

**2012 Annual Amendment to the Stevens County Comprehensive Plan
and Stevens County Development Regulations, Title 3, Zoning Map Amendment**

BEFORE THE BOARD OF STEVENS COUNTY COMMISSIONERS

IN THE MATTER OF)	ORDINANCE NO. <u>2012-06</u>
2012 ANNUAL COMPREHENSIVE)	
PLAN UPDATE AND TITLE 3)	APPROVAL OF 2012 COMPREHENSIVE PLAN
ZONING MAP AMENDMENTS)	UPDATE AND TITLE 3 ZONING MAP
)	AMENDMENTS

WHEREAS, this ordinance, adopting the 2012 Annual Amendment to the Stevens County Comprehensive Plan and map amendments to the Stevens County Development Regulations, Title 3, contains three different sections of findings, as follows:

- Section I - Procedural Findings
- Section II - Findings
- Section III - Final Decision and Signatures

Section I--Procedural Findings

WHEREAS, Stevens County opted in to the Growth Management Act (GMA), RCW 36.70A on September 28, 1993, pursuant to Resolution 112-1993. RCW 36.70A.040 requires counties to adopt a Comprehensive Land Use Plan and related development regulations; and

WHEREAS, Stevens County adopted County-wide Planning Policies on May 22, 1995 pursuant to Ordinance 1-1995 as required by RCW 36.70A.210; and

WHEREAS, The Stevens County Comprehensive Land Use Plan was adopted on July 11, 2006 pursuant to Resolution 59-2006; and

WHEREAS, The Stevens County Development Regulations, SCC Title 3, became effective July 12, 2007, pursuant to Ordinance 2007-01; and

WHEREAS, The Comprehensive Plan and Development Regulations provide for an annual amendment process; and

WHEREAS, Stevens County has complied with the public participation process outlined in RCW 36.70A, SCC 3.30 and SCC 3.31; and

WHEREAS, Stevens County Land Services sent notice of the proposed amendment to the Department of Commerce, on October 18, 2012, as required by RCW 36.70A.106; and

WHEREAS, A "Notice of Complete Application and Opportunity to Comment" for the proposals was mailed on October 18, 2012, to 67 required adjacent property owners, agencies, interested parties and service providers. Legal notice was published in the *Chewelah Independent* on October 18 and 25, 2012. An Affidavit of Publication is on file. Project information was posted on the Land Services website as required by SCC 3.30.125; and

WHEREAS, Pursuant to SCC 3.31 and 3.80, Stevens County Land Services conducted an environmental review in conjunction with the Notice of Complete Application. A Determination of Non-Significance (DNS) was issued on November 20, 2012. Legal notice was published in the *Chewelah Independent* on November 29, 2012. An Affidavit of Publication is on file; and

WHEREAS, The Stevens County Planning Commission held a public hearing on November 8, 2012, to consider the items. The Planning Commission made findings of fact and by a unanimous vote of 5-0 recommended that the proposals be approved by the Board of County Commissioners; and

WHEREAS, The Stevens County Board of Commissioners held an open record public hearing on December 18, 2012 to consider the applications. An opportunity for public testimony was given. The Board of County Commissioners closed the record to further written and oral comment at the conclusion of public testimony portion of the hearing; and

WHEREAS, The Board of County Commissioners fully considered the record and on December 18, 2012, the Board of County Commissioners reviewed and signed Ordinance 2012-_____.

Section II--Findings

WHEREAS, The Board of County Commissioners entered the following findings of fact for the proposed amendments:

Comprehensive Plan Amendment #CPA 2012-01:

1. On June 25, 2012, Stevens County Land Services received a complete application from the Stevens County PUD acting on behalf of Bryon and Paula Wiltse, Billie and Ruth VanSlyke and The Wiltse Trust to redesignate approximately 49 acres from Rural designation to Urban Residential within the Clayton Urban Growth Area.
2. Pursuant to SCC 3.31.050, the proposed amendment to the Comprehensive Plan is consistent with and supported by all applicable Comprehensive Plan elements.
3. Pursuant to SCC 3.31.050, the proposed amendment is consistent with the Countywide Planning Policies.
4. Pursuant to SCC 3.31.050, new information is available that was not considered at the time the Comprehensive Plan was adopted that changes underlying assumptions and supports the proposed amendment.
5. The subject property is not designated as a Natural Resource Land by the Comprehensive Plan.
6. The property is adjacent to the Clayton Urban Growth Area.
7. The proposed use of the property can be supported by adequate public facilities and services by the Stevens County Public Utility District and/or Stevens County.
8. The Board of County Commissioners finds that additional conditions are not necessary to protect the public's interest.

Rezone #REZ 2012-01:

1. The subject property is not within a Subarea Plan.
2. Environmental impacts associated are anticipated to be adequately mitigated through the imposition of reasonable conditions at the time a specific development proposal is presented for review.
3. Adequate services and facilities, including transportation facilities, will be available to serve the range of uses in the proposed zoning classification.
4. The proposed reclassification is warranted because of a change in circumstances.
5. The reclassification does not reflect special treatment of the subject property.

6. The reclassification would promote the general health, safety and welfare of the community.
7. The proposed zoning of Residential-2 is consistent with the goals and policies of the Comprehensive Plan and the definitions contained in SCC 3.02.030(C).
8. Any future development of the property will have to comply with the applicable Stevens County Development and Critical Areas regulations, as well as other local, state, or federal regulations.
9. The approval of the rezone will ensure consistency between the Comprehensive Plan Future Land Use Map and the Development Regulations zoning map.
10. The Board of County Commissioners finds that additional conditions are not necessary to protect the public's interest.

Comprehensive Plan Amendment #CPA 2012-02:

1. On September 10, 2012, Stevens County Land Services received a complete application from the Steve Feider acting on behalf of Our Lady of the Lake Catholic Parish redesignate approximately 13 acres from the Residential 2 to Business within the Lake Spokane Urban Growth Area.
2. Pursuant to SCC 3.31.050, the proposed amendment to the Comprehensive Plan is consistent with and supported by all applicable Comprehensive Plan elements.
3. Pursuant to SCC 3.31.050, the proposed amendment is consistent with the Countywide Planning Policies.
4. Pursuant to SCC 3.31.050, new information is available that was not considered at the time the Comprehensive Plan was adopted that changes underlying assumptions and supports the proposed amendment.
5. The subject property is not designated as a Natural Resource Land by the Comprehensive Plan.
6. The property is within the Lake Spokane Urban Growth Area.
7. The proposed use of the property can be supported by adequate public facilities and services by the Stevens County Public Utility District and/or Stevens County.
8. The Board of County Commissioners finds that additional conditions are not necessary to protect the public's interest.

Rezone #REZ 2012-02:

1. The subject property is not within a Subarea Plan.
2. Environmental impacts associated are anticipated to be adequately mitigated through the imposition of reasonable conditions at the time a specific development proposal is presented for review.
3. Adequate services and facilities, including transportation facilities, will be available to serve the range of uses in the proposed zoning classification.
4. The proposed reclassification is warranted because of a change in circumstances.
5. The reclassification does not reflect special treatment of the subject property.
6. The reclassification would promote the general health, safety and welfare of the community.
7. The proposed zoning of Business is consistent with the goals and policies of the Comprehensive Plan and the definitions contained in SCC 3.02.030(D).
8. Any future development of the property will have to comply with the applicable Stevens County Development and Critical Areas regulations, as well as other local, state, or federal regulations.
9. The approval of the rezone will ensure consistency between the Comprehensive Plan Future Land Use Map and the Development Regulations zoning map.
10. The Board of County Commissioners finds that additional conditions are not necessary to protect the public's interest.

Comprehensive Plan Amendment #CPA 2012-03:

1. On July 25, 2012, Stevens County Land Services received a complete application from Dale and Peggy Richmond to redesignate approximately 1.47 acres from Rural to Business within the Chewelah Urban Growth Area.
2. Pursuant to SCC 3.31.050, the proposed amendment to the Comprehensive Plan is consistent with and supported by all applicable Comprehensive Plan elements.
3. Pursuant to SCC 3.31.050, the proposed amendment is consistent with the Countywide Planning Policies.
4. Pursuant to SCC 3.31.050, new information is available that was not considered at the time the Comprehensive Plan was adopted that changes underlying assumptions and supports the proposed amendment.
5. The subject property is not designated as a Natural Resource Land by the Comprehensive Plan.
6. The property is adjacent to the Chewelah City limits.
7. The proposed use of the property can be supported by adequate public facilities and services by the City of Chewelah and/or Stevens County.
8. The Board of County Commissioners finds that additional conditions are not necessary to protect the public's interest.

Rezone #REZ 2012-03:

1. The subject property is not within a Subarea Plan.
2. Environmental impacts are anticipated to be adequately mitigated through the imposition of reasonable conditions at the time a specific development proposal is presented for review.
3. Adequate services and facilities, including transportation facilities, will be available to serve the range of uses in the proposed zoning classification.
4. The proposed reclassification is warranted because of a change in circumstances.
5. The reclassification does not reflect special treatment of the subject property.
6. The reclassification would promote the general health, safety and welfare of the community.
7. The proposed zoning of Business is consistent with the goals and policies of the Comprehensive Plan and the definitions contained in SCC 3.02.030(D).
8. Any future development of the property will have to comply with the applicable City of Chewelah and/or Stevens County Development and Critical Areas regulations, as well as other local, state, or federal regulations.
9. The approval of the rezone will ensure consistency between the Comprehensive Plan Future Land Use Map and the Development Regulations zoning map.
10. The Board of County Commissioners finds that additional conditions are not necessary to protect the public's interest.

Section III – Final Decision and Signatures

IT IS ORDAINED that the Board of County Commissioners, hereby approves the following Comprehensive Plan Future Land Use Map and Title 3 Zoning Map Amendments:

1. CPA 2012-001 and REZ 2012-001 the request from Bryon and Paula Wiltse, Billie and Ruth VanSlyke and The Wiltse Trust to remove approximately 49 acres from Rural designation and to designate it as Urban Residential within the Clayton Urban Growth Area of the Comprehensive Plan and to rezone the 49 acres as Residential 2 on the Unified Development Regulations, Title 3, zoning map.

Location of Proposal: W1/2 NE1/4 SW1/4; E1/2 NE1/4 NW1/4 SW1/4; S1/2 NW1/4 SW1/4 (EXCEPT the South 175 feet of the West 308.9 feet); Assessor's Tax #3, being a

portion of the SW1/4 SW1/4 and Assessor's Tax #4, being a portion of the SW1/4 SW1/4, all in Section 20, Township 29 North, Range 42 East, W.M., in Stevens County, WA. Tax Parcels: 5837701, 5837705, 5837710, 5837715, 5837800, 5837804, 58378x10, 5837802 and 5838300.

2. CPA 2012-002 and REZ 2012-002, the request from Our Lady of the Lake Catholic Parrish to remove approximately 13 acres from the Residential 2 zone to rezone the property as Business within the Lake Spokane Urban Growth Area of the Comprehensive Plan and on the Unified Development Regulations, Title 3, zoning map.

Location of Proposal: Assessor's Tax #15, being a portion of the NW1/4 of Section 23, Township 27 North, Range 41 East, W.M., in Stevens County, WA. Tax Parcel #5119485.

3. CPA 2012-003 and REZ 2012-003, the request from Dale and Peggy Richmond to remove approximately 1.47 acres from Rural designation and to designate it as Business within the Chewelah Urban Growth Area of the Comprehensive Plan and on the Unified Development Regulations, Title 3, zoning map.

Location of Proposal: That portion of the SE1/4 NE1/4 SE1/4, lying Southwest of US Highway 395 in Section 11, Township 32 North, Range 40 East W.M., EXCEPT the West 60 feet thereof. Tax Parcels 2581405.

BE IT FURTHER ORDAINED that should any section, paragraph, sentence, clause or phrase of this resolution, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this resolution be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.


BE IT FURTHER ORDAINED that this ordinance shall be published in the *Chewelah Independent*, the County's official newspaper, and shall take effect and be in full force on December 18, 2012.

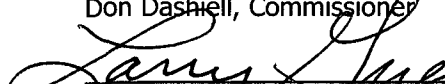
Adopted by the Board of Stevens County Commissioners meeting in regular session at Colville, Washington, by the following vote, then signed by its membership and attested to by its Clerk in authorization of such passage the 18th day of December, 2012.

3 YEA; 0 NAY; 0 ABSTAIN; and 0 ABSENT

**BOARD OF COUNTY COMMISSIONERS
OF STEVENS COUNTY, WASHINGTON**


Malcolm Friedman, Chairman


Don Dashiell, Commissioner


Larry Guenther, Commissioner



ATTEST:


Polly Coleman
Clerk of the Board