

Chapter 25.12

LEGISLATIVE ACTIONS

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1 **25.12.010 Legislative Decisions**

- 2
- 3 (a) Decisions. The following decisions are legislative and are not subject to the project permit
- 4 application, notice, review, appeal and other procedures specified in GCC Chapter 25.04, unless
- 5 otherwise specified:
- 6 (1) Amendments to chapters of Titles 22, 23, 24 and 25 of the GCC;
- 7 (2) Area-wide reclassification of land use districts to implement new County policies;
- 8 (3) Major rezones and site-specific land use redesignations and/or density changes;
- 9 (4) Designation or amendment of any new fully contained community, master planned resort and
- 10 major industrial developments pursuant to the requirements of RCW 36.70A; and
- 11 (5) Adoption of the Comprehensive Plan and any Plan amendments, including Subarea Plan
- 12 adoption and amendments.
- 13
- 14 (b) SEPA. If a legislative decision qualifies as an “action” that requires review under the State
- 15 Environmental Policy Act (SEPA) and GCC Chapter 24.04, all SEPA procedural requirements shall
- 16 be met prior to conducting open record predecision hearings on the action.

17

18 **25.12.020 Procedures for Legislative Actions**

- 19
- 20 (a) General. All legislative actions shall be processed according to the procedures established in the
- 21 Comprehensive Plan and in this section. Administrative review of legislative actions shall be as
- 22 summarized in Table 1.
- 23

24 **Table 1 – Summary of Administrative Review of**

25 **Legislative Actions^{1,2}**

| Steps in Permit Review Process | Legislative Actions |
|---|----------------------|
| Public Notice of Application | Yes |
| Notice of Public Hearing | Yes |
| Public Comment Period | Yes |
| Open-Record Predecision Hearing (Hearing Body) | Yes (PC) |
| Decision Maker | PC/BOCC ³ |
| Open-Record Final Decision Hearing (Hearing Body) | Yes (BOCC) |
| Open-Record Appeal Hearing (Hearing Body) | No |
| Closed-Record Appeal Hearing (Hearing Body) | No |
| Judicial Appeal (Hearing Body) ⁴ | Yes (GCSC) |
| Other Appeal ⁴ | GMHB |

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¹ Abbreviations: BOCC: Board of County Commissioners

PC: Planning Commission

GMHB: Growth Management Hearings Board

GCSC: Grant County Superior Court

² This table is a summary of requirements; refer to text of GCC for full procedures.

³ PC makes advisory recommendation to BOCC, who makes final decision.

⁴ A legislative decision shall first be appealed to the GMHB, unless all parties to the proceeding before the GMHB agree to direct judicial review pursuant to RCW 36.70A.295

- 1 (b) Review. A legislative action requires one (1) or more hearings before the Planning Commission and
 2 may require one (1) or more hearings or meetings before the Board of County Commissioners.
- 3 (1) The Planning Commission shall direct the Department within fourteen (14) days of the date of
 4 the open record hearing to prepare a written report setting forth the recommendation of the
 5 Planning Commission including findings, conclusions, staff report, and testimony on the record
 6 from agencies and interested parties.
- 7 (2) Upon receiving the recommendation from the Planning Commission, the Clerk of the Board of
 8 County Commissioners shall promptly set the matter for a public hearing to make a decision on
 9 the Planning Commission recommendation.
- 10 (3) The County Commissioners, at their discretion, may decide to hold either a open record or
 11 closed record public hearing and make a decision on the following matters:
- 12 (A) Appeal of a Planning Commission recommendation. This appeal shall be conducted in
 13 accordance with the Board of County Commissioners Rules of Procedure and shall serve to
 14 provide argument and guidance for the Planning Commission decision. Closed record
 15 appeals shall be conducted generally as provided for public hearings, however no new
 16 evidence or testimony shall be given or received. The parties to the appeal may submit
 17 timely written statements or arguments;
- 18 (B) Uphold recommendation of the Planning Commission;
- 19 (C) Uphold recommendation of the Planning Commission with additional conditions;
- 20 (D) Modify recommendation of approval, with or without the applicant's concurrence, provided
 21 that the modifications do not:
- 22 (i) Enlarge the area or scope of the project;
- 23 (ii) Increase the density of the project; or
- 24 (iii) Significantly increase adverse environmental impacts as determined by the SEPA
 25 responsible official;
- 26 (E) Denial (reapplication or resubmittal is permitted);
- 27 (F) Denial with prejudice (reapplication or resubmittal is not allowed for one year); or
- 28 (G) Remand for further proceedings.
- 29
- 30 (c) Notice of Public Hearing before Planning Commission. At least fifteen (15) calendar days before the
 31 date of the first Planning Commission hearing for an application subject to legislative action review,
 32 the Administrative Official shall:
- 33 (1) Prepare a notice of application that includes the following information:
- 34 (A) The case file number(s);
- 35 (B) A description and map of the area that will be affected by the application, if approved,
 36 which is reasonably sufficient to inform the reader of its location;
- 37 (C) A summary of the proposed application(s);
- 38 (D) The place, days and times where information about the application may be examined and
 39 the name and telephone number of the county representative to contact about the
 40 application;
- 41 (E) A statement that the notice is intended to inform potentially interested parties about the
 42 hearing and to invite interested parties to appeal orally or by written statement at the
 43 hearing;
- 44 (F) The designation of the review authority, the date, time and place of the hearing, and a
 45 statement that the hearing will be conducted in accordance with the rules of procedure
 46 adopted by the review authority; and
- 47 (G) A general explanation of the requirements for submission of testimony and the procedure
 48 for the conduct of hearings.
- 49 (2) Mail a copy of a notice prepared under subsection c of this section to:
- 50 (A) Parties who request notice of such matters, based on a list kept by the Administrative

- 1 Official for that purpose;
- 2 (B) The neighborhood association, if any, in whose area the property in question is situated,
3 based on the list of neighborhood associations kept by the Administrative Official; and
- 4 (C) To other people the Administrative Official believes may be affected by the proposed
5 action.
- 6 (3) Publish in a newspaper of general circulation a summary of the notice, including the date, time
7 and place of the hearing and a summary of the subject of the legislative action; and
- 8 (4) Provide other notice deemed appropriate and necessary by the Administrative Official based on
9 the subject of the legislative action.
- 10
- 11 (d) Public Hearings. Public hearings shall be conducted in accordance with the rules of procedure
12 adopted by the review authority, except to the extent waived by the review authority. A public
13 hearing shall be recorded on audio or audiovisual tape.
- 14
- 15 (e) Conclusion of Hearing before Planning Commission. At the conclusion of a Planning Commission
16 hearing on a legislative action application, the Planning Commission shall announce one of the
17 following actions:
- 18 (1) That the hearing is continued. If the hearing is continued to a place, date and time certain, then
19 additional notice of the continued hearing is not required to be mailed, published or posted. If
20 the hearing is not continued to a place, date and time certain, then notice of the continued
21 hearing shall be given as though it was the initial hearing before the Planning Commission; or
- 22 (2) That the Planning Commission recommends against or in favor of approval of the application(s)
23 with or without certain changes, or that the Planning Commission will recommend neither
24 against nor for approval of the application(s) together with a brief summary of the basis for the
25 recommendation.
- 26
- 27 (f) Notice of Closed Record Hearing or Meeting before the Board of County Commissioners. At least
28 fifteen (15) days before the date of the first Board of County Commissioners hearing or meeting for
29 an application subject to legislative action review, if any, the Administrative Official shall:
- 30 (1) Prepare a notice that includes the information listed in subsection (c)(1) of this section except the
31 notice shall be modified as needed:
- 32 (A) To reflect any changes made in the application(s) during the Planning Commission review;
- 33 (B) To reflect that the Board of County Commissioners will conduct the hearing or meeting and
34 the place, date and time of the hearing or meeting;
- 35 (C) To state that the Planning Commission recommendation staff report, and SEPA evaluation
36 are available for inspection at no cost and copies will be provided at a reasonable cost;
- 37 (2) Mail a copy of that notice to the parties identified in subsection (c)(2) of this section and to
38 parties who request it in writing;
- 39 (3) Publish in a newspaper of general circulation a summary of the notice, including the date, time
40 and place of the hearing and a summary of the subject of the legislative action review process;
41 and
- 42 (4) Provide other notice deemed appropriate and necessary by the Administrative Official based on
43 the subject of the legislative action.
- 44
- 45 (g) Conclusion of Hearing before Board of County Commissioners. At the conclusion of its initial
46 hearing regarding a legislative action application, the Board of County Commissioners, may continue
47 the hearing or meeting, or may adopt, modify or give no further consideration to the application or
48 recommendations. If the hearing or meeting is not continued to a place, date and time certain, then
49 notice of the continued hearing or meeting shall be given as though it was the initial hearing before
50 the Board.

- 1 (h) Decision Content. Within fourteen (14) calendar days after the date the conclusion of the public
2 hearings and or meetings, the Board of County Commissioners should issue a written decision
3 regarding the application(s); provided, the Board shall not issue a written decision regarding the
4 application(s) until at least fifteen (15) calendar days after the threshold determination under the
5 Grant County SEPA Ordinance is made. The decision shall include:
6 (1) A statement of the applicable criteria and standards in this UDC and other applicable law;
7 (2) A statement of facts that the Board found showed the application does or does not comply with
8 each applicable approval criterion and standards;
9 (3) The reasons for a conclusion to approve or deny; and
10 (4) The decision to deny or approve the application, and, if approved, any conditions or approval
11 necessary to insure the proposed development will comply with applicable criteria and
12 standards.
13
- 14 (i) Notice of Decision Time Limitations. Within seven (7) calendar days of the decision, the Board of
15 County Commissioners should mail a notice of decision to the applicant and the applicant's
16 designated representative. The mailing shall include a notice that includes the following information:
17 (1) A statement that the decision and SEPA determination are final, but may be appealed as
18 provided in GCC § 25.04.430. The statement shall describe how a party must appeal the decision
19 or SEPA determination or both, including applicable fees and the elements of an appeal
20 statement.
21 (2) A statement that the complete case file, including findings, conclusions, and conditions of
22 approval, if any, is available for review. The notice shall list the place, days and times where the
23 case file is available and the name and telephone number of the county representative to contact
24 about reviewing the case file.
25
- 26 (j) Legislative Enactment's Not Restricted: Nothing in this section or the permit processing procedures
27 shall limit the authority of the Board of County Commissioners to make changes to the County's
28 Comprehensive Plan or the County's development regulations, as part of an annual revision process.
29

30 **25.12.030 Comprehensive Plan Amendments**

- 31
- 32 (a) Types. There are four types of Comprehensive Plan Amendments:
33 (1) Plan policy or text change;
34 (2) Urban Growth Area (UGA) boundary or Plan Map change;
35 (3) Site-specific land use redesignations; and
36 (4) Emergency amendments.
37
- 38 (b) Who May Initiate. The County (Board of County Commissioners, Planning Commission, or any
39 Departments of the County) or other entities, cities, towns, agencies, organizations, or individuals
40 may initiate a Comprehensive Plan amendment at any time subject to the requirements of this section.
41 A request for a site-specific land use redesignation or to change density may be initiated by a property
42 owner. Proposed amendments to a designated urban growth area boundary that is associated with a
43 specific incorporated city or town may be initiated only by the legislative authority for that
44 incorporated city or town.
45
- 46 (c) Purpose of Site-Specific Land Use Redesignations. A land use designation change or density change
47 is a mechanism by which the Comprehensive Plan land use designation or density applicable to
48 property can be changed to reflect such things as changed circumstances, new land-use needs, or new
49 land use policies.
50

- 1 (d) Time Limitations. Proposed comprehensive plan amendments shall be considered on an annual basis
2 (no more frequently than once per year), according to the schedule provided in this Chapter so that
3 the cumulative effect of all proposed amendments may be considered; provided, however, the County
4 may adopt amendments more frequently than once per year if the proposal is:
5 (1) the initial adoption of subarea plan;
6 (2) an amendment to the County's Shoreline Master Program under the procedures set forth in RCW
7 90.58;
8 (3) to achieve consistency with amendments to countywide planning policies;
9 (4) an amendment to the capital facilities element that occurs concurrently with the adoption or
10 amendment of the County budget;
11 (5) an amendment to the transportation element that occurs concurrently with the adoption or
12 amendment of the County six-year transportation improvement plan as provided in law;
13 (6) the initial adoption of development regulations or amendments to development regulations to
14 carry out the policies of the Comprehensive Plan; or
15 (7) if a declared emergency exists, or in response to an order of the Growth Management Hearings
16 Board. An emergency amendment may only be adopted if the Board finds that the amendment is
17 necessary to address an immediate situation of federal, state, subarea, or countywide concern as
18 opposed to a personal emergency on the part of the applicant or property owner and the situation
19 cannot adequately be addressed by waiting until the annual Comprehensive Plan amendment
20 process.
21
- 22 (e) Amendment Schedule. The schedule for initiation of review of amendments to the Comprehensive
23 Plan shall be as follows:
24 (1) Petitions for amendments to the Comprehensive Plan shall be submitted to the Department on
25 forms provided by the Department by the specific, annual petition application date, established
26 by Resolution of the Board of County Commissioners following a duly advertised public
27 meeting, for consideration during the applicable review cycle. Requests submitted after said date
28 will be returned to the applicant for resubmittal in the following year.
29 (2) Within forty-five (45) days of the established petition application dated, the Department shall
30 review all of the petitions for Comprehensive Plan amendments submitted by the deadline,
31 together with any proposed amendments suggested by the Department, and shall forward a
32 recommendation to the Board as to which of the submitted amendments the Department
33 recommends for further consideration by the County.
34 (3) Within 15 days of receipt of the Department's recommendation on the package of proposed
35 amendments, the Board shall, in a public meeting, consider the Department recommendation on
36 each proposed amendment and decide whether to initiate plan amendment review of each of the
37 proposed amendments. A decision by the Board to initiate the plan amendment review process
38 for a particular proposed amendment at this stage is procedural only and does not constitute a
39 decision by the Board as to whether the amendment will ultimately be approved.
40
- 41 (f) Environmental Review. After a Board decision to proceed with further review of proposed
42 comprehensive plan amendments, the County shall complete environmental review of all of the
43 proposed amendments, consistent with the requirements of RCW 43.21C and GCC Chapter 24.04,
44 and as follows:
45 (1) For any site-specific comprehensive plan amendments, the proponent of those amendments shall
46 submit a complete environmental checklist to the County within 20 days of the Board's decision
47 to consider the proposed site-specific amendment;
48 (2) Within 15 days from receipt of the environmental checklist(s) for the proposed comprehensive
49 plan amendments, the Department shall issue a threshold determination on the package of
50

1 amendments. If necessary, a Draft Environmental Impact Statement should be published as soon
2 as possible following the review and analysis of the submitted petition; and

- 3 (3) Any environmental review shall consolidate, as much as practical, site-specific SEPA review
4 with review of the entire package of proposed comprehensive plan amendments to ensure
5 adequate consideration of cumulative effects of the proposed amendments. Costs for SEPA
6 review related to individual site-specific amendments shall be paid by the individual applicant as
7 part of any project permit review fee.

8
9 (g) Contents of Petition. Petitions for comprehensive plan amendments shall be in writing, on forms
10 provided by the Department, and shall contain suggested amendatory language, where appropriate. If
11 the proposed amendment is a site-specific land use redesignation, the application shall identify clearly
12 the area for which the change is requested through the use of legal descriptions and maps. The reason
13 or reasons for the request shall be clearly stated. The application shall describe how the proposed
14 change meets all of the criteria for approval listed below in subsection (h) of this section. Petitions
15 shall contain the following:

- 16 (1) A petition for a policy or plan text amendment shall include, at a minimum, the following
17 information:

- 18 (A) A detailed statement of what is proposed to be changed and why;
19 (B) A statement of anticipated impacts to be caused by the change, including geographic area
20 affected and issues presented;
21 (C) A demonstration of why existing Comprehensive Plan policies should not continue to be in
22 effect or why existing policies no longer apply;
23 (D) A statement of how the amendment complies with the Comprehensive Plan's community
24 vision statements, goals, objectives, and policy directives;
25 (E) A statement of how adopted capital facilities plans and transportation elements support the
26 change;
27 (F) A statement of how the change affects implementing development regulations (GCC Titles
28 22, 23, 24 and 25) and the necessary changes to bring the implementing development
29 regulations into compliance with the Plan; and
30 (G) A summary of any public review of the recommended change.

- 31 (2) A petition for UGA boundary or plan map change shall include, at a minimum, all of the
32 requirements for a policy amendment, plus the following additions:

- 33 (A) A detailed statement describing how the UGA boundary or map amendment complies with
34 comprehensive plan land use designation criteria.
35 (B) Any proposed UGA boundary changes, including those initiated by an incorporated city or
36 town, shall be supported by and dependant on criteria set forth in the GMA such as
37 population forecasts and allocated urban population distributions, existing urban densities
38 and infill opportunities, and phasing and availability of adequate public facility and service
39 capacities to serve such development in an economical manner, proximity to designated
40 natural resource lands and the presence of critical areas.
41 (C) Any proposed UGA boundary change application shall demonstrate that:
42 (i) The full range of urban public services and facilities, including water, sewer, storm
43 drainage, transportation, fire protection, and schools can be adequately provided in an
44 efficient, timely and economically feasible manner;
45 (ii) It is compatible with contiguous development within the UGA and adjacent rural and
46 resource lands; and
47 (iii) Development in the amended area will occur at urban densities.
48 (D) Any proposed rural areas and resource land map designation changes shall be supported by
49 and dependent on population forecasts and allocated non-urban population distributions,
50 existing rural area and natural resource land densities and infill opportunities.

- 1 (E) Any proposed resource land map designation changes shall recognize that resource land
 2 designations were intended to be long-term designations and shall further be dependent on
 3 one or more of the following:
 4 (i) A change in circumstances pertaining to the comprehensive plan or public policy.
 5 (ii) A change in circumstances beyond the control of the landowner pertaining to the
 6 subject property.
 7 (iii) An error in initial designation.
 8 (iv) New information on resource land or critical area status.
- 9 (3) A petition for a site-specific land use redesignation shall include, at a minimum, all of the
 10 requirements for a policy amendment, plus the following additions:
 11 (A) Historic use of the property and adjoining land;
 12 (B) Population density of the surrounding area;
 13 (C) Existing soil and sewage disposal conditions;
 14 (D) Description of existing water availability;
 15 (E) Description of the land's suitability for agricultural purpose;
 16 (F) Known archaeological or cultural resources located on the property;
 17 (G) Known critical areas located on the property;
 18 (H) Availability of existing public services and utilities; and
 19 (I) Names of abutting property owners.

20 If the proposed amendment applies to a specific number of parcels which are in readily
 21 identifiable ownership and is in conjunction with an identifiable development proposal, then the
 22 petitioner shall pay a fee with the petition as prescribed by the approved fee schedule as now or
 23 hereafter amended.
 24

- 25 (h) Criteria for Approval of Site-specific Land Use Redesignation. A petition for a site-specific land use
 26 redesignation will be reviewed by the reviewing authority for conformance with pertinent provisions
 27 of the comprehensive plan and development regulations. In reviewing the petition, the reviewing
 28 authority shall consider testimony provided at any public hearing and recommendations provided by
 29 interested and affected agencies and jurisdictions. The reviewing authority may approve or approve
 30 with conditions an application for a change of designation or density of property if all of the
 31 following criteria are met:
 32 (1) The change would benefit the public health, safety, and/or welfare;
 33 (2) The change is warranted because of changed circumstances or because of a need for additional
 34 property in the proposed land-use designation;
 35 (3) The change is consistent with the criteria for land use designations specified in the
 36 Comprehensive Plan;
 37 (4) The change will not be detrimental to uses or property in the immediate vicinity of the subject
 38 property;
 39 (5) The change has merit and value for the community as a whole;
 40 (6) The change, if granted, will not result in an enclave of property owners enjoying greater
 41 privileges and opportunities than those enjoyed by other property owners in the vicinity where
 42 there is not substantive difference in the properties themselves with justifies different
 43 designations;
 44 (7) The benefits of the change will outweigh any significant adverse impacts of the change;
 45 (8) The change is consistent with the purpose and intent of the Comprehensive Plan and the
 46 requirements of GCC Titles 22, 23, 24 and 25; and
 47 (9) The change complies with all other applicable criteria and standards of this Chapter.
 48
- 49 (i) Concomitant Agreement. The County is specifically authorized to require that the applicant enter in to
 50 a concomitant agreement with the County as a condition of any site-specific land use designation

1 change. Through that agreement, the County may impose development conditions designed to
2 mitigate potential impacts of the use or development that may occur as a result of such change.
3

- 4 (j) Appeals. Appeals of any decision regarding comprehensive plan amendments shall be in accordance
5 with the requirements of GCC § 25.12.100.
6

7 **25.12.040 Shoreline Master Program Amendments**
8

- 9 (a) Time Limitation. A proposed amendment to the Grant County Shoreline Master Program shall not be
10 subject to the once per year time limitation described above in GCC § 25.12.030(d). Shoreline Master
11 Program amendments shall instead follow the process required in WAC 173-19 and RCW 90.58.
12 However, adoption of the Shoreline Master Program as an element of the Comprehensive Plan shall
13 be considered a comprehensive plan amendment and will be processed according to the procedures
14 established in Chapter 36.70A RCW, this Chapter, and the Shorelines Management Act, Chapter
15 90.58 RCW. Adoption of an amendment to the Shoreline Master Program is subject to certification by
16 the Washington Department of Ecology, as required by the Shorelines Management Act (RCW
17 90.58.190).
18

19 **25.12.050 Subarea Plans**
20

- 21 (a) Time Limitation. Initial adoption of a subarea plan shall not be subject to the once per year time
22 limitation described above in GCC § 25.12.030(d), but shall be subject to the review procedures and
23 requirements contained in the balance of this Chapter.
24
- 25 (b) Purpose. A subarea plan is a detailed plan consistent with, but more specific than, the Comprehensive
26 Plan. A subarea plan may be more or less restrictive than the Comprehensive Plan. A subarea plan
27 may be a comprehensive land use plan only for an individual rural or urban area, or a functional long-
28 range plan for a land use or resource issue of countywide concern such as open space conservation or
29 amendments to lands designated as mineral lands of long-term commercial significance.
30
- 31 (c) Criteria. Subarea plans shall be consistent with the GMA, goals and policies in the Comprehensive
32 Plan, applicable subarea plans, and with the provisions of the State Environmental Policy Act
33 (SEPA).
34
- 35 (d) Initiation. A subarea planning process may be initiated upon action of the Board of County
36 Commissioners. The Board may, at its option, hold a public hearing on the matter or refer it to the
37 Planning Commission for a recommendation before taking action.
38
- 39 (e) General Procedures. All procedures and processes for any proposed subarea planning effort shall be
40 reviewed by the Director of the Department of Community Development. Fairness, openness, and full
41 citizen participation shall be paramount in all subarea planning procedures and processes. The
42 Director shall be responsible for coordination and preparation of subarea planning documents
43 according to the procedures authorized by the Board. Planning efforts may include formulation of a
44 subarea planning advisory committee comprised of a broadly representative cross section of residents
45 living in and property owners of the community affected, as appointed by the Board. The subarea
46 planning advisory committee may assist in the development of any proposed planning documents.
47
- 48 (f) Amendment and Review Process. All proposed subarea plans and plan amendments shall be
49 processed in accordance with the procedures of this Chapter.
50

1 **25.12.060 New Fully Contained Communities**

- 2
3 (a) New fully contained communities may be designated as new urban growth areas if the approval
4 criteria specified in the Comprehensive plan are met. Such designation shall be processed as a
5 comprehensive plan amendment as specified in GCC § 25.12.030.
6

7 **25.12.070 Master Planned Resorts**

- 8
9 (a) Applicability. This section applies to:
10 (1) New Master Planned Resorts, including applications for subsequent phases or for amendment of
11 the Master Plan; and
12 (2) Existing Master Planned Resorts (Sun Lakes Dry Falls State Park) without Master Plans
13 approved by the County. Prior to receiving development approval or permits for any new
14 development in an existing MPR, the applicant shall prepare a Master Plan to meet the
15 requirements of this section and other applicable sections of the GCC.
16
17 (b) Purpose. To provide for the planning, development, and operation of Master Planned Resorts (MPR)
18 and their Master Plans in accordance with the Comprehensive Plan and RCW 36.70A.360 and RCW
19 36.70A.362.
20
21 (c) Master Plan Requirements. A Master Plan shall be prepared for the MPR to describe the project and
22 provide a framework for project control and operation during and after development. This shall
23 include:
24 (1) A description of the setting and natural amenities that the MPR is being situated to use and
25 enjoy, and the particular natural and recreation features that will attract people to the area and
26 resort;
27 (2) A description of the destination resort facilities of the MPR, including short-term visitor
28 accommodations, on-site outdoor and indoor recreational facilities, off-site and excursion
29 opportunities offered or provided as part of the resorts' services, and commercial and supportive
30 services provided. The manner in which the services will support and be integrated into the on-
31 site recreational nature of the resort shall be discussed as part of a recreation plan and/or the
32 required discussion in subsection (c)(3), below;
33 (3) A description, with supportive information, of the design and functional features that provide for
34 a uniform development, superior site design and protection of natural amenities, and which
35 further the goals and policies of the Comprehensive Plan. This shall discuss how landscaping
36 and open space, recreational facilities (if any), road and parking design, capital facilities, and
37 other components of the Master Plan work together in the project;
38 (4) In connection with the descriptions above, a listing of the proposed additional allowable uses
39 and maximum density of the MPR as provided in GCC § 23.12.220 and a discussion of how
40 these uses and their distribution meet the needs of the resort and its patrons;
41 (5) A description of any location-specific standards that are established to retain and enhance the
42 character of the particular resort, and of how the MPR is meeting or will meet those standards;
43 (6) A description of the intended phasing of development of the project, if any. The initial
44 application for an MPR shall provide sufficient detail for the phases such that the fully intended
45 scope and intensity of the development can be evaluated. This shall also discuss how the project
46 will function at interim stages prior to completion of all phases of the project, and how the
47 project may operate successfully and meet its environmental protection, concurrency, and other
48 commitments should development cease before all phases are completed;
49 (7) A map or maps that depict the completed MPR development, showing the full extent and
50 ultimate development of the MPR or resort and its facilities and services;

- 1 (8) Additional maps, drawings, illustrations, or other materials, as appropriate, to assist in
2 understanding and visualizing the design and operation of the development and its facilities and
3 service, landscaping, protection of environmentally sensitive areas, and other features of the
4 development;
- 5 (9) A description of how the MPR relates to surrounding properties, and how its design and
6 arrangement minimize adverse impacts and promote compatibility among land uses within the
7 development and adjacent to the development;
- 8 (10) A demonstration that sufficient facilities and services which may be necessary, appropriate, or
9 desirable for the support of the development will be available, and that concurrency
10 requirements of GCC § 25.20 will be met; and
- 11 (11) A description of the environmentally sensitive areas of the project area, and the measures that
12 will be employed for their protection.

13
14 (d) Application Requirements. Application requirements shall be as follows:

- 15 (1) New Master Plan for a New Master Planned Resort. For new MPR applications, a Master Plan
16 shall be prepared to meet the requirements of GCC § 23.12.220 and this Chapter, and shall
17 include a request for a land use redesignation (and density change, if applicable) for the MPR to
18 meet the requirements of subsection (e) of this section.
- 19 (2) New Master Plan for an Existing MPR. A new Master Plan required by GCC § 25.12.070(a)(2)
20 shall be prepared to meet the requirements of GCC § 23.12.220 and this Chapter, and the SEPA
21 requirements of GCC § 24.04.
- 22 (3) Planned Unit Development (PUD) Application. A PUD application shall be prepared for
23 approval of any new development in an MPR land-use designation, except as provided in
24 subsection (5) below, and for each new phase of development. A phase that is consistent with
25 the approved Master Plan will not require a Master Plan amendment.
- 26 (4) PUD Submittal Requirements. PUD submittal requirements shall be as specified in GCC §
27 23.04.800.
- 28 (5) Master Plan Amendment Application. An amendment to an approved Master Plan shall be
29 prepared for the approval of new development in any one-year period in an MPR planning area
30 when any of the following occur:
 - 31 (A) A new type of recreational facility is proposed that was not previously discussed in the
32 Master Plan;
 - 33 (B) New uses are proposed that were not previously authorized in the Master Plan and are
34 specified in GCC § 23.04 as requiring a Plan Amendment; or
 - 35 (C) A major change in theme or market approach is proposed which would result in the need
36 for different or expanded facilities.

37 An application for amendment of a Master Plan shall submit those discussion and plans that are
38 required by subsections (c) and (d) of this section, and other materials or information that are
39 new or modified from the materials included in the existing Master Plan, plus provide such
40 additional unchanged material as is necessary for the understanding and review of the proposed
41 amendment. Each amendment of a Master Plan shall undergo an environmental assessment and
42 concurrency review in accordance with the requirements of GCC § 24.04 and § 25.20,
43 respectively.

44
45 (e) Site-Specific Land Use Redesignation for a Master Planned Resort. Procedures for a site-specific land
46 use redesignation for an MPR shall be as set forth for amendments to Comprehensive Plan Maps as
47 specified in GCC § 25.12.030, and as follows:

- 48 (1) A request for amendment of the Comprehensive Plan Maps in order to designate an MPR land
49 use district, and any associated changed in densities, shall be submitted together with the
50 application for the MPR. The Department shall evaluate the request to modify the

1 Comprehensive Plan Maps and shall forward recommendations to the Planning Commission and
2 BOCC for consideration.

3 (2) The request for amendment shall include a discussion that addresses the information
4 requirements of GCC § 25.12.030(g)(2) and (3), and identifies where in the application materials
5 and Master Plan the information and discussions may be found.

6 (3) Through the use of legal descriptions and maps, the application shall identify clearly the areas
7 for which the changes are requested. The reason or reasons for the request shall be clearly stated.
8 The application shall describe how the proposed change meets all of the criteria for approval
9 listed in GCC § 25.12.030(h) and GCC § 25.12.070(h), below.

10
11 (f) Optional Consolidated Review. If the application for a MPR involves both a legislative action process
12 as specified herein and another administrative process set forth in GCC § 25.04.050, such as review
13 of a Planned Unit Development application, the applicant may, at the time of the application
14 submittal, elect to have the project permit applications processed collectively under the legislative
15 action review process. If no such election is made at the time of application, each project permit
16 application will be processed individually under each of the procedures identified by the Grant
17 County Code. If the application is processed under the individual procedure option, the legislative
18 action procedure must be processed prior to and separately from the lesser procedure of GCC §
19 25.04.050.

20
21 (g) Criteria for Approval.

22 (1) Master Planned Resort Proposal and Application. An application to designate a Master Planned
23 Resort or for a Master Plan for an existing MPR may be approved, or approved with conditions,
24 if it meets all of the criteria below. If no reasonable conditions or modifications can be imposed
25 to ensure that the application meets these criteria, then the application shall be denied.

26 (A) The Master Plan meets the requirements of GCC § 25.12.070 and GCC § 23.12.220;

27 (B) The MPR is consistent with goals and policies of the Comprehensive Plan, the
28 requirements of the Shorelines Master Program, GCC § 24.08, and complies with all other
29 applicable sections of this UDC and all other codes and policies of the County;

30 (C) The MPR is designed to blend with the natural setting and does not block scenic views
31 from adjacent properties;

32 (D) Off-site and on-site impacts to roads, other public facilities, and the natural environment are
33 mitigated at the time of development;

34 (E) If an MPR will be phased, each phase contains adequate infrastructure, open space,
35 recreational facilities, landscaping and all other conditions of the MPR sufficient to stand-
36 alone if no subsequent phases are developed;

37 (F) The MPR will provide active recreational uses such as boating, pools, and playing fields,
38 and sufficient services such as transportation access, police, fire, and social and health
39 services, to adequately meet the needs of the guests and residents of the MPR;

40 (G) The MPR will contain within the development all necessary supportive and accessory on-
41 site urban-level commercial and other services, and such services shall be oriented to serve
42 the MPR;

43 (H) Environmental considerations are employed in the design, placement, and screening of
44 facilities and amenities so that all uses within the MPR are harmonious with each other, and
45 in order to incorporate and retain, as much as feasible, the preservation of natural features,
46 public views, and historic and other important features;

47 (I) Improvements and activities are located and designed in such a manner as to avoid or
48 minimize adverse effects of the MPR on surrounding lands and property; and

49 (J) The Master Plan establishes location-specific standards to retain and enhance the character
50 of the resort.

- 1 (2) Site-Specific Land Use Redesignation for a MPR. The County may approve or approve with
2 conditions an application for a change of designation or density for the property in order to
3 designate the MPR if all of the criteria of GCC § 25.12.030(h) are met, provided that new urban
4 and suburban land uses are precluded from outside of the boundaries in the vicinity of the MPR
5 except in designated urban growth areas in accordance with RCW 36.70A.360(2) and RCW
6 36.70A.362(2)(e).
- 7 (3) Planned Unit Development Application. A PUD shall be approved only if the Approval Criteria
8 specified in GCC § 23.04.800(h) are met.

9
10 (h) Time Limits.

- 11 (1) Initiation of a New Master Planned Resort. The first PUD application shall be submitted within
12 two (2) years of the date of the Master Plan and MPR approval, or the approval shall become
13 null and void. An extension of up to one (1) year may be granted by the Administrative Official
14 if the proponent demonstrates good cause for an extension.
- 15 (2) Planned Unit Development. If the PUD requires land division or a binding site plan, the time
16 limits of GCC § 23.04.800 shall apply. If no land division or binding site plan is required,
17 construction must be completed within five (5) years of approval of the PUD. A one (1) year
18 extension may be granted by the Administrative Official.

19
20 **25.12.080 Major Industrial Developments**

- 21
22 (a) New major industrial developments may be designated pursuant to the requirements of RCW
23 36.70A.365 if the approval criteria specified in the Comprehensive plan are met. Such designation
24 shall be processed as a comprehensive plan amendment as specified in GCC § 25.12.030.

25
26 **25.12.090 Emergency or Interim Regulations**

- 27
28 (a) The provisions of RCW 36.70A.390 for emergency or interim maps or regulations or moratoria, if
29 applicable, shall supersede the requirements of this Chapter.

30
31 **25.12.100 Appeals**

- 32
33 (a) Any action to review the final decision of the Board of County Commissioners on a plan, plan
34 amendment or development regulation that is subject to the jurisdiction of the Growth Management
35 Hearings Board shall be processed according to the law governing such challenges.
- 36
37 (b) If the decision of the Board is not subject to the jurisdiction of the Growth Management Hearings
38 Board, appeals of legislative actions may be made to the Grant County Superior Court according to
39 applicable requirements of state law and GCC § 25.04.430.
- 40
41 (c) Decisions regarding Planned Unit Developments may be appealed in accordance with the procedures
42 specified in GCC § 25.04.420.
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