Pend Oreille County
Washington

Resolution No. 2016-32

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PEND OREILLE COUNTY, WASHINGTON ADOPTING REVISIONS TO THE COUNTY'S COMPREHENSIVE PLAN AND FUTURE LAND USE MAP; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Pend Oreille Board of County Commissioners adopted a Comprehensive Plan recommended by the County Planning Commission on October 17, 2005;

WHEREAS, the Comprehensive Plan that was prepared is truly a community based document that will serve to guide the allocation of limited County resources and day to day decision making over the next twenty years;

WHEREAS, the County Planning Staff have prepared, in consultation with members of the general public and the Planning Commission, the annual review of the Comprehensive Plan consistent with the provisions of the County's Comprehensive Plan;

WHEREAS, the Pend Oreille County Community Development Department has prepared and distributed for public and State Agency review and comment the proposed changes to the Comprehensive Plan;

WHEREAS, 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;

WHEREAS, On April 20th, 2016 Pend Oreille County published a Notice of Comprehensive Plan, FLUM amendment and rezone and SEPA Review;

WHEREAS, On April 21st 2016 Pend Oreille County submitted a Notice of Intent to Adopt Amendments to the Department of Commerce;

WHEREAS, 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;

WHEREAS, The Pend Oreille County Planning Commission held two workshops on this proposal May 24th & June 24th, 2016;

WHEREAS, 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

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June 29th, 2016. The comment period for this proposal was extended to July 12th, 2016 at this time;

WHEREAS, The Planning Commission considered the proposed Capital Facilities Plan, Six Year Transportation Plan, Future Land Use Map amendment and rezone, the Growth Management Act, State Environmental Policy Act, Pend Oreille County Comprehensive Plan, and all other applicable regulations, and considered all oral and written public testimony, county files, staff report, and all applicable information contained therein;

WHEREAS, the Planning Commission voted at its July 12th, and August 9th, 2016 meeting to make the following recommendations to the Board of County Commissioners:

1. Table 9.1 Revise 6 Year Road Transportation Improvement Plan - Recommend Approval

2. Table 9.7 Revise 6 Year Capital Projects and Public Facilities Plan - Recommend Approval

3. Wasatch Associates III\IV, LLC Future Land Use Map Amendment and Rezone (FLUM-16-001/RZ-16-001): - Recommend Denial

WHEREAS, the Planning Commission adopted Findings of Fact and Conclusions of Law regarding the foregoing amendments on August 23, 2016;

WHEREAS, Pend Oreille County provided for timely public participation in consideration of the proposed amendments consistent with the requirements of the GMA and the Pend Oreille County Public Involvement Goals and Policies; and

WHEREAS, the Board of County Commissioners has reviewed the entire record regarding the Planning Commission recommended amendments to the Pend Oreille County Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF PEND OREILLE COUNTY AS FOLLOWS:

Section 1. Comprehensive Plan Amendments. The County hereby adopts or denies the proposed amendments to the Pend Oreille County Comprehensive Plan as follows and adopts the corresponding Findings of Fact and Conclusions of Law from the Planning Commission:

1. Table 9.1 Revise 6 Year Road Transportation Improvement Plan

Action Taken By Board: Recommendation of Planning Commission is approved by the Board.

2. Table 9.7 Revise 6 Year Capital Projects and Public Facilities Plan

Action Taken By Board: Recommendation of Planning Commission is approved by the Board subject to minor revisions by the Board.

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3. Wasatch Associates III\IV, LLC Future Land Use Map Amendment and Rezone (FLUM-14-001/RZ-14-001)

Action Taken By Board: Recommendation of Planning Commission is approved by the Board.

Section 2. Record. The files of the Pend Oreille County Community Development, Pend Oreille County Planning Commission and all record of all public hearings related to this matter are incorporated herein by this reference and all recitals herein are adopted as findings of fact.

Section 3. Severability. Should any section, paragraph, sentence, clause or phrase of this Comprehensive Plan revision, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Plan be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Plan or its application to other persons or circumstances.

Section 4. Effective Date. This Resolution shall be effective Sept. 20, 2016.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS AT A REGULAR MEETING THEREOF ON THE 20th DAY OF SEPTEMBER, 2016

Mike Manus, Chair

Karen Skoog, Vice-Chair

Stephen Kiss, Member

ATTEST:

Rhonda Cary, Clerk of the Board

Approved as to form:

Dolly Hunt, Pend Oreille County Prosecuting Attorney