Before the Board of County Commissioners
of Pend Oreille County, Washington

Resolution No. 2019- 37

A RESOLUTION 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 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 and Development Regulations;

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 Comprehensive Plan and Future Land Use Map Amendment Docket for the 2018 Comprehensive Plan Update and Future Land Use Map Amendment proposals on July 16th, 2018 with a closure date of September 3rd, 2018;

WHEREAS, Pend Oreille County received four applications to amend the comprehensive plan, future land use map with accompanying rezones;

WHEREAS, on October 9th, 2018, the Pend Oreille County Planning Commission timely docketed all the applications for processing and future consideration as part of the 2018 annual update;

WHEREAS, On September 20th, 2018 Pend Oreille County submitted a Notice of Intent to Adopt Amendment to the Department of Commerce;

WHEREAS, On September 20th, 2018 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, On December 19th, 2018 Pend Oreille County published a Notice of Comprehensive Plan, FLUM Amendment, Rezone and SEPA Review in *The Newport Miner*;

WHEREAS, the Pend Oreille County Planning Commission held a workshop to review the amendments to the Pend Oreille Comprehensive Plan on October 9th, 2018;

WHEREAS, the Pend Oreille County Planning Commission conducted four Public Hearings on January 8th, 2019;

WHEREAS, the Planning Commission voted at its March 12th, 2019 and April 9th, 2019 meetings to make the following recommendations to the Board of County Commissioners:

1. CPU-18-001, Pend Oreille County Comprehensive Plan and Future Land Use Map Amendments - Recommend Denial

2. CPU-18-002, Stime/Knapp Site Specific Rezone - Recommend Approval

3. CPU-18-003, RG*NEW/CANSS Proposed Comprehensive Plan Text Amendments - Recommend Denial

4. CPU-18-004, Shannon Reel Site Specific Rezone – Recommend Approval

WHEREAS, the Planning Commission adopted Findings of Fact and Conclusions of Law regarding the foregoing amendments on March 12th, 2019 and April 9th, 2019;

WHEREAS, Pend Oreille County issued a Determination of Nonsignificance for each of the applications on May 1st, 2019 and Published the legal notice for the action on April 10th, 2019 in *The Newport Miner*;

WHEREAS, on May 14th, 2019, Pend Oreille County received an appeal of the SEPA Threshold Determination for CPU-18-001 from Responsible Growth * NE Washington;

WHEREAS, the Board of County Commissioners held a public hearing to accept public testimony on the applications on May 22nd, 2019;

WHEREAS, the Pend Oreille County Hearing Examiner conducted a hearing on July 25, 2019 regarding the SEPA appeal filed on May 14, 2019;

WHEREAS, the Pend Oreille County Hearing Examiner affirmed the threshold determination made by Pend Oreille County on September 25, 2019 via written decision;

WHEREAS, the Board of County Commissioners held their deliberations to consider the applications at their regular meeting on December 3rd, 2019

WHEREAS, the Board of County Commissioners accepted the recommendations of the Pend Oreille County Planning Commission at their regular meeting on December 9th, 2019

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 as made on March 12th, 2019 and April 9th, 2019:

1. CPU-18-001, Pend Oreille County Comprehensive Plan and Future Land Use Map Amendments

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

2. CPU-18-002, Stime/Knapp Site Specific Rezone

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

3. CPU-18-003, RG*NEW/CANSS Proposed Comprehensive Plan Text Amendments

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

4. CPU-18-004, Shannon Reel Site Specific Rezone

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

Section 2. Record. The files of the Pend Oreille County Community Development Department, Pend Oreille County Planning Commission and all records 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. Publication and Transmittal. This resolution shall be transmitted to the applicable state agencies and notice of this resolution shall be published as required by law.

Section 4. 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 5. Effective Date. This Resolution shall be effective upon signature.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS AT A REGULAR MEETING THEREOF ON THE 17 DAY OF DECEMBER, 2019.

BOARD OF COUNTY COMMISSIONERS
PEND OREILLE COUNTY, WASHINGTON

Karen Skoog, Chairman

Mike Manus, Vice-Chairman

Stephen Kiss, Member

ATTEST:

Crystal Zieske, Clerk of the Board

Approved as to form:

Dolly Hunt, Pend Oreille County Prosecuting Attorney