

**FRANKLIN COUNTY
PLANNING COMMISSION
MINUTES
November 3, 2009**

MEMBERS PRESENT:

Burl Booker, Flo Sayre, Claude Pierret, Gary Bosch, and Lois Hanses.

MEMBERS ABSENT:

David Piovesan and Bruce Flippo.

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

APPROVAL OF MINUTES:

Lois Hanses made a motion to approve the October 6, 2009 minutes as written.

Flo Sayre seconded the motion.

Motion carried

APPROVAL OF AGENDA:

Burl Booker made a motion to approve the agenda as written – with a reversal in the agenda item order – moving Item # 1 to Item #2.

Flo Sayre seconded the motion – including the agenda item order change.

Motion carried

ITEM #2 – CUP 2009-08, an application by Brian and Anne Worden, 2820 Road 64, Pasco, WA 99301 for a conditional use permit. Said application is to construct a detached accessory building in the designated front yard area of a 4.78 acre parcel. As proposed the accessory building would be located between Road 64 and the applicant's home. The property is zoned Residential Suburban 20,000 (RS-20) and is located within the City of Pasco's Urban Growth Area Boundary. The land is located south of Argent Road, north of Richardson Road, along the west side of Road 64, near site address 2820 Road 64, Pasco, WA 99301. Parcel Number 118-551-103.

APPLICANT: Brian and Anne Worden, 2820 Road 64, Pasco, WA 99301.

OWNER: Same.

OPEN PUBLIC HEARING/STAFF REPORT:

Greg Wendt presented the staff report for the conditional use permit application (CUP 2009-08).

APPLICATION DESCRIPTION:

This is a Conditional Use Permit application to construct a detached accessory building in the designated front yard area of a 4.78 acre parcel. As proposed the accessory building would be located between Road 64 and the applicant's home. The size of the accessory building is proposed to be 40' x 48'.

The property is zoned Residential Suburban 20,000 (RS-20) and is located within the City of Pasco's Urban Growth Area.

PUBLIC NOTICE:

1. A Public Notice was published in the Herald and Graphic on October 15, 2009.
2. Property Owners within 500 feet were mailed notice during the 2nd week of October 2009.
3. The Planning Staff mailed out review packets to Technical Agencies on October 7, 2009.

AGENCY COMMENTS/CRITERIA FOR FINDINGS OF FACT:

1. AGENCY COMMENTS

- a. **Public Works Department:** No Comments.
- b. **Benton Franklin Health Department:** No comments as long as the placement of the shop does not encumber the on site sewage system serving this house.
- c. **Fire Code Official:** The property shall remain free of all fire hazards, including but not limited to weeds, debris, new or used tires, discarded vehicle parts, hazardous waste, fuel or oil storage.
- d. **Franklin PUD:** No Comments.
- e. **Fire District #3:** No Comments.
- f. **Planning and Building Department:** Staff has determined the following findings and conditions for the application request.
 1. Land is zoned Residential Suburban 20,000 (RS-20).
 2. Accessory buildings in the RS-20 zone require a CUP if located in the designated front yard area.
 3. Building size is approximately 40' x 48'. This square footage is allowed due to the applicant's parcel size is greater than 2.5 acres.
 4. Applicants' parcel size is 4.7 acres.
 5. The accessory building is proposed to be located approximately 56 feet from Road 64. The home is approximately 170 feet from Road 64.

6. Applicant is requesting the ability to place the accessory building in the front yard area due to the following reasons:
 - a. Placement does not interfere with or compromise the existing views of the regions natural features such as the Horse Heaven Hills for the property owner or neighboring property owners.
 - b. Placement allows for easy security of the shop as compared to other locations on the property.
 - c. Placement does not require the need for an additional driveway access as this location is 15' from the existing driveway.
 - d. Placement will not interfere, or require removal of any trees on the site. Applicant has worked to establish an elaborate tree collection and/or forest preserve on the property consisting of the following species: Butternuts, American Chestnuts, Pecans, Hickory, Service Berry, Dogwood, Oak, Pine, Maple and Birch which are at different stages of maturity.
 - e. Proposed structure will be screened from view by the traveling public by numerous trees in the vicinity of the proposed placement.
 - f. Property to the north has an accessory building currently located in its designated front yard area.
 - g. The proposed structure will be further setback than what is required for a single family residence.
7. To be consistent with previous West Pasco CUP approvals for accessory buildings located in the front yard areas, as well as ones that exceed the size limitation, the Planning Commission may want to consider applying a condition that the accessory building be constructed to match the existing home in color, siding, and roofing, etc.
8. Applicant is required to apply for and obtain a Franklin County Building Permit for the new structure. With this the applicant is required to supply:
 - a. A current Access permit is required from the Franklin County Public Works Office.
 - b. A completed building application is required with the permit submittal.
 - c. Submit 2 sets of WA St Engineered plans for the building.
 - d. Include copy of plot plan, showing location of proposed structure with distances to lot lines, other structures and all easements etc.

RECOMMENDATION : (CUP-2009-08)

According to **Chapter 41 (Special/Conditional Use)** of the Franklin County Development Regulations, 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 anyway will become a nuisance to uses permitted in the district.

Staff: The Franklin County Planning Department recommends that the Planning Commission forward a **POSITIVE** recommendation to the Franklin County Board of Commissioners for Application #CUP-2009-08 with the following suggested findings of fact & suggested conditions of approval:

SUGGESTED POSITIVE RECOMMENDATION:

If the Planning Commission wishes to forward a **POSITIVE** recommendation to the Franklin County Board of Commissioners for application #CUP-2009-08, the following suggested findings of facts and suggested conditions of approval may be considered:

Suggested Findings of Fact:

1. The proposal **is in** accordance with the goals, policies, objectives, maps and or narrative text of the comprehensive plan.
 - a. The land is located within the Pasco Urban Growth Area.
 - b. The property is zoned Residential Suburban 20,000 (RS-20).
 - c. The RS-20 Zone requires the approval of a CUP to place an accessory building in the designated front yard area.
2. The proposal **will not** adversely affect public infrastructure.

- a. The proposed structure is setback approximately 56' from the county right of way.
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 area consists of single family homes and traditional accessory buildings. The proposal compliments the area and is in harmony with the surrounding homes and accessory buildings.
 - b. Placement allows for easy security of the shop as compared to other locations on the property.
 - c. Placement does not require the need for an additional driveway access, as this location is 15' from the existing driveway.
 - d. Placement will not interfere, or require removal of any trees on the site. Applicant has worked to establish an elaborate tree collection and/or forest preserve on the property consisting of the following species: Butternuts, American Chestnuts, Pecans, Hickory, Service Berry, Dogwood, Oak, Pine, Maple and Birch which are at different stages of maturity.
 - e. Property to the north has an accessory building currently located in its designated front yard area.
 4. The location and height of proposed structures and the site design **will not** discourage the development of permitted uses on property in the general vicinity or impair the value thereof.
 - a. The location of the proposed structure will not discourage permitted uses in the area.
 - b. Placement does not interfere with or compromise the existing views of the regions natural features such as the Horse Heaven Hills for the property owner or neighboring property owners.
 - c. Proposed structure will be screened from view by the traveling public by numerous trees in the vicinity of the proposed placement.
 - d. The proposed structure will be further setback than what is required for a single family residence.
 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. This use of the structure as an accessory building, will not be more objectionable by reasons of noise, fumes, vibrations, dust, traffic, or flashing lights than would

be the operation of any permitted uses (single family homes or accessory uses) within the RS-20 zone or this neighborhood.

6. The proposal **will not** endanger the public health or safety if located and developed where proposed, or in anyway will become a nuisance to uses permitted in the district.
 - a. The public health or safety will not be endangered by the construction of an accessory building on this parcel.
 - b. There have been other properties in the past that have developed with accessory structures in front of the principle structure (mostly garages). This has usually occurred on lots that are long and narrow and or odd shaped. There are several accessory structures in front of houses along the river on Court Street, west of Road 100. These structures have not impaired the value of adjoining properties nor have they become a nuisance that has discouraged development within the neighborhood.

Suggested Conditions of Approval

1. Approval grants a Conditional Use Permit application to construct a detached accessory building in the designated front yard area of a 4.78 acre parcel. As proposed the accessory building would be located between Road 64 and the applicant's home. The size of the accessory building is proposed to be 40' x 48'.

The property is zoned Residential Suburban 20,000 (RS-20) and is located within the City of Pasco's Urban Growth Area. Further, the land is located south of Argent Street, north of Richardson Road along the west side of Road 64 near site address 2820 Road 64 (Parcel Number 118-551-103).

2. Applicant shall meet and comply with the requirements of the **Franklin County Planning and Building Department** for this application. The following conditions apply to this application request:
 - a. To be consistent with previous West Pasco CUP approvals for accessory buildings located in the front yard areas, as well as ones that exceed the size limitation, the accessory building shall be constructed to match the existing home in color, siding, and roofing.
 - b. Applicant is required to apply for and obtain a Franklin County Building Permit for the new structure. With this the applicant is required to supply:
 - i. A current Access permit is required from the Franklin County Public Works Office.
 - ii. A completed building application is required with the permit submittal.
 - iii. Submit 2 sets of WA St Engineered plans for this building.
 - iv. Include copy of plot plan, showing location of proposed structure with distances to lot lines, other structures and all easements etc.

3. Applicant shall meet and comply with the requirements of the **Benton Franklin Health Department** for this application. This includes ensuring that the placement of the shop does not encumber the on site sewage system serving this house.
4. The property shall remain free of all fire hazards, including but not limited to weeds, debris, new or used tires, discarded vehicle parts, hazardous waste, fuel or oil storage.
5. A building permit (accessory building) shall be applied for and obtained from the Planning and Building Department within **1 year** (from the date of Board of Commissioner Approval) of CUP approval or the permit becomes null and void.
6. 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.
7. In accordance with the County's Zoning Ordinance, any special permit may be revoked 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.
8. This permit applies to the described lands and shall be for the above named individual and/or his heirs and or assigns. Any transferring of this permit will require that notice be granted to the Franklin County Planning Department or the permit will be cancelled. It cannot be transferred to another site.

PROPONENTS:

Brian and Anne Worden, 2820 Road 64, Pasco, WA 99301.

** One letter of support read into the record from Bob Tippett.*

OPPONENTS:

None.

CLARIFICATION OF PUBLIC STATEMENTS:

There was clarification amongst the planning commission, staff, and members in the audience in regards to the distance of the proposed building from the southern property line (41'), aesthetics of the building, purpose of the structure, the condition of the remaining parcel – park like setting, good use of existing and new plantings to screen the proposed building from the right-of-way, other shops in the front yard in the area, the proposed building to match the house in siding and roofing and color, etc.

PLANNING COMMISSION DISCUSSION:

There was discussion amongst the planning commission, staff, and members in the audience in regards to the Fire District and the Fire Code Official had no problem with the proposal from an

emergency response perspective, good fire separation – no additional fire recommendations, no neighbors are upset with the proposal, etc.

MOTION:

Flo Sayre made a motion for the *approval* of the conditional use permit application (CUP 2009-08) with the findings of fact and conditions of approval as specified in the staff report.

Lois Hanses seconded the motion.

ROLL CALL:

Lois Hanses	Yes	David Piovesan	Absent
Flo Sayre	Yes	Claude Pierret	Yes
Gary Bosch	Yes	Bruce Flippo	Absent
Burl Booker	Yes		

Motion carried (unanimous) for the *approval* of this application – CUP 2009-08.

ITEM #1 – CUP 2009-07, an application by Connell Grain Growers, P.O. Box 220, Connell, WA 99326 for a conditional use permit. Said application is to amend previously approved CUP’s 2006-06 and 2007-08 for a commercial grain storage operation. The site has historically been utilized for grain storage purposed and is known as Frishchnect Station. The proposal includes the construction of a wheat seed cleaning facility and the expansion of seed storage bins at the site. The land is located in the Agricultural Production 20 (AP-20) Zoning District. The property is located northwest of the City of Connell, east of Warehouse Road, on the north and south sides of Paradise Road. Parcel Number(s) 109-450-042 and 109-520-038.

APPLICANT: Connell Grain Growers, P.O. Box 220, Connell, WA 99326.

OWNER: CHS-Connell, Inc., P.O. Box 64089, St. Paul, MN 55164.

OPEN PUBLIC HEARING/STAFF REPORT:

Greg Wendt presented the staff report for the conditional use permit application (CUP 2009-07).

APPLICATION DESCRIPTION:

This is a CUP application to amend previously approved CUP’s 2006-06 and 2007-08 for a commercial grain storage operation. The site location has historically been utilized for grain storage purposes and is known as Frishchnect Station.

The proposal includes the construction of a wheat seed cleaning facility and the expansion of seed storage bins at the site. The land is located in the Agricultural Production 20 (AP-20) Zoning District.

PUBLIC NOTICE:

1. A Public Notice was published in the Herald and Graphic on October 15, 2009.
2. Property Owners within 1 mile were mailed notice during the 2nd week of October 2009.

3. The Planning Staff mailed out review packets to Technical Agencies on October 7, 2009.

AGENCY COMMENTS/CRITERIA FOR FINDINGS OF FACT:

1. AGENCY COMMENTS

a. County Planning and Building Department:

In reviewing this application, the planning department staff has found the following findings and conditions.

1. General Information:

- i. The property is located in the Agricultural Production 20 Zoning District.
- ii. The Comprehensive Plan designation for the property is Agricultural.

2. History and Background:

- i. The site has historically been utilized for grain storage purposes and is known as the Frishchnect Station.
- ii. The applicant originally received a CUP in 2006 for this operation and the approval involved 2 parcels of land. The CUP approval involved a small parcel on the south side of Paradise Road and a 3.43 acre parcel on the north side of Paradise Road.
- iii. Since 2006, the applicant and an adjoining landowner to the south completed a boundary line adjustment which added 9.14 acres to the 3.43 acre parcel. The parcel's new acreage is 12.57 acres and involves land on both the north and south sides of Paradise Road.
- iv. In 2007, the applicant amended approved CUP 2006-06 with the approval of CUP 2007-08. Specifically, the applicant amended the acreage size from 3.43 to 12.57 for Parcel Number 109-450-042 as completed in the boundary line adjustment. Further, the applicant planned to add a scale, scale house, multiple grain bins, and storage buildings to the 12.57 acre parcel. The activity will take place on the south side of Paradise Road along Warehouse Road. The land is located in the Agricultural Production 20 (AP-20) Zoning District.

3. Current Proposal:

- i. Currently, the applicant wishes to amend approved CUP's 2006-06 and 2007-08 for the commercial grain storage operation. The proposal includes the construction of a new wheat seed cleaning facility and the expansion of seed storage bins at the site. The land

is still located in the Agricultural Production 20 (AP-20) Zoning District.

4. Conditions: Applicant is required to apply for County Building permits for the proposed structures. Requirements include a current access permit from Public Works; two sets of WA State Engineered plans including foundation for Building and Grain Bins; Copy of Plot Plan; Submit copy of approved water source and septic permit; and if the office space is to be heated/cooled, then submittal of a completed NREC form (Non residential energy code) is required.
- b. **South Columbia Basin Irrigation District:** No comments.
 - c. **Fire District #1:** No comments.
 - d. **Public Works:** We don't anticipate any impacts on traffic issues with the additional 2 to 5 employees at peak times during the year. The proposal states that there will be no need for additional approaches. If additional approaches are necessary, the owners need to be informed that approach permits are required for any new approaches onto county roads. The owners also need to be informed that this operation is located in an area **not** served by all weather roads. This means that depending on the severity of winter, the roads in this area are subject to restrictions from carrying legal loads during freeze/thaw periods of late winter/early spring.
 - e. **Fire Code Official:** If CUP 2009-07 is approved the property shall remain free of any fire hazards, including but not limited to weeds, debris and dust.
 - f. **Benton Franklin Health Department:** No objections provided:
 - i. The facility must provide domestic drinking water by an approved public water supply through the WA State Dept of Health Office of Drinking Water. Proposed well location must be approved by this office prior to construction.
 - ii. The facility must be served by an on-site sewage system that is permitted, inspected, and approved by this office.
 - iii. This lot must meet the minimum land area requirements of this office in accordance with BF Dist Board of Health Rules and Regulations No. 2.

RECOMMENDATION : (CUP-2009-07)

According to **Chapter 41 (Special/Conditional Use)** of the Franklin County Development Regulations, 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 anyway will become a nuisance to uses permitted in the district.

Staff: Planning Staff will assist the Planning Commission with the determination of findings and conditions for CUP-2009-07.

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-2009-07, with the following suggested findings of fact and suggested conditions of approval:

Suggested Findings of Fact:

1. The proposal **is in** accordance with the goals, policies, objectives, maps and or narrative text of the comprehensive plan.
 - a. The property is zoned Agricultural Production 20 (AP-20).
 - b. The Comprehensive Plan designation for the property is Agricultural.
2. The proposal **will not** adversely affect public infrastructure.
 - a. The addition of the seed facility and the additional grain bins will not adversely affect public infrastructure. The proposal states that there will be no need for additional approaches onto County roads. If additional approaches are necessary, the owners need to be informed that approach permits are required for any new approaches onto county roads.
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 seed cleaning structure and new grain bins will be in harmony with the existing development on-site and surrounding agricultural area and its allowed uses. The site has historically been utilized for grain storage purposes and is known as the Frishchnect Station.
4. The location and height of proposed structures and the site design **will not** discourage the development of permitted uses on property in the general vicinity or impair the value thereof.
 - a. The location and height of the structures will not discourage permitted uses in the area. The property is located in an agricultural area with similar uses.
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. This use will not be more objectionable by reasons of noise, fumes, vibrations, dust, traffic, or flashing lights than would be the operation of any permitted uses (agricultural uses) within the AP-20 zone.
6. The proposal **will not** endanger the public health or safety if located and developed where proposed, or in anyway will become a nuisance to uses permitted in the district.
 - a. The public health or safety will not be endangered by the construction of the seed plant and additional grain bins. All health department standards shall be complied with at all times.

Suggested Conditions of Approval:

1. This is a CUP application to amend previously approved CUP's 2006-06 and 2007-08 for a commercial grain storage operation. The site location has historically been utilized for grain storage purposes and is known as Frishchnect Station.

The proposal includes the construction of a wheat seed cleaning facility and the expansion of seed storage bins at the site. The land is located in the Agricultural Production 20 (AP-20) Zoning District.
2. The project shall be in compliance with the requirements of CUP 2006-06 and CUP 2007-08 at all times.
3. Franklin County Public Works: The proposal states that there will be no need for additional approaches. If additional approaches are necessary, the owners need to be informed that approach permits are required for any new approaches onto county roads. The owners also need to be informed that this operation is located in an area **not** served by all weather roads. This means that depending on the severity of winter, the roads in this area are subject to restrictions from carrying legal loads during freeze/thaw periods of late winter/early spring.
4. The property shall remain free of any fire hazards, including but not limited to weeds, debris and dust.

5. All new construction on the site requires approval of the Building Department. Applicant is required to apply for County Building Permits for the proposed structures. The following type of submittals may be required: A current access permit from Public Works; Two sets of WA State Engineered plans including foundation for Building and Grain Bins; Copy of Plot Plan; Submit copy of approved water source and septic permit; and if the office space is to be heated/cooled, then submittal of a completed NREC form (Non residential energy code).

6. Franklin County Planning and Building Department has determined the following general information and History/Background for this site and proposed use.
 - a. General Information:
 - i. The property is located in the Agricultural Production 20 Zoning District.
 - ii. The Comprehensive Plan designation for the property is Agricultural.

 - b. History and Background:
 - i. The site has historically been utilized for grain storage purposes and is known as the Frishchnect Station.
 - ii. The applicant originally received a CUP in 2006 for this operation and the approval involved 2 parcels of land. The CUP approval involved a small parcel on the south side of Paradise Road and a 3.43 acre parcel on the north side of Paradise Road.
 - iii. Since 2006, the applicant and an adjoining landowner to the south completed a boundary line adjustment which added 9.14 acres to the 3.43 acre parcel. The parcel's new acreage is 12.57 acres and involves land on both the north and south sides of Paradise Road.
 - iv. In 2007, the applicant amended approved CUP 2006-06 with the approval of CUP 2007-08. Specifically, the applicant amended the acreage size from 3.43 to 12.57 for Parcel Number 109-450-042 as completed in the boundary line adjustment. Further, the applicant planned to add a scale, scale house, multiple grain bins, and storage buildings to the 12.57 acre parcel. The activity will take place on the south side of Paradise Road along Warehouse Road. The land is located in the Agricultural Production 20 (AP-20) Zoning District.

7. **Benton Franklin Health Department:** No objections provided:
 - a. The facility must provide domestic drinking water by an approved public water supply through the WA State Dept of Health Office of Drinking Water. Proposed well location must be approved by this office prior to construction.

 - b. The facility must be served by an on-site sewage system that is permitted, inspected, and approved by this office.

- c. This lot must meet the minimum land area requirements of this office in accordance with BF Dist Board of Health Rules and Regulations No. 2.
8. Any discontinuance or abandonment of the approved use for a period of one (1) year shall null and void this approval.
9. CUP 2009-07 shall be commenced (construction started) at the site within 1 year of CUP approval.
10. 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.
11. In accordance with the County's Zoning Ordinance, any special permit may be revoked 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.
12. This permit applies to the described lands and shall be for the above named individual and/or his heirs and or assigns. Any transferring of this permit will require that notice be granted to the Franklin County Planning Department or the permit will be cancelled. It cannot be transferred to another site.

PROPONENTS:

None.

OPPONENTS:

None.

CLARIFICATION OF PUBLIC STATEMENTS:

None.

PLANNING COMMISSION DISCUSSION:

There was discussion amongst the planning commission, staff, and members in the audience in regards to whether or not the product will be delivered above ground or below ground by pneumatic belts, grain storage bins, conveyor belts, truck movement, fire trucks, fire protection, Fire District Chief and Fire Code Official comments, on-site water, tanker trucks, how much water will they carry, response time, on-site water storage tank, seed is very combustible, maybe required at the time of building permit issuance, dust control is applied to seed, this facility will not process overly dusty type of seed product, request staff to visit with Fire District Chief for future commenting on these types of proposals, graveled area around facility, dust control, access points to be reviewed for compliance and possible upgrading at time of building permit issuance, septic tanks, water location, driving over the lines, work with the Health Department to make it work, etc.

MOTION:

Flo Sayre made a motion for the *approval* of the conditional use permit application (CUP 2009-07) with the findings of fact and conditions of approval as specified in the staff report – including having staff visit with the Fire District Chief about future commenting on land use proposals.

Lois Hanses seconded the motion.

ROLL CALL:

Lois Hanses	Yes	David Piovesan	Absent
Flo Sayre	Yes	Claude Pierret	Yes
Gary Bosch	Abstain	Bruce Flippo	Absent
Burl Booker	Yes		

Motion carried (4 yeas and 1 abstain) for the *approval* of this application – CUP 2009-07.

OTHER BUSINESS

1. Results from Planning Commission Case Files of October 6, 2009.
2. Potential Planning Commission workshop for December of 2009.
3. Current listing of Planning Commission members/districts/terms.

ADJOURN