BEFORE THE BOARD OF STEVENS COUNTY COMMISSIONERS

IN THE MATTER OF A COMPREHENSIVE PLAN AND ZONING MAP AMENDMENT IN THE CLAYTON UGA

Ordinance No. 2019-03
Adoption of Comprehensive Plan Map Amendment for Jeffrey S. and Marilyn J. Gehman
Adoption of Title 3 Zoning Map Amendment for Jeffrey S. and Marilyn J. Gehman

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 2018-001 and REZ 2018-001 is a proposal to remove approximately 2.90 acres from the Urban Residential 1 (R-1) and designate the property as Business (B) zone within the Clayton Urban Growth Area. The subject property is described as a portion of the NE1/4 of the SE1/4, lying Northeast of US Highway 395, in Section 24, Township 29 N, Range 41 East, W.M., in Stevens County, Washington, this property is also identified as Lot A of Certificate of Exemption COE 2012-08 as recorded March 13, 2012, under Auditor’s File #2012 0002014. Assessor’s Tax Parcel #5202801. Site Address: 4425 Williams Valley Road, Clayton, WA.

2. Pursuant to SCC 3.31.015, the County has set a docketing deadline of June 30. The applications were timely filed on June 6, 2018.

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 November 20, 2018. Legal notice was published in the Chewelah Independent on November 21 and 28, 2018. 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 November 20, 2018. The Department of Commerce acknowledged receipt of the materials (ID #25510) on November 20, 2018. This satisfied the 60-day notice requirement.

5. Pursuant to SCC 3.31 and WAC 197-11-600, a SEPA DNS was issued in conjunction with the Notice of Application for the proposed amendments. Notice of the SEPA DNS was posted on the DOE SEPA Register (Ecology SEPA Number 201806556). Legal notice for the adoption was published with the Notice of Application in the Chewelah Independent. Evidence of this notice is in the project file.

6. No comments pertaining to the rezone were received regarding the proposed rezone.

7. The Stevens County Planning Commission considered the matter at a public hearing on December 6, 2018. No members of the public were present. After discussion and review of the 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 map amendment to the Comprehensive Plan is consistent with and supported by applicable Comprehensive Plan policies.

9. Pursuant to SCC 3.20.020, the proposed map 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, the WA State Department of Transportation 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 January 15, 2019, 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 comment and continued the hearing to January 22, 2019.

NOW, THEREFORE BE IT ORDAINED,

That the Board of County Commissioners, hereby approves Comprehensive Plan Amendment CPA 2018-001 and REZ 2018-001 to remove approximately 2.90 acres from the Urban Residential 1 (R-1) zone and designate the property as Business (B) zone within the Clayton Urban Growth Area. The subject property is described as a portion of the NE1/4 of the SE1/4, lying Northeast of US Highway 395, in Section 24, Township 29 N, Range 41 East, W.M., in Stevens County, Washington, this property is also identified as Lot A of Certificate of Exemption COE 2012-08 as recorded March 13, 2012, under Auditor’s File #2012 0002014. Assessor’s Tax Parcel #5202801. Site Address: 4425 Williams Valley Road, Clayton, WA.

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 official newspaper of the County, and shall take effect and be in full force upon signing.

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 22nd day of January, 2019.

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

BOARD OF COUNTY COMMISSIONERS
OF STEVENS COUNTY, WASHINGTON

Wes McCart, Chairman

Don Dashiel, Commissioner

Steve Parker, Commissioner

ATTEST:

Polly Coleman
Clerk of the Board