

BEFORE THE BOARD OF STEVENS COUNTY COMMISSIONERS

IN THE MATTER OF A COMPREHENSIVE
PLAN AND ZONING MAP AMENDMENT

Ordinance No. 2016-02

Adoption of Comprehensive Plan Map Amendment
for Waitts Lake Small-Scale Resort

Adoption of Title 3 Zoning Map Amendment
for Waitts Lake Small-Scale Resort

WHEREAS, Stevens County opted in to the Growth Management Act (GMA), RCW 36.70A on September 28, 1993, pursuant to Resolution 112-1993; 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 amendment process; and

BE IT HEREBY ORDERED AND RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF STEVENS COUNTY, WASHINGTON, AS FOLLOWS:

FINDINGS

The Board of County Commissioners has made a decision on the proposed application based upon the following findings:

1. Comprehensive Plan Amendment CPA 2015-001 and REZ 2015-001, is a proposal by Billy Johns, Trustee, of the Sheen Foundation 51 Trust to remove approximately 34 acres from the Waitts Lake Small Scale Resort, Type 2 Limited Area of More Intense Development (LAMIRD) overlay zone and retain the underlying zoning classification of Rural Area 5. The proposal is more specifically described as that portion of Government Lot 1 and that portion of the NW1/4 of the SW1/4, lying South of Waitts Lake County Road and East of Waitts Lake South County Road, in Section 16, Township 31 North, Range 40 East W.M. Portion of Tax Parcel #2526810.
2. Pursuant to SCC 3.31.015, the County has set a docketing deadline of June 30. The applications were timely filed on June 30, 2015.
3. Pursuant to SCC 3.30 and 3.31, proper notice and an opportunity to comment on the proposed map amendments was given to property owners within 300 feet of the site, required agencies and service providers on January 21, 2016. Legal notice was published in the *Chewelah Independent* on January 21 and 28, 2016. The notice and associated file information was posted on the Land Services website. Evidence of this notice is in the project file.

4. Pursuant to RCW 36.70A.106, notice of the proposed map amendment was given to the Department of Commerce, on January 20, 2016. The Department of Commerce acknowledged receipt of the materials (ID #22020) on January 20, 2016. This satisfied for a 60-day notice prior to adoption.
5. Pursuant to SCC 3.31 and WAC 197-11-340, a SEPA DNS was issued for the proposed amendments on January 20, 2016 along with the Notice of Application. The SEPA DNS was posted on the DOE SEPA Register (Ecology SEPA Number 201600282). Legal notice for the SEPA DNS was published in the *Chewelah Independent* on January 21 and 28, 2016. Evidence of this notice is in the project file.
6. One written public comment expressing concern over the potential for additional traffic on owner maintained roads within the plat of Winona Beach and potential impacts to wildlife was received. This comment was responded to in the February 23, 2016, Staff Report submitted to the Board of County Commissioners.
7. The Stevens County Planning Commission considered the matter at a public hearing on February 11, 2016. Members of the public were present and an opportunity for public testimony was given. No members of the public testified regarding the proposal. After a review of the written comment and project information, the Planning Commission by a unanimous vote recommended that the Board of County Commissioners approve the proposal.
8. Pursuant to SCC 3.31.050, the proposed amendment to the Comprehensive Plan is consistent with and supported by applicable Comprehensive Plan policies.
9. Pursuant to SCC 3.20.020, the proposed amendment is consistent with the decision criteria for zoning map amendments.
10. The proposed use of the property can be supported by adequate public facilities and services provided by the Stevens County PUD and Stevens County.
11. Any future development of the property will have to comply with the applicable Stevens County development regulations, in addition to other local, state, or federal regulations.
12. The Stevens County Board of Commissioners held an open record public hearing on February 23, 2016, to consider the application. An opportunity for public testimony was given. No members of the public testified regarding the proposal. The Board of County Commissioners closed the record to further written and oral comment and continued the hearing to March 29, 2016.

NOW, THEREFORE BE IT ORDAINED,

That the Board of County Commissioners, hereby approves Comprehensive Plan Amendment CPA 2015-001 and REZ 2015-001, a proposal by Billy Johns, Trustee, of the Sheen Foundation 51 Trust to remove approximately 34 acres from the Waitts Lake Small Scale Resort, Type 2 Limited Area of More Intense Development (LAMIRD) overlay zone and retain the underlying zoning classification of Rural Area 5. The proposal is more specifically described as that portion of Government Lot 1 and that portion of the NW1/4 of the SW1/4, lying South of Waitts Lake County Road and East of Waitts Lake South County Road, in Section 16, Township 31 North, Range 40 East W.M. Portion of Tax Parcel #2526810.

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 this Ordinance shall be published in the official newspaper of the County, and shall take effect and be in full force on April 7, 2016.

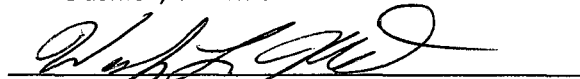
Adopted by the Board of Stevens County Commissioners meeting in regular session at Colville, Washington, by the following vote, then signed by its membership and attested to by its Clerk in authorization of such passage the 29th day of March, 2016.

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

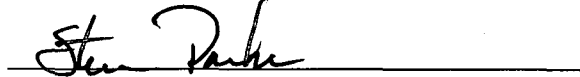
**BOARD OF COUNTY COMMISSIONERS
OF STEVENS COUNTY, WASHINGTON**



Don Dashiell, Chairman



Wes McCaft, Commissioner



Steve Parker, Commissioner

ATTEST:



Polly Coleman
Clerk of the Board