

## RESOLUTION NO. 2021- 95

**Re:** Adoption of amendments to Chelan County Codes, Title 11 Zoning and Title 14 Development Permit Procedures and Administration and Definitions, and Title 16 Enforcement and Violations with associated fees in Chapter 3.24 Community Development Department

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**WHEREAS**, short term rentals have potential negative impacts to residential areas including but not limited to nuisance impacts and excess demands upon law enforcement, and other negative impacts on the peaceful enjoyment of neighborhoods and public health, safety, and welfare, and

**WHEREAS**, the proliferation of short term rentals also has a potential negative impact on the economy of the county, exacerbating the scarcity of affordable housing for permanent residents as well as excess demands on public services and facilities, and

**WHEREAS**, the County has adopted a Comprehensive Plan with land use, housing, and rural element goals and policies intended provide appropriate placement of vacation rentals to avoid impacting neighborhood character, allow sustainable economic opportunity while limiting localized sprawl, support natural resource-based economic activities including small scale recreation and tourist uses, traditional rural lifestyles, outdoor recreation, wildlife habitats, and open space, and

**WHEREAS**, the County adopted vacation rental regulations for Manson Urban Growth Area in 2013, and

**WHEREAS**, the County lacks adequate countywide regulations to implement its Comprehensive Plan goals and policies and address public health, safety, and welfare, and

**WHEREAS**, the County enlisted the Planning Commission to develop a draft code at public meetings and hearings in 2020, and

**WHEREAS**, the County provided a 60-day notice of intent to adopt regulations with the Washington Department of Commerce in 2020, and

**WHEREAS**, the County issued a determination of non-significance in June 2020 and a revised determination of non-significance in December 2020 and July 2021, and

**WHEREAS**, the County formed a Task Force with representatives of county residents and short-term rental owners in 2021 to identify options to address short-term rental regulations starting with regulations developed in December 2020, and

**WHEREAS**, the County Board of Commissioners held meetings and duly advertised hearings in 2020 and 2021, invited public testimony for or against the proposal, and reviewed the testimony and written record, and

**WHEREAS**, the Board of Chelan County Commissioners found that:

**FINDINGS OF FACT:**

1. Reviewing agencies and the general public were given an opportunity to comment on the proposed amendments.
2. The amendments are consistent with Chelan County Code Title 14 Development Permit Procedures and Administration.
3. An Environmental Checklist. Pursuant to WAC 197-11 and RCW 43.21C of the State Environmental Policy Act (SEPA), environmental review and a threshold determination was completed, and a Determination of Non-Significance (DNS) was issued on June 11, 2020 and reaffirmed in a revised DNS on December 20, 2020 and July 22, 2021. The Land Divisions Ordinance Chapter 12.22, Plat Vacations and Plat Alterations, have been contemplated.
4. The Chelan County has adopted the Chelan County Comprehensive Plan pursuant to the Growth Management Act (GMA), RCW Chapter 36.70A.
5. The Chelan County Planning Commission is responsible for long range planning matters and providing implementation recommendations to assure compliance with the Growth Management Act for Chelan County. These measures include updates and amendments to the comprehensive plan; development regulations, environmental regulations, and any other rules, actions or regulations deemed necessary to implement the Growth Management Act.
6. RCW Chapters 36.70 and 36.70A authorize the adoption of development regulations. The short-term rental regulations are necessary for consistency with the goals and policies of the Chelan County Comprehensive Plan.
7. RCW 36.70A.140 requires Chelan County to provide for early and continuous public participation in the development and amendment of the Development Regulations.
8. Chelan County developed a project website, offered comment periods, and duly noticed hearings.
9. The Chelan County Planning Commission held workshops on April 22, May 13, May 27 and June 3, 2020 on the proposed amendments.
10. Notice of the public 60 day review and comment period, and public hearing date was published in the Wenatchee World on June 6, 2020 for amendments.

11. On May 14, 2020, Chelan County provided formal notice to the Washington State Department of Commerce of the intent to adopt amendments to the Chelan County Code and initiation of the 60 day review and comment periods.
12. On June 27, 2020, the Chelan County Planning Commission conducted an advertised public hearing. The Planning Commission entered into the record the files on this amendment, accepted public testimony, and deliberated the merits of the proposal, rendering a Decision on July 9, 2020.
13. The Chelan County Planning Commission has reviewed the entire record and public testimony as it relates to the proposed amendments to the Chelan County Code.
14. The Chelan County Board of County Commissioners held study sessions on July 27 and August 4, 2020.
15. The Chelan County Board of County Commissioners remanded the draft code to the Planning Commission on August 24, 2020.
16. Notice of the public 60 day review and comment period, and public hearing date was published in the Wenatchee World on August 27, 2020 for amendments.
17. On September 9, 2020, the Chelan County Planning Commission conducted an advertised public hearing. The Planning Commission entered into the record the files on this amendment, accepted public testimony, and deliberated the merits of the proposal, rendering a Decision on October 15, 2020.
18. On November 24, 2020, Chelan County provided an additional updated formal notice to the Washington State Department of Commerce of the intent to adopt amendments to the Chelan County Code and initiation of the 60 day review and comment periods.
19. On December 22, 2020, the Chelan County Board of Commissioners conducted an advertised public hearing. The Board of Commissioners entered into the record the files on this amendment, accepted public testimony, and deliberated the merits of the proposal.
20. On December 29, 2020, the Chelan County Board of Commissioners deliberated the merits of the proposal continued the hearing for at least 90 days while a Task Force was appointed and assigned to review the drafts of the code and make a recommendation focused on seven areas of the drafts.
21. On May 11, 2021, the Chelan County Board of Commissioners received the Task Force report and accepted it.
22. On June 29, 2021, the Chelan County Board of Commissioners conducted an advertised public hearing. The Board of Commissioners entered into the record the files on this amendment, accepted public testimony, and deliberated the merits of the proposal on July 13 and July 27, 2021.
23. Any Finding of Fact that is more correctly a Conclusion is incorporated herein as such by this reference.

**CONCLUSIONS:**

1. Chelan County adoption of amendments to the Chelan County Codes, Title 11 Zoning and Title 14 Development Permit Procedures and Administration and Definitions and Title 16 Enforcement and Violations together with associated fees in Chapter 3.24 Community Development Department will fulfill the requirements of RCW 36.70A.040 to adopt development regulations consistent with and implementing the Chelan County Comprehensive Plan.
2. Public participation and notification requirements contained in RCW 36.70A.140 were met. Legal notification of the public hearings was published in the official county newspaper, and the draft documents were available at the Chelan County Department of Community Development.
3. Reviewing agencies were given an opportunity to comment on the proposed amendments.
4. Chelan County has considered written and oral comments and submittals from the public, other public agencies, and tribes in the preparations and review of the proposed amendments to the Chelan County Development Regulation.
5. The adoption of these code amendments to the Chelan County Development Regulations are in the best interest of the public and furthers the health, safety, and welfare of the citizens of Chelan County.
6. The proposed amendments have been processed to comply with the requirements of RCW 43.21C, the State Environmental Policy Act.
7. Any Conclusion that is more correctly a Finding of Fact is incorporated herein as such by this reference.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Chelan County Commissioners hereby adopts the attached (Attachments "A") revised Development Regulations Text Amendments to the Chelan County Codes Title 11 Zoning and Title 14 Development Permit Procedures and Administration and Definitions and Title 16 Enforcement and Violations together with associated fees in Chapter 3.24 Community Development Department.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect and be in force from and after September 27, 2021.

**BE IT FURTHER RESOLVED** that this decision is hereby signed into authentication on the following date,

**Dated** this 27<sup>th</sup> day of July, 2021.

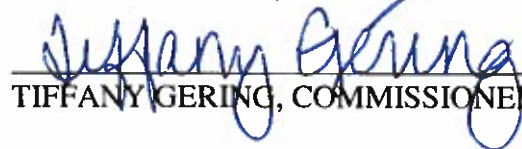
BOARD OF CHELAN COUNTY COMMISSIONERS

  
BOB BUGERT, CHAIRMAN

ATTEST: CARLYE BAITY

  
KEVIN OVERBAY, COMMISSIONER

  
Clerk of the Board

  
TIFFANY GERING, COMMISSIONER

