Ordinance 2007-01
Effective July 12, 2007

Ordinance 2008-01 – Effective 2-21-08
Ordinance 2008-03 – Effective 8-7-08
Ordinance 2008-05 (Map Amendment only) – Effective 11-25-08
Ordinance 2008-06 (Map Amendment only) – Effective 12-18-08
Ordinance 2009-03 – Effective 2-4-09
Ordinance 2009-09 (Map Amendment only) – Effective 12-24-09
Ordinance 2011-04 (Map Amendment only) – Effective 12-29-11
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Ordinance 2012-03 (Map Amendment only) – Effective 5-17-12
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TITLE 3
STEVENS COUNTY DEVELOPMENT CODE

PART I: USES & DEVELOPMENT STANDARDS

3.01 AUTHORITY, PURPOSE, APPLICABILITY & ADMINISTRATION

Sections:
3.01.010 Authority
3.01.020 Purpose
3.01.030 Applicability
3.01.040 Administration
3.01.050 Interpretation of Land Uses
3.01.060 Zoning Maps & Interpretation of Boundaries
3.01.070 Severability

3.01.010 Authority.
The Stevens County Development Code is adopted by Stevens County resolution pursuant to Article XI, Section 11 of the Washington State Constitution and RCW 36.70A.040.

3.01.020 Purpose.
The general purposes of this Title are to:
A. Protect the Constitutional rights of the Stevens County citizens;
B. Implement the Stevens County Comprehensive Plan; and
C. Protect the public health, safety and welfare; and
D. Encourage the orderly development of land and harmonious groupings of activities; and
E. Minimize potential adverse environmental impacts associated with the location, development or operation of particular land uses; and
F. Encourage land use decision making in accordance with the applicable laws of the State of Washington; and
G. Apply development regulations to reflect Stevens County’s development characteristics, traditions, values and administrative capabilities.

3.01.030 Applicability.
The provisions of Title 3 shall apply to all land within unincorporated Stevens County, including fee-owned land within the boundaries of the Spokane Indian Reservation. All land uses and development authorized by this Title shall comply with all other Stevens County regulations and/or applicable requirements of local, state or federal law. In the event of a conflict between these regulations and other requirements, the procedures set forth in 3.01.040 shall apply.

3.01.040 Administration.
This Title shall be administered by the Director of the Stevens County Land Services Department. The Director shall have the following authority: (1) to issue official interpretations of this Title; (2) to determine the form and content of applications for development permits.
required by this Title or other provisions of the Stevens County Code; (3) to make such decisions relating to development applications as set forth in Chapter 3.20 of this Title; and to enforce the provisions of this Title.

3.01.050 Interpretation of Land Uses.
The Director shall have the authority to determine the appropriate categories of land uses for the purpose of applying this Title. This shall include determining whether:
A. A use that is not listed on the table of land uses in Chapter 3.03 is similar or dissimilar to a permitted or conditional use, and
B. The use is consistent with the purpose and intent of the zone of a particular zoning classification listed in Chapter 3.02, and
C. The use is compatible with or complements other uses permitted in the zone.

3.01.060 Zoning Maps & Interpretation of Boundaries.
A. The location and boundaries of the zoning classifications defined by this Chapter shall be shown on the official zoning map, as adopted by the Stevens County Board of County Commissioners. Changes to the boundaries of the zones on the zoning map shall be made by resolution.
B. Where uncertainty exists as to the location of any zone boundary, the Director shall apply the following rules of interpretation:
   1. Where boundaries are indicated as paralleling the approximate centerline of the street right-of-way, the zone shall extend to each adjacent boundary of the right of way;
   2. Where boundaries are indicated as approximately following lot lines, the actual lot lines shall be considered the boundaries;
   3. Where boundaries are indicated as following lines of ordinary high water mark, the lines shall be considered to be the actual boundaries;
   4. Where a parcel is split between two zoning districts, the Director shall determine which district most appropriately applies to the parcel overall, using the criteria in Chapter 3.02 and the policies of the Comprehensive Plan;
   5. In other cases not addressed by 1-4 above, the boundary shall be as drawn based on the scale drawn on the zoning map.
C. Zoning maps shall be available for public review at the Department of Land Services during the Department’s business hours.

3.01.070 Severability.
Should any Chapter, Section, Subsection, Paragraph, Sentence, Clause or Phrase of this Title be declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this Title.
3.02 PURPOSE & ESTABLISHMENT OF ZONES

Sections:
3.02.010 Purpose and Applicability
3.02.020 Establishment of Zones & Map Designations
3.02.030 Intent of Zones

3.02.010 Purpose and Applicability.
This Chapter establishes and describes the zoning classifications applicable to all property in unincorporated Stevens County, including fee owned land within the boundaries of the Spokane Indian Reservation. Zoning classifications are intended to be applied consistent with the land use designations, goals and policies contained in the Stevens County Comprehensive Plan.

3.02.020 Establishment of Zones & Map Designations.
To accomplish the purposes of this Title, the following zoning classifications and map designations are established:

<table>
<thead>
<tr>
<th>Zoning Classifications</th>
<th>Map Symbol</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture</td>
<td>A</td>
</tr>
<tr>
<td>Forest</td>
<td>F</td>
</tr>
<tr>
<td>Mineral</td>
<td>M</td>
</tr>
<tr>
<td>Rural Area (-5, -10 or -20 acres per dwelling unit)</td>
<td>RA</td>
</tr>
<tr>
<td>Urban Residential</td>
<td>R (1 and 2)</td>
</tr>
<tr>
<td>Business</td>
<td>B</td>
</tr>
<tr>
<td>Industrial</td>
<td>I</td>
</tr>
<tr>
<td>Rural Agriculture</td>
<td>AR</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Overlay Classifications</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Rural Community (Type I LAMIRD)</td>
<td>RC</td>
</tr>
<tr>
<td>Crossroad Areas (Type I LAMIRD)</td>
<td>CR</td>
</tr>
<tr>
<td>Small Resort (Type II LAMIRD)</td>
<td>SR</td>
</tr>
<tr>
<td>Master Planned Resort</td>
<td>MPR</td>
</tr>
<tr>
<td>Fully Contained Community</td>
<td>FCC</td>
</tr>
<tr>
<td>Major Industrial Development</td>
<td>MID</td>
</tr>
</tbody>
</table>

3.02.030 Intent of Zones.
The purpose statements associated with each zoning and map classification set forth in the following sections shall be used to help guide the application of the zones to all lands within unincorporated Stevens County. Use and development standards for each zone are found in Chapters 3.01 through 3.17.

A. Resource Zones.
   1. Agriculture (A). The purpose of the Agriculture (A) zone is to conserve and maintain agricultural lands of long-term commercial significance and to promote the continuation of farming and ranching. This purpose is consistent with the requirements of the Growth Management Act (GMA) and the goals, policies and land use designations of the Stevens
County Comprehensive Plan. Land uses permitted in the A zone are focused on farming and ranching, rural residences, small rural businesses and agriculture-related accessory uses and support services that are compatible with and will promote the continuation of farming and ranching. Permitted densities are intended to be low to help preserve the agricultural resource and to avoid the establishment of conflicting or incompatible land uses. Clustering or other innovative techniques applicable to agricultural resource lands are encouraged.

2. Forest (F). The purpose of the Forest (F) zone is to conserve and maintain the County’s forest land base, the long-term productivity of forest lands, and the production of forest products. Such lands should be designated for forest resource use by the Stevens County Comprehensive Plan. The F zone should be applied to large contiguous areas, generally under one (public or private) ownership, outside of Urban Growth Areas, and away from concentrations of rural residential use. Compatible recreational uses may also be present in such areas. A combination of site, soil and climate make it possible to sustain timber growth and harvests over the long term.


B. Rural Zones.

1. Rural Area (RA). The Rural Area (RA) zones are intended to preserve the County’s rural character in the long-term, to permit a range of traditional activities that are compatible in function, scale and appearance with that character, and to maintain a rural lifestyle. This designation is applied to lands that do not meet the criteria for Resource Lands, that are located outside designated Urban Growth Areas, and that are characterized by rural levels of services and facilities. Permitted residential densities are determined according to the following criteria:
   a. RA-5 for areas that are characterized by relatively gentle topography and slopes; are well served for access by State and County roads; sufficient and reasonably available water to meet demand; or areas that are already developed or platted with lots five acres in size or smaller.
   b. RA-10 for areas that are characterized by moderate to steep topography; access via State or County roads, but with fewer options than in 5-acre density areas; lower water supplies or water that is available only through drilling deep to very deep wells; or areas that can provide a transition to Agricultural or Forest Resource lands.
   c. RA-20 for areas that have steep topography; limited access via State or County roads; low water supplies or water that is available only through drilling very deep wells; or areas that can provide a transition to Forest Resource lands.

2. Rural Agriculture (AR). The purpose of the Rural Agriculture (AR) zone is to identify lands that do not meet the criteria for the Agriculture (A) zone but which are used for farming and ranching. The AR zone is intended to recognize the value that such lands contribute to the county’s economy and lifestyle, to maintain rural character, to permit rural residential uses, and to encourage the continuation of established, traditional activities. Criteria for application of the AR zone may include the following:
a. the property is used for agriculture, including growing of crops, grazing or enrolled in a Federal cropland conservation program; 
b. the property is participating in Stevens County’s open space taxation program;  
c. the land is characterized by class 4, 5 or 6 soils; and  
d. the property is located in contiguous blocks, with parcels primarily 20 acres or greater.

C. Residential Zones.
   1. Urban Residential (R). The Urban Residential (R) zone is intended to accommodate planned growth and to achieve the County’s housing goals and policies. It accomplishes this purpose by permitting a range of residential housing types and densities within Urban Growth Areas and Rural Communities (see 3.02.020E for RC description and 3.04.010 for densities) designated by the Stevens County Comprehensive Plan. The R zones permit single-family detached or attached units, including townhouses, row houses and duplexes (R-1 and R-2), and multi-family units in residential or mixed-use (housing and retail/service) buildings (R-2). Accessory and non-residential uses may be limited to preserve neighborhood character. Residential densities will range as follows:
      a. R-1. These areas which may not be conducive to higher density housing, may not be able to receive all urban services, or may not have all urban services available.
      b. R-2. Located in urban areas where all necessary urban services and facilities are present and available.

D. Commercial & Industrial Zones.
   1. Business (B). The Business (B) zone is intended to provide suitable sites for the convenient location of retail and personal service businesses. A broad range of commercial uses are appropriate in such areas, including mixed-use (housing and retail/service), which do not typically generate substantial impacts to neighboring properties. The Business classification may be appropriately applied to properties located in Urban Growth Areas, and to sites in the Rural Area located within a designated Type I LAMIRD (subject to a Rural Community or Crossroads Area Overlay classification), or a recognized Type II LAMIRD (small resort, recreational or tourist facility).
   2. Industrial (I). The purpose of the Industrial (I) zone is to provide for the location and grouping of a wide range of activities involving manufacturing, assembly, fabrication, processing, bulk handling and storage, research facilities, warehousing and trucking, and to encourage economic development. Industrial uses located within the County’s rural area are subject to Comprehensive Plan policies.

E. Overlay Zones.
   1. Rural Community Overlay (RC). The Rural Community (RC) overlay zone is applied to areas that have been designated on the Stevens County Comprehensive Plan Future Land Use Map as Type I Limited Areas of More Intensive Rural Development (LAMIRD). Where applied, the overlay is in addition to any underlying zoning classification and development standards applicable to the property or area. “Rural Communities” for purposes of the RC classification include Type I LAMIRDS
recognized in the Comprehensive Plan, such as existing rural villages, activity centers, or rural communities, which are typically characterized by a mix of residential and non-residential land uses.

The purpose of the Rural Community overlay zone is to help implement the goals and policies of the Stevens County Comprehensive Plan, regarding the appropriate nature and extent of existing concentrations of higher density/intensity development occurring in rural areas of the County. The Overlay is applied based on designations on the Comprehensive Plan Future Land Use Map, or recognition of specific areas or sites in the Comprehensive Plan, and defines the logical outer boundary of the Rural Community. Boundaries may be adjusted in conjunction with adoption of a sub-area plan. The RC overlay recognizes the diversity of land uses – residential, commercial and industrial – that occurs in existing Rural Communities and provides a flexible zoning tool to manage the development, redevelopment and infill of such areas, consistent with their historical development patterns and maintenance of rural character.

2. Crossroads Area (CR). The Crossroads Area (CR) overlay zone is applied to sites or areas that have been designated as “Crossroads” on the Stevens County Comprehensive Plan Future Land Use Map. “Crossroads Areas” are Type I LAMIRDs and include small sites, dispersed throughout Stevens County, which are typically located at the intersection of two roads, and which contain small-scale, commercial, retail/service and/or industrial businesses generally serving nearby rural residents and tourists. The purpose of the Crossroads Area (CR) overlay zone is to help implement the goals and policies of the Stevens County Comprehensive Plan, regarding the appropriate nature and extent of concentrations of higher density/intensity development occurring in Rural Areas of the County. The CR classification recognizes the diversity of existing Crossroad Area land uses and allows development, redevelopment and infill of such areas, consistent with their historical development patterns and maintenance of rural character.

3. Small Resort (SR). The Small Resort (SR) overlay zone is applied to areas that have been designated on the Stevens County Comprehensive Plan Future Land Use Map as Type II Limited Areas of More Intensive Rural Development (LAMIRD). The purpose of the Small Resort overlay (SR) is to help implement the goals and policies of the Stevens County Comprehensive Plan, regarding the intensification of development on lots containing, or new development of, small-scale recreational or tourist uses that rely on a rural location and setting, but that do not include new residential development. The SR overlay zone is not required to be principally designed to serve the existing and projected rural population. Public services and public facilities shall be limited to those necessary to serve the recreation or tourist use.

4. Master Planned Resort (MPR). The MPR classification is an overlay zone that applies to sites that have been designated as a Master Planned Resort on the Stevens County Comprehensive Plan Future Land Use Map. The overlay applies in addition to any underlying zoning classification and development standards applicable to the property or area.
The purposes of the Master Planned Resort (MPR) classification are to implement the goals, policies and designations of the Comprehensive Plan regarding the location, planning, development characteristics and review procedures for master planned resorts. Master Planned Resorts, as authorized and defined by RCW 36.70A.360 et sec, are intended to be: (a) self-contained and fully integrated planned developments; (b) located in settings of significant natural amenities; (c) with a primary focus on destination resort facilities consisting of short term visitor accommodations (hotel or motel units, time-share or fractionally owned units, recreational vehicle sites, and vacation and second homes); (d) associated with a range of developed on-site indoor or outdoor recreational facilities. Other residential uses may be included within the MPR if they are integrated into and support the on-site recreational nature of the resort. Capital facilities, services and utilities provided on site shall be limited to meet the needs of the resort.

5. **Fully Contained Community**  The FCC classification is an overlay zone that applies to sites that have been designated as a Fully Contained Community on the Stevens County Comprehensive Plan Future Land Use Map. The overlay applies in addition to any underlying zoning classification and development standards applicable to the property or area. The purposes of the Fully Contained Community (FCC) classification are to implement the goals, policies and designations of the Comprehensive Plan regarding the location, planning, development characteristics and review procedures for Fully Contained Communities. Fully Contained Communities, as authorized and defined by RCW 36.70A.350, are characterized by provision of adequate infrastructure, transportation demand management programs, buffering to protect adjacent development, a mix of uses that offer jobs, housing and services to residents, affordable housing for a mix of income levels, protection of the environment, prevention of urban growth, open space and greenbelts within the FCC, mitigation of impacts on designated resource lands, and protection of critical areas consistent with adopted County regulations.

6. **Major Industrial Development (MID)**  The purpose of this overlay zone is to promote economic development in Stevens County and to accommodate the needs of large-scale manufacturing, industrial or commercial activities, or a natural resource-based industry located near and dependent on designated resource lands, consistent with the provisions of RCW 36.70A.365. The MID overlay zone may be applied to one or more large parcels located outside a designated urban growth area. MID sites may be approved if they are needed to accommodate the needs of a large user provided that appropriate sites are lacking in urban growth areas (UGA). MID development is subject to criteria relating to provision of infrastructure, mitigation of environmental impacts, buffering of adjacent uses, and prevention of urban growth on surrounding rural or resource lands.
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3.03 PERMITTED USES

Sections:
3.03.010 Purpose & Organization of Chapter
3.03.020 Residential Land Uses
3.03.030 Retail, Business, Services and Wholesale Land Uses
3.03.040 Rural Business, Business Services and Government Land Uses
3.03.050 Industrial, Manufacturing and Processing Land Uses
3.03.060 Personal & Health Services and Schools Land Uses
3.03.070 Recreational and Cultural Land Uses
3.03.080 Regional Facilities and Essential Public Facilities
3.03.090 Resource Land Uses

3.03.010 Purpose & Organization of Chapter.
A. The purpose of this Chapter is to identify the uses that are permitted within individual zoning classifications within Stevens County. The tables in this Chapter are organized by categories or types of land use (e.g., residential, business). Letter symbols are shown on the table to indicate whether a type of land use is permitted or conditionally permitted in a respective zone.
B. Range of Land Uses: The activities listed on the use table are intended to reflect a range of common and representative land uses. Use categories generally follow Standard Industrial Classifications, which is a commonly accepted way of grouping activities for reference. The list is not intended to be exclusive. Other similar land uses which are not specified on the table, and which may be appropriate or inappropriate in a particular zoning classification will be determined by the Director pursuant to Chapter 3.01.050.
C. The following symbols are used on the tables:
   1. Absence of any symbol indicates that a use is prohibited.
   2. The letter “P” indicates that a use is permitted, subject to any relevant requirements in this Title.
   3. The letter “C” indicates that a use is conditionally permitted, subject to obtaining a conditional use permit. The standards and procedures for conditional use permits are contained in Chapters 3.20.010 and 3.30.060 of this Title.
   4. The letters “AC” indicate that a use is conditionally permitted, subject to obtaining an administrative conditional use permit. The standards and procedures for administrative conditional use permits are contained in 3.20.010 and 3.30.050.
D. A description of the purpose of each zoning classification is contained in Chapter 3.02 of this Title.
E. Procedures for interpreting land uses and the boundaries of zoning districts are described in Chapter 3.01 of this Title.
F. In cases of conflict within the use tables (example: furniture manufacturing is listed as only being allowed in the industrial zone but it could also be considered as a rural small business), the least restrictive procedure shall apply.
G. Accessory uses on lands designated Agriculture (A) shall be located, designed, and operated so as to not interfere with, and to support the continuation of, the overall agricultural use of the
property and neighboring properties, and shall comply with the requirements of RCW 36.70A.177. ¹ (Ord. 2008-03 – effective 8-7-08)

H. Zoning Classifications Map Symbols

<table>
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<th>Classification</th>
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Overlay Classifications

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¹ Accessory uses are those as defined in RCW 36.70A.177(3) and include conditional and administrative conditional uses listed in 3.30.020 through 3.30.090. (Ord. 2008-03 – Effective 8-7-2008)
### 3.03.020 Residential Land Uses.

P = Permitted        C = Conditional Use        AC = Administrative Conditional Use

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<tr>
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<th>I</th>
<th>RA-5</th>
<th>RA-10</th>
<th>RA-20</th>
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* Uses in Rural Communities, Crossroad Areas, and Small Resorts follow the underlying zoning for the property. Additional allowed uses for Crossroad Areas and Small Resorts are listed in Chapters 3.05.010 through 3.05.025.

1. Includes townhouses, duplexes and manufactured housing.
2. Includes residential units in mixed-use buildings in R-2 zone.
3. See Chapter 3.05.030 for MPR process and standards.

^ No more than six-dwelling units shall be allowed per multi-family structure that is otherwise permissible in areas designated as rural or resource lands in the County’s Comprehensive Land Use Plan. (Ord. 2008-03 – effective 8-7-08)
3.03.030 Retail, Business, Services & Wholesale Land Uses.

P = Permitted  C = Conditional Use  AC = Administrative Conditional Use

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<tr>
<th>Land Use/Activity</th>
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<th>RA-5</th>
<th>RA-10</th>
<th>RA-20</th>
<th>AR-10</th>
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* Uses in Rural Communities, Crossroad Areas, and Small Resorts follow the underlying zoning for the property. Additional allowed uses for Crossroad Areas and Small Resorts are listed in Chapters 3.05.010 through 3.05.025.

(1) As part of mixed-use development in R-2 zone.
(2) See Chapter 3.05.030 for MPR process and standards.
## 3.03.040 Rural Business, Business Services and Government Land Uses.

<table>
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**Zoning Classifications:***
- **P** = Permitted
- **C** = Conditional Use
- **AC** = Administrative Conditional Use

**Overlay Zones (1):**
- **MPR**

Stevens County Code – Title
Ordinance 2007-01

July 12, 2007
### Zoning Classifications

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<td>Rural Business (which does not require outdoor work)</td>
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* Uses in Rural Communities, Crossroad Areas, and Small Resorts follow the underlying zoning for the property. Additional allowed uses for Crossroad Areas and Small Resorts are listed in Chapters 3.05.010 through 3.05.025.

+ Ord. 2008-03 – effective 8-7-08
#Ordinance 2016-03 – effective 4-7-2016
(1) See Chapter 3.05.030 for MPR process and standards.
3.03.050 *Industrial, Manufacturing and Processing Land Uses.*

P = Permitted C = Conditional Use AC = Administrative Conditional Use

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* Uses in Rural Communities, Crossroad Areas, and Small Resorts follow the underlying zoning for the property. Additional allowed uses for Crossroad Areas and Small Resorts are listed in Chapters 3.05.010 through 3.05.025.

(1) ) See Chapter 3.05.030 for MPR process and standards.
### 3.03.060 Personal & Health Services and Schools.

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P = Permitted  C = Conditional Use  AC = Administrative Conditional Use

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* Uses in Rural Communities, Crossroad Areas, and Small Resorts follow the underlying zoning for the property. Additional allowed uses for Crossroad Areas and Small Resorts are listed in Chapters 3.05.010 through 3.05.025.

#Ordinance 2016-03 – effective 4-7-2016
(1) Only as part of mixed use developments in R-2 zone.
(2) See Chapter 3.05.030 for MPR process and standards.
(3) “Group facilities” encompass essential public facilities defined in RCW 36.70A.200 (1), including mental health facilities, substance abuse facilities, and secure community transition facilities (per RCW 71.09.020)
### 3.03.070 Recreational & Cultural Land Uses.

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<tr>
<td>Outdoor Performance Center</td>
<td>C</td>
<td>C</td>
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<tr>
<td>Outdoor Shooting Range</td>
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<td>Sports Club</td>
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</tr>
</tbody>
</table>

* Uses in Rural Communities, Crossroad Areas, and Small Resorts follow the underlying zoning for the property. Additional allowed uses for Crossroad Areas and Small Resorts are listed in Chapters 3.05.010 through 3.05.025.

(1) See 3.05.030 for MPR standards and procedures.

---

* Stevens County Code – Title 3
Ordinance 2007-01
July 12, 2007
### 3.03.080 Regional Facilities & Essential Public Facilities (1)

<table>
<thead>
<tr>
<th>Land Use/Activity</th>
<th>R-1 and 2</th>
<th>B</th>
<th>I</th>
<th>RA-5</th>
<th>RA-10</th>
<th>RA-20</th>
<th>AR-10</th>
<th>F</th>
<th>A</th>
<th>Overlay Zones</th>
<th>Site Specific Standards</th>
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<tr>
<td><strong>Zoning Classifications</strong></td>
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<tr>
<td>Energy Generation and Transmission Facilities</td>
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<td>Racetrack</td>
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<tr>
<td>Septage Facilities</td>
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<tr>
<td>Stadium/Arena</td>
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<td>C</td>
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<tr>
<td>Transportation Facilities</td>
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<td>C</td>
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<td>AC</td>
<td>AC</td>
<td>AC</td>
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<tr>
<td>Wireless Telecommunication Facilities</td>
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<td>P</td>
<td>AC</td>
<td>AC</td>
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<td>AC</td>
<td>AC</td>
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<td>Wireless Telecommunication Facilities – Co-location (2)</td>
<td>P</td>
<td>P</td>
<td>P</td>
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<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
</tbody>
</table>

* Uses in Rural Communities, Crossroad Areas, and Small Resorts follow the underlying zoning for the property. Additional allowed uses for Crossroad Areas and Small Resorts are listed in Chapters 3.05.010 through 3.05.025.

#Ordinance 2016-03 – effective 4-7-2016

(1) The land uses in this category are intended to encompass difficult to site essential public facilities, as defined in RCW 36.70A.200. All uses in
this section except Cellular Tower Co-location, Septage Facilities, Water Towers, and Private Airstrips must also comply with standards set in 3.20.050.

(2) Co-located facilities shall not extend more than 7.5 feet horizontally (on each side) from any structure to which attached, nor more than 15 feet above the uppermost portion of the structure to which it is attached.

(3) See 3.05.030 for MPR standards and procedures.
3.03.090 Resource Land Uses.

P = Permitted  C = Conditional Use  AC = Administrative Conditional Use

<table>
<thead>
<tr>
<th>Land Use/Activity</th>
<th>Zoning Classifications</th>
<th>Overlay Zones *</th>
<th>Site Specific Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>R-1 and 2</td>
<td>B</td>
<td>I</td>
</tr>
<tr>
<td>Agriculture (growing crops, raising livestock)</td>
<td>P</td>
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<td>P</td>
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<tr>
<td>Agricultural Services</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Asphalt/Concrete Plants</td>
<td>P</td>
<td>AC</td>
<td>AC</td>
</tr>
<tr>
<td>Extractive Industries</td>
<td>P</td>
<td>AC</td>
<td>AC</td>
</tr>
<tr>
<td>Fish &amp; Wildlife Management (hatcheries, aquaculture, wildlife shelters)</td>
<td>P</td>
<td>P</td>
<td>P</td>
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<tr>
<td>Forestry</td>
<td>P</td>
<td>P</td>
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<tr>
<td>Sawmill</td>
<td>AC</td>
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<tr>
<td>Seasonal Employee Housing (resource-related)</td>
<td>C</td>
<td>C</td>
<td>C</td>
</tr>
</tbody>
</table>

* Uses in Rural Communities, Crossroad Areas, and Small Resorts follow the underlying zoning for the property. Additional allowed uses for Crossroad Areas and Small Resorts are listed in Chapters 3.05.010 through 3.05.025.

(1) See 3.05.030 for MPR standards and procedures.
### 3.03.100 Marijuana (Recreational and Medical) Land Uses.#

P = Permitted C = Conditional Use AC = Administrative Conditional Use

<table>
<thead>
<tr>
<th>Land Use/Activity</th>
<th>Zoning Classifications</th>
<th>Overlay Zones *</th>
<th>Site Specific Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>R-1 and 2</td>
<td>B</td>
<td>I</td>
</tr>
<tr>
<td>Marijuana Retail Sales</td>
<td>Recreational or Medical</td>
<td>P</td>
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</tr>
<tr>
<td>Marijuana Production,</td>
<td>Recreational or Medical</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Marijuana Processing,</td>
<td>Recreational or Medical</td>
<td>P</td>
<td>P</td>
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<tr>
<td>Marijuana, Production Processing for Personal Medical Use</td>
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</table>

#Ordinance 2016-03 – effective 4-7-2016

*Production and/or processing, other than for Personal Medical use, are prohibited on parcels containing less than 5 acres in these zones.
3.04 GENERAL DEVELOPMENT, PERFORMANCE STANDARDS, DISCLOSURES, NOTICES, & ACKNOWLEDGEMENTS

Sections:
3.04.010 Density, Height and Setbacks
3.04.020 Environmental Performance Standards
3.04.030 Resource Lands - Disclosure, Notice and Acknowledgement

3.04.010 Density, Height and Setbacks.
A. Purpose: The purpose of this Chapter is to establish basic dimensional standards for development in all zoning classifications. The standards are established to help prevent possible impacts between land uses.

<table>
<thead>
<tr>
<th>Zoning Classification</th>
<th>Maximum Density</th>
<th>Maximum Building Height (2)</th>
<th>Required Structural Setbacks (7)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential-1 (R-1):</td>
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</tr>
<tr>
<td>In Urban Growth Areas: (Colville, Chewelah, Marcus, Kettle Falls, Addy, Clayton, Valley, Lake Spokane, Hunters)</td>
<td>4 du/acre (1)</td>
<td>35 feet</td>
<td>20' feet front 10' feet side 20' feet rear</td>
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<tr>
<td></td>
<td>Target Density: 1-4 du/acre</td>
<td>35 feet</td>
<td>10 feet</td>
</tr>
<tr>
<td></td>
<td>3 du /1 acre - See 3.05.010</td>
<td>35 feet</td>
<td>10 feet</td>
</tr>
<tr>
<td>Residential-2 (R-2)</td>
<td>12 du/acre</td>
<td>35 feet</td>
<td>5 feet</td>
</tr>
<tr>
<td></td>
<td>Target Density: 4-12 du/acre</td>
<td>35 feet</td>
<td>5 feet</td>
</tr>
<tr>
<td>Business (B)</td>
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<tr>
<td>In Urban Growth Areas: (Colville, Chewelah, Marcus, Kettle Falls, Addy, Clayton, Valley, Lake Spokane, Hunters)</td>
<td>12 parcels/acre (3)</td>
<td>45 feet</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>(4)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>3 parcels/acre - See 3.05.010</td>
<td>35 feet</td>
<td>10 feet</td>
</tr>
<tr>
<td>Industrial (I)</td>
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<td></td>
</tr>
<tr>
<td>In Urban Growth Areas: (Colville, Chewelah, Marcus, Kettle Falls, Addy, Clayton, Valley, Lake Spokane, Hunters)</td>
<td>Up to 12 parcels/acre (4)</td>
<td>65 feet</td>
<td>0</td>
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<tr>
<td></td>
<td>(4)</td>
<td></td>
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<tr>
<td>In Rural Communities:</td>
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<td>35 feet</td>
<td>10</td>
</tr>
<tr>
<td>Zoning Classification</td>
<td>Maximum Density</td>
<td>Maximum Building Height (2)</td>
<td>Required Structural Setbacks(7)</td>
</tr>
<tr>
<td>---------------------------------------------</td>
<td>----------------------------------</td>
<td>-----------------------------</td>
<td>--------------------------------</td>
</tr>
<tr>
<td>(West Kettle Falls, Arden, Loon Lake)</td>
<td>3 parcels/acre – See 3.05.010</td>
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<td></td>
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<tr>
<td>Rural Area – 5 (RA-5)</td>
<td>1 du/5 acres</td>
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<td>Rural Area – 10 (RA-10)</td>
<td>1 du/10 acres (5)</td>
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<tr>
<td>Rural Area – 20 (RA-20)</td>
<td>1 du/20 acres (5)</td>
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<tr>
<td>Forest (F)</td>
<td>1 du/20 acres</td>
<td>35 feet</td>
<td>10 feet</td>
</tr>
<tr>
<td>Agriculture (A)</td>
<td>1 du/20 acres (5)</td>
<td>35 feet</td>
<td>10 feet</td>
</tr>
<tr>
<td>Rural Agriculture (AR)</td>
<td>1 du/10 acres (5)</td>
<td>35 feet</td>
<td>10 feet</td>
</tr>
<tr>
<td>Crossroad Area (CR) overlay zone</td>
<td>1 du or parcels/1 acres</td>
<td>35 feet</td>
<td>10 feet</td>
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<tr>
<td></td>
<td>See 3.05.020</td>
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<tr>
<td>Small Resort (SR) overlay zone</td>
<td>12 du or parcels/acre (6)</td>
<td>35 feet</td>
<td>10 feet</td>
</tr>
<tr>
<td></td>
<td>See 3.05.025</td>
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</tr>
<tr>
<td>Master Planned Resort (MPR)</td>
<td>See 3.05.030</td>
<td>Per 3.05.030</td>
<td>Per 3.05.030</td>
</tr>
<tr>
<td>Fully Contained Community (FCC)</td>
<td>See 3.05.040</td>
<td>Per 3.05.040</td>
<td>Per 3.05.040</td>
</tr>
<tr>
<td>Major Industrial Development (MID)</td>
<td>See 3.05.050</td>
<td>Per 3.05.050</td>
<td>Per 3.05.050</td>
</tr>
</tbody>
</table>

B. Notes to Density, Height and Setback Table:
1. The R-1 classification is applied to designated urban areas and Type I LAMIRDS which do not currently have all necessary urban services, where properties located in a UGA may not be able to receive all urban services, and to situations where it is appropriate to limit permitted uses to single family residences (including townhouses and duplexes) to help maintain consistent densities within existing neighborhoods. For R-1 designated properties in urban areas which do not meet the target density, the following pre-planning requirements may apply:
   a. the site planned, and buildings and facilities located, so as to facilitate future re-subdivision or redevelopment of the site to achieve a target density of 4 du/acre when planned urban services and facilities are available to serve the site;
   b. any application for a Subdivision or Building Permit shall include a conceptual site plan identifying adequate access to all lots, and rights-of-way or easements for future roads, drainage facilities and utilities;
c. building envelopes limited to those indicated on the conceptual plan and shall not impinge on any right-of-way or easement for streets, drainage facilities or utilities; and
d. a notation shall appear on the face of any Final Subdivision map or Building Permit issued for the subject property indicating that the site is subject to a conceptual plan limiting the location of buildings consistent with the above requirements.

2. Supplemental height standards are:
a. 65 feet for the following: church steeples, spires, belfries, cupolas and domes, or religious symbols; fire towers; petroleum storage tanks; school auditoriums and theaters; commercial forestry structures; amateur radio poles or antennas, residential wind mills or turbines, water tanks, flag poles.
b. 150 feet for electric transmission and distribution towers and poles.
c. No height limit for agricultural buildings including agricultural wind machines, barns, silos, and grain elevators.

3. Multi-family housing may be permitted within Business zone as part of mixed use developments up to a maximum density of 12 units per acre.

4. Any development of land zoned Industrial or Business that directly abuts a property zoned R-1 or R-2 will be required to maintain a structural setback of 30 feet from the property line abutting that R-1 or R-2 zoned property.

5. Density bonus allowed if clustering used. See 3.06.040.

6. Although up to 12 du/parcels per acre are allowed, they may not be used for full time residential purposes except as stated in SCC 3.05.025.

7. Setbacks as described are the minimum required property line structural setback from abutting adjacent properties, provided however, if such abutting property is an alley, road, or utility easement the setback is a minimum of three (3) feet from the right-of-way or easement line.

C. Density in the R-1 and R-2 zone is expressed as a target. Permitted density on an individual site shall also reflect constraints due to critical areas and may result in limitations on achieved density. Density shall be as close to the goal as possible in view of these constraints.

3.04.020 Environmental Performance Standards.
A. Critical Areas. All land uses shall comply with the requirements and standards of the Stevens County Critical Areas Ordinance.
B. Shorelines. All land use activities shall comply with the requirements and standards of the Stevens County Shoreline Management Master Program.
E. Services & Facilities. Services and facilities shall be adequate to serve the intended use, and shall be consistent with any level of service standards for urban or rural areas contained in the Stevens County Comprehensive Plan or the provisions of this Title.

A. Disclosure, Notice and Acknowledgement.
   1. Disclosure of the current or potential presence or occurrence of agricultural, forestry or mining activities on appropriately designated and zoned properties shall be provided through the following notice.

   "NOTICE: Portions of Stevens County are characterized by ongoing resource activities, including farming, ranching, tree growing and harvesting, and the extraction of sand, gravel and other minerals. These activities are part of Stevens County’s history, and it is the policy of the County to encourage their continuation. Your property is located within 300 feet of property designated, zoned and/or currently used for resource activities (agriculture, forestry, or mineral extraction). A variety of legally permitted activities occurring on such lands may cause inconvenience or discomforts. These may include but are not limited to noise, odors, fumes, dust, smoke, vibration, truck traffic, the operation of machinery, the storage and disposal of manure, the application by spraying or otherwise of chemical or organic fertilizers, soil amendments, herbicides and pesticides.”

   2. Approval of any division of land, building or development permit shall be conditioned on execution of an acknowledgment by the applicant of the notice contained in sub-paragraph 1 above.

   3. Stevens County shall not be subject to liability for any action, error or omission of any person subject to the requirements of this section.

B. Conditions of Approval. Development permits for the use of property located adjacent to lands designated and zoned Agriculture, Forest or Mineral Resource may be conditioned to ensure that the use of such lands does not interfere with the continuation of such resource activities provided that they are conducted in the usual and accustomed manner, consistent with County regulations, and in accordance with best management practices.
3.05 SPECIAL DEVELOPMENT & PERFORMANCE STANDARDS –

LIMITED AREAS OF MORE INTENSIVE RURAL DEVELOPMENT [LAMIRDS], SMALL SCALE RESORTS, MASTER PLANNED RESORTS, FULLY CONTAINED COMMUNITIES, AND MAJOR INDUSTRIAL DEVELOPMENTS

Sections:
3.05.010 Rural Community (Type I LAMIRDS)
3.05.020 Crossroad Areas (Type I LAMIRDS)
3.05.025 Small Scale Resorts, Recreational and Tourist Uses (Type II LAMIRDS)
3.05.030 Master Planned Resorts
3.05.040 Fully Contained Communities
3.05.050 Major Industrial Developments

3.05.010 Rural Community (RC).
A. Purpose. The Rural Community overlay classification is applied to sites or areas which are designated on the Stevens County Comprehensive Plan Future land Use Map as Limited Areas of More Intensive Rural Development/Type I LAMIRDs. These “Rural Communities” include the larger types of LAMIRDs recognized in the Comprehensive Plan, such as existing rural villages, activity centers, or communities, which are typically characterized by a mix of higher density residential and non-residential land uses. The RC overlay standards recognize the diversity of land uses – residential and non-residential – that occurs in existing Rural Communities and provides a tool to manage, limit and contain the development, redevelopment and infill of such areas, consistent with their historical development patterns and maintenance of rural character.
B. General Development Standards.
1. Land Uses. Land uses in designated Rural Communities should reflect the type, density, intensity and scale of existing developed uses in the community and in the surrounding area. Any new uses shall be consistent with the use tables contained in Chapter 3.03. Non-residential uses should be small in scale and sited to serve the needs of the community and the nearby rural population.
2. Services and Facilities. Development shall be consistent with the capacity of existing or planned services and facilities, including water and sewer.
C. Review Process. The review process for individual uses within a Rural Community shall be as indicated on the use tables in Chapter 3.03 of this Title.

3.05.020 Crossroad Areas (CR).
A. Purpose. The standards of this section are intended to guide the development, redevelopment and/or infill of Crossroad Areas which are designated by the Comprehensive Plan. Crossroad Areas are intended to provide a limited range of services that help meet the everyday needs of nearby rural residents and tourists through limited infill, development or redevelopment.
B. General Development Standards.
1. Land Uses. Land uses conditionally permitted in designated Crossroad Areas should reflect the type and scale of existing developed uses in the Crossroad Area and in the surrounding area. Such uses will generally be similar to but more limited than those permitted in the Business (B) zone. The Director may use the provisions of 3.01.050 to determine the appropriateness of a particular use that is not included on the use charts.
2. Extent of Development, Redevelopment or Expansion. No Crossroad Area structure shall exceed 8,000 square feet, whether through new development, infill, redevelopment or expansion of an existing use.

C. Review Process. Crossroad Area uses shall be subject to the uses permitted and conditionally permitted in the underlying zoning and any additional uses identified in paragraph D below. Please refer to the use tables in Chapter 3.03 and the review procedures in Chapter 3.30 of this Title.

D. Additional Uses. In addition to the uses permitted and conditionally permitted on Chapter 3.03, the following uses may be permitted as permitted uses in Crossroad Areas:

<table>
<thead>
<tr>
<th>Liquor Sales</th>
<th>Restaurant</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drug Stores</td>
<td>Auto Repair/Service</td>
</tr>
<tr>
<td>Hotel/Motel</td>
<td>Food Stores</td>
</tr>
<tr>
<td>Gasoline Service Station</td>
<td>Tavern</td>
</tr>
</tbody>
</table>

3.05.025 Small Scale Resorts, Recreational and Tourist Uses (Type II LAMIRDs).
A. Purpose. The standards of this section are intended to guide the development, redevelopment or intensification of small-scale tourist and recreational facilities, including small resorts, which are recognized in the Comprehensive Plan.

B. General Development Standards
1. Land Uses:
   a. Permitted and conditionally permitted land uses are indicated in the use chart in Chapter 3.03.070 of this Title and within this section. Small-scale recreational and tourist uses may generally include lodging, recreational areas and facilities, including trails and open space, commercial services for guests and tourists, such as restaurants, small retail convenience stores, groceries, laundry facilities, and assembly facilities.
   b. New residential uses for full-time owner occupancy are not permitted (except residential uses allowed for resort owner/operator/caretaker). Single family or multi-family residential units which are part of a time-share or short-term rental program, and which are not occupied by the owner for more than 90 days per year are permitted.
   c. Public services and facilities, and utilities are permitted to serve the recreational or tourist use.

2. Extent of Development, Redevelopment or Expansion.
   a. New small-scale resorts, recreational and tourist uses shall be contained within the boundaries of the small-scale resort as defined on the Future Land Use Map and zoning map.
   b. For existing small-scale resorts, recreational and tourist uses, the densities and intensities of development shall be consistent with the pattern of development existing on the site. The maximum density of residential development, where permitted by these regulations, shall be 12 dwelling units per acre.

C. Review Process. Small recreational and tourist uses shall be subject to the uses permitted and conditionally permitted in the underlying zoning and any additional uses identified in paragraph
D below. Please refer to the use tables in Chapter 3.03 and the review procedures in Chapter 3.30 of this Title.

D. Additional Uses. In addition to the uses permitted and conditionally permitted in Chapter 3.03, the following uses may be permitted as permitted uses within areas designated as small recreational and tourist uses (Type II LAMIRDS):

<table>
<thead>
<tr>
<th>Liquor Sales</th>
<th>Campground</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drug Stores</td>
<td>Amusement Arcade</td>
</tr>
<tr>
<td>Hotel/Motel</td>
<td>Shooting Range</td>
</tr>
<tr>
<td>Condominiums</td>
<td>Bed and Breakfast</td>
</tr>
<tr>
<td>Gasoline Service Station</td>
<td>Food Sales</td>
</tr>
<tr>
<td>Restaurant</td>
<td>Tavern</td>
</tr>
<tr>
<td>Conference Center</td>
<td>Amusement Park</td>
</tr>
<tr>
<td>Apparel/Accessory Stores</td>
<td>Books, Art, Supply</td>
</tr>
<tr>
<td>Health Club</td>
<td>Retail Sales</td>
</tr>
<tr>
<td>Sporting Goods</td>
<td></td>
</tr>
</tbody>
</table>

3.05.030 Master Planned Resorts.

A. General Development Standards.
   1. Site Size. There is no minimum site size for a Master Plan Resort.
   2. Recreational Facilities. A wide range of on-site recreation facilities and programs shall be provided.
   3. Housing & Population. The resort’s total accommodation units shall be oriented to short-term visitors.
   4. Services and Facilities. The MPR shall provide facilities and services necessary to meet the on-site needs of resort visitors and residents, including but not limited to water, sanitary sewer, stormwater, power.

B. Application. In addition to a request for amendment to the Stevens County Comprehensive Plan Future Land Use map and request for an amendment to the Stevens County zoning map, an application for approval of a Master Plan Resort shall include the following:
   1. A master plan that graphically shows, and that describes in accompanying narrative, the general nature and location of major elements of the proposed MPR, including: types and amounts of land uses (recreational facilities, open space, short-term visitor accommodations, housing, retail/commercial activities, support services and facilities, roads and other infrastructure); planned densities and intensities of uses, and building sizes; location of parking; landscaping and buffers; the location and conceptual design of drainage facilities; and the location of utilities and capital facilities, including sewer and water systems and electricity;
   2. Any plan for phasing development and construction;
   3. Proposed standards for development/design guidelines;
   4. The location of critical areas on the MPR site;
   5. A description of measures to implement the design of the MPR, such as design
guidelines, and a plan for management and maintenance of resort facilities and infrastructure;
6. An environmental checklist or other appropriate SEPA documents, containing information sufficient to evaluate the impacts of the proposal on the environment and proposed measures to mitigate impacts;
7. Proposed procedures for review of site specific development plans, including future changes to the master plan;
8. An outline of a development agreement, which may be amplified and/or modified during the review of the proposed MPR; and
9. An assessment of the economic and fiscal impacts of the proposed MPR.

C. Review Process: The process for reviewing a Master Planned Resort shall include application of the Master Planned Resort Overlay Classification, and consideration of a site plan, subdivisions, building permits and other approvals. Hearing, notice and decision making shall follow the procedures set forth in Chapter 3.30 of this Title.

D. Review Criteria: To approve a Master Planned Resort, the County shall find that a proposal meets the following criteria:
1. The proposal is consistent with applicable Comprehensive Plan goals and policies, and is designated as an MPR on the Comprehensive Plan Future Land Use map;
2. If a population allocation has been reserved or made for the MPR, that the projected permanent population is within that allocation;
3. The MPR, and services and facilities provided to the MPR, will not lead to establishment of urban uses in the vicinity of the MPR outside of designated Urban Growth Areas;
4. If the MPR is proposed on lands designated as Forest or Agricultural Resource Lands in the Comprehensive Plan, that the site is better suited and has more long term importance for the master planned resort than for long term commercial timber or agricultural activities;
5. The resort master plan is consistent with adopted critical area regulations;
6. Significant environmental impacts associated with the MPR, including cumulative impacts and off-site infrastructure and service impacts, have been identified and reasonable mitigation measures will be implemented;
7. A development agreement, setting forth the standards for development of the MPR and other provisions required by this Chapter, has been executed by the County and the property owner, and has been adopted pursuant to Chapter 3.20.060 of this Title.

3.05.040 Fully Contained Communities.
A. General Development Standards.
1. Site Size: There is no minimum site size for a Fully Contained Community.
2. Housing: A FCC shall contain a mix of housing types which are urban in character. Densities shall be consistent with the range specified in the R-1/R-2 zoning classification. Housing shall be affordable to a range of income levels.
3. Employment Uses. A FCC shall contain commercial and/or retail uses that provide goods, services and job opportunities for FCC residents.
4. Open Space. A portion of the total site area of the FCC shall be identified and maintained as open space, including active recreational areas and passive open space. These areas and facilities shall be adequate to meet the needs of FCC residents, to
separate and buffer the FCC from adjacent rural areas, to separate and define use areas within the FCC, and to protect critical areas. “Open space” may include active and passive recreation areas, including golf courses, perimeter buffers, landscaped areas, and undeveloped critical areas and their buffers.

5. Services and Facilities: The FCC shall provide facilities and services necessary to meet the on-site needs of residents, including but not limited to water, sanitary sewer, drainage, power, telecommunications and solid waste.

B. Application Requirements: In addition to a request for amendment to the Stevens County Comprehensive Plan Future Land Use map and request for an amendment to the Stevens County zoning map, an application for approval of a Fully Contained Community shall include the following:

1. A master plan that graphically shows, and that describes in accompanying narrative, the general nature and location of major elements of the proposed FCC, including: types and amounts of land uses (open space, housing, retail/commercial activities, services and facilities, roads and other infrastructure); planned densities and intensities of uses, and building sizes; a plan for providing housing affordable to a mix of income levels; location of parking; landscaping and buffers; the location and conceptual design of drainage facilities; and the location of utilities and capital facilities, including sewer, water and electrical systems.
2. Any plan for phasing development and construction;
3. Proposed standards for development;
4. The location of critical areas on the FCC site;
5. A description of measures to implement the design of the FCC, such as design guidelines, and a plan for management and maintenance of facilities and infrastructure;
6. An environmental checklist or other appropriate SEPA document, containing information sufficient to evaluate the impacts of the proposal on the environment and proposed measures to mitigate impacts;
7. Proposed procedures for review of site specific development plans, including future changes to the master plan;
8. An outline of a development agreement, which may be amplified and/or modified during the review of the proposed FCC; and
9. An assessment of the economic and fiscal impacts of the proposed FCC, including the effects on public services generated by the FCC (to schools, police and fire service).

C. Review Process:

1. The process for reviewing a Fully Contained Community shall include application of the FCC Overlay, and consideration of a site plan, subdivisions, building permits and other approvals. Hearing, notice and decision making shall follow the procedures set forth in Chapter 3.30 of this Title.
2. Subdivisions and other specific development proposals shall be consistent with the approved FCC site plan, development agreement, and conditions of approval. Approvals of specific development proposals may occur concurrent with or subsequent to approval of the master plan.

D. Review Criteria: To approve a Fully Contained Community, the County shall find that a proposal meets the following criteria:

1. The proposal is consistent with applicable Comprehensive Plan goals and policies, and is designated as an FCC on the Comprehensive Plan Future Land Use map;
2. The projected permanent population is within that population allocation made to the FCC;
3. The FCC, and services and facilities provided to the FCC, will not directly or indirectly lead to the establishment of urban uses in the vicinity of the FCC outside of designated Urban Growth Areas;
4. The FCC master plan is consistent with adopted critical area regulations;
5. Significant environmental impacts associated with the FCC, including cumulative impacts and off-site infrastructure and service impacts, have been identified and reasonable mitigation measures will be implemented;
6. A development agreement, setting forth the standards for development of the FCC and other provisions required by this Chapter, has been executed by the County and the property owner, and has been adopted pursuant to Chapter 3.20.060 of this Title.

E. Periodic Review:
1. As part of the review and approval of a FCC, the county shall establish a schedule for the periodic review of the progress of development of the FCC. The review shall occur not less than every five years, or corresponding to completion of major phases of development, until the FCC is substantially (at least eighty-five percent) complete.
2. The review shall examine and determine compliance of the FCC with the intent of the master plan, with adopted conditions of approval, and with applicable plans and policies. If the County determines that development is not compliant with these criteria, subsequent phases of development shall not be approved until non-compliance is corrected.

3.05.050 Major Industrial Developments.
A. General Development Standards.
1. Location. A site for major industrial development activity may be located outside a designated urban growth area subject to the criteria and process in this Chapter. There is no minimum site size for a Major Industrial Development.
2. Uses. Permitted uses within an MID shall be predominantly industrial, manufacturing or natural resource-based in character. Commercial uses that support permitted uses located within a MID are also permitted.
3. Buffers/Open Space. The MID shall contain open space that will serve to separate and buffer the MID from adjacent rural areas or resource lands and to protect critical areas;
4. Services and Facilities: The MID shall provide facilities and services necessary to meet the on-site needs of businesses and employees, including but not limited to water, sanitary sewer, drainage, power, telecommunications and solid waste;
5. Critical Areas: The MID shall protect critical areas consistent with the requirements of adopted regulations;
6. Coordinated Planning: An interlocal agreement shall be executed between the county and any adjacent cities regarding, but not limited to, provision of services, sharing of revenues and annexation where appropriate.

B. Application Requirements: In addition to a request for amendment to the Stevens County Comprehensive Plan Future Land Use map and request for an amendment to the Stevens County zoning map, an application for approval of a Major Industrial Development shall include the following:
1. A master plan that graphically shows, and that describes in accompanying narrative,
the general nature and location of major elements of the proposed MID, including: types
and amounts of land uses (industrial and service/commercial activities, services and
facilities, roads and other infrastructure); planned intensities of uses, and building sizes;
landscaping and buffers; the location and conceptual design of drainage facilities; and
the location of utilities and capital facilities, including sewer, water, and electrical
systems,
2. Any plan for phasing development and construction;
3. Proposed standards for development;
4. The location of critical areas on the MID site;
5. A description of measures to implement the site plan for the MID and a plan for
management and maintenance of facilities and infrastructure;
6. An environmental checklist or other appropriate SEPA document, containing
information sufficient to evaluate the impacts of the proposal on the environment and
proposed measures to mitigate impacts;
7. Proposed procedures for review of site specific development plans, including future
changes to the master plan;
8. An outline of a development agreement, which may be amplified and/or modified
during the review of the proposed MID; and
9. An assessment of the economic and fiscal impacts of the proposed MID, including any
effects on public services.

C. Review Process:
1. The process for reviewing a Major Industrial Development shall include designation
on the Comprehensive Plan Land Use map, application of the MID Overlay, compliance
with the State Environmental Policy Act (SEPA), and consideration of a site plan,
subdivisions or binding site plans, building permits and other approvals. Hearing, notice
and decision making shall follow the procedures set forth in Chapter 3.30 of this Title.
2. Subdivisions and other specific development proposals shall be consistent with the
approved MID site plan, development agreement, and conditions of approval. Approvals
of specific development proposals may occur concurrent with or subsequent to approval
of the master plan.

D. Review Criteria: To approve a Major Industrial Development, the County shall find that a
proposal meets the following criteria:
1. The proposal is consistent with applicable Comprehensive Plan goals and policies, and
was designated as an MID on the Comprehensive Plan Land Use map;
2. The County has conducted an inventory of industrial sites and determined, and
documented in written findings, that land suitable to accommodate the major industrial
development is unavailable inside the Urban Growth Area;
3. Adequate services and utilities will be provided;
4. The MID, and services and facilities provided to the MID, will not directly or
indirectly lead to the establishment of urban uses in the vicinity of the MID outside of
designated Urban Growth Areas;
5. The MID site is adequately buffered from and will not substantially interfere with or
significantly affect adjacent agricultural, forest or mineral resource lands;
6. The MID master plan is consistent with adopted critical area regulations and
development regulations;
7. Significant environmental impacts associated with the MID, including cumulative
impacts to infrastructure and services, have been identified and reasonable mitigation measures will be implemented;

8. A development agreement, setting forth the standards for development of the MID and other provisions required by this Chapter, has been executed by the County and the property owner, and has been adopted pursuant to Chapter 3.20.060 of this Title.
3.06.010 Accessory Dwelling Units.
A. Purpose: Accessory dwelling units are intended to encourage the provision of affordable and independent housing for a variety of households. To accomplish this purpose, accessory dwelling units shall be permitted in the Residential, Rural Area, Rural Agriculture, Agriculture, Forest, and MPR zoning classifications subject to the criteria in this section.

B. Criteria:
1. Only one accessory dwelling unit, attached or detached, shall be allowed per parcel. Provided that a detached unit shall not be permitted within the R, CR, and RC zoning classification;
2. The owner of the property shall reside in the primary residence or the accessory dwelling unit;
3. The accessory dwelling unit shall not exceed 1000 square feet;
4. If detached, the accessory unit shall be located within 200 feet of the primary residence or shall be the permitted conversion of an existing detached structure;
5. Setback requirements for the applicable zoning classification shall apply;
6. The accessory dwelling unit shall meet all applicable standards for water and sewage disposal;
7. Accessory units shall use the same vehicle access as the primary residence;
8. Recreational vehicles shall not be used as accessory dwelling units;
9. An Accessory dwelling unit shall not be allowed on parcels under one acre in size.
10. Detached Accessory Dwelling Units shall count towards the maximum allowable density of a parcel. (Ord. 2008-01, effective 2-21-08; Ord. 2008-03, effective 8-7-08)

C. Review Process: Please refer to the use tables in Chapter 3.03.

3.06.020 Adult Entertainment Uses.
Adult entertainment uses shall be prohibited within one thousand (1,000) feet of any property zoned RA, R-1, R-2 or UR, or containing any of the following uses: a public or private school, pre-school, or educational institution, licensed daycare center, public park or playground, community center, library, or church or other religious facility. In addition, adult entertainment uses shall not be located closer than one thousand (1000) feet to any other adult entertainment use, or to any establishment selling alcoholic beverages for consumption on the premises. These distances shall be measured in a straight line from the nearest point of the property line of the
parcel(s) proposed to contain an adult entertainment use to the nearest point of the property line of the aforementioned zones or activities.

3.06.030 Airports.
A. Location/Siting. New public-use airports shall be sited as essential public facilities consistent with the requirements, standards and procedures of Chapters 3.20.010 and 3.20.050 of this Title.
B. Airports may be permitted or conditionally permitted in appropriate zoning classifications indicated in Chapter 3.03.080 of this Title.
C. Activities permitted within airports may include, but are not limited to, the following:
   1. Uses necessary to airport operation such as runways, hangars, fuel storage facilities, control towers and similar facilities;
   2. Repair, service and storage of aircraft;
   3. Helicopter pads;
   4. Restaurants;
   5. Air transportation businesses;
   6. Air pilot training schools;
   7. Air cargo warehousing and distribution facilities;
   8. Taxi, bus and truck terminals; and
   9. Aircraft Manufacturing
D. Safety Zone. Land uses within one thousand (1,000) feet of a new airport which has been approved pursuant to this Chapter shall be limited so as to minimize land use incompatibilities and prevent risks to aviation and to public safety. The following new uses and activities shall be prohibited within this safety zone:
   1. Uses (not to include single family residences) which involve release of airborne substances, such as steam, dust and smoke which may interfere with aircraft operations;
   2. Uses (not to include single family residences) which emit direct or indirect light or glare which may interfere with a pilot’s vision or make it difficult to distinguish airport lighting;
   3. Uses which emit electric currents which may interfere with navigational signals or radio communication;
   4. Uses which involve bulk storage of flammable or hazardous materials or substances;
   5. Uses which may attract concentrations of birds or waterfowl which may present a hazard to aviation, including large bodies of standing water, solid waste landfill or transfer facilities; and
   6. Schools, playfields, hospitals and medical facilities, nursing homes, churches and places of public assembly.
E. Setbacks. When an airport abuts a rural or residential zone, the end of any runway shall be setback a minimum of one thousand (1,000) feet from the boundary of the residential zone.
F. Height. Buildings shall be limited to 45 feet with the exception of hangars and control towers.
G. Flammable and Combustible Material. Aircraft fuel and other flammable or combustible materials shall be stored consistent with applicable state regulations and county building code and fire code. Airport facilities subject to such regulations shall include above-ground and underground storage tanks, fuel dispensers, piping, valves and fittings, and electrical equipment.
3.06.040 Cluster Development.
A. Purpose. Provide an incentive for development of rural residential property which clusters lots on a portion of the property and which retains substantial open space. Additional purposes of this section are to:
   1. Produce a development pattern that is consistent with rural character;
   2. Permit flexibility that will result in a more creative approach to the development of rural land;
   3. Encourage the retention of open space;
   4. Protect natural features of the rural landscape;
   5. Minimize adverse impacts to environmentally sensitive areas and to resource lands and resource land activities;
   6. To support provision of more affordable housing in rural areas.
B. Applicability. Clustering is allowed and encouraged in subdivisions and short subdivisions developed in all rural and resource zones. Provided that the density bonus in paragraph C is limited to specified zoning districts.
C. Bonus Density/Limitation. A density bonus is available for clustered development which conserves open space within the following rural and resource zoning districts: Rural Area-10, Rural Area-20 acre, Rural Agriculture-10, and Agriculture. Open space must be protected pursuant to the standards of this section.
   1. The bonus shall be calculated as follows: one additional unit per 10-acre parcel in the Rural Area-10, or Rural Agriculture-10, and one or two additional units per 20-acre parcel in the Rural Area-20, and Agriculture zones.
   2. Where permitted, application of the bonus shall not result in an average net density that is greater than one unit per five (5) acres for the parcel considered as a whole, and a cluster shall contain at least two but no more than eight lots. (Ord. 2008-01, 2-21-08)
   3. In the Agriculture zone, clustering shall not be permitted on any portions of the site containing Class I or Class II soils.
D. Design Standards and Criteria.
   1. Open space shall be preserved through execution of a conservation easement or through placement of the open space in an open space tract. The open space may be used for buffering, protection for critical areas identified pursuant to SCC Title 13, resource activities, active or passive recreational uses, conservation or recreation, or maintenance of rural character.
   2. Where possible, preserved open space shall be located adjacent to preserved open space on adjacent properties.
   3. Lot clusters shall be separated by no less than 300 feet. (Ord. 2008-01, 2-21-08)
   4. If resource activities are expected to occur on a portion of the site, the clustered units are encouraged to be set back and buffered from such activities.
   5. The Open Space parcel shall not be counted as a parcel when calculating density.
   6. The Open Space parcel shall be contiguous.
   7. The Open Space area is that land which is remaining after the cluster subdivision lots and internal roads are deducted.
   8. In addition to the criteria listed in 1-8 and additional minimum Open space requirements, the following standards and criteria shall be met in order to receive a 200% density bonus in the RA-20 zone:
a. Clustered parcels shall not be located within 300 feet of designated resource lands. The Open space tract shall be used as a buffer.

Lot Size and Bonus Table

<table>
<thead>
<tr>
<th>Zone</th>
<th>Minimum Total Acres</th>
<th>Density Bonus</th>
<th>Minimum Open Space</th>
<th>Minimum Lot Size</th>
</tr>
</thead>
<tbody>
<tr>
<td>RA-5</td>
<td>10 acres</td>
<td>0%</td>
<td>40%</td>
<td>1 acre</td>
</tr>
<tr>
<td>RA-10</td>
<td>10 acres</td>
<td>100%</td>
<td>60%</td>
<td>1 acre</td>
</tr>
<tr>
<td>RA-20</td>
<td>20 acres</td>
<td>100%</td>
<td>60%</td>
<td>1 acre</td>
</tr>
<tr>
<td>AR-10</td>
<td>10 acres</td>
<td>100%</td>
<td>60%</td>
<td>1 acre</td>
</tr>
<tr>
<td>UR</td>
<td>10 acres</td>
<td>100%</td>
<td>60%</td>
<td>1 acre</td>
</tr>
<tr>
<td>A</td>
<td>20 acres</td>
<td>100%</td>
<td>60%</td>
<td>1 acre</td>
</tr>
<tr>
<td>F</td>
<td>20 acres</td>
<td>0%</td>
<td>40%</td>
<td>1 acre</td>
</tr>
</tbody>
</table>

3.06.050 RESERVED

3.06.060 Nonconforming Uses and Structures.
A. A use or structure lawfully established or permitted on or before the effective date of this Title or amendments thereto, which does not conform to the use regulations or the dimensional standards for the zone in which it is located shall be deemed to be a legal non-conforming use. Such legally established non-conforming uses or structures may be continued subject to the provisions of this Chapter.
B. Nonconforming Uses.
   1. Abandonment. If a nonconforming use is discontinued or abandoned for a period of 12 consecutive months or more, the non-conforming status of the use is terminated, and any future use of the land or structures shall be in conformity with the provisions of this Title. An extension, not to exceed 12 months, may be granted on a case-by-case basis by providing documentation that demonstrates extenuating circumstances. The mere presence of a structure, equipment or material shall not be deemed to constitute the continuation of a nonconforming use if not actually being occupied or employed in maintaining the use.
   2. Expansion. A nonconforming use may be modified or expanded upon approval of an administrative conditional use permit subject to the following criteria:
      a. The area proposed for expansion is contiguous to the nonconforming use;
      b. The area of the expansion is held under the same ownership as the land with the nonconforming use;
      c. The expansion shall not increase the land area devoted to the nonconforming use by more than twenty (20) percent cumulatively for the land area, size of the structure, or impervious surface;
      d. The expansion shall not significantly increase the intensity of use of the nonconforming use; and
      e. The expansion shall not create a new non-conformance.
C. Minor expansions to non-conforming structures (250 square feet or under) may be reviewed and permitted by the administrator pursuant to SCC 3.30.040.
3.06.070 Temporary Uses.

A. A temporary use permit shall be required for a use which is not permitted in the underlying zoning classification and which is proposed to occur for a limited duration of time.

B. The following temporary uses may be granted by the Director for the periods of time indicated:

<table>
<thead>
<tr>
<th>Temporary Use</th>
<th>Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Temporary construction building (for storage or office use) on an approved building lot</td>
<td>1 year. May be extended on a yearly basis by approval of the administrator</td>
</tr>
<tr>
<td>Temporary construction residence (manufactured home) on an approved building lot</td>
<td>1 year. May be extended on a yearly basis by approval of the administrator</td>
</tr>
<tr>
<td>Temporary school facilities, during new school construction or remodeling</td>
<td>Period of active construction</td>
</tr>
<tr>
<td>Temporary manufactured home for medical hardship</td>
<td>12 months; see paragraph F.</td>
</tr>
</tbody>
</table>

C. Adequate parking to support the temporary use shall be provided as determined by SCC 3.07.

D. The permit shall state the date on which the use shall be terminated and removed.

E. A permit shall not be granted for the same temporary use more than once per calendar year, except that a permit may specify multiple events during the approval period.

F. Notwithstanding paragraph E, a temporary manufactured home for medical hardship may be renewed in 12 month increments if the following conditions and procedures are satisfied:

1. The manufactured home meets the setback requirements of the applicable zone;
2. All required permits are obtained before placement;
3. The applicants submit a notarized affidavit demonstrating that:
   a. The temporary dwelling is necessary to provide ongoing care;
   b. A physician has certified that a resident of the property requires ongoing care;
   c. The primary provider of such ongoing care will reside on-site;
   d. The applicant understands the temporary nature of the use;
   e. The temporary use will be removed within 90 days of the expiration of the permit, or when ongoing care ceases.

3.06.080 Wireless Telecommunication Facilities.

A. The purposes of this Chapter are to

1. Accommodate an increased need for wireless communication facilities to serve County residents;
2. Provide for a wide range of locations and options for wireless communication providers;
3. Minimize visual impacts to surrounding properties and encourage compatibility with adjacent land uses through careful design, siting, screening and;
4. Encourage and facilitate joint use and co-location of new and existing antennas, support structures and related equipment to reduce the total number of towers throughout the county; and
5. Enhance the ability of providers of telecommunication services to provide such services to the community quickly, effectively and efficiently.

B. Exemptions. The following activities and facilities shall be exempt from the requirements of this Chapter:

1. Emergency or routine repairs, reconstruction or routine maintenance of previously approved facilities, or replacement of transmitters, antennas or other components of previously approved facilities, which do not create a significant change in visual impact or an increase in radio frequency emission levels;
2. Military and civilian radar systems, operating within regulated frequencies for the purpose of defense or aircraft safety;
3. Industrial processing equipment and scientific or medical equipment using frequencies regulated by the Federal Communications Commission (FCC);
4. Licensed amateur (Ham) radio stations and citizen band transmitters and antennas;
5. Two-way communication transmitters used for temporary or emergency services communications, including fire, police and emergency aid or ambulance services;
6. Receive-only satellite dish antennas as an accessory use; and
7. Antennas located wholly within another structure; and
8. Machines and equipment that are designed and marketed as consumer products, such as microwave ovens.

C. Application Requirements. An application for wireless communication facilities shall contain the following:

1. A site plan drawn to scale, showing the location of the facility, height and horizontal location of proposed support structures and antenna, guy wire anchors, the color of the facility, existing buildings, on-site land uses and zoning, adjacent uses and zoning, adjacent roads and rights-of-way, parking areas, access, setbacks from property lines. Proposed method(s) of fencing, camouflage, noise screening and lighting shall be indicated;
2. If the proposed new wireless support structure is within one mile of an existing support structure, interference certification, prepared by a licensed radio frequency engineer as a neutral third party, certifying that the antenna will not interfere with adjacent or neighboring transmission or reception functions of other communication facilities, is required; (#Ordinance 2016-03, 1-7-2016) (Repealed 1/22/2019, Ordinance #2019-04); and
3. Copies of any Federal Communication Commission (FCC) licenses required under FCC regulations for the provision of service within the County.

D. Development Standards. All wireless transmission facilities shall comply with the following requirements:

1. Permitted Locations & Height.
   a. Wireless communication antenna arrays not exceeding 35 feet in height are allowed in any zone.
   b. Mini and micro antenna arrays are allowed on existing utility poles, electric transmission towers, water tanks, co-located on existing monopoles, and attached to existing buildings, subject to the requirements of this Chapter. Existing poles may be extended in height up to 50 percent to accommodate antennas provided that adequate ground support facilities are constructed.
   c. Height of towers shall be limited to:
      i. 70 feet in the R-1 and R-2 zones, and in the FCC, RC and CR overlay zones; and
      ii. 140 feet in the I, B, RA, F, A and AR zones.
2. Landscaping. Landscaping of the base of the facility to create a vegetative screen shall be required for sites within or adjacent to any R or B, or MPR or FCC overlay area.

3. Color and Lighting.
   a. Non-reflective colors such as grey, blue or green are preferred to reduce visual impacts; and
   b. When lighting is required by the FAA or other federal or state authority, or for security of the site, it shall be oriented upward and outward, so as not to project onto surrounding property. Strobe lighting is prohibited.

4. Electromagnetic Field (EMF)/Radio Frequency (RF) Emissions. Installation of a wireless communication facility shall conform to EMF and RF standards established by the FCC. The telecommunication service provider shall submit a certification of compliance with applicable standards prepared by a licensed RF engineer.
   (Repealed 1/22/2019, Ordinance #2019-04)

5. Sharing of Support Structure and Co-Location of Facilities. These regulations encourage minimization of the number of communication support structures and co-location where appropriate. No new wireless communication support structures are permitted within one mile of an existing support structure unless it is demonstrated that the existing support structure is not available for co-location or it does not satisfy the applicant’s operational requirements.
3.07 PARKING REQUIREMENTS

Sections:
3.07.010 Purpose
3.07.020 Required Off-Street Parking Spaces
3.07.030 Location of Parking

3.07.010 Purpose.
The purpose of this Chapter is to provide adequate parking for all uses allowed by this Title.

3.07.020 Required Off-Street Parking Spaces.
A. Parking shall be provided according to requirements of this Section. Parking ratios expressed as a number of spaces per square feet means the usable or net square feet of floor area. If the formula for determining parking spaces results in a fraction, the number of spaces shall be rounded to the nearest whole number.

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Required Parking</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential (R-1 and R-2 zones):</td>
<td></td>
</tr>
<tr>
<td>Single family</td>
<td>2 per dwelling unit</td>
</tr>
<tr>
<td>Multi-Family</td>
<td>1.5 per dwelling unit</td>
</tr>
<tr>
<td>Senior assisted</td>
<td>.5 per dwelling unit</td>
</tr>
<tr>
<td>Lodging:</td>
<td></td>
</tr>
<tr>
<td>Hotel/Motel</td>
<td>1 per room</td>
</tr>
<tr>
<td>Bed &amp; breakfast/inns</td>
<td>1 per guest room, plus 2 per facility</td>
</tr>
<tr>
<td>Dormitories</td>
<td>1 per 2 bedrooms</td>
</tr>
<tr>
<td>Community residential facilities</td>
<td>1 per 2 bedrooms</td>
</tr>
<tr>
<td>Retail &amp; Service Uses:</td>
<td></td>
</tr>
<tr>
<td>Retail stores</td>
<td>3 per 1,000 square feet</td>
</tr>
<tr>
<td>Business and personal services</td>
<td>3 per 1,000 square feet</td>
</tr>
<tr>
<td>Office uses (financial, real estate, etc.)</td>
<td>3 per 1,000 square feet</td>
</tr>
<tr>
<td>Restaurants, delis, taverns/bars</td>
<td>10 per 1,000 square feet</td>
</tr>
<tr>
<td>Drive-in restaurants</td>
<td>13 per 1,000 square feet</td>
</tr>
<tr>
<td>Gasoline service stations, without grocery</td>
<td>3 per facility, plus 1 per service bay</td>
</tr>
<tr>
<td>Gasoline service stations, with grocery</td>
<td>3 per facility, plus 1 per 300 square feet of store</td>
</tr>
<tr>
<td>Industrial:</td>
<td></td>
</tr>
<tr>
<td>Industrial</td>
<td>1 per 1,000 square feet</td>
</tr>
<tr>
<td>Warehousing</td>
<td>.5 per 1,000 square feet</td>
</tr>
<tr>
<td>Mini self-storage</td>
<td>1 per 3,500 square feet</td>
</tr>
<tr>
<td>Wholesale distribution</td>
<td>1 per 1,000 square feet</td>
</tr>
</tbody>
</table>
### Land Use

<table>
<thead>
<tr>
<th>Institutional:</th>
<th>Required Parking</th>
</tr>
</thead>
<tbody>
<tr>
<td>Medical/dental clinic</td>
<td>5 per 1,000 square feet</td>
</tr>
<tr>
<td>Hospitals</td>
<td>1 per bed</td>
</tr>
<tr>
<td>Nursing/care facilities</td>
<td>1 per 4 beds</td>
</tr>
<tr>
<td>Schools – elementary, middle/junior high</td>
<td>1 per classroom, plus 1 per 50 students</td>
</tr>
<tr>
<td>High schools</td>
<td>1 per classroom, plus 1 per 10 students</td>
</tr>
<tr>
<td>Stadiums/arenas</td>
<td>1 per 4 seats or 8 feet of bench</td>
</tr>
<tr>
<td>Religious institutions &amp; facilities</td>
<td>1 per 5 fixed seats, plus 1 per 50 square feet of floor area without fixed seats</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Recreational/Cultural:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Gyms, athletic clubs</td>
<td>4 per 1,000 square feet</td>
</tr>
<tr>
<td>Theaters, cinemas</td>
<td>1 per 4 seats</td>
</tr>
<tr>
<td>Conference center</td>
<td>1 per 3 fixed seats, plus the greater of 1 per bedroom or 1 per 50 square feet of space used for assembly</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Regional Uses:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Sewer and water facilities</td>
<td>Determined case-by-case</td>
</tr>
<tr>
<td>Correctional facilities</td>
<td></td>
</tr>
<tr>
<td>Communication facilities</td>
<td></td>
</tr>
<tr>
<td>Energy facilities</td>
<td></td>
</tr>
<tr>
<td>Transportation facilities</td>
<td></td>
</tr>
<tr>
<td>Landfills/recycling</td>
<td></td>
</tr>
<tr>
<td>Fairgrounds</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resource Uses:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Determined case-by-case</td>
</tr>
</tbody>
</table>

### B. The required parking for any land use not specified or similar to a use included in the table shall be determined by the Director.

### C. Deviations from the parking requirements will be allowed on a case-by-case basis by the Director on a showing by the applicant that proposed on-site parking is sufficient for the proposal.

#### 3.07.030 Location of Parking.

A. Parking for dwelling units shall be on the same lot, an adjoining lot owned by the same property owner or a location approved by the Department.

B. Parking shall be set back from surface water bodies and critical areas as required by the Shoreline Master Program and/or Critical Areas Ordinance.

### 3.08. RESERVED

### 3.09. RESERVED

### 3.10. RESERVED – CRITICAL AREAS

### 3.11. RESERVED – SHORELINE MASTER PROGRAM REGULATIONS

### 3.12. RESERVED – FLOOD HAZARD REGULATIONS
3.11 SUBDIVISIONS

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3.11.020 Exemptions
3.11.030 Administrative Variance
3.11.035 Boundary Line Adjustment - Requirements
3.11.040 Procedure, Special Notice and Timing Requirements
3.11.050 Submittal Requirements
3.11.100 Decision Criteria – General
3.11.110 Emergency Access
3.11.120 Shoreline Management
3.11.200 Road Design – General
3.11.202 Planned County Road Expansion
3.11.210 Access Types
3.11.220 Modification of Road and Access Standards
3.11.225 Storm Water and Impervious Surface Management
3.11.236 Design Standards – Urban Growth Areas (UGAs)
3.11.300 Preliminary Subdivision Approval – Term
3.11.310 Prohibition Against Other Subdivisions
3.11.320 Preliminary Subdivision Withdrawal
3.11.330 Revisions after Preliminary Subdivision Approval
3.11.400 Construction Drawings - Submittal and Review
3.11.410 Improvements - How Pledged
3.11.420 As Built Plans – Submittal
3.11.430 Model Homes
3.11.500 Final Subdivision Application Approval – Timing
3.11.505 Final Subdivision Application – Form
3.11.510 Monumentation
3.11.520 Miscellaneous Approvals
3.11.530 Dedications
3.11.540 Department Review and Public Notice for Final Subdivision
3.11.550 Board Action
3.11.610 File with Auditor
3.11.620 Effect of Filing a Final Subdivision
3.11.630 Homeowners Association
3.11.700 Subdivision Alteration
3.11.710 Application for Subdivision Alteration
3.11.720 Procedure for Subdivision Alteration
3.11.740 Decision Criteria
3.11.750 Final Subdivision Alteration Process and Recording
3.11.800 Segregation Notice
3.11.810 Sale or Transfer Without Subdivision
3.11.820 Permit Prohibition
3.11.010 Purpose and Applicability.
A. The purposes of this Chapter are to:
   1. Regulate the Subdivision of land into five or more lots, parcels, or sites;
   2. Promote the public health, safety, and general welfare;
   3. Further the goals and objectives of the Comprehensive Plan;
   4. Prevent the over-crowding of land;
   5. Lessen congestion on the roads and highways;
   6. Promote effective use of land;
   7. Promote safe and convenient travel by the public on roads and highways;
   8. Provide for adequate light and air;
   9. Facilitate adequate provision for water, sewerage, parks and recreation areas, sites for schools and school grounds and other public requirements;
   10. Adequately provide for the housing and commercial needs of citizens;
   11. Provide for proper ingress and egress;
   12. Require uniform monumentation of subdivisions;
   13. Require conveyance by accurate legal description; and
   14. Provide for expeditious review and approval of proposed Subdivisions that conform to the requirements of this code.
B. The provisions of this Chapter shall apply to Subdivisions as defined in this Title and to every re-division of a Short Subdivision occurring within five years of the date of recording of the original Short Subdivision, except as provided in SCC 3.16.010(B).

3.11.020 Exemptions.
The provisions of this Chapter shall not apply to:
A. Cemeteries and other burial plots while used for that purpose;
B. Divisions made by testamentary provisions or the laws of descent;
C. Division of land for the purpose of lease, when used for a mobile home park or recreational vehicle park pursuant to binding site plan provisions as provided for in SCC 3.17;
D. A division made for the purpose of alteration by adjusting boundary lines, between platted or unplatted lots or both, which does not create any additional lot, tract, parcel, site, or division nor create any lot, tract, parcel, site, or division which contains insufficient area and dimension to meet minimum requirements for width and area for a building site; and
E. Condominiums, when prepared and filed in accordance with SCC 3.17 and with the Horizontal Property Regimes Act, RCW Chapter 64.32, or the Condominium Act, RCW Chapter 64.34;
F. Division of land into lots, tracts or parcels each of which contains a minimum of 20 acres or the area of which is equal to one-half of a protracted quarter-quarter section as per Government survey; and
G. Divisions of land pursuant to binding site plan provisions as provided for in SCC 3.17; and
H. A division for the purpose of leasing land for facilities providing personal wireless services while used for that purpose. "Personal wireless services" means any federally licensed personal wireless service. "Facilities" means unstaffed facilities that are used for the transmission or reception, or both, of wireless communication services including, but not necessarily limited to, antenna arrays, transmission cables, equipment shelters, and support structures; and
I. A division of land into lots or tracts of less than three acres that is recorded in accordance with RCW Chapter 58.09 and is used or to be used for the purpose of establishing a site for construction and operation of consumer-owned or investor-owned electric utility facilities. For
purposes of this subsection, "electric utility facilities" means unstaffed facilities, except for the presence of security personnel, that are used for or in connection with or to facilitate the transmission, distribution, sale, or furnishing of electricity including, but not limited to, electric power substation. This subsection does not exempt a division of land from the zoning and permitting laws and regulations of Stevens County. Furthermore, this subsection only applies to electric utility facilities that will be placed into service to meet the electrical needs of a utility's existing and new customers. New customers are defined as electric service locations not already in existence as of the date that electric utility facilities subject to the provisions of this subsection are planned and constructed.

3.11.030 Administrative Variance.
A. The Director may grant a limited administrative variance from required lot size to reflect a demonstrated discrepancy between surveyed property boundaries and the previously relied on legal description of the property boundaries. The variance shall not exceed ten (10) percent of the parcel size and may be granted for all lots within the subdivision.
B. A variance from other standards contained within this chapter may be applied for concurrently with a subdivision application by using the criteria and process outlined in SCC 3.20 and 3.30 for variances.

3.11.035 Boundary Line Adjustment – Requirements
A. A Boundary Line Adjustment shall meet the definition of Boundary Line Adjustment (BLA) as described in 3.11.020D.
B. Applications shall be processed pursuant to SCC Chapter 3.30 and include the following information:
   1. A legal description and tax parcel number for all the parcels involved in the Boundary Line Adjustment;
   2. A legal description and appropriate drawing of sufficient accuracy and legibility indicating the proposed new parcel boundaries;
   3. A signature of all fee owners and lien holders or authorized agents having authority to sign for properties involved in the boundary line adjustment;
   4. Current Title Report;
   5. Fees which may be required.
C. The Boundary Line Adjustment shall not take effect until the document is recorded with the Stevens County Auditor’s Office.
D. The owners shall have one (1) year from the date of approval to record the ownership documents clearing title before the Boundary Line Adjustment document becomes null and void.

3.11.040 Procedure, Special Notice, and Timing Requirements.
A. The Hearing Examiner may approve, approve with modifications, or deny a Preliminary Subdivision application under the circumstances set forth in Chapter 3.20. The application will be processed as a Type 3 Decision as described in SCC Chapter 3.30.
B. In addition to the notice required by SCC Chapter 3.30, the Department shall distribute copies of the Preliminary Subdivision application to each of the following and shall allow 21 days for the agencies to submit comments on the proposal:
   1. Northeast Tri-County Health District (NETCHD);
   2. Stevens County Department of Public Works;
   3. Washington State Department of Transportation if, the proposed subdivision is adjacent to state highway right-of-way or within two miles of the boundary of a state or municipal
airport;
4. Any city or town whose municipal boundaries are within one mile of the proposed subdivision or whose urban growth area includes the subject site, or whose public utilities would be used by the proposed subdivision;
5. Any Public Utility District, Fire District or School District whose service boundaries include the area of the proposed subdivision;
6. The Spokane Tribe if the subdivision is located within the Spokane Indian Reservation; and
7. Any other federal, state, or local agencies as may be relevant.

3.11.050 Submittal Requirements.
The following information shall be included in applications for a Subdivision:
A. A Title Report issued within 30 days of application, showing all persons having an ownership interest, a legal description describing exterior boundaries of the site and listing all encumbrances affecting the property;
B. An applicant shall submit eight copies of the preliminary plat with the application. The Preliminary Plat shall consist of one or more sheets 24 inches by 36 inches drawn to a scale large enough to clearly portray all of the drafting detail. The preparation of the Preliminary Plat shall be made by or under the supervision of a licensed surveyor authorized to practice the profession of land surveying under the provisions of RCW Chapter 18.43.
C. A map prepared by a registered land surveyor showing the following:
   1. The name of the proposed plat, name of the applicant and name of licensed surveyor.
   2. The approximate legal description of all lands included in the proposed plat.
   3. Location of property to be subdivided with an indication of any portion(s) of the tract for which successive or separate final plats are to be submitted.
   4. Location of existing features such as roads, railroads, buildings, bodies of water, utilities, section subdivision lines, easements, wells, on-site sewage systems, and other pertinent items.
   5. Approximate location of existing monuments, markers and boundary lines of the tract to be subdivided.
   6. Location of adjacent and adjoining platted areas showing the relationship of connecting streets, utilities, etc.
   7. Layout of proposed Blocks and Lots with approximate dimensions and proposed roads, street, alleys and easements.
   8. Location of any portions to be set-aside for recreation areas, access areas, schools, parks or other public uses.
   9. Should this plat be a replat of an existing platted area either in whole or in part, the lots, blocks, streets, etc. of the original plat shall be shown with dotted lines in proper relationship to the new arrangement of the proposed Preliminary Plat.
10. North arrow.
D. The following information shall be submitted as supplemental information:
   1. Contours of sufficient interval to show the topography of the Preliminary Plat.
   2. Tentative grades of proposed roads, streets, alleys or easements.
   3. An illustration of a typical road section showing construction designs and proposed surfacing.
   4. Names and addresses of all landowners of adjacent properties within 300 feet of any portion of the boundary of the proposed Subdivision or of the boundaries of adjacent parcels if owned by the owner of the real property proposed to be subdivided. (58.17.090).
5. One copy of restrictive covenants, if proposed.
E. Any other information deemed appropriate by the Department.

3.11.100 Decision Criteria - General.
A. The Hearing Examiner and the Department shall inquire into the public use and interest proposed to be served by the establishment of the subdivision and dedication. The Hearing Examiner shall approve a Preliminary Plat if appropriate provisions in SCC 3.20.035 are met.

3.11.110 Emergency Access.
The County may require improvements or upgrades to vehicle access requirements, including but not limited to a second route of access or escape in consultation with affected fire district or emergency services providers so as to promote appropriate access and turnarounds for emergency services vehicles.

3.11.120 Shoreline Management.
Whenever a preliminary subdivision is wholly or partially located within an area subject to the jurisdiction of the Shoreline Management Act of 1971, RCW Chapter 90.58, the applicant shall comply with the Stevens County Shoreline Management Master Program and RCW Chapter 90.58.

3.11.200 Road Design – General.
A. All Subdivisions shall be served by one or more public or private roads that provide practical and feasible ingress and egress to and from the subdivision and to and from each lot.
B. The County may require dedication of public roads, the extension of public roads, or may require an applicant to provide for future extension or continuation of public roads to serve property contiguous to the proposed subdivision.
C. Private driveways may be allowed within a Subdivision as long as they provide adequate easements and unobstructed travel widths and are capable of supporting fire apparatus and emergency vehicles (not less than 16 feet). Private driveway design shall include a year-round driving surface and turn-arounds for emergency vehicles. Private driveways shall not serve more than two lots.
D. Private roads serving three or more lots, shall be named.
E. Two access points shall be required for subdivisions proposing more than 20 lots unless the applicant can demonstrate that satisfactory provisions have been made for ready access of emergency services vehicles and equipment. A secondary vehicular route of escape in case of wildfire shall be provided unless waived on recommendation of the Department in consultation with the appropriate fire district and emergency services providers.
F. The maximum road grade shall be twelve (12) percent, except for short distances as may be approved by the County Road Engineer.
G. New lots adjacent to a County Federal Functional Class (FFR) arterial or collector shall have access from a frontage road or other non-arterial roadway and the plat shall recite a waiver of any right of direct access to the arterial unless the County Engineer waives this requirement on a showing that other access is not feasible or practicable and that no impairment to the function of the County arterial will result.
H. No public street or road will be accepted as part of the County road system for maintenance or other work until after the street or road has been constructed by the applicant and approved as
meeting the standards of alignment, grade, width, and surfacing as required by the County Road Engineer.

I. The overall public and private road network and access needs of lands in the area of the subdivision shall be considered in determining road and lot location within the Subdivision.

3.11.202 Planned County Road Expansion.
When public roads are not required based on the impacts of the proposed Development, but when a need for future County right-of-way to expand the public road system is part of the adopted Transportation Element of the Comprehensive Plan, 6-year Transportation Improvement Program, or the adopted county gravel to pavement improvement program, an applicant may be required to reserve the area needed for such right-of-way expansion. The area reserved may be dedicated and donated to the County at the time of Final Plat approval or purchased by the county within six years as part of a planned future road project. Applicable development standards shall be measured from the reserved right of way line.

3.11.210 Access Types.
Access types and required improvements are set forth below:

A. Type 1 Access:
   1. Private Roads: 50 foot easement width; 40 foot unobstructed width; 28 feet surfaced with Asphalt Concrete Pavement (ACP); roads crowned, and ditches, culverts, shoulders, turning radii, road grade, and surface water runoff control.

B. Type 2 Access:
   1. Private Roads: 50 foot easement; 40 foot unobstructed width; 24 foot surfaced with a minimum of 2" of 1¼" crushed or screened gravel top course over 4" of 3- (three minus) base rock; roads crowned, and ditches, culverts, shoulders, turning radii, road grade, and surface water runoff control.

C. Type 3 Access:
   1. Private Roads for Type 3 access shall provide:
      a. 50 foot easement for roads that will be required to serve adjacent properties, or
      b. 40 foot easement for roads that are approved to end within the proposed subdivision; and
      c. 30 foot unobstructed width, and
      d. 20 feet surfaced with a minimum of 2" of 1¼" crushed or screened gravel top course over 4" of 3- (three minus) base rock.

D. In any case where a Subdivision proposes access to the County or State road system via connecting private roads, the County Engineer may require that connecting private roads be upgraded to meet the standard for Type 2 or Type 3 access, as applicable.

E. Other improvements to connecting roads may be required when the proposal will generate direct impacts that trigger a need for such improvements; provided that improvements to connecting roads shall be required only at a level determined to be roughly proportionate to the impact.

F. Public Roads: Public Roads shall meet or exceed the standards for private roads. Each public road shall have a minimum 50 foot right-of-way. The County Engineer may require additional right-of-way or easement area for necessary cut and fill and shall require that public roads be designed and constructed to standards applicable to County road projects.
3.11.220 Modification of Road and Access Standards.
The County Engineer may modify the road and access standards of Sections 3.11.200 and 3.11.210 when it can be shown that the proposed roads and connections are adequate to serve the needs of current and expected residents, provide for an efficient and functional road system, and provide for future development capacity as anticipated by the County Comprehensive Plan.

3.11.225 Storm Water and Impervious Surfaces Design Standards
A. In order to protect critical areas, short plats and subdivisions are required to retain and infiltrate stormwater runoff on-site in accordance with this section, unless it is deemed infeasible by a qualified professional, in which case alternative stormwater management approaches may be approved if they are shown to provide an equivalent level of critical areas protection.

B. A qualified professional shall determine if uncontrolled stormwater runoff from proposed impervious surfaces and construction activities would directly or indirectly discharge to critical areas when any of the following thresholds are met:
1) Proposed new impervious surface from subdivision within Urban Growth Areas, LAMIRDS, or Critical Aquifer Recharge Areas (CARAs), equals or exceeds 10,000 square feet of the land being subdivided; or
2) Proposed new impervious surface from subdivision within Rural or Resource Lands equals or exceeds 20,000 square feet of the land being subdivided.

The qualified professional making the determination called for in this section shall, at a minimum, consider the natural topography of the development area and the presence of manmade or natural drainage conveyances such as slopes, pipes, ditches, culverts, intermittent or perennial streams, gullies, arroyos, washes, swales, and similar characteristics that would serve to collect and transport runoff to critical areas.

C. If the qualified professional determines that uncontrolled stormwater runoff from proposed impervious surfaces or construction activities would directly or indirectly discharge to critical areas, a stormwater and impervious surface management plan shall be submitted to and approved by Stevens County Land Services prior to commencing development activities. Required stormwater treatment and/or flow control devices shall be constructed, operated, and maintained in accordance with the approved stormwater and impervious surface management plan.

D. Stormwater and impervious surface management plans required under this section shall be prepared by a qualified professional and shall address the following design standards:
1. The preparation procedure and content for each stormwater and impervious surface management plan shall be consistent with the Stormwater Management Manual for Eastern Washington. When structural stormwater treatment and/or flow control devices are required to be constructed, an operation and maintenance (O&M) plan shall be prepared consistent with the Stormwater Management Manual for Eastern Washington. All O&M plans required under this section shall provide for access by successor owners of the property being subdivided to allow for maintenance, repair and replacement of structural devices and facilities.
2. The subdivision shall result in no net increase of stormwater runoff into critical areas for storm events up to the 100 year recurrence interval by retaining runoff on-site
from storm events up to the 10 year, 24 hour recurrence interval. Proposed subdivisions in Urban Growth Areas and LAMIRDS shall retain and infiltrate the 10 year, 24 hour storm event runoff from contributing areas including new impervious surfaces, lawns, and landscaped areas. Proposed subdivisions within Rural or Resource Lands shall retain and infiltrate the 10 year, 24 hour storm event runoff from contributing areas composed of new impervious surfaces.


4. Stormwater flow control BMPs, including retention BMPs, shall be selected, sized, and designed consistent with the guidance listed in paragraph D.3.

5. Subdivisions requiring a stormwater and impervious surface management plan within a Critical Aquifer Recharge Area (CARA) shall protect aquifer recharge by retaining and infiltrating stormwater runoff on-site for the 10 year, 24 hour storm event. The subdivision areas requiring retention shall be determined based on subdivision type according to paragraph D.2 above. The method of infiltration shall also protect groundwater quality by applying permanent stormwater controls. The need for post-construction stormwater treatment BMPs shall be addressed.

6. Apply temporary stormwater control methods to protect critical areas from pollutants that enter stormwater due to subdivision construction activities in accordance with state or federal construction stormwater permitting requirements. When applicable, a Construction Stormwater Pollution Prevention Plan (SWPPP) must select, size, and apply BMPs, and subject to inspection requirements, in accordance with the Eastern Washington Erosion Prevention and Sediment Control Field Guide or the Stormwater Management Manual for Eastern Washington.

(Ord. 2012-05 – effective 12/3/12; Ordinance #2016-04—effective 6/6/2016)

Any subdivision in the Agricultural, Forest, Rural Area zones, or RC, CR, and SR overlay areas shall provide or demonstrate that the following requirements are met:
A. Water availability:
1. Representative test well(s) meeting the minimum potable water requirements for Stevens County building permits; or
2. A report from a hydrogeologist indicating sufficient water availability for the proposed lots; or
3. Other methods indicating sufficient water availability for the proposed lots (alternative methods not listed in 1 or 2 must be approved by the Department); or
4. Water availability may also be shown by confirmation letter from a public water provider for property located within the service area of a public water system.
B. An approved site for an on-site sewage system based on site review by NETCHD or, in areas within an existing public sewer district, a public sewer hookup.
C. Type 2 access, as defined in Section 3.11.210, Access Types, if the proposal is within the RA-5 zone or RC, CR, and SR overlay areas, or 10 or more lots in the A, F, RA-10 AR-10, or RA-20 zones; or
D. Type 3 access, as defined in Section 3.11.210, Access Types, if the proposal is for 9 or fewer lots in the A, F, RA-10 AR-10, or RA-20 zones.
E. A confirmation letter from the affected utility provider that power service is available to serve the subdivision.
F. Compliance with the applicable density limitations or clustering provisions for the applicable zone; and
G. Lot design that achieves a maximum ratio of four-to-one for lot length to lot width.

(H. Repealed 6/6/2016, Ordinance #2016-04)

3.11.236 Design Standards – Urban Growth Areas (UGAs).
Any Subdivision in an unincorporated UGA shall provide the following:
A. Water availability from a public water provider or test well(s) meeting the minimum potable water requirements for Stevens County building permits where public water is unavailable;
B. A public sewer hookup or for subdivisions where public sewer is unavailable, as follows:
   1. An approved site for a sewer system based on site review by NETCHD;
   2. A no-protest agreement for hook-up to a public sewer system when the system becomes available; and
   3. Plumbing of structures may be required to facilitate future connection to a public sewer system when such system becomes available.
C. Type 1 access as defined in Section 3.11.210 Access Types;
D. A confirmation letter from the affected utility provider that power service is available to serve the subdivision.
E. Stormwater management consistent with Chapter 3.04.020 of this Title; and
F. A showing that the proposed densities and development are appropriate urban densities and development in the applicable UGA and are consistent with the policies of the Comprehensive Plan and with applicable zoning requirements.
   1. For proposed developments not currently served by public sanitary sewer, an applicant shall show that future development to target urban densities is not precluded by the proposal; and
   2. The applicant may be required to prepare a conceptual plan for re-subdivision and/or redevelopment of the property consistent with Chapter 3.04.010.B.1 of this Title.

3.11.300 Preliminary Subdivision Approval - Term.
A. The standard term of approval for a preliminary subdivision shall be five years. An applicant must file for and receive final subdivision approval prior to expiration of the preliminary plat approval. An applicant may request, in writing, a one-year extension of the preliminary approval. The Department shall grant one one-year extension if the applicant can demonstrate a good faith effort to complete the final subdivision within the five-year period in accordance with the terms of the preliminary approval. Approval may be further extended for an additional period not to exceed six months by the Board of County Commissioners concurrent with BOCC consideration of final subdivision approval.
B. The Department shall also grant an extension in cases where a preliminary approval has been appealed to court, not to exceed the period of time the approval is under judicial review.
C. The applicant may at the time of preliminary approval request final subdivision approval in phases, with each phase subject to the time restrictions in 3.11.300A or B and the terms of the full preliminary subdivision approval. In such a case, that the total time period for phase one shall be no more than the period set forth in 3.11.300A or B; subsequent phases shall be completed no later than ten years from the date of preliminary subdivision approval.

3.11.310 Prohibition Against Other Subdivisions.
No short subdivision (SCC Chapter 3.16) shall be approved which includes any land contained within an approved Preliminary Subdivision during the period in which the Preliminary Subdivision is valid.

3.11.320 Preliminary Subdivision Withdrawal.
The owner(s) of property subject to an active and valid Preliminary Subdivision approval may withdraw the subdivision approval by submitting to the Department a notarized written statement requesting withdrawal and acknowledging the effects of such withdrawal.

3.11.330 Revisions after Preliminary Subdivision Approval.
Approved Preliminary Subdivisions may be revised prior to installation of road improvements and other infrastructure and recording of the Final Subdivision. Revisions that are generally consistent with the approved preliminary subdivision, which do not alter conditions of preliminary approval and do not adversely affect the public health, safety, and welfare may be administratively approved by the Department. Any other change shall require processing as a new Preliminary Subdivision. Relevant county departments and agencies shall be notified of any administrative revision. A revision does not extend the life or term of the Preliminary Subdivision approval, which shall run from the original date of Preliminary Approval.

3.11.400 Construction Drawings - Submittal and Review.
Construction drawings shall be prepared and submitted either at the time of consideration of the Preliminary Subdivision or prior to construction of roads and other infrastructure. Plans for public roads shall be reviewed by the County Engineer. The Department may request review of private roads by the County Engineer or may, on recommendation of the County Engineer have the private roads and other infrastructure plans reviewed by a consulting engineer. In such a case, the applicant shall be notified of the intent to submit the plans for consulting review and shall agree to pay the cost of such review.

3.11.410 Improvements - How Pledged.
A. Before requesting final approval, the applicant shall carry out minimum improvements by any of the following methods:

1. By actual installation of improvements to the satisfaction of the Department; or
2. If acceptable to the Department, by furnishing the county with a bond or other security sufficient to secure the estimated cost of construction and installation of all required roads, drainage, and other improvements to the satisfaction of the Department. Performance securities shall generally be in an amount equal to 125 percent of the estimated cost of installing the improvements.

B. A maintenance bond or other security may be required in order to assure the successful operation of the improvements for an appropriate period of time up to two years after final subdivision approval. The maintenance bond or security shall be required upon completion of construction and installation of the improvements to the satisfaction of the Department.
3.11.420 As Built Plans - Submittal.
After completion of all required improvements and prior to final acceptance of the improvements, the applicant shall submit:
A. As built drawings reflecting any changes to previously approved construction drawings to the Department. No changes in improvements may be made without prior approval of the Department;
B. Copies of the Subdivision and drawings showing the actual location of all mains, hydrants, valves, and other fire improvements to the County fire marshal or appropriate fire district; and
C. A statement by the applicant and his or her registered engineer that the drawings show the actual location of the required improvements.

3.11.430 Model Homes.
Model homes may be constructed on the site of a Preliminary Subdivision before the Subdivision is approved for final recording as follows.
A. Water supply adequate for fire suppression must be available;
B. All-weather roads sufficient and capable of supporting fire and emergency vehicle access must be available; and
C. A maximum of four model homes.
D. The applicant may request final inspection and occupancy for only one model home prior to final subdivision approval and recording. Additional model homes constructed in the same preliminary subdivision shall be used for display and marketing purposes only and shall not be occupied prior to final subdivision approval and recording.

3.11.500 Final Subdivision Application Approval - Timing.
A Final Subdivision application shall be approved within the five year time period for Preliminary Subdivision approval unless an extension of time is granted pursuant to SCC 3.11.300.

3.11.505 Final Subdivision Application - Form.
An application for a final subdivision shall meet the submittal requirements established by the Department and shall include declarations, dedications, required certificates, and acknowledgments in the form prescribed by the Department.

3.11.510 Monumentation.
Monumentation shall be placed at all lot corners and shall be in conformance to with the requirements of the Survey Recording Act, RCW Chapter 58.17, 58.09 and WAC 332.130 as it now exists or is hereafter amended.

3.11.520 Miscellaneous Approvals.
The following approvals must be submitted in writing to the Department prior to certification of the final subdivision:
A. Health approval. The Northeast Tri-County Health District shall indicate compliance with the health requirements of the preliminary subdivision and shall indicate the adequacy of the method of sewage disposal and approval of a public water system if required. Approval by the health district of the final subdivision shall not vary or negate any requirements for obtaining on-site sewage and drainfield permits for any lots therein;
B. Fire marshal's approval or appropriate fire district;
C. Water purveyor's approval (when applicable);
D. Sewer purveyor's approval (when applicable);
E. Proof of electrical availability; and
F. Other approvals as may be required in the conditions of preliminary subdivision approval.
G. Certification that all taxes and delinquent assessments on the property have been fully paid.
The Stevens County Treasurer shall indicate by seal and signature proof of payment on the final subdivision.

3.11.530 Deductions.
A. All highways and public roads or portions thereof and parcels of land shown on the Final Plat intended for any public use shall be deeded or offered for dedication for public use except where the provisions of this Chapter provide otherwise.
B. Public roads, or portions thereof, may be reserved by the county for future dedication where the immediate opening and improvement is not required, but where it is necessary to ensure that the county can later accept dedication when the public roads become needed due to traffic impacts of the subdivision, together with expected impacts of reasonably foreseeable future development of the areas or adjacent areas.
C. Easements shall be dedicated and indicated on the face of the final plat in a form acceptable to the Department. Easements for the purpose of serving the subdivision and other property with utility services and granting the right to enter upon the lots, tracts, and common areas at all times to install, lay, construct, renew, operate, and maintain underground conduit, cables, pipe, and wires with necessary facilities and other equipment shall be reserved for and granted to all utilities and to their respective successors and assigns, under and upon the exterior 10 feet parallel with and adjoining the street frontage of all lots, tracts, and common areas. Easements for storm drainage sewers and other purposes shall be dedicated as appropriate. The Department shall establish standard language for the establishment of such easements and shall make the standard language available with the submittal requirements checklists for final subdivision approval.

3.11.540 Department Review and Public Notice for Final Subdivision.
A. The Department shall examine the final subdivision application to ensure compliance with applicable law and conditions of preliminary approval. The Department may require additional information from an applicant where necessary to review the Final Subdivision application. Computation records for the lots and boundaries shall be furnished.
B. When the Final Plat is found to be in correct form, and the matters shown thereon are sufficient, the Department shall obtain the necessary signatures on the Final Plat. Each Final Plat shall be accompanied by an updated Certificate of Title showing the names of all persons, firms, or corporations whose consent is necessary to dedicate land for public usage, as well as any easements or other encumbrances to the land proposed for Subdivision. For the purposes of this section, an updated Title Report is a Title Report or supplemental Title Report which has been prepared no more than 30 days prior to submittal of the Final Subdivision.
C. The Department shall coordinate the final Subdivision review process among the appropriate county departments and other agencies and, upon confirmation of compliance with the conditions of preliminary approval, shall transmit a recommendation for Final Subdivision approval to the Board. The Final Subdivision application shall be scheduled for consideration at a regular or special meeting of the Board of County Commissioners.

3.11.550 Board Action.
A. Upon a finding that the final subdivision has been completed in accordance with the provisions of this Title, that the Plat is in proper form for recording as established by the submittal requirements, that all required improvements have been completed or the arrangements or
contracts have been entered into to guarantee that such required improvements will be completed, that all conditions of the Preliminary Subdivision approval and requirements of state law and county code have been met, and that the interests of the county are fully protected, the Board, upon consideration of the final subdivision at a regular or special Board meeting, shall approve the final subdivision and the chairperson shall sign the final plat accepting such dedications and easements as may be included thereon.

B. The final subdivision may be denied upon findings and conclusions that the requirements for final subdivision approval have not been met as listed in SCC 3.20.040. If the Board does not approve the Final Subdivision, it may grant the project proponent a period of time, not to exceed six months, to bring the final subdivision into compliance with the conditions of Preliminary Subdivision approval and set a specific time and date for the Board to reconsider the final subdivision.

3.11.610 File with Auditor.
A. The original of the Final Subdivision shall be filed and recorded with the county auditor within 30 days from the date of Board approval or the final approval shall lapse. In the case of a lapsed final approval, SCC 3.11.300 shall govern the expiration of the preliminary approval.

B. The auditor shall refuse to accept any Final Subdivision for filing and recording until final subdivision approval has been given. Should a final subdivision or dedication be filed or recorded without such approval, the prosecuting attorney shall apply for a writ of mandate in the name of and on behalf of the Board, directing the auditor and assessor to remove from their files or records the unapproved subdivision or dedication of record.

3.11.620 Effect of Filing a Final Subdivision.
Final Subdivisions approved and recorded pursuant to this Chapter are subject to the provisions of RCW 58.17.170.

3.11.630 Homeowners Association.
A homeowners association established for purposes of tract ownership and maintenance pursuant to this Title shall be incorporated as a profit or non-profit corporation and shall remain the owner unless tract ownership by all lots within the subdivision is authorized pursuant to a final plat alteration. In the event that a homeowners association established pursuant to this Title should be dissolved, then each lot shall have an equal and undivided ownership interest in the tracts previously owned by the association as well as responsibility for maintaining the tracts. A covenant that requires maintenance of the tracts consistent with county code that restricts use of the tracts to that specified in the approved preliminary plat, and that requires compliance with those county regulations and conditions of final subdivision approval specified on the plat, must be approved by the County and recorded with the County Auditor. Said covenant shall be binding upon and inure to the benefit of the homeowners association, the owners of all lots within the subdivision and all others having any interest in the tracts or lots. Prior to the recording of the final plat, the Department shall receive evidence that the articles of incorporation for the homeowners association have been filed. In any subdivision containing a homeowners association approved pursuant to this Title, membership in the homeowners association and payment of dues or other assessments for maintenance purposes shall be a requirement of lot ownership and shall remain an appurtenance to and inseparable from each lot.
3.11.700 Subdivision Alteration.
A. A recorded Final Subdivision may be altered pursuant to the following:
   1. Any change to a recorded Final Plat where an additional lot(s) is proposed shall not be
      considered a Subdivision alteration and shall be processed as a new Subdivision or Short
      Subdivision.
   2. The Subdivision alteration provisions do not apply to corrections to recorded final
      plats, revisions to lot boundaries authorized pursuant to the boundary line adjustment
      provisions of Chapter SCC 3.11.020.

3.11.710 Application for Subdivision Alteration.
A. An application for a Subdivision alteration shall contain the signatures of a majority of those
   persons having an ownership interest in lots, tracts, parcels, sites, or divisions in the subdivision or
   portion to be altered.
B. If the Subdivision is subject to restrictive covenants which were filed at the time of the
   approval of the subdivision, and the application for alteration would result in the violation of a
   covenant, the application shall contain an agreement signed by all parties subject to the covenants
   providing that the parties agree to terminate or alter the relevant covenants to accomplish the
   purpose of the alteration of the subdivision or portion thereof.
C. The applicant shall present a Certificate of Title showing the names of all persons who would
   be affected by the proposed alteration, as well as any easements or other encumbrances on the
   property subject to the proposed alteration.
D. If the alteration proposes to change the recorded plat, a drawing shall be submitted showing the
   details of the proposed alteration.
E. If the alteration proposes a change to restrictions, conditions, or easements of a textual nature
   not depicted on the plat, a clearly written textual revision shall be submitted.
F. A written statement of why the alteration is being requested and how the public interest would
   be served by its approval shall be submitted.

3.11.720 Procedure for Subdivision Alteration.
A. Public notice, project review, and the decision for a subdivision alteration application shall be
   completed pursuant to SCC 3.20 and 3.30
   1. A public hearing is requested by any person within 21 days of published notice of the
      application; or
   2. The Department determines that a public hearing is in the public interest.
B. The Department may determine a public hearing is required based on, but not limited to, the
   following:
   1. The Final Subdivision being altered was approved prior to the enactment of the
      county's subdivision regulations;
   2. The requested alteration is a significant deviation from the overall lot configuration,
      open space configuration or size, or design features of the final subdivision;
   3. Significant revisions to recorded conditions or restrictions are requested in the
      alteration; or
   4. The requested alteration may detrimentally affect access or other public health,
      welfare, or safety concerns.
C. If a public hearing is required, public notice shall be provided and the application shall be
   reviewed and decided as a Type 3 decision by the Hearing Examiner. If approved, the subdivision
   alteration shall be provided to the BOCC for final processing pursuant to SCC 3.11.750.
3.11.740 Decision Criteria.
The Hearing Examiner may approve a subdivision alteration if the application is found to be consistent with the general decision criteria of SCC 3.11.100, and with any other applicable county regulations.

3.11.750 Final Subdivision Alteration Process and Recording.
A. Upon approval of a subdivision alteration the applicant shall produce a revised drawing made by or under the supervision of a licensed surveyor and any other documents required to show the authorized changes to the final plat.
B. The revised Final Plat shall bear the seal of a registered professional land surveyor, shall include the contents of a final plat, and shall be processed and recorded in the same manner as set forth for final subdivisions.
C. All persons with an ownership or security interest in the property to be altered must sign the altered plat prior to recording.
D. Altered Subdivisions shall change, alter, or supersede the original Subdivision only in the specific ways approved and set forth in the recorded documents.

3.11.800 Segregation Notice.
When it comes to the attention of the Assessor and/or Treasurer of the County that a division of land has been made and is not contained within a plat or parcel map (except when exempt from this Title), the Assessor and/or Treasurer shall immediately notify the Department of such segregation.

3.11.810 Sale or Transfer Without Subdivision.
A. Except as provided in SCC 3.11.810(B), whenever any parcel of land is divided into two or more lots, tracts, or parcels, and any person or any agent, sells, transfers, or advertises for sale or transfer any such lot, tract, or parcel without either having a Final Subdivision filed for record or a parcel map filed as required herein, the Prosecuting Attorney shall commence an action to restrain and enjoin further subdivisions or sales or transfers or offers of sale or transfer and compel compliance with all provisions of this Code. The cost of such action shall be taxed against the person or agent selling or transferring the property.
B. If performance of an offer or agreement to sell, lease, or otherwise transfer a lot, tract, or parcel of land following preliminary subdivision approval is expressly conditioned on the recording of the final subdivision containing the lot, tract, or parcel, the offer or agreement is not subject to SCC 3.11.810(A) and does not violate any provision of this Title. All payments on account of an offer or agreement conditioned as provided in this subsection shall be deposited in an escrow or other regulated trust account, and no disbursement to sellers shall be permitted until the final subdivision is approved and recorded.

3.11.820 Permit Prohibition.
No building permit, septic tank permit, or other development permit shall be issued for any lot, tract, or parcel of land divided in violation of this Code or of RCW Chapter 58.17, unless the authority authorized to issue such permit finds that the public interest would not be adversely affected thereby. The prohibition contained in this section shall not apply to an innocent purchaser for value without actual notice. All purchasers' or transferees' property shall comply with the provisions of RCW Chapter 58.17 and each purchaser or transferee may recover damages from any person, firm, corporation or agent, selling any land in violation of this Title or RCW 58.17, including any amount reasonably spent as a result of an inability to obtain any development permit.
and any amount spent to conform to the requirements of this Title, as well as costs of investigation, suit, and reasonable attorney's fees occasioned thereby. Such purchaser or transferee may, as an alternative to conforming the property to these requirements, rescind the sale or transfer and recover costs of investigation, suit, and reasonable attorney's fees occasioned thereby.

3.12 RESERVED
3.13 RESERVED
3.14 RESERVED
3.15 RESERVED
3.16 SHORT SUBDIVISIONS

Sections:
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3.16.800 Segregation Notice
3.16.810 Sale or Transfer Without Short Subdivision
3.16.820 Permit Prohibition
3.16.010 Purpose and Applicability.
A. The purposes of this Chapter are to:
  1. Regulate the Subdivision of land into four or fewer lots, parcels, or sites;
  2. Promote the public health, safety, and general welfare;
  3. Further the goals and objectives of the comprehensive plan;
  4. Prevent the over-crowding of land;
  5. Lessen congestion in the roads and highways;
  6. Promote effective use of land;
  7. Promote safe and convenient travel by the public on roads and highways;
  8. Provide for adequate light and air;
  9. Facilitate adequate provision for water, sewerage, parks and recreation areas, sites for schools and school grounds and other public requirements;
  10. Adequately provide for the housing and commercial needs of citizens;
  11. Provide for proper ingress and egress;
  12. Require uniform monumentation of Subdivisions;
  13. Require conveyance by accurate legal description; and
  14. Provide for expeditious review and approval of proposed Short Subdivisions that conform to the requirements of this Title.

B. Land within a Short Subdivision which has been recorded within the immediately preceding five years may not be further divided in any manner except that a Final Subdivision may be approved and filed for record pursuant to Chapter 3.11 of this Title. If the Short Plat contains fewer than four parcels, nothing in this section shall prevent the owner who filed the short plat from filing an alteration within the five-year period to create up to a total of four lots within the original Short Plat boundaries.

C. Any short subdivision application which is contiguous to a short subdivision utilizing the same private road finalized in the preceding six months shall be processed pursuant to SCC 3.11.

D. Any short subdivision application which is contiguous to a pending short subdivision utilizing the same private road shall be processed pursuant to SCC 3.11. Once the short subdivision is finalized the provisions in Section 3.16.010C shall apply.

3.16.020 Exemptions.
The provisions of this Chapter shall not apply to:
A. Cemeteries and other burial plots while used for that purpose;
B. Divisions made by testamentary provisions or the laws of descent;
C. Division of land for the purpose of lease, when used for a mobile home park or recreational vehicle park pursuant to the binding site plan provisions as provided for in SCC 3.17;
D. A division made for the purpose of alteration by adjusting boundary lines, between platted or unplatted lots or both, which does not create any additional lot, tract, parcel, site, or division nor create any lot, tract, parcel, site, or division which contains insufficient area and dimension to meet minimum requirements for width and area for a building site; and
E. Condominiums, when prepared and filed in accordance SCC 3.17 and with the Horizontal Property Regimes Act, RCW Chapter 64.32, or the Condominium Act, RCW Chapter 64.34;
F. Divisions of land into lots, tracts or parcels each of which contains a minimum of 20 acres or the area of which is equal to one-half of a protracted quarter-quarter section as per Government
survey; and
G. Divisions of land pursuant to the binding site plan provisions as provided for in SCC 3.17; and
H. A division for the purpose of leasing land for facilities providing personal wireless services while used for that purpose. "Personal wireless services" means any federally licensed personal wireless service. "Facilities" means unstaffed facilities that are used for the transmission or reception, or both, of wireless communication services including, but not necessarily limited to, antenna arrays, transmission cables, equipment shelters, and support structures; and
I. A division of land into lots or tracts of less than three acres that is recorded in accordance with RCW Chapter 58.09 and is used or to be used for the purpose of establishing a site for construction and operation of consumer-owned or investor-owned electric utility facilities. For purposes of this subsection, "electric utility facilities" means unstaffed facilities, except for the presence of security personnel, that are used for or in connection with or to facilitate the transmission, distribution, sale, or furnishing of electricity including, but not limited to, electric power substations. This subsection does not exempt a division of land from the zoning and permitting laws and regulations of Stevens County. Furthermore, this subsection only applies to electric utility facilities that will be placed into service to meet the electrical needs of a utility's existing and new customers. New customers are defined as electric service locations not already in existence as of the date that electric utility facilities subject to the provisions of this subsection are planned and constructed.

3.16.030 Administrative Variance.
A. The Director may grant a limited administrative variance from required lot size to reflect a demonstrated discrepancy between surveyed property boundaries and the previously relied on legal description of the property boundaries. The variance shall not exceed ten (10) percent of the parcel size and may be granted for all lots within the short subdivision.
B. A variance from other standards contained within this chapter may be applied for concurrently with a short subdivision application by using the criteria and process outlined in SCC 3.20 and 3.30 for variances.

3.16.035 Boundary Line Adjustment – Requirements
A. A Boundary Line Adjustment shall meet the definition of Boundary Line Adjustment as described in 3.16.020D.
B. Applications shall be processed pursuant to SCC Chapter 3.30 and include the following information:

1. A legal description and tax parcel number for all the parcels involved in the Boundary Line Adjustment;
2. A legal description and appropriate drawing of sufficient accuracy and legibility indicating the proposed new parcel boundaries;
3. A signature of all fee owners and lien holders or authorized agents having authority to sign for properties involved in the boundary line adjustment;
4. Current Title Report;
5. Fees which may be required.
C. The Boundary Line Adjustment shall not take effect until the document is recorded with the Stevens County Auditor’s Office.
D. The owners shall have one (1) year from the date of approval to record the ownership documents clearing title before the Boundary Line Adjustment document becomes null and void.
A. Preliminary short subdivisions shall be processed as a Type I decision. Final Short Subdivisions shall be processed as a Type I administrative decision. The decision maker may approve, approve with modifications, or deny a short subdivision application under the circumstances set forth in this Chapter.
B. The Department shall distribute copies of the preliminary Short Subdivision application to each of the following and shall allow 21 days for the agencies to submit comments on the proposal:
   1. Northeast Tri-County Health District (NETCHD);
   2. Stevens County Department of Public Works;
   3. Washington State Department of Transportation, if the proposed subdivision is adjacent to state highway right-of-way or within two miles of the boundary of a state or municipal airport;
   4. Any city or town whose municipal boundaries are within one mile of the proposed subdivision or whose urban growth area includes the subject site, or whose public utilities would be used by the proposed subdivision;
   5. Any Public Utility District, Fire District or School District whose service boundaries include the area of the proposed subdivision;
   6. The Spokane Tribe if the subdivision is located within the Spokane Indian Reservation; and
   7. Any other federal, state, or local agencies as may be relevant.

3.16.050 Submittal Requirements.
The following information shall be included in applications for a Short Plat:
A. A Title Report issued within 30 days of application, showing all persons having an ownership interest, a legal description describing exterior boundaries of the site and listing all encumbrances affecting the property;
B. An applicant shall submit eight copies of the preliminary Short Plat with the application. The preliminary Short Plat shall consist of one or more sheets 18 inches by 24 inches drawn to a scale large enough to clearly portray all of the drafting detail. The preparation of the preliminary Short Plat shall be made by or under the supervision of a licensed surveyor authorized to practice the profession of land surveying under the provisions of RCW Chapter 18.43.
C. A map prepared by a registered land surveyor showing the following:
   1. The name of the proposed plat, name of the applicant and name of the licensed surveyor.
   2. The approximate legal description of all lands included in the proposed plat.
   3. Location of existing features such as roads, railroads, buildings, bodies of water, utilities, section subdivision lines, easements, wells, on-site sewage systems and other pertinent items.
   4. Approximate location of existing monuments, markers and boundary lines of the tract to be subdivided.
   5. Location of adjacent and adjoining platted areas showing the relationship of connecting streets, utilities, etc.
   6. Layout of proposed lots with approximate dimensions and proposed roads, street, alleys and easements.
   7. Location of any portions to be set-aside for recreation areas, access areas, schools, parks or other public uses.
   8. North arrow.
D. The following information shall be submitted as supplemental information:
   a. Tentative grades of proposed roads, streets, alleys or easements.
   b. An illustration of a typical road section showing construction designs and
      proposed surfacing.
   c. One copy of restrictive covenants, if proposed.
E. Any other information deemed appropriate by the Department.

3.16.100 Decision Criteria – General – Preliminary Short Plat.
A. The Director shall inquire into the public use and interest proposed to be served by the
   establishment of the Short Subdivision and dedication. A preliminary Short Subdivision may be
   approved if appropriate provisions in SCC 3.20.035 are met.

3.16.120 Shoreline Management.
Whenever a preliminary Short Subdivision is wholly or partially located within an area subject to
the jurisdiction of the Shoreline Management Act of 1971, RCW Chapter 90.58, the applicant
shall comply with the Stevens County Shoreline Management Master Program and RCW Chapter
90.58.

3.16.200 Road Design – General.
A. All short subdivisions shall be served by one or more public or private roads that provide
   practical and feasible ingress and egress to and from the subdivision and to and from each lot.
B. The County may require dedication of public roads, the extension of public roads, or may
   require an applicant to provide for future extension or continuation of public roads to serve
   property contiguous to the proposed subdivision.
C. Private driveways may be allowed within Short Subdivision as long as they provide adequate
   easements and unobstructed travel widths and are capable of supporting fire apparatus and
   emergency vehicles (not less than 16 feet). Private driveway design shall include a year-round
   driving surface and turn-arounds for emergency vehicles. Private driveways shall not serve more
   than two lots.
D. Private roads serving three or more lots, shall be named.
E. The maximum road grade shall be twelve (12) percent, except for short distances as may be
   approved by the County Road Engineer.
F. New lots adjacent to a County Federal Functional Class (FFC) arterial or collector shall have
   access from a frontage road or other non-arterial roadway and the plat shall recite a waiver of any
   right of direct access to the arterial unless the County Engineer waives this requirement on a
   showing that other access is not feasible or practicable and that no impairment to the function of
   the County arterial will result.
G. No public street or road will be accepted as part of the County road system for maintenance or
   other work until after the street or road has been constructed by the applicant and approved as
   meeting the standards of alignment, grade, width, and surfacing as required by County Road
   Engineer.
H. The overall public and private road network and access needs of lands in the area of the
   subdivision shall be considered in determining road and lot location within the subdivision.
3.16.202 Planned County Road Expansion.
When public roads are not required based on the impacts of the proposed development, but when a need for future County right-of-way to expand the public road system is part of the adopted Transportation Element of the Comprehensive Plan, 6-year Transportation Improvement Program, or the adopted county gravel to pavement improvement program, an applicant may be required to reserve the area needed for such right-of-way expansion. The area reserved may be dedicated and donated to the County at the time of final short plat approval or purchased by the county within six years as part of a planned future road project. Applicable development standards shall be measured from the reserved right of way line.

3.16.210 Access Types.
Access types and required improvements are set forth below:
A. Type 1 Access:
   1. Private roads: 50 foot easement width; 40 foot unobstructed width; 28 feet surfaced with Asphalt Concrete Pavement (ACP) or Bituminous Surface Treatment (BST); roads crowned, and ditches, culverts, shoulders, turning radii, road grade, and surface water runoff control.
B. Type 2 Access:
   1. Private Roads: 50 foot easement; 40 foot unobstructed width; 24 foot surfaced with a minimum of 2" of 1¼" crushed or screened gravel top course over 4" of 3- (three minus) base rock; roads crowned, and ditches, culverts, shoulders, turning radii, road grade, and surface water runoff control.
C. Type 3 Access:
   1. Private roads for Type 3 access shall provide:
      a. 50 foot easement for roads that may serve adjacent properties with a 20 foot surfaced road with a minimum of 2" of 1¼" crushed or screened gravel top course over 4" of 3- (three minus) base rock.
      b. 30 foot easement for roads that end within the proposed subdivision and will not serve adjacent properties with a 18 foot surfaced road with a minimum of 2" of 1¼" crushed or screened gravel top course over 4" of 3- (three minus) base rock.
D. In any case where a subdivision proposes access to the County or state road system via connecting private roads, the County Engineer may require that connecting private roads be upgraded to meet the standard for Type 2 or Type 3 access, as applicable.
E. Other improvements to connecting roads may be required when the proposal will generate direct impacts that trigger a need for such improvements; provided that improvements to connecting roads shall be required only at a level determined to be roughly proportionate to the impact.
F. Public Roads: Public Roads shall meet or exceed the standards for private roads. Each public road shall have a minimum 50 foot right-of-way. The County Engineer may require additional right-of-way or easement area for necessary cut and fill and shall require that public roads be designed and constructed to standards applicable to County road projects.

3.16.220 Modification of Road and Access Standards.
The County Engineer may modify the road and access standards of Sections 3.16.200 and 3.16.210 when it can be shown that the proposed roads and connections are adequate to serve the
needs of current and expected residents, provide for an efficient and functional road system, and provide for future development capacity as anticipated by the County Comprehensive Plan.

3.16.225 Storm Water and Impervious Surfaces Design Standards
A. In order to protect critical areas, short plats and subdivisions are required to retain and infiltrate stormwater runoff on-site in accordance with this section, unless it is deemed infeasible by a qualified professional, in which case alternative stormwater management approaches may be approved if they are shown to provide an equivalent level of critical areas protection.

B. A qualified professional shall determine if uncontrolled stormwater runoff from proposed impervious surfaces and construction activities would directly or indirectly discharge to critical areas when any of the following thresholds are met:
1) Proposed new impervious surface from subdivision within Urban Growth Areas, LAMIRDS, or Critical Aquifer Recharge Areas (CARAs), equals or exceeds 10,000 square feet of the land being subdivided; or
2) Proposed new impervious surface from subdivision within Rural or Resource Lands equals or exceeds 20,000 square feet of the land being subdivided.

The qualified professional making the determination called for in this section shall, at a minimum, consider the natural topography of the development area and the presence of manmade or natural drainage conveyances such as slopes, pipes, ditches, culverts, intermittent or perennial streams, gullies, arroyos, washes, swales, and similar characteristics that would serve to collect and transport runoff to critical areas.

C. If the qualified professional determines that uncontrolled stormwater runoff from proposed impervious surfaces or construction activities would directly or indirectly discharge to critical areas, a stormwater and impervious surface management plan shall be submitted to and approved by Stevens County Land Services prior to commencing development activities. Required stormwater treatment and/or flow control devices shall be constructed, operated, and maintained in accordance with the approved stormwater and impervious surface management plan.

D. Stormwater and impervious surface management plans required under this section shall be prepared by a qualified professional and shall address the following design standards:
1. The preparation procedure and content for each stormwater and impervious surface management plan shall be consistent with the Stormwater Management Manual for Eastern Washington. When structural stormwater treatment and/or flow control devices are required to be constructed, an operation and maintenance (O&M) plan shall be prepared consistent with the Stormwater Management Manual for Eastern Washington. All O&M plans required under this section shall provide for access by successor owners of the property being subdivided to allow for maintenance, repair and replacement of structural devices and facilities.
2. The subdivision shall result in no net increase of stormwater runoff into critical areas for storm events up to the 100 year recurrence interval by retaining runoff on-site from storm events up to the 10 year, 24 hour recurrence interval. Proposed subdivisions in Urban Growth Areas and LAMIRDS shall retain and infiltrate the

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10 year, 24 hour storm event runoff from contributing areas including new impervious surfaces, lawns, and landscaped areas. Proposed subdivisions within Rural or Resource Lands shall retain and infiltrate the 10 year, 24 hour storm event runoff from contributing areas composed of new impervious surfaces.


4. Stormwater flow control BMPs, including retention BMPs, shall be selected, sized, and designed consistent with the guidance listed in paragraph D.3.

5. Subdivisions requiring a stormwater and impervious surface management plan within a Critical Aquifer Recharge Area (CARA) shall protect aquifer recharge by retaining and infiltrating stormwater runoff on-site for the 10 year, 24 hour storm event. The subdivision areas requiring retention shall be determined based on subdivision type according to paragraph D.2 above. The method of infiltration shall also protect groundwater quality by applying permanent stormwater controls. The need for post-construction stormwater treatment BMPs shall be addressed.

6. Apply temporary stormwater control methods to protect critical areas from pollutants that enter stormwater due to subdivision construction activities in accordance with state or federal construction stormwater permitting requirements. When applicable, a Construction Stormwater Pollution Prevention Plan (SWPPP) must select, size, and apply BMPs, and subject to inspection requirements, in accordance with the Eastern Washington Erosion Prevention and Sediment Control Field Guide or the Stormwater Management Manual for Eastern Washington.

(Ord. 2012-05 – effective 12/3/12; Ordinance #2016-04—effective 6/6/2016)

Any Short Subdivision in the Agricultural, Forest, RA-5, RA-10, R-20 acre, and AR-10 zones, and the RC, CR, and SR overlay areas shall provide the following:
A. Water availability:
   1. Representative test well(s) meeting the minimum potable water requirements for Stevens County building permits; or
   2. A report from a hydrogeologist indicating sufficient water availability for the proposed lots; or
   3. Water availability may also be shown by confirmation letter from a public water provider for property located within the service area of a public water system.
B. An approved site for an on-site sewage based on site review by NETCHD or, in areas within an existing public sewer district, a public sewer hookup.
C. Type 2 access, as defined in Section 3.16.210, Access Types, if the proposal is within the RC, CR, SR overlay areas.
D. Type 3 access, as defined in Section 3.16.210 Access Types, if the proposal is within the A, F, RA-5, RA-10, R-20 acre, or AR-10 zones.

E. A confirmation letter from the affected utility provider that power service is available to serve the subdivision.

F. Compliance with the applicable density limitations or clustering provisions for the applicable zone; and

G. Lot design that achieves a maximum ratio of four-to-one for lot length to lot width.

(H. Repealed 6/6/16, Ordinance #2016-04)

3.16.236 Design Standards – Urban Growth Areas (UGAs).

Any Short Subdivision in an unincorporated UGA shall provide the following:

A. Water availability from a public water provider or test well(s) meeting the minimum potable water requirements for Stevens County building permits if public water is not available;

B. A public sewer hookup or for subdivisions where public sewer is unavailable, as follows:
   1. An approved site for on-site sewage systems based on site review by NETCHD;
   2. A no-protest agreement for hook-up to a public sewer system when the system becomes available; and
   3. Plumbing of structures may be required to facilitate future connection to a public sewer system when such system becomes available.

C. Type 1 access as defined in Section 3.16.210;

D. A confirmation letter from the affected utility provider that power service is available to serve the short subdivision;

E. A showing that the proposed densities and development are appropriate urban densities and development in the applicable UGA and are consistent with the policies of the Comprehensive Plan and with applicable zoning requirements (See 3.04.010.B.1 of this Title); and

F. Stormwater management consistent with Chapter 3.04.020 of this Title.

3.16.300 Preliminary Short Subdivision Approval - Term.

A. The standard term of approval for a preliminary Short Subdivision shall be two years. An applicant must file for and complete final short subdivision approval prior to the expiration of preliminary short plat approval. An applicant may request, in writing, a one-year extension of the preliminary approval. Such request must be received at least 30 days prior to the expiration of the preliminary short subdivision approval. The Director shall grant one one-year extension if the applicant can demonstrate a good faith effort to complete the final short subdivision within the two-year period in accordance with the terms of the preliminary approval. Approval may be further extended for an additional period not to exceed six months.

B. The Director shall also grant an extension in cases where a preliminary approval has been appealed to the court, not to exceed the period of time the approval is under judicial review.

3.16.310 Prohibition Against Other Subdivisions.

No Subdivision shall be approved which includes any land contained within an approved preliminary Short Subdivision during the period in which the preliminary Short Subdivision is valid.

3.16.320 Preliminary Short Subdivision Withdrawal.

The owner(s) of property subject to an active and valid preliminary Short Subdivision approval may withdraw the short subdivision approval by submitting to the Director a notarized written statement requesting withdrawal and acknowledging the effects of such withdrawal.
3.16.330  Revisions after Preliminary Short Subdivision Approval.
Approved preliminary Short Subdivision may be revised prior to installation of road improvements and other infrastructure and recording of the final short subdivision. Revisions that are generally consistent with the approved preliminary Subdivision, which do not alter conditions of preliminary approval and do not adversely affect the public health, safety, and welfare may be administratively approved by the Department. Any other change shall require processing as a new preliminary Short Subdivision. Relevant county departments and agencies shall be notified of any administrative revision. A revision does not extend the life or term of the preliminary short subdivision approval, which shall run from the original date of preliminary approval.

3.16.400  Construction Drawings - Submittal and Review.
Construction drawings shall be prepared and submitted either at the time of consideration of the Preliminary Subdivision or prior to construction of public roads. Plans for public roads shall be reviewed by the County Engineer. The Department may request review of private roads by the County Engineer.

3.16.410  Improvements - How Pledged.
A. Before requesting final approval, the applicant shall carry out minimum improvements by any of the following methods:
   1. By actual installation of improvements to the satisfaction of the Department; or
   2. If acceptable to the Director, by furnishing the county with a bond or other security sufficient to secure the estimated cost of construction and installation of all required roads, drainage, and other improvements to the satisfaction of the Department. Performance securities shall generally be in an amount equal to 125 percent of the estimated cost of installing the improvements.
B. A maintenance bond or other security shall be required in order to assure the successful operation of the improvements for an appropriate period of time up to two years after final subdivision approval. The maintenance bond or security shall be required upon completion of construction and installation of the improvements to the satisfaction of the Director.

3.16.420  As Built Plans - Submittal.
After completion of all required improvements and prior to final acceptance of the improvements, the applicant shall submit:
A. As built drawings reflecting any changes to previously approved construction drawings to the Department. No changes in improvements may be made without prior approval of the Director;
B. Copies of the short subdivision and drawings showing the actual location of all mains, hydrants, valves, and other fire improvements to the County Fire Marshal or appropriate fire district; and
C. A statement by the applicant and his or her registered engineer that the drawings show the actual location of the required improvements.

3.16.500  Final Short Subdivision Application Approval - Timing.
A final Short Subdivision application shall be approved within the two year time period for preliminary Short Subdivision approval unless an extension of time is granted pursuant to SCC 3.16.300.
3.16.505 Final Short Subdivision Application - Form.
An application for a final Short Subdivision shall meet the submittal requirements established by the Department and shall include declarations, dedications, and acknowledgments in the form prescribed by the Department.

3.16.510 Monumentation.
Monumentation shall be placed at all lot corners and shall be in conformance with the requirements of the Survey Recording Act, RCW Chapter 58.17, 58.09 and WAC 332.130 as it now exists or is hereafter amended.

3.16.520 Miscellaneous Approvals.
The following approvals must be submitted in writing to the Department prior to certification of the final Short Subdivision:
A. Health approval. The Northeast Tri-County Health District shall indicate compliance with the health requirements of the preliminary subdivision and shall indicate the adequacy of the method of sewage disposal and approval of a public water system if required. Approval by the health district of the final subdivision shall not vary or negate any requirements for obtaining on-site sewage and drainfield permits for any lots therein;
B. Fire Marshal's approval or appropriate fire district;
C. Water purveyor's approval (when applicable);
D. Sewer purveyor's approval (when applicable);
E. Proof of electrical availability; and
F. Other approvals as may be required in the conditions of preliminary subdivision approval.
G. Certification that all taxes and delinquent assessments on the property have been fully paid. The Stevens County Treasurer shall indicate, by seal and signature, proof of payment on the final subdivision.

3.16.530 Dedications.
A. All highways and public roads or portions thereof and parcels of land shown on the final short plat intended for any public use shall be deeded or offered for dedication for public use except where the provisions of this Chapter provide otherwise.
B. Public roads, or portions thereof, may be reserved by the County for future dedication where the immediate opening and improvement is not required, but where it is necessary to ensure that the County can later accept dedication when the public roads become needed due to traffic impacts of the short subdivision, together with expected impacts of reasonably foreseeable future development of the areas or adjacent areas.
C. Easements shall be dedicated and indicated on the face of the final short plat in a form acceptable to the Department. Easements for the purpose of serving the short subdivision and other property with utility services and granting the right to enter upon the lots, tracts, and common areas at all times to install, lay, construct, renew, operate, and maintain underground conduit, cables, pipe, and wires with necessary facilities and other equipment shall be reserved for and granted to all utilities and to their respective successors and assigns, under and upon the exterior 10 feet parallel with and adjoining the street frontage of all lots, tracts, and common areas. Easements for storm drainage sewers and other purposes shall be dedicated as appropriate. The Director shall establish standard language for the establishment of such easements and shall make the standard language available with the submittal requirements checklist for final short subdivision approval.
3.16.540 Approval Procedure for Final Short Subdivision.
A. The Director shall examine the final Short Subdivision application to ensure compliance with applicable law and conditions of preliminary approval. The Director may require additional information from an applicant where necessary to review the final short subdivision application.
B. The Director shall approve or disapprove the final short subdivision pursuant to SCC 3.20.040. The Director’s decision shall be in writing, shall contain findings, and shall be based on compliance with all conditions of the preliminary short plat, conformance to all requirements of local, state and federal law, and the recommendations of reviewing agencies.
C. Each final Short Subdivision may require an updated Certificate of Title showing the names of all persons, firms, or corporations whose consent is necessary to dedicate land for public usage, as well as any easements or other encumbrances to the land proposed for subdivision. For the purposes of this section, an updated Title Report is a Title Report or supplemental Title Report which has been prepared no more than 30 days prior to submittal of the final short subdivision.
D. Public notice of final Short Subdivision submittal shall be provided by the Director pursuant to SCC 3.30.

3.16.610 File with Auditor.
A. The original of the final Short Subdivision shall be filed and recorded with the County Auditor within 30 days from the date of approval by the Director or the final approval shall lapse. In the case of a lapsed final approval, SCC 3.16.300 shall govern the expiration of the preliminary approval.
B. The Auditor shall refuse to accept any final short subdivision for filing and recording until final short subdivision approval has been given. Should a final Short Subdivision or dedication be filed or recorded without such approval, the Prosecuting Attorney shall apply for a Writ of Mandate in the name of and on behalf of the County, directing the Auditor and Assessor to remove from their files or records the unapproved Short Subdivision or dedication of record.

3.16.620 Effect of Filing a Final Short Subdivision.
All Final Short Subdivisions approved and recorded pursuant to this Chapter are subject to the provisions of RCW 58.17.170.

3.16.700 Short Subdivision Alteration.
A. A recorded final short subdivision may be altered pursuant to the following:
   1. Any change to a recorded final short plat where an additional lot(s) is proposed shall not be considered a short subdivision alteration and shall be processed as a new subdivision or Short Subdivision.
   2. The Short Subdivision alteration provisions do not apply to corrections to recorded final plats, or revisions to lot boundaries authorized pursuant to the boundary line adjustment provisions of SCC Chapter 3.16.
   3. Each short plat and short subdivision granted pursuant to local regulations after July 1, 1974, shall be filed with the County Auditor and shall not be deemed "approved" until so filed.

3.16.710 Application for Short Subdivision Alteration.
A. An application for a Short Subdivision alteration shall contain the signatures of a majority of those persons having an ownership interest in lots, tracts, parcels, sites, or divisions in the
3.16.720 Procedure for Short Subdivision Alteration.
Public notice, project review, and the decision for a Short Subdivision alteration application shall be performed administratively by the Director.

3.16.740 Decision Criteria.
The Director may approve a short subdivision alteration if the application is found to be consistent with the decision criteria in SCC 3.20.040, and with any other applicable County regulations.

3.16.750 Final Short Subdivision Alteration Process and Recording.
A. Upon approval of a Short Subdivision alteration the applicant shall submit a revised drawing and any other documents required to show the authorized changes to the final plat.
B. The revised final short plat shall bear the seal of a registered professional land surveyor, shall include the contents of a final plat, and shall be processed and recorded in the same manner as set forth for final subdivisions.
C. All persons with an ownership or security interest in the property to be altered must sign the altered plat prior to recording.
D. Altered Short Subdivision shall change, alter, or supersede the original subdivision only in the specific ways approved and set forth in the recorded documents.

3.16.800 Segregation Notice.
When it comes to the attention of the Assessor and/or Treasurer of the county that a division of land has been made and is not contained within a plat or parcel map (except when exempt from this Title), the Assessor and/or Treasurer shall immediately notify the Department of such segregation.

3.16.810 Sale or Transfer Without Short Subdivision.
A. Except as provided in SCC 3.16.810(B), whenever any parcel of land is divided into two or more lots, tracts, or parcels, and any person or any agent, sells, transfers, or advertises for sale or transfer any such lot, tract, or parcel without either having a final subdivision, the Prosecuting Attorney shall commence an action to restrain and enjoin further subdivisions or sales or transfers.
or offers of sale or transfer and compel compliance with all provisions of this Code. The cost of such action shall be taxed against the person or agent selling or transferring the property.

B. If performance of an offer or agreement to sell, lease, or otherwise transfer a lot, tract, or parcel of land following preliminary subdivision approval is expressly conditioned on the recording of the final subdivision containing the lot, tract, or parcel, the offer or agreement is not subject to SCC 3.16.810(A) and does not violate any provision of this Code. All payments on account of an offer or agreement conditioned as provided in this subsection shall be deposited in an escrow or other regulated trust account, and no disbursement to sellers shall be permitted until the final subdivision is approved and recorded.

3.16.820 Permit Prohibition.

No building permit, septic tank permit, or other development permit shall be issued for any lot, tract, or parcel of land divided in violation of this Code or of RCW Chapter 58.17, unless the authority authorized to issue such permit finds that the public interest would not be adversely affected thereby. The prohibition contained in this section shall not apply to an innocent purchaser for value without actual notice. All purchasers' or transferees' property shall comply with the provisions of RCW Chapter 58.17 and each purchaser or transferee may recover damages from any person, firm, corporation or agent selling land in violation of this Title or RCW 58.17, including any amount reasonably spent as a result of an inability to obtain any development permit and any amount spent to conform to the requirements of this Code, as well as costs of investigation, suit, and reasonable attorney's fees occasioned thereby. Such purchaser or transferee may, as an alternative to conforming the property to these requirements, rescind the sale or transfer and recover costs of investigation, suit, and reasonable attorney's fees occasioned thereby.
3.17 BINDING SITE PLAN APPROVAL

Sections:
3.17.010 Purpose and Applicability
3.17.020 Procedures
3.17.030 Application Requirements
3.17.040 Conditions of Approval
3.17.050 Site Improvements, Security
3.17.060 Revision and Vacation
3.17.065 Binding Site Plan Application Approval - Timing.
3.17.070 Recording

3.17.010 Purpose and Applicability.
A. The purpose of this Chapter is to provide an alternative method for the division of land as authorized by the State Subdivision Act (RCW 58.17). A binding site plan ensures, through covenants, conditions, restrictions, easements and other requirements binding upon all lot owners, that the collective lots continue to function as one site for the purposes of, but not limited to, access and circulation, provision and maintenance of utilities and other improvements, open spaces, drainage and similar concerns.
B. The provisions of this Chapter shall apply to:
   1. The division of commercial or industrial zoned land for sale or lease when used for commercial or industrial purposes.
   2. The division of land for lease when used as a mobile home park or recreational vehicle park.
   3. The division of land resulting from subjecting a portion of a parcel or tract to the Horizontal Property Regimes Act (RCW 64.32) or the Condominium Act (RCW 64.34).

3.17.020 Procedures.
A. A Binding Site Plan shall be processed through the Type 2 process, consistent with the procedures of SCC 3.30.050. Notice shall be provided consistent with the requirements of SCC 3.30.

3.17.030 Application Requirements.
The following information shall be submitted in conjunction with an application for a Binding Site Plan:
A. A Title Report issued within 30 days of application, showing all persons having an ownership interest, a legal description describing exterior boundaries of the site and listing all encumbrances affecting the property;
B. A map prepared by a registered land surveyor showing the following:
   1. Location of all physical and legal encroachments affecting the boundary between the application sites and adjoining properties;
   2. Contours of sufficient interval to show topography of the site;
   3. A legal description of the site;
   4. The proposed layout of lots, tracts, rights-of-way and easements, along with existing utilities and proposed dedications;
   5. The purpose of any tracts and lots proposed within the site;
   6. All easements listed in the Title Report capable of being plotted on the map;
7. Name of proposal;
8. North arrow, scale and date of map and any revisions;
9. Location of adjoining parcels and buildings within one hundred feet of the site shall be shown and delineated by dashed lines;
10. A vicinity map
11. A preliminary drainage plan;
C. A phasing plan, if the property is to be developed in phases, consisting of a written schedule and a drawing illustrating the timing and sequence of development;
D. A completed environmental checklist; and
E. Any other information deemed appropriate by the Department.

3.17.040 Conditions of Approval.
A. The Director is authorized to impose such conditions and limitations on the binding site plan as necessary to further the purposes of this Title.
B. The binding site plan shall contain a provision requiring that all development of the site shall be in conformance with the approved binding site plan.
C. The Director may authorize sharing of open space, parking, access and other improvements among properties subject to the binding site plan. Conditions and restrictions on development, use, maintenance, shared open space, parking, access and other improvements shall be identified on the binding site plan and enforced by covenants, conditions, restrictions, easements or other legal mechanisms.
D. An applicant who desires to develop a site in phases shall submit a phasing plan as part of its application.
   1. Site improvements designed to relate to, benefit or be used by the entire development (such as stormwater detention facilities) shall be noted on the phasing plan, and the plan shall relate completion of such improvements to completion of one or more phases of the entire development.
   2. Once approved, the phasing plan shall be attached to and made a part of the binding site plan. Approval of a phasing plan does not constitute approval of the binding site plan. No land may be used, no lots may be sold and no buildings may be occupied except in accordance with the binding site plan.

3.17.050 Site Improvements, Security.
A. All public and private site improvements must be installed to the satisfaction of the County or be subject to a performance security approved by the Department prior to issuance of the first building permit for site or any phase, or prior to issuance of a certificate of occupancy.
B. If acceptable to the Director, the applicant may furnish the County with a bond or other security sufficient to secure the estimated cost of construction and installation of all required roads, drainage, and other improvements to the satisfaction of the Department. Performance securities shall generally be in an amount equal to 125 percent of the estimated cost of installing the improvements.

3.17.060 Revision and Vacation.
An approved binding site plan may be amended or modified by filing the same application and following the same procedures required for a new binding site plan application, as set forth in this Chapter. The Director shall determine whether the binding site plan as revised is consistent with the standards set forth in this Chapter.
3.17.065 Binding Site Plan Application Approval - Timing.
A Binding Site Plan application shall be approved within two years. An extension may be granted by the Director.

3.17.070 Recording.
An approved binding site plan and the record of survey shall be recorded with the Stevens County Auditor. The recorded binding site plan shall include any restrictions and any conditions of approval of the binding site plan. All such restrictions and conditions shall run with the property and be legally enforceable on the owner, purchaser, and any other person acquiring an ownership, security or other interest in any property subject to the binding site plan.
3.18 RESERVED
3.19 RESERVED
PART II PERMIT & APPROVAL TYPES & CRITERIA

3.20 DECISION CRITERIA

Sections:
3.20.010 Conditional Use & Administrative Conditional Use Permits
3.20.020 Zoning Reclassification (Rezone)
3.20.030 Variances
3.20.035 Preliminary Subdivisions and Short Subdivisions
3.20.040 Final Subdivisions & Short Subdivisions
3.20.045 Binding Site Plans
3.20.050 Essential Public Facilities
3.20.060 Development Agreements

3.20.010 Conditional Use & Administrative Conditional Use Permits.
A. The County, whether the Director or the Hearing Examiner in the appropriate case, will consider the following criteria in reviewing conditional use permit applications, and shall approve an application if the applicant demonstrates that all of the criteria are met:
   1. The proposal is consistent with the goals and policies of the Comprehensive Plan and Subarea Plan where applicable;
   2. Environmental impacts associated with the use can be adequately mitigated through the imposition of reasonable conditions;
   3. It is designed in a manner which is compatible with the character of existing development in the vicinity of the subject property;
   4. It is not in conflict with the health and safety of the community;
   5. The conditional use will be supported by adequate services and facilities, including any services and facilities that the applicant funds or provides.
B. Essential public facilities are also subject to the criteria of 3.20.050.

3.20.020 Zoning Reclassification (Rezone).
A. The County will consider the following criteria in reviewing applications for zoning reclassifications, and may only approve an application if the applicant demonstrates that all of the criteria are met:
   1. The proposal is consistent with the goals and policies of the Comprehensive Plan and Subarea Plan where applicable;
   2. Environmental impacts associated with the use can be adequately mitigated through the imposition of reasonable conditions;
   3. Adequate services and facilities, including transportation facilities, will be available to serve the range of uses in the proposed zoning classification;
   4. 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;
   5. The reclassification does not reflect special treatment of the subject property; and
   6. The reclassification would promote the general health, safety and welfare of the community.
3.20.030 Variances.
A. The County will consider the following criteria in reviewing applications for variances, and may only approve an application if the applicant demonstrates that all of the criteria are met:
   1. Strict enforcement of the requirements of this Title creates an unnecessary hardship to the property owner or would deprive the property owner of the rights commonly enjoyed by others in the same area;
   2. The variance is necessary because of the unique size, shape, topography, or location of the subject property;
   3. The need for the variance is not created by the deliberate actions of the applicant or property owner;
   4. The variance does not create health or safety problems;
   5. The variance from height or setback requirements does not infringe upon or interfere with easement or covenant rights of responsibilities; and
   6. The variance is the minimum necessary to grant relief to the applicant.
B. A variance is not appropriate and shall not be granted to change a use or to allow establishment of a use that is not otherwise permitted in the zone in which the proposal is located. Granting of a variance shall not relieve an applicant from complying with any other standard or requirement of this Title unless and only to the extent that such standard or requirement is specifically addressed as part of the decision on the requested variance.

3.20.035 Preliminary Subdivisions and Short Subdivisions.
A. The County will consider the following criteria in reviewing applications for preliminary subdivisions and short subdivisions, and may only grant preliminary approval if the applicant demonstrates that all of the criteria are met:
   1. Provisions are made for, but not limited to, the public health, safety, and general welfare, for open spaces, drainage ways, streets, roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, sites for schools and school grounds, fire protection and other public facilities. The decision maker shall consider all other relevant facts, including the physical characteristics of the site, the presence or absence of sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school, and shall determine whether the public interest will be served by the subdivision and dedication.
   2. If the decision maker finds that the proposed Preliminary Subdivision/Short Subdivision makes appropriate provisions for the matters listed in SCC 3.20.035(1) and enters written findings that the subdivision/short subdivision conforms or will conform to all applicable development regulations, then it shall be approved.
   3. If the decision maker finds that the proposed subdivision/short subdivision does not make appropriate provisions or that development regulation requirements, including critical area requirements, are not and will not be met, or that the public use and interest will not be served, then the decision maker shall deny the proposed preliminary subdivision/short subdivision.
   4. Lots within the subdivision/short subdivision have been designed to minimize potential impacts to critical areas resulting from stormwater discharge and impervious surfaces. Where required, potential environmental impacts resulting from stormwater discharge and impervious surfaces have been properly mitigated pursuant to SCC Title 13 and SCC 3.80
5. Dedication of land or payment of fees may be required as a condition of preliminary Subdivision/Short Subdivision approval. Evidence of such dedication and/or payment shall accompany final Subdivision/Short Subdivision approval.

3.20.040 Final Subdivisions & Short Subdivisions.
A. The County will consider the following criteria in reviewing applications for final Subdivisions and Short Subdivisions, and may only approve an application if the applicant demonstrates that all of the criteria are met:
   1. The proposal satisfies the requirements of Chapter 3.20.035 of this Title.
   2. The decision maker finds that the proposed Subdivision/Short Subdivision makes appropriate provisions for road maintenance for private roads and private driveways.
   3. The proposal satisfies the conditions imposed as part of the Preliminary Subdivision or Short Subdivision approval.

3.20.045 Binding Site Plans.
To approve a binding site plan, the Director must find that the newly created lot will continue to function and operate as one site, and that the binding site plan complies and is consistent with the following criteria:
   1. The proposed uses are permitted in the underlying zone established by Chapter 3.03 of this Title;
   2. The proposal is consistent with any development standards applicable to proposed uses by Chapters 3.04 and/or 3.06 of this Title;
   3. Adequate provision is made for the public health, safety, and general welfare, for open spaces, drainage ways, streets, roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, sites for schools and school grounds, fire protection and other public facilities;
   4. The binding site plan is consistent with all applicable County requirements, including but not limited to road, right-of-way, drainage and other public works standards and requirements, shoreline requirements, protection of critical areas, mitigation of environmental impacts, and construction codes.

3.20.050 Essential Public Facilities.
A. The Hearing Examiner and the Board will consider the following criteria in reviewing applications for essential public facilities, and may only approve an application if the applicant demonstrates that the proposal meets all of the criteria:
   1. The proposal is consistent with the goals and policies of the Comprehensive Plan, any adopted Subarea Plan and applicable provisions of the County Code;
   2. The applicant has conducted a site selection process that has evaluated alternative sites within the county or the region;
   3. Appropriate public participation in the siting decision has occurred consistent with state law, and reasonable mitigation measures have been developed that are appropriate in light of the project’s scope, applicable requirements of the County Code, and state and federal law;
   4. The project site meets the facility’s minimum site requirements, including setbacks, access, support facilities, public services, topography, geology, and on-site mitigation needs;
5. The proposal incorporates specific features to ensure that it responds to the existing or intended character, appearance, quality of development, and physical characteristics of the site and surrounding property; and
6. The proposal, as reasonably mitigated or conditioned, adequately addresses impacts to life, property, the environment, public health and safety, transportation systems, economic development, displaced or affected businesses, and other identified impacts where appropriate.

B. Essential public facilities must also satisfy the criteria in 3.20.010 for a conditional use permit.
C. Where an application for an EPF requires an Administrative Conditional Use Permit or a Conditional Use Permit, the criteria in 3.20.050 should be used for approval or denial of that permit.

3.20.060 Development Agreements.
A. Stevens County may enter into development agreements with property owners as authorized by RCW 36.70B.170 et seq. Development agreements are intended to be used to address and establish development standards, mitigation requirements, vesting provisions and review procedures that will apply to and govern large, complex and/or phased development proposals located within the County during the term of any agreement.
B. Any development agreement shall be consistent with applicable County development regulations except as such regulations may be modified in the development agreement. For purposes of this Chapter, “development standards” include but are not limited to:
   1. Project elements such as uses, densities and intensities of land uses and buildings;
   2. Mitigation measures, conditions and other requirements identified pursuant to RCW 43.21C;
   3. Design standards such as maximum heights, setbacks, landscaping and other development features;
   4. Road and sidewalk standards;
   5. Affordable housing;
   6. Water, sewer, storm drainage, water quality, and other infrastructure and utility requirements;
   7. Parks and open space preservation, water quality, and recreation facilities;
   8. Phasing of development and construction;
   9. Development review processes, procedures and standards for implementing decisions, including methods of reimbursement to the County for review processes;
   10. A build-out or vesting period for applicable development standards;
   11. A process for amending the development agreement; and
   12. Any other appropriate development requirement or procedure.
C. During the term specified in the development agreement, a development permit or approval issued by the County shall be consistent with the standards in such agreement. The standards contained in the development agreement shall govern during the term of the agreement and may not be subject to an amendment of County development standards or regulations adopted after the effective date of the development agreement. Provided, that the development agreement shall reserve to the County the authority to impose new or different regulations to the extent required by a serious threat to public health and safety.
D. A development agreement shall be recorded with the real property documents of Stevens County. During the term of the agreement, it shall be binding on the parties and their successors, including a city that assumes jurisdiction through incorporation or annexation of the area or
property subject to the development agreement. Unless terminated, the agreement shall be enforceable by a party to the agreement.

E. A development agreement shall be reviewed and adopted following a public hearing pursuant to the procedures and requirements set forth in SCC 3.30.070.
PART III PROCEDURES & NOTICE

3.30 PROCEDURES, NOTICE & APPEALS

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3.30.020 Administration
3.30.030 Decision Types
3.30.035 Decision Types Table
3.30.040 Ministerial Decisions – Type 1
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3.30.125 Notice Requirements Table
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3.30.010 Purpose.
The purpose of this Chapter is to establish standard procedures, decision criteria, public notification, and timing for development decisions made by Stevens County. These procedures are intended to:
A. Promote timely and informed public participation;
B. Eliminate redundancy in the application, permit review, and appeal processes;
C. Process permits equitably and expeditiously;
D. Balance the needs of permit applicants with neighbors;
E. Ensure that decisions are made consistently and predictably; and
F. Result in development that furthers County goals as set forth in the Comprehensive Plan.
These procedures provide for an integrated and consolidated land use permit process. The procedures integrate the environmental review process with land use procedures, decisions, and consolidated appeal processes.

3.30.020 Administration.
The provisions of this Chapter supersedes all other procedural requirements that may exist in other sections of the County Code. Where conflicts occur between provisions of this Code and/or other County regulations, Title 3 shall apply.
### 3.30.030 Decision Types.
There are five types of decisions, actions, or permit applications that are reviewed under the provisions of this Title. The types are based on who makes the decision, the amount of discretion exercised by the decision making body, the level of impact associated with the decision, the amount and type of public input sought, and the type of appeal opportunity. This Chapter sets forth procedural requirements for applications, decisions, and appeals. Decision criteria and additional standards for specific permit types and for GMA legislative decisions are set forth in Chapters 3.04 through 3.07 and 3.20 through 3.30. These decision types are summarized below.

### 3.30.035 Decision Types Table

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<thead>
<tr>
<th>Decision Type</th>
<th>Decision Maker</th>
<th>Types of Permits</th>
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<td>Type 1 – Ministerial</td>
<td>Director</td>
<td>Critical Area Minor Expansion</td>
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<tr>
<td></td>
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<td>Boundary Line Adjustment</td>
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<td>Buffer Averaging*</td>
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<td>Building Permit</td>
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<td>Temporary Use Permit</td>
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<td>Use Approval*</td>
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<td>Use Interpretation*</td>
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<td>*Denotes Type 2 appeal process</td>
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<td>Binding Site Plan</td>
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<td>Critical Area Buffer Reduction, Reasonable Use Exception, and Major Expansion</td>
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<td>Shoreline Variance</td>
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<td>Shoreline Substantial Development Permit</td>
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<td>Short Plat Alteration</td>
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<td>Variance</td>
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<td>Conditional Use Permit</td>
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<td></td>
<td>Preliminary Subdivision</td>
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<tr>
<td></td>
<td></td>
<td>Shoreline Conditional Use</td>
</tr>
</tbody>
</table>
Decision Type | Decision Maker | Types of Permits
--- | --- | ---
Type 4 – Quasi-Judicial | Hearing Examiner/Board of County Commissioners | Development Agreements
Essential Public Facility Applications
Fully Contained Community
Habitat & Species of Local Importance Nomination
Master Planned Resort
Major Industrial Development
Rezones (site specific)

Type 5 – Legislative | Board of County Commissioners | Area-wide rezones
Comprehensive Plan Amendments (text or map)
Land Use Code Text Amendments
Subarea Plan Adoption or Amendment

### 3.30.040 Ministerial Decisions – Type 1.
Type 1 decisions are based on compliance with specific, nondiscretionary and/or technical standards that are clearly enumerated in the Stevens County Code. These decisions are made by the Director and are exempt from notice requirements. Type 1 decisions are final actions. There is no administrative appeal opportunity but these decisions may be appealed to the court except for those denoted in by an * in 3.30.035. Those permit approvals may be appealed pursuant to the Type 2 appeal process denoted in SCC 3.30.200 and 210.
A. The following decisions, actions and permit applications require a Type 1 decision:
   1. Critical Area Minor Expansion
   2. Boundary Line Adjustment
   3. Buffer Averaging*
   4. Building Permit
   5. Final Short Subdivision
   6. Final Subdivision
   7. Flood Hazard Permit*
   8. Preliminary Short Subdivision*
   9. Shoreline Exemption*
   10. Site Analysis Application*
   11. Site Analysis Application – Minor Amendment*
   12. Temporary Use Permit
   13. Use Approval*
   14. Use Interpretation*
   15. Waiver from Forest Practice Moratorium

### 3.30.050 Administrative Decisions – Type 2.
A. The Director makes Type 2 decisions based on standards and clearly identified criteria. Type 2 decisions require written documentation that the proposal meets all applicable County standards or is appropriately conditioned to meet the requirements. The documentation may be in the form of a checklist, letter, staff report, or combination of forms, reports and checklists.
B. Type 2 decisions require public notice as set forth in Sections 3.30.120 and 3.30.125.
C. All Type 2 decisions are subject to an administrative appeal to the Stevens County Hearing Examiner unless specifically modified or excluded pursuant to this Section.
D. Shoreline substantial development permits and shoreline variances shall be appealable to the State Shorelines Hearings Board.
E. Administrative appeals of SEPA threshold Determinations of Significance (DS) are not allowed.
F. Administrative appeals of the adequacy of an environmental impact statement are not allowed.
G. Appeal of a SEPA decision associated with a Type 5 legislative action is allowed only in conjunction with appeal of the decision to the Growth Management Hearings Board.
H. The following decisions, actions and permit applications require a Type 2 decision:
   1. Administrative Adjustment (SMP)
   2. Administrative Conditional Use
   3. Binding Site Plan
   4. Critical Area Buffer Reduction, Reasonable Use Exception, and Major Expansion
   5. Formal Code Interpretation
   6. Lift from Forest Practice Moratorium
   7. SEPA Threshold Determination
   8. Shoreline Variance
   9. Shoreline Substantial Development Permit
  10. Variance

A. Type 3 decisions are made by the Hearing Examiner following an open record public hearing and involve the use of discretionary judgment in the review of each specific application.
B. Type 3 decisions require public notice as set forth in Sections 3.30.120 and 3.30.125.
C. For each Type 3 decision, the Department will forward a recommendation to the Hearing Examiner regarding whether the proposal is consistent with applicable County regulations and policies and whether the proposal should be approved, approved with modifications or conditions, or denied. The Examiner will issue a written decision including findings, conclusions, and conditions, if any.
D. The Department may require an applicant to participate in a public meeting to provide information and take public comment before the Department forwards a recommendation to the Hearing Examiner.
E. Any administrative appeal of a SEPA threshold Determination of Non Significance (DNS) or other Type 2 decisions shall be consolidated with the open record public hearing on the Type 3 proposal.
F. A Type 3 decision may be appealed to the Board of County Commissioners except that a Type 3 decision on a shoreline application is appealable to the State Shorelines Hearings Board. (See also 3.30.130 regarding consolidated permit processing and appeals).
G. The following decisions, actions, and permit applications require a Type 3 decision:
   1. Conditional Use Permit
   2. Plat Alteration or Vacation
   3. Preliminary Subdivision
   4. Shoreline Conditional Use
A. Type 4 decisions are made by the Board of County Commissioners following a closed record hearing based on a recommendation from the County Hearing Examiner. Type 4 decisions proceed in the same way as Type 3 decisions, except that:
The Hearing Examiner makes a recommendation to the Board rather than making a decision. The Board holds a closed record hearing to consider the recommendation from the Hearing Examiner. Testimony at the closed record hearing may be accepted by the Board, but is limited to discussion about the recommendation from the Hearing Examiner. All argument and discussion must be based on the factual record developed at the Hearing Examiner hearing.
The Board will decide the application by motion and will adopt formal findings and conclusions approving, denying, or modifying the proposal.
Appeal of the Board decision is to Superior Court. There is no administrative appeal.
B. Type 4 decisions require public notice as set forth in Sections 3.30.120 and 3.30.125.
C. The following decisions, actions and permit applications require a Type 4 decision:
   1. Development Agreements
   2. Essential Public Facility applications
   3. Fully Contained Community
   4. Habitat & Species of Local Importance Nominations
   5. Master Planned Resort
   6. Major Industrial Development
   7. Rezones (site specific)

3.30.080 Legislative Decisions – Type 5.
A. Type 5 decisions are legislative, non-project decisions made by the Board under its authority to establish substantive policies and regulations pursuant to the Growth Management Act. Type 5 decisions do not include legislation of a procedural nature such as the adoption of fee ordinances or technical issues such as adoption of building codes, engineering standards and related matters.
B. Type 5 decisions require public notice as set forth in Section 3.30.120C and 3.30.125, a public hearing before the Planning Commission and broad public outreach prior to a decision by the Board.
C. There is no administrative appeal of Type 5 decisions, but they may be appealed to the State Growth Management Hearings Board.
D. The following actions require a Type 5 decision:
   1. Area-wide Rezones
   2. Comprehensive Plan Amendments (text or map)
   3. Land use Code Text Amendments
   4. Subarea Plan adoption or amendment
E. Additional procedures and requirements for Type 5 decisions are contained in Chapter 3.31 of this Title.

3.30.100 Application.
A. Who may apply:
The property owner or an agent of the owner with authorized proof of agency may apply for a Type 1, 2, 3, or 4 decision, or for a site-specific Comprehensive Plan amendment.
The Board or the Director may initiate a site-specific rezone (a Type 4 decision), an area-wide rezone (a Type 5 decision), a Comprehensive Plan Amendment, a Subarea planning process, or an amendment to the text of the Land Use Code.
Any person may propose a text amendment to the Comprehensive Plan or request that the Board or Director initiate Subarea Planning, an area-wide rezone, or amendments to the text of the Land Use Code.

B. All applications for Type 1, 2, 3, 4, or 5 decisions, actions, or permits shall be submitted on official forms or as prescribed and provided by the Department.

C. The Department shall establish and may revise submittal requirements for each type of application.

1. The requirements shall be made available to the public in a form that clearly explains what material must be submitted for an application to be considered complete, including type, size, detail, and number of copies for each item.
2. Requirements for related permits or environmental review under SEPA shall also be provided when applicable.
3. Submittal requirements may be waived by the Director, in writing, only if the applicant can demonstrate that normally required information is not relevant to the proposed action and is not required to show that an application complies with applicable County codes and regulations.

D. For project permit applications, the submittal requirements established by the Director shall include a target turnaround period for initial review and an estimate of average turnaround times for permit issuance. Such time periods shall be established administratively and included in application submittal requirements available to the public, but shall not exceed the requirements of this Chapter and RCW 36.70B.

E. An application shall be determined to be abandoned two years after the date of submittal, unless such application has been pursued in good faith. The Director may grant one or more extensions of time for additional periods not exceeding 180 days. The extension shall be requested in writing and justifiable cause demonstrated. This provision shall not apply to final short subdivisions, final subdivisions, or building permits.

3.30.110 Determination of Completeness.
A. An application for a Type 1, 2, 3, 4, or 5 decision shall be determined complete when all information required in the applicable submittal requirements has been provided in a manner sufficient for processing the application. Additional information may be required by the County even though an application has been determined to be complete for processing.
B. The County may, at its discretion and at the applicant’s expense, retain a qualified professional to review and confirm the applicant’s reports, studies and plans.
C. If an application is incomplete, the County will mail or email written notification to an applicant of what information or material must be submitted to make the application complete. Notice that an application is not complete shall be mailed or emailed within 28 days of receiving the application.
D. The County may choose to notify an applicant by mail, telephone or email that an application is complete. If the County does not notify the applicant of completeness or incompleteness within 28 days of submitting the application, the application shall be considered complete on the 29th day.

3.30.120 Public Notice of Application – Type 2, 3, and 4 applications
A. Within 14 days of the Determination of Completeness, the County shall issue a Notice of Application for all Type 2, 3, and 4 applications.
B. The Notice of Application for Type 2, 3, and 4 applications shall include the following information:

1. The date of application, determination of completeness, and the date of the notice of application;
2. The location and description of the project;
3. A list of project permits included in the application and identification of other required permits, to the extent known by the Department;
4. The identification of existing environmental documents that evaluate the proposal and the location where the application and any other relevant materials can be reviewed;
5. The date, time, and place of an open record hearing, if one is required and has been scheduled;
6. The name of the applicant or project contact and the name of the County staff person assigned to the project, along with County staff contact information;
7. A statement of the public comment period, not less than 14 days nor more than 30, except for shoreline substantial development, shoreline variance, or shoreline conditional use permit applications, which shall have a 30-day comment period for notice of application;
8. A statement of the rights of individuals to comment on the application, receive notice, participate in any hearings, request a copy of the decision (once made) and a summary of any appeal rights; and
9. Any other information the County determines to be appropriate.

C. The notice of application shall be made available to the public by one or more of the following methods, as specified for each permit application type in Table 3.30.125:

1. Mail. Mailing to owners of real property located within 300 feet of the subject property. If the owner of the property that is the subject of the application owns other real property adjacent to the subject property, then the 300-foot measurement shall be taken from the boundary of any such adjacently located parcels;
2. Publish. Publishing in the official county newspaper of record once a week for two consecutive weeks.
3. Post. Posting the property with a sign or placard as required by the Department.
4. Online. Publishing or posting on the Land Services Department website a notice of the application. If the online method is used, the Department will establish a specific calendar for online publishing.
5. Other. Other methods of notice may include press releases, notices to community newspapers, notifying public or private groups known to have an interest in an area or certain type of proposal.

### 3.30.125 Notice Requirements Table.

A. Notice shall be provided using the following methods:

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<thead>
<tr>
<th>Application</th>
<th>Process Type</th>
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<th>Publish</th>
<th>Post</th>
<th>Online</th>
<th>Other</th>
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<td>Administrative Adjustment (SMP)</td>
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<td>Fully Contained Community</td>
<td>Type 4</td>
<td>x</td>
<td>x</td>
<td>x</td>
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<td>x</td>
</tr>
<tr>
<td>Habitat &amp; Species of Local Importance Nominations</td>
<td>Type 4</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>Major Industrial Development</td>
<td>Type 4</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>Master Plan Resort</td>
<td>Type 4</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>Rezone (site specific)</td>
<td>Type 4</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Area-wide Rezone</td>
<td>Type 5</td>
<td>x</td>
<td>x</td>
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<td>x</td>
</tr>
<tr>
<td>Comprehensive Plan Amendment (map)</td>
<td>Type 5</td>
<td>x</td>
<td>x</td>
<td>x(1)</td>
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<tr>
<td>Comprehensive Plan Amendment (text)</td>
<td>Type 5</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>x</td>
</tr>
<tr>
<td>Land Use Code Text Amendment</td>
<td>Type 5</td>
<td>x</td>
<td>x</td>
<td></td>
<td></td>
<td>x</td>
</tr>
<tr>
<td>Subarea Plan</td>
<td>Type 5</td>
<td>x</td>
<td>x</td>
<td></td>
<td></td>
<td>x</td>
</tr>
</tbody>
</table>

1. For site-specific amendments only.

3.30.130 Consolidated Permit Process.
A. If a project requires more than one type of land use application, the applications shall be processed concurrently unless the applicant demonstrates that separate processing will result in a more efficient or effective review process. The Director may, however, require consolidated
processing when concerns exist about cumulative impacts, inappropriate piecemealing of the project, or when decision makers need clarity about later phases of a final development proposal. 

B. Type 5 applications may not be consolidated with related project permit applications.

C. Consolidation of review processes shall modify decision making authority and appeal procedures only as follows:

When review of a Type 1 application is consolidated with a Type 2 or higher application, no change in decision making or appeal processes will occur. The effective date of the Type 1 decision shall be no sooner than the date of final County action on the related Type 2 or higher application.

When a Type 2 application is consolidated with a Type 3 or Type 4 application, no change in decision making or appeal processes will occur, except that shoreline applications (variance or substantial development permits) shall be decided by the higher level decision maker. Appeals of Type 2 decisions shall be consolidated into the required open record public hearing for the Type 3 or Type 4 decision.

When a Type 3 application is consolidated with a Type 4 application, the Type 3 decision shall be made as part of the Type 4 application.

3.30.150 Public Notice of Decision Type 2, 3, 4 applications

A. Each Type 2, 3, 4 decision shall be made in writing. The form of a Type 2 decision may be a checklist, annotated checklist, letter, report, memo, or combination of forms. Type 3 or 4, decisions shall include findings and conclusions in support of the decision.

B. Notice of each Type 2, 3, 4 decision shall be mailed to:
- the applicant and applicant’s contact person;
- each person who submitted a substantive comment on the proposal during the public comment period;
- each person who spoke at any required public hearing; and
- each person who requested notice of the decision.

C. Notice of a decision shall include a description of how to appeal the decision.

D. Publishing once in the official county newspaper of record.

3.30.160 Notice of Adoption – Type 5 Decisions

A. Each Type 5 decision shall be made in writing. Type 5 decisions shall include findings and conclusions in support of the decision and be adopted by Resolution or Ordinance.

B. Notice of each Type 5 adoption shall be mailed to:
- the applicant and applicant’s contact person (if applicable)
- each person who requested notice of the adoption; and
- required agencies.

C. Notice of adoption shall include a description of how to appeal the decision.

D. Publishing once in the official county newspaper of record.

3.30.180 Notice of Public Hearing

Notice of the time and place of an open record hearing for Type 3, 4, and 5 applications shall be provided by the Department no less than 14 days prior to the hearing, through use of the same methods indicated for Notice of Application. See SCC 3.30.120C and 3.30.125.
3.30.190 Effective Date of Decision.
Type 1 decisions shall be effective on the date the decision is made. Type 2 and 3 decisions shall be effective at the close of the appeal period, or if appealed, on the date of final County action on the appeal. Type 4 decisions are effective on the date final findings and conclusions are adopted by the BOCC. Type 5 decisions are effective on the date of passage of the resolution regarding the application by the BOCC, or on a later date as may be specified in the resolution.

3.30.200 Appeal Structure.
Table 3.30.200 provides a summary of the appeal structure for Type 1-5 applications.

<table>
<thead>
<tr>
<th>Process Type</th>
<th>Decision maker</th>
<th>Appeal to</th>
<th>Further appeal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type 1, (except those denoted with a * in SCC 3.30.035)</td>
<td>Director</td>
<td>Superior Court</td>
<td>n.a.</td>
</tr>
<tr>
<td>Type 2, except shoreline applications</td>
<td>Director</td>
<td>Hearing Examiner</td>
<td>Court</td>
</tr>
<tr>
<td>Type 3, except shoreline applications</td>
<td>Hearing Examiner</td>
<td>BOCC</td>
<td>Court</td>
</tr>
<tr>
<td>Type 4</td>
<td>BOCC</td>
<td>Court</td>
<td>n.a.</td>
</tr>
<tr>
<td>Type 5</td>
<td>BOCC</td>
<td>State Growth Management Hearings Board (GMHB)</td>
<td>Court</td>
</tr>
<tr>
<td>Type 2 Shoreline applications</td>
<td>Director</td>
<td>State Shorelines Hearings Board</td>
<td>Court</td>
</tr>
<tr>
<td>Type 3 Shoreline application</td>
<td>Hearing Examiner</td>
<td>State Shorelines Hearings Board</td>
<td>Court</td>
</tr>
</tbody>
</table>

Note that a consolidated permit process may change the initial decision maker for Type 2 shoreline applications and for Type 3 applications consolidated with Type 4 applications. See SCC 3.30.130.

Table 3.30.200-2 SEPA Appeal Structure

<table>
<thead>
<tr>
<th>SEPA Action</th>
<th>Decision maker</th>
<th>Appeal to</th>
<th>Further Appeal</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Determination of Non-Significance (DNS), Mitigated Determination of Non-significance (MDNS) for:</td>
<td>Director/Responsible Official</td>
<td>Court</td>
<td></td>
</tr>
<tr>
<td>Type 1 decisions</td>
<td>Director/Responsible Official</td>
<td>Court</td>
<td></td>
</tr>
<tr>
<td>Type 2 decisions</td>
<td>Director/Responsible Official</td>
<td>Court</td>
<td>Court</td>
</tr>
<tr>
<td>SEPA Action</td>
<td>Decision maker</td>
<td>Appeal to</td>
<td>Further Appeal</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>---------------------------</td>
<td>-----------------</td>
<td>----------------</td>
</tr>
<tr>
<td>Type 3 decisions</td>
<td>Director/Responsible</td>
<td>Court</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Official</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Type 4 decisions</td>
<td>Director/Responsible</td>
<td>Court</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Official</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Type 5 decisions</td>
<td>Director/Responsible</td>
<td>GMHB</td>
<td>Court</td>
</tr>
<tr>
<td></td>
<td>Official</td>
<td></td>
<td></td>
</tr>
<tr>
<td>B. EIS Adequacy:</td>
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<td>Type 1, 2, 3</td>
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<td>BOCC</td>
<td>GMHB and/or</td>
</tr>
<tr>
<td>decisions</td>
<td></td>
<td></td>
<td>Court</td>
</tr>
</tbody>
</table>

3.30.210 Administrative Appeals.

A. Who May Appeal. Standing to bring a land use petition under this Chapter is limited to the following persons for a Type 2 or Type 3:

1. The applicant and the owner of property to which the land use decision is directed;
2. Another person aggrieved or adversely affected by the land use decision, or who would be aggrieved or adversely affected by a reversal or modification of the land use decision.

A person is aggrieved or adversely affected within the meaning of this section only when all of the following conditions are present:

a. The land use decision has prejudiced or is likely to prejudice that person;
b. That person's asserted interests are among those that the local jurisdiction was required to consider when it made the land use decision;
c. A judgment in favor of that person would substantially eliminate or redress the prejudice to that person caused or likely to be caused by the land use decision; and
d. The petitioner has exhausted his or her administrative remedies to the extent required by law.

B. Time and Place to Appeal. Appeals of a Type 2 or 3 decision shall be addressed to the Hearing Examiner and filed in writing with the Department within 14 calendar days of the issuance of the Notice of Decision, except for shoreline appeals and appeals associated with a SEPA comment DNS.

C. Shoreline Appeals. Appeals of a shoreline substantial development permit, shoreline conditional use permit, or shoreline variance decision shall be filed with the State Shorelines Hearings Board pursuant to RCW 90.58.180.

D. SEPA Determination of Nonsignificance (DNS) or Mitigated Determination of Nonsignificance (MDNS). When a SEPA DNS or MDNS is issued pursuant to WAC 197-11-340 or 350, appeals of the DNS/MDNS and any associated Type 2 decision shall be filed within 21 days of the Notice of Decision.

E. Fees. Each appeal filed on a non-shoreline decision shall be accompanied by a filing fee in the amount established in the County’s schedule of fees.

F. Form of Appeal. A person appealing a decision must file a written statement setting forth:

1. Facts demonstrating that the person is aggrieved by the decision and that he/she has standing;
2. A concise statement identifying each alleged error and the manner in which the decision fails to satisfy the applicable decision criteria. An appeal of a SEPA environmental document shall describe any alleged inadequacy in the threshold determination with respect to evaluation of a specific environmental element;

3. The specific relief requested; and

4. Any other information reasonably necessary to make a decision on appeal.

G. Limitation on New Appeal Issues. No new substantive appeal issues may be raised or submitted after the close of the time period for filing of the original appeal. The decision maker may allow an appellant not more than 15 days to perfect an otherwise timely filed appeal.

3.30.220 Appeal process.
A. Within 14 calendar days following timely filing of an administrative appeal, the Department shall mail notice of the date, time and place for the appeal hearing to all parties who received notice of the decision.
B. Appeals shall be heard and decided within 90 days from the date the appeal is filed.
C. The hearing shall be limited to the issues included in the written appeal statement. Participation in the appeal shall be limited to the County, the applicant, and those persons or entities which have timely filed complete written appeal statements and paid the appeal fee.
D. The appellant shall carry the burden of proof in the appeal. The burden of proof shall be met by a preponderance of the evidence in order for the appellant to prevail; provided that in any appeal of a SEPA decision, the decision of the Department shall be given substantial weight and may be overturned only if it is clearly erroneous.

3.30.230 Judicial Review.
A. No person may seek judicial review of any decision of the County, unless that person first exhausts the administrative remedies provided by the County.
B. Any judicial appeal shall be filed in accordance with State law. If there is not a statutory time limit for filing a judicial appeal, the appeal shall be filed within 21 calendar days after a final decision is issued by the County.

3.30.240 Dismissals.
The appeal authority may dismiss an appeal in whole or in part without a hearing, if the appeal authority determines that the appeal or application is untimely, beyond the scope of the appeal authority’s jurisdiction, or that the appellant lacks standing.
3.31 TYPE 5 DECISIONS: GMA LEGISLATIVE ACTIONS, PLANNING PROCEDURES & PUBLIC PARTICIPATION

Sections:
3.31.010 Purpose and Applicability
3.31.015 Docketing Process
3.31.020 Sub-area Planning
3.31.025 Board Consideration of Request to Initiate Sub-area Planning
3.31.030 Initiation of Sub-area Planning
3.31.040 GMA Public Participation Processes
3.31.050 Planning Commission consideration of Type 5 Proposals
3.31.060 Board Consideration of Type 5 Proposals
3.31.070 Adoption of Type 5 Proposal as an Emergency Action
3.31.080 Appeals
3.31.090 Cost of Environmental Studies
3.31.100 Violation Not Grounds for Invalidation

3.31.010 Purpose and Applicability.
A. The purpose of this Chapter is:
   1. To establish procedures for persons to propose amendments and revisions to the Comprehensive Plan, Sub-Area Plans, and Land Use Code regulations adopted under the Growth Management Act (GMA); and
   2. To establish procedures for review and decision making on the proposals.
B. This Chapter applies to proposed amendments to:
   1. The goals, objectives, policies, and implementation measures of the Comprehensive Plan;
   2. The Future Land Use Map;
   3. Sub-Area Plans;
   4. The Shoreline Management Master Program;
   5. Any part of the Land Use Code adopted to meet the requirements of the GMA; and
   6. The zoning map, if concurrent with a requested change, to the future land use map of the Comprehensive Plan.
C. This Chapter is intended to supplement the procedural requirements of SCC Chapter 3.30. Nothing in this Chapter shall be construed to limit the legislative authority of the County to consider and adopt amendments and revisions to the Comprehensive Plan and Development Regulations.

3.31.015 Docketing Process.
A. Proposed amendments to the Comprehensive Plan, including the Shoreline Master Program, or GMA development regulations shall be “docketed” for consideration together with other proposed amendments or updates.
B. At least every two years, and no more than once per year, the Board will consider docketed items in an update to the Comprehensive Plan. Time limits for submittal of applications for the docket will be established by the Director. The Board will establish a schedule for review and decision of docketed applications.
   1. Proposed amendments to GMA development regulations may be considered at any
time, but in some cases will be included in the Comprehensive Plan docket process. Docketing together will be strongly considered when an application is dependent on a change to the Comprehensive Plan and Development Regulations.

C. When a sub-area planning process is proposed, the Board will decide whether to proceed with the proposal as set forth in SCC 3.31.020 through 3.31.025.

D. Inclusion of a proposal in a Comprehensive Plan update or sub-area planning process does not indicate the proposal meets the criteria for approval or that the proposal will be approved.

3.31.020 Sub-area Planning.

A. The following information shall be submitted to the Department when a Sub-Area Plan is proposed:

1. A description and map of the general area proposed to be included in the sub-area planning process, and why it is considered a discrete sub-area;
2. A summary of the main outcomes sought to be achieved through development of a sub-area plan;
3. A summary of problems or issues that arise or could arise under current Comprehensive Plan policies and Development Regulations;
4. A statement, to the degree known or anticipated by the applicant, about whether changes to Comprehensive Plan policies, the future land use map, and/or development regulations would be expected as part of the sub-area planning process; and
5. A summary of any community discussion or outreach that may have already occurred regarding the proposal for a sub-area planning process.

B. When a proposal for Sub-Area Planning is received by the Department, the Director shall prepare a report and recommendation to the Planning Commission including the following items:

1. Whether any other proposals for changes to the Comprehensive Plan have been submitted for docket review in the same general area as the proposed Sub-Area Plan;
2. Approximately how many citizens live in or own property in the proposed sub-area planning area;
3. Whether the proposal presents any clear conflicts with the Countywide Planning Policies, the Stevens County Comprehensive Plan or Development Regulations, RCW 36.70A, or other state, federal or local regulations;
4. A response, if required, to any description of problems or issues that arise or could arise under the current Comprehensive Plan and Development Regulations;
5. An overview of environmental and planning issues that would need to be analyzed as part of the sub-area planning process;
6. A summary of current department priorities and workload; and
7. An estimate and discussion of time and staff resources required to conduct the proposed sub-area planning process, how it could be accommodated within existing resources or whether new resources or a change in department priorities would be required to move forward with the proposed Sub-Area Plan.

C. The Department’s report and recommendation to the Planning Commission shall be prepared within 42 calendar days of receipt of the proposal and shall be presented to the Planning Commission at the next regular Planning Commission meeting following the 42-day period.

D. A public hearing on the proposal and the Department’s report and recommendation is not required, but the Planning Commission may take public comment as part of their regular public meeting.
E. The Planning Commission shall forward a recommendation to the Board about whether to, or how to, proceed with the requested sub-area planning process.

3.31.025 Board Consideration of Request to Initiate Sub-Area Planning.
A. Following presentation of the Department’s report and recommendation to the Planning Commission, the BOCC shall schedule a public hearing to consider whether to initiate the requested sub-area planning process.
B. Following the public hearing, the BOCC shall consider the recommendation from the Planning Commission, the report and recommendation from the Department, the written and oral comments received from the public, and any other relevant information related to overall County priorities, funding, and the public interest.
C. The Board may approve or deny the request to initiate sub-area planning, may set the matter for reconsideration at a future date, or may approve the request, with implementation delayed to a future date.
D. If it decides to establish a sub-area planning process, the Board, with the assistance of the Department, will also establish goals and objectives for the Sub-Area Plan.

3.31.030 Initiation of Sub-Area Planning.
A. When the Board decides to initiate a sub-area planning project, the Department shall solicit volunteers to staff a Citizens Advisory Committee (CAC) using the following methods:
   1. The Department shall place an advertisement in a newspaper of general circulation serving the area of the proposed Sub-Area Plan, and shall provide notice on its website.
   2. A mailed notice of the opportunity to volunteer for the CAC shall be sent to each taxpayer of record and known address within the area defined for potential inclusion in the Sub-Area Plan.
   3. The mailed notice shall include a means for members of the public to be placed on a list for future mail or email notice of CAC meetings.
B. The Department shall report back to the Board with a list of potential CAC members within 30 days of sending out the mailed notice.
C. The Board will select members of the CAC to include broad representation from relevant groups that may include landowners, agricultural, forestry, mining and business interests, environmental groups, private community groups, tribal governments, special districts, and other governmental agencies. Generally, from 7 to 15 CAC members will be appointed, but the BOCC may appoint a greater number of CAC members if a broader representation of interests or viewpoints on the committee is desired.
D. The Department shall facilitate meetings of the CAC.
   1. The CAC shall establish operating procedures and ground rules for conduct of its meetings and for decision-making.
   2. With support from the Department, the CAC shall establish a set of goals and priorities and a timeline for accomplishing needed tasks.
   3. The Department shall produce meeting summaries and shall maintain an index of materials prepared by or reviewed by the CAC.
   4. To the degree possible, within limits as may be imposed by other department priorities and fiscal restraints, the Department shall provide information, studies, and assist with drafting of written proposals for the CAC.
5. The CAC may establish subcommittees to address specific issues and meet separately from the CAC; the Department need not facilitate or provide staffing support for CAC subcommittees.

E. Notice of CAC meetings shall be mailed or emailed to all persons who requested to be notified. (See SCC 3.31.030.A.3). Meetings of the CAC shall be posted on the Department’s website and shall be open to the public.

F. At least once before preparing a final recommendation on the proposed Sub-Area Plan, the CAC shall hold an informational open house to explain the proposal and shall take verbal and written comments from the public.

G. Notice of the CAC open house and the opportunity to submit verbal and written comments shall be provided as set forth in SCC 3.31.030.A.1 and 2.

H. When the CAC has concluded work on the proposed Sub-Area Plan, it shall draft a transmittal letter and forward the proposed plan and supporting materials to the Planning Commission.

I. The Planning Commission shall consider a proposed Sub-Area Plan as part of a consolidated docket process; provided that a Sub-Area Plan that does modify Comprehensive Plan policies and designations applicable to the sub-area may be considered at any time; and further provided that if a docket process is not scheduled for the current year, the Sub-Area Plan review may proceed as the “once per year” Comprehensive Plan amendment.

J. Upon formal adoption or other action by the Board, the CAC’s work shall be considered complete and it shall be dissolved.

3.31.040 GMA Public Participation Processes.

A. The Department shall promote public participation in the review and decision-making processes for Type 5 proposals.

B. For each Type 5 proposal or combination of proposals except for Sub-Area Plans, the Department shall consider scheduling at least one public meeting in each Commissioner’s district to take verbal and written comments. The public meetings shall provide a forum for informal information gathering by the public as well as for submitting comments on the proposals.

C. See SCC 3.31.030 for requirements for sub-area planning public participation.

D. Notice of public meetings shall be provided as set forth in SCC Chapter 3.30.

E. The Department shall post all Type 5 proposals on the Department’s website and shall provide a means of accepting emailed comments on the proposals.

F. The Department shall provide the Planning Commission with a written summary of the types of comments received at the public meetings. In doing so, the Department shall highlight areas or issues of special concern raised at the public meetings, places where changes in the proposal have been made based on public comments, and areas or issues where controversy or uncertainty remains.

G. Notwithstanding the foregoing, in adopting legislation in response to a Growth Management Hearings Board decision declaring part or all of a Comprehensive Plan or Development Regulation invalid or out of compliance with RCW 36.70A, the County will provide for such public participation as is appropriate and effective under the circumstances presented by the Hearing Board's order.

3.31.050 Planning Commission Consideration of Type 5 Proposals.

A. For all Type 5 proposals, whether docketed items affecting the Comprehensive Plan, Sub-Area Plan proposals, or changes to adopted development regulations, the Department shall conduct
environmental review and shall prepare a report and recommendation to the Planning Commission. The Department’s report shall include consideration of whether:

1. The proposed amendment and any related proposals maintain consistency with other plan elements or development regulations;
2. All applicable elements of the Comprehensive Plan support the proposed amendment;
3. The proposed amendment more closely meets the goals, objectives and policies of the Comprehensive Plan than any relevant existing plan or code provision;
4. The proposed amendment is consistent with the Countywide Planning Policies;
5. The proposed amendment complies with the Growth Management Act; and
6. 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.

B. When the Department’s report and recommendation has been prepared, and when the broad public participation requirements of SCC 3.31.040 or the relevant sub-area planning requirements of SCC 3.31.030 have been completed, the Department shall schedule the proposal for a public hearing before the Planning Commission.

C. Environmental review may be completed prior to or after the Planning Commission holds a public hearing and forwards a recommendation to the BOCC.

D. Notice of the Planning Commission hearing shall be provided according to Chapter 3.30. Significant or fundamental policy issues and choices presented by the Type 5 proposal(s) shall be described.

E. At the public hearing, the Department shall present the summary of comments received during the public participation outreach conducted pursuant to SCC 3.31.040.

F. Following the public hearing, and after any further workshops or meetings for discussion and deliberation as may be needed, the Planning Commission shall transmit its recommendation to the BOCC.

G. The Planning Commission may recommend the BOCC adopt, or adopt with modifications, a proposal or may recommend denial of the proposal. A vote to recommend adoption of the proposal or adoption with modification must be by a majority vote of the total members of the Planning Commission.

H. If the Planning Commission recommends a modification that results in a proposal not reasonably foreseeable from the notice provided pursuant to Chapter 3.30, the Planning Commission shall conduct a new public hearing on the proposal as modified prior to forwarding the recommendation to the BOCC.

I. Notice of the modified proposal and the new public hearing shall be provided according to the provisions of SCC 3.30. New public participation meetings pursuant to 3.31.040 are not required.

3.31.060 BOCC Consideration of Type 5 Proposals.
A. When the Planning Commission forwards a Type 5 proposal to the Board, the Department shall schedule a study session before the Board of Commissioners to review the proposal and the Planning Commission’s recommendation.
B. The Board may then schedule a public meeting where it may render a decision on the proposal; or
C. The Board may elect to hold and schedule a public hearing to receive public comment on the proposal, may request additional information from the Department, may postpone the matter to a date certain, or may table the matter indefinitely.
D. If the Board decides to schedule a public hearing, notice shall be provided as set forth in SCC 3.30. The Board may, in its discretion, direct that additional methods for providing notice and obtaining public participation be used.
E. At the public hearing, the Board may concurrently consider additional proposals relating to the same subject matter, whether or not considered by the Planning Commission, in accordance with RCW 36.70A.035(2).
F. At the conclusion of the public hearing, the Board may take one of the following actions, or take no action:
   1. Adopt;
   2. Amend and adopt;
   3. Decline to adopt;
   4. Adopt a portion of the proposal;
   5. Remand in whole or in part to the Planning Commission for further consideration;
   6. Adopt such other proposals or modifications of such proposals as were considered by the BOCC at its own hearing; or
   7. Take any other action permitted by law.
G. If after holding a public meeting as described in 3.31.060B, the Board changes the recommendation of the Planning Commission, the BOCC will be required to hold a public hearing as described 3.31.060 C-F.

3.31.070 Adoption of Type 5 Proposal as an Emergency Action.
A. The Board may adopt a Type 5 proposal as an emergency action under RCW 36.70A.130(2)(b) or 36.70A.390. All other provisions of this Chapter shall not apply to the adoption of a Type 5 proposal as an emergency action.
B. Except as provided in SCC 3.31.070(C), the Board may adopt a Type 5 proposal by emergency action only after holding at least one public hearing following public notice as described in SCC 3.31.070(D).
C. The Board may adopt a Type 5 proposal that is a moratorium, interim zoning map, interim zoning ordinance, or interim official control by emergency action without holding a public hearing prior to taking such action if the Board holds a public hearing following public notice as described in SCC 3.31.070(D) within 60 days of adoption and otherwise complies with RCW 36.70A.390.
D. Public notice of the time, date, place, and general purpose of the public hearing on a Type 5 emergency action under this section shall be provided as follows:
   1. Notice shall be given by one publication, at least 10 days before the hearing in the official county newspaper;
   2. Notice shall be posted on the Department’s website; and
   3. The Board may, at its discretion, utilize additional methods for providing notice.
E. An ordinance adopted under this section shall include a statement of the need for emergency action.
F. This section shall not be construed to limit Board authority to enact an emergency ordinance pursuant to other authority for non-Type 5 matters.

3.31.080 Appeals.
A Type 5 action of the Board is a final decision, but may be reviewable by filing a petition for review with the Growth Management Hearings Board in accordance with RCW 36.70A.290, except as otherwise provided by law.
3.31.090 Cost of Environmental Studies.
Any person with a proposal on the docket shall pay the cost of environmental review and studies under SEPA for proposed amendments with probable significant adverse environmental impacts that have not been previously analyzed. The person may contribute to the cost of other studies required by existing plan policies or development regulations in order to facilitate the preparation of these studies in a timely manner. The person may, at his or her own expense and to the extent determined appropriate by the responsible official, provide additional studies or other information.

3.31.100 Violation Not Grounds for Invalidation.
Violation of this Chapter shall not constitute grounds for invalidation of any Comprehensive Plan amendment, implementing development regulation, or other legislation.
3.32 HEARING EXAMINER SYSTEM

Sections:
3.32.010 Purpose
3.32.020 Hearing Examiner
3.32.030 Appointment of Examiner
3.32.040 Examiner—Qualifications
3.32.060 Examiner—Conflict of interest
3.32.070 Examiner—Authority and duties
3.32.080 Report by the Department of Land Services
3.32.090 Public hearing
3.32.100 Examiner’s decision and recommendation—Findings required
3.32.110 Multiple applications
3.32.120 Appeal of Examiner’s decision

3.32.010 Purpose.
The purpose of this Chapter is to provide an administrative land use review system which will ensure the principles of fairness and due process in public hearings and provide an efficient and effective system.

3.32.020 Hearing Examiner.
The Office of the Hearing Examiner, herein referred to as “Examiner,” is created by the Board of County Commissioners.

3.32.030 Appointment of Examiner.
The Examiner shall be appointed by and serve at the pleasure of the Board of County Commissioners. This position will be a contracted position, reimbursement for which will be prescribed by the contract between the Board of County Commissioners and the Examiner.

3.32.040 Examiner—Qualifications.
The Examiner must be appointed solely with regard to qualifications for the duties of such office. The Examiner must be an attorney licensed to practice in the State of Washington and must have training and land use experience as will qualify the Examiner to conduct Quasi-Judicial land use hearings.

3.32.060 Examiner—Conflict of interest.
A. The Examiner shall not conduct or participate in any hearing or decision in which the Examiner or any of the following persons has a direct or substantial financial interest:
   1. The Examiner’s spouse, brother, sister, child, parent, in-laws, partner; any business in which the Examiner is then serving or has served within the previous two years; or
   2. Any business with which such Examiner is negotiating for or has an arrangement or understanding concerning possible partnership or employment. Any actual or potential interest shall be disclosed prior to such decision or hearing.
B. Participants in the process have the right, insofar as possible, to have the Examiner, free from personal interest or prehearing contacts on land use matters to be considered. It is recognized that the public has right to free access to public officials on any matter. Therefore, the Examiner shall reveal any substantial interest at the commencement of such proceeding. In addition, the Examiner shall disclose any ex parte contact or communications with any interested person, or person acting on their behalf, regarding the subject matter of the proceeding at the first opportunity following such contact.

C. Immediately after the announcement of any interest or ex parte contact, any party who objects to the Examiner’s participation based on the interest or ex parte contact shall state the objection and any reasons supporting the objection. If said announcement is made in writing a party shall respond in the time allowed. The failure to state a timely objection shall be deemed to be a waiver and no objection to the Examiner shall be raised at any subsequent time.

D. The Examiner upon hearing an objection, shall personally decide whether the interest or contact will impair his or her ability to be fair and impartial, and shall hear the case or abstain accordingly.

E. No County Commissioner, County Official, or any other person shall interfere with or attempt to influence the Examiner in the performance of their designated duties; provided, that a County Official or employee may, in the performance of his or her own official duties, provide information for the Examiner or process a County case before the Examiner, when such actions take place or are disclosed in the Examiner’s hearing or meeting.

3.32.070 Examiner—Authority and duties.
A. Pursuant to SCC Section 3.30 the Examiner shall receive and examine available relevant information, including environmental documents, conduct public hearings, cause preparation of a record thereof, prepare and enter findings and conclusions for:

1. Conditional Use Permit;
2. Plat Alteration or Vacation;
3. Preliminary Subdivision;
4. Appeals of administrative decisions Pursuant to SCC 3.30.200-1;
5. Any other matters as specifically assigned to the Examiner by the Board of County Commissioners or as prescribed by Stevens County Code.

B. The decision of the Examiner on all matters is final and conclusive, unless appealed pursuant to SCC Section 3.30.200-1.

C. Consistent with applicable law, the Examiner’s decision shall be consistent with the policies of the Stevens County Comprehensive Plan and standards set forth in SCC Title 3, or other applicable County Development Regulations. When acting upon any of the above applications or appeals, the Examiner may attach reasonable conditions found necessary to make the project compatible with its location and to carry out the goals and policies of Comprehensive Plan or other applicable plans or programs adopted by the Board of County Commissioners.

3.32.080 Report by the Department of Land Services.
When an application has been scheduled for a public hearing, the Department of Land Services, herein referred to as “Department,” shall coordinate and assemble the comments and
recommendations of other County Departments and governmental agencies having an interest in the application. The Department shall prepare a report summarizing the factors involved and the findings and recommendations of the Department. At least ten days prior to the scheduled hearing, the report shall be filed with the Examiner and copies thereof shall be mailed to the applicant and shall be made available to any interested party that inquires.

3.32.090 Public hearing.
A. Before rendering a decision on any application, the Examiner shall hold at least one public hearing thereon. Notice of the time and place of the public hearing shall be given as provided in SCC 3.30.125.

B. The Examiner shall have the power to prescribe rules and regulations for the conduct of hearings before the Examiner, and also to administer oaths and to preserve order.

3.32.100 Examiner’s decision and recommendation—Findings required.
A. When the Examiner renders a decision or recommendation, the Examiner shall make and enter findings from the record and conclusions thereof, which support such decision, and the findings and conclusions shall set forth and demonstrate the manner in which the decision or recommendation carries out and helps to implement the goals and policies of the comprehensive plan and the standards set forth in SCC, Title 3 Development Regulations.

B. Unless the Examiner directs otherwise, the public record will close at the conclusion of the public hearing. Except however, documents reflecting ministerial functions (such as the Examiner’s decision and evidence of required notice) may be added following closure of the public record. All decisions of the Examiner shall be rendered within ten working days after the date the public record closes, unless a longer period is mutually agreed to by the applicant and the Hearing Examiner.

C. Upon issuance of the Examiner’s decision, the Department shall transmit a copy of the decision pursuant to SCC Section 3.30.150.

3.32.110 Multiple applications.
The Examiner may consider two or more applications relating to a single project concurrently, and the findings of fact, conclusions and decision on each application may be covered in one written decision.

3.32.120 Appeal of Examiner’s decision.
The Examiner’s decision shall be final, subject to appeal pursuant to SCC Section 3.30.200-1.

(New Chapter 1/22/2019, Ordinance #2019-02)
PART IV - ENFORCEMENT

3.40 Enforcement

Sections:
3.40.010 Authority
3.40.020 Violations
3.40.030 Permit Suspension, Revocation or Modification
3.40.040 Initiation of Revocation or Modification Proceedings
3.40.050 Voluntary Correction Assurance of Discontinuance
3.40.060 Declaration of Public Nuisance
3.40.070 Notice of Violation Process
3.40.080 Service of a Notice of Violation
3.40.090 Enforcement Action in District Court

3.40.010 Authority.
The Director is authorized to enforce the provisions of this Title, including any implementing rules, and any conditions attached to any land use approval. The Department may use all means of enforcement available for violations of this Chapter and this Title.

3.40.020 Violations.
Structures or uses which do not conform to the requirements of this Title, except for legal non-conformances specified in 3.06.060, are violations subject to the enforcement, penalty and abatement provisions of SCC 3.40. Violations include but are not limited to:
A. Establishing a use not permitted in the zone in which it is located;
B. Constructing, expanding or placing a structure in violation of setback, height or other dimensional standards of this Title;
C. Establishing a permitted use without complying with applicable development standards set forth in other Chapters of SCC, ordinances, rules or other laws;
D. Failing to carry out or observe conditions of land use permit approval;
E. Failing to secure required land use or permit approval prior to establishing a permitted use; and
F. Failing to maintain site improvements, such as landscaping, parking or drainage control, as required by this code.

3.40.030 Permit Suspension, Revocation or Modification.
A. Any permit, variance or other land use approval issued by Stevens County pursuant to this Title may be suspended, revoked or modified on one or more of the following grounds:
   1. The approval was obtained by fraud;
   2. The approval was based on inadequate or inaccurate information;
   3. The approval, when given, conflicted with applicable existing laws or regulations;
   4. An error of procedure occurred which prevented consideration of the interests of persons directly affected by the approval;
   5. The approval or permit granted is being exercised contrary to the terms or conditions of such approval or in violation of any statute, law or regulation;
   6. The use for which the approval was granted is being exercised in a manner detrimental to the public health, safety, or welfare; or
7. The holder of the permit or approval fails to comply with any notice and order issued pursuant to SCC 3.40.

3.40.040 Initiation of Revocation or Modification Proceedings.
Proceedings to suspend or revoke a permit or land use approval may be initiated as follows:
A. The Director may suspend any permit or land use approval pending its revocation or modification.
B. An issuing agency may initiate proceedings to revoke or modify any permit or land use approval it has issued.
C. Persons who are aggrieved may petition the issuing agency to initiate revocation or modification proceedings, and may petition the Director to suspend a permit, variance or land use approval pending a public hearing on its revocation or modification.

3.40.050 Voluntary Correction Assurance of Discontinuance.
A. The Director may pursue voluntary correction of any violation. Voluntary correction shall involve an agreement with the person(s) responsible for the violation to abate and correct the violation. The agreement shall include:
   1. Name and address of the person(s) responsible for the violations;
   2. Tax Parcel Number and site address of parcel where the violation is taking place;
   3. A statement of each violation, including the code provision, permit condition, regulation or rule violated, and the date each violation occurred;
   4. The corrective action required, including any permits that must be obtained, and a date and time by which the corrective action must be completed.
   5. Agreement by the person(s) responsible that the County may abate the violation and recover its cost and expenses if the terms of the voluntary correction agreement are not fulfilled; and
   6. A waiver by the person(s) responsible of any right of administrative appeal of the violation or the agreed upon corrective action; and
B. In the enforcement of this Title, the prosecuting attorney may accept an assurance of discontinuance of any act or practice deemed in violation of this Chapter from any person engaging in, or who has engaged in, such act or practice. Any such assurance shall be in writing and be filed with and subject to the approval of the Superior Court for Stevens County. The violation of such assurance shall constitute prima facie proof of a violation of this Chapter.

3.40.060 Declaration of Public Nuisance.
All violations of this Title are determined to be detrimental to the public health, safety and welfare.

3.40.070 Notice of Violation Process.
A. Whenever a condition, development or activity is found by the Director to be in violation of this Title, the Director may order the activity or any work on a development stopped, or may order that the condition be remediated, by serving written notice on any person causing or responsible for the activity, development or condition. In cases where the person responsible is not the property owner, the property owner shall also be included. The notice shall be in the form of a “Notice of Violation” which shall include:
1. A description of the condition, development or activity that is in violation of this Title;
2. A citation to the code section or sections being violated;
3. A statement of the action required to cure or correct the violation;
4. A date by which the corrective action shall be completed or by which a work plan or permit application shall be submitted. Any work plan or permit application shall include a schedule showing when the corrective work will begin and be completed;
5. A statement that a violation of any provisions of this Title shall constitute a misdemeanor punishable by law;
6. A statement that any person cited in the Notice of Violation may request review by the Administrator within 14 days from receipt of the notice.

B. If a person requests review by the Director, the Director shall determine a time and place for a meeting to be held within 14 days of receipt of the request. At the meeting with the Director, the person cited in the Notice of Violation may bring qualified professionals or any person familiar with the activity, development, or condition to speak about compliance, scheduling, and questions related to interpretation of the relevant code sections. The Director may invite other county or agency personnel in order to fully understand the issues and develop reasonable solutions.

C. Following the review meeting, the Director shall send a written communication to all parties who were present at the meeting and any other person cited on the notice of violation. The communication shall:

1. Affirm the Notice of Violation as written;
2. Modify the Notice of Violation;
3. Withdraw the Notice of Violation; or
4. Modify the Notice of Violation to include an agreement regarding steps that will be taken to bring an activity, development, or condition into compliance with this Title. In this case, the Director shall include two copies of the communication and the person agreeing shall sign and date and return one to the Director. In any case where the property owner is not the person responsible, copies of any proposed agreement and any signed agreement shall be forwarded to the property owner.

3.40.080 Service of a Notice of Violation.
A Notice of Violation shall be served upon the person(s) or entity to whom it is directed either personally, or in the manner provided for personal service of notices or summons in Stevens County District Court, or by mailing a copy of the Notice of Violation by certified mail, postage prepaid, return receipt requested, to such person or entity at the address as listed in the records of the Stevens County Assessor or Treasurer. In case of immediate hazards, service shall be by personal service with proof of service by written declaration or affidavit.

3.40.090 Enforcement Action in District Court.
A. If the Director determines that all reasonable efforts to achieve voluntary compliance through agreement with a person cited or through referrals to other agencies with jurisdiction have failed, the Director may refer the violation to the Stevens County Prosecuting Attorney for enforcement action in Stevens County District Court.

B. In cases where a person has been cited more than once for the same violation, the Director may choose to refer the violation immediately to the Stevens County Prosecuting Attorney for enforcement action in Stevens County District or Superior Court.
3.50 Sub-Area Regulations RESERVED
3.60-3.79 RESERVED
PART V - PROCEDURAL & TECHNICAL CODES

3.80 – State Environmental Policy Act (SEPA)

Sections:
Article I. General Provisions—Initiation of Process
3.80.010 Authority
3.80.020 Purpose and adoptions by reference
3.80.030 Definitions
3.80.040 Designation of responsible official
3.08.050 Lead Agency Determination and Responsibilities
3.80.060 Additional timing considerations
3.80.070 Agency compliance
3.80.080 Fees
3.80.090 Forms
Article II. Categorical Exemptions and Threshold Determination
3.80.100 Purpose and adoptions by reference
3.80.110 Flexible thresholds for categorical determinations
3.80.120 Use of exemptions
3.80.125 Categorical exemptions—General
3.80.130 Environmental checklist
3.80.140 Mitigated DNS
Article III. EIS Preparation
3.80.150 Purpose and adoptions by reference
3.80.160 Who shall prepare
3.80.180 Using existing documents
Article IV. Commenting
3.80.190 Purpose and adoptions by reference
3.80.200 Public notice
3.80.210 Responsibility for consulted agency duties
Article V. Decisions
3.80.220 Purpose and adoptions by reference
3.80.240 Conditions
3.80.250 Denials
3.80.270 Appeals
3.80.280 Notice of actions—Statute of limitations

3.80.010 Authority.
The County adopts the ordinance codified in this Chapter under the State Environmental Policy Act (SEPA), RCW 43.21C.120, and the SEPA rules, WAC 197-11-904. This Chapter contains the county’s SEPA procedures and policies. The SEPA rules, WAC Chapter 197-11, must be used in conjunction with this Chapter.

3.80.020 Purpose and adoptions by reference.
This article contains the basic requirements that apply to the SEPA process. The county adopts the following sections of WAC Chapter 197-11 by reference as currently adopted or amended:
197-11-040 Definitions.

197-11-050 Lead Agency.

197-11-060 Content of Environmental review.

197-11-070 Limitations on actions during SEPA process.

197-11-080 Incomplete or unavailable information.

197-11-090 Supporting documents.

197-11-100 Information required of applicants.

197-11-158 GMA project review-reliance on existing plans and regulations.

197-11-210 SEPA/GMA integration.

197-11-220 SEPA/GMA definitions.

197-11-228 Overall SEPA/GMA integration procedures.

197-11-230 Timing of an integrated GMA/SEPA process.

197-11-232 SEPA/GMA integration procedures for preliminary planning, environmental analysis, and expanded scoping.

197-11-235 Documents.

197-11-238 Monitoring.

197-11-250 SEPA/Model Toxics Control Act integration.

197-11-253 SEPA lead agency for MTCA actions.

197-11-256 Preliminary evaluation.

197-11-259 Determination of Nonsignificance for MTCA remedial actions.

197-11-262 Determination of significance and EIS for MTCA remedial actions.

197-11-265 Early scoping for MTCA remedial actions.

197-11-268 MTCA interim actions.

3.80.030 Definitions.

A. Adopted by Reference. This subsection contains uniform usage and definitions of terms under SEPA. The county adopts the following WAC sections by reference as currently adopted or amended.

197-11-700 Definitions.

197-11-702 Act.

197-11-704 Action.

197-11-706 Addendum.

197-11-708 Adoption.

197-11-710 Affected tribe.

197-11-712 Affecting.

197-11-714 Agency.

197-11-716 Applicant.

197-11-718 Built environment.

197-11-720 Categorical exemption.

197-11-722 Consolidated appeal.

197-11-724 Consulted agency.

197-11-726 Cost-benefit analysis.

197-11-728 County/city.

197-11-730 Decision maker.
197-11-732 Department
197-11-734 Determination of Nonsignificance (DNS).
197-11-736 Determination of significance (DS).
197-11-738 EIS.
197-11-740 Environment.
197-11-742 Environmental checklist.
197-11-744 Environmental document.
197-11-746 Environmental review.
197-11-750 Expanded scoping.
197-11-752 Impacts.
197-11-754 Incorporation by reference.
197-11-756 Lands covered by water.
197-11-758 Lead agency.
197-11-760 License.
197-11-762 Local agency.
197-11-764 Major action.
197-11-766 Mitigated DNS.
197-11-768 Mitigation.
197-11-770 Natural environment.
197-11-772 NEPA.
197-11-774 Nonproject.
197-11-776 Phased review.
197-11-778 Preparation.
197-11-780 Private project.
197-11-782 Probable.
197-11-784 Proposal.
197-11-786 Reasonable alternative.
197-11-788 Responsible official.
197-11-790 SEPA.
197-11-792 Scope.
197-11-794 Significant.
197-11-796 State agency.
197-11-797 Threshold determination.
197-11-799 Underlying governmental action.

B. Additional Definitions. In addition to those definitions contained within Title 3, WAC 197-11-220 and WAC 197-11-700 through 197-11-799, excluding WAC 197-11-721 and 197-11-775, when used in this Chapter, the following terms shall have the following meanings, unless the context indicates otherwise:

1. “Department” means any division, subdivision or organizational unit of the County established by ordinance, rule or order.
2. “Early notice” means the County’s response to an applicant stating whether it considers issuance of a Determination of Significance likely for the applicant’s proposal (mitigated determination of Nonsignificance (DNS) procedures).
3. “Ordinance” means the ordinance, resolution or other procedures used by the County to adopt regulatory requirements.
3.80.040 Designation of responsible official.
A. The Director of the Department or the division of the Department making the proposal shall be the Responsible Official for public proposals. The Director of the Department or division with primary responsibility for processing, reviewing and/or approving the proposed action shall be the responsible official for private proposals. When multiple officials have permitting authority, the assignment of responsibility shall be reached by agreement.
B. The Responsible Official shall make the threshold determination, supervise scoping and preparation of any required environmental impact statement, and perform any other functions assigned to the lead agency or responsible official by those sections of the SEPA rules that are adopted by reference in Section 3.08.020 for all proposals where the County is the lead agency.

3.80.050 Lead agency determination and responsibilities.
A. The Department within the County receiving an application for or initiating a proposal that involves a nonexempt action shall determine the Lead Agency for that proposal under WAC 197-11-050, WAC 197-11-253, and WAC 197-11-922 through 197-11-940, unless the Lead Agency has been previously determined or the Department is aware that another Department or Agency is in the process of determining the lead agency.
B. When the County is the Lead Agency for a proposal, the Department receiving the application shall determine the Responsible Official who shall supervise compliance with the threshold determination requirements, and if an EIS is necessary, shall supervise the preparation of the EIS.
C. When the County is not the Lead Agency for a proposal, all Departments of the County shall use and consider, as appropriate, either the checklist or the final EIS of the lead agency in making decisions on the proposal. No County Department shall prepare or require preparation of a checklist or EIS in addition to that prepared by the lead agency, unless required under WAC 197-11-600. In some cases, the County may conduct supplemental environmental review under WAC 197-11-600.
D. If the County or any of its Departments receives a lead agency determination made by another agency that appears inconsistent with the criteria of WAC 197-11-253 or WAC 197-11-922 through 197-11-940, it may object to the determination. Any objection must be made to the agency originally making the determination and resolved within fifteen calendar days of receipt of the determination, or the County must petition the Department of Ecology for a lead agency determination under WAC 197-11-946 within the fifteen-day time period. Any department or division head may initiate any such petition on behalf of the County.
E. Departments of the County are authorized to make agreements as to lead agency status or shared lead agency duties for a proposal under WAC 197-11-942 and 197-11-944; provided that the responsible official and any Department that will incur responsibilities as the result of such agreement approve the agreement.
F. Any Department making a lead agency determination for a private project shall require sufficient information from the applicant to identify which other agencies have jurisdiction over the proposal.
G. The County shall retain all documents required by the SEPA rules (WAC Chapter 197-11) and make them available in accordance with RCW Chapter 42.17.

3.80.060 Additional timing considerations.
The DNS or final EIS for a project-specific proposal shall accompany the County’s staff recommendation to any appropriate review authority, such as the Planning Commission or Hearing Examiner for non-exempt proposals.
3.80.070 Agency compliance.  
This Chapter contains the rules for agency compliance with SEPA, including rules for charging fees under the SEPA process, listing agencies with environmental expertise, selecting the lead agency, and applying these rules to current agency activities. The County adopts the following WAC sections by reference:

197-11-900 Purpose of this part.
197-11-902 Agency SEPA policies.
197-11-916 Application to ongoing actions.
197-11-920 Agencies with environmental expertise.
197-11-922 Lead agency rules.
197-11-924 Determining the lead agency.
197-11-926 Lead agency for governmental proposals.
197-11-928 Lead agency for public and private proposals.
197-11-930 Lead agency for private projects with one agency with jurisdiction.
197-11-932 Lead agency for private projects requiring licenses from more than one agency, when one of the agencies is a county/city.
197-11-934 Lead agency for private projects requiring licenses from a local agency, not a county/city, and one or more state agencies.
197-11-936 Lead agencies for private projects requiring licenses from more than one state agency.
197-11-938 Lead agency for specific proposals.
197-11-940 Transfer of lead agency status to a state agency.
197-11-942 Agreements on lead agency status.
197-11-944 Agreements on division of lead agency duties.
197-11-946 DOE resolution of lead agency disputes.
197-11-948 Assumption of lead agency status.

3.80.080 Fees.  
The County shall require the following fees for its activities in accordance with the provisions of this Chapter:

A. Threshold Determination. For every environmental checklist the County will review when it is lead agency, the County shall collect a fee from the proponent of the proposal prior to undertaking the threshold determination. The time periods provided by this Chapter for making a threshold determination shall not begin to run until payment of the fee. When the threshold determination requires a public notice of a DNS or DS, an additional fee shall be collected from the proponent. For each additional public notice required under this Chapter or under WAC Chapter 197-11, the County shall collect an additional fee from the proponent. Fees shall be established by resolution of the Board of County Commissioners.

B. Environmental Impact Statement.

1. When the County is the lead agency for a proposal requiring an EIS and the Responsible Official determines that the EIS shall be prepared by employees of the County, the County may charge and collect a reasonable fee from any applicant(s) to cover costs incurred by the County in preparing the EIS. The Responsible Official shall
advise the applicant(s) of the projected costs for the EIS prior to actual preparation. The applicant shall post bond or otherwise ensure payment of such costs. Fees shall be established by resolution of the Board of County Commissioners.

2. The Responsible Official may determine that the County will contract directly with a consultant for preparation of an EIS, or a portion of the EIS, for activities initiated by persons or entities other than the County. The applicant shall post bond or otherwise ensure payment of such costs. Such consultants shall be approved by the Responsible Official and shall be selected by mutual agreement of the County and applicant after a call for proposals.

3. If a proposal is modified so that an EIS is no longer required, the Responsible Official shall refund any fees collected under subsections A or B of this section which remain after incurred costs are paid.

C. Consulted Agency. The County shall not collect a fee for performing its duties as a consulted agency unless authorized in an agreement with the lead agency.

D. Copies. The County may charge any person or agency for copies of any documents prepared under this Chapter, and for mailing the document, in a manner provided by Chapter 42.17 RCW.

3.80.090 Forms.
The County adopts the following forms and sections by reference:

197-11-960 Environmental checklist.
197-11-965 Adoption notice.
197-11-970 Determination of Nonsignificance (DNS).
197-11-980 Determination of significance and scoping notice (DS).
197-11-985 Notice of assumption of lead agency status.
197-11-990 Notice of action.

Article II. Categorical Exemptions and Threshold Determination.
3.80.100 Purpose and adoptions by reference.
This article contains the rules for deciding whether a proposal has a “probable significant, adverse environmental impact” requiring an environmental impact statement (EIS) to be prepared. This article also contains rules for evaluating the impacts of proposals not requiring an EIS. The County adopts the following WAC sections by reference, as supplemented in this Chapter:

197-11-300 Purpose of this part.
197-11-305 Categorical exemptions.
197-11-310 Threshold determination required.
197-11-315 Environmental checklist.
197-11-330 Threshold determination process.
197-11-335 Additional information.
197-11-340 Determination of Nonsignificance (DNS).
197-11-350 Mitigated DNS.
197-11-355 Optional DNS process.
197-11-360 Determination of significance (DS)/initiation of scoping.
197-11-390 Effect of threshold determination.
3.80.110 Flexible thresholds for categorical determinations.
A. The county establishes the following exempt levels for minor new construction under WAC 197-11-800(1)(b) based on local conditions:
   1. For residential dwelling units in WAC 197-11-800(1)(b)(i): up to four dwelling units;
   2. For agricultural structures in WAC 197-11-800(1)(b)(ii): up to thirty thousand square feet;
   3. For office, school, commercial, recreational service or storage buildings in WAC 197-11-800(1)(b)(iii): up to eight thousand square feet and up to thirty parking spaces;
   4. For parking lots in WAC 197-11-800(1)(b)(iv): up to thirty parking spaces;
   5. For landfills and excavations in WAC 197-11-800(1)(b)(v): up to five hundred cubic yards and any fill or excavation classified as a Class I, II, or III Forest Practice under RCW 76.09.050 or regulations thereunder.
B. Whenever the County establishes new exempt levels under this Chapter, it shall send them to the Department of Ecology under WAC 197-11-800(1)(c).

3.80.120 Use of exemptions.
A. Each Department or division within the County that receives an application for a proposed action or, in the case of governmental proposals, the department or division initiating the proposal, shall determine whether the proposed action and/or the proposal is exempt. The Department’s determination that a proposal is exempt shall be final and not subject to administrative review. If a proposal is exempt, none of the procedural requirements of this Chapter apply to the proposal. The County shall not require completion of an environmental checklist for an exempt proposal.
B. In determining whether or not a proposal is exempt, the department or division shall make certain the proposal is properly defined and shall identify the governmental approvals required (WAC 197-11-060). If a proposal includes exempt and nonexempt actions, the Department shall determine the lead agency, even if the proposed action that triggers the Department’s consideration is exempt.
C. If a proposal includes both exempt and nonexempt actions, the county may authorize exempt actions prior to compliance with the procedural requirements of this Chapter, except that:
   1. The county shall not give authorization prior to compliance for:
      a. Any nonexempt action;
      b. Any action that would have an adverse environmental impact; or
      c. Any action that would limit the choice of reasonable alternatives;
   2. A Department may withhold approval of an exempt action that would lead to modification of the physical environment, when such modification would serve no purpose until the nonexempt action(s) were approved; and
   3. A Department may withhold approval of exempt actions that would lead to substantial financial expenditures by a private applicant when the expenditures would serve no purpose if nonexempt action(s) were not approved.

3.80.125 Categorical exemptions—General.
The County adopts by reference the following rules for categorical exemptions, as supplemented in this Chapter, including Sections 3.80.110 and 3.80.120:
197-11-800 Categorical exemptions.
197-11-880 Emergencies.
197-11-890 Petitioning DOE to change exemptions.
3.80.130 Environmental checklist.
A. Except as provided in subsection C of this Section, a completed environmental checklist (or a copy), in the form provided in WAC 197-11-960, shall be filed at the same time as an application for a proposed action, permit, license, certificate or other approval not specifically exempted in the Chapter; except, that a checklist is not needed if the County and applicant agree an EIS is required, SEPA compliance has been completed, or SEPA compliance has been initiated by another agency. The County shall use the environmental checklist to determine the lead agency and, if the County is the lead agency, for determining the responsible official and for making the threshold determination.
B. For private proposals, the County will require the applicant to complete the environmental checklist for private proposals. The Department initiating a proposal shall complete the environmental checklist for county proposals.
C. The County shall use its existing environmental checklist form as provided in WAC 197-11-315 for projects submitted as planned actions under WAC 197-11-164. The modified environmental checklist form may be prepared and adopted along with or as a part of a planned action ordinance; or developed after the ordinance is adopted. In either case, a modified checklist form must be sent to the Department of Ecology to allow at least a thirty calendar day review prior to use.

3.80.140 Mitigated DNS.
A. As provided in this Section and in WAC 197-11-350, the responsible official may issue a DNS based on conditions attached to the proposal by the responsible official or on changes to, or clarification of, the proposal made by the applicant.
B. An applicant may request in writing early notice of whether a DS is likely under WAC 197-11-350. The request must:
   1. Follow or be concurrent with the submission of an application and environmental checklist for a nonexempt proposal for which the Department is lead agency; and
   2. Precede the County’s actual threshold determination for the proposal.
C. The responsible official should respond to the request for early notice within ten working days. The response shall:
   1. Be written;
   2. State whether the County currently considers issuance of a DS likely and, if so, indicate the general or specific area(s) of concern that is/are leading the county to consider a DS; and
   3. State that the applicant may change or clarify the proposal to mitigate the indicated impacts, revising the environmental checklist and/or permit application as necessary to reflect the changes or clarifications.
D. When an applicant submits a changed or clarified proposal, along with a revised or amended environmental checklist, the county shall base its threshold determination on the changed or clarified proposal and should make the determination within fifteen days after receiving the changed or clarified proposal:
   1. If the County indicated all specific mitigation measures in its response to the request for early notice, and the applicant changed or clarified the proposal to include those specific mitigation measures, the county may issue and circulate a DNS under WAC 197-11-340(2) if all necessary mitigation measures have been identified.
2. If the County indicated areas of concern, but did not indicate specific mitigation measures that would allow it to issue a DNS, the county shall make a threshold determination, issuing a DNS or DS as appropriate.

3. The applicant’s proposed mitigation measures (clarifications, changes or conditions) must be in writing and must be specific. For example, proposals to “control noise” or “prevent stormwater runoff” are inadequate, whereas proposals to “muffle machinery to X decibel” or “construct 200-foot stormwater retention pond at Y location” or reference to specific codes and laws are adequate.

4. Mitigation measures which justify issuance of a mitigated DNS may be incorporated in the DNS by reference to agency staff reports, studies or other documents.

E. A mitigated DNS is issued under either WAC 197-11-340(2), requiring a fourteen day comment period and public notice pursuant to 3.30, or WAC 197-11-355(5), which may require no additional comment period beyond the comment period on the notice of application.

F. Mitigation measures incorporated in the mitigated DNS shall be deemed conditions of approval of the permit decision and may be enforced in the same manner as any term or condition of the permit, or enforced in any manner specifically prescribed by the county.

G. The County’s written response under subsection B of this section shall not be construed as a Determination of Significance. In addition, preliminary discussion of clarifications or changes to a proposal, as opposed to a written request for early notice, shall not bind the county to consider the clarifications or changes in its threshold determination.

Article III. EIS Preparation.
3.80.150 Purpose and adoptions by reference.
This article contains the rules for preparing Environmental Impact Statements (EIS). The County adopts the following WAC sections by reference, as supplemented by this article:

197-11-400 Purpose of EIS.
197-11-402 General requirements.
197-11-405 EIS types.
197-11-406 EIS timing.
197-11-408 Scoping.
197-11-410 Expanded scoping (Optional).
197-11-420 EIS preparation.
197-11-425 Style and size.
197-11-430 Format.
197-11-435 Cover letter or memo.
197-11-440 EIS contents.
197-11-442 EIS contents on nonproject proposals.
197-11-443 EIS contents when prior nonproject EIS.
197-11-444 Elements of the environment.
197-11-448 Relationship of EIS to other considerations.
197-11-450 Cost-benefit analysis.
197-11-455 Issuance of draft EIS.
197-11-460 Issuance of final EIS.
3.80.160 Who shall prepare.
A. Preparation of draft and final EIS’s (DEIS and FEIS) and draft and final supplemental EIS’s (SEIS) is the responsibility of the responsible official of the Department or division under which the action will be taken. Before the County issues an EIS, the responsible official shall be satisfied that it complies with this Chapter and WAC Chapter 197-11.
B. The DEIS and FEIS or draft and final SEIS shall be prepared by county staff, the applicant if approved by the responsible official, or by consultants approved by the responsible official and selected by the County and the applicant. If the responsible official requires an EIS for a proposal and determines that someone other than the County will prepare the EIS, the responsible official shall notify the applicant immediately after completion of the threshold determination. The responsible official shall also notify the applicant of the County’s procedure for EIS preparation, billing procedures, financial arrangements for the consultant.
C. The County may require an applicant to provide information the County does not possess, including specific investigations which will aid the decision making process. This may include information the County may request under another ordinance or statute.

3.80.180 Using existing documents.
This section contains rules for using and supplementing existing environmental documents prepared under SEPA or National Environmental Policy Act (NEPA) for the county’s own environmental compliance. The County adopts the following WAC sections by reference:

197-11-164 Planned actions — Definition and criteria.
197-11-168 Ordinances or resolutions designating planned actions — Procedures for adoption.
197-11-172 Planned actions — Project review.
197-11-600 When to use existing environmental documents.
197-11-610 Use of NEPA documents.
197-11-625 Addenda — Procedures.
197-11-630 Adoption — Procedures.
197-11-635 Incorporation by reference — Procedures.
197-11-640 Combining documents.

Article IV Commenting.
3.80.190 Purpose and adoptions by reference.
This article contains rules for consulting, commenting and responding on all environmental documents under SEPA, including rules for public notice and hearings. The county adopts the following WAC sections by reference, as supplemented in this Chapter:

197-11-500 Purpose of this part.
197-11-502 Inviting comment.
197-11-504 Availability and cost of environmental documents.
197-11-508 SEPA register.
197-11-510 Public notice.
197-11-535 Public hearings and meetings.
197-11-545 Effect of no comment.
197-11-550 Specificity of comments.
197-11-560 FEIS response to comments.
197-11-570 Consulted agency cost to assist lead agency.

3.80.200  Public notice.
A. Whenever possible, the County shall integrate the public notice required under this section with existing notice procedures for the county’s nonexempt permit(s) or approval(s) required for the proposal pursuant to SCC 3.30:
B. Whenever the County issues a DNS under WAC 197-11-340(2) or a DS under WAC 197-11-360(3) the county shall give public notice pursuant to SCC 3.30:
C. If a DNS is issued using the optional DNS process, the public notice requirements for the Notice of Application in SCC 3.30 as supplemented by the requirements in WAC 197-11-355 will suffice to meet the SEPA public notice requirements.
D. Whenever the County issues a DEIS under WAC 197-11-455(5) or a SEIS under WAC 197-11-620, notice of the availability of those documents shall be given by pursuant to SCC 3.30.125
1. The county may require an applicant to complete the public notice requirements for the applicant’s proposal at applicant’s expense. Affidavit(s) of fulfilling public notice requirements shall be submitted to the responsible official by the applicant.

3.80.210  Responsibility for consulted agency duties.
A. The Responsible Official shall be that Officer or Department or Division Head of any department or division within the County which issues any permits or licenses related to the action that is the subject of the consultation request. The Responsible Official shall be responsible for preparation of written comments for the county and responds to consultation requests prior to a threshold determination, participation in scoping, and reviewing a DEIS.
B. This Officer or Department Head shall be responsible for the County’s compliance with WAC 197-11-550 whenever the County is a consulted agency and is authorized to develop operating procedures that will ensure the responses to consultation requests are prepared in a timely fashion and include data from all appropriate departments of the county.

Article V.  Decisions.
3.80.220  Purpose and adoptions by reference.
This Chapter contains rules and policies for SEPA’s substantive authority, such as decisions to mitigate or reject proposals as a result of SEPA. This section also contains procedures for appealing SEPA determinations. The county adopts the following WAC sections by reference:

197-11-650 Purpose of this part.
197-11-655 Implementation.
197-11-660 Substantive authority and mitigation.

3.80.240  Conditions.
The County may attach conditions to a permit or approval for a proposal so long as:
A. Such conditions are necessary to mitigate specific probable adverse environmental impacts identified in environmental documents prepared pursuant to this Chapter; and
B. Such conditions are in writing; and
C. The mitigation measures included in such conditions are reasonable and capable of being accomplished; and
D. The County has considered whether other local, state or federal mitigation measures applied to the proposal are sufficient to mitigate the identified impacts.

3.80.250 Denials.
The County may deny a permit or approval for a proposal on the basis of SEPA so long as:
A. A finding is made that approving the proposal would result in probable significant adverse environmental impacts that are identified in a FEIS or final SEIS prepared pursuant to this Chapter; and
B. A finding is made that there are no reasonable mitigation measures capable of being accomplished that are sufficient to mitigate the identified impact; and
C. The denial is based on one or more policies identified in SCC Title 3 or the Stevens County Comprehensive Plan, Stevens County Critical Areas Ordinance, Stevens County Shoreline Master Program, Stevens County Building Ordinance, or any other regulation in place. The policies used for denial must be identified in writing in the decision document.

3.80.270 Appeals.
An appeal of environmental determinations made or lacking under SEPA or this Chapter and of environmental documents prepared under this Chapter shall be filed pursuant to SCC 3.30.200.

3.80.280 Notice of actions—Statute of limitations.
A. The County, applicant for, or proponent of an action may publish a notice of action pursuant to RCW 43.21C.080 for any action.
B. The form of the notice shall be substantially in the form provided in WAC 197-11-990. The notice shall be published at the expense of the applicant by the responsible official, applicant or proponent pursuant to RCW 43.21C.080.

Reserved – 3.81 through 3.84
PART VI   DEFINITIONS

3.90  DEFINITIONS

3.90.010 Scope of Chapter
This Chapter contains definitions of technical and procedural terms used throughout Title 3. Questions of interpretation regarding land uses and procedures will be decided by the Director, consistent with Chapter 3.01.050 of this Title.

ACCESSORY DWELLING  A dwelling unit either attached to a single-family principal dwelling or located on the same lot and customarily incidental and subordinate to the principal dwelling unit.

ACCESSORY STRUCTURE  A structure detached from a principal building located on the same lot and customarily incidental and subordinate to the principal building or use.

ADJUDICATED  Adjudged; tried and decided. (American Dictionary Of The English Language, Noah Webster 1828)

ADULT ENTERTAINMENT  An establishment consisting of, including, or having the characteristics of any or all of the following: adult bookstore, newsstand, video store or combination, sex shop, video viewing booths, adult motion picture theater, adult cabaret.

ADULT FAMILY HOME  A residential home in which a person(s), partnership, corporation, association or limited liability company licensed by the Department of Social and Health Services, provide personal care, special care, room and board to more than one but not more than six adults (persons who have attained the age of eighteen years), who are not related by blood or marriage to the providing the services. (RCW 70.128.010) (Ordinance 2016-03 – effective 4-7-2016)

AFFECTED PARTY  Stevens County and/or its individual citizen(s) who is, or will be, directly affected by an agency proposed action or the action itself.

AGRICULTURE  The production, storage, keeping, harvesting, grading packaging, processing, boarding, or maintenance, for sale, or lease, of plants and animals useful to humans, including but not limited to forages and sod crops; grains and seed crops; dairy animals and dairy products; poultry and poultry products; livestock, including cattle, sheep, swine, horses, ponies, mules or goats or any mutations or hybrids thereof, including the breeding and grazing of any or all of
such animals; bees and apiary products; fur animals; trees and forest products; fruits of all kinds, including grapes, nuts and berries; vegetables; nursery, floral, ornamental, and greenhouse products; or lands devoted to a soil conservation or forestry management program.

**AGRICULTURAL SERVICES**

Establishments primarily engaged in supplying soil preparation services, crop services, landscaping, horticultural services, and other animal services and farm labor and management services.

**AIRPORT**

A place where aircraft can land and take off, usually equipped with hangars, facilities for refueling and repair and various accommodations for passengers.

**AIRSTRIPE, PRIVATE**

A place for aircraft of individual landowners to take off and land and may be equipped with a hanger. Not for public use.

**ALLEY**

A strip of land set aside for public use providing vehicular and pedestrian access to the rear side of properties that abut and are served by a public road.

**ALLOTMENT MANAGEMENT PLAN (AMP)**

A document prepared in consultation with the lessees or permittees involved, which applies to livestock operations on the public lands or on lands within National Forests in the eleven contiguous Western States and which: prescribes the manner in, and extent to, which livestock operations will be conducted in order to meet the multiple-use, sustained-yield, economic and other needs and objectives as determined for the lands by the Secretary concerned; and describes the type, location, ownership, and general specifications for the range improvements to be installed and maintained on the lands to meet the livestock grazing and other objectives of land management; and contains such other provisions relating to livestock grazing and other objectives found by the Secretary concerned to be consistent with the provisions of this Act and other applicable law. (43 U.S.C 1702(k)

**AMUSEMENT AND RECREATION SERVICES**

Establishments engaged in providing entertainment for a fee, including such activities as dance halls, studios, theatrical productions, bands, orchestras, and other musical entertainment, bowling alleys and billiard and pool establishments; commercial facilities, such as arenas, rings, rinks, and racetracks; public golf courses; coin-operated devices, amusement parks, membership sports and
health clubs, amusement and bathing beaches, swimming pools, riding academies, carnival operations, expositions, game parlors, and horse rides.

**AMUSEMENT PARK/ARCADE**

A facility, primarily outdoors, that may include structures and buildings where there are various devices for entertainment, including rides, booths for the conduct of games or sale of items, as well as buildings for shows, entertainment, restaurants, and souvenir sales.

**ANIMAL UNIT MONTH (AUM)**

The amount of forage necessary for the sustenance of one cow or its equivalent for a period of 1 month.

(43CFR4100.0-5) BLM regulation - 43CFR4130.8-1(a)(2)(c)

“Except as provided in Sec. 4130.5, the full fee shall be charged for each animal unit month of authorized grazing use. For the purposes of calculating the fee, an animal unit month is defined as a month's use and occupancy of range by 1 cow, bull, steer, heifer, horse, burro, mule, 5 sheep, or 5 goats, over the age of 6 months at the time of entering the public lands or other lands administered by the Bureau of Land Management; by any such weaned animals regardless of age; and by such animals that will become 12 months of age during the authorized period of use. No charge shall be made for animals under 6 months of age, at the time of entering public lands or other lands administered by the Bureau of Land Management, that are the natural progeny of animals upon which fees are paid, provided they will not become 12 months of age during the authorized period of use, nor for progeny born during that period. In calculating the billing the grazing fee is prorated on a daily basis and charges are rounded to reflect the nearest whole number of animal unit months.”

**ANIMAL SHELTER**

A facility used to house or contain stray, homeless, abandoned, or unwanted animals and that is owned and operated or maintained by a public body, established humane society, animal welfare society, or other nonprofit organization devoted to the welfare, protection, and humane treatment of animals.

**APPAREL/TEXTILE PRODUCTS**

Establishments engaged in manufacturing of paper, apparel and/or textile products.

**APPLICANT**

Any person, entity or agency that applies for a development proposal, permit or approval subject to review under County Codes and Ordinances.
ARTIST STUDIO  A place of work for an artist, artisan, or craftsperson, including persons engaged in the application, teaching, or performance of fine arts such as, but not limited to, drawing, vocal or instrumental music, painting, sculpture, and writing (may include the dwelling of the artist).

ASSISTED LIVING FACILITY  a home or other institution, which is licensed by the Department of Social and Health Services for the purpose of providing housing, basic services and assuming general responsibility for the safety and well-being of the residents and may provide domiciliary care, consistent with RCW 18.20.020. “Assisted living facility” shall not include facilities certified as group training homes pursuant to RCW 71A.22.040, nor any independent senior housing, independent living unit in continuing care retirement community or other similar living situations including those subsidized by the Department of Housing and Urban Development. (RCW 18.20.020)(Ordinance 2016-03 – effective 4-7-2016)

AUTOMOBILE – SALES  An establishment primarily engaged in selling new and used automobiles, boats, recreational vehicles and utility trailers, and motorcycles and mopeds; dealers selling new automobile parts and accessories. Automobile repair shops maintained by establishments engaged in the sale of new automobiles also are included.

AUTOMOBILE RENTAL AND LEASING  The use of land and buildings for display and rental/leasing of automobiles (may include light trucks or vans, trailers, or recreational vehicles), and including any vehicle preparation, warranty, or repair work conducted as an accessory use.

AUTOMOBILE REPAIR  General repair, rebuilding, replacement, or reconditioning of engines, motor vehicles, or trailers, including bodywork, welding, and major painting service.

AUTOMOBILE SERVICE STATION  Any building, land area, or other premises, or portion thereof, used for the retail dispensing or sales of vehicular fuels; servicing and repair of automobiles; and including as an accessory use the sale and installation of lubricants, tires, batteries, and similar vehicle accessories.

AUTOMOBILE WRECKING/SALVAGE  The dismantling, salvage, or wrecking of motor vehicles or trailers; or the storage, sale, or dumping of dismantled or partially dismantled, obsolete, or wrecked vehicles or their parts.
BACKBONE POWER
The electrical supply from an approved electric company to satisfy the needs of the proposed lot use. A letter from the utility company verifying service exists or is available may be submitted to satisfy the requirement.

BED & BREAKFAST
Overnight accommodations and a morning meal in a dwelling unit (B&B) provided to transients for compensation. Stay not to exceed fourteen days.

BINDING SITE PLAN
A drawing to a scale specified by local ordinance which (a) identifies and shows the areas and locations of all streets, roads, improvements, utilities, open spaces, and any other matters specified by local regulation; (b) contains inscriptions or attachments setting forth such appropriate limitations and conditions for the use of the land as are established by the local government body having authority to approve the site plan; and (c) contains provisions making any development be in conformity with the site plan.

BLOCK
A group of lots, tracts or parcels within well-defined and fixed boundaries.

BOARD
The Board of Commissioners of Stevens County.

BOUNDARY LINE ADJUSTMENT
An alteration by adjusting boundary lines, between platted or unplatted lots or both which does not create any additional lot, tract, parcel, site or division nor create any lot, tract, parcel, site, or division which contains insufficient lot areas and dimension to meet minimum density and lot size requirement for width and area applicable for a building site.

BULK RETAIL
Retail sales establishments with over 100,000 square feet of floor area.

BUS TERMINAL/BUS BASE
Any premises for the storage or parking of motor driven buses and the loading and unloading of passengers.

BUSINESS
A commercial activity engaged in as a means of livelihood or profit, or an entity which engages in such activities.

BUSINESS SERVICES
Establishments primarily engaged in rendering services to business establishments on a fee or contract basis, such as advertising and mailing; building maintenance; employment services; management and consulting services; protective services; equipment rental and leasing; commercial research, development, and testing; photo finishing; and personal supply services.
CAMPground  A plot of ground on which two or more campsites are located, established, or maintained for occupancy by camping units as temporary living quarters for recreation, education, or vacation purposes. Not to exceed fourteen days per stay.

Cemetery, Columbarium, Mausoleum  Property used for the interment of the dead.

Certificate of Exemption  A document which formally exempts a division of land from full compliance with certain state and local land development laws and regulations as identified in the exemption provisions set forth in this Title.

Chemical Products  Establishments engaged in manufacturing and processing of chemical products.

Church  See Place of Worship

City  Any city or town, including a code city.

Civic Center  A building or complex of buildings that houses offices and services and that may include cultural, recreational, athletic, convention, and entertainment facilities.

Clinic  See Office/Outpatient Clinic

Closed Record Appeal  An administrative appeal to a local government body or officer, including the legislative body, following an open record hearing on a project permit application when the appeal is on the record with no or limited new evidence or information allowed to be submitted and only appeal argument allowed.

Closed Record Public Hearing  A meeting where the public and the proponent(s) of a project are permitted to attend but whereby no new evidence may be provided. The public and the proponent of a project may only provide answers to specific questions asked by the Hearing Body for clarification of the existing record only. The Hearing Body, at its sole discretion, may allow written pre-hearing briefs to be submitted prior to the Closed Record Public Hearing.

Cluster Subdivision  Provides an incentive for development of rural residential property which clusters lots on a portion of the property, may provide for an increased density, and which retains substantial open space.

COLLEGE/UNIVERSITY An educational institution authorized by the state to award associate, baccalaureate, or higher degrees.

COMMERCIAL USE Activity involving the sale of goods or services carried out for profit.

COMMON SENSE Sound practical judgment; that degree of intelligence and reason, as exercised upon the relations of persons and things and the ordinary affairs of life which is possessed by the generality of mankind and which would suffice to direct the conduct and actions of the individual in a manner to agree with the behavior of ordinary persons. (Black’s Law Dictionary, 5th Ed., p. 250).

COMMUNICATION OFFICE/FACILITY Establishments furnishing point-to-point communication services, whether by wire or wireless means, either aurally, visually, or by radio frequency, including radio and television broadcasting stations and the exchange or recording of messages.

COMMUNITY CENTER A facility used for recreational, social, educational, and cultural activities.

CONDITIONAL USE A use permitted only after “public” review, and to which “special” conditions may be attached.

CONDOMINIUM A building or group of buildings, in which dwelling units, offices, or floor area are owned individually and the structure, common areas, and facilities are owned by all the owners on a proportional, undivided basis.

CONFERENCE CENTER A facility used for conferences and seminars, which may have accommodations for sleeping, food preparation and eating, recreation, entertainment, resource facilities, meeting rooms, fitness and health center, and retail stores and services primarily for conference center guests.

CONGREGATE HOUSING/GROUP LIVING FACILITIES Apartments and dwellings with communal dining facilities and services, such as housekeeping, organized social and recreational activities, transportation services, laundry, and other support services appropriate for the residents and designed to provide a relatively independent lifestyle. This encompasses an essential
public facility as defined in RCW 36.70A.200 (1), including mental health facilities, substance abuse facilities, and secure community transition facilities (per RCW 71.09.020)

**CONSISTENT**
Marked by harmony, regularity, or steady continuity: free from variation or contradiction. (Merriam-Webster’s Collegiate Dictionary, Deluxe Edition (1998), p. 386)

**CONSISTENCY**
Agreement or harmony of parts or features to one another or a whole: specifically: ability to be asserted together without contradiction. (Merriam-Webster’s Collegiate Dictionary, Deluxe Edition (1998), p. 386)

**CONSULT**
The act of asking the advice or opinion of someone. (Black’s Law Dictionary Deluxe 7th ed., p. 311)

**CONSULTATION, COOPERATION, AND COORDINATION**
To solicit the advice or opinion of, in the spirit of working with, and without subordination of the affected party.

**COOPERATE**
To act or work with another or others: act together. (Merriam-Webster’s Collegiate Dictionary, Deluxe Edition (1998), p. 399)

**COORDINATE**
Equal, of the same rank, order, degree or importance; not subordinate. (Black’s Law Dictionary, 5th edition, p. 303)

**CREDIBLE SCIENCE**
Knowledge covering general truths or the operation of general laws especially as obtained and tested through scientific method. The practice of reaching solutions to resource problems through use of scientific methods and conclusive factual data rather than by consensus or popular vote.

**CULTURE**
The integrated pattern of human knowledge and behavior passed to succeeding generations; it is the customary beliefs, social forms, and material traits of a social group. (Webster’s 9th New Collegiate Dictionary, 1991, p. 314).

**CUSTOM**
A practice that by its common adoption and long, unvarying habit has come to have the force of law. (Black’s Law Dictionary, Deluxe 7th edition, p. 390)

**CONVALESCENT CENTER**
A facility that provides short term, primarily in patient care, treatment, and/or rehabilitation services for persons recovering from illness or injury who do not require continued hospitalization.
COMPREHENSIVE PLAN  The current Stevens County Comprehensive Plan, adopted by the Board of County Commissioners pursuant to state law.

COMPUTER AND OFFICE EQUIPMENT MANUFACTURING  Establishments primarily engaged in manufacturing electronic computers; computer storage devices; computer terminals; computer peripheral equipment; computer components, calculating and accounting machines.

CORRECTIONAL FACILITY  A public or privately operated facility housing persons awaiting trial or persons serving a sentence after being found guilty of a criminal offense.

COTTAGE INDUSTRY  An industry – primarily manufacturing – which includes many producers, working from their homes, typically part time.

CUL-DE-SAC  A road closed at one end by a circular area of sufficient size for turning vehicles around.

DAY CARE  An establishment providing for the care, supervision, and protection of children for a fee.

DEDICATION  The deliberate appropriation of land by an owner for any general and public uses, reserving to himself no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted. The intention to dedicate shall be evidenced by the owner by the presentment for filing of final plat or short plat showing the dedication thereon; and, the acceptance by the public shall be evidenced by the approval of such plat for filing by the Board of Stevens County Commissioners. A dedication of an area of less than two acres for use as a public park may include a designation of a name for the park, in honor of a deceased individual of good character.

DENSITY  The number of dwelling units per acre of land. Lot density is determined by dividing the total number of proposed dwelling units by the total number of acres within the proposed subdivision.

DEPARTMENT  The Stevens County Department of Land Services.

DEVELOPMENT  Any man-made use or change to improved or unimproved real estate, including without limitation: the construction, reconstruction, conversion, structural
alteration, relocation or enlargement of any buildings or any other structures; mining, filling, excavation and grading; and divisions of land.

DEVELOPMENT REGULATIONS OR REGULATION  The controls placed on development or land use activities by a county or city, including, but not limited to, zoning ordinances, critical areas ordinances, shoreline master programs, official controls, planned unit development ordinances, subdivision ordinances, and binding site plan ordinances together with any amendments thereto. A development regulation does not include a decision to approve a project permit application, as defined in RCW 36.70B.020, even though the decision may be expressed in a resolution or ordinance of the legislative body of the county or city.

DIRECTOR  The Director, his or her designee, or any other official appointed in writing by the Director to be responsible for the administration and enforcement of this Title.

DRUG STORE  A store where the primary business is the filling of medical prescriptions and the sale of drugs, medical devices and supplies, and nonprescription medicines but where nonmedical products may be sold as well.

DRY-CLEANING/LAUNDROMAT  An establishment providing washing, drying, or dry-cleaning machines on the premises for rental use to the general public.

DUPLEX  A single structure containing two separate dwelling units, designed for occupancy by two families and connected by an unpierced common vertical wall or, in the case of a multi-story building, by an unpierced common ceiling or floor.

DWELLING UNIT  One or more rooms, designed, occupied, or intended for occupancy as separate living quarters, with cooking, sleeping, and sanitary facilities provided within the dwelling unit for the exclusive use of a single family maintaining a household.

EASEMENT  A grant by a property owner to specific persons, entity or to the public to use land for a specific purpose(s).

ECONOMIC VIABILITY  The condition of a society, and/or community, to be economically capable of working, functioning, growing, developing, and prospering as an independent unit. It is a critical component of social and community stability.
ELECTRONIC/ELECTRONIC EQUIPMENT Establishments engaged in manufacturing machinery, apparatus, and supplies for the generation, storage, transmission, transformation, and utilization of electrical energy. Included are the manufacturing of electricity distribution equipment; electrical industrial apparatus; household appliances; electrical lighting and wiring equipment; radio and television receiving equipment; communications equipment; electronic components and accessories; and other electrical equipment and supplies. The manufacture of household appliances is included.

EXEMPTION A transaction that is automatically not subject to the provisions of this Title.

EXTENDED CARE FACILITY A long-term facility or a distinct part of a facility licensed or approved as a nursing home, infirmary unit of a home for the aged, or a government medical institution.

EXTRACTIVE INDUSTRIES Excavating and removing/crushing rock, stone, ore, soil, gravel, sand, minerals, and similar materials from the surface and/or subsurface for commercial purposes.

FABRICATED METAL PRODUCTS Establishments engaged in fabricating ferrous and nonferrous metal products, such as metal cans, tinware, hand tools, cutlery, general hardware, nonelectric heating apparatus, fabricated structural metal products, metal forgings, metal stampings, ordnance (except vehicles and guided missiles), and a variety of metal and wire products.

FACTORY A building in which raw material and semi-finished or finished materials are converted to a different form or state or where goods are manufactured, assembled, treated, or processed.

FAIRGROUNDS A large open outdoor space where fairs or exhibitions may be held.

FEDERALLY OR STATE MANAGED LANDS Lands and natural resources that fall under federal or State management, including, but not limited to, the National Forest System (Reserves, National Forest, Wilderness, Wild and Scenic); Bureau of Land Management lands (including wilderness study areas and areas of critical concern); Bureau of Reclamation lands; State School lands and other State trust lands (including Game and Fish lands).
FINAL PLAT

The final drawing of the subdivision and dedications prepared for filing for record with the County Auditor and containing all elements and requirements set forth in Chapter 58.17, RCW and this Title.

FOOD PRODUCTS

Establishments manufacturing or processing foods and beverages for human consumption, and certain related products, such as manufactured ice, chewing gum, vegetable oils, and prepared feeds for animals and fowls.

FOOD STORES

Retail establishments primarily engaged in selling food for home preparation and consumption.

FORESTRY

The operation of timber tracts, tree farms, forest nurseries, the gathering of forest products, or the performing of forest services.

FOREST LAND

Land primarily devoted to growing trees for long-term commercial timber production on land that can be economically and practically managed for such production, including Christmas trees subject to the excise tax imposed under *RCW 84.33.100 through 84.33.140, and that has long-term commercial significance. In determining whether forest land is primarily devoted to growing trees for long-term commercial timber production on land that can be economically and practically managed for such production, the following factors shall be considered: (a) The proximity of the land to urban, suburban, and rural settlements; (b) surrounding parcel size and the compatibility and intensity of adjacent and nearby land uses; (c) long-term local economic conditions that affect the ability to manage for timber production; and (d) the availability of public facilities and services conducive to conversion of forest land to other uses.

FREIGHT-HANDLING FACILITIES

Terminals with the capability of handling a large variety of goods involving various forms of transportation and providing multimodal shipping capabilities, such as rail to truck and truck to air.

FUNERAL HOMES/CREMATORIA

Establishments primarily engaged in preparing the dead for burial, conducting funerals and cremating the dead.

FURNITURE MANUFACTURING

Establishments engaged in manufacturing household, office, public building, and restaurant furniture, and office and store fixtures.

GMA

Growth Management Act (RCW 36.70A).
GOAL
A desired condition or end toward which an effort is directed. (Webster’s New Collegiate Dictionary, 1977)

GOLF COURSE
A tract of land laid out for at least nine holes for playing the game of golf that may include a clubhouse, dining and snack bars, pro shop, and practice facilities.

GRADE
(1) The average elevation of the land around a building; (2) the percent of rise or descent of a sloping surface.

GUEST RANCH
A business or an organization providing overnight lodging on a temporary basis, dining and recreational facilities in a rural setting. The purpose of a guest ranch use shall relate primarily to vacation, recreation and similar pursuits, and does not include rehabilitation centers, group homes, clinics, nursing homes, and other similar uses.

GUIDELINES
A checklist of methods through which a Comprehensive Plan policy is established.

HEAD MONTH
A term used by Forest Service. A head month is a month's use and occupancy of range by one animal, except for sheep or goats. A full head month's fee is charged for a month of grazing by adult animals; if the grazing animal is weaned or 6 months of age or older at the time of entering National Forest System lands; or will become 12 months of age during the permitted period of use. For fee purposes 5 sheep or goats, weaned or adult, are equivalent to one cow, bull, steer, heifer, horse, or mule. (36CFR222.50(c))

HEALTH CARE SERVICES
Establishments providing support to medical professionals and their patients, such as medical and dental laboratories, blood banks, oxygen, and miscellaneous types of medical supplies and services.

HEALTH CLUB
An establishment that provides facilities for activities such as aerobic exercises, running and jogging, exercise equipment, game courts, swimming facilities, and saunas, showers and lockers.

HEARING EXAMINER
The person(s) duly appointed by the Board of County Commissioners to conduct quasi-judicial hearings or closed record appeal hearings and other specified duties.

HEAVY MACHINERY
Establishments engaged in manufacturing of heavy machinery.
HEAVY EQUIPMENT AND TRUCK REPAIR  Establishments engaged in the repair of trucks and/or heavy equipment.

HOME OCCUPATION  An accessory activity, which is secondary and incidental to the dominant residential use of the property, and does not modify the residential appearance of the residence. It is fully enclosed within the residence or garage/shop (attached or detached), and involves no outside storage of equipment or material used in operation of the home occupation and no external display of merchandise except for one small unlit sign not to exceed 2’ x 2’. It does not use materials or mechanical equipment that will generate outdoor noise, vibration, dust, smoke, odor, light (except for a personal vehicle used for the HO), interference with television, radio or telephone reception, or similar impacts.

HOSPITAL  An institution providing primary health services and medical or surgical care to persons, primarily inpatients, suffering from illness, disease, injury, deformity, and other abnormal physical or mental conditions and including as an integral part of the institution related facilities, such as laboratories, outpatient facilities, training facilities, medical offices, and staff residences.

HOTEL/MOTEL  A facility offering transient lodging (sleeping) accommodations to the general public and which may include additional facilities and services, such as restaurants, meeting rooms, entertainment, personal services, and recreational facilities.

IMPERVIOUS SURFACE  A hard surface area which either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development. Hard surface area which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roof tops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, gravel roads, packed earthen materials, and oiled, macadam or other surfaces which similarly impede the natural infiltration of stormwater. Open, uncovered retention or detention facilities shall not be considered as impervious surfaces. Open, uncovered retention or detention facilities shall be considered impervious surfaces for purposes of runoff modeling. (Ordinance #2016-04, effective 6/6/16)
<table>
<thead>
<tr>
<th>Term</th>
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</tr>
</thead>
<tbody>
<tr>
<td>INFORMAL SKETCH</td>
<td>A simple approximate drawing of a proposed general layout of a plat for the purpose of preliminary discussion with the Director and other concerned officials.</td>
</tr>
<tr>
<td>JUNK</td>
<td>The storage or accumulation of inoperable motor vehicles or equipment, vehicle or equipment parts, used lumber and building materials, pipe, appliances, demolition waste, or any used storage or accumulation of farm equipment.</td>
</tr>
<tr>
<td>JUNKYARD</td>
<td>A business engaged in the storage, keeping or abandonment of junk, including scrap material, used appliances, automobiles, machinery or parts thereof. The accumulation of five or more unlicensed or inoperable automobiles or appliances constitutes a junkyard. This shall not be interpreted to include the normal storage or accumulation of farm equipment.</td>
</tr>
<tr>
<td>KENNEL, COMMERCIAL</td>
<td>Any structure or premises, in which canines are boarded, groomed, bred, or trained for commercial gain.</td>
</tr>
<tr>
<td>LAMIRD</td>
<td>Limited Area of More Intense Rural Development</td>
</tr>
<tr>
<td>LANDFILL</td>
<td>A site for solid waste disposal. A planned method of solid waste disposal in which the solid waste is spread in thin layers, compacted to reduce its volume, and covered with earth.</td>
</tr>
<tr>
<td>LAND USE PLANNING</td>
<td>The process, which guides the growth and development of an area and assures the best and wisest use of that area’s resources now and in the future.</td>
</tr>
<tr>
<td>LEATHER AND LEATHER GOODS</td>
<td>Establishments engaged in tanning, currying, and finishing hides and skins, leather converters, and establishments manufacturing finished leather and artificial leather products and some similar products made of other materials.</td>
</tr>
<tr>
<td>LIBRARY</td>
<td>A place containing books and other learning materials for reading, study, and research.</td>
</tr>
<tr>
<td>LOCAL GOVERNMENT</td>
<td>Any county, city, or town, or any combination of the above as formed under the provisions of RCW 36 et seq</td>
</tr>
<tr>
<td>LOG STORAGE YARD</td>
<td>A premise on which logs are stored for commercial gain.</td>
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</tbody>
</table>
LONG-TERM COMMERCIAL SIGNIFICANCE  Includes the growing capacity, productivity, and soil composition of the land for long-term commercial production, in consideration with the land's proximity to population areas, and the possibility of more intense uses of the land.

LOT  A fractional part of divided lands having fixed boundaries, being of sufficient area and dimension to meet minimum requirements for width and area. The term may include tracts, parcels or sites.

MAY  The discretion or choice between two or more alternatives. (Black’s Law Dictionary, 5th edition, p. 883)

MANUFACTURING  Establishments engaged in the mechanical or chemical transformation of materials or substances into new products, including assembling of component parts, the creation of products, and the blending of materials, such as oils, plastics, resins, or liquors.

MARINA  A facility for the storing, servicing, fueling, berthing, and securing of boats and which may include eating, sleeping, and retail facilities for owners, crews, and guests.

MEDICAL/DENTAL LAB  See Office/Outpatient Clinics

MINERALS  Include gravel, sand, and valuable metallic substances.

MOBILE HOME PARK  A site containing spaces with required improvements and utilities that are leased for the long-term placement of manufactured houses. The site may include services and facilities for the residents.

MULTI-FAMILY RESIDENCE  A building containing three or more dwelling units, including units that are located one over another.

MULTIPLE USE  The sustained simultaneous use of public natural resources, both renewable and non-renewable, for the grazing of domestic livestock, wood harvesting, minerals extraction, hunting, fishing, commercial outfitting, motorized and non-motorized vehicle use, camping, hiking, horseback riding, shooting firearms, and/or other use that is customarily practiced and is integral to the economy and/or culture of the local citizenry.
NATURAL RESOURCE BASE INDUSTRIES  Commercial businesses which use forest lands, mineral lands, and agricultural lands or the products thereof, for operating a business and providing, producing or selling goods or services. See also Recreational Business.

NATURAL RIGHT  A right that is conceived as part of natural law and that is therefore thought to exist independently of rights created by government or society, such as the right to life, liberty, and property. (Black’s Law Dictionary Deluxe 7th ed., p. 1323)

NETCHD  Northeast Tri-County Health District.

NON-CONFORMING USE  A use to which a structure, building or land was lawfully established at the time this resolution became effective but which is not a permitted use in the area in which it is located.

OBJECTIVE  A desired level of achievement or measurable step towards achievement of a goal.

OFFICE BUILDING  A building used primarily for conducting the affairs of a business, profession, service, industry, or government, or like activity; it may include ancillary services for office workers, such as a restaurant, coffee shop, newspaper or candy stand and childcare facilities.

OFFICE/OUTPATIENT CLINIC  A building designed and used for the medical, dental, and surgical diagnosis and treatment of patients under the care of doctors and nurses where patients are not usually lodged overnight.

OPEN RECORD APPEAL  A hearing, conducted by the Decision Maker that creates the County's record through testimony and submittal of evidence and information, under procedures prescribed by the County by ordinance or resolution. An "open-record appeal hearing" may be held on an appeal of a project permit decision if no open-record predecision hearing has been held on the project permit. (RCW 36.70B.020)

OPEN RECORD HEARING  A hearing that creates the record through testimony and submission of evidence. An open record hearing may be held on an appeal if no open record hearing has previously been held on the application.
OPEN SPACE
Any parcel or area of land or water, essentially unimproved and set aside, dedicated, designated, or reserved for public or private use or enjoyment or for the use and enjoyment of owners, occupants, and their guests. Open space may include active or passive recreational activities, such as but not limited to swimming pools, golf courses, playground equipment, balls fields, and picnic tables. The open space might include incidental parking and access roads.

OUTDOOR PERFORMANCE CENTER
Establishments designed to show motion pictures or for drama, dance, musical, or other live performances in an outdoor setting.

PAPER AND ALLIED PRODUCTS
Establishments engaged in manufacturing and processing of paper and allied products.

PARENT PARCEL
The original parcel from which other parcels are created.

PARCEL
The contiguous real estate owned by any one individual, marital community, corporation and/or legal entity, provided that the following shall be considered “grandfathered”: Any lot created in a legal Subdivision or Short Subdivision; and/or any portion of the real estate which was a separate legal lot prior to January 1, 1971, as determined by a separate chain of title. This term shall include “tracts” or “lots”.

PARK
A tract of land owned or controlled and used by specific and designated entities or persons for active and/or passive recreational purposes. A tract of land owned by a branch of government and available to the general public for recreational purposes.

PETROLEUM AND COAL PRODUCTS
Establishments primarily engaged in petroleum refining (including biodiesel), paving and roofing materials, and compounding lubricating oils and greases from purchased materials.

PERMIT
A certificate evidencing permission; a license. (Black’s Law Dictionary Deluxe 7th ed., p. 1160)

PLACE OF WORSHIP
A church, synagogue, temple, mosque, or other facility that is used for prayer by persons of similar beliefs; a special purpose building that is architecturally designed and particularly adapted for the primary use of conducting formal religious services on a regular basis.
<table>
<thead>
<tr>
<th>Term</th>
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<tbody>
<tr>
<td>PLANNING COMMISSION OR COMMISSION</td>
<td>The Stevens County Planning Commission.</td>
</tr>
<tr>
<td>PLAT</td>
<td>A map or representation of a subdivision, showing thereon the division of a tract or parcel of land into lots, blocks, roads and alleys or other divisions and dedications.</td>
</tr>
<tr>
<td>PRELIMINARY PLAT</td>
<td>A neat an approximate drawing of a proposed subdivision showing the general layout of roads and alleys, lots, blocks and other elements of a subdivision consistent with the requirements of the Interim Title. The preliminary plat shall be the basis for the approval or disapproval of the general layout of a subdivision.</td>
</tr>
<tr>
<td>PRIMARY METALS</td>
<td>Establishments engaged in smelting and refining ferrous and nonferrous metals from ore, pig, or scrap; in rolling, drawing, and alloying metals; in manufacturing castings and other basic metal products; and in manufacturing nails, spikes, and insulated wire and cable, including the production of coke.</td>
</tr>
<tr>
<td>PRINTING AND PUBLISHING</td>
<td>Establishments engaged in manufacturing and processing of printed and publishing materials.</td>
</tr>
<tr>
<td>PRIVATE ROAD</td>
<td>A road granting access to property that has not been dedicated to the public and shall not be adopted by the County as a County Roadway.</td>
</tr>
<tr>
<td>PROFESSIONAL OFFICE</td>
<td>The office of a member of a recognized profession maintained for the conduct of that profession.</td>
</tr>
<tr>
<td>POLICY</td>
<td>The method that should be applied to obtain a desired goal.</td>
</tr>
<tr>
<td>PRINCIPAL OR MAJOR USES</td>
<td>Includes, and is limited to, domestic livestock grazing, fish and wildlife development and utilization, mineral exploration and production, rights-of-way, outdoor recreation, and timber production. (43 U.S.C 1702(l))</td>
</tr>
<tr>
<td>PRIVATE PROPERTY</td>
<td>Property – protected from public appropriation – over which the owner has exclusive and absolute rights. (Black’s Law Dictionary Deluxe 7th ed., p. 1233)</td>
</tr>
<tr>
<td>PROPERTY</td>
<td>Any external thing over which the rights of possession, use, and enjoyment are exercised. (Black’s Law Dictionary Deluxe 7th ed., p. 1232)</td>
</tr>
<tr>
<td><strong>PROPERTY RIGHT</strong></td>
<td>A right to specific property, whether tangible or intangible. (Black’s Law Dictionary Deluxe 7th ed., p. 1323)</td>
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<tr>
<td><strong>PUBLIC FACILITIES</strong></td>
<td>Include streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, domestic water systems, storm and sanitary sewer systems, parks and recreational facilities, and schools.</td>
</tr>
<tr>
<td><strong>PUBLIC LANDS</strong></td>
<td>Those lands held by the federal or State government with full respect and consideration given to any and all privately held rights attached thereto.</td>
</tr>
<tr>
<td><strong>PUBLIC PROPERTY</strong></td>
<td>Nation, State or community owned property not restricted to any one individual’s use or possession. (Black’s Law Dictionary Deluxe 7th ed., p. 1233)</td>
</tr>
<tr>
<td><strong>PUBLIC SERVICES</strong></td>
<td>Include fire protection and suppression, law enforcement, public health, education, recreation, environmental protection, and other governmental services.</td>
</tr>
<tr>
<td><strong>PUBLIC AGENCY USE</strong></td>
<td>A building to house any department, commission, independent agency, or instrumentality of the United States, of a state, county, incorporated or unincorporated municipality, township, authority, district, or other governmental unit.</td>
</tr>
<tr>
<td><strong>PUBLIC ROAD</strong></td>
<td>A road dedicated to the public and/or adopted by the County or State as a public roadway.</td>
</tr>
<tr>
<td><strong>PUBLIC SEWER SYSTEM</strong></td>
<td>A sewerage system: (a) Owned and operated by a city, town, municipal corporation, county or other approved ownership consisting of a collections system and necessary trunks, pumping facilities and a means of final treatment and disposal and (b) Approved by or under permit from the Department of Ecology, the Department of Health or the Northeast Tri-County Health District.</td>
</tr>
<tr>
<td><strong>PUBLIC WATER SYSTEM</strong></td>
<td>A Washington State Department of Health approved water system. They include water systems owned and operated by a Public Utility District, municipality or a private entity. The term also includes Group B water systems.</td>
</tr>
<tr>
<td><strong>RACE TRACK</strong></td>
<td>A designated course designed to provide competitive racing for motor vehicles, motorcycles, bicycles, or animals.</td>
</tr>
<tr>
<td>Term</td>
<td>Definition</td>
</tr>
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<td>-----------------------------</td>
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</tr>
<tr>
<td>RECREATIONAL BUSINESS</td>
<td>Non-production businesses that rely on a rural location and setting for recreational and tourist uses for operating a business and providing or selling goods or services.</td>
</tr>
<tr>
<td>RECREATION LAND</td>
<td>Land so designated under RCW 36.70A.1701 and that, immediately prior to this designation, was designated as agricultural land of long-term commercial significance under RCW 36.70A.170. Recreational land must have playing fields and supporting facilities existing before July 1, 2004, for sports played on grass playing fields.</td>
</tr>
<tr>
<td>RECREATIONAL VEHICLE</td>
<td>A vehicular-type portable structure without permanent foundation that can be towed, hauled, or driven and is designed as a temporary living accommodations for recreational and camping purposes.</td>
</tr>
<tr>
<td>RESEARCH LABORATORY</td>
<td>A facility for investigation into the natural, physical, or social sciences, which may include engineering and product development.</td>
</tr>
<tr>
<td>RESOLUTION OR COUNTY RESOLUTION</td>
<td>A formal expression of a decision by the Stevens County Board of Commissioners, which carries the force and effect of law, similar to that authority of a city ordinance.</td>
</tr>
<tr>
<td>RESORT, SMALL</td>
<td>A facility for transient guests where the primary attractions are recreational features or activities.</td>
</tr>
<tr>
<td>RESTAURANT</td>
<td>An establishment where food and drink are prepared, served, and consumed, mostly within the principal building.</td>
</tr>
<tr>
<td>RESTAURANT, FAST FOOD</td>
<td>An establishment whose principal business is the sale of pre-prepared or rapidly prepared food directly to the customer in a ready-to-consume state for consumption either within the restaurant building, in vehicles on the premises, or off the premises.</td>
</tr>
<tr>
<td>RETAIL SALES</td>
<td>Establishments engaged in the selling or rental of goods or merchandise (usually to the general public for personal use or household consumption, although they may serve business and institutional clients) and in rendering services incidental to the sale of such goods.</td>
</tr>
<tr>
<td>REZONE</td>
<td>A change in zone classification from one zoning district to another.</td>
</tr>
</tbody>
</table>
RIDING ARENA (Indoor) A riding ring that is enclosed with walls and a roof, allowing horses to be ridden in bad weather, especially in areas where snow may prevent outdoor riding.

RIGHT The interest, claim, or ownership that one has in tangible or intangible property. (Black’s Law Dictionary Deluxe 7th ed., p. 1322)

ROAD An improved and maintained right of way or easement which provides vehicular circulation or principal means of access to abutting properties, and which may also include provisions for public utilities, pedestrian walkways, public open space and recreation areas, cut and full slopes and drainage. This term may or may not include State Highways, public or private roads.

RUBBER Establishments engaged in manufacturing and processing of rubber related products.

RURAL BUSINESS (no outdoor work) The intensification, expansion or new development of isolated non-residential development, including new development of cottage industries and small-scale businesses that provide job opportunities for rural residents and which does not create outdoor work. A rural business may be located in the A, F, RA, AR and UR zones. It is not dependant on municipal services such as public water and sewer. Examples of rural businesses include, but are not limited to, commercial, manufacturing, recreation and resource based uses. (Personal vehicle parking and usage shall not be considered as outdoor work). Not to include adult entertainment uses.

RURAL BUSINESS (outdoor work) The intensification, expansion or new development of isolated non-residential development, including new development of cottage industries and small-scale businesses that provide job opportunities for rural residents and which creates outdoor work. A rural business may be located in the A, F, RA, AR and UR zones. It is not dependant on municipal services such as public water and sewer. Examples of rural businesses include, but are not limited to, commercial, light manufacturing, recreation and resource based uses. (Personal vehicle parking and usage shall not be considered as outdoor work). Not to include adult entertainment uses.
RURAL CHARACTER

Rural character is defined to include reference to a visual landscape that is rural in nature, dispersed but confined crossroad areas and rural communities with a limited range of businesses to serve the surrounding area, and which acknowledge the remoteness of many outlying areas in Stevens County, and the tradition and necessity for self-sufficiency in the rural area. Rural character may evolve as the County develops in the future.

RURAL DEVELOPMENT

Refers to development outside the urban growth area and outside agricultural, forest, and mineral resource lands designated pursuant to RCW 36.70A.170. Rural development can consist of a variety of uses and residential densities, including clustered residential development, at levels that are consistent with the preservation of rural character and the requirements of the rural element. Rural development does not refer to agriculture or forestry activities that may be conducted in rural areas.

RURAL SPRAWL

The inappropriate conversion of undeveloped land into sprawling, low-density development.

RV PARK

Any lot or parcel of land upon which two or more sites are located, established, or maintained for occupancy by recreational vehicles for a fee as temporary living quarters for recreational or vacation purposes. Not to exceed 90 days per stay. (Ordinance #2018-01, effective 1/10/2018)

SAWMILL

Machine or plant with power-driven machines for sawing logs into rough-squared sections or into planks and boards.

A sawmill may be equipped with planing, molding, tenoning, and other machines for finishing processes. Cutting is performed on various large machines; reciprocating saws, band saws, or circular saws cut the log into various thicknesses as it moves past the saw on a feeder table. The biggest mills are usually located where timber can be brought by river or rail, and mill design is affected by the mode of transportation.

SCHOOL

Any building or part thereof that is designed, constructed, or used for education or instruction in any branch of knowledge. Includes preschool, elementary, parochial, private, secondary, and vocational schools.

SECRETARY

The Secretary of Agriculture and/or the Secretary of Interior, or their delegates.
SEPA  The State Environmental Policy Act, Revised Code of Washington, Chapter 43.21C, implemented by Washington Administrative Code, Chapter 197-11, and applied pursuant to this Title.

SEASONAL DWELLING UNIT  A dwelling unit that lacks one or more of the basic amenities or utilities required for all-year or all-weather occupancy.

SELF STORAGE FACILITY  A building or group of buildings containing separate, individual, and private storage spaces of varying sizes available for lease or rent for varying periods of time.

SEPTAGE  The mixture of solid, semi-solid, and liquid wastes, scum, and sludge that is pumped from within the septic tanks, pump chambers, holding tanks, and other septic system components.

SEPTAGE BUSINESS  A state approved business where a mixture of solid, semi-solid, and liquid wastes, scum, and sludge that is pumped from within the septic tanks, pump chambers, holding tanks, and other septic system components is applied to the ground.

SEWER FACILITY  A state approved sewage disposal system which provides a collection network and disposal system and central sewage treatment facility for a single development, community, or region.

SHALL  Imperative or mandatory. It excludes the idea of discretion (Black’s Law Dictionary, 5th edition, p. 1233).

SHOOTING RANGE  A business or an organization providing shooting facilities for handgun, rifle, shotgun and archery. Shooting ranges may also include camping facilities or other appropriate overnight accommodations, and classroom facilities for firearm, hunter safety, or other applicable instruction courses.

SHORT PLAT  A map or representation of a short subdivision together with written certificates, dedications and data.

SHORT SUBDIVISION  The division or re-division of land into four or fewer lots, tracts, parcels, sites or subdivision for the purpose of sale, lease or transfer or ownership.

SINGLE FAMILY RESIDENCE  A building or portion thereof that contains living facilities, including provisions for sleeping, eating cooking and sanitation. Designed exclusively for single-family residential purposes on a permanent basis.
SKI AREA  An area developed for snow skiing, with trails and lifts, and including ski rental and sales, instruction, and eating facilities. Resort includes sales, rental, and service of related equipment and accessories, eating places, residences, and hotels and motels.

SMALL-SCALE BUSINESS (rural area)  A business with a small number of employees. These businesses are privately owned corporations, partnerships, or sole proprietorships and the uses are compatible with the policies contained within the Comprehensive Plan for Type III LAMIRDS.

SOCIAL SERVICES  Establishments providing assistance and aid to those persons requiring counseling for job training, employment, psychological problems, or learning and physical disabilities.

SOCIAL STABILITY  The condition of a society and/or community being firmly established, permanent and steadfast, not subject to insecurity, emotional illness, or outside disruption, and with the strength to stand and endure in its established way of life.

SPOT ZONING  Rezoning of a lot or parcel of land to benefit an owner for a use that is incompatible with surrounding land uses and is not consistent with the policies contained within the Comprehensive Plan.

STABLE  Accessory building in which horses or beasts of burden owned by the occupants or non-occupants of the premises are kept, and in which such animals are kept for hire, remuneration or sale.

STADIUM/ARENA  An indoor or outdoor area, surrounded by seating for spectators, where shows or sports events take place.

STATE HIGHWAYS  Roadways owned and maintained by the Washington State Department of Transportation (WSDOT). Approach permits must be obtained from WSDOT prior to construction or relocation of an approach onto all highways.

STEWARDSHIP  The active exercise of responsibility in an area where lawful authority is held.

STONE, CLAY, GLASS, CONCRETE  Establishments manufacturing flat glass and other glass products, cement, structural clay products, pottery, concrete and gypsum products, cut stone, abrasive and asbestos products, and other products from materials taken principally from the earth in the form of stone, clay, and sand.
SOLID WASTE HANDLING FACILITY  A facility for the management, storage, collection, transportation, treatment, use, processing or final disposal of solid wastes, including the recovery and recycling of materials from solid wastes, the recovery and recycling of materials from solid waste or the conversion of the energy in such wastes to more useful forms or combinations thereof.

SUBDIVIDER  A person, including a corporate person, who undertakes to create a subdivision.

SUBDIVISION  The division or re-division of land into five or more lots for the purpose of sale, lease or transfer of ownership.

SUSTAINED  To nourish and encourage; lend strength to. (Black’s Law Dictionary Deluxe 7th ed., p. 1322)

SUSTAINED YIELD  The achievement and maintenance in perpetuity of a high-level annual or regular periodic output of the various renewable resources of the public lands consistent with multiple use. (43 U.S.C 1702(h))

TAVERN  An establishment in which alcoholic beverages are served, primarily by the drink, and where food or packaged liquors may also be served or sold.

THEATER  A building or part of a building used to show motion pictures or for drama, dance, musical, or other live performances.

TITLE POLICY OR CURRENT TITLE REPORT  A Plat Certificate or a Preliminary Commitment issued by a Title Company authorized to conduct business in Stevens County.

TRANSFER STATION  An intermediate destination for solid waste.

TRANSPORTATION FACILITIES  Facilities engaged in furnishing passenger transportation, including taxicabs, passenger transportation charter service, school buses, and terminal and service facilities for motor vehicle passenger transportation.

TRUCK STOP  Any building, premises, or land in which or upon which a business or service involving the maintenance, servicing, storage, or repair or commercial vehicles is conducted or rendered, including the dispensing or motor fuel or other petroleum products directly into motor vehicles and the sale of accessories or equipment for trucks and similar commercial vehicles, and which may include overnight accommodations and restaurant facilities primarily for the use of truck crews.
### URBAN GROWTH
Refers to growth that makes intensive use of land for the location of buildings, structures, and impermeable surfaces to such a degree as to be incompatible with the primary use of land for the production of food, other agricultural products, or fiber, or the extraction of mineral resources, rural uses, rural development, and natural resource lands designated pursuant to RCW 36.70A.170. A pattern of more intensive rural development, as provided in RCW 36.70A.070(5)(d), is not urban growth. When allowed to spread over wide areas, urban growth typically requires urban governmental services. "Characterized by urban growth" refers to land having urban growth located on it, or to land located in relationship to an area with urban growth on it as to be appropriate for urban growth.

### URBAN GROWTH AREA (UGA)
Those areas designated by Stevens County pursuant to RCW 36.70A.110 or areas within which urban growth shall be encouraged and outside of which growth can occur only if it is not urban in nature.

### UNCONTROLLED STORMWATER RUNOFF
Rainfall or snowmelt runoff that would drain from the proposed subdivision in the absence of stormwater best management practices (BMPs). (Ordinance #2016-04, effective 6/6/16)

### VARIANCE
A grant of relief from the specific development or performance standards set forth in Title 3, which permits construction in a manner that would otherwise be prohibited by this Title; however, no variance shall be granted to allow the use of property for purposes not authorized in the district in which the proposed use would be located, create lots with less than the minimum size required by the district, or increase densities above that established for the district.

### VETERINARY CLINIC/HOSPITAL
A place where animals are given medical care and the boarding of animals is limited to short-term.

### VOCATIONAL SCHOOL
A secondary or higher education facility primarily teaching useable skills that prepares students for jobs in a trade and meeting the state requirements as a vocational facility.

### WATER FACILITY
A facility used for the collection, treatment, storage, and distribution of potable water from the source of supply to the consumer.

### WATER TOWER, PUBLIC
A water storage facility, used for public purposes.
WAREHOUSE  A building used primarily for the storage of goods and materials.

WASTEWATER SYSTEM  Any device or system in public or private ownership used in the storage, treatment, recycling, or reclamation of sewage generated by two or more individual units of development.

WHOLESALE  Establishments or places of business primarily engaged in selling merchandise to other businesses, including retailers, industrial, commercial, institutional, or professional business users.

WINERIES/BREWERIES  A business that produces and/or serves beers or wines intended for consumption on the premises as an accessory use.

WIRELESS TELECOMMUNICATIONS TOWER AND FACILITIES  A parcel of land containing a tower, sending and receiving antennas attached to the tower, and a prefabricated or modular structure or cabinets containing electronic equipment. A Federal Communications Commission licensed facility, designed and used for the purpose of transmitting, receiving, and relaying voice and data signals from various wireless communication devices and equipment.

WIRELESS TELECOMMUNICATIONS TOWER AND FACILITIES – CO-LOCATION  An addition to an existing permitted facility. To be considered a co-location an antenna shall not extend more than 7 1/2 feet horizontally from any structure to which it is attached. An antenna shall not extend vertically more than 15 feet above the uppermost portion of the structure to which it is mounted or attached.

WOOD PRODUCTS  Establishments engaged in manufacturing and processing of wood products.