GRANT COUNTY
PLANNING COMMISSION

Chairman: Bill Bailey
Vice Chairman: Blair Fuglie
Board Members: Carol Dawson, Terry Dorsing, Ann Drader and Kevin Richards
Secretary: Doris Long

COMMISSIONERS' HEARING ROOM - GRANT COUNTY COURTHOUSE, EPHRATA, WASHINGTON

FEBRUARY 7, 2018 @ 7:00 P.M.

2018 Attendance

NAME	JAN	FEB	MAR	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
BAILEY	W	P										
DAWSON	P	P										
DORSING	W	P										
DRADER	W	P										
FUGLIE	P	P										
RICHARDS	W	P										

P=Present A=Absent C=Canceled W=Webex NM=No Meeting Held

Chairman, Bill Bailey, opens the meeting at 7:00 pm.

Board Action:
Approval of January 17, 2018 Planning Commission workshop minutes.
Mr. Fuglie moves to approve the minutes as presented.
Ms. Drader seconds the motion.
ACTION: Blair Fuglie moves to approve the meeting minutes as presented.
Ann Drader seconds the motion.
Voted on and passes unanimously.

Election of 2018 Planning Commission Officers
Mr. Fuglie moves to nominate Mr. Bailey to retain his position as Planning Commission Chairman.
Mr. Dorsing seconds the motion.
ACTION: Blair Fuglie moves for Bill Bailey to act as Planning Commission Chairman for the year 2018.
Terry Dorsing seconds the motion.
Voted on and passes unanimously.

Mr. Richards moves to nominate Mr. Fuglie to act as Planning Commission Vice-Chairman.
Ms. Drader seconds the motion.
ACTION: Kevin Richards nominates Blair Fuglie to act as Planning Commission Vice-Chairman for the year 2018.
Ann Drader seconds the nomination.
Voted on and passes unanimously.

Mr. Bailey explains how the meeting will proceed.

Mr. Bailey swears in those wishing to testify at this hearing en masse:
Do you hereby swear or affirm under penalty of perjury under the laws of the State of Washington that the testimony that you give is truthful and accurate to the best of your knowledge and belief?
Mr. Bailey introduces the first item to be heard.

PUBLIC HEARING – Facility Leasing Investment LLC – File #P 17-0419 - Unified Development Code Text Amendment to Chapter 23.08 Performance and Use Standards (Cottage Industry standards).

Senior Planner, Tyler Lawrence, explains the designated contact for the proposed UDC amendment is Carl Caudle. The proposal is to increase the allowable square footage from the current limitation of 2,000 square feet to 12,000 square feet, and increase the allowable number of employees, who reside off premises, from the current number of 4 to a ratio of 1 employee per 500 square feet of building area being utilized, which would be a maximum of 24 employee.
The application was reviewed for compliance with SEPA, and Grant County issued a Determination of Non-Significance. Staff did not receive any public comments, or negative agency comments.
Staff reviewed the application with the applicable criteria of approval, and recommends approval with the following modified recommendations:

1) The square footage increase would be allowable in the Rural Remote and Agriculture zones.
2) The allowable number of employees be increased at the discretion of the Administrative Official, based on the need substantiated by the applicant in their application.

Mr. Bailey asks Mr. Lawrence to provide more detail on the recommended zones.
Mr. Lawrence explains the Cottage Industry is allowed in many zones, including the Residential zones. The idea behind Cottage Industry is to allow smaller scale commercial, or light industrial type businesses that a person might own, and operate out of their home, or an accessory structure to their home. Staff felt that the increase that is being proposed would be out of character in the Residential zones. The Rural Remote and Agriculture zones allow for larger lot size. Rural Remote is 1 dwelling per 20 acres. Agriculture is 1 dwelling per 40 acres. These zones would have the potential to be dominated by larger scale buildings, such as Ag commodity storage buildings. A 12,000 square foot accessory structure to a home would not be as out of character as it could be with the smaller lot size of the residential zones.

Mr. Richards asks if this type of future use wouldn't also be for the Rural Urban Reserve zone.
Mr. Lawrence responds that the Rural Urban Reserve zone allows for 1 dwelling per 5 acre lot size, and would fit into the same category as the Rural Residential zones.
Mr. Hooper adds that the Rural Urban Reserve zone is set aside for future inclusion into the City of Moses Lake's Urban Growth Area. Staff feels this creates enough of a question that they did not that want to make it part of the recommendation.
Mr. Richards asks Staff to display the zoning map around the City of Moses Lake. He explains that the Rural Urban Reserve zone is within the Wheeler Corridor, and he can see Cottage Industry as being a future use there. Discussion takes place.

Ms. Drader asks for some ideas of what a Cottage Industry is.
Mr. Lawrence provides the examples listed in the Code:
Antique or gift shop
Art or photography studios
Automobile repair
Iron working
Blacksmithing
Construction office

Furniture repair
Pottery
Real estate sales
Woodworking
Riding or boarding stable housing up to 10 horses
Veterinary clinics
Mr. Bailey adds he would also consider an electrician or plumber who uses a van for service work.
Mr. Lawrence states some of the Cottage Industries that have been permitted in the past have been automotive shops and small scale ammunition manufacturing businesses.
Mr. Bailey comments he would hate to see a 12,000 square foot automotive shop located in a residential area.
Mr. Lawrence replies that the Cottage Industry standards contains a restriction that limits the amount of outside storage to 500 square feet.

Mr. Dorsing asks if there would be any limitation on the height of the building.
Mr. Lawrence explains the limitation would be the normal development standard for the zone, which is currently 35'.

Carl Caudle, 514 Milton Way, St. Helens, Oregon, has been sworn in. Representative of Facility Leasing Investment LLC.
Mr. Caudle states he would be glad to answer, or try to clarify, any questions that the Planning Commission may have.
There are no questions for Mr. Caudle.

Public Hearing Opened at 7:19 pm
There are no members of the public present to testify.
Public Hearing Closed at 7:19 pm

Mr. Bailey asks Mr. Lawrence to review the proponent's proposed changes, and Staff's proposed recommendation.
Mr. Lawrence explains the applicant is requesting to increase the square footage allowed to be utilized as a Cottage Industry from 2,000 square feet to 12,000 square feet, and the number of employees, who reside off site, be increased from 4 to 1 per 500 square feet, which would be 24 employees in a 12,000 square foot Cottage Industry.
Staff's recommendation to the Planning Commission is to allow the increase of square footage to 12,000 square feet in the Rural Remote and Agriculture zones, which are areas with larger parcels, less dense population, and would already be characterized by larger buildings. Also, instead of using the flat ratio of 1 employee per 500 square feet, which could potentially result in 24 employees, and possibly negatively impact the character of a neighborhood by having 24 employees driving in and out of work every day, the recommendation is to leave it to the discretion of the Administrative Official based on the applicant demonstrating the need.

Mr. Bailey asks Mr. Lawrence to provide the definition of a Cottage Industry.
Mr. Lawrence reads, from the Code, the purpose of a Cottage Industry:
To provide for small-scale commercial or light industrial activities on residential parcels, subordinate to the primary residential use, if the Administrative Official finds that such activities can be conducted without substantial adverse impact on the residential environment and rural character in the vicinity. The scale and intensity of cottage industries are typically greater than could be accommodated as a Home Occupation, but less than would require a zoning district of Commercial or Industrial.
There is extensive discussion as the Planning Commission and Staff talk through the proposed changes, including how to keep the square footage, employee number, and lot size balanced, methods that could be applied to do so, and if Rural Urban Reserve is a suitable zone for this use.

Mr. Hooper reminds the Planning Commission that having a home located on the property is a condition preceded to the Cottage Industry. That will not change.

Mr. Caudle (proponent) explains the 2,000 square feet number he used was based upon the original wording of the Code. He agrees that the Cottage Industry needs to exist in a way that it isn't offensive to the neighbors. He has been both a Cottage Industry and industrial. He and his employees were the happiest, and most successful as a Cottage Industry. If the Cottage Industry grows too large then it does need to move. To come up with the proposed number of employees he used the existing numbers; dividing the 2,000 square feet allowed, by the number of allowable employees (4), which equals 1 employee per 500 square feet. That was his measuring stick. The 24 employees proposed is simply the derivative of 12,000 ÷ 500 (the square footage divided by 1 employee per every 500 square feet). There is no other intent behind the number of employees, other than simply trying to justify a means of figuring it by the square foot.
Discussion takes place.

Mr. Richards moves to recommend approval of File #P 17-0419 to the County Commissioners with the following revisions:
The Cottage Industry be allowed in the Rural Remote, Rural Urban Reserve and Agriculture zones;
the area size be based on lot size, meaning the building size be no more than 1% of the total square footage of the lot with a minimum of 2,000 square feet and maximum of 12,000 square feet;
1 employee per every 500 square feet of building size be allowed, being a maximum of 24 employees.
With the 6 Findings of Fact in the affirmative.
Mr. Fuglie seconds the motion.
Discussion takes place.

Mr. Hooper asks for clarification concerning the building size being a minimum of 2,000 square feet. He asks if an applicant could still build a smaller building under this recommendation.
The Planning Commission agrees; the applicant is guaranteed a building size of up to a 2,000 square feet minimum, regardless of the size of the property it is being built on, and the employee number stays relevant to the building square footage.
Discussion takes place.
The motion is voted on and passes unanimously.

Board Action:

ACTION: KEVIN RICHARDS MOVES TO RECOMMEND TO THE BOARD OF COUNTY COMMISSIONERS THAT THE FACILITY LEASING INVESTMENT LLC UNIFIED DEVELOPMENT CODE TEXT AMENDMENT BE APPROVED WITH 3 REVISIONS:
ALLOWED IN THE RURAL REMOTE, RURAL URBAN RESERVE AND AGRICULTURE ZONES;
THE BUILDING SIZE BE NO MORE THAN 1% OF THE TOTAL SQUARE FOOTAGE OF THE LOT, A MINIMUM OF UP TO 2,000 SQUARE FEET, REGARDLESS OF LOT SIZE, AND A MAXIMUM OF 12,000 SQUARE FEET;
1 EMPLOYEE PER EVERY 500 SQUARE FEET OF BUILDING AREA, A MAXIMUM OF 24 EMPLOYEES.
WITH THE 6 FINDINGS OF FACT IN THE AFFIRMATIVE FOR THE PROJECT.
BLAIR FUGLIE SECONDS THE MOTION.
VOTED ON AND PASSES UNANIMOUSLY

Mr. Bailey introduces the second item to be heard.
PUBLIC HEARING – Grant County – File #P 17-0432 – Unified Development Code Text Amendment to Chapter 23.04 Zoning, Chapter 23.08 Performance and Use Standards, and Chapter 23.12 Development Standards.

Associate Planner, Connor Lange, explains the proposed amendments pertain to Chapters 23.04 (Zoning) changes to Rural Village Residential 1 and Rural Village Residential 2 for hangars; 23.08 (Performance and Use Standards) changes to fence height in commercial and industrial uses, and 23.12 (Development Standards) changes to building height in commercial and industrial zones. SEPA review was conducted and a Determination of Non-Significance was issued on January 9, 2018.

Mr. Lange provides a more detailed explanation of each amendment.
Chapter 23.12 - Development Standards.
The maximum building height in the Urban Commercial and Urban Industrial zones is currently 35'. The proposal is to change the limit to 45', with the allowance that with every 1'increase in setbacks an additional 1' increase in height would be allowed. This is to provide more flexibility for industrial and commercial uses. There are buildings in these zones that simply need to exceed the 35' height limitation, and are not best handled through the Variance process.
Chapter 23.04 - Zoning.
The Rural Village Residential 1 and Rural Village Residential 2 zones apply only to Desert Aire, and more specifically, along the runway at Desert Aire. Hangars are typically accessory to residential uses, and this change would allow hangars outright in those zones. A Conditional Use Permit is currently required.
Chapter 23.08 - Performance and Use Standards.
This is a change to the fencing standards to provide more flexibility when dealing with fences related to commercial and industrial uses. The existing fencing standards are quite residential in nature, and the Planning Department has processed quite a few Variances for fences being utilized in commercial and industrial uses.

Mr. Fuglie asks what the fee is for a Variance application.
Mr. Hooper replies it is $750.00, and they are being denied by the Hearing Examiner. A taller fence is not allowed just because it is desired. The applicant has to demonstrate that there is an issue, possibly to the lot size, shape or topography, from which they need relief.
Discussion takes place.

Mr. Richards asks if there were barbwire along the top of the fence, would it add an additional foot to the height.
Mr. Lange explains the way the amendment is written, anything in regards to fence height is included. So, if the preference is for a foot of barbwire on top, the fence would be 6' with 1' of barbwire.
Mr. Richards states that is not a very tall fence, other Commissioners agree.
Mr. Hooper responds that one of the considerations for the 7' height limitation, is that the Building Code allows for a 7' fence without requiring a building permit. Also, engineering may be required for fences over 7' if something is attached to the top of it.
Mr. Richards comments that it should be an option. Maybe language could be added to state that the fence may need to be engineered, but 8' is accessible.
Mr. Hooper explains the other alternative is to not recognize the ancillary fencing at the top, and not count it in height.
The Planning Commission members like the suggestion.
Discussion takes place.
Mr. Hooper asks if the Planning Commission wanted to add any type of exclusion language concerning fence toppers.
There is discussion regarding the options, including what is suitable construction materials and maximum height of fence toppers.

Public Hearing Opened at 8:14 pm
There are no members of the public present to testify.
Public Hearing Closed 8:15 pm

Mr. Richards moves to recommend approval of File #P 17-0432 to the County Commissioners with the following revision to the proposed Performance and Use Standards amendment:
Up to 18" of stranded fence wire be allowed in addition to the 7' fence.
With the 6 Findings of Fact in the affirmative for the project.
Ms. Drader seconds the motion.

Mr. Lawrence asks for a point of clarification; does the 18" fence topper, constructed from stranded security wire, apply only to the commercial and industrial fence standards.
Mr. Richards replies that is correct.

The motion is voted on and passes unanimously.

Board Action:

ACTION: KEVIN RICHARDS MOVES TO RECOMMEND TO THE BOARD OF COUNTY COMMISSIONERS THAT THE GRANT COUNTY UNIFIED DEVELOPMENT CODE TEXT AMENDMENTS BE APPROVED WITH 1 REVISION TO THE PERFORMANCE AND USE STANDARDS AMENDMENT AS FOLLOWS:
UP TO 18" OF STRANDED FENCE WIRE BE ALLOWED IN ADDITION TO THE 7' FENCE.
WITH THE SIX FINDINGS OF FACT IN THE AFFIRMATIVE FOR THE PROJECT.
ANN DRADER SECONDS THE MOTION.
VOTED ON AND PASSES UNANIMOUSLY

Mr. Bailey asks to revisit the Cottage Industry amendment again.
General discussion takes place.

2018 Comprehensive Plan Update Workshop.
Mr. Hooper reports there will not be a Comprehensive Plan update workshop this meeting.
The draft 2018 Comprehensive Plan will be out for comment in March, so the Planning Commission will not be having a meeting of any variety next month. It is a possibility that a meeting will be held the last week of April, if not, they will convene May 2nd.
He asks the Planning Commission members to review the draft version that has been provided to them, and email any comments to him by February 16th.
General discussion.
The Planning Commission members compliment Staff on a job well done.

Meeting adjourned at 8:33 PM.

Respectfully submitted:

Doris Long, Secretary

Approved by:

Bill Bailey, Chairman