

BEFORE THE BOARD OF STEVENS COUNTY COMMISSIONERS

IN THE MATTER OF GROWTH MANAGEMENT))))))	ORDINANCE NO. <u>03-2011</u> APPROVAL OF AMENDMENTS TO CRITICAL AREAS REGULATIONS SCC 13.00.050, SCC 13.10.031(1), AND SCC 13.10.034(3)(C)
---	----------------------------	--

WHEREAS, the Board finds that on March 4, 2003, Stevens County adopted Stevens County Code, Title 13, by Resolution #32-2003; and

WHEREAS, the Board finds that amendments were made to Stevens County Code, Title 13 by Resolution #80-2004 on July 6, 2004, and by Ordinance #08-2009 on October 20, 2009; and

WHEREAS, the Board finds that the Eastern Washington Growth Management Hearings Board issued an Order on December 24, 2009 for Case #05-1-006 finding Ordinance #08-2009 out of compliance with the Growth Management Act; and

WHEREAS, the Board finds that Stevens County adopted an Interim Zoning Control for SCC 13.10.034(3) under Ordinance #01-2010 on April 26, 2010 and that said control expired on October 26, 2010; and

WHEREAS, the Board desires to make a permanent amendment to Stevens County Title 13.10.034(3) in order to comply with the Hearings Board order; and

WHEREAS, the Board signed Resolution #22-2011 on May 24, 2011, setting a hearing for June 27, 2011, for an open record public hearing to consider an amendment; and

WHEREAS, the Board finds that pursuant to SCC 3.31.040.G, proper public notice was given to the Department of Commerce, various state agencies as required by the Department of Commerce and interested parties and that legal notice of the public hearing was published in the *Chewelah Independent*; and

WHEREAS, the Board held an open record hearing on June 27, 2011 and opportunity was given for public testimony and said hearing was continued to July 12, 2011 to allow additional time for agencies to comment; and

WHEREAS, the Board finds that after a review of the comments submitted additional amendments to SCC 13.00.050 and SCC 13.10.031(1) were warranted and directed the Land Services Department to seek comment on those amendments; and

WHEREAS, the Board finds that proper public notice regarding amendments to SCC 13.00.050 and SCC 13.10.031(1) was given to the Department of Commerce, state agencies and interested parties and that legal notice of the amendments was published in the *Chewelah Independent*; and

WHEREAS, the Board held a continued open record public hearing on September 26, 2011 and that opportunity was given for public testimony and that written public comments were considered;

NOW, THEREFORE, IT IS HEREBY ORDAINED, THAT

Having fully considered the record, the Stevens County Board of Commissioners finds that the record supports the adoption of the following amendments to Stevens County Code, Title 13:

SCC 13.00.050 Definitions: Change the definition of Development Proposal.

"Development proposal means any land use activity that may adversely impact designated critical areas including, but not limited to: the construction or alteration of structures, clearing/grading of land and road construction."

SCC 13.10.031(1) Classifications: Delete the following sentence.

"Currently, the following species have been identified within Stevens County: Bald Eagle, Common Loon, Lynx, Bull Trout, Golden Eagle, Steelhead."

SCC 13.10.034(3)(C) Fish and Wildlife Habitat Conservation Areas: Add Part C as follows:

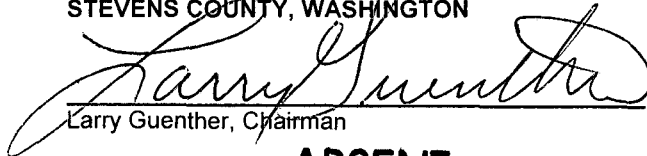
SCC 13.10.034(3) Part C: SCC 13.10.034.A and SCC 13.10.034.B shall apply to development proposals within 200 feet of a Fish and Wildlife Habitat Conservation Areas for species designated in SCC 13.10.031(1) and (2) as identified on applicable WA Department of Fish and Wildlife Priority Habitat and Species Maps or other best available science.

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 the first date of publication, October 27, 2011.

Adopted by the Board of Stevens County Commissioners meeting in regular session at Colville, Washington, by the following vote, then signed by the membership and attested to by its Clerk in authorization of such passage the 18th day of October, 2011.


2 YEA; 0 NAY; 0 ABSTAIN; and 1 ABSENT

BOARD OF COUNTY COMMISSIONERS
STEVENS COUNTY, WASHINGTON

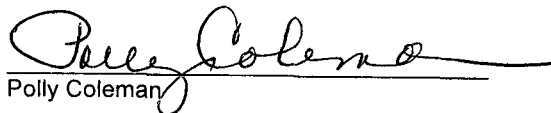

Larry Guenther, Chairman

ABSENT

Don Dashiell, Commissioner


Malcolm Friedman, Commissioner

ATTEST:
CLERK OF THE BOARD


Polly Coleman

Ordinance # 03-2011
October 18, 2011