

**GRANT COUNTY
PLANNING COMMISSION**

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

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

AUGUST 5, 2015 @ 7:00 P.M.

Members Present: Bill Bailey, Carol Dawson, Terry Dorsing, Ann Drader, Jim Fleming, Lee Graham and
Kevin Richards
Members Absent: Blair Fuglie

Chairman, Bill Bailey, opens the meeting.
Mr. Bailey announces the passing of Vice-Chairman, Ollie Click, and recognizes him for the many years of service he provided while sitting on several County boards.

Board Action:

Election of 2015 Planning Commission Officers and Re-appointment of Secretary.

Mr. Richards nominates Mr. Bailey to act as Planning Commission Chairman. Mr. Dorsing moves to close the nominations. Mr. Richards seconds the motion.

ACTION: Kevin Richards nominates Bill Bailey to retain the position of Planning Commission Chairman for the year 2015. Terry Dorsing moves to close the nominations. Kevin Richards seconds the motion. The nomination is voted on and passes unanimously.

Mr. Graham nominates Mr. Fleming to act as Vice-Chairman. Mr. Dorsing moves to close the nominations. Mr. Richards seconds the motion.

ACTION: Lee Graham nominates Jim Fleming to act as Planning Commission Vice-Chairman for the year 2015. Terry Dorsing moves to close the nominations. Kevin Richards seconds the motion. The nomination is voted on and passes unanimously.

Mr. Fleming moves for Doris Long to continue as Secretary. Mr. Graham seconds the motion.

ACTION: Jim Fleming moves for Doris Long to retain the position of Planning Commission Secretary for the year 2015. Lee Graham seconds the motion. The nomination is voted on and passes unanimously.

Approval of September 3, 2014 Planning Commission Workshop Minutes.

ACTION: Mr. Dorsing moves to approve the meeting minutes as presented. Mr. Fleming seconds the motion. Voted on and passes unanimously.

Chairman, Bill Bailey, explains how the public hearing will be conducted.

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?

Associate Planner, Tyler Lawrence, is presenting the three proposals to be heard. He explains that the Comprehensive Plan Amendments are non-project specific, and the SEPA is a non-project consideration of all of the proposals. Copies of the application materials were sent to over 150 agencies and known groups of interest. Each site was posted with a Notice of Application and public hearing, and was sent to property owners within 300 feet of the subject parcels. The notices were also published in the Columbia Basin Herald, the County's paper of record. An addendum to the EIS of the Comprehensive Plan was issued July 2, 2015, along with a Determination of Non-Significance. The proposals include a zone change, which will require a second recommendation from the Planning Commission. All Staff records and files are admitted into the record.

PUBLIC HEARING – Hintz Land LLC – File #15-6064 – George Area – Site Specific Land Use Re-designation from Commercial (Urban) to Residential (Suburban) and Zone Change from Urban Commercial 2 to Urban Residential 1.

Staff explains the 3.20 acre portion of the parcel seeking the change contains a home site and residence. There were not any public comments or proposal specific agency comments received.

It was determined that the proposal was consistent with the appropriate criteria of approval as well as the Comprehensive Plan and Unified Development Code. Staff recommends approval of the land use re-designation change, as well as the zone change.

Mapping depicting the existing land use designation and zoning of the subject parcel, and surrounding parcels, are displayed by staff.

Mr. Bailey comments that he appreciates seeing land historically designated for commercial use, which probably will not be used in a commercial manner, being designated and zoned properly.

Mr. Knudsen, the representative of the proponent, reports he has nothing further to add, but would answer any questions. There are no questions for Mr. Knudsen.

Public Testimony Opened
There is no public comment.
Public Testimony Closed

Mr. Fleming moves that the Comprehensive Plan application, File #15-6064, be sent to the County Commissioners with a recommendation of approval with the nine Findings of Fact in the affirmative for the project.

Ms. Drader seconds the motion.

The motion is voted on and passes unanimously.

Board Action:

**ACTION: JIM FLEMING MOVES TO RECOMMEND TO THE BOARD OF COUNTY COMMISSIONERS THAT THE HINTZ LAND LLC COMPREHENSIVE PLAN AMENDMENT - LAND USE RE-DESIGNATION BE APPROVED WITH THE NINE FINDINGS OF FACT IN THE AFFIRMATIVE FOR THE PROJECT.
ANN DRADER SECONDS THE MOTION.
VOTED ON AND PASSES UNANIMOUSLY**

Mr. Richards moves that the zone change be sent to the County Commissioners with a recommendation of approval with the ten Findings of Fact in the affirmative for the project.

Mr. Dorsing seconds the motion.

The motion is voted on and passes unanimously.

Board Action:

**ACTION: KEVIN RICHARDS MOVES TO RECOMMEND TO THE BOARD OF COUNTY COMMISSIONERS THAT THE HINTZ LAND LLC ZONE CHANGE BE APPROVED WITH THE TEN FINDINGS OF FACT IN THE AFFIRMATIVE FOR THE PROJECT.
TERRY DORSING SECONDS THE MOTION.
VOTED ON AND PASSES UNANIMOUSLY**

PUBLIC HEARING – Lewis Neilson – File #15-6066 - Warden Area – Site Specific Land Use Re-designation from Industrial (Rural) to Irrigated (Agriculture) and Zone Change from Rural Light Industrial to Agriculture.

Staff explains this 2 acre parcel is the former Titan Missile Base, and was given a LAMIRD (Limited Area of More Intensive Rural Development) designation at the time of the Comprehensive Plan adoption.

There were not any public comments received. There was one agency comment received from the Department of Ecology relating to the appropriate water supply.

It was determined that the proposal was consistent with the appropriate criteria of approval as well as the Comprehensive Plan and Unified Development Code. Staff recommends approval of the land use re-designation change, as well as the zone change.

Photos and mapping depicting the subject parcels and surrounding parcels are displayed by staff.

Mr. Bailey reports the proposed AG activity for the subject parcel is growing Cannabis.

Chris Montgomerie, 2820 North Mason Avenue, Tacoma, WA, previously sworn, representing Lewis Neilson.

Mr. Montgomerie explains they would like to make the changes so that the zoning would be more in line with the Planning Department’s requirements for future use. There is an existing 7,000 sq. ft. warehouse on the property that they are hoping to use.

Mr. Bailey asks, if the entire parcel is changed to Irrigated Agriculture, what the rest of the two acres would be used for.

Mr. Montgomerie replies they would take good care of it, with the hope of possible expansion.

Mr. Bailey asks to hear about the water situation.

Mr. Montgomerie explains there is a well on the site. They have talked with the Department of Ecology, and it has been determined that the operation would fall under the ground water rights exemption, using less than 5,000 gallons of water a day.

There is further discussion relating to security and possible odor.

Public Testimony Opened

There is no public comment

Public Testimony Closed

Mr. Dorsing states that it may appear that the issue at hand was made light of, but he assures those present that the Planning Commission is there with the community’s best interest in mind.

Mr. Richards comments the fact that the property is going back to Irrigated Agriculture is evidence of the reduction in urban sprawl. The proposal is a good use of the ground.

Staff clarifies that the current Rural Light Industrial zoning does not permit agricultural uses and activities. The applicant would need the Agriculture zoning designation to utilize the property as they would like.

Mr. Bailey makes a statement relating to the change of times. If this activity is a fact of life, the proper way to handle it is to make sure that it is in a location that is somewhat suitable for it.

Mr. Fleming moves that the Comprehensive Plan application, File #15-6066, be sent to the County Commissioners with a recommendation of approval with the nine Findings of Fact in the affirmative for the project.

Mr. Dorsing seconds the motion.

The motion is voted on and passes unanimously.

Board Action:

ACTION: JIM FLEMMING MOVES TO RECOMMEND TO THE BOARD OF COUNTY COMMISSIONERS THAT THE LEWIS NEILSON COMPREHENSIVE PLAN - LAND USE RE-DESIGNATION BE APPROVED WITH THE NINE FINDINGS OF FACT IN THE AFFIRMATIVE FOR THE PROJECT.

TERRY DORSING SECONDS THE MOTION.

VOTED ON AND PASSES UNANIMOUSLY

Mr. Richards moves that the zone change be sent to the County Commissioners with a recommendation of approval with the ten Findings of Fact in the affirmative for the project.

Mr. Graham seconds the motion.

The motion is voted on and passes unanimously.

Board Action:

ACTION: KEVIN RICHARDS MOVES TO RECOMMEND TO THE BOARD OF COUNTY COMMISSIONERS THAT THE LEWIS NEILSON ZONE CHANGE BE APPROVED WITH THE TEN FINDINGS OF FACT IN THE AFFIRMATIVE FOR THE PROJECT.

LEE GRAHAM SECONDS THE MOTION.

VOTED ON AND PASSES UNANIMOUSLY

PUBLIC HEARING – Moses Lake School District/L Brothers LLC – File #15-6065 – Moses Lake Area – Urban Growth Area Amendment and Site Specific Land Use Re-designation from Rural Residential 1/Rural Residential 2 to Public Facility/Residential (Suburban) and Zone Change from Rural Residential 1/Rural Residential 2 to Public Facility/Urban Residential 1.

Mr. Richards reports that his firm completed a feasibility study in 2008, and he also participated in the levy and bond committee for the school district. He does not feel it will interfere with his decision for the project.

Planning Commission Chairman, Mr. Bailey, responds to Mr. Richards; if he can make a fair judgment, he would like him to participate in the public hearing.

Mr. Richards agrees to participate.

Mr. Bailey explains that this project is different, and more complex, in that it also deals with the expansion of the City of Moses Lake's Urban Growth Area (UGA). By being included in the UGA the properties could gain access to city utilities.

Staff explains further that it would also allow the City of Moses Lake a say in the development of the property. In some cases annexation may be required, especially if the property is utilizing urban services.

There is further discussion regarding annexation.

Janet Daschel, 4767 Viking Road.

Ms. Daschel points on the map where her home is located. She states that she is confused about annexation, and asks how this was going to affect her property.

To answer Ms. Daschel's question; staff explains the application does not directly affect this property, but it could potentially bring the city limits closer to the property.

There were approximately fourteen public comments received from property owners along Harris Road and Viking Road. Also, agency specific comments were received from the Bureau of Reclamation (BOR) and the State Department of Commerce Growth Management Services. The Department of Commerce did express concerns with the application, and the inclusion of additional lands into the UGA. The BOR comment referred to the agricultural water supply that is currently being provided to the parcels.

Staff reviewed the application for compliance with the Comprehensive Plan and applicable criteria, and is not recommending approval of the applications. After analysis, staff did not feel the application would protect the rural character of Grant County, which is a goal of the Comprehensive Plan. It would require an extensive extension of urban services to the area. The current city water and sewer services are nearly a mile from the site. Those services would have to be brought past properties that are not included in the UGA. It would also allow for "leap frog" development. Additionally, staff analysis showed that there is currently a significant amount of land in the Moses Lake UGA that is undeveloped or under developed. Staff does not feel that the application did a sufficient job in substantiating the need for additional land within the UGA.

Staff recommends denial of the land use re-designation change and the zone change.

Mr. Bailey explains the history of the Growth Management Act and Urban Growth Area (UGA) to the audience. The Urban Growth Areas, that are located around and outside of city limits, are used to help determine the direction of future development.

Mr. Graham states that he can appreciate the school district's desire to protect their position for future growth. He asks staff that if they were to side with the school district, what the repercussion could be from the Department of Commerce. Staff replies that if the Planning Commission was to recommend approval to the Board of County Commissioners (BOCC), and the BOCC followed that recommendation, the Department of Commerce could challenge the final decision, and take it to the Growth Management Hearings Board.

Mr. Richards states that he believes the City of Moses Lake does have a lot of property within its UGA, and the development of the city is not growing as fast as the UGA is expanding. He asks, of the 2,500 acres of raw and vacant ground currently in the UGA, how much fits the criteria that has been defined by the school district? Staff answers analysis found there were 59 parcels within the UGA of Moses Lake that were greater in size than 20 acres. This totaled 5,000 acres that were undeveloped within the UGA. 2,500 of that had a residential designation and the other 2,500 was a mix of commercial and urban industrial designations. Staff points out that the purpose of this analysis is not necessarily to suggest that the vacant properties are good locations for a school. It is simply to illustrate the point that the Urban Growth Area of Moses Lake is already larger than the growth rate of the city.

Eric Johnson, Director of Business and Operations for the School District.

Mr. Johnson explains he came into this project just a few weeks ago, and did not realize the complexity of the issue. Last year representatives from the school district met with city staff to examine maps and properties within the city limits that would meet the size, safety and financial responsibilities of the tax payers.

The minimum requirement for a secondary school is 10-plus acres per 100 students. For a high school of 1,600 students a minimum of 26 acres would be needed, although including sports fields the majority of schools are approximately 40 acres.

In October of 2014, representatives from the school district and the city met with the Planning Department to discuss what the application process would require.

The Moses Lake City Council agreed, and recommended that the school district proceed with an application to expand the UGA.

Mr. Johnson reports that after reviewing the 59 parcels available within the UGA he found that:

19 of the parcels are too small, 9 are underneath the minimum of 26 acres, and 10 are under the minimum of 40 acres.

9 of the parcels are located in north Mae Valley, which is not a desirable location.

6 are around the Potato Hill area, close to the current high school.

4 are on North Frontage Road and I-90, all commercial and close to the current high school.

9 are surrounding an industrial area, which has the possibility of being exposed to potential industrial hazards.

3 are in Cascade Valley.

7 are next to the airport.

The only possible parcel is 55 acres located on North Stratford Road, which is approximately ½ mile south of the subject property.

Moses Lake is currently the third largest high school in the State; additional space is needed for continued growth.

Ms. Drader asks if the parcels that are located adjacent to each other were looked at.

Mr. Johnson replies he looked at all of them individually; if they appeared as being too small he did not pull them up on the Mapsifter program.

Ms. Drader explains that the joining of two or three parcels, located side by side, could provide the acreage needed.

Mr. Johnson reports it is very difficult to expand on the current site of the high school because the utility infrastructure is very challenging.

Mr. Dorsing asks if there is acreage close to the high school sufficient for expansion.

Mr. Johnson responds there is additional acreage, but he has been told that the City of Moses Lake has concerns regarding an increase in the current traffic patterns.

Mr. Dorsing explains the Planning Commission members thoughts are guided by their service to the public.

Mr. Johnson states that after reading the information provided he understands that, and that this is a complex issue.

Ms. Drader reports that she is a real estate agent for her daytime job, and she brought the numbers to show where the growth is taking place. The greatest growth is to the west, second greatest is to the east and the third is to the south of Moses Lake. Her concern is that the subject property is to the north of Moses Lake, where there is the least amount of growth.

Mr. Johnson responds that they have to look at where to locate two high schools, which are not in too close of proximity to each other, in order to serve the population. Also, this is land that is currently owned by the school district.

Ms. Drader explains, when looking at where the ideal location would be to move the UGA, it would more correctly be in one of these areas first.

Mr. Graham wonders if they are looking at a city that is growing in that direction, or whether they are looking at a school district that is pulling growth in that direction.

There is more discussion.

Staff reports that the initial analysis did not include properties that were already located within the city limits of Moses Lake; there could be additional undeveloped property, within the city limits, that was not looked at by staff.

Public Testimony Opened

Jerry Richardson, 10091 Harris Road NE, Moses Lake, has been sworn.

Mr. Richardson informed staff that the Critical Areas Checklist signed by L Brothers, provided in the mail out, has the school parcel number on it in error.

Mr. Richards states one of his concerns is that before the school district contacted the L Brothers, they came to the residents along Stratford Road to try and move the UGA, so this is their second try.

The information said that there would be no adverse affect to the adjacent property. He strongly disagrees.

He has not heard anybody mention that the Grant County Airport is within 4 miles of where the school would be located. It is not a good place for a school.

Mr. Richardson provides a map that depicts the city boundary and the Urban Growth boundary, which will be entered into the record as Exhibit #1.

He states the map shows how the city has done all kinds of hop scotching, and he thought as the city grew it would be orderly. He is against any reclassification of the land for that reason.

Janet Daschel

Ms. Daschel points out on the map where she lives, and states she did not get the notification. She explains that the Viking Road Water Association has two wells that are nearby that could be affected.

The only access into her neighborhood is Harris Road. It would need to be widened, and improved to be able to handle the extra traffic.

She does not want to be in the UGA or the city.

Rex Chamberlain, 5752 Stratford Road.

Mr. Chamberlain explains that with the existing industry in the area the traffic is heavy; there are periods during the day when it is impossible to get on to the highway.

Forty years ago the Commissioners were insistent that the land be rezoned to accommodate the growth that was coming so rapidly. This land was needed for development. Currently, the land is still being farmed.

He isn't necessarily against the proposal, but there are a lot of issues that need to be dealt with before the property should be rezoned.

Cheryl Parham, 10185 Harris Road.

Ms. Parham points out on the map where she lives, and other properties in the area. Her concern is how those properties and the residents will be affected. They own animals and have their own wells and septic. It seems inevitable that they will be involved.

Jennifer Huang, 10364 Road 5.8.

Ms. Huang states her home is in Stratford Road Estates, and like Rex (Chamberlain) she has concerns regarding the traffic. She purchased her house a few months ago knowing that there is a dairy located across the road, and she is fine with that. Getting smashed by an oncoming car, she is not fine with.

Kathryn Chamberlain, 5880 Stratford Road NE.

Mrs. Chamberlain is concerned with the amount of traffic on Stratford Road. She reports that she drives into town at 5:00 each morning. On those drives she has counted as many as 50 oncoming cars in a two mile section of Stratford Road. When Stratford Estates was being developed she researched how much industry was located in the area. There was more than what was realized and there is even more now.

Public Testimony Closed

The Planning Commission discusses the proposal.

Mr. Richard states it is important to point out that they are discussing a change to the map, and not permitting a high school. He has a hard time making such a dramatic transition in the UGA without all of the complications being looked at.

Mr. Bailey agrees that they are looking at a map change, a potential use change, and not a project action. Although, it has been stated, among other things, that there is a need for a new school; the school district owns the property. So, the assumption can be that the school would be built sooner than later. He would have liked to of seen more research information from the school district as well.

Mr. Richards comments that he does not think the adjoining property was looked at near enough. It is of significant size. It won't have a high school built on it, but could still have a substantial impact.

Mr. Dorsing states that the issue of the roads, services and utilities could be worked through. When he looks at just the zone change; he wonders if it is in the best interest of not only the people of the area, but of the community that the Planning Commission serves as well. Are there other areas that could be used with less impact? He would like to keep the impact to a minimum.

Ms. Drader comments that she feels the UGA was formed to help the growth go in the direction that was anticipated. The greater growth is not in this direction. There is ground in the UGA, in the other directions, which could be used.

Mr. Graham and Mr. Richards comment on how the proposal could be appropriate for long term planning and future development. They are not sure that they have enough facts to make a decision.

Mr. Fleming comments on the history of how Moses Lakes' UGA was established.

More discussion takes place.

Ms. Drader states she feels the land use designation should not be changed at this time.

Mr. Dorsing asks if it was unreasonable to expect more information in order to make the decision.

Mr. Bailey thinks they need to make a recommendation to the County Commissioners. He isn't sure that any good would come from tabling the proposal.

Ms. Drader believes the school district would probably prefer a decision now, so that they have it for direction of future plans.

Mr. Dorsing states that the business of the city, or the business of the school, is not his concern. His concern is how best to serve the community; would having more information help that.

Mr. Bailey explains that there is nothing to stop the school district from re-applying next year.

Mr. Richards points out that the school district sill has time to bolster their application before going in front of the BOCC.

Mr. Bailey agrees; the Planning Commission is simply making a recommendation.

Ms. Drader moves to recommend denial of the land use re-designation, and the expansion of the Urban Growth Area with the nine Findings of Fact in the negative for the proposal. She would like to add a tenth Finding of Fact, stating that the Planning Commission has considered the comments from the Department of Commerce, and have taken them into account while recommending denial.

Mr. Fleming seconds the motion.

Mr. Richards would like the Board of County Commissioners to know, that some of the Planning Commission members were contemplating if greater information would make for a better decision.

The motion is voted on and passes unanimously.

Board Action:

ACTION: ANN DRADER MOVES TO RECOMMEND TO THE BOARD OF COUNTY COMMISSIONERS THAT THE MOSES LAKE SCHOOL DISTRICT/L BROTHERS LLC URBAN GROWTH AREA AMENDMENT AND COMPREHENSIVE PLAN - LAND USE RE-DESIGNATION BE DENIED WITH THE NINE FINDINGS OF FACT IN THE NEGATIVE FOR THE PROJECT. ADDING A TENTH FINDING STATING THE PLANNING COMMISSION HAS CONSIDERED THE COMMENTS FROM THE DEPARTMENT OF COMMERCE AND HAVE TAKEN THEM INTO ACCOUNT WHILE RECOMMENDING DENIAL.

JIM FLEMING SECONDS THE MOTION.

VOTED ON AND PASSES UNANIMOUSLY

Mr. Richards moves that the zone change be sent to the County Commissioners with a recommendation of denial with the ten Findings of Fact in the negative for the project.

Ms. Drader seconds the motion.

The motion is voted on and passes unanimously.

Board Action:

ACTION: KEVIN RICHARDS MOVES TO RECOMMEND TO THE BOARD OF COUNTY COMMISSIONERS THAT THE MOSES LAKE SCHOOL DISTRICT/L BROTHERS LLC ZONE CHANGE BE DENIED WITH THE TEN FINDINGS OF FACT IN THE NEGATIVE FOR THE PROJECT.

ANN DRADER SECONDS THE MOTION.

VOTED ON AND PASSES UNANIMOUSLY

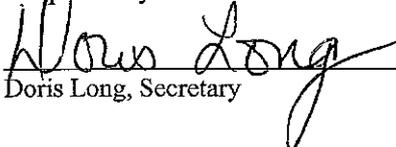
Planning Director, Damien Hooper, reports to the Planning Commission that he would like to have a workshop in December to discuss the GMA update (full Comp. Plan update) that is due in 2018. This session will be an overview of what the update will entail.

There is discussion; the workshop will be held on December 2nd at 6:00 PM.

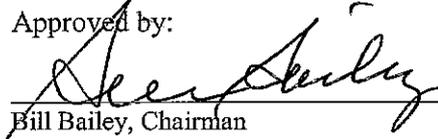
There is discussion regarding the traffic Stratford Road carries.

Meeting adjourned at 9:14 PM.

Respectfully submitted:


Doris Long, Secretary

Approved by:


Bill Bailey, Chairman