

**Notice of Adoption
2011 Annual Comprehensive Plan Update and
Zoning Map Amendment to Development Regulations, Title 3**

Pursuant to SCC 3.30 and 3.31, the Board of Stevens County Commissioners hereby gives notice of its decision to **approve** Ordinance 2011-04, the 2011 Annual Comprehensive Plan Update and zoning map amendment to Stevens County Unified Development Regulations, Title 3, for the following application:

Property Owners: Steve Varnell and Renae Oelke
File No.: CPA 2011-001 and REZ 2011-001

Description of Proposal: CPA 2011-001 removes approximately 60 acres from Rural designation and designates the property as Industrial and Urban Residential with the City of Kettle Falls Urban Growth Area in the Stevens County Comprehensive Plan. REZ 2011-001 rezones approximately 20 acres from the Rural 5-acre zone to the Industrial zone, approximately 20 acres into the Urban Residential 2 zone and approximately 20 acres into the Urban Residential 1 zone.

Location of Proposal: That portion of the E1/2 of the NE1/4, lying South of the Railroad right of way in Section 20, Township 36 North, Range 38 East, W.M., in Stevens County, Washington. Tax Parcel Number 1925400.

Adopted by the Board of Stevens County Commissioners meeting in regular session at Colville, Washington, by the vote of 3-0, then signed by its membership and attested to by its Clerk in authorization of such passage on December 13, 2011. The Ordinance shall take effect and be in full force on the first date of publication on December 29, 2011.

Pursuant to RCW 36.70A, appeals of this decision may be made by filing a petition for review with the Eastern Washington Growth Management Hearings Board (EWGMHB) within 60 days. More information about appeal procedures can be found at the EWGMHB website at: www.gmhb.wa.gov or directly from the EWGMHB at 360-586-0260. **The deadline to file an appeal is Wednesday, February 29, 2012.**

The findings and facts of the final decision and complete file for this project is available for inspection at the Stevens County Land Services Planning Division located at 260 S. Oak, Colville, Washington, from 8:00 a.m. to Noon and 1:00 p.m. to 4:30 p.m., excluding County holidays and furloughs. To obtain a copy of the Ordinance or to arrange for an inspection of the file, contact Jenni Anderson, Stevens County Land Services Planning Division, 215 S. Oak— Courthouse Annex, Colville, WA, 99114, phone 509-684-2401 or fax 509-684-7525.

BOARD OF COUNTY COMMISSIONERS
of Stevens County, Washington

RECEIVED
DEC 14 2011

Ordinance No. 2011-04

**2011 Annual Amendment to the Stevens County Comprehensive Plan
and Stevens County Development Regulations, Title 3, Zoning Map Amendment**

WHEREAS, this ordinance, adopting the 2011 Annual Amendment to the Stevens County Comprehensive Plan and map amendment 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, pursuant to SCC 3.31.015, has set a docketing deadline of June 30. The applications to be considered for 2011 were received by the Stevens County Land Services Department on June 30, 2011; 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 7, 2011, as required by RCW 36.70A.106; and

WHEREAS, A "Notice of Complete Application and Opportunity to Comment" was mailed on October 7, 2011, to 41 required agencies, interested parties and service providers. Legal notice was published in the *Chewelah Independent* on October 13 and 20, 2011. 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 concurrently with the Board of County Commissioners action. Legal notice for the SEPA DNS was published in the *Chewelah Independent* along with the Board of Commissioners Notice of Decision; and

WHEREAS, The Stevens County Planning Commission held a public hearing on November 10, 2011, to consider the docketed items. The Planning Commission made findings of fact and by a unanimous vote recommended that the proposal be approved by the Board of County Commissioners; and

WHEREAS, The Stevens County Board of Commissioners held an open record public hearing on December 13, 2011 to consider the application. 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 13, 2011, the Board of County Commissioners reviewed and signed Ordinance 2011-_____.

Section II--Findings

WHEREAS, The docketed items to be considered are Comprehensive Plan Amendment CPA 2011-001 and REZ 2011-001, a proposal by Steve Varnell and Renae Oelke to remove approximately 60 acres from Rural designation and to rezone approximately 20 acres from the Rural 5-acre zone to the Industrial zone, approximately 20 acres into the Urban Residential 2 zone and approximately 20 acres into the Urban Residential 1 zone within the City of Kettle Falls Urban Growth Area. The location of the proposal is that portion of the E1/2 of the NE1/4, lying South of the Railroad right of way in Section 20, Township 36 North, Range 38 East, W.M., in Stevens County, Washington. Tax Parcel Number 1925400.

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

Comprehensive Plan Amendment #CPA 2011-01:

1. On June 30, 2011, Stevens County Land Services received a complete application from Steve Varnell and Renae Oelke to remove approximately 60 acres from Rural designation and to designate the property as Industrial and Urban Residential within the City of Kettle Falls Urban Growth Area.
2. The Land Services Department has given proper legal and public notice and has complied with SCC 3.30 and 3.31 regarding the GMA public participation process for proposed amendment.
3. The Stevens County Planning Commission held a public hearing on November 10, 2011. The Stevens County Planning Commission did, in a unanimous decision of 5 – 0, vote to recommend to the Board of County Commissioners that the proposed amendment be approved.
4. Pursuant to SCC 3.31.050, the proposed amendment to the Comprehensive Plan is consistent with and supported by all applicable Comprehensive Plan elements.
5. Pursuant to SCC 3.31.050, the proposed amendment is consistent with the Countywide Planning Policies.
6. 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.

7. The subject property is not designated as a Natural Resource Land by the Comprehensive Plan. The property is taxed as agricultural land, but is not enrolled in an agricultural conservation program.
8. The property is adjacent to the City of Kettle Falls. The area around this property is characterized by Urban Growth.
9. The proposed use of the property can be supported by adequate public facilities and services by the City of Kettle Falls and/or Stevens County.
10. Any future development of the property will have to comply with the applicable Stevens County and/or the City of Kettle Falls development regulations, in addition to other local, state, or federal regulations.
11. The Board of County Commissioners find that additional conditions are not necessary to protect the public's interest.

Rezone #REZ 2011-01:

1. On June 30, 2011, Stevens County Land Services received a complete application from Steve Varnell and Renae Oelke to rezone approximately 20 acres from the Rural 5-acre zone to the Industrial zone, approximately 20 acres into the Urban Residential 2 zone and approximately 20 acres into the Urban Residential 1 zone.
2. The Land Services Department has given proper legal and public notice and has complied with SCC 3.30 and 3.31 regarding the GMA public participation process for proposed amendment.
3. The Stevens County Planning Commission held a public hearing on November 10, 2011. The Stevens County Planning Commission did, in a unanimous decision of 5 – 0, vote to recommend to the Board of County Commissioners that the proposed amendment be approved.
4. The proposed project is not within a Subarea Plan.
5. Environmental impacts associated with the use can be adequately mitigated through the imposition of reasonable conditions.
6. Adequate services and facilities, including transportation facilities, will be available to serve the range of uses in the proposed zoning classification.
7. The proposed reclassification is warranted because of a change in circumstances, or because of a demonstrated need for additional land within the proposed zoning classification, or because the proposed classification is appropriate for reasonable development of the subject property.
8. The reclassification does not reflect special treatment of the subject property.
9. The reclassification would promote the general health, safety and welfare of the community.
10. The proposed zoning of Industrial, Residential-1 and Residential-2 is consistent with the goals and policies of the Comprehensive Plan and the definitions contained in SCC 3.02.030(C) and (D).
11. Any future development of the property will have to comply with the applicable Stevens County and/or the City of Kettle Falls development regulations and Critical Areas regulations, as well as other local, state, or federal regulations.
12. The approval of the rezone will ensure consistency between the Comprehensive Plan Future Land Use Map and the Development Regulations zoning map.
13. 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 Comprehensive Plan Amendment CPA 2011-001 and REZ 2011-001, an application from Steve Varnell and Renae Oelke to remove approximately 60 acres from Rural designation and to rezone approximately 20 acres from the Rural 5-acre zone to the Industrial zone, approximately 20 acres into the Urban Residential 2 zone and approximately 20 acres into the Urban Residential 1 zone within the City of Kettle Falls Urban Growth Area. The location of the proposal is that portion of the E1/2 of the NE1/4, lying South of the Railroad right of way in Section 20, Township 36 North, Range 38 East, W.M., in Stevens County, Washington. Tax Parcel Number 1925400. (See attached map.)

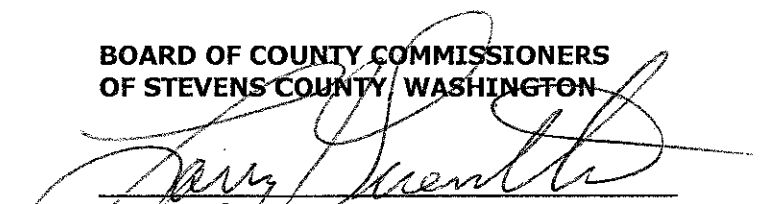
BE IT FURTHER ORDAINED that should any section, paragraph, sentence, clause or phrase of this resolution, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this resolution be pre-empted by state or federal law 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 the first date of publication, December 29, 2011.

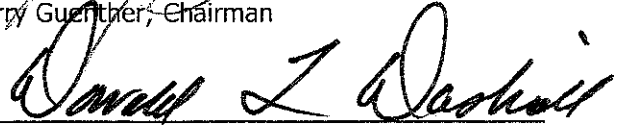
Adopted by the Board of Stevens County Commissioners meeting in regular session at Colville, Washington, by the following vote, then signed by its membership and attested to by its Clerk in authorization of such passage the 13th day of December, 2011.

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

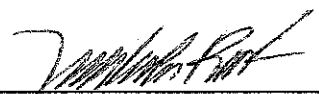
**BOARD OF COUNTY COMMISSIONERS
OF STEVENS COUNTY, WASHINGTON**



Larry Guenther, Chairman



Don Dashiell, Commissioner



Malcolm Friedman, Commissioner

ATTEST:

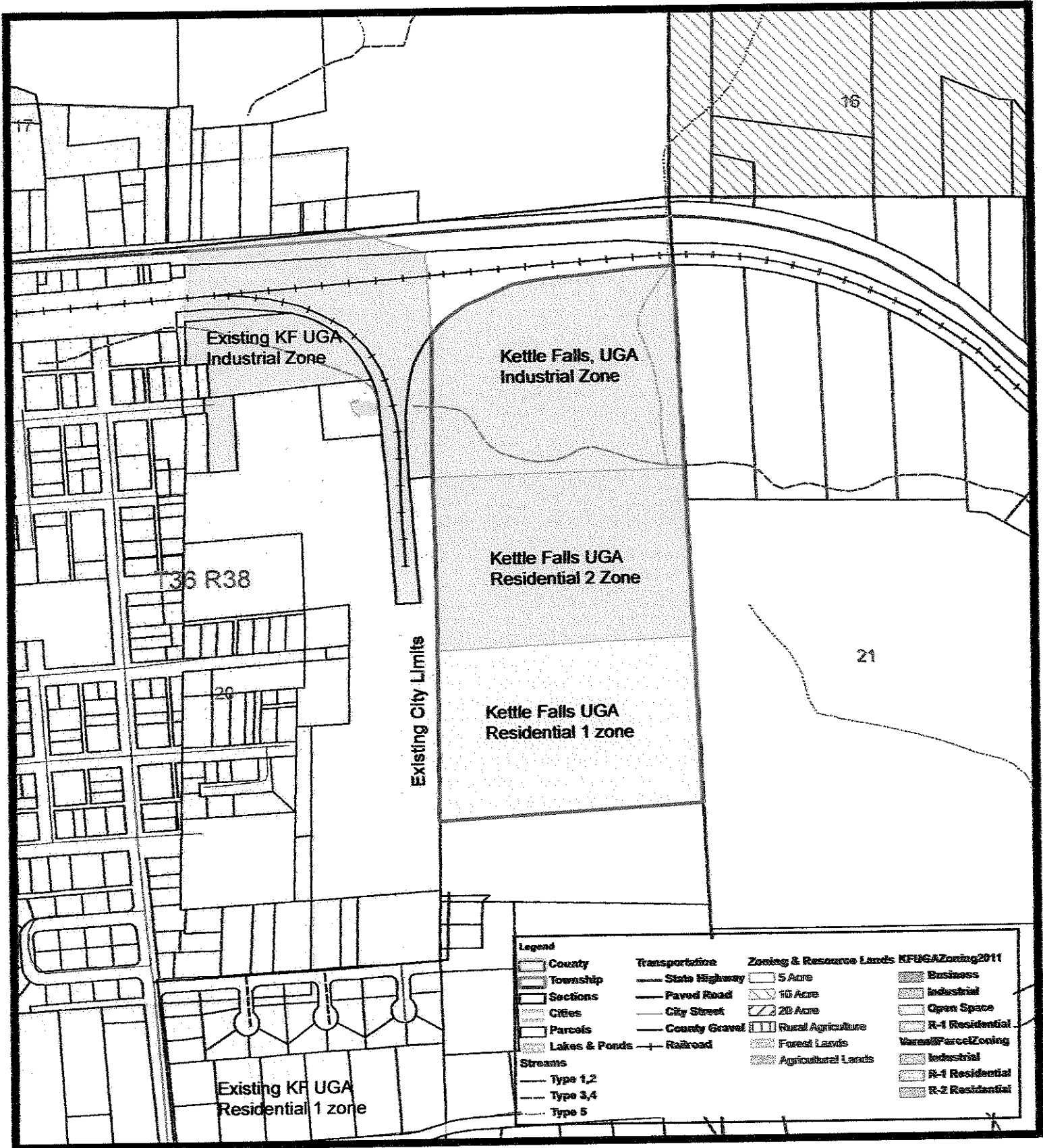


Polly Coleman
Clerk of the Board

2011 Comprehensive Plan Update
 BOCC Ordinance 2011-04
 Amendment to the Kettle Falls UGA
 Stevens County, Washington

Prepared by Stevens County Land Services

Effective December 29, 2011



Disclaimer:

This GIS Data is deemed reliable but provided "as is" without warranty of any representation of accuracy, timeliness, reliability or completeness. These map documents do not represent a legal survey of the land and are for graphical purposes only. Use of this Data for any purpose should be with acknowledgment of the limitations of the Data, including the fact that the Data is dynamic and is in a constant state of maintenance, correction, and update.



1 inch = 600 Feet

Stevens County Land Services Department
 215 S. Oak St. – Courthouse Annex
 Colville, WA 99114
 (509) 684-2401

www.co.stevens.wa.us/landservices/planning

