**Agenda Summary Report (ASR)**
Franklin County Board of Commissioners

<table>
<thead>
<tr>
<th>DATE SUBMITTED:</th>
<th>October 15, 2019</th>
<th>PREPARED BY:</th>
<th>MillieAnne VanDevender</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Meeting Date Requested:</strong></td>
<td>October 22, 2019</td>
<td><strong>PRESENTED BY:</strong></td>
<td>MillieAnne VanDevender and Derrick Braaten</td>
</tr>
<tr>
<td><strong>ITEM:</strong> (Select One)</td>
<td>☐ Consent Agenda</td>
<td>☑ Brought Before the Board</td>
<td></td>
</tr>
<tr>
<td><strong>Time needed:</strong></td>
<td>10 minutes</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>SUBJECT:</strong> Closed Record Hearing (Quasi-Judicial Item) - A Conditional Use Permit (CUP) to allow an outdoor event center (in accordance with FCC Section 17.14.040 (D) - &quot;public and quasi-public buildings&quot;). (File # CUP 2019-05 and SEPA 2019-08)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>FISCAL IMPACT:</strong></td>
<td>None</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**BACKGROUND:** This is a closed record hearing on a CUP application to allow an outdoor event center. The project would initially include portable restrooms, banquet tents, and parking spaces. Permanent restroom facilities and a 2,400 square foot structure (gazebo) are proposed for the future, as well as a kid’s play area. Outdoor lighting would be used when events take place, until 10 p.m. The property is zoned RR-1 and carries a “Rural Residential” Land Use designation; and is located in the area known as “Clark’s Addition.” The site is situated in the NE 3/4 of the SE 3/4 of the NW 3/4 of Section 2, T 9 N, R 29 E, W.M.. The address is 4616 Ivy Road, Pasco, WA. The parcel is bounded to the north by Ivy Road and to the east by the unimproved right-of-way for Road 44 N. (Parcel Number 114-241-053). The Planning Commission recommended denial of the CUP as amended, and there were no appeals filed.

Per FCC 17.82.110, "Unless a proper and timely appeal is filed or the board by majority vote deems further review is necessary the recommendation of the planning commission shall be effected by proper action of the board without further review. In the event the board deems further review is necessary, it shall conduct a closed record appeal, notice of which is given in accordance with amendments and rezones."

**RECOMMENDATION:** The County Planning Commission on Sept. 3, 2019 reviewed the CUP application. Staff recommended conditional approval. There was considerable public testimony in opposition. Following the hearing, the commission considered a motion to recommend approval of the CUP, based upon 6 findings of fact and with 18 conditions. The motion failed; the meeting adjourned with no recommendation. Subsequently, a Special Meeting/hearing was held Sept. 24, 2019. Staff presented a report to the Planning Commission based on the testimony and facts presented at the Sept. 3, 2019 public hearing, containing amended findings of facts. No additional testimony was taken; no items were added to the record. The commission passed a motion recommending the CUP be denied, based upon 6 findings of fact.

**Suggested Motion:** I move that the Board of County Commissioners adopt the recommendation of the Planning Commission and deny CUP 2019-05 based upon the written findings of fact.

If the board wishes to further review the item, the board should instead take action to direct the Planning and Building department to schedule and advertise a future “closed record appeal hearing.”

**COORDINATION:** The Building & Planning Dept. processed the application, coordinated for agency comments, and reviewed the application per FCC 17.82. The application was advertised to the public via adopted procedures; a SEPA DNS was issued. Public comment included 2 letters and 17 speakers, all in opposition.

**ATTACHMENTS:** (Documents you are submitting to the Board) (1) Staff Report to the P.C. including attachments and comment letters (2) P.C. Minutes (09/03/2019) (3) Staff Summary Report for P.C. Special Meeting (4) Draft P.C. Minutes (08/24/2019)

**HANDLING / ROUTING:** None

_I certify the above information is accurate and complete._

---

Derrick Braaten

---

Revised: October 2017
AGENDA ITEM #1

STAFF REPORT

CUP 2019-05

SALAS – OUTDOOR EVENT CENTER
FACT SHEET/STAFF REVIEW

Hearing before the Franklin County Planning Commission

**NOTE TO PLANNING COMMISSIONERS:**
THIS IS A QUASI-JUDICIAL PUBLIC HEARING
PLEASE AVOID, AND DISCLOSE, ANY EX-PARTE COMMUNICATIONS (CH 42.36 RCW)

Case file: CUP 2019-05 (Conditional Use Permit) and SEPA 2019-08

Hearing Date: September 3, 2019

Applicant: Enrique and Luz Salas, 4616 Ivy Road, Pasco WA 99301

Owner: Mayra Salas and Juan Rodriguez 4616 Ivy Road, Pasco WA 99301

Location: The property address is 4616 Ivy Road, Pasco, WA. The parcel is bounded to the north by Ivy Road and to the east by the unimproved right-of-way for Road 44 N. (Parcel Number 114-241-053).

Legal description: NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 9 N, RANGE 29 E, W.M., LESS THE IVY STREET RIGHT OF WAY.

VICINITY MAP:
Property size: The current property (parcel) size is approximately 10 acres

Property to be used: Approximately 5 acres are to be used for the business

Comp. Plan: Rural Residential

Zoning: Rural Residential, RR-1

Suggested Recommendation: Positive recommendation with six (6) suggested findings of fact and eighteen (18) suggested conditions of approval

Suggested Motion: I move to forward CUP 2019-05 to the board of commissioners with a positive recommendation based on the six (6) findings of fact and eighteen (18) suggested conditions of approval.

APPLICATION DESCRIPTION:
Said application is to allow an outdoor event center, which appears to be only allowed with an approved Conditional Use Permit (in accordance with Franklin County Code Section 17.14.040 item D - "public and quasi-public buildings").

The applicant proposes to use approximately 5 acres of the 10 acre site for the proposed use, which will, initially, include portable restrooms, banquet tents for the specific events, and parking spaces. Permanent restroom facilities and a 2,400 square foot structure (gazebo) are proposed in the future as well as a kid's play area. The proposal includes outdoor lighting at the site when events take place, until 10 p.m. The property where the project is proposed is zoned RR-1 and carries a “Rural Residential” Land Use designation; the property is located in the area known as “Clark’s Addition.”

The following information about the project was provided by the applicant:

- Approximately five people will work on the site during business hours or reside on the site full-time.
- The use results in approximately fifty to one hundred vehicle trips per event, depending on the number of event attendees. Events will occur 1-2 times per week and typically concentrated to the hours between noon and 5pm or between 5pm and 10pm on weekends. Events will only occur approximately 8 months of the year, depending on weather conditions.

The existing structures on the site include an approximately 2,500 square foot residential structure, a 29,000 square foot shop, a 720 square foot garage, and 6 utility sheds.

The applicant provided a site plan which shows the location of the following features:
- An approximately 35,000 square foot grass parking area with gravel driveway;
- The existing home, garage, shed, utility building, pond, and storage area;
- The proposed future restrooms and gazebo; and
- The 2.87 acre proposed event area.
PUBLIC NOTICE:

- The Planning Staff emailed technical review requests to Technical Agencies on **August 15, 2019**.
- The Planning staff mailed notices to Property Owners within one mile on **August 15, 2019**.
- A Public Notice was published in the Tri-City Herald and Franklin County Graphic on **August 15, 2019**.
- A sign was posted on the property on **August 16, 2019**.

SEPA:

- A SEPA Checklist was included in the application. Planning Staff [Lead Agency Responsible Official] reviewed the checklist and issued a Determination of Non-Significance (DNS) on **August 15, 2019** under WAC 197-11-340(2) which was published on **August 15, 2019**.
- The Washington State Department of Ecology filed the notice under SEPA # **201904641** in the statewide SEPA Register.
- Comments on the DNS Threshold Determination were due by **August 29, 2019**. As of the date of this staff report, no comments or appeals have been received.

APPLICABLE STANDARDS/CODES:

1. County Zoning-- County Code:
   a. Chapter 17.14 RR-1 Rural Residential Zone
   b. Chapter 17.82 Special Permits
   c. Chapter 18.04 State Environmental Policy Act Guidelines (SEPA)
2. Franklin County Comprehensive Plan
3. Benton Franklin District Board of Health Rules and Regulations No. 2

PUBLIC COMMENT:

Two letters from Franklin County citizens were received as of the preparation of this staff report. The letters contain comments in objection to the proposal. Both letters express concern for the potential increased noise levels in the community due to the nature of the proposed use. One of the letters expresses concern that the existing infrastructure (roads, sewer system, etc) will not support the increased traffic the use will generate.

AGENCY COMMENTS/CRITERIA FOR FINDINGS OF FACT:

1. **Public Works Department**: Public Works has concluded that the proposed use will not have a significant impact on the County Road System and provides the following general comments:
1. An approach permit is required for access to Franklin County roads per the County Road Approach Policy (Resolution No. 2014-123). Requirements include required permits, approach construction, minimum design standards, etc. per Franklin County Design Standards for the Construction of Roads and Bridges (Resolution 2002-270).

2. Any utility extension crossing Franklin County roads will be addressed at the time of application. See Accommodation of Utilities on County Road Right-of-Way for more information (Resolution #2000-330).

2. Franklin PUD: No comments received.

3. Health District: The Health District has no objections to the proposal provided the following requirements are met:

   a. The lot must meet all applicable usable land area requirements in accordance with Benton Franklin District Board of Health Rules and Regulation No. 2.

   b. An event center would need to have plumbed restroom facilities for the guests. Portable toilets may be used to supplement large events but shall not be the only restroom available.

   c. The event center would need to provide potable water from an approved public water supply.

2. Fire District #3: No comments received.

3. South Columbia Basin Irrigation District: The District has no comments on the proposal.

4. US Bureau of Reclamation: No comments received.

5. County Risk Management: No comments received.

6. Clarks Addition Water Association: No comments received.

7. Planning and Building Department: The Planning Department has determined the following suggested findings and provided comments for this application:

   a. The property is located in the RR-1 (Rural Residential) zone. A conditional use permit is required for an event center (public and quasi-public buildings - deemed analogous uses) in this zone.

   b. Per FCC 17.14.040, ancillary services, such as tasting rooms/facilities and event centers associated with a winery/distillery/brewery are permitted through the conditional/special use permit process.

      i. This application for an event center does not have any connection to a tasting room or beverage production facility.

   c. The Comprehensive Plan designation for the property is Rural Residential. The property is located in the area known as “Clark’s Addition.”
The Comprehensive Plan contains the following goal: “Encourage the retention of useful open space and development of recreational opportunities, conserve critical fish and wildlife habitat, increase public access to natural resource lands and water, and develop parks.”

i. Currently, Franklin County does not own and operate any public parks with developed recreational amenities such as public shelters, restrooms, and formal gathering spaces.

ii. The proposal includes (private) open space and a formal recreational gathering place.

c. There are no mapped critical areas on or near the project site.

d. The project site is located less than one mile north of the City of Pasco.

e. Events will occur on an intermittent basis, on weekends from spring to fall.

f. Exterior lighting shall be directed on-site so as not to interfere with the comfort and repose of adjoining property owners.

i. The proposed use of the site is primarily for outdoor events which, due to weather, may only occur seasonally (approximately 16-30 times per year). Per FCC 17.78.100, Special Event parking lots which are used on an infrequent basis are exempted from Chapter 17.78 for Off-Street Parking, except for the maintenance requirements of 17.78.090(G). Under this provision, parking on the grass, as proposed, could be allowed. However, if events do occur year-round (or more than 30 times per year), the requirements of FCC 17.78 shall be required and the number of parking space calculations will be based on those required for Community Services (considered to be most analogous to the Public and Quasi-Public Buildings/Outdoor Event Center use).

j. Separate building permits are required for any proposed or future buildings including storage buildings exceeding 200 sq. ft.:

i. A Building application is required with the submittal for building permits.

ii. A detailed plot plan with distances to all lot lines, easements and adjacent structures as applicable.

iii. An access permit is required from the Franklin County Public Works office.

iv. Scaled detailed plans of structures. (WA State Engineering may be required dependent on occupancy and method of construction).

According to the Franklin County Code, Chapter 17.82 Special Permits, the Planning Commission shall:

1. Make and enter findings of fact from the record and conclusions thereof;
2. Shall render a recommendation to the Board of Commissioners as to whether the proposal be denied, approved, or approved with modifications and/or conditions.

Findings of Fact Criteria by Planning Commission: The planning commission shall make and enter findings from the record and conclusions thereof as to whether or not:

1. The proposal is in accordance with the goals, policies, objectives, maps and/or narrative text of the comprehensive plan;

2. The proposal will adversely affect public infrastructure;

3. The proposal will be constructed, maintained and operated to be in harmony with the existing or intended character of the general vicinity;

4. The location and height of proposed structures and the site design will discourage the development of permitted uses on property in the general vicinity or impair the value thereof;

5. The operation in connection with the proposal will be more objectionable to nearby properties by reason of noise, fumes, vibrations, dust, traffic, or flashing lights than would be the operation of any permitted uses within the district;

6. The proposal will endanger the public health or safety if located and developed where proposed, or in any way will become a nuisance to uses permitted in the district.

Planning and Building Department Staff Assistance: Planning Staff will assist the Planning Commission with the determination of findings and conditions for CUP-2019-05.

Recommendation: The Franklin County Planning Department recommends that the Planning Commission forward a POSITIVE recommendation to the Franklin County Board of Commissioners for Application CUP-2019-05, with the following suggested findings of fact and suggested conditions of approval:

Suggested Findings of Fact:

1. The proposed use in the RR-1 Zoning District IS in accordance with goals and policies of the County Development Regulations (Zoning) and the applicable Comprehensive Plan.
   a. The Franklin County Comprehensive Plan classifies the land as Rural Residential.
   b. The Franklin County Comprehensive Plan encourages the retention of useful open space and development of recreational opportunities.
   c. There are no critical areas present on the project site.
   d. The County Zoning map designates the land as RR-1.
The use “public and quasi-public building” (most analogous use to an Outdoor Event Center) is allowed with a Conditional/Special Use Permit in the RR-1 Zoning District.

Per FCC 17.14.040, ancillary services, such as tasting rooms/facilities and event centers associated with a winery/distillery/brewery are permitted through the conditional/special use permit process.

The applicant has applied for a Conditional Use Permit to allow the proposed use.

2. The proposal **WILL NOT** adversely affect public infrastructure.
   a. Access to the parcel is from Ivy Road.
   b. The use will not have a significant impact on the County Road System.

3. The proposal **WILL BE** constructed, maintained, and operated to be in harmony with the existing or intended character of the general vicinity.
   a. The existing character of the immediate area consists of farms and single family homes. The proposal is located less than one mile north of the City of Pasco;
   b. The proposed use will be on an intermittent basis and will not impair the ability for rural, residential, and agricultural activities to continue, nor will it have a negative impact on the intended character of the general vicinity.
   c. The existing and intended character of the immediate area is rural and agricultural. The site is within a Rural Residential area designated by the Franklin County Comprehensive Plan. The Rural Residential area is intended to contain a residential transitional area between the suburban areas surrounding cities and towns and agricultural resource lands.
   d. The zoning of the site and most of the parcels near the site is RR-1.
   e. The current parcel size is approximately ten acres which allows sufficient area for parking, access, etc. for the planned activities, and also provides space between the use and surrounding uses (non-vegetated buffer).
   f. Conditions are required to ensure that impacts of noise, traffic, and temporary structures and signage are adequately mitigated.

4. The location and height of the proposed accessory structures and site design **WILL NOT** discourage the development of permitted uses on property in the general vicinity or impair the value thereof.
   a. No new permanent structures are proposed as a part of the project at this time. The proposal includes portable restrooms and banquet tents for the specific events. Permanent restroom facilities and a 2,400 square foot structure (gazebo) are proposed in the future.
b. The proposal would include outdoor lighting at the site, until 10 p.m. when events take place.

5. The operation in connection with the proposal WILL NOT be more objectionable to nearby properties by reason of noise, fumes, vibrations, dust, traffic, or flashing lights than would be the operation of any permitted uses within the district.

   a. Traffic of passenger vehicles and employees to the site will be intermittent and typically concentrated to the hours between noon and 5pm or between 5pm and 10pm on weekends. Noise and traffic will be limited to those hours.

   b. Conditions are required to ensure that impacts of noise, traffic, and temporary structures and signage are adequately mitigated.

6. The proposal WILL NOT endanger the public health, safety, or general welfare if located where proposed.

   a. The project is subject to the County's Right to Farm ordinance.

   b. The project is required to comply with Health Department and Public Works standards regarding health and access/safety standards for the proposed use.

   c. The project site is less than ¾ of mile from a public fire station.

   d. The public was notified of this proposal in accordance with all guidelines and requirements, and the Planning Department received NO COMMENTS in favor of the proposal, and TWO COMMENTS in objection to the proposal.

Suggested Conditions of Approval:

1. The project shall comply with the requirements and recommendations of the Benton-Franklin Health District:

   a. The lot must meet all applicable usable land area requirements in accordance with Benton Franklin District Board of Health Rules and Regulation No. 2.

   b. An event center would need to have plumbed restroom facilities for the guests. Portable toilets may be used to supplement large events shall may not be the only restroom available.

   c. The event center would need to provide potable water from an approved public water supply.

2. The project shall comply with the requirements and recommendations of the Franklin County Planning and Building Department:

   a. The development standards of FCC 17.14.050 will apply to the project. No building shall be closer than 25 feet from a road right-of-way (or 55 feet from the centerline of the adjoining road, whichever is greater). The side setbacks are 10 feet (providing that the side yard on a corner lot shall not be less than 25 feet wide, or 55
feet wide from the centerline of an existing/future road, access easement, or whichever is greater) and the rear yard setback is a minimum of 25 feet.

b. All storm drainage shall be retained on-site and controlled by way of drainage swales, dry wells, french drains or other means as approved by the county engineer.

c. Exterior lighting shall be directed on-site so as not to interfere with the comfort and repose of adjoining property owners.

d. The current parcel size is approximately ten acres; if the property is later adjusted through a Boundary Line Adjustment or Short Plat, a new conditional use permit may be required.

3. The project shall comply with the requirements and recommendations of the Franklin County Public Works Department:

a. An approach permit is required for access to Franklin County roads per the County Road Approach Policy (Resolution No. 2014-123). Requirements include required permits, approach construction, minimum design standards, etc. per Franklin County Design Standards for the Construction of Roads and Bridges (Resolution 2002-270).

b. Any utility extension crossing Franklin County roads will be addressed at the time of application. See Accommodation of Utilities on County Road Right-of-Way for more information (Resolution #2000-330).

4. Comply with the following conditions for Access and Parking:

a. Parking on the grass, as proposed, is allowed as long as events are infrequent and any fire risk (especially during drought or near-drought conditions) is mitigated through appropriate means. However, if events do occur year-round or more than 30 times per year, the requirements of FCC 17.78 will apply and the number of parking space calculations will be based on those required for Retail Trade and Services (considered to be the use most analogous to an Event Center use for parking calculation purposes).

b. The parking area should be set back an appropriate distance to allow for ingress / egress and as to not hinder driver’s vision tringles as they leave or access the site. An internal access driveway shall be established and access shall not be blocked at any time to provide safe ingress/ egress for emergency vehicle access. Parking shall not be allowed along the interior driveways and "No Parking" signs (temporary or permanent) shall be installed.

c. Parking along Ivy Road for activities is not permitted. Any new approaches onto County roads will require an approach permit from Public Works.

d. A handicapped parking area is to be designated and appropriate signage installed meeting ADA requirements.
e. Any temporary signage used to locate the Event Center must meet the provisions of the Franklin County Sign Code, specifically, FCC 15.16.080.2.e. No sign shall obstruct any roadways and all signs shall be removed not more than one day after an event.

5. Comply with the following conditions regarding **Occupancy** and **Uses**:

a. The use on the entire property is limited to 200 guests (including vendors and hired personnel) at any given time.

b. Events with outdoor entertainment, music, public address systems and speeches (particularly those with amplified sound) shall not unreasonably impact neighboring residents or businesses. All music and activities resulting in sound that can interfere with normal conversation at a distance of seventy-five (75) feet or more from the source of the sound must not begin before 10 a.m. and must end by 10 p.m., and is limited to three hours of total duration.

c. All activities must conclude by 11 p.m.

d. Any tents or temporary shelters used on the site must meet National Fire Protection Association (NFPA) standards and are subject to inspection by a County official. All tents must include an affixed manufacturer’s label stating the tent meets NFPA requirements. If a label is not attached, it will be the event organizer’s responsibility to produce documentation from the manufacturer that the tent meets this standard prior to its acceptance. The County’s Building Official is required to inspect and approve the final installation of all temporary structures over 400 square feet (excluding portable toilets) and any applicable inspection fees will apply.

6. Banquet – liquor licenses associated with approved activities are required.

7. The business operator shall apply for and receive a business registration on an annual basis. In addition, an annual Fire & Life Self Inspection Survey Form is required to be completed. The applicant shall apply for and receive a County Business License on an annual basis.

8. The applicant shall commence the authorized conditional use (obtain a business registration with Franklin County) within one year after the effective date of this permit, or the permit shall expire.

9. It is the responsibility of the property owner to ensure that proper arrangements for waste removal and the pickup and haul-away of any additional litter and refuse is prepared for all events.

10. Should valid complaints (noise, traffic, parking, etc.) be received regarding activities taking place at the site, the conditional use permit approval may be reviewed by the County and potentially revoked.

11. RIGHT TO FARM: Applicant shall be aware that this facility is located in an area where farming and farm operations exist. Further, to assist in preserving the right of farmers to operate utilizing accepted and appropriate practices, the County has adopted a Franklin County Right to Farm Ordinance, as amended. At no time shall a farm operation, or accessory farm related enterprise such as crop dusting operation or airstrip use, be deemed
to be a public or private nuisance as it relates to the activities associated with this land use approval

12. Comply with **fire code** requirements.

13. The site shall be maintained at all times so as to not let the land become a fire hazard or accumulate with debris and weeds and/or garbage.

14. Future expansions and improvements at the site shall comply with the submitted and approved site plans (and any building plans submitted and approved). To allow future flexibility, changes to the plans which are determined to be minor or incidental may be done administratively by the Planning Department. Major changes, which do not meet the intent of, or seriously re-align, the approved plans, shall be reviewed by the Planning Commission through a new Conditional Use Permit process prior to that change occurring.

15. Nothing in this CUP approval shall be construed as excusing the applicant from compliance with any federal, state, or local statutes, ordinances, or regulations applicable to this project.

16. In accordance with the County’s Zoning Code, any special permit may be reviewed for potential termination and revocation by the Board of Commissioners if, after a public hearing, it is found that the conditions upon which the special permit was authorized have not been fulfilled or if the use authorized has changed in size, scope, nature or intensity so as to become a detriment to the surrounding area. The decision of the Board is final.

17. This permit applies to the described lands and shall be for the above named individual. The permit may not be transferred to other individual(s) or entities, or to another site. Any changes, or proposed changes, in ownership or operation will require the application of a new Conditional Use Permit.

18. By accepting the issuance of this permit, the Permit Holder(s) agree(s) to accept full responsibility for any and all operations conducted or negligence occurring at this location and any incidents that occur on surrounding properties caused by operations or negligence at this location; Permit Holder(s) further agree(s) to indemnify and hold the County harmless and agree that the County is in no way negligent in relation to granting this permit, or operations or negligence that occur at this location or on surrounding properties caused by operations or negligence on this property; Permit Holder(s) further agree(s) to accept full responsibility for any future cleanup needed due to activities conducted that this location that impact the surrounding properties, and obtaining and retaining appropriate insurance coverage.
AGENDA ITEM #1

PUBLIC NOTICE

ADDITIONAL PUBLIC COMMENTS

CUP 2019-05

SALAS – OUTDOOR EVENT CENTER
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that there has been proposed to the Franklin County Planning Commission an application by Enrique and Luz Salas, 4616 Ivy Road, Pasco WA for a Conditional Use Permit, file # CUP 2019-05 and SEPA 2019-08.

Said application is to allow an outdoor event center, which is only allowed with an approved Conditional Use Permit (In accordance with Franklin County Code Section 17.14.040 item D - “public and quasi-public buildings”). The applicant proposes to use approximately 5 acres of the site for the proposed use, which will, initially, include portable restrooms, banquet tents for the specific events, and parking spaces. Permanent restroom facilities and a 2,400 square foot structure (gazebo) are proposed in the future. There will also be a kid’s play area. The proposal would include outdoor lighting at the site, until 10 p.m. when events take place. The property where the project is proposed is zoned RR-1 and carries a “Rural Residential” Land Use designation; the property is located the area known as “Clark’s Addition.”

The subject parcel is described as follows:

LEGAL DESCRIPTION:
NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 9 N, RANGE 29 E, W.M., LESS THE IVY STREET RIGHT OF WAY.

NON-LEGAL DESCRIPTION:
The property address is 4616 Ivy Road. The parcel is bounded to the north by Ivy Road and to the east by unimproved right of way for Road 44 N. (Parcel Number 114-241-053).

NOTICE IS FURTHER GIVEN that said application will be considered by the Franklin County Planning Commission. Said consideration will be a public hearing on September 3, 2019 at 7:00 p.m. in the Franklin County Courthouse, Commissioners Meeting Room, 1016 North 4th Avenue, Pasco, WA 99301 and all concerned may appear and present any support for or objections to the application. Written comments are accepted prior to the public hearing and those comments shall be submitted to the Franklin County Planning Department, 502 W. Boeing Street, Pasco, Washington 99301.

NOTICE IS FURTHER GIVEN that said proposal has been reviewed under the requirements of the State Environmental Policy Act, as amended, along with the Environmental Checklist and other information. A determination has been made as to the environmental impacts of the proposal and a Determination of Non-Significance (DNS) has been issued. Accordingly, an Environmental Impact Statement is not required. This determination was made on August 15, 2019 and comments regarding the determination and the environmental impacts of the proposal can be made to the Planning Department by Thursday, August 29, 2019.

Information concerning the proposal can be obtained at the Franklin County Planning Department, 502 W. Boeing Street, Pasco, Washington 99301, or by calling (509) 545-3521.
VICINITY MAP:

DATED AT PASCO, WASHINGTON ON THIS 15th DAY OF AUGUST 2019.

PUBLISH:
Franklin County Graphic: August 15, 2019
Tri-City Herald: August 15, 2019

Derrick Braaten, Planning and Building Director
To whom it may concern:

Concerning application by Enrique and Luz Salas for conditional use permit CUP 2019-05 and SEPA 2019-08

I am writing to ask that the proposed use permit change for 4616 Ivy road, Pasco, Wa, be denied. This location is a residential area. The roads, sewer system, etc. are not designed for the increased traffic and usage being proposed. The additional traffic alone is reason enough, however, many of us living in the area currently enjoy the low traffic, peace, and quiet this rural area allows. This peace and quiet will be ruined should this event center come to pass. I understand the desire of the applicant to create a business opportunity for himself, but it shouldn't come at the expense of the rest of the area's residents. Again, this is a residential neighborhood with no city sewer, no sidewalks, no enhanced traffic controls, etc., that might be available in a less rural location. I ask you to deny this permit.

Thank you,

Terry Parker
3715 Quail Rd.
Pasco, WA 99301
(509)366-0778
Dear Sirs:

In regard to the request for a Conditional Use Permit that would allow approximately 5 acres located near what would be the intersection of Road 44 and Ivy inside of the Clark's Edition to be developed for an "outdoor event center", I respectfully request that you vote no. This was tried several years ago only a few parcels to the west and was denied due to the excessive noise it would create in our otherwise quiet "Rural Residential" neighborhood.

Unfortunately, I will not be able to attend the September 3rd meeting, but will check in afterward for the meeting minutes.

Thank you for your consideration,

Victor Hubbard
6713 N Road 42
Pasco, WA 99301
509.845.6475
Franklin County Planning and Building Department
502 W. Boeing Street
Pasco, WA 99301

August 28, 2019

REFERENCE: Enrique and Luz Salas, 4616 Ivy Road, Pasco, WA for a conditional Use Permit, file # CUP 2019-05 and SEPA 2019-08

Dear Sir/Madam:

My husband and I are writing this letter to express our strong opposition to the above mentioned application for an “outdoor event center”. My husband and I have resided here in the Clark Addition for the past 22 years. We feel it would interfere with the comfort and peace to our neighborhood and may even pose a threat to the neighborhood’s safety. With this event center, the traffic would increase. With more traffic, there is a higher risk of speeding in the neighborhood. With our neighborhood being zoned residential, there are many young children that play in the roads and ride their bicycles. The increased traffic would pose a potential threat to their safety. Along with this, if alcohol is permitted on the premises, there would be even more of a threat in regards to the safety of our children and possible damage that may be caused from driving under the influence.

We also fear that increased traffic would increase the threat of crime as there will be more people travelling through the neighborhood that would otherwise not have come out this far. The purpose of purchasing this property 22 years ago was to move away from high traffic and loud noises that the city embraces. The other concern we have is that the streets/roads themselves in the Clark Addition are not built for high traffic use and high weight. They are not asphalt roads – they are graveled and then tarred.

Another concern we have is regarding the noise that this type of building will emit. Throughout the year we enjoy having our windows open and sitting outside to enjoy the beautiful scenery. This type of building for entertainment would more than likely play loud music that would disturb our otherwise peaceful neighborhood.

Furthermore there is no need for an event center to be built in a residential area when there are plenty of other venues and locations that are not zoned residential for this type of establishment.

Sincerely,

Diana and Todd Woollum
Franklin County Planning and Building Department
502 W. Boeing Street
Pasco, WA 99301

August 28, 2019

REFERENCE: File # CUP 2019-05 and SEPA 2019-08

Dear Planning and Building Department:

My name is Duane Woollum. I moved out to the Clark Addition over 11 years ago. My wife and I have enjoyed the move away from the city and all the traffic noise that was a constant for over 40 years. It has been a pleasant place to retire. However, after the announcement of the above mentioned “outdoor event center”, I was moved to respond in opposition of it.

We live in a Residentially Zoned neighborhood. This type of building has no place in our neighborhood. The traffic that it will bring in front of my house will be unwelcomed. Not to mention hazardous to the children who live nearby, including my own grandchildren. Their safety is my utmost concern. I also feel that with more traffic and people coming out to the area, the crime rate is bound to follow and increase as well.

The event center will bring increased noise which I also do not appreciate. I enjoy working out in my shop and yard without having to hear my neighbor’s music or entertainment.

Lastly, these roads will also be affected as with more traffic comes more wear and tear on the roads, which in fact are not even asphalted.

Please consider my opposition to this matter as it has no place in the Clark Addition.

Respectfully,

Milo Duane and Linda Woollum

[Signatures]
August 28, 2019

Derrick Braaten
Planning and Building Director
502 W. Boeing Street
Pasco, WA 99301

Dear Mr. Braaten,

I am writing to express my concern for the Conditional Use Permit, file #CUP 2019-05 and SEPA 2019-08. Outdoor Event Center at 4616 Ivy Rd, Pasco, WA.

As the crow flies, I live very close to the proposed Event Center. Sadly, I picture a major noise problem during these events. Even if they shut down at 10:00, what about the 6-8 hours of noise, starting in the afternoons. Clark's Addition is a quiet, family oriented residential neighborhood. Although some neighbors have parties within blocks of my home and they do usually shut the music/noise down around 10:00, but, my windows rattle with every drumbeat for hours. Thankfully, these parties are not a regular occurrence, but what will a commercial outdoor event center bring.

I do not see an increase of traffic near my home, but can see major traffic problems for neighbors living near the Event Center.

Thank You

Cheryl Stevens

4121 Melody Lane
Pasco, WA 99301
August 24, 2019

Franklin County Planning Department
502 W Boeing St
Pasco WA 99301

RE: Public Hearing for Conditional Use Permit File # CUP 2019-05 and SEPA 2019-08
   By Enrique and Luz Salas   4616 Ivy Rd. Pasco WA 99301

Gentlemen:

We are not able to attend the hearing regarding the above listed land use proposal. However, as a homeowner in the area, we do have some concerns that we would like to voice.

1. Lighting is planned for the site, until 10pm, according to the letter we received. Will the event center then be closed, or just lights out? We already have problems with loud music being played in the area until after midnight, and are concerned about this adding to the problem.
2. Is this to be considered a private event center, rented to the public? If so, then what about the playground area? Is that to be fenced off, only to be used by the people reserving the event center?
3. This has the potential of a lot more traffic in the area, through residential areas with children playing. Are there plans by the county to improve/maintain the roads that will be primarily used?
4. Is the parking allotted in the plans adequate for the size of the event center planned? What about overflow parking?
5. Is the owner carrying insurance for injuries, accidents, damage to other people's property? Currently, we have a problem with people driving over our property when leaving parties in the area late at night and leaving beer bottles along the side of the road.
6. Will the county add increased police patrol in the area?

Some positive aspects we see, would be the idea of a playground/park in the community. However, that would need to be maintained by the county, and not an individual. That would be a definite improvement to the area.

Thank you for your attention to our concerns.

Sincerely,

Larry & Colleen Lyle
7508 N Road 36
Pasco WA 99301
AGENDA ITEM #1

APPLICATION, SEPA DETERMINATION and SEPA CHECKLIST

CUP 2019-05

SALAS – OUTDOOR EVENT CENTER
Application Number: **CUP 2019-05**

Existing Land Use Zoning District(s):

Legal Description of Property:

14 241 053

Site Address: Atelle RVY RD P 0830
Total Acreage Involved: 5 ACRES
Source of Water: Domestic
Source of Irrigation: Drip Irrigation
Sewage Disposal System: Septic System
Source of Power: Electricity
Comprehensive Plan:

Description of Improvements on Property:

Existing Use of Site/Property: garden + Residence

Proposed Development Application Request (Specify; Short Plan Cond Use Zone Change, Home Occupation, etc.)

The intent is to have an accessory event center. Build 2,000 sq ft gazebo, eventually (business dictating) build permanent restrooms - use portable restrooms in interim - approx 5 acres of site to be used.

We, the undersigned, hereby authorize the filing of this application and certify that the information contained in this application is complete and correct to the best of our knowledge. This authorizes the designated Applicant's representative (if applicable) to act on behalf of the applicant for the processing of this request.

( ) Owner

Print Name: Mayra Salas Rodriguez

Date 8/30/19

( ) Applicant/Representative

Print Name: Enrique Salas

Date 8/30/19
APPLICATION REQUIREMENTS

In accordance with Title 17.82 Zoning-Special Use/Conditional Use of the Franklin County Code the following application information shall be submitted to the Franklin County Planning and Building Department:

(1) Present use of the land and structures, if any;
   Residential w/garage + storage bldg

(2) Detailed description of the proposed use;
   To use approx. 5 acres
   of space to host events

(3) Description of any existing zoning ordinance violation;
   PRL
(4) A site map or plan drawn neatly and to scale, showing the following:
   (a) Exterior property lines and any adjacent public street or alley rights-of-way;
   (b) Existing and proposed buildings and other structures;
   (c) Existing and proposed points of ingress and egress, drives and driveways and circulation pattern;
   (d) The location of existing and proposed parking areas with each parking space shown;
   (e) Existing and proposed open spaces and landscape areas;

(5) See Application Checklist Requirements: A Certificate of Ownership and a list of owners, with addresses, of all property within five hundred feet of the applicant’s property within an Urban Growth Area Boundary and one mile outside of Urban Growth Area Boundaries, as provided and certified by a licensed title company or the County Assessor’s Office;

(6) Any other pertinent information that may be necessary to determine if the use meets the requirements of the Franklin County Zoning Ordinance.
### Parcel

- **Parcel #:** 114241053
- **DOR Code:** 18 - Residential - All other
- **Situs:** 4616 IVY RD, PASCO 99301
- **Map Number:** 092902-00-000000-000-0000
- **Status:**
- **Description:** NE4SE4NW4, LESS IVY ST 2-9-29
- **Owner Name:** RODRIGUEZ (ETUX), JUAN B
- **Address:** SALAS, MAYRA J RODRIGUEZ
- **Address2:** 4616 IVY RD
- **City, State:** PASCO WA
- **Zip:** 99301-9331

### Current Tax Year Details

<table>
<thead>
<tr>
<th>Type</th>
<th>Taxpayer</th>
<th>Statement #</th>
<th>Gross Tax</th>
<th>Tax Exempt</th>
<th>Net Tax</th>
<th>Asmts</th>
<th>Total Tax</th>
</tr>
</thead>
<tbody>
<tr>
<td>Real Property</td>
<td>RODRIGUEZ (ETUX), JUAN B</td>
<td>2019-114241053</td>
<td>$2,652.14</td>
<td>$0.00</td>
<td>$2,652.14</td>
<td>$47.50</td>
<td>$2,699.64</td>
</tr>
</tbody>
</table>

### Balances Due

<table>
<thead>
<tr>
<th>Type</th>
<th>Taxpayer</th>
<th>Statement #</th>
<th>Tax Amount</th>
<th>Fees</th>
<th>Interest Due</th>
<th>Balance(s) Due</th>
<th>Add Selected to Cart</th>
</tr>
</thead>
<tbody>
<tr>
<td>Real Property</td>
<td>RODRIGUEZ (ETUX), JUAN B</td>
<td>2019-114241053</td>
<td>$1,349.82</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$1,349.82</td>
<td>0</td>
</tr>
</tbody>
</table>

*Please expect a delay of 3-5 business days for your payment to post. Note: The receipt date will reflect the day the payment was initiated.*

### 5 Year Tax History

#### 2019

<table>
<thead>
<tr>
<th>Type</th>
<th>Statement Number</th>
<th>Taxes</th>
<th>Assessments</th>
<th>Fees</th>
<th>Balance Due</th>
</tr>
</thead>
<tbody>
<tr>
<td>Real Property</td>
<td>2019-114241053</td>
<td>$2,652.14</td>
<td>$47.50</td>
<td>$0.00</td>
<td>$1,349.82</td>
</tr>
<tr>
<td>Receipt Number</td>
<td>2019-717064</td>
<td>04/18/2019</td>
<td>$1,349.82</td>
<td>$0.00</td>
<td>$1,349.82</td>
</tr>
</tbody>
</table>

#### 2018

<table>
<thead>
<tr>
<th>Type</th>
<th>Statement Number</th>
<th>Taxes</th>
<th>Assessments</th>
<th>Fees</th>
<th>Balance Due</th>
</tr>
</thead>
<tbody>
<tr>
<td>Real Property</td>
<td>2018-114241053</td>
<td>$3,260.20</td>
<td>$47.50</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>Receipt Number</td>
<td>2018-650754</td>
<td>04/19/2018</td>
<td>$1,653.85</td>
<td>$0.00</td>
<td>$1,653.85</td>
</tr>
<tr>
<td>2018-685231</td>
<td>10/23/2018</td>
<td>$1,653.85</td>
<td>$0.00</td>
<td>$1,653.85</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

#### 2017

<table>
<thead>
<tr>
<th>Type</th>
<th>Statement Number</th>
<th>Taxes</th>
<th>Assessments</th>
<th>Fees</th>
<th>Balance Due</th>
</tr>
</thead>
<tbody>
<tr>
<td>Real Property</td>
<td>2017-114241053</td>
<td>$3,144.00</td>
<td>$48.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>Receipt Number</td>
<td>2017-597626</td>
<td>04/28/2017</td>
<td>$1,596.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>2017-619710</td>
<td>10/30/2017</td>
<td>$1,596.00</td>
<td>$0.00</td>
<td>$1,596.00</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

#### 2016

<table>
<thead>
<tr>
<th>Type</th>
<th>Statement Number</th>
<th>Taxes</th>
<th>Assessments</th>
<th>Fees</th>
<th>Balance Due</th>
</tr>
</thead>
<tbody>
<tr>
<td>Real Property</td>
<td>2016-114241053</td>
<td>$2,972.00</td>
<td>$48.50</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
</tbody>
</table>
Payer/Payee: ENRIQUE SALAS
4616 W IVY RD
PASCO WA 99301

Cashier: Julie Michel
Date: 07/30/2019

<table>
<thead>
<tr>
<th>CUP-2019-05</th>
<th>CONDITIONAL USE PERMIT</th>
<th>4616 IVY RD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fee Description</td>
<td>Fee Amount</td>
<td>Amount Paid</td>
</tr>
<tr>
<td>Conditional Use Permit</td>
<td>$400.00</td>
<td>$400.00</td>
</tr>
<tr>
<td></td>
<td>$400.00</td>
<td>$400.00</td>
</tr>
</tbody>
</table>

Payment Method | Reference Number | Payment Amount
--- | --- | ---
CHECK | 890297 | $400.00

Total Paid: $400.00
FRANKLIN COUNTY, WASHINGTON

STATE ENVIRONMENTAL POLICY ACT (SEPA)
DETERMINATION OF NONSIGNIFICANCE (DNS)

Description of proposal: The proposal is for the approval of a Conditional Use Permit, to establish an outdoor event center. The applicant proposes to use approximately 5 acres of the site for the proposed use, which will, initially, include portable restrooms, banquet tents for the specific events, and parking spaces. Permanent restroom facilities and a 2,400 square foot structure (gazebo) are proposed in the future. There will also be a kid’s play area. The proposal would include outdoor lighting at the site, until 10 p.m. when events take place. The property where the project is proposed is zoned RR-1.

File Number: SEPA 2019-08 (CUP 2019-05)

Proponent: Enrique and Luz Salas

Location: An existing residence on the property is addressed as 4616 Ivy Road, Pasco, WA. The parcel is bounded to the north by Ivy Road and to the east by unimproved right-of-way for Road 44 N. (Parcel Number 114-241-053).

Legal Description: NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 9 N, RANGE 29 E, W.M., LESS THE IVY STREET RIGHT OF WAY.

Lead agency: Franklin County, Washington.

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued under WAC 197-11-350; the lead agency will not act on this proposal for 14 days from the date of publication (August 15, 2019). Comments must be submitted by: August 29, 2019.

Responsible official: Derrick Braaten

Position/title/Phone: Planning and Building Director – (509) 545-3521

Address: 502 W Boeing St, Pasco, Washington 99301

Date/Signature: 8/15/2019 - [Signature]

Any agency or person may appeal this SEPA determination by filing a written appeal to the responsible official no later than August 29, 2019. Contact the responsible official to read or ask about the procedure for SEPA appeals.
SEPA ENVIRONMENTAL CHECKLIST
FRANKLIN COUNTY, WASHINGTON

Purpose of checklist:
Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:
This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

For guidance on completing this form or assistance in understanding a question, visit

The SEPA Handbook is available online at:

Use of checklist for nonproject proposals:
For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the supplemental sheet for nonproject actions (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements - that do not contribute meaningfully to the analysis of the proposal.

A. Background

1. Name of proposed project, if applicable: Banitz Ranch Event Center

2. Name of applicant:
   Enrique and Luz Salas

3. Address and phone number of applicant and contact person:
   4616 Ivy Rd, Wasco, WA 99301
   (509) 851-9118

Franklin County Planning 08/14/19: CUP 2019-05
4. Date checklist prepared: 7/29/2019

5. Agency requesting checklist: Franklin County

6. Proposed timing or schedule (including phasing, if applicable): ASAP

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.
   Yes, outdoor restroom facility, gazebo and kids play area.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.
   None.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.
   NO

Franklin County Planning 08/14/19: CUP 2019-05

10. List any government approvals or permits that will be needed for your proposal, if known.

   Franklin County Planning 08/14/19: CUP 2019-05 and any construction permits required for new construction.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)
   Approx. 5 acres of recreational space for events

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist. 4616 Ivy Rd. Pasco, WA 99301
   Please see attachment exhibit A.

Franklin County Planning 08/14/19: The parcel is situated in the NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 9 N, RANGE 29 E, W.M., LESS THE IVY STREET RIGHT OF WAY.
   Parcel #: 114-241-053.

SEPA Environmental checklist (WAC 197-11-060)  FRANKLIN COUNTY - DEC 2015
To Be Completed by Applicant:

B. ENVIRONMENTAL ELEMENTS

1. Earth
   a. General description of the site: flat, grass, green pasture
      (circle one): Flat, rolling, hilly, steep slopes, mountainous, other

   b. What is the steepest slope on the site (approximate percent slope)?
      27°

   c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.
      Sand, Grass

   d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.
      NO

   e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.
      NONE.

   f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.
      NO

2. Air
To Be Completed by Applicant:

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

None

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

NO

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

None

3. Water

a. Surface Water:

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

Yes, Koi fish pond.

Approx. 25,000-30,000 gallons

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

NO

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

None

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

NO
To Be Completed by Applicant:

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.
   NO.

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.
   NO.

b. Ground Water:
   1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.
      NO.

   2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.
      NA

c. Water runoff (including stormwater):
   1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will the water flow? Will this water flow into other waters? If so, describe.
      NO.

   2) Could waste materials enter ground or surface waters? If so, generally describe.
      NO.

   3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.
      NO.

Franklin County Planning 08/14/19:
The proposal includes the temporary use of portable toilets (disposal of waste to occur off-site). The existing single family residence is served by a septic system. Potential future free-standing restrooms will be required to comply with all Benton Franklin Health District regulations.

Franklin County Planning 08/14/19:
There will be no change to the existing runoff patterns.
To Be Completed by Applicant:

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

N/A

4. Plants
a. Check the types of vegetation found on the site:

- [x] deciduous tree: alder, maple, aspen, other
- [x] evergreen tree: fir, cedar, pine, other
- [x] shrubs
- [x] grass
- [x] pasture
  - ___ crop or grain
  - ___ Orchards, vineyards or other permanent crops.
  - ___ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
  - ___ water plants: water lily, eelgrass, milfoil, other
  - ___ other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

None

c. List threatened and endangered species known to be on or near the site.

None

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

None

e. List all noxious weeds and invasive species known to be on or near the site.

None

5. Animals
a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site.

Examples include: Hawks, Koi fish

birds: hawk, heron, eagle, songbirds, other:

Franklin County Planning 08/14/19: There are no proposed measures to reduce or control water runoff and drainage because no changes will result from the proposal.
To Be Completed by Applicant:

mammals: deer, bear, elk, beaver, other
fish: bass, salmon, trout, herring, shellfish, other

b. List any threatened and endangered species known to be on or near the site.
   None

c. Is the site part of a migration route? If so, explain.
   No

d. Proposed measures to preserve or enhance wildlife, if any:
   Keep green vegetation

e. List any invasive animal species known to be on or near the site.
   None

6. Energy and Natural Resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.
   Electric

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.
   No.

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:
   None.

7. Environmental Health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.
   No.

1) Describe any known or possible contamination at the site from present or past uses.
   None.
To Be Completed by Applicant:

2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.
   None.

3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.
   None.

4) Describe special emergency services that might be required.
   None

5) Proposed measures to reduce or control environmental health hazards, if any:
   N/A

b. Noise
   1) What types of noise exist in the area which may affect your project (for example:
      traffic, equipment, operation, other)?
      None.

   2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.
      None.

   3) Proposed measures to reduce or control noise impacts, if any:
      N/A

8. Land and Shoreline Use

Franklin County Planning 08/14/19: Uses in the area consist of residential and agricultural. Any noises near the site are typical of residential and agricultural traffic and farming machinery.

Franklin County Planning 08/14/19: There will be a minor increase in noise levels due to traffic and events on a short-term basis.

Franklin County Planning 08/14/19: All noise levels will meet noise ordinance regulations.
To Be Completed by Applicant:

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.
   
   Residential; and won’t have any effect of current land uses.

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?
   
   None.

   1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how?
   
   No.

c. Describe any structures on the site.
   
   29,000 sq. ft. shop

d. Will any structures be demolished? If so, what?
   
   No.

e. What is the current zoning classification of the site?

   Residential

f. What is the current comprehensive plan designation of the site?

   Residential

g. If applicable, what is the current shoreline master program designation of the site?

   None.

h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

   No.

i. Approximately how many people would reside or work in the completed project?

   5 people approx.

j. Approximately how many people would the completed project displace?

   Approx. 2-3 people

Franklin County Planning 08/14/19:
In addition to the existing Shop, there is an existing residential structure (approx. 2500 sf), an existing 720 sf garage, and 6 utility sheds (200 sf each).

Franklin County Planning 08/14/19:
RR-1, Rural Residential Zone

Franklin County Planning 08/14/19: The site carries a "Rural Residential" Land Use designation; the property is located in the area known as "Clark's Addition.

Franklin County Planning 08/14/19: The completed project will not cause displacement of any individuals.
To Be Completed by Applicant:

k. Proposed measures to avoid or reduce displacement impacts, if any:

N/A

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

N/A

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

N/A

9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

NONE

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

NONE

c. Proposed measures to reduce or control housing impacts, if any:

N/A

10. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

12 ft.

b. What views in the immediate vicinity would be altered or obstructed?

none

b. Proposed measures to reduce or control aesthetic impacts, if any:

none

11. Light and Glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur? Sолнечное освещение. until 10 p.m.

b. Could light or glare from the finished project be a safety hazard or interfere with views?

NO.
To Be Completed by Applicant:

<table>
<thead>
<tr>
<th>Evaluation for Agency Use Only:</th>
</tr>
</thead>
<tbody>
<tr>
<td>c. What existing off-site sources of light or glare may affect your proposal?</td>
</tr>
<tr>
<td>d. Proposed measures to reduce or control light and glare impacts, if any:</td>
</tr>
</tbody>
</table>

12. Recreation

| a. What designated and informal recreational opportunities are in the immediate vicinity? | None |
| b. Would the proposed project displace any existing recreational uses? If so, describe. | NO |
| c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: | N/A |

13. Historic and cultural preservation

| a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe. | NO |
| b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources. | NO |
| c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc. | None |
To Be Completed by Applicant:

Evaluation for
Agency Use Only:

d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

14. Transportation

a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

   NO

c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

   INCREASE, 100 parking spots

d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

   NO

e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

   NO

f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

   REGULAR TRAFFIC

Franklin County Planning 08/14/19: The parcel is accessed via Ivy Rd and Rd 44 N. The following are within 1/4 mile of the parcel: Clark Rd to the north, Rd 36 N to the east, and Roberta Rd to the south.

Franklin County Planning 08/14/19: Project will be required to meet Franklin County Public Works standards.

Franklin County Planning 08/14/19: The project site is within 3 miles of the Tri-Cities Airport.

Franklin County Planning 08/14/19: There will be an increase in vehicular trips on days when events are being held at the facility.
g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

\[ \text{NO} \]

h. Proposed measures to reduce or control transportation impacts, if any:

\[ \text{N/A} \]

15. Public Services

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

\[ \text{NONE} \]

b. Proposed measures to reduce or control direct impacts on public services, if any.

\[ \text{N/A} \]

16. Utilities

a. Circle utilities currently available at the site:

- electricity
- natural gas
- water
- refuse service
- telephone
- sanitary sewer
- septic system
- other

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

Sewer System

Franklin County Planning 08/14/19:
SCBID provides irrigation water and the Franklin PUD provides electric service.
C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: [Signature]
Name of signee: [Enrique Salas]
Position and Agency/Organization: [Owner]
Date Submitted: [8/29/19]
D. supplemental sheet for nonproject actions

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

   N/A

   Proposed measures to avoid or reduce such increases are:

   N/A

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

   None

   Proposed measures to protect or conserve plants, animals, fish, or marine life are:

   N/A

3. How would the proposal be likely to deplete energy or natural resources?

   N/A

   Proposed measures to protect or conserve energy and natural resources are:

   N/A

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

   N/A

   Proposed measures to protect such resources or to avoid or reduce impacts are:

   N/A
5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

NIA

Proposed measures to avoid or reduce shoreline and land use impacts are:

NIA

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

NIA

Proposed measures to reduce or respond to such demand(s) are:

NIA

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

NIA
MEMBERS PRESENT:
Claude Pierret, Mike Vincent, Kent McMullen, Mike Corrales, Roger Lenk & Layton Lowe

MEMBERS ABSENT:
Melinda Didier

STAFF PRESENT:
Derrick Braaten, Planning & Building Director
MillieAnne VanDevender (AHBL, Inc), Contract Planner
Rebeca Gilley and Julie Michel were present from the Planning and Building Department

The Franklin County Planning Commission was called to order at approximately 7:04 p.m. by Planning Commission Chairperson Claude Pierret. A quorum was present.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES / AGENDA:
Chair Pierret asked for a motion to approve the Agenda.

Commissioner McMullen made a motion to approve Agenda.

Commissioner Corrales seconded.

Motion carried.

Chair Pierret asked for a motion for approval of the minutes from August 6, 2019 meeting.

Commissioner Lenk moved to approve minutes.

Commissioner Lowe seconded.

PUBLIC HEARING INTRODUCTION:
Chair Pierret read the following:

"It is now time for the Public Hearing Portion of our Meeting"

Good evening and welcome:
Here are the ground rules for tonight's hearing:

1. All speakers must come forward, speak into the microphone, giving their names and addresses for the record and please sign the sign in sheet. No testimony will be taken from anywhere except at the podium. These proceedings are required by law to be recorded and the recording equipment cannot pick up comments that are not given at the microphone;
2. All comments and questions shall be addressed to the Planning Commission, should be relevant to the application and not be of a personal nature;
3. Each speaker shall have FIVE minutes to provide testimony;
4. Avoid repetitive comments;
5. If there are a large number of speakers who are part of a group or organization, please select a representative to speak on behalf of the group;
6. Behavior such as clapping, booing, hissing or remarks is prohibited. Every citizen here tonight should have the opportunity to testify without such distractions.

Are there any questions regarding the Public Hearing ground rules?"

Chair Pierret asked the Commission members to keep in mind that the Planning Commission is prohibited by law from communicating with members of the public on the subject matter of these hearings except in these hearings. Chair Pierret also stated that the Planning Commission may not participate in a decision in which there is an appearance of conflict of interest to the average person. He asked,

“As to the matters which are before us today has anyone:

- Had any ex parte communications,
- Have any ownership interests in the properties,
- Have any business dealings with proponents or opponents of the matters, or
- Have business associates or immediate family who may be either benefited or harmed by a decision in these matters?”

Chair Pierret asked if any Commission Member had declaration regarding any of the items on the agenda. There were no declarations.

Chair Pierret asked if anyone in the audience would object to any Commission Member hearing any of the items on the agenda. There were no objections. He proceeded by stating,

“The order of the hearing shall be as follows:

1. Planning staff shall provide a staff report; the Commission may ask questions of staff;
2. The applicant or applicant’s representative(s) presentation;
3. Other testimony in favor of the request;
4. Testimony either neutral or against the request;
5. Final Staff comments;
6. Clarification of public statements that occurred during the testimony portion of the public hearing;
7. Close the Public Hearing and Planning Commission discussion of the proposed action.”

Chair Pierret then asked,
"Are there any procedural questions before we begin the public hearing?” There were no questions.

OPEN THE PUBLIC HEARING FOR THE REGULAR PLANNING COMMISSION MEETING:

Public Hearing opened at 7:09 pm.

ITEM #1 – CUP 2019-05 & SEPA 2019-08

The application for a Conditional Use Permit and SEPA review is to establish an outdoor event center which appears to be only allowed with an approved Conditional Use Permit (in accordance with Franklin County Code Section 17.14.040 item D – “public and quasi-public buildings”).

APPLICANT: Enrique & Luz Salas, 4616 Ivy Rd, Pasco WA 99301

OWNER: Mayra Salas & Juan Rodriguez, 4616 Ivy Rd, Pasco WA 99301

STAFF REPORT

Mrs. VanDevender provided a summary of the written staff report. She stated the application is to allow the use of approximately 5 acres of the 10 acre site for the proposed event center, which will, initially, include portable restrooms, banquet tents for specific events, and parking spaces. Mrs. VanDevender explained that permanent restroom facilities and a 2,400 square foot structure (gazebo) are proposed in the future as well as a kid’s play area; the events will occur approximately 8 months of the year, depending on the weather; the events may occur 1-2 times per week and typically concentrated to the hours between noon and 5pm or between 5pm and 10pm on weekends; and could result in approximately fifty to one hundred vehicle trips per event, depending on the number of event attendees. She stated the address of the property as 4616 Ivy Rd, Pasco, WA.

Mrs. VanDevender said that as of today (September 3, 2019), 6 letters have been received in opposition for the proposal, citing noise, traffic and infrastructure. Mrs. VanDevender stated that the Health District requires plumbed restroom facilities for guests and added that portable toilets may be used to supplement large events but shall not be the only restrooms available.

Mrs. VanDevender closed the report to the Planning Commission suggesting a Positive Recommendation with six (6) suggested findings of fact and eighteen (18) suggested conditions of approval.

Mrs. VanDevender gave a summary of the findings of facts and conditions of approval.

Chair Pierret asked if any Commissioner had questions for the staff.

Commissioner McMullen asked if the County has a noise ordinance. Mr. Braaten said he will have to check into whether the County has a noise ordinance or not.

Chair Pierret read from the findings of fact criteria by Planning Commission (#3). “The proposal will be constructed, maintained and operated to be in harmony with the existing or intended character of the general vicinity”.
Mr. Braaten explained that the property will not generally appear to be an event center and the topography is such that the event space is below street-level. He pointed out that the noise ordinance applies to all properties, regardless of use.

Commissioner Lowe questioned how the proposal would be in harmony since this is a Conditional Use Permit and the residents are asking for something that other property owners are not allowed to do.

Mr. Braaten explained that other activities in the zone that are permitted through the CUP process can generate the same noise. He listed examples such as wineries, breweries, tasting rooms, etc. Commissioner Lowe expressed concern that the proposal is asking for more than that.

Mrs. VanDevender further explained that in the RR-1 zone an application may be made for a Conditional Use Permit for a school, public building, winery with event center, a brewery with an event center, etc. Commissioner Lowe asked why a CUP is required. Mr. Braaten said the CUP provides an opportunity to limit the use unlike when the proposed use is allowed outright.

Commissioner Lenk said the staff report called the use quasi-public, and questioned what that means in a residential area. Staff provided an explanation and examples of public uses.

Commissioner McMullen asked about the suggested condition of approval from the Health District. He asked about the threshold level that determines when plumbed restrooms need to be in place, specifically, how many people on the property before plumbed restrooms are required.

Mr. Braaten said the plumbed restrooms are a condition of approval. This is a commercial activity.

Commissioner McMullen had questions about the existing koi pond, specifically whether a fence exists. He expressed concern for the safety of children near a pond. Mr. Braaten said the pond would have to be of a depth that requires fencing in order for Planning staff to enforce the requirement.

Commissioner Lowe asked how the Right to Farm language applies in this case (Condition #11). Mr. Braaten explained that Mr. Salas will not be able to protest the farming around him.

Commissioner McMullen and Commissioner Lenk commented on the type of events allowed to be held at the site. Mr. Braaten explained that it will have to meet the parameters of an event center.

Chair Pierret asked if the applicant or anyone would like to speak in favor of the project.

**APPLICANT:** Enrique Salas, 4616 Ivy Rd, Pasco, WA. Mr. Salas expressed pride for his property with its existing vegetation and mentioned water rights. He shared his consideration for other uses of the site and his research into the project including consultations with the Health Department. Mr. Salas addressed the issue of noise, adding that the Ordinance will be respected. Mr. Salas said there is nothing anyone can do or say for this facility not to move forward.

Chair Pierret asked what type of events will be held. Mr. Salas replied that they currently host birthday parties, quinceñera’s, weddings, etc. and will continue with similar events at least once a month. He said that 80% of his close neighbors have said it is ok for what he wants to do. He explained that the event area will be in the middle of the 10 acres so noise should not be a problem. He mentioned that he is a developer and will make the infrastructure work. Mr. Salas said he would build the toilets as soon as the permit is issued. He said that the facility will be beautiful and
Chair Pierret asked if anyone else would like to speak in favor. No one spoke. He then asked if anyone would like to speak neutral or against the project.

**OPPONENTS:**

**Kristina Tucker, 1101 Clark Rd:** Ms. Tucker said she is concerned about noise, the frequency of potential events, theft, and traffic.

**Dwight Mathews, 4413 Roberta Rd:** Mr. Mathews spoke of his concerns for the potential change to the neighborhood character from residential to commercial; garbage and littering; safety; and noise.

**Chuck Harmon, 6716 N Road 42:** Mr. Harmon said he does not want the event center at this location citing reasons of noise and nitrates in the water.

**Cynthia Smart, 1051 Clark Rd:** Ms. Smart said she does not want an event center in the neighborhood and cited reasons of noise and the impact of additional vehicles in the neighborhood.

**Clay Whipple, 4610 Ivy Rd:** Mr. Whipple expressed his concern for excessive noise and alcohol use. He asked if a liquor license is required.

**Richard Ransom, 7015 Road 42:** Mr. Ransom said he has many concerns including noise, the noise ordinances, speeding vehicles, and alcohol use.

**Hillary? Or Kelly? (no address given / did not sign in):** The citizen expressed concern regarding drunk driving and the potential for setting a precedent.

**Johnny Conn, 3912 Ivy Rd:** Mr. Conn said that he is not concerned about noise; however, he is concerned about the costs associated with a commercial business being supplied by the Community Well. He said that irrigation is not provided by South Columbia Basin Irrigation District.

**Joyce Armstrong, 4413 Roberta Rd:** Ms. Armstrong expressed concern for littering and safety.

**Kenneth Williams, 7109 Road 44:** Mr. Williams listed noise and the duration of noise as his concern. He offered a correction to staff regarding the Fire Station, stating that it is not public but staffed by paid volunteers and is not fully staffed.

**Micah Freeland, 4608 Ivy Rd:** Mr. Freeland expressed concern for increased noise and traffic.

**Dan Smart, 1051 Clark Rd:** Mr. Smart repeated many of the concerns of previous speakers and asked the Commission not to approve.

Chair Pierret asked for different comments that have not been given.

**Randy Minnon, 3821 Melody Ln:** Mr. Minnon reiterated previous remarks and asked a question about parking. Mr. Braaten answered the question and explained the location for the proposed parking.
Trisha Poland, 7420 N Road 42: Ms. Poland expressed concern for property values and neighborhood character.

Dan Smart, 1051 Clark Rd: Mr. Smart asked questions about the water source for a commercial business. He specifically asked if the well will have to be certified and regulated by the Heath District. Mr. Braaten replied with information on water and septic issues and reiterated that all standards of the Health District must be met. He also said that the Clark Water Association was mailed an Agency Comment sheet however, the agency did not respond.

Diane Woollum, 4221 Janet Rd: Ms. Woollum said she agrees with all of the other comments given at the meeting.

Mike Ransom, 4104 Roberta Rd: Mr. Ransom is concerned about the potential for an increased workload for the Sheriff’s Department.

Chair Pierret asked for final comments from staff and any clarification of any public statements. Mr. Braaten addressed the topic of precedence, specifically the opportunity for consideration of individual CUP applications.

Public Testimony closed at 8:14 pm.

PLANNING COMMISSION DISCUSSION

Commissioner Lowe asked how conditions are monitored and whether it is solely complaint driven. Mr. Braaten confirmed that compliance with conditions is complaint driven. Commissioner Lowe referred to Condition of Approval #10 “should valid complaints be received regarding activities taking place at the site, the conditional use permit may be reviewed by the County and potentially revoked”. Mr. Braaten explained the process.

Commissioner Lenk said most of the complaints will be to the Sheriff’s Office and asked Mr. Braaten if the Planning Department would get a notification about those complaints. Mr. Braaten said that if there are enough complaints, his office would be notified.

Commissioner Vincent asked how long this CUP will be in effect. Mr. Braaten said he does not think there is not an expiration on this application.

Commissioner Lenk had questions about the rural residential zoning and the purpose. He said the purpose for this zoning is residential and agricultural. He questioned how the proposed use fits within that purpose. Mr. Braaten explained.

Chair Pierret asked for further discussion and whether it was time to entertain a motion. No motion was made. There was discussion on next steps.

Commissioner Lowe made a recommendation not to approve CUP 2019-05 with the suggested findings of facts and the suggested conditions of approval.

Commissioner Lenk seconded with discussion. There was discussion.

Commissioner Lowe rescinded his motion.
Commissioner Corrales made a motion for a **positive recommendation** for CUP 2019-05 with the six (6) suggested findings of fact and eighteen (18) suggested conditions of approval.

Commissioner Lowe seconded.

**Vote: CUP 2019-05**

Claude Pierret – no  
Mike Vincent – no  
Layton Lowe – no  
Mike Corrales - no  
Roger Lenk – no  
Kent McMullen - no

The Motion failed.

The public hearing was closed at 8:32 pm.

**ADJOURN PLANNING COMMISSION REGULAR MEETING**
AGENDA ITEM #1

MOTION TO FORWARD THE APPLICATION WITH A RECOMMENDATION

CUP 2019-05

Salas
FACT SHEET/STAFF SUMMARY

Special Meeting before the Franklin County Planning Commission

NOTE TO PLANNING COMMISSIONERS:
THIS IS A QUASI-JUDICIAL PUBLIC HEARING
PLEASE AVOID, AND DISCLOSE, ANY EX-PARTE COMMUNICATIONS (CH 42.36 RCW)

Case file: CUP 2019-05 (Conditional Use Permit) and SEPA 2019-08

Meeting Date: September 24, 2019

See the previous staff report for the application details, description, explanation of public notice, etc.

SUMMARY OF THE PUBLIC HEARING:
The proposal for an Outdoor Event Center under file CUP 2019-05 was presented by Staff at an open record public hearing (regular Planning Commission meeting) on September 3, 2019. The applicant spoke about the proposal and time was allowed for clarification by the Planning Commission. The Commission then heard testimony in opposition to the proposal from 17 individuals. The reasons given for opposition include concerns for increased noise, littering, traffic, and driving under the influence of alcohol; the potential increased workload for the Sheriff’s Department and Fire Department; the possibility of a change of neighborhood character and property values; and the logistics of increasing demand on the existing community water system. There was no neutral testimony and no testimony in favor of the proposal. (See draft minutes)

At the meeting, the Planning Commission discussed and made a motion for a positive recommendation to the Franklin County Board of Commissioners for Application CUP-2019-05, with the suggested findings of fact (included in the Staff Report) and suggested conditions of approval. A vote was taken by roll-call and the motion failed, with no one voting for the motion. The public hearing was closed and the Chair of the Commission called for the meeting to adjourn. No recommendation was made.

NEXT STEP:
At this time, the Planning Commission shall (per Franklin County Code, Chapter 17.82 Special Permits):

1. Make and enter findings of fact from the record and conclusions thereof; and

2. Render a recommendation to the Board of Commissioners as to whether the proposal be denied, approved, or approved with modifications and/or conditions.

Staff has prepared an alternative suggested findings of fact for the Planning Commission to use, consider, and/or modify, for the record to support a recommendation to the Board of County Commissioners for a denial of the permit.

Findings of Fact Criteria by Planning Commission: The planning commission (with assistance from Planning Staff) shall make and enter findings from the record and conclusions thereof as to whether or not:

1. The proposal is in accordance with the goals, policies, objectives, maps and/or narrative text of the comprehensive plan;
2. The proposal will adversely affect public infrastructure;

3. The proposal will be constructed, maintained and operated to be in harmony with the existing or intended character of the general vicinity;

4. The location and height of proposed structures and the site design will discourage the development of permitted uses on property in the general vicinity or impair the value thereof;

5. The operation in connection with the proposal will be more objectionable to nearby properties by reason of noise, fumes, vibrations, dust, traffic, or flashing lights than would be the operation of any permitted uses within the district;

6. The proposal will endanger the public health or safety if located and developed where proposed, or in any way will become a nuisance to uses permitted in the district.

Suggested Findings of Fact:

1. The proposal in the RR-1 Zoning District IS NOT in accordance with goals and policies of the County Development Regulations and Franklin County Comprehensive Plan.
   
a. The Franklin County Comprehensive Plan classifies the land as Rural Residential.
      
i. Goal 1, Policy #3 for Rural Residential (Rural Lands Element) says, “Limit commercial and industrial activities and encourage residential development and home occupations.”
   
b. The County Zoning map designates the land as RR-1.
   
c. The Rural Residential area is intended to contain a residential transitional area between the suburban areas surrounding cities and towns and agricultural resource lands.
   
d. The use “public and quasi-public building” (most analogous use to an Outdoor Event Center) requires a Conditional/Special Use Permit in the RR-1 Zoning District.

2. The proposal WILL NOT adversely affect public infrastructure.
   
a. Access to the parcel is from Ivy Road.
   
b. The use will not have a significant impact on the County Road System.

3. The proposal WILL NOT BE constructed, maintained, and operated to be in harmony with the existing or intended character of the general vicinity.
a. The existing character of the immediate area consists of farms and single family homes. The proposed outdoor event center does not include sufficient mitigation to preclude negative impacts on the neighborhood character.

b. The existing and intended character of the immediate area is rural and agricultural. The site is within a Rural Residential area designated by the Franklin County Comprehensive Plan.

c. The zoning of the site and most of the parcels near the site is RR-1.

4. The location and height of the proposed structures and site design **WILL** discourage the development of permitted uses on property in the general vicinity or impair the value thereof.

a. No new permanent structures are proposed as a part of the project at this time. The proposal includes portable restrooms and banquet tents for the specific events. Permanent restroom facilities and a 2,400 square foot structure (gazebo) are proposed in the future.

   i. The lack of indoor facilities to accommodate the proposed use will result in a higher level of impacts due to noise, activity, etc., than would otherwise be contained within a structure.

   ii. The outdoor nature of the use is more likely to create litter which will affect the local neighborhood.

b. The proposal would include outdoor lighting at the site, until 10 p.m. when events take place.

5. The operation in connection with the proposal **WILL** be more objectionable to nearby properties by reason of noise, fumes, vibrations, dust, traffic, or flashing lights than would be the operation of any permitted uses within the district.

a. Traffic of passenger vehicles and employees to the site will be intermittent and typically concentrated to the hours between noon and 5 p.m. or between 5 p.m. and 10 p.m. on weekends. While noise and traffic will be limited to those hours, the impacts on the neighborhood would be far above that which is typical of normal residential uses.

b. Access to the parcel is from Ivy Road, and other local roads in the Clark Addition area, which have been designed to accommodate low levels of traffic. The nearest rural minor collector is Clark Road. Visitors will have to travel over 3,000 feet on the local roads to arrive at the destination, due to an incomplete street network.

c. The use results in approximately fifty to one hundred vehicle trips per event, depending on the number of event attendees. It will have a significant impact on the neighborhood road system.

6. The proposal **WILL** endanger the public health, safety, or general welfare if located where proposed.
a. The project is required to comply with Health Department and Public Works standards regarding health and access/safety standards for the proposed use.

b. The public was notified of this proposal in accordance with all guidelines and requirements, and the Planning Department received NO COMMENTS in favor of the proposal, and SIX WRITTEN COMMENTS in objection to the proposal, and there were seventeen people who testified at the public hearing in objection to the proposal.

c. The proposed use would result in increased demand on the community water system.

**Suggested Motion:** “I move that the Planning Commission adopt the suggested findings of fact as contained in the staff report as prepared for this meeting, and forward the Board of County Commissioners a recommendation of **Denial** for Application CUP-2019-05.”
MEMBERS PRESENT:
Claude Pierret, Roger Lenk, Kent McMullen, Melinda Didier & Mike Corrales

MEMBERS ABSENT:
Mike Vincent & Layton Lowe

STAFF PRESENT:
Derrick Braaten, Planning & Building Director
MillieAnne VanDevender (AHBL, Inc), Contract Planner
Nicole Stickney (AHBL, Inc), Contract Planner
Rebeca Gilley, Donna Crisp, and Julie Michel were present from the Planning and Building Department.

The Franklin County Planning Commission was called to order at approximately 7:00 p.m. by Planning Commission Chairperson Claude Pierret. A quorum was present.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES / AGENDA:
Chair Pierret asked for a motion to approve the Agenda.

Commissioner Lenk made a motion to approve Agenda.

Commissioner McMullen seconded.

Motion carried.

Chair Pierret asked for a motion for approval of the minutes from September 3, 2019 meeting.

Commissioner Lenk moved to approve minutes.

Commissioner Didier seconded.

Motion carried.
PUBLIC HEARING INTRODUCTION:

Chair Pierret read the following:

Chair Pierret asked the Commission members to keep in mind that the Planning Commission is prohibited by law from communicating with members of the public on the subject matter of these hearings except in these hearings. Chair Pierret also stated that the Planning Commission may not participate in a decision in which there is an appearance of conflict of interest to the average person. He asked,

“As to the matters which are before us today has anyone:

- Had any ex parte communications,
- Have any ownership interests in the properties,
- Have any business dealings with proponents or opponents of the matters, or
- Have business associates or immediate family who may be either benefited or harmed by a decision in these matters?”

Chair Pierret asked if any Commission Member had declaration regarding any of the items on the agenda. There were no declarations.

Chair Pierret asked if anyone in the audience would object to any Commission Member hearing any of the items on the agenda. There were no objections. He proceeded by stating,

“The order of the hearing shall be as follows:

1. Planning staff shall provide a staff report;
2. Planning Commission will consider the suggested findings of fact, and/or modify, for the record to support a recommendation to the Board of County Commissioners;
3. Close the Planning Commission discussion of the proposed action.”

Chair Pierret then asked if there were any procedural questions before we begin the meeting.

OPEN PUBLIC HEARING FOR THE SPECIAL PLANNING COMMISSION MEETING:

Public Hearing opened at 7:05 pm.

ITEM #1 – CUP 2019-05 - MOTION TO FORWARD APPLICATION WITH A RECOMMENDATION

Consideration of a Conditional Use Permit for an outdoor event center at 4616 Ivy Road.

APPLICANT: Enrique & Luz Salas, 4616 Ivy Rd, Pasco WA 99301

OWNER: Mayra Salas & Juan Rodriguez, 4616 Ivy Rd, Pasco WA 99301

STAFF SUMMARY OF THE PUBLIC HEARING
Mrs. VanDevender provided a summary of the Open Record Public Hearing (regular Planning Commission meeting) from September 3, 2019. She explained the proposal was for an Outdoor Event Center under CUP 2019-05, the applicant spoke about the proposal, and time was allowed for clarification by the Planning Commission. The Commission then heard testimony in opposition to the proposal from 17 individuals. Mrs. VanDevender went on to explain the reasons given for opposition including concerns for increased noise, littering, traffic and driving under the influence of alcohol; the increased workload for the Sheriff's Department; the possibility of a change of neighborhood characteristics and property values; and the increasing demand on the existing community water system.

Mrs. VanDevender said at the September 3rd meeting, the Planning Commission discussed and made a motion for a positive recommendation to the Board of County Commissioners for CUP 2019-05. A vote was taken by roll-call and the motion failed. The public hearing was then closed and no recommendation was made.

Mrs. VanDevender went on to say the Planning Commission shall make and enter findings of fact from the record and conclusions thereof; and render a recommendation to the Board of County Commissioners as to whether the proposal be denied, approved or approved with modifications and/or conditions.

Mrs. VanDevender provided a brief summary of the alternative suggested findings of facts and conditions of approval.

Chair Pierret asked if any Commissioner had questions for the staff.

Commissioner Didier asked about the location and if there was already any type of business there. Mrs. VanDevender commented that the owners have thrown the occasional party.

Commissioner Lenk made a comment about the parking. He said the proposal does not appear to meet the requirements of FCC Title 17.78.030 which allows a maximum of 5 parking spaces. The application proposed 100 parking spaces.

Mr. Braaten explained that Title 17.78.030 does not specifically pertain to a commercial business. He said he did not recall discussion of the parking requirements at the September 3rd meeting.

Chair Pierret voiced concern that there would be a significant impact on County Roads.

Mr. Braaten explained that the County Engineer was given opportunity to determine the impact. Mrs. VanDevender said that Findings #5 and #3a address the concerns. Chair Pierret agreed.

Chair Pierret asked for further questions or comments for the staff.

Chair Pierret entertained a motion.

Commissioner Lenk made a motion to adopt the suggested findings of fact as contained in the staff report as prepared, and forward the Board of County Commissioners a recommendation of Denial for Application CUP 2019-05.

Commissioner McMullen seconded.

VOTE:
Motion for Denial passed.

The Special Meeting was adjourned at 7:21 pm.

WORKSHOP

FRANKLIN COUNTY COMPREHENSIVE PLAN UPDATE – PROPOSED NEW TITLE 14

Mrs. Stickney introduced the proposed language for the addition of a new title to Franklin County’s Development Code. She explained that AHBL drafted a new section, Title 14-Development Code Administration for consideration and said the new title is needed to attain compliance with the Local Project Review Act (RCW 76.70B) and the Land Use Petition Act (Chapter 36.70C RCW).

Mrs. Stickney provided a summary of the proposed language, section-by-section, and allowed time for comments from the Commission. There was some discussion.

Mrs. Stickney suggested next steps for the Planning Commission to move forward at their discretion.

The Special Meeting was adjourned at 8:00 pm