



Pend Oreille County

COMMUNITY DEVELOPMENT DEPARTMENT

P. O. Box 5066 Newport, Washington 99156-5066
Phone: 509-447-4821 Fax: 509-447-5890

Mike Lithgow
Director

Staff Report: Site Specific Rezone & FLUM Amendment

Agenda Item: 1

From: Mike Lithgow
Community Development Director

Planning Commission
Hearing Date: 7/12/2016

Prepared By: Mike Lithgow
Community Development Director

Subject:

Amend the Zoning Map and Future Land Use Map. (NR-20 to R-5)
Parcel #'s 433708-50-0005

WHEREAS, the following FINDINGS OF FACT are made concerning said application:

1. Pend Oreille County published a Notice of Docket Closure for the Comprehensive Plan Update and Future Land Use Map Amendment proposals on February 17th, 2016 with a closure date of April 1st, 2016.
2. Wasatch Associates III\IV, LLC ("Wasatch") submitted a complete Future Land Use Map Amendment and Rezone, SEPA checklist and supporting documentation to Pend Oreille County on April 01, 2016 to amend the Future Land Use Map and rezone two parcels from Natural Resource 20 to Rural 5 (a portion of APN 433708-50-0005). The total area of the proposed Re-zone is 167 acres.
3. On April 20th, 2016 Pend Oreille County published a public notice for the Comprehensive Plan & Future Land Use Map Amendment and SEPA Review.
4. On April 21st 2016 Pend Oreille County submitted a Notice of Intent to Adopt Amendment to the Department of Commerce.
5. On April 27th, 2016 Pend Oreille County received an acknowledgement from the Growth Management Services Review Team that they had received the Notice of Intent to Adopt, and would be forwarding the documents to the other applicable state agencies.

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6. The Pend Oreille County Planning Commission held two workshops on this proposal May 24th and June 14th, 2016.
7. Pend Oreille County issued a SEPA Threshold Determination (Notice of Action & Public Hearing) on June 24th, 2016 and published the legal notice for this action on June 29th, 2016. The Comment period for this proposal was extended to July 12th, 2016 at this time.
8. Pend Oreille County received a number of comments on the proposal. Some of the comments identified the following issues:
 - a. Loss of wildlife habitat.
 - b. Increased boat activity/impacts on the shorelines of the Pend Oreille River.
 - c. Loss of rural character.
 - d. Too many vacant lots already exist in the County.
 - e. Lack of services.
 - f. Removal of the land from the Natural Resource designation is inconsistent with the Growth Management Act.
9. Pend Oreille County complied with all public notice requirements under the Pend Oreille County Development Regulations applicable to Future Land Use Map amendments and rezones.
10. The property consists of a variety of existing uses, conditions and habitats. The portion of the property west of LeClerc Road is flat pasture with soils consisting primarily of clay. Reflection Drive North and Reflection Drive South are both on this property. The water lines and large on-site sewer system for Aspen Reflection are also located on this piece. A large barn is located on the property and is accessed off of LeClerc Road North. Maitlen Creek bisects the southernmost corner of the property and some small wetlands are sited on this piece. The property also has direct access to the Pend Oreille River. Developing access to the Pend Oreille River is regulated under the County Shoreline Master Program.
11. The property to the east of LeClerc Road North has a single family residence, “the old bunk house”, a storage building, and a single wide mobile home. The water tank (approximately 90,000 gallon above ground reservoir) for the Aspen Reflection potable water system is located on the Northern boundary. There are numerous large wetlands and a portion of Maitlen Creek is located on the property. The property is designated by the Washington Dept. of Fish and Wildlife as Priority Habitat for Elk. Priority Habitats wetlands, and streams are regulated under the County’s Environmentally Sensitive Areas Chapter of the Development Regulations.
12. Properties to the west of the proposal consist of the small residential lots in the Aspen Reflection community which front on the Pend Oreille River. Properties to the North consist of a publicly owned solid waste transfer station, surface mine, and large tracts of Natural Resource lands. Properties to the East consist of privately owned Natural Resource lands. Properties to the South consist of Rural lots (5 to 13 acres in size) and large Natural Resource lands.

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