

**GRANT COUNTY
LAND USE HEARING EXAMINER**

IN THE MATTER OF

P 20-0149/ P 20-0150
Monument Hill Project

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**FINDINGS OF FACT,
CONCLUSIONS OF LAW,
DECISION AND CONDITIONS
OF APPROVAL**

THIS MATTER having come on for hearing in front of the Grant County Hearing Examiner on July 8, 2020, the Hearing Examiner having taken evidence hereby submits the following Findings of Fact, Conclusions of Law and, Decision and Conditions of Approval as follows:

I. FINDINGS OF FACT

1. This is an application for a permit for the subdivision of one (1) parcel into nine (9) lots in the Rural Residential 1 zoning District of Grant County. The lots will be approximately 5 acres in size acres and will be for residential use. The parcel is currently vacant unused open range. The project will be supplied by group B well system off premise and individual septic systems.
2. The Applicant is Monument Hill Project, LLC (Nick Tommer), PO Box 1150, Ephrata, WA 98823.
3. The site address of the subject parcel is located on the north side of Grant County Rd 13 NW in the Monument Hill area northwest of the City of Quincy, in the south half of Section 27, Township 21 North, Range 24 East, Parcel #s 15-1225-005.
4. The zoning for the property is Rural Residential 1.
5. The zoning for neighboring parcels Rural Residential 1.
6. The Comprehensive Plan designation for the subject property is Rural Residential 1.
7. The project was reviewed for compliance with SEPA and a Determination of Non-Significance was issued by Grant County.
8. The project site was reviewed for Critical Areas pursuant to GCC § 24.08 and was found to not be located within 300 of any known critical areas.
9. Information detailing this project was sent to agencies of jurisdiction for their review and comments on May 13, 2020. Property owners within 300 feet were also notified, and a Notice of Application was published in the Columbia Basin Herald as well as being posted on-site.

<i>Agencies Notified</i>	<i>Response Received</i>	<i>Agencies Notified</i>	<i>Response Received</i>
Grant County Building & Fire Marshal	5-15-20	Grant County Emergency Management	none
Grant County Fire District #3	none	Grant County Noxious Weed Control Board	none
Grant County Health District	4-22-20 6-26-20	Grant County Auditor	5-19-20
Grant County Public Works Department	5-18-20	Grant County Treasurer's Office	none
Grant County P.U.D.	none	Quincy Columbia Basin Irrigation District	5-26-20
Grant County Assessor's Office	5-18-20	U.S. Bureau of Reclamation	None
Grant County Sheriff's Office	none	WA State Department of Ecology	5-29-20
WA State Department of Health	none		

10. Public Comments: There were no public comments.
11. The application was determined to be technically complete on May 12, 2020.
12. The proposal was processed as a Type III Quasi-Judicial Decision, in accordance with Chapter 25.04 "Permit Application Review Procedures" of the Grant County Unified Development Code.
13. Subject to the Conditions of Approval below, the proposal appears to comply with Chapter 22.04 "Subdivisions and Plats" of the Grant County Unified Development Code.
14. The proposal was reviewed for compliance with Chapter 24.08 "Critical Areas and Cultural Resources" was found not to be located within 300 feet of any Critical Areas as defined by the Grant County Unified Development Code.
15. The proposal was reviewed for compliance with SEPA. A Determination of Non-Significance (DNS) was issued by Grant County on June 17, 2020.
16. The project is not located within an Urban Growth Boundary.
17. The project is located in the Rural Residential 1 zoning district.
18. The residential density in the Rural Residential 1 zone is one dwelling per 5 acres.
19. The proposed lots will be served by individual septic systems.

20. A new Group B water system will provide potable water for the subdivision. The applicant has also provided a well log showing that water is factually available.
21. The application was reviewed by agencies of jurisdiction, no comments were received that would prohibit approval of the proposed short plat.
22. No public comments were received on this proposal.
23. The parcel was recently reconfigured via a Segregation-Boundary Line Adjustment in 2019.
24. Staff believes the proposed subdivision complies with the Criteria of Approval findings for a subdivision as outlined below.
25. The proposed subdivision does meet the applicable requirements of UDC Chapter 22.04 “Subdivisions and Plats” because:
 - 25.1 The proposed subdivision complies with GCC 22.04 Subdivisions and Plats. The proposed preliminary subdivision as conditioned will comply with all applicable standards found in Grant County Code Chapter 22.04.
26. The proposed subdivision does serve the public use and interest because:
 - 26.1 This subdivision would serve the public use and interest. The plat would create additional residential lots at a rural density, which is one of the goals of the comprehensive plan and Unified Development Code. The public interest is served when the goals and policies of the Comprehensive Plan are met.
27. The proposed subdivision does comply with the Comprehensive Plan, the Shoreline Master Program, the Zoning Code and other land use regulations, and SEPA because:
 - 27.1 The proposal complies with the Comprehensive Plan as well as the Zoning Code, the proposed lots meets the density outlined in these documents. SEPA review was completed for the subdivision and a Determination of Non-Significance was signed by Grant County on June 17, 2020. Additionally, the proposal is not located within 200ft of any shoreline and is therefore not subject to the Shoreline Master Program.
28. The proposed subdivision does comply with the Health District requirements for sewage disposal and potable water supply because:
 - 28.1 The subdivision proposed complies with Health District Requirements. The Health District was consulted, as well as State Department of Health, and any comments have been included as conditions of approval. The applicant is proposing to serve the lots created through this plat with water provided by a new to-be-constructed Group B water system. This system will be designed by an Engineer and approved by the Grant County Health District. This will need to be completed prior to final subdivision approval. The lots will be served by individual septic systems. Site registrations will need to be completed for each lot. Conditions of Approval have been proposed accordingly.

29. The proposed subdivision does contain accurate legal description of the lots being created, and the roads and easements therein.
30. The subdivision does contain an accurate legal description. The application was reviewed by the Assessor's Office to ensure that a proper legal description was provided. Conditions of approval have been included to insure the legal description on the final plat will be accurate.
 - 30.1 As conditioned this subdivision will comply with Grant County road, utility, drainage and emergency vehicle access standards. The application materials were sent to Grant County Public Works as well as the Fire Marshal's Office, and the local Fire District
31. The proposed subdivision does comply with all requirements of the United States Department of the Interior, the Bureau of Reclamation, and/or a recognized Irrigation District when the proposed preliminary is within the boundaries of an Irrigation District.
 - 31.1 This application does comply with all requirements of the USBR and applicable Irrigation Districts. The application materials were sent to the Bureau and the Quincy Columbia Irrigation District.
32. The subdivision does comply with relevant City regulations pertaining to roads, utilities, drainage, access for emergency vehicles, and other infrastructure improvements for subdivision within an urban growth area.
 - 32.1 The proposed subdivision is not located within an Urban Growth Area and therefore does not have to comply with any City standards.
33. The subdivision does have A) adequate streets or roads, sidewalks or other public ways B) potable water supplies, sanitary wastes, and drainage ways C) open spaces, parks and playgrounds D) Schools and School grounds E) Landscaping, lighting—if required.
 - 33.1 The proposed subdivision has adequate provision for streets and roads, as well as potable water supply and sanitary waste provisions. Parks, playgrounds, and schools were not required for a subdivision of this scale.
34. An open record public hearing after due legal notice was held on July 8, 2020.
35. Appearing and testifying at this hearing was Nick Tommer, the designated contact for the applicant Monument Hill Project, LLC. Mr. Tommer testified that he had reviewed the proposed conditions of approval and had no objection to any of them. He indicated that irrigation rights were available so that Group B well withdrawal limits could be met.
36. No member of the public testified at this hearing.
37. The Hearing Examiner has reviewed and considered the application materials and the comments received for the proposal.
38. Any Conclusion of Law that is more correctly a Finding of Fact is incorporated herein as such by this reference.

II. CONCLUSIONS OF LAW

1. The Hearing Examiner has been granted authority to render this decision.

2. As conditioned, the proposed use is consistent with the intent, purposes and regulations of the Grant County Code and Comprehensive Plan.
3. The proposal conforms to the standards specified in Grant County Code §22.04, §23.08, §24.08, §25.04. and § 23.12.
4. Granting of the proposed permit would be in harmony with the intent and spirit of UDC Chapter 22.04.
5. Any Finding of Fact that is more correctly a Conclusion of Law is hereby incorporated as such by this reference.

III. DECISION

Based on the above Findings of Fact and Conclusions of Law, Conditional Use Permit Application P 20-0149/P 20-0150 is hereby **APPROVED** subject to the following Conditions of Approval.

IV. CONDITIONS OF APPROVAL

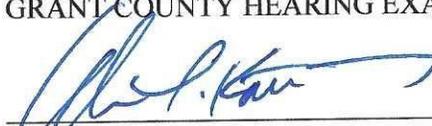
All Conditions of Approval shall apply to the applicant, and the applicant's heirs, successors in interest and assigns:

1. The applicant shall comply with all requirements as deemed necessary by the Grant County Planning Department, including but not limited to:
 - 1.2 The applicant/developer shall comply with all requirements of GCC 22.04, Article V "Final Subdivisions and Short Subdivisions" and other pertinent portions of Grant County Code.
 - 1.3 The applicant/developer shall comply with all mitigation measures listed in SEPA Determination of Non-Significance issued by Grant County on June 17, 2020.
 - 1.4 Applicant shall ensure Best Management Practices are utilized to minimize the release of fugitive dirt and dust created from construction activities.
2. The applicant shall comply with all requirements as deemed necessary by Grant County Public Works, including but not limited to:
 - 2.1 Provide a plat check fee of \$200.00 for major plats.
 - 2.2 Change the signature line to say "Grant County Engineer" removing the word "Consulting".
 - 2.3 Approach permits shall be obtained for all lots prior to County Road Access.
 - 2.4 Line types shall be added to the legend.
 - 2.5 Grant County Public Works will not recognize nor be encumbered by a well head protective zone.

- 2.6 Show utility easements along lot lines.
3. The applicant shall comply with all requirements as deemed necessary by the Quincy Columbia Basin Irrigation District, including but not limited to:
 - 3.1 QCBID Short Plat Fee of \$50 for the first split (first two lots), plus \$10 each additional lot.
4. The applicant shall comply with all requirements as deemed necessary by the Washington State Department of Ecology including but not limited to:
 - 4.1 Obtaining a Construction Storm water General Permit during construction.
5. The applicant shall comply with all requirements as deemed necessary by the Grant County Health District, including but not limited to:
 - 5.1 Design, construction and approval of Group B water system.
 - 5.2 Site registrations for Lots 1-9 must be completed

Dated this 14th day of July, 2020.

GRANT COUNTY HEARING EXAMINER



Andrew L. Kottkamp

EXCEPT AS PROVIDED BY GRANT COUNTY UNIFORM DEVELOPMENT CODE, SECTION 25.32.150, THE DECISION OF THE HEARING EXAMINER IS FINAL AND CONCLUSIVE UNLESS APPEALED TO THE GRANT COUNTY SUPERIOR COURT WITHIN TWENTY-ONE (21) DAYS AFTER THE ISSUANCE OF THIS DECISION AS PROVIDED BY RCW 36.70C.040 AND GRANT COUNTY UNIFORM DEVELOPMENT CODE, SECTIONS 25.32.160 AND 25.04.430.