

(BOCC Letterhead)

An Ordinance adopting a new title to Okanogan County Code Title 20 Development Permit Procedures and Administration.

Whereas: The Washington State Legislature adopted Revised Code of Washington (RCW) 36.70B in 1995, which is often cited as regulatory reform, in response to the adoption of the Growth Management Act and the growing complexity of land use regulation and permit review, and

Whereas: The Washington State Legislature, in adopting RCW 36.70B found:

(1) As the number of environmental laws and development regulations has increased for land uses and development, so has the number of required local land use permits, each with its own separate approval process.

(2) The increasing number of local and state land use permits and separate environmental review processes required by agencies has generated continuing potential for conflict, overlap, and duplication between the various permit and review processes.

(3) This regulatory burden has significantly added to the cost and time needed to obtain local and state land use permits and has made it difficult for the public to know how and when to provide timely comments on land use proposals that require multiple permits and have separate environmental review processes, and

Whereas: RCW 36.70B.060 required counties: Not later than March 31, 1996, each local government planning under RCW [36.70A.040](#) shall establish by ordinance or resolution an integrated and consolidated project permit process that may be included in its development regulations, and

Whereas: RCW 36.70B.150 allows: A local government not planning under RCW [36.70A.040](#) may incorporate some or all of the provisions of RCW [36.70B.060](#) through * [36.70B.090](#) and [36.70B.110](#) through [36.70B.130](#) into its procedures for review of project permits or other project actions, and

Whereas: A draft Okanogan County Code title 20 Development Permit Procedures and Administration was submitted to the Okanogan Board of County Commissioners(BOCC) by members of an advisory committee formed for purposes of working on the revised zone code for their consideration, and

Whereas: The BOCC determined the proposed draft OCC Title 20 should be published for public review, and

Whereas: A public hearing has been scheduled for September 26, 2016, and

Whereas: The SEPA Responsible Official has determined this proposal is exempt from the review requirements of RCW 43.21C and OCC 14.04 in accordance with Washington Administrative Code 197-11-800 (19), and

Whereas: The BOCC conducted the public hearing on September 26, 2016

Whereas: Since publication of the draft ordinance the Washington State Supreme Court handed down the Whatcom-Hirst decision which increased the responsibility of the Counties to determine that

adequate provisions for potable water have been made regarding land use applications reviewed in accordance with RCW 58.17.110 and RCW 19.27.097, and

Whereas: In response to the Whatcom-Hirst decision the Okanogan Board of County Commissioners adopted interim ordinance 2016-5 on November 8, 2016 which created a process for review of land use applications that proposed a new use of permit exempt wells as defined in RCW 90.44.050 as the source of potable water, and

Whereas: A public hearing was scheduled for December 19, 2016 during which public testimony and written comments were reviewed regarding OCC Title 20 and Ordinance 2016-5, and

Whereas: The public hearing was continued to December 28, 2016 during which the Board of County Commissioners will consider the adoption of OCC Title 20 including amendments consistent with the final form of the process adopted on an interim basis through Ordinance 2016-5, be it therefore

Ordained

The Okanogan Board of County Commissioners adopts:

Attachment A: Okanogan County Code Title 20 as amended

Attachment B: Findings of Fact

Adopted this day

(BOCC Signature blocks)