Adoption of amendments to the Douglas County Code Titles 18 and 19

WHEREAS, Douglas County has adopted a Comprehensive Plan pursuant to the Growth Management Act (GMA), RCW Chapter 36.70A, and a series of subarea plans for each municipality in the county. These plans have been found to be consistent with each other; and

WHEREAS, the Douglas County Planning Commission transmitted a recommendation of approval to this Board regarding the adoption of amendments of the Douglas County Code Title 18 and Title 19; and

WHEREAS, notice of all public hearings and public meetings on this matter have been published according to law; and

NOW, THEREFORE, the Board of County Commissioners hereby accepts the Findings of Fact and Conclusions adopted by the Douglas County Planning Commission, entering those findings into the record as their own as set forth in Exhibit A and incorporating them in this ordinance by this reference as though fully set forth herein.

BE IT FURTHER, hereby resolved and ordained that the recommendation of the Douglas County Planning Commission is accepted and the amendments to Title 18 Zoning and Title 19 Environment of the Douglas County Code attached as Exhibit B are adopted, effective immediately.
Dated this 8th day of July, 2014 in Waterville, Washington.

BOARD OF COUNTY COMMISSIONERS
DOUGLAS COUNTY, WASHINGTON

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Dale Snyder, Chair

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Ken Stanton, Vice Chair

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Steven D. Jenkins, Member

ATTEST:

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Dayna Prewitt, Clerk of the Board

Ordinance No. TLS 14-9-31C
EXHIBIT A

Findings of Fact:

1. Douglas County has adopted a Countywide Comprehensive Plan pursuant to the Growth Management Act (GMA) and RCW Chapter 36.70A, and a series of subarea plans for each municipality in the county. These plans have been found to be consistent with each other.
2. RCW Chapters 36.70 and 36.70A authorize the adoption of development regulations.
3. Amendments to the development regulations, SEPA threshold determination and supporting documentation were sent to the Washington State Department of Commerce requesting review pursuant to Section 36.70A.106(3)(a) on March 20, 2014.
5. No written comments were submitted during the review period.
6. The Notice of Public Hearing before the Planning Commission was published on May 29, 2014 in the Wenatchee World and Empire Press.
7. The Planning Commission conducted an advertised public hearing on June 11, 2014. The Planning Commission entered into the record the files on this amendment, accepted public testimony, and deliberated the merits of the proposal.

Conclusions:

1. The procedural and substantive requirements of the State Environmental Policy Act have been complied with.
2. The procedural requirements of RCW 36.70A have been complied with.
3. The proposed amendments are consistent with the Douglas County Regional Policy Plan and the Douglas County Countywide Comprehensive Plan.
4. The proposed amendments are consistent with the requirements of Revised Code of Washington and the Washington Administrative Code.
EXHIBIT B

1. Amendments to Chapter 18 Zoning of the Douglas County Code include correction of citations of the Washington Administrative Cod (WAC).

18.80.315 Recreational Facilities

J. Emergency response. An analysis shall be conducted by the applicant for emergency assistance which may include fire, law enforcement, and medical services. The analysis shall include conformation that the minimum local and state codes and regulations have been met including WAC Chapter 248-73 246-374 when applicable. Any additional costs of providing such services shall be the applicant’s expense.

2. Amendments to Chapter 19 Environment of the Douglas County Code include corrections to text regarding drainage and aquifer recharge areas.

19.18.110 Drainage and Erosion Control Plan.

C. All drainage and erosion control plans shall be prepared using the Type 2 SCS model, taking into account a storm event equal to or exceeding two inches of rainfall in ninety minutes, a SCS Type 2, 100 year storm. (Ord. TLS 03-01-01B Exh. B (part): Ord. TLS 97-10-71B Exh. G (part))

19.18E Aquifer Recharge Areas

19.18E.060 Specific standards.

The following standards shall apply to the activity identified below, in addition to the general standards outlined in DCC Section 19.18E.050.

E. Minor Developments. All minor developments, which are processed according to Section 14.10.020 of this code, proposed within an aquifer recharge area shall comply with the following standards:

1. Connection to a public sanitary sewer system or an approved community sewer system shall be required. If connection to sanitary sewer is not feasible, on-site septic systems proposed on lots of record legally existing on the date this chapter was enacted are permitted provided:

a. All development shall be consistent with Section 4.20.100, as may be amended, of the Chelan-Douglas Health District Code. The public health officer has designated the aquifer recharge area as an "area of special concern" in accordance with WAC 246-272-21501.

b. The type of on-site system is approved by the Chelan-Douglas health district upon finding that the design of the system will not be detrimental to the community water supply.

c. The property owner shall enter a no protest agreement with the Douglas County sewer district, or other sanitary sewer provider as
appropriate to the property location, agreeing to not protest the formation of a local improvement district for the extension of sanitary sewer. This agreement shall be recorded with the Douglas County auditor.

2. The connection to an approved public water service shall be required.

F. Major Developments. All major developments processed according to Sections 14.10.030 or 14.10.040 of this code authorized within an aquifer recharge area shall comply with the following minimum standards:

1. Connection to a public sanitary sewer system or an approved community sewer system shall be required unless the public health officer has designated the aquifer recharge area as an “area of special concern” in accordance with WAC 246-272-21501.
2. Connection to an approved public water system shall be required.
3. All existing wells located on the subject property shall either be properly abandoned in accordance with the requirements of the Chelan-Douglas health district and the Department of Ecology or designated for irrigation purposes only. If an existing well is designated for irrigation purposes, then the following shall apply:
   a. Evidence of a water right issued by the state of Washington for the use of the well shall be presented to the review authority. An application for a water right is not acceptable evidence of an actual right to appropriate water.
   b. Certification from the public health officer stating that the well is properly constructed and sealed to prevent any contaminants from entering the wellhead shall be submitted to the review authority.
4. Stormwater detention and retention facilities shall be designed using best available science and management practices to separate chemical and biological pollutants from the water prior to infiltration. The use of injection wells is prohibited in accordance with Section 19.18E.050(C) of this chapter.
5. An analysis shall be conducted to assess the impact to groundwater quality from the potential of nitrate loading to the groundwater.
6. Areas highly susceptible of transporting contaminants to the groundwater (i.e., natural drainages, springs, wetlands, etc.), as determined by the review authority, shall be designated as open space. All impervious surfaces shall maintain a fifteen foot setback from areas identified as being highly susceptible and no amount of stormwater runoff shall be directed towards the susceptible area(s).
7. All development shall be consistent with Section 4.20.100, as may be amended, of the Chelan-Douglas Health District Code.