to new owners shall also acknowledge the existence of these filed documents. The deed restriction and/or easement sample is attached to the last part of this chapter.
8. Once an area has been successfully zoned Cluster Residential, the process of platting may be initiated and completed. Upon successful completion of platting, the lots may be conveyed and building permits sought.

19.12.080 - Conditional Uses and Administrative Uses.

Because of considerations of traffic, noise, lighting, hazards, health and environmental issues, the following uses shall not be permitted in the Cluster Residential District unless a conditional use permit authorizing such use has been granted by the Board of Adjustment:

- A. Home-based businesses that exceed the threshold of a permitted use may be allowed as an administrative use or a conditional use. (For

more information on home-based businesses permitting, see Chapter 19.56) (Revised April 21, 2008; Resolution No. 068024)

- B. An Administrative Use Permit is required for a Level 3 Electric Vehicle Charging Station. (Revised 10/17/11, Ordinance # 072330)

19.12.090 - Special Features for Cluster Residential District (CRD).

A. Purpose: This section establishes potential locations for and allows for the creation of Cluster Residential Districts, (CRD), designed to foster creative, efficient, and comprehensive site development, intended for special site locations, conditions and circumstances, in concert with WCO Chapter 18.50, Subdivision Ordinance, and:

- 1. Produce a non-farm rural residential development which would be better than traditional, scattered houses, through variety in design, placement of buildings, and use of undeveloped natural areas, in order to capitalize on the special features of the individual site.
- 2. Permit flexibility that will encourage a more creative approach in the development of land and will result in a more efficient, aesthetic, and desirable use of undeveloped areas, while at the same time harmonizing with adjoining development.
- 3. Ensure preservation of important natural habitat, and important ecosystems.
- 4. Preserve and enhance special site features including areas of cultural significance and, habitat, wetlands and; compliance with the County's critical areas ordinances.
- 5. Maximize use of alternative energy sources and energy-efficient structures, while employing strategies for conservation of water and other resources.

B. There is created the possibility for a Cluster Residential District within specific areas of Whitman County, hereafter termed CRD Opportunity Areas, as follows:

- 1. The areas that may be converted from Agricultural District to the Cluster Residential District are those quarter-sections (a ¼ section equaling about 160 acres) that are within ½ mile of the Pullman city limits; except existing Districts other than Agricultural, such as Highway/Waterway Commercial, Heavy Commercial, Airport Commercial, Light Industrial, Heavy Industrial and the Pullman-Moscow Corridor District, which are as follows:

Township 15, Range 45	all of 28; parts of the NE, SE, SW, and NW ¼s of 29; N ½ and parts of SE and SW ¼s of 30;
Township 15, Range 44	SE ¼ of 25, E ½ and SW ¼s of Section 36;
Township 15, Range 45	parts of the NW, SW and SE ¼s of 31; NE ¼ and part of NW ¼ of 36; S ½ and NW ¼ of 25; S ½ of 26; S ½ of 27; part of N ½ of 34;

Township 14, Range 44 NW ¼ and parts of SW, NE, and SE ¼s of 1; NE ¼ and part of SE ¼ of 12; NE ¼ of Section 13;

Township 14, Range 45 N ½ of 18; parts of the NW and SW ¼s of 6; parts of NW, NE, SE, and SW ¼s of 7; parts of NW, NE, SE, and SW ¼s of 8; N ½ of 17; NW ¼ of Section 16; W ½ and part of NE ¼ of 9; N ½ of 10; parts of the NW and NE ¼s of 11.

(A map has been produced to show these areas)

2. Land within the above-described general areas may be considered for rezoning to Cluster Residential District. (Any area defined by interlocal agreement between the county and the city of Pullman that describes city expansion areas [adjacent to water and sewer line potential extensions] will be excluded from this zone) The process by which this zone may be created is as follows:
 - a. The proposed Cluster Residential District zone change shall be at least 1,000 feet distant from any commercial agricultural land and any other commercial or industrial zone or existing conditional use that may have compatibility issues with the proposed Cluster Residential development, unless the owner(s) of said lands sign a waiver that they do not object to the establishment of such a zone.
 - b. If no waiver is obtained, the zone change application may still be presented to the Planning Commission public hearing, but the burden of proof that said development would not negatively affect the adjacent agricultural land operations, commercial or industrial land use shall rest with the zone change applicant. The applicant must to the satisfaction of the Planning Commission, cogently explain how the proposed zone change and development would not hamper or curtail current agricultural, commercial or industrial practices, such as but not limited to prevailing wind problems, aerial applicator flight patterns required by topography, odor, noise, livestock, hours of operation and so forth.
 - c. The applicant shall hold a meeting, with planning staff present, to discuss concerns with neighboring land owners, farm operators and residents before the hearing. Planning staff shall take notes at this meeting.
 - d. The site plan prepared as part of the zone change application shall designate an area for the shared well, or for individual wells on each lot.
 - e. The site plan prepared as part of the zone change application shall show preliminary County Environmental Health information that potential residential sites will

- have access to area and soils adequate to be permitted for septic system drain fields, sufficient for each proposed residential building site.
- f. The zone change application must show that the proposed access from an improved county road or state highway can be obtained from the appropriate government agency.
 - g. The internal road that serves the lots shall be a shared private road. In general, this road shall be designed to stay on one of the land's contours. It shall be engineered to County standards, or as approved by the County Engineer, and shall meet fire code requirements.
 - h. The dwelling area is defined as the area of a parcel of land in which building construction can occur, such as the area suitable for structures and landscaping. Wells, drain fields, driveways, the internal road, and so forth could be allowed within the buffer area, but must maintain the required 20-foot setback from the zone perimeter.
 - i. The buffer from perimeter of the Cluster Residential zone to the lots, or the dwelling area within each lot, shall be a horizontal 200-foot distance of pasture, hay or native vegetation in those cases where the exterior Cluster Residential zone boundary is adjacent to lands in commercial agricultural use.
 - j. Compliance with the County's critical areas ordinances will direct development away from flood hazard and wetland areas, and will protect the aquifers. The Building and Fire Codes will guide development with regards to steep slopes and geologically hazardous soils. Structures built on 1:3 slopes or steeper are subject to additional Building Code provisions.
 - k. Prior to the zone change public hearing, within county jurisdiction, notice shall be mailed to land owners within 1,000 feet of the proposed zone boundaries. Within city jurisdiction the notice distance shall be 300 feet. The property shall be posted with a public notice and the notice shall be published.
 - l. Prior to approval of any short plat survey or preliminary long plat survey, any Declaration of Covenants, Conditions and Restrictions (CC&R's) associated with said subdivision shall be reviewed by the County Planner for inclusion of:
 - i. Regulations controlling assessments for the improvement and maintenance of shared infrastructure such as driveways and water systems.
 - ii. Regulations controlling amendment of the CC&R's document.

- j. The CC&R's document may include other restrictions, such as those addressing type of construction, which are not required by Whitman County.
- 3. Special requirements within the zone:
 - a. A grading permit shall be required prior to the disturbance of any vegetation and soils. Grading shall disturb the minimum area needed for the developments. It may be necessary for a grading permit to be issued prior to each new proposed development if the development occurs in phases or over time. The grading permit requirement shall be enforced through the Building Code.
 - b. Structures shall be located so that their highest point shall be lower than elevation of the highest ridgeline or hilltop within one-half mile of the building site.
 - c. Prior to the issuance of a building permit, in consultation with the appropriate Fire District, fuel breaks shall be designed to protect structures. It shall be the responsibility of each home owner and/or resident to implement and maintain the fuel break in such condition as to protect structures from wildfire damage. Whitman County shall have no liability for any wildfire damage.
 - d. Any development that is planned to meet State Department of Ecology storm water requirements shall be presented to Whitman County as part of the plat design. Although this is not a County requirement, this will involve land use, so the details of that development and/or the structures required shall be provided to Whitman County. In some cases, it may be possible to combine this with, for example, a fire flow storage system.
 - e. Outdoor lighting shall be of full cut-off design.
- 4. The deed restriction and/or easement sample as stated below shall be used when Cluster Residential Districts are created, and when there is a residential building permit and/or conveyance of Cluster Residential District lot ownership:
 - a. Acknowledgement

**COUNTY OF WHITMAN
STATE OF WASHINGTON
CERTIFICATION OF ADJACENT AGRICULTURAL USE**

The undersigned do hereby certify to be the owner(s) of the hereinafter legally described real property and do hereby acknowledge that the proposed development is within the vicinity of property utilized for commercial agricultural purposes. Persons who may reside or work in any of the proposed structures may be subjected to inconvenience or discomfort arising from the pursuit of agricultural operations, including but not limited to plowing, seeding, application of agricultural chemicals (herbicides, pesticides, and fertilizer), cultivation, harvesting, the

Notary Public In and For the State of Washington
Residing at _____
My commission expires _____

- b. The following steps are required for this compliance:
 - i. _____ Completing and signing this Certification
 - ii. _____ Obtaining Planning Office review
 - iii. _____ Filing this Certification with the County Auditor
 - iv. _____ Providing proof from the County Auditor for the Planning and/or Building Inspection office(s) that this Certification has been filed.

The existence of this Certification must be conveyed to each future owner of this property. (Revised 4/30/07 Ordinance #066838, effective 5/15/07)

Chapter 19.53 - SIGNAGE STANDARD

19.53.010 - Purpose.

The purpose of this chapter is to promote commerce, traffic safety, and community identity while enhancing the visual environment of residential, commercial and industrial areas.

19.53.020 - General Sign Requirements.

- A. All permitted businesses shall be allowed one free-standing sign and one building-mounted sign with the exception of those zoning districts stated in B below and in the case of a business located at the intersection of two roads a maximum of two free-standing signs are allowed. Also, in the case of a business which fronts more than one street, a building-mounted sign is allowed on each side fronting the street. Building-mounted signs shall have a total area not exceeding twenty-five (25) percent of the wall area, including openings. When said wall exceeds five hundred (500) square feet, the total area of such wall signs shall not exceed one hundred and twenty-five (125) square feet plus five (5) percent of the wall area in excess of five hundred (500) square feet.
- B. For light and heavy industrial districts, heavy commercial districts and highway/waterway commercial districts up to three free-standing signs are allowed as long as the total square footage of all three signs is no greater than 200 square feet.
- C. No signs require a zoning permit from the Planning Office but may require a building permit to be determined on a case-by-case basis.
- D. Sign content shall be restricted to the associated business information.
- E. No sign shall exceed the height of the highest point of elevation of the principal permitted use or structure on the premises.
- F. The illumination from or upon any sign shall be shaded, shielded, or directed so the light intensity or brightness shall not adversely affect surrounding properties or public/private rights-of-way or

create a hazard or nuisance to the traveling public or to surrounding properties. In the case of external illumination for signs, no strobe lights, flashing lights, rotary lights, or beacons shall be permitted.

- G. No blinking, flashing or similar intermittent lighting or revolving signs are allowed. Electronic changeable copy signs are allowed.
- H. Freestanding billboards are prohibited. A billboard is a large outdoor sign used for advertising such as the advertising billboards in the S-PMC District. Those billboards and other non-conforming signs which were legally constructed or installed prior to the enactment of the 1979 Zoning Ordinance will be grandfathered as a non-conforming use. These signs may not be enlarged or relocated, and if their use is discontinued for six months or more, these signs must be removed. Legally sized signs in farm fields advertising agricultural commodities are not considered billboards.
- I. All signs including billboards are to be kept in good repair. Signs which are abandoned, unsafe, damaged, or obsolete must either be updated, brought into a state of good repair, removed by the owner, or will be removed at the owner's expense by Whitman County Department of Public Works.
- J. Signs associated with home occupations in any use district shall be limited to one free-standing signs and one wall sign not more than sixteen-sq. ft. each in area.
- K. Directional signs indicating the location of an approved business may be allowed with the approval of the road jurisdiction where the sign would be located. The dimensions of the sign are subject to approval of the road district. The content of the sign is limited to the name of the business and distance and direction to the business.
- L. No sign shall be erected so as to obstruct the vision of vehicular traffic, or at any location where it might interfere with, or be confused with, any traffic signal or device.
- M. The minimum yard setbacks for all signs on both county roads and state routes shall be ten feet measured from the right-of-way line.
- N. Nothing in this chapter shall be construed to permit the erection of signs which are prohibited by the Revised Code of Washington, the U.S. Code or any amendments thereto.
- O. Marking and lighting of safety hazards shall be exempt from regulation when performed by or at the request of a public entity having jurisdiction.
- P. Temporary signs are allowed in all zoning districts but must be removed within one week after the advertised event. Examples of temporary signs are: political signs, real estate signs, yard/garage/estate sales signs. Agricultural field signs advertising agricultural commodities are not restricted.

19.53.030 - Signs--Area Restricted.

Outdoor signs shall not exceed the area prescribed for each use district as follows:

- A. Agricultural: 36 sq. ft.
- B. Rural Commercial: 16 sq. ft.
- C. Heavy Commercial: 200 sq. ft.
- D. Light Industrial: 200 sq. ft.
- E. Airport Industrial: 200 sq. ft.
- F. Heavy Industrial: 200 sq. ft.
- G. Rural Community Residential: Signs prohibited, except home occupation signs. Home occupation signs are governed by Section 19.53.020(J).
- H. Rural Community Center: 16 sq. ft.
- I. Sign areas shall be measured in the following way: Both sides equal the total square footage allowed. For example, in the case of a 200 square foot sign there shall be no more than 100 square feet of printed area on either side. There would be no more than 100 square feet seen from any one side. This applies even if the sign is in the shape of a V or opened up in any shape.

075442 19. Commissioner Kinzer **moved** Commissioner Largent **seconded** the motion and it **carried** to approve the Annual Construction Program for 2014 as presented.

075443 20. Commissioner Kinzer **moved** Commissioner Largent **seconded** the motion and it **carried** to approve the recommendation to publish the "No Spray" legal advertising.

075444 21. After review, Commissioner Kinzer **moved** Commissioner Largent **seconded** the motion and it **carried** to approve the revised Building fee schedule.

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF WHITMAN COUNTY, WASHINGTON**

In the Matter of Updating)	
Building Permit Fees)	RESOLUTION NO. <u>075444</u>
Whitman County Building Department)	ORDER ESTABLISHING FEES
Whitman County, Washington)	

BEFORE THE BOARD OF COUNTY COMMISSIONERS of Whitman County, Washington in the matter of updating the Building Department fee schedule;

WHEREAS, the Building Department and the Board of County Commissioners have determined the importance of maintaining fees that reflect current construction valuation,

AND, WHEREAS, the Board recognizes the necessity to operate the Building Department in a fiscally responsible manner, to result in a balanced Building Department operating budget,

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AND, WHEREAS, the Building Department staff have researched valuations methods used by many of the neighboring local agencies, and found the Whitman County valuation schedule to be lower than for many other entities in the region,

AND, WHEREAS, the Building Department has been tracking the cost for Whitman County to provide the necessary review and inspection services,

IT IS HEREBY RESOLVED that Whitman County will adopt the International Building Code Councils' Building Valuation Data Table-2010 for calculating fees, beginning on the first day of July, 2014

ADOPTED this 5th day of May, 2014.

BOARD OF COUNTY COMMISSIONERS
OF WHITMAN COUNTY, WASHINGTON

Arthur D Swannack, Chairman

ATTEST:

Dean Kinzer, Commissioner

Maribeth Becker, CMC
Clerk of the Board

Michael Largent, Commissioner

075445 **22.** The revised Road Department fee schedule was tabled to May 19th.

075446 **23.** The revised Solid Waste fee schedule was tabled to May 19th.

AGENDA AMENDED

D075446A **23A.** Commissioner Kinzer **moved** Commissioner Largent **seconded** the motion and it **carried** to amend the agenda to include the RAP/RATA funding for Thorn Creek Road.

075447 **23B.** Commissioner Kinzer **moved** Commissioner Largent **seconded** the motion and it **carried** County Road Administration Board Rural Arterial Program RAP/RATA funding document for Thorn Creek Road.

DIVISION UPDATES

Maintenance Division:

075448 **24.** Quality Steel Buildings, Inc. was awarded the quote for a two-bay storage additions at the Colfax Shop for Emergency Management supplies in the amount of \$21,000 w/o tax. A contract should be available for the Board's approval on May 19th.

D075448A **24A.** Phil Meyer indicated the road crews are involved in general road maintenance this week.

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D075448B 24B. Commissioner Swannack inquired about the Governor's attempt to have rural counties convert to total bio-fuel fleets. Mr. Storey said it is only speculation at this time. However, the county does make sure everything is flex fuel compliant.

11:55 a.m. - Recess.

1:00 p.m. - Reconvene/Board Business Continued.

D075448B 25. Approved documents signed.

D075448C 26. Need for Tuesday, May 6, 2014 workshop confirmed.

1:30 p.m. - Reconvene/Board Business Continued/BOCC Workshop.

075449 27. Storage of the Veterans' flags in Colfax was discussed. No action taken.

1:35 p.m. - Recess.

3:00 p.m. - Reconvene/Board Business Continued/BOCC Workshop (Port of Whitman).

Present: John Love, Dan Boone, Tom Kammerzell, Gary Petrovich, Robin Olhgren of SEWEDA and Sally Ousley.

075450 28. Items discussed included joint Port/County related issues: SEWEDA update, county financial update, county zoning amendment, county building fees, Almota Grade,, railroad north of McCoy, Port's dredging project, McGregor's at Port of Wilma update and WSDOT and IDOT meeting regarding Port of Wilma to Idaho border project. No action taken.

4:10 p.m. - Recess.

D075450A THE BOARD OF WHITMAN COUNTY COMMISSIONERS met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **Tuesday, May 6, 2014 at 9:30 a.m.** Chairman Arthur D Swannack, Dean Kinzer and Michael Largent, Commissioners and Maribeth Becker, CMC, Clerk of the Board attended.

9:00 a.m. - Reconvene/Board Business Continued/BOCC Workshop.

Present: Gary Petrovich.

075451 29. Items discussed included ALTCEW proclamation, Federal Lands dues, Washington-125 Years, Avista TAC meeting, Federal government payments-2014, Brittney Stansell complaint, Doris Divine complaint, K&L Gates, independent electeds, Port/City market tax, Auditor's press release, State Park & Recreation Commission, tax sharing, State Auditor representation letter, financial policy and strategic planning. No action taken.

11:15 a.m. - Recess.

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D075451A THE BOARD OF WHITMAN COUNTY COMMISSIONERS met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **Monday, May 12, 2014 at 9:00 a.m.** Chairman Arthur D Swannack, Dean Kinzer and Michael Largent, Commissioners and Maribeth Becker, CMC, Clerk of the Board attended.

9:00 a.m. - Reconvene/Board Business Continued.

D075451A 30. Approved documents signed.

075452-075453 30A-30B. General/Veterans' Relief/Payroll warrants numbered **310252-310358** for **\$347,064.27**.

075454-075460 30B. Personnel change orders.

D075460A 31. No need for Tuesday, May 13, 2014 workshop.

9:15 a.m. - BOCC Workshop.

Present: Gary Petrovich, Mark Storey (9:05 a.m.), Kelli Campbell (9:45 a.m.) and Joe Reynolds (10:00 a.m.).

075461 32. Items discussed included RTPO, SEWEDA, LSC, Auditor's Comprehensive Plan, Payroll, Executive Session, Independent Elected Official Policy, Pullman Hospital District/Pullman Metro District, Federal Map 21 Program, State Parks & Recreation Commission Response, DOE SEA Program Response, Abram's Claim, Canfield Training, 2014 Strategic Planning, BOE Training, Spokane Housing Authority, Primitive Roads, Road Fees, Solid Waste Fees, County Overlay #2 Project, Hatley Bridge R/W, Chip Seal, Small Bridge Replacements, Solid Waste Project Mobilizing, Tax Sharing, Williams Zone Change, Evacuation Drills and ALTCEW. No action taken.

075462 33. Tuesday, May 13, 2014 workshop cancelled.

10:40 a.m. - Adjournment.

D075462A Commissioner Kinzer **moved** to adjourn the **May 5, 6 and 12, 2014** meeting. Motion **seconded** by Commissioner Largent and **carried**. The Board will meet in regular session, in their Chambers', in the Whitman County Courthouse, Colfax, Washington, on **May 19, 2014**. The foregoing action made this **12th** day of **May 2014**.

ss/ DEAN KINZER, COMMISSIONER
ss/ MICHAEL LARGENT, COMMISSIONER

MARIBETH BECKER, CMC
Clerk of the Board

ARTHUR D SWANNACK, CHAIRMAN
Board of County Commissioners