

Washington County Development Code

CHAPTER EIGHT BUFFER REGULATIONS

ORDINANCE 210
EFFECTIVE UPON PASSAGE
BY THE COUNTY BOARD
ON JUNE 5, 2018 AND
PUBLISHED ON
JULY 27, 2018



REVISED WASHINGTON COUNTY DEVELOPMENT CODE

CHAPTER EIGHT

BUFFER REGULATIONS

ORDINANCE NO. 210

**REVISED WASHINGTON COUNTY
DEVELOPMENT CODE**

Pursuant to MSA Ch 394, Washington County has adopted official controls for areas and activities enumerated below. These official controls are compiled into and hereafter known as the Revised Washington County Development Code which consists of the following chapters each adopted through Ordinance.

- | | | |
|------|---------------|--|
| (1) | Chapter One | Administration |
| (2) | Chapter Two | Zoning Regulations |
| (3) | Chapter Three | Subdivision Regulations |
| (4) | Chapter Four | Subsurface Sewage Treatment System Regulations |
| (5) | Chapter Five | Lower St. Croix River Bluffland and Shoreland Management Regulations |
| (6) | Chapter Six | Shoreland Management Regulations |
| (7) | Chapter Seven | Mining Regulations |
| (8) | Chapter Eight | Buffer Regulations |
| (9) | Chapter Nine | Floodplain Management Regulations |
| (10) | Chapter Ten | Official Map Regulation and Designation |

REVISED WASHINGTON COUNTY DEVELOPMENT CODE

CHAPTER EIGHT

BUFFER REGULATIONS

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Summaries in this column are for commentary and/or interpretive purposes only.

REVISED WASHINGTON COUNTY DEVELOPMENT CODE

CHAPTER EIGHT

BUFFER REGULATIONS

This chapter of the Washington County Development Code has been adopted by Ordinance No. 210 and shall be known as the Washington County Buffer Regulations and may be referred to within this Chapter as "this Chapter" or "this Ordinance".

This Ordinance applies throughout the entire county.

SECTION 1. PURPOSE AND AUTHORITY

The purpose of this Ordinance is to provide for riparian vegetated buffers and water quality practices to protect water resources, stabilize soils and protect riparian corridors.

- 1.1 This buffer ordinance is adopted pursuant to the authorization and policies contained in Minn Stat. §103F.48, the Buffer Law, and the County planning and zoning enabling legislation in Minn. Stat. chapter 394.
- 1.2 It is the purpose and intent of this ordinance to:
 - (1) Provide for riparian vegetated buffers and water quality practices to achieve the following purposes:
 - (A) Protect state water resources from erosion and runoff pollution;
 - (B) Stabilize soils, shores and banks; and
 - (C) Protect or provide riparian corridors.
 - (2) Coordinate the implementation and enforcement of the water resources riparian protection requirements of Minn. Stat. §103F.48 with the shoreland management rules and ordinances adopted under the authority of Minn. Stat. §103F.201 to 103F.227 and the management of public drainage systems established under Minn. Stat. chapter 103E where applicable; and
 - (3) Provide efficient and effective direction to landowners and protection of surface water quality and related land resources.
- 1.3 Severability. If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

This Ordinance is applicable throughout the entire County.

SECTION 2. SCOPE

- 2.1 This Ordinance shall be applicable in all incorporated and unincorporated areas of Washington County.

Unless specifically defined here, interpretation of words and phrases shall be consistent with common usage.

SECTION 3. DEFINITIONS

- 3.1 Unless specifically defined below, words or phrases used in this ordinance shall be interpreted to give them the same meaning they have in common usage and to give this ordinance it's most reasonable application. For the purpose of this ordinance, the words "must" and "shall" are mandatory and not permissive. All distances, unless otherwise specified, are measured horizontally.
 - (1) **APO:** the administrative penalty order issued pursuant to Minn. Stat. §103F.48, subd. 7 and Minn. Stat. §103B.101, subd. 12a.
 - (2) **Buffer:** has the meaning provided in Minn. Stat. §103F.48, subd. 1(c).
 - (3) **Buffer protection map:** has the meaning provided in Minn. Stat. §103F.48, subd. 1(d) and is available on the Department of Natural Resources website at <http://www.dnr.state.mn.us/buffers/index.html>.
 - (4) **BWSR:** the Board of Water and Soil Resources.
 - (5) **Cultivation farming:** farming practices that disturb root or soil structure or that impair the viability of perennial vegetation due to cutting or harvesting near the soil surface.
 - (6) **Drainage authority:** has the meaning provided in Minn. Stat. §103E.005, subd. 9.
 - (7) **Landowner:** the holder of the fee title, the holder's agents or assigns, any lessee, licensee, or operator of the real property and includes all land occupiers as defined by Minn. Stat. §103F.401, subd. 7 or any other party conducting farming activities on or exercising control over the real property.
 - (8) **Parcel:** a unit of real property that has been given a tax identification number maintained by the County.
 - (9) **Public drainage system:** has the meaning given to "drainage system" in Minn. Stat. §103E.005, subd. 12.
 - (10) **Local water management authority:** has the meaning provided in Minn. Stat. §103F.48, Subd. 1(g).
 - (11) **Normal water level:** the level evidenced by the long-term presence of surface water as indicated directly by hydrophytic plants or hydric soils or indirectly determined via hydrological models or analysis.

(12) **WCD:** Washington Conservation District.

SECTION 4. DATA SHARING/MANAGEMENT

The County may enter into data sharing or management agreements.

- 4.1 The County may enter into arrangements with the WCD, a watershed district if applicable, BWSR and other parties with respect to the creation and maintenance of, and access to, data concerning buffers and alternative practices under this ordinance.
- 4.2 The County will manage all such data in accordance with the Minnesota Data Practices Act and any other applicable laws.

SECTION 5. JURISDICTION

This Ordinance applies to all waters within the County.

- 5.1 The provisions of this ordinance apply to all waters, including public drainage systems for which the County is not the drainage authority under Minn. Stat. chapter 103E, shown on the buffer protection map.

SECTION 6. BUFFER REQUIREMENTS

Property owners adjacent to water bodies identified on the buffer protection map must establish and maintain buffers as specified herein.

- 6.1 **Buffer width.**
Except as provided in subsection 6.4 and 6.5, a landowner owning property adjacent to a water body identified on the buffer protection map must establish and maintain a buffer area as follows:
- (1) For waters shown on the buffer protection map requiring a fifty (50) foot width buffer, the buffer width will be fifty (50) foot average and thirty (30) foot minimum width as provided in Minn. Stat. §103F.48, subd. 3 and as measured according to subsection 6.2; and
 - (2) For waters shown on the buffer protection map requiring a sixteen and a half (16.5) foot minimum width buffer, the buffer width will be sixteen and a half (16.5) feet as provided in Minn. Stat. §103F.48, subd. 3 and as measured according to subsection 6.2
 - (3) For waters shown on the buffer protection map that also fall under jurisdiction of the county or a local shoreland ordinance, the more restrictive buffer width shall apply.

Requirements for measuring buffers.

6.2 Measurement.

- (1) The width of any required buffer on land adjacent to a water requiring a fifty (50) foot average width and a thirty (30) foot minimum width buffer shall be measured from the top or crown of the bank. Where there is no defined bank, measurement must be from the edge of the normal water level as provided in Minn. Stat. §103F.48, subd. 3(c).
- (2) The width of any required buffer on land adjacent to a water requiring a sixteen and a half (16.5) foot minimum width buffer shall be measured in the same manner as for measuring the vegetated grass strip under Minn. Stat. §103E.021, subd. 1 as provided in Minn. Stat. §103F.48, subd. 3(c).

Buffers may not be put to any use.

6.3 Use of buffer area.

Except as provided in sections 6.4 and 6.5 a buffer as defined in this ordinance may not be put to any use, including but not limited to cultivation farming, which would remove or prevent the permanent growth of perennial vegetation.

Some land is exempted from buffer requirements.

6.4 Exemptions.

The requirement of section 6.1 does not apply to land that is exempted from the water resources riparian protection requirements under Minn. Stat. §103F.48, subd. 5.

Landowners may demonstrate compliance through alternative practices.

6.5 Alternative practices.

As provided in Minn. Stat. §103F.48, subd. 3(b) an owner of land that is used for cultivation farming may demonstrate compliance with subsection 6.1 by establishing and maintaining an alternative riparian water quality practice(s), or combination of structural, vegetative, and management practice(s) which provide water quality protection comparable to the water quality protection provided by a required buffer as defined in sections 6.1 to 6.3. The adequacy of any alternative practice allowed under this section shall be based on:

- (1) The Natural Resources Conservation Service (NRCS) Field Office Technical Guide (FOTG);
- (2) Common alternative practices adopted and published by BWSR;
- (3) Practices based on local conditions approved by the Washington Conservation District (WCD) that are consistent with the Natural Resources Conservation Service (NRCS) Field Office Technical Guide (FOTG); or
- (4) Other practices adopted by BWSR.

Grandfathering of land uses does not apply to buffer regulations and the most restrictive buffer regulation shall apply.

6.6 Grandfathering.

Where the provisions of any statute, other ordinance or regulation imposes greater restrictions than this ordinance, the provisions of such statute, other ordinance or regulation shall be controlling. Parcels grandfathered in for other preexisting land uses shall not be grandfathered in with respect to these provisions and with respect to compliance with the Buffer Law, Minn. Stat. § 103F.48.

SECTION 7. COMPLIANCE DETERMINATIONS

WCD shall determine compliance.

7.1 Compliance determinations.

Compliance with the buffer requirements set forth in section 6 will be determined by the WCD on a parcel by parcel basis. The compliance status of each bank, or edge of a waterbody on an individual parcel will be determined independently.

WCD will investigate reports of noncompliance.

7.2 Investigation and notification of noncompliance.

When the County identifies a potential noncompliance with the buffer requirements or receives a third party complaint from a private individual or entity, or from another public agency, it will consult with the WCD to determine the appropriate course of action to document compliance status. This may include communication with the landowner, inspection or other appropriate steps necessary to verify the compliance status of the parcel. On the basis of the evidence gathered in this process, the WCD may issue a Notification of Noncompliance to the County. If the WCD does not issue such a Notification, the County will not pursue a compliance or enforcement action under Minnesota Statutes §103F.48 and subsection 8.2.

At any time during process set forth in 7.2 and 7.3, the landowner may provide documentation of compliance to the WCD.

- (1) Compliance determination. The WCD will evaluate the available documentation, and/or evaluate and/or inspect the buffer and/or alternative practices to determine if the parcel is in compliance. Upon completion of the evaluation and/or inspection the WCD shall issue a written compliance determination to the landowner, the County and BWSR. The WCD may also issue a Validation of Compliance if applicable and requested by the landowner.

Upon receipt of a notification of noncompliance from WCD, the County will issue a Corrective Action Notice.

7.3 Corrective Action Notice.

Upon receipt of a WCD Notification of Noncompliance, the County will issue the landowner a Corrective Action Notice that will:

- (1) Include a list of corrective actions needed to come into compliance with the requirements of Minn. Stat. §103F.48;
- (2) Provide a timeline for complying with the corrective action notice;
- (3) Provide a compliance standard against which the County will judge the corrective action; and
- (4) Include a statement that failure to respond to this Notice may result in the assessment of criminal, civil or administrative penalties.

The County may send the landowner a combined Corrective Action Notice and APO as set forth in section 8.2 provided the combined Notice/APO includes all the required elements of both.

The County shall transmit the corrective action notice by either personal service to the landowner or by depositing the same in the U.S. Mail. If service is made by U.S. mail, the document is deemed received three business days after the notice was placed in the U.S. mail. Failure of actual receipt of a corrective action notice that has either been personally served or served by depositing the same in the U.S. Mail shall not be deemed a defense in an enforcement proceeding under section 8.0. The County shall also send a copy of the Notice to the WCD and BWSR.

Counties may modify the corrective actions and timeline for compliance, in accordance with section 7.2, to extend the compliance timeline for a modification that imposes a substantial new action or significantly accelerates the completion date for an action.

The landowner may provide documentation of compliance and/or may request a modification to the corrective action or timeline for compliance.

7.4 Landowner Receipt of Corrective Action Notice

At any time after receipt of a corrective action notice, the landowner may provide documentation of compliance to the County. In addition, the landowner may supply information to the County or the WCD in support of a request to modify a corrective action or the timeline for compliance. On the basis of any such submittal or at its own discretion, the County may make a written modification to the Corrective Action Notice or timeline for compliance. The County should also make a written determination documenting whether the noncompliance has been fully corrected. Any such modification of a compliance determination will be served on the landowner in the manner provided for in section 7.3. The County shall provide the WCD and BWSR a written copy of any modification made pursuant to this provision.

WCD may issue a written Validation of Compliance which will withdraw the Corrective Action Notice.

7.5 WCD Evaluation of Evidence

The WCD may, after an evaluation of the evidence documenting compliance submitted by the landowner, issue a written Validation of Compliance if requested by the landowner. Upon receipt by the County of a written compliance determination issued by the WCD, the Corrective Action Notice will be deemed withdrawn for the purpose of section 8.0, and the subject property will not be subject to enforcement under that section.

Notice of noncompliance may be appealed.

7.6 Notice of Noncompliance is Not Subject to Appeal

Notice of noncompliance is not considered a final decision and is not subject to appeal to BWSR. (Minn. Stat. §103F.48, subd. 9)

SECTION 8. ENFORCEMENT

The County may pursue failure to comply with a corrective action notice either criminally or through an Administrative Penalty Order.

8.1 Failure to Comply With a Corrective Action Notice Issued Under Section 7.

The County may, at its discretion, elect to pursue the failure to comply with a corrective action notice either criminally or through an administrative penalty order as set forth herein.

- (1) Failure to comply with a corrective action notice issued under section 7 constitutes a misdemeanor and shall be punishable as defined by law.

Penalties for specific violations.

- (2) The County may issue an APO as provided for in Minn. Stat. §103F.48, subd. 7(b) and (c) and 103B.101, subdivision 12a to a landowner who has failed to take the corrective action set forth in the corrective action notice. For the APO to be effective it must be served on the landowner together with a copy of the corrective action notice or alternatively the County may serve the landowner with a combined Corrective Action Notice and APO provided the combined Notice/APO includes all the elements of both. Service is effective either by personal service or by depositing the documents set forth herein in the U.S. Mail. Any penalty assessed in the APO shall continue to accrue until the violation is corrected as provided in the Corrective Action Notice and APO.

8.2 Administrative Penalty Order (APO).

- (1) Initial violation. The penalty for a landowner on a single parcel that has not previously been the subject of an APO issued by the County shall be:
- (A) \$0 for 11 months after issuance of the Corrective Action Notice;
 - (B) \$50 per parcel per month for the first six (6) months (180 days) following the time period in (A); and
 - (C) \$200 per parcel per month after six (6) months (180 days) following the time period in (B).
- (2) Repeat violation. The penalty for a landowner on a single parcel that has previously been the subject of an APO issued by the County shall be:
- (A) \$50 per parcel per day for 180 days after issuance of the Corrective Action Notice; and
 - (B) \$200 per parcel per day for after 180 days following the time period in (A).
- (3) Ongoing penalty assessment. Any penalty assessed under this section shall continue until the corrective action notice has been satisfied.

Administrative Penalty Order minimum requirements.

8.3 APO Minimum Requirements.

To be valid the APO shall include, at a minimum:

- (1) The facts constituting the violation of the riparian protection and water quality practices requirements set forth in this section 6.0 of this ordinance or Minn. Stat. §103F.48 ;
- (2) The specific statute and/or ordinance section(s) that has/have been violated;
- (3) A written description of prior efforts to work with the landowner to resolve the violation;
- (4) The amount of the penalty to be imposed;
- (5) The date the penalty will begin to accrue;
- (6) The date that payment of the penalty is due;
- (7) The date by which all or part of the penalty may be forgiven if the landowner has/have complied with the Corrective Action Notice; and
- (8) A statement of the landowner's right to appeal the APO.

<i>Penalties may be waived.</i>	<p>8.4 Waiving of Penalty All or part of the penalty may be waived based on correction of the noncompliance by the date specified in the APO by the landowner as provided in Minn. Stat. §103F.48, subd. 7(d).</p>
<i>APO's will be forwarded to WCD and BWSR.</i>	<p>8.5 APO Forwarded to WCD and BWSR A copy of the APO must be sent to the WCD and BWSR.</p>
<i>APO's may be appealed to BWSR.</i>	<p>8.6 Appeal of APO An APO issued under this section may be appealed to the BWSR within 30 days of receipt by the landowner in accordance with the requirements set for the in Minn. Stat. §103F.48, subd. 9. Any APO that is not appealed within the 30 day period shall be deemed final.</p>
<i>Procedures for Administrative Penalty Orders.</i>	<p>8.7 Administrative Penalty Order Procedures</p> <p>(1) <u>Statute of limitations.</u> Any criminal enforcement action undertaken pursuant to section 8.1 of this Ordinance must be commenced within two years after the alleged violation was discovered or reasonably should have been discovered by the County. According to Minn. Stat. §541.07, the County has two years in which to commence an APO action after the date the violation is discovered. The goal is to complete the action as soon as reasonably practical, recognizing that situations for which data must be gathered, field investigations must be completed and/or modeling must be performed will require adequate time to complete the work and communicate with the landowner involved.</p>
<i>County will review, verify and document correction of violation after landowner has submitted written evidence of correction.</i>	<p>(2) <u>Compliance verification.</u> Once a landowner has submitted written evidence of correction of the violation set forth in the notice of compliance, compliance must be verified. The County will:</p> <ul style="list-style-type: none"> (A) Review and evaluate all information related to the APO to determine if the violation has been corrected; (B) Verify compliance by site visit, re-inspection, examination of documentation, or other means as may be reasonable under the facts of the case; and (C) Document compliance verification.
<i>Landowner may appeal APO to BWSR within 30 days of receipt of APO.</i>	<p>(3) <u>Right to appeal.</u> Within 30 days after receipt of the APO, a landowner may appeal the terms and conditions of an APO issued by a County to BWSR as provided in Minn. Stat. §103F.48, subd. 9. The appeal must be in writing and must include a copy of the APO that is being appealed, the basis for the appeal and any supporting evidence. The appeal may be submitted personally, by U.S. mail, or electronically, to the Executive Director of BWSR.</p>
<i>Penalty is due when specified in the APO unless violation is corrected prior to penalty due date.</i>	<p>(4) <u>Penalty due.</u> Unless the landowner appeals the APO as provided in section 8.7(3) the penalty specified in the APO becomes immediately due and payable to the County as set forth in the APO. If however, the landowner submits written documentation that the violations have been corrected prior to the date the</p>

If a violation is not fully corrected the penalty will continue to accrue until the violation is corrected.

Penalties and interest must be paid by the landowner.

County maintains records of any potential violations.

penalty becomes due and payable, the County shall verify compliance and adjust the penalty to an amount the landowner would have owed had the penalty been paid on the date the landowner submitted written documentation of compliance. Written documentation of compliance may include a written validation of compliance issued by the WCD.

However, if the County determines that the violation was not fully corrected, the County shall notify the landowner by issuing a written letter of determination and depositing it in the U.S. Mail. Any determination sent by U.S. Mail shall be deemed received three (3) business days after the letter of determination has been deposited in the U.S. Mail. The landowner shall have an additional twenty (20) days after receipt of the letter of determination to pay the penalty or the time period specified in the APO as issued, whichever is later. The penalty will continue to accrue until the violation is corrected as provided in the Corrective Action Notice and APO.

(5) Referral for collection of penalty.

All penalties and interest assessed under an APO must be paid by the landowner by the date specified therein. All payments shall be made payable to the County. Any penalty or interest not received by the specified date may be collected by the County using any lawful means.

(6) Reporting and documentation.

The County shall maintain the following records for any potential violation of the riparian protection and water quality practices requirements. Said records shall include but are not limited to the following:

- (A) The cause of the violation;
- (B) The magnitude and duration of the violation;
- (C) Documentation showing whether the violation presents an actual or imminent risk to public health and safety;
- (D) Documentation showing whether the violation has the potential to harm to the natural resources of the state;
- (E) A record of past violations;
- (F) Efforts by the WCD, County, Watershed District or BWSR to assist the responsible party or parties to become compliant, including written and oral communications with the responsible party or parties ; and
- (G) Past and present corrective action efforts by the responsible party or parties.

SECTION 9. EFFECTIVE DATE

The regulations contained in this Ordinance shall become effective immediately upon passage by the County Board and upon publication according to law.

Passed by the Board of County Commissioners of Washington County, Minnesota, this 5th day of June, 2018.



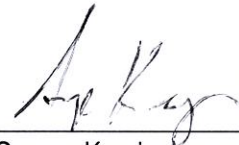
Gary Kriesel, Chair
Board of County Commissioners

Attest:

Approved as to form:



Molly O'Rourke
Washington County Administrator



George Kuprian
Assistant Washington County Attorney

Ordinance prepared by:

Washington County
Department of Public Health and Environment
14949 62nd Street North
PO Box 6
Stillwater, MN 55082-0006

STATE OF MINNESOTA)
)
COUNTY OF WASHINGTON)

I, Molly F. O'Rourke, qualified County Administrator for the County of Washington, State of Minnesota, do hereby certify that I have compared the foregoing copy of Resolution No. 2018-054 with the original minutes of the proceedings of the Board of Commissioners, Washington County, Minnesota, at its session on the 5th day of June, 2018, now on file in my office and have found the same to be a true and correct copy thereof.

Witness my hand and official seal at Stillwater, Minnesota, this 27th day of June, 2018.





Molly F. O'Rourke
County Administrator

DATE June 5, 2018
MOTION
BY COMMISSIONER Miron

DEPARTMENT Public Works
SECONDED BY
COMMISSIONER Karwoski

**REPEAL OF CURRENT ZONING/LAND USE ORDINANCES AND ADOPTION OF NEW
ZONING/LAND USE ORDINANCES.
AND
REPEAL OF EXISTING DEVELOPMENT CODE AND ADOPTION OF THE REVISED
DEVELOPMENT CODE**

ZONING/LAND USE ORDINANCE NUMBERS 203, 204, 205, 206, 207, 208, 209, 210, 211 & 212

WHEREAS, Washington County is authorized to carry on County planning and zoning activities in the unincorporated areas of the County pursuant to Minn. Stat. Chapt. 394; and

WHEREAS, the Washington County Comprehensive Plan was adopted by the Washington County Board of Commissioners on April 22, 1997 and became effective October 1, 1997 as Washington County Ordinance No. 124, amended on September 7, 2010 to the Washington County Comprehensive Plan 2030 as Washington County Ordinance No. 184, and amended on August 16, 2016 as Washington County Ordinance 198; and

WHEREAS, pursuant to Minn. Stat. 473.865 the Washington County Comprehensive Plan is the implement by which the County's regulation of land use is devolved through adoption of official controls under Chapter 394.

WHEREAS, the current official controls as reflected in the Washington County Development Code were adopted by the Washington County Board of Commissioners and became effective on October 20, 1997 as Washington County Ordinance No. 127; and

WHEREAS, all the townships in Washington County have assumed regulatory control of land use through adoption of the Comprehensive Land Use Plans under the 2030 Regional Development Framework pursuant to the authority contained in Minn. Stat. 473.861 and the County's relinquishment of such controls; and

WHEREAS, such transformation has been found by the Metropolitan Council to conform to the regional system plans for transportation, water, resources management and parks; and

WHEREAS, the Township's plans are consistent with the Washington County 2030 Comprehensive Plan and are compatible with the plans of adjacent and affected jurisdictions; and

WHEREAS, the recasting of the County's official controls necessitate revision of the Washington County Development Code; and

WHEREAS, the forty-three (43) current zoning/land use ordinances, attached as Exhibit A, are determined to be anachronistic and must be repealed; and

WHEREAS, ten (10) new zoning/land use ordinances, attached as Exhibit B, must be enacted; and

WHEREAS, the existing Washington County Development Code must be repealed and the ten (10) new zoning/land use ordinances must be codified as the Revised Washington County Development Code.

WHEREAS, on April 24, 2018 a public hearing was held before the Washington County Planning Advisory Commission (PAC) to consider an action to do the following: 1) repeal the existing forty-three (43) zoning/land use ordinances as set forth in Exhibit A; 2) the adoption of ten (10) new zoning/land use ordinances as set forth in Exhibit B; and 3) repeal the existing Washington County Development Code and adopt a revised Washington County Development Code attached as Exhibit C.

WHEREAS, on April 24, 2018 the PAC recommended the Washington County Board of Commissioners approve the following: 1) the repealing of the forty-three (43) existing zoning/land use ordinances as set forth in Exhibit A; 2) adoption of ten (10) new zoning/land use ordinances attached as Exhibit B; 3) repealing of the existing Washington County Development Code and adoption of the Revised Washington County Development Code as set forth in Exhibit C.

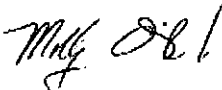

WHEREAS, the records of the public hearing consists of the minutes of both the Washington County Board of Commissioners and the Planning Advisory Commission meetings, staff reports, a presentation by the Washington County Public Works Department, and comments from members of the public.

NOW, THEREFORE IT BE RESOLVED, that the Washington County Board of Commissioners hereby adopts the findings and recommendations of the Washington County Planning Advisory Commission.

BE IT FURTHER RESOLVED, based upon the hearing record, the Washington County Board of Commissioners hereby repeals the existing forty-three (43) zoning/land use ordinances attached and incorporated herein as Exhibit A.

BE IT FURTHER RESOLVED, the Washington County Board of Commissioners hereby adopts the ten (10) new zoning/land use ordinances attached as Exhibit B, which is attached hereto and incorporated herein.

BE IT FURTHER RESOLVED, the Washington County Board of Commissioners hereby codifies the ten (10) new zoning/land use ordinances into the Revised Washington County Development Code as fully set forth in Exhibit C, which is attached hereto and incorporated herein.

ATTEST: 
COUNTY ADMINISTRATOR

COUNTY BOARD CHAIR

	YES	NO
MIRON	X	___
KARWOSKI	X	___
KRIESEL	X	___
LAVOLD	X	___
WEIK	X	___