

**Okanogan County Regional Planning Commission
Resolution 2016-1**

A resolution of the Okanogan County Regional Planning Commission (Planning Commission) transmitting a recommendation to the Okanogan Board of County Commissioners to adopt the revised Okanogan County Zone Code title 17A and Zoning map and adopting findings of fact and conclusions of law.

Whereas: Okanogan County adopted a revised comprehensive plan on December 22, 2014 by resolution 119-2014, and

Whereas: Okanogan County adopted the Interim Zone code on December 22, 2014 by Ordinance 2014-16, and

Whereas: The Okanogan Board of County Commissioners (BOCC) has directed the Zone Code be reviewed and updated, and

Whereas: Okanogan County may adopt official controls to further the objectives and goals of the Comprehensive Plan in accordance with RCW 36.70 Planning Enabling Act, and

Whereas: The SEPA responsible official issued a Determination of Significance and published notice of the determination and SEPA scoping period on March 21, 2015 and

Whereas: Okanogan County adopted ordinance 2015-12 extending the Interim Zone code on December 22, 2015, and

Whereas: The Planning Commission has engaged in a period of intensive review and deliberation beginning February of 2016, and

Whereas: Notice of Draft Environmental Impact Statement Comment Period and Public Hearing was published in the Omak Chronical on March 2, 2016, and

Whereas: The Planning commission conducted a public hearing on March 28, 2016 to take public input and to consider the revised draft zone code, and

Whereas: The Planning Commission continued to deliberate on April 11th, 28th, and May 2nd, 16th, 23rd, and June 16, 2016.

Whereas: After consideration of information presented and after due deliberation by the Planning Commission, be it therefore

Resolved: Thru this resolution the Planning Commission transmits the following attachments with a recommendation to-adopt.

- 1) Attachment A: draft of the Okanogan County zone code
- 2) Attachment B: Zone Code designation map

Be it further resolved adopts the following attachments into the record:

- 3) Attachment C: findings of fact
- 4) Attachment D: conclusions of law

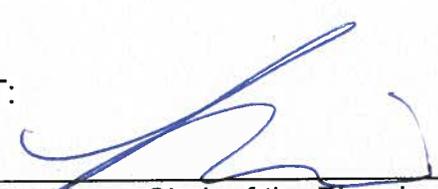
Dated this 16th day of June 2016 in Okanogan, Washington.

Planning Commission Members



Albert Roberts, Chair

ATTEST:



Lauren Davidson, Clerk of the Planning Commission

Okanogan County Regional Planning Commission
Resolution 2016-1 Attachment C
Findings of Fact

1. Resolution 119-2014 adopted the revised Comprehensive Plan on December 22, 2014.
2. Ordinance 2014-16 adopted the Interim Zone Code on December 22, 2014.
3. A Zoning Committee was established and met from June to October 2015 to advise revisions to the Draft Zone Code. A copy was made available to the public on October 21, 2015.
4. The SEPA responsible official evaluated the proposed changes to the zone code and issued a Determination of Significance on October 16, 2015.
5. Notice of SEPA Determination and Scoping was published in the Omak Chronicle (Okanogan County's periodical of record) on October 21, 2015.
6. Ordinance 2015-12 extending the Interim Zone Code on December 22, 2015.
7. Notice of Draft Environmental Impact Statement Comment Period and Public Hearing was published in the Omak Chronical (Okanogan County's periodical of record) on March 2, 2016.
8. A public hearing was held with the Planning Commission to take public testimony on the Draft Environmental Impact Statement and the Draft Zone Code Amendment 2015-1 on March 28, 2016.
9. The public hearing held March 28, 2016 was continued to April 11, 2016 where additional public testimony was heard.
10. Public comment for the Planning Commission regarding Zone Code Amendment 2015-1 closed on April 15, 2016.
11. Planning Commission deliberations started at their regular meeting on April 25, 2016.
12. The Planning Commission found that changes were necessary to the Draft Zone Map on April 25, 2016 due to lack of water availability and to decrease the amount of non-conforming lots which would otherwise be created. Those changes are as follows:
 - a. The Chiliwist Area draft zone was changed from R1 to R5 and R20 zone due to lack of water availability in the area.

- b. Watson Draw area draft zone between Bill Shaw Rd and Watson Draw Rd changed from R1 and R5 to R20 due to lack of water availability in the area.
- c. The area between Indian Dan canyon Rd and Paradise Hill Rd the zone changed from R1 to R20 due to lack of water availability.
- d. Conconully Road area, north of Green Lake Road and Riverside Cutoff Rd draft zone changed from R1 to R5 due to lack of water availability and road access constraints.
- e. The Lime Belt area changed from R1 to R5 due to lack of water availability and fire access constraints.
- f. Pine Creek Rd area draft zone changed from R1 to R5 due to lack of water availability.
- g. North of Ellisforde around East Round Up Rd draft zone changed from R1 to R5 due to lack of water availability.
- h. Aeneas Valley Rd area draft zone changed from R1 to R5 due to lack of water availability.
- i. Havillah Road area draft zone changed from R1 to R5 due to lack of water availability.
- j. Wauconda area draft zone changed from R1 to R5 due to lack of water availability.
- k. Northeast of Wauconda along Toroda Creek Rd draft zone changed from R1 to R5 due to lack of water availability.
- l. Nine Mile Ranch area draft zone changed from R5 to R20 due to lack of water availability.
- m. Chesaw Rd area draft zone changed from R1 to R20 due to lack of water availability. Oroville Ranch changed from R20 to R5 to reduce the number of non-conforming lots due to existing development.
- n. Sidley Lake along the south side of Nine Mile Road draft zone changed from R20 to R1 to decrease the amount of non-conforming lots due to existing development on that side of the lake.
- o. Northeast of Molson to the Canadian Border draft zone changed from R20 to R5 due to decrease the amount of non-conforming lots due to existing development.
- p. North of Chesaw along the eastside of Bolster Rd draft zone changed from R20 to R5 to decrease the amount of non-conforming lots due to existing development.
- q. South of Chesaw draft zone changed from R20 to R5 to decrease the amount of non-conforming lots due to existing development.
- r. South of Chesaw along Chesaw Rd changed from R1 to R5 due to lack of water availability.

13. After public testimony the Planning commission made changes to the draft Marijuana section 17A.290 on May 16, 2016 which included:
 - a. Changing the reference to Marijuana as Cannabis throughout the document.
 - b. Changing the conditions of approval section 17A.290.040 to require operations to comply with state laws.
 - c. Added a condition to ensure the cannabis operations provide adequate parking at their facilities.
 - d. Added a section stating those in operation before the date of adoption of this code are legal pre-existing in accordance with section 17A.330
14. The Planning commission deliberated on the definition of Accessory Structure not being adequate and therefore changed the definition and removed Accessory structure from the District Use Chart in 17A.220.
15. After Public Testimony the Planning Commission changed the District Use Chart section 17A.220 regarding Nightly Rentals in the Methow Reivew District, Rural Residential, Low Density Residential to allow Nightly Rentals in Planned Developments only.
16. The Planning Commission changed the District Use chart section 17A.220 regarding Florist retail to be allowed by Conditional Use permit in the Methow Review District, Rural Residential, and Low Density Residential zones.
17. After public testimony the Planning Commission added definitions for "exempt well" and "project". The definitions are relevant to the land division processes and are intended to bring the County's permit requirements in line with the new interpretation expressed in the Campbell and Gwin decision.

OKANOGAN COUNTY

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Okanogan County Regional Planning Commission
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Conclusions of Law

1. Okanogan County is authorized to develop zone code regulations to further the objectives and goals of the Comprehensive Plan in accordance with RCW 36.70, Planning Enabling Act.
2. The Okanogan County Regional Planning Commission is authorized to conduct public hearings and deliberations to consider the content of zone code, to develop a record to support their recommendation, and to make recommendations to the Okanogan Board of County Commissioners as prescribed by RCW 36.70, Planning Enabling Act.
3. Okanogan County has complied with the requirements for environmental Review as prescribed by RCW 43.21C State Environmental Policy Act (SEPA) and WAC 197-11 SEPA Rules.
4. Okanogan County has complied with the requirements of the Open Public Meetings ACT as prescribed by RCW 42.30.
5. The revised Zone Code complies with the process requirements as prescribed by RCW 36.70, Planning Enabling Act.
6. The Planning Commission finds the record developed through the public review process supports their recommendation made to the Board of County Commissioners to adopt the Zone Code and Zone Code Map.