



**LUZERNE COUNTY COUNCIL
PUBLIC HEARING
April 13, 2021
Video/Teleconference via TEAMS
5:30 PM**

5:30 PM CALL TO ORDER

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

ROLL CALL

MOTION TO SUSPEND BYLAWS REGARDING THE REQUIREMENT A MAJORITY OF THOSE PARTICIPATING IN THE MEETING MUST BE PHYSICALLY PRESENT AT THE MEETING.

MOTION TO SUSPEND BYLAWS REGARDING THE CONDUCT OF PUBLIC MEETINGS TO THE EXTENT THAT THE CURRENT FORMAT IS INCONSISTENT WITH THE TERM OF THE STATE'S EMERGENCY DECLARATION.

PUBLIC COMMENT ON PROPOSED RESOLUTION for the purpose of considering and acting upon a proposed resolution adopting the 2021 Lackawanna-Luzerne Counties Comprehensive Plan.

This is an opportunity for members of the public to address the Council on the matter listed on the Agenda. Please refer to the Public Meetings Online page of County's Website at <https://www.luzernecounty.org/1279/Public-Meetings-Online> for more information on how to participate in Public Comment via technology.

ADJOURNMENT



AGENDA SUBMITTAL TO LUZERNE COUNTY COUNCIL

ITEM TITLE	COUNCIL MEETING DATE	AGENDA NUMBER
Resolution to adopt the 2021 Lackawanna-Luzerne Counties Comprehensive Plan		
Dept:	Planning & Zoning Department	
Contact:	Matthew C. Jones, AICP, Executive Director	
Phone:	570-825-1560	

SUMMARY:

The 2021 Lackawanna-Luzerne Counties Comprehensive Plan (the "Plan") is being presented to Council for adoption consideration. The Plan provides broad goals and a general plan for guiding land use within the County. The Plan was drafted by County staff with the assistance of a paid consultant. Members of the Luzerne County Planning Commission voted unanimously on Jan. 14, 2021 to open the 45-day public comment period, and forward the draft Plan to Council for adoption consideration. The public comment period opened on Jan. 15, 2021 and will close on Feb. 28, 2021. The draft Plan has been posted on the Department website since Jan. 15, 2021. The draft Plan has also been shared with all 76 municipalities within Luzerne County, and all school districts within and contiguous to the County, as required by Article 3 of PA Act 247 of 1968 also known as the Pennsylvania Municipalities Planning Code (MPC).

FINANCING:

Substantial budgets have already been authorized by Council and expended by the Department for the 2020 and 2021 General Fund to pursue this state-mandated project. County staff secured substantial State grant monies to defray these costs and reimburse the County. No additional funds are required for Council to adopt this resolution. If edits are required prior to approval of the Plan, then a consultant is on contract until April 2021 to assist staff with this.

ALTERNATIVES:

The County Council may choose not to adopt the Plan. The current comprehensive plan would grow more than 10 years old and no longer be in compliance with Section 302 of the MPC. The legal legitimacy of the County's comprehensive plan, its zoning ordinance, and the comprehensive plans and zoning ordinances of all municipalities within Luzerne County could become challengeable in court. The State might reject certain grant applications from municipalities within the County, and the legality of the issuance of permits and development approvals might be challengeable in court.

OTHER AGENCY INVOLVEMENT:

This resolution and draft Plan were submitted for review to the Office of Law. The Lackawanna County Dept. of Planning and Economic Development partnered with Luzerne County to spearhead this project with the assistance of Michael Baker International. For Lackawanna County to adopt the Plan, it is subject to approval by their Board of Commissioners- April 2021.

RESOLUTION OF LUZERNE COUNTY COUNCIL
RESOLUTION ADOPTING THE
2021 LACKAWANNA-LUZERNE COUNTIES COMPREHENSIVE PLAN

RESOLUTION NO. _____
LUZERNE COUNTY

WHEREAS, Section 301 of the Pennsylvania Municipalities Planning Code (PA Act 247 of 1968, as amended and hereinafter the “MPC”) requires that every county in the Commonwealth adopt a comprehensive plan, which shall consist of, among other basic elements, a general plan for land use; and

WHEREAS, the MPC further requires that a county comprehensive plan establish broad goals and general criteria to guide municipalities in the preparation of their comprehensive plans and land use regulations; and

WHEREAS, agencies of the Commonwealth are required to rely upon a county comprehensive plan when approving certain grants and permits, and to give priority consideration to applications for assistance for projects consistent with the comprehensive plan of the county; and

WHEREAS, MPC Section 302 requires counties update their comprehensive plan every ten years; and the current comprehensive plan serving Luzerne County was adopted in 2011; and

WHEREAS, the Luzerne County Planning and Zoning Department and the Lackawanna County Department of Planning and Economic Development - with the assistant of a consultant - have drafted the 2021 Lackawanna-Luzerne Counties Comprehensive Plan (hereinafter the “Plan”) as the framework and land use component of said comprehensive plan; and

WHEREAS, the Luzerne County Planning Commission met on Jan. 14, 2021 and voted unanimously to forward the draft Plan to the Luzerne County Council to begin their adoption consideration meetings process, and open the 45-day public comment period required by MPC Section 302; and

WHEREAS, the Luzerne County Planning and Zoning Department fulfilled public participation requirements opening the public comment period on Jan. 15, 2021 and closing it on Feb. 28, 2021; and incorporating comments into the Plan where appropriate; and

WHEREAS, the Luzerne County Council held a public hearing pursuant to public notice on April 13, 2021 to review the Plan; consider public comment; and consider adoption of the Plan.

NOW THEREFORE BE IT RESOLVED that the County Council of Luzerne County hereby adopts the 2021 Lackawanna-Luzerne Counties Comprehensive Plan as the official comprehensive plan of Luzerne County.

Adopted by the County Council of Luzerne County on this 13th day of April, 2021.

ATTEST:

Luzerne County Council

Sharon Lawrence, Clerk of Council

Tim McGinley, County Council Chair