

**FRANKLIN COUNTY
PLANNING COMMISSION
MINUTES
December 1, 2009**

MEMBERS PRESENT:

David Piovesan, Flo Sayre, Gary Bosch, and Lois Hanses.

MEMBERS ABSENT:

Bruce Flippo, Claude Pierret, and Burl Booker.

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

APPROVAL OF MINUTES:

Lois Hanses made a motion to approve the November 3, 2009 minutes as written.

Flo Sayre seconded the motion.

Motion carried

APPROVAL OF AGENDA:

Flo Sayre made a motion to approve the agenda as written.

Lois Hanses seconded the motion.

Motion carried

ITEM #1 – ZC 2009-02, an application by Homestead Land Holdings, LLC, P.O. Box 4180, Pasco, WA 99301 for a zoning designation change. Said application is to rezone approximately 37.45 acres (consisting of 8 parcels) from the current designation of Rural Community 5 (RC-5) to Rural Community 1 (RC-1). The land is located within the Rural Settlement Area known as Merrill's Corner as identified in the County Comprehensive Plan. The land is located along the east side of Glade North Road and the south side of Eltopia West Road near the southeast intersection of Eltopia West Road and Glade North Road.

APPLICANT: Homestead Land Holdings, LLC, P.O. Box 4180, Pasco, WA 99301.

OWNER: Homestead Land Holdings, LLC, P.O. Box 4180, Pasco, WA 99301.
Boyd Gray, 9006 Whipple Road, Pasco, WA 99301.
Anaberta Leon, 12700 Glade North Road, Eltopia, WA 99330.
Glen Maiden, 5021 Eltopia West Road, Eltopia, WA 99330.

OPEN PUBLIC HEARING/STAFF REPORT:

Greg Wendt presented the staff report for the zone change application (ZC 2009-02).

APPLICATION DESCRIPTION:

This application is to change the zoning classification on eight (8) parcels of land with a total acreage of approximately 37.45 acres in total size. The rezone request is to change the classification from Rural Community 5 (RC-5) to Rural Community 1 (RC-1) zoning.

The Rural Community 1 (RC-1) zoning district is established to provide a rural residential environment, outside designated Urban Growth Areas, allowing one dwelling unit per acre.

The land is located within a Rural Settlement Area (Merrill's Corner) as designated by the Franklin County Comprehensive Plan.

*****APPLICATION CHANGE: On November 17, 2009, Bob (Glenn) Maiden (123-430-073) submitted a letter stating a request for withdrawal of their 2.8 property from the rezone application. With this, the total acreage involved in the rezone request changes from 37.45 acres (consisting of 8 parcels) to 34.65 acres (consisting of 7 parcels).**

PUBLIC NOTICE:

1. A Public Notice was published in the Herald and Graphic on November 19, 2009.
2. Property Owners within one mile were mailed notice during the 2nd week of November 2009.

AGENCY COMMENTS/CRITERIA FOR FINDINGS OF FACT:

1. County Planning Department:

In reviewing this application, the Planning Department Staff has found the following.

- a. This application is to change the zoning classification on seven (7) parcels which when combined are approximately 34.65 acres in size. The rezone involves changing the zoning designation from Rural Community 5 (RC-5) to Rural Community 1 (RC-1).
- b. The rezone area is located in the Merrill's Corner Rural Settlement Area as designated in the County Comprehensive Plan. The general area consists of agricultural services, residential homes, gas stations, a library and a post office.
- c. According to Chapter 9 of the County Zoning Ordinance, RC-1 zoning is established to provide a rural residential environment permitting one dwelling unit per acre, outside designated Urban Growth Areas, containing large lots and expansive yards.
- d. A Rural Settlement designation provides for the infill, development, and redevelopment of lands and it is intended that this area be a mixture of residential, commercial, and industrial uses. New residential development will be allowed at a minimum density of one dwelling unit per acre provided the land can physically

support such development without requiring public sewer or water services if not currently available. This Rural Settlement was established prior to the 1990 adoption of the Growth Management Act in the State of Washington.

- e. Parcel and Ownership: Franklin County Tax Parcel(s) 123-431-027 (*B Gray*); 123-431-036 (*Homestead Land*); 123-431-045 (*Homestead Land*); 123-431-054 (*Homestead Land*); 123-431-663 (*Homestead Land*); 123-431-072 (*Homestead Land*); and 123-431-090 (*A Leon*).
- f. General Location: The land is generally located along the east side of Glade North Road and the south side of Eltopia West Road near the southeast intersection of Eltopia West Road and Glade North Road.

APPLICABLE STANDARDS/ORDINANCES:

- 1. County Comprehensive Plan.
- 2. County Zoning Ordinance.

RECOMMENDATION: (Zone Change 2009-02)

According to **Chapter 42 (Amendments and Rezones)** of the Franklin County Development Regulations, the Planning Commission shall:

- 1. Render a recommendation to approve, approve with modifications and/or conditions, or reject the petition based on its findings and conclusions. The Planning Commission's recommendation, to include its findings and conclusions, shall be forwarded to the Board of Commissioners at a regularly scheduled business meeting thereof.
- 2. After completion of an open record hearing on a petition for reclassification of property, the Planning Commission shall make and enter findings from the records and conclusions thereof which support its recommendation and find whether or not: **(Findings of Fact by Planning Commission)**
 - (a) The proposal is in accordance with the goals and policies of the comprehensive plan.
 - (b) The effect of the proposal on the immediate vicinity will be materially detrimental.
 - (c) There is merit and value in the proposal for the community as a whole.
 - (d) Conditions should be imposed in order to mitigate any significant adverse impacts from the proposal.
 - (e) A concomitant agreement should be entered into between the county and the petitioner, and if so, the terms and conditions of such an agreement.

Staff: The Franklin County Planning Department staff recommends that the Planning Commission forward a **POSITIVE RECOMMENDATION** to the Board of County

Commissioners for application, ZC-2009-02. This **POSITIVE RECOMMENDATION** be forwarded with the following suggested findings of fact/recommendations:

Suggested Findings of Fact:

- (1) The application to rezone approximately 34.65 acres of land from Rural Community 5 (RC-5) to Rural Community 1 (RC-1) **IS** in accordance with the goals and policies of the Comprehensive Plan.
 - a. This application is to change the zoning classification on approximately 34.65 acres of land (consisting of 7 parcels) which is currently zoned Rural Community 5 (RC-5). The rezone involves changing the zoning designation on the seven (7) parcels to Rural Community 1 (RC-1).
 - i. Parcel and Ownership: Franklin County Tax Parcel(s) 123-431-027 (*B Gray*); 123-431-036 (*Homestead Land*); 123-431-045 (*Homestead Land*); 123-431-054 (*Homestead Land*); 123-431-663 (*Homestead Land*); 123-431-072 (*Homestead Land*); and 123-431-090 (*A Leon*).
 - b. The rezone area is located in the Merrill's Corner Rural Settlement Area as designated in the County Comprehensive Plan. The general area consists of agricultural services, residential homes, gas stations, a library and a post office.
 - c. According to Chapter 9 of the County Zoning Ordinance, RC-1 zoning is established to provide a rural residential environment permitting one (1) dwelling unit per acre, outside designated Urban Growth Areas, containing large lots and expansive yards.
 - d. A Rural Settlement designation provides for the infill, development, and redevelopment of lands and it is intended that this area be a mixture of residential, commercial, and industrial uses. New residential development will be allowed at a minimum density of one dwelling unit per acre provided the land can physically support such development without requiring public sewer or water services if not currently available. This Rural Settlement was established prior to the 1990 adoption of the Growth Management Act in the State of Washington.
- (2) The effect of the proposal on the immediate vicinity **WILL NOT** be materially detrimental.
 - a. The rezone application will not substantially damage or be harmful to the immediate vicinity.
 - b. The surrounding area consists of a mixture of residential and agricultural uses.
 - c. The rezone area is adjacent to lands zoned RC-5, Industrial, and Rural Commercial.
 - d. Lots in the residential portion of this Rural Settlement are typically less than 10 acres in size.

- (3) There **IS** merit and value in the proposal for the community as a whole.
 - a. The rezone will further the implementation of the Comprehensive Plan, allowing for a mixture of uses and lot size choices in the County’s Rural Lands and Rural Settlement Areas.
- (4) Conditions **ARE** required to be imposed in order to mitigate any significant adverse impacts from the proposal.
 - a. All future development at the site shall comply with County Development Regulations (including Zoning and Subdivision). This will ensure the proposed development complies with local, state, and federal agency standards and ensure appropriate access and health issues are sufficiently addressed.
- (5) A concomitant agreement between the County and the petitioner **IS NOT** required for this application.

PROPONENTS:

Jeremy Seeliger, 231 DeWeber Road, Eltopia, WA 99330.

OPPONENTS:

Gary Middleton, 4295 Eltopia West Road, Eltopia, WA 99330.

CLARIFICATION OF PUBLIC STATEMENTS:

None.

PLANNING COMMISSION DISCUSSION:

There was discussion amongst the planning commission, staff, and members in the audience in regards to the Comprehensive Plan encourages growth in these Rural Settlement Areas, subdivision development standards, rural access standards vs. county road standards, covenants vs. zoning ordinance standards, animal unit standards, access to Glade North Road and Eltopia West Road, zoning vs. platting – two separate processes, this rezone is the only mechanism available to the applicant to accomplish their goals for the property, development restrictions more than likely won’t be becoming less restrictive, an irrigation system will be put in to farm the property – small center pivot system, source of water, water rights, waste-way water, water usage will go down with the more efficient watering system to be installed, SCBID is paid for the use of the water, access to the site will be reviewed during any upcoming platting or boundary adjustments that may take place, Mr. Middleton expressed that he is no longer opposed to the application after hearing what the applicant has planned for the property in question, had concerns if it were going to be “developed”, etc.

MOTION:

Flo Sayre made a motion for the *approval* of the zone change application (ZC 2009-02) with the findings of fact/recommendations as specified in the staff report.

Gary Bosch seconded the motion.

ROLL CALL:

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

Motion carried (unanimous) for the ***approval*** of this application – ZC 2009-02.

ITEM #2 – Public Meeting/Public Workshop – Zoning Ordinance Update (Ordinance 7-2005), a public meeting/public workshop held by the Franklin County Planning Commission to discuss potential amendments and/or updates to the Franklin County Zoning Ordinance (Ordinance 7-2005). This public meeting/public workshop will be the first in a series of meetings/workshops to discuss these updates/amendments to the County’s Zoning Ordinance.

OPEN PUBLIC MEETING/PUBLIC WORKSHOP – STAFF PRESENTATION:

Greg Wendt made a staff presentation regarding potential updates/amendments to the County Zoning Ordinance (7-2005).

PUBLIC PARTICIPATION:

None.

PLANNING COMMISSION DISCUSSION:

There was discussion amongst the planning commission and staff in regards to potential updates/amendments to the County’s Zoning Ordinance. These updates are ones to bring the Ordinance into compliance with changes in legislation, and a review of items that have been collected over the past few years that were deemed to be ones that need revisiting, etc. Further Public Meetings/Public Workshops will occur in the coming months.

OTHER BUSINESS

1. Results from Planning Commission Case Files of November 3, 2009.
2. Potential Planning Commission workshop for January of 2010.
3. Current listing of Planning Commission members/districts/terms.

ADJOURN