

OKANOGAN COUNTY COMMISSIONERS'

Ordinance 2019 - 10

An ordinance adopting interim amendments to the official zone map for Okanogan County and setting a public hearing in accordance with RCW 36.70.795.

WHEREAS: The Okanogan Board of County Commissioners (BOCC) has directed the 2014 comprehensive plan be reviewed and updated in accordance with the requirements of RCW 36.70 Planning Enabling Act, applicable portions of RCW 36.70A Growth Management Act, and all other applicable case law and statutes, and

WHEREAS: Through the period of time from 2017 to date the BOCC has reviewed revisions to the 2014 Comprehensive Plan and has released a draft for public review, and

WHEREAS: A Determination of significance was published on November 14, 2018 which initiated a scoping period to offer the public the opportunity to identify significant issues to be discussed in a draft environmental impact statement, and

WHEREAS: The Okanogan Regional Planning Commission has begun their review of the draft comprehensive plan, and

WHEREAS: Upon adoption of a revised comprehensive plan in 2019 a review of the zone code, including the zone map, will follow, and

WHEREAS: In January 2018 the Washington State Legislature adopted ESSB 6091 in response to the Whatcom-Hirst decision that, amongst other things, determined that WAC 173-548 explicitly regulates permit exempt wells, and

WHEREAS: WAC 173-548-030 appropriates 2CFS of water in each of 7 reaches for single use domestic and stock watering that is senior in priority date to the water appropriated for in-stream flow, and

WHEREAS: Analysis of the existing and potential lots in the Lower Methow River Reach of Water Resource Inventory Area #48 raises concerns that the number of undeveloped and potential lots exceeds the water in reserve for single use domestic purposes appropriated by WAC 173-548 Methow Instream Flow Rule, and

WHEREAS: Revised Code of Washington 58.17.110 requires that before a subdivision application is approved; The city, town, or county legislative body shall inquire into the public use and interest proposed to be served by the establishment of the subdivision and dedication. It shall determine: (a) If appropriate provisions are made for, but not limited to....potable water supplies..., and

WHEREAS: The BOCC finds that the zone designations currently in place in the Lower Methow River Reach would allow the vesting of land division applications for which a determination that adequate provisions for potable water could not be made, and

WHEREAS: The 2014 Comprehensive Plan on pages 8 and 9 lines 112-115 states the official controls implementing this Plan provide a wide variety of opportunities for land uses essential to the custom, culture and economy of Okanogan County and particularly reinforce the priority uses for agriculture, forestry, mining and recreation essential to the County economy and well-being. In addition, such controls identify requirements to assure that proposed new development will meet state and local requirements for available water supplies and particularly exempt wells, capacity of the area for on-site septic facilities, and the ability of the community to provide adequate levels of public services, conservation and protection of resource lands and critical areas as required by law, and

WHEREAS: RCW 36.70.545 requires the development regulations of the county, as defined by RCW 36.70A.030, to be consistent with the comprehensive plan, and

WHEREAS: The BOCC finds that certain areas proximate to the lower Methow River Reach are under the influence of waters in the Columbia River and/or are located near or in the City Expansion Areas of Brewster and Pateros so are therefore appropriate for the higher intensity of land use contemplated by the Rural-1 zone designation, and

WHEREAS: Analysis of the current Okanogan County Official Zone Map finds that 994 parcels located in the Lower Methow River Reach are in the Rural-1 zone of which 768 are outside of the proposed city expansion areas of Twisp and Pateros and the portion of land within the area of influence of the Columbia River and which could be further subdivided to create an additional 11, 994 lots, and

WHEREAS: If the 768 parcels in the Rural-1 Zone are changed to the Rural-5 zone only 353 of those lots could be further subdivided creating 2,275 new lots, and

WHEREAS: Revised Code of Washington (RCW) 36.70.795 allows the adoption of interim land use controls, and

WHEREAS: The BOCC has determined that the immediate adoption of interim amendments to the official zone map is necessary to avoid the creation of additional lots for which a determination that "adequate provisions for potable water" cannot be made as required by RCW 58.17.110, and

WHEREAS: The BOCC will schedule a public hearing within 60 days of adoption of this ordinance, as required by RCW 36.70.795, to take public comment regarding the approval of the interim amendments to the zone map, and

WHEREAS: The Board finds the adoption of interim amendments to the zone map promotes the public interest by preserving public health, safety, and welfare

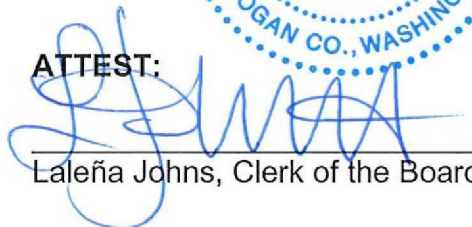
BE IT THEREFORE ORDAINED: The Okanogan Board of County Commissioners adopts the interim amended official zone map found as attachment A to this ordinance, and

BE IT FURTHER ORDAINED: A public hearing is set for July 15, 2019 at 1:30 p.m. in the commissioner's auditorium to take public testimony regarding this interim amendment.

Ordained at Okanogan, Washington this 10th day of June, 2019.



ATTEST:


Laleña Johns, Clerk of the Board

**BOARD OF COUNTY COMMISSIONERS
OKANOGAN, WASHINGTON**


Jim DeTro, Chairman


Chris Branch, Member


Andy Hover, Member

OKANOGAN COUNTY ZONING - DRAFT - 10/15/2015

SYMBOL, CODE, ZONE	SYMBOL, CODE, ZONE
AD, AIRPORT DEVELOPMENT	MRD VF 5, VALLEY FLOOR
AG, AGRICULTURAL	NC, NEIGHBORHOOD COMMERCIAL
AR, AGRICULTURAL RESIDENTIAL	NU, NEIGHBORHOOD USE
C, COMMERCIAL	PDR, PLANNED DESTINATION RESORT
CITY/TOWN, INCORPORATED CITY/TOWN	PUD, PLANNED UNIT DEVELOPMENT
IL, INDUSTRIAL	R1, RURAL 1
LDR, LOW DENSITY RESIDENTIAL	R20, RURAL 20
METHOW MORE COMPLETELY PLANNED AREA	R5, RURAL 5
MR, MINIMUM REQUIREMENT	RR, RURAL RESIDENTIAL
MRD UL 20, UPLANDS 20	SR, SUBURBAN RESIDENTIAL
MRD VF 1, METHOW REVIEW DISTRICT	SRC, SPECIAL REVIEW COMMERCIAL
MRD VF 12,500, METHOW REVIEW DISTRICT	UR, URBAN RESIDENTIAL

OKANOGAN COUNTY ZONING DRAFT

OKANOGAN COUNTY ZONING - 05/21/2019 - DRAFT