

City of Selah
Planning Commission Minutes
of
September 30, 2014

Selah Council Chambers
115 W. Naches Ave.
Selah, Washington 98942

A. Call to Order

The meeting was called to order by Chairman Quinnell at 5:33 p.m.

B. Roll Call:

Members Present: Commissioners: Smith, Pendleton, and Quinnell
Members Absent: Commissioners: Miller, Torkelson
Staff Present: Dennis Davison, Community Planner; Caprise Groo, Secretary
Guests: Tom Durant, Durant Development Services Inc.

C. Agenda Change None

D. Communications

1. Oral -None.
2. Written – None

E. Approval of Minutes

1. May 20, 21, 28, 2014 (Corrected Minutes)
2. June 17, 2014

Commissioner Quinnell requested a motion to approve the minutes. Commissioner Smith motioned and Commissioner Pendleton seconded. The minutes were approved with a voice vote of 3 to 0.

F. Public Hearing

1. Old Business – None
2. New Business -
 - a. Selah Urban Growth Area Comprehensive Plan Amendment 2014-01; Official Zoning Map Amendment (914.42.14-4) and “Somerset II” Preliminary Plat (912.42.14-05)

Commissioner Quinnell requests that Dennis Davison read the staff report.

Mr. Davison introduces Tom Durant of Durant Development Services. Mr. Davison states: Mr. Durant was commissioned to help on several projects and with the supervision of myself (Mr. Davison) and Mr. Kelly, he has prepared and will read the Staff Report.

Mr. Durant reads the Staff Report:

CITY OF SELAH PLANNING COMMISSION
STAFF REPORT
October 28, 2014

FILE NO.: UGA PLAN AMENDMENT 2014-01 ZUKER SAMPLE DEVELOPMENT, LLC
OFFICIAL ZONING MAP AMENDMENT 914.42.14-04: R-1 to PD (PLANNED DEVELOPMENT)
PRELIMINARY PLAT 912.42.14-05 “Somerset II”
ENVIRONMENTAL REVIEW 912.42.14-07

PROPOSAL: Amend the City of Selah Urban Growth Area Comprehensive Plan by amending the Future Land Use Map re-designating two parcels totaling 4.7 acres from Low Density Residential to Moderate Density Residential . If adopted, the maximum allowable density would be 12 dwelling units per gross acre.

Amend the official zoning map of the City of Selah reclassifying the two parcels Planned Development rather than One Family Residential (R-1).

Preliminary Plat of “Somerset II” subdividing the 4.7 acre subject property into 33 Single family residential lots served by a full range of public utilities and a density of 7.02 dwelling units per gross acre.

Twenty-eight of the lots will contain attached single-family dwelling units (referred to in the application as “townhouses”). The remaining five lots are proposed for detached single family dwellings. Although not specifically provided for by the zoning ordinance, attached single family dwellings may be permitted in the Planned Development by SMC 10.24.010 which allows new development that is consistent with the comprehensive plan but that would not be readily permitted in other zoning districts due to limitations in dimensional standards, *permitted uses* or accessory uses (emphasis added). As stated in the application, this type of housing has been permitted in other locations in the City, including Goodlander Square, at the corner of W. Goodlander and Selah Loop Roads.

PROPONENT & PROPERTY OWNER: Zuker-Sample Development, LLC

LOCATION: Site fronts on Herlou Drive to the west and Lyle Loop Road to the east. It is about 75 feet north of the intersection of Lyle Loop and Herlou Drive and about 100 feet south of the intersection of Herlou Drive and Weems Way (Tax Parcel Numbers: 181426-44005 and 44021).

The site is bordered on the south by Somerset I, a 24 lot subdivision recorded in 2002 and built out with detached single family homes on lots that are mostly 8,000 to 10,000 square feet in size but also includes a few somewhat larger lots up to 28,624 square feet (0.66 acre).

PUBLIC FACILITIES AND UTILITY SERVICES: A full range of public facilities and utility services including water, sewage, storm drainage and fire protection serves the property.

LAND USE AND ZONING:

Table 1: Existing Land Use, Plan Designation and Zoning

Area	Land Use	Plan Designation	Zoning
Site	Vacant; part is subject to County approved preliminary plat with utilities in place	Low Density Residential	One Family Residential (R-1)
North	Detached single-family homes on 0.4 acre lots	Low Density Residential	One Family Residential (Yakima County – R-1)
South	Detached single-family homes on 8,375 to 10,176 square foot (0.2 to 0.25 acre) lots	Low Density Residential	One Family Residential (R-1)
East	Detached single-family homes on 15,795 to 28,624 square foot (0.36 to 0.66 acre) lots. One large lot (2.81 acre) with a single-family home and raising horses	Low Density Residential	One-Family Residential (R-1)
West	Detached single-family homes on 1/3 to ½ acre lots	Low Density Residential	One-Family Residential (Yakima County – R-1)

ACCESS: Herlou Drive, Yakima County local access street borders the site on the west; Lyle Loop Road, a local access street borders the site on the east and would be extended across the property to Herlou Drive on the west providing internal access to the proposed subdivision.

ENVIRONMENTAL REVIEW: A Determination of Nonsignificance (DNS) (971.42.14-07) was issued on September 14, 2014. There was no comment period for the DNS, however it could be appealed through October 3, 2014.

APPLICATION AUTHORITY AND JURISDICTION: Selah Municipal Code, Chapter 10.24 (Planned Development Zoning District), Chapter 10.40 (amendments) and Chapter 10.50 (subdivision); also Selah Urban Growth Area Comprehensive Plan

COMPREHENSIVE PLAN:

City of Selah Urban Growth Area Comprehensive Plan Designated Low Density Residential by the Future Land Use Map, adopted 2006. This designation provides for a maximum density of five (5) dwelling units per acre.

Proposed Comprehensive Plan designation Moderate Density Residential. The proposed Future Land Use Map designation allows for a maximum density of 12 dwelling units per acre. The predominant use is two-family, townhouse and condominium dwellings with a mix of single-family and multi-family residences. The mix of housing types will be limited by the maximum permissible density and zoning standards will regulate development to assure compatibility. For this proposal, the density would be limited to 7.02 units per acre by the proposed Planned Development.

Applicable Goals and Policies:

Objective LUGM 3: Encourage economic growth while maintaining quality development and controlling the cost of public improvements in Selah's UGA.

Policy LUGM 3.2: Direct development to areas where infrastructure (water, sewer and streets) is either present, can be easily extended, or is planned to be extended.

Policy LUGM 3.3: Conserve land, energy and financial resources by minimizing urban sprawl.

Objective HSG 1: Maintain and upgrade the character of existing residential neighborhoods.

Policy HSG 1.2: Encourage new single-family development throughout existing single-family neighborhoods as redevelopment and infill construction at appropriate densities.

Objective HSG 2: Encourage new residential development to approximate existing residential densities and housing mix levels.

Policy HSG 2.1: Encourage the combined net density of all residential development to remain at present levels. Exceptions to this policy should be permitted where the developer can demonstrate that the quality of the project design, construction and amenities warrants a different housing density.

Policy HSG 2.2: Ensure codes and ordinances promote and allow for a compatible mix of housing types in residential areas.

Objective HSG 3: Minimize the negative impacts of medium and high-density residential projects on adjacent low-density residential areas, but encourage mixed use/density projects.

Objective HSG 4: Encourage new residential construction to be compatible with existing residential development.

MAJOR REZONE APPLICATION: A rezone that is combined with a comprehensive plan amendment is considered to be a "major rezone" under the zoning ordinance, which includes the following considerations:

1. The extent to which the proposed amendment/major rezone is consistent with and/or deviates from the goals, objectives, mapping criteria and policies adopted in the comprehensive plan and the intent of [the zoning ordinance];
2. The adequacy of public facilities, such as roads, sewer, water and other public services required to meet urban or rural needs;
3. The public need for the proposed change. Public need shall mean that a valid public purpose, for which the comprehensive plan and this title have been adopted, is served by the proposed application. Findings that address public need shall, at a minimum document:
 - a. Whether additional land for a particular purpose is required in consideration of the amount already provided by the plan map designation or current zoning district within the area as appropriate;
 - b. Whether the timing is appropriate to provide additional land for a particular use.
4. Whether substantial changes in circumstances exist to warrant an amendment to the current designation or zone;
5. The testimony at the public hearing;
6. The compatibility of the proposed zone change and associated uses with neighboring land uses;
7. The suitability of the property in question for uses permitted under the proposed zoning;
8. The recommendation from interested agencies and departments.

PLANNED DEVELOPMENT APPLICATION: An approved planned development modifies and supersedes all regulations of the underlying (or preceding) zoning district. Its purpose is to allow new development that is consistent with the comprehensive plan but that would not be readily permitted in other zoning districts. A change of zoning to Planned Development is based on the following criteria:

1. Substantial conformance to the Comprehensive Plan;

2. The maximum number of dwelling units allowed on the subject property under its current Low Density Residential land designation is 24 (4.7 x 5). The proposed density based on the Planned Development of 33 dwelling units increases the planned number of dwelling units in the urban growth area by 9.
3. Under the requirements of SMC 10.50.041, a private access street may be authorized where there are no adverse effect on future traffic circulation of neighboring parcels. Modification of the following normally required subdivision standards as proposed by this application is allowed for good cause shown when a subdivision is combined with a planned development and where appropriate to provide for the type of development and land use contemplated as a planned development:
 - a. Each lot must front upon a public street with a width not less than [that] set forth in the street standards.
 - b. Lots having frontage on two streets should be avoided whenever possible.
 - c. The distance from the front lot line to the rear lot line shall not exceed two and one-half times the distance from between the two side lot lines ($2\frac{1}{2}$: 1 depth to width ratio).
 - d. Minimum lot width of 60 feet at the rear line of the required front yard. Minimum lot width of 70 feet for corner lots (with respect to Lots 13 and 14 assuming they are considered to be at the corners of the proposed private street; the lots being proposed at public street corners in this plat meet this standard).
4. The zoning ordinance generally does not specify bulk and setback requirements for a Planned Development, leaving it up to the required development plan (SMC 10.24.030). The application and preliminary plat indicates the standards for this application, as does the building footprints shown on the plat for the proposed attached dwelling units. The following setback standards are shown on the face of the plat :

Front: 20 feet;

Side: 7 feet for 1 story units, 8 feet for 2 story units.

These standards are consistent with the standards of both the R-1 and R-2 zones; the proposed side setback standards are actually more restrictive. It appears that other zoning ordinance standards (rear setback, building height) are being met as described in application materials and shown on the preliminary plat. Since the five detached single family residential lots meet the minimum lot size requirement for the R-1 zone, their conformance to its minimum standards should be possible. The only standard that may pose a potential conflict for the attached unit lots is lot coverage, although it appears that it too is being met.

5. Based on the project narrative, application materials and the preliminary plat, the following project design elements and attributes of the site provide for project compatibility with the surrounding lower density residential areas:
 - a. Construction materials of brick, stucco, masonite or wood siding and the reference by the application to the existing residential units at Goodlander Square as an example of the appearance of the finished units.
 - b. The land slopes to the east and is topographically lower than the single family residences to the north and south.
 - c. The proposed (detached) single family lots on the east and west sides of the project buffer the existing residences that border the site in those directions, allowing a transition into the higher density portion of the project.
 - d. The rear of the higher density units about the rear of the existing residences on the north and south.
 - e. Completion of Lyle Loop Road to Herlou Drive provides a new access and will reduce the potential amount of traffic that would pass through the developed area of Somerset I.
6. The application states that the proposed townhouse units meet an identified need in that they are less expensive and in demand by both first time homebuyers and older buyers for that reason and because they require less yard maintenance.
7. The application did not address the major rezone criteria for public need concerning whether additional land is required considering the land already zoned or planned designated and whether the timing is appropriate. However, based on review of the existing Future Land Use Map in the comprehensive plan, the availability of vacant lands designated Medium Density Residential Density is limited; most of these areas are built out, there are very few vacant parcels that are the size of the subject property or larger and the relatively less developed areas are characterized by contiguous $\frac{1}{2}$ to 2 acre parcels, generally under separate ownership and partially improved with small scale agriculture, homes and other buildings. In terms of timing, is the fact that the streets and utilities needed for the proposed development have been designed or are now in place.

8. The title report discloses several easements for utilities and access as shown on Schedule 'A' of the Chicago Title Insurance Company report dated February 10, 2014. Any easements and reservations not disclosed on the preliminary plat map must be disclosed on any final plat map.
9. SMC 10.50.033(c) provides the developer five (5) years from the date of preliminary plat approval to complete all required improvements and record the final plat. However, following the economic downturn of 2007-2009, the State Legislature amended RCW 58.17 (Subdivision Act) to allow seven (7) years from preliminary plat approval if the approval is made prior to December 31, 2014, after which the time period reverts back to five years (RCW 58.17.140(3)). SMC 10.50.033(c) allows the developer to, prior to this completion date, request a one-time, one-year extension to complete the improvements and record the plat.

STAFF ANALYSIS:

1. **Major Rezone:** Findings that support the major rezone and plan amendment are:
 - a. Consistency with the goals, objectives, mapping criteria and policies of the comprehensive plan and the intent of the zoning ordinance as summarized in the following paragraphs.
 - b. The public purpose indicated by the application is providing an alternative type of single-family housing not otherwise allowed by the zoning ordinance that appeals to certain market segments because of its affordability and convenience. As proposed, the Planned Development allows for a compatible mix of housing types in a residential area (Objective HSG 3; Policy HSG 2.2). It approximates existing residential densities (7 rather than 5 d.u. per acre) and the application demonstrates that the quality of project design, construction and amenities warrant this somewhat higher density (Objective HSG 2; Policy HSG 2.1).
 - c. The property is suitable for the proposed land use and it provides infill of an existing residential area (Policy LUGM 3.3; Objective HSG 1; Policy HSG 1.2).
 - d. Public facilities: roads, sewer, water, etc. are adequate to meet project needs (Policy LUGM 3.2).
 - e. Based on the design elements and site attributes described in the application, the project promotes compatibility with surrounding land uses (Objectives HSG 3 & 4).
2. **Planned Development:** The application is supported by its substantial conformance to the comprehensive plan and compatibility with the surrounding area as provided for by its project design, and adequacy of the size of the proposed district to accommodate the development. It complies with the subdivision code with consideration to the following findings regarding modifications of normally required subdivision ordinance standards:
 - a. The private access does not adversely affect future traffic circulation. Further connectivity to the north is infeasible due to topography, to the east is available from proposed and existing streets including part of Lyle Loop Road within the development, and to the south and west, connectivity has either been provided already or is precluded by existing development.
 - b. Double frontage lots and frontage on the private street is appropriate with the provision of adequate setbacks because of the limited number of dwelling units and low traffic levels.
 - c. Modification of depth to width and lot width standards is justified because the dimensions and lot sizes being proposed are consistent with typical standards for this type of housing due to the common wall or zero lot line design with the yard area provided on the three other sides of the building.

RECOMMENDATION: APPROVAL of the Comprehensive Plan amendment, rezone and preliminary plat based on the findings and conclusions in this report subject to the following conditions:

1. All design and/or improvement notations indicated on the preliminary plat are included herein as conditions of preliminary plat approval. (Including, but not limited to, dedicated right-of-way width, easement widths and locations, lot size and configuration).

2. A preliminary engineering report and/or plan, prepared by a Licensed Professional Engineer, demonstrating the feasibility of construction of all public improvements required by Selah Municipal Code, Chapter 10.50 must be submitted to the Public Works Director for approval.
3. All final plans and specifications for improvements must be prepared by a Licensed Professional Engineer and reviewed and approved by the Public Works Director prior to construction. Specifications for improvements shown on the preliminary plat are minimum specifications that may be superseded by conditions contained herein or by specific conditions as approved by the Public Works Director. Upon completion of construction and prior to final plan approval, final 'as-built' construction plans and a written certification by a Licensed Professional Engineer that said improvements were completed in accordance with the approved construction plans must be submitted to the Public Works Director for approval.
4. Reports, plans and specifications previously submitted shall count toward meeting the requirements of Conditions #2 and #3 if accepted by the Public Works Director to the extent of the improvements for which they are determined to be sufficient.
5. Lyle Loop Road: Street improvements must be constructed to City standards as approved by the Public Works Director including 50 foot wide right-of-way, 32 foot wide asphalt pavement, concrete rolled (or better) curb and gutter, five (5) foot wide sidewalk on one street side and street illumination. The sidewalk shall be installed on the same side of the street as it is on the existing completed portion of Lyle Loop Road. Utility improvements shall be extended beyond street pavement edge to facilitate future extension where appropriate. Street grade shall not exceed 10%.
6. The private interior street shall be constructed as a hard-surfaced street to specifications approved by the Public Works Director prior to recording a final plat for Phase 3. The street shall have a minimum surface width of 20 feet in those portions of the access easement that are 26 feet in width.
7. Covenants or a road maintenance agreement, providing for the perpetual maintenance of the private roadway and that establish a road maintenance fund shall be recorded with the Yakima County Auditor and a recorded copy submitted to the Selah Community Planner prior to recording the final plat.
8. Street illumination shall be installed by the developer at locations and to the specifications of the Public Works Director (typically at 300 foot intervals or as otherwise determined by the Director of Public Works in order to maximize illumination). Street lights shall be installed on metal poles.
9. All lots must be served with a full range of public and private services and utilities including public water and sewer, power, natural gas and telephone. All utilities except for the standard telephone box, transmission box and similar structures shall be underground and installed prior to the surfacing of streets. All utilities placed beneath streets, curbs or sidewalks shall be extended beyond these features to avoid them being disrupted by future extensions.
10. There shall be a moratorium on public street cuts for a period of five (5) years from the date of plat recording.
11. Fire hydrants shall be provided and installed by the developer at locations approved by the City of Selah Fire Chief and to the specifications of Selah Municipal Code, Chapter 11.30.
12. Final lot dimensions and lot area must substantially conform to the preliminary plat unless otherwise amended during the public hearing process.
13. Storm Water drainage facilities to accommodate runoff generated in the plat must comply with a drainage facilities plan prepared by a Licensed Professional Engineer and approved by the Public Works Director. Plans submitted previously will count toward meeting this requirement if approved by the Public Works Director. Additional documentation may be required for portions of the site not covered by any such previously submitted plans.
14. Prior to final plat recording, all required plat improvements (utilities, streets, drainage facilities, etc.) must be installed and accepted by the City or a surety bond pledged to the City to ensure installation of the plat improvements within two years of final plat recording.

15. Planned Development approval shall be in substantial conformance to the project design as described in the project narrative, application materials and on the face of the preliminary plat. Front and side setback standards for attached single-family (townhouse) units shall be as shown on the face of the preliminary plat. All other setbacks and building height for all units shall be to the standards required in the R-1 district by the zoning ordinance. Lot coverage and lot width requirements for the attached single-family (townhouse) lots shall be considered met if lots are configured and the dwelling units sited as shown on the preliminary plat and described in the application. Lot coverage and width standards of the R-1 zone shall apply to the other lots. This condition is not intended to preclude modifications otherwise allowed under SMC 10.24.110.
16. Land use of the individual lots shall be limited to those uses shown on them by the preliminary plat and as described in the Planned Development application materials and normally accessory land uses. Attached single-family (townhouse) units may be increased to 4-bedrooms as described in the application provided that the required setbacks and other standards are met.
17. All required street signs, posts and appurtenances must be supplied by the developer and will be installed by the City.
18. The following note shall be placed on any final plat map:

“The owners shown hereon, their grantees and assignees in interest, hereby covenant and agree to retain all surface water generated within the plat on-site.”
19. Lots in Phase 3 shall be served by an 8 inch sewer line extended in the utility easement across Lots 9 and 10 and then continued to all of the individual Phase 3 lots in the access and utility easement as shown on the Preliminary Plat.
20. Prior to final plat recording, a surety bond, or such other secure financial method acceptable to the City, in the amount of 15% of the cost of the public improvements as determined by the Public Works Director (streets, sidewalks, street lights, drainage facilities, sewage collection and water distribution facilities, etc.) must be remitted to the City and will be held for a period of two years from the date of final plat recording to guarantee against defects in materials and workmanship.
21. Improvements required for the subdivision must be completed and the final plat must be submitted within the current maximum 7-year time period required by RCW 58.17.140. A one-time, one-year extension may be authorized in accordance with SMC 10.50.033(c) but the request must be made before the 7-year time period ends. This condition applies to all improvements except for the residential development of the individual lots which is subject to the timing requirements of the Planned Development District (SMC 10.24).

Mr. Durant finishes the Staff Report.

Commissioner Quinnell: Thank you.

Mr. Davison: This is a lot of information, are there any questions? Would you like to write them down.

Commissioner Quinnell, Smith and Pendleton had no questions at the moment.

Commissioner Quinnell opens the floor for proponents of the subdivision and Somerset II.

Roy Sample: 1304 Heritage Hills Pl. Mr. Sample goes over the whole Planned Development from home size to streets and fire lanes.

Commissioner Quinnell asks about the water lines.

Mr. Sample explains how the easement allows for the sewer lines to be placed before the construction of the homes. Does anyone else have any questions? NO.

Commissioner Quinnell: Any more proponents for the Planned Development? Any one against who would like to speak?

Norm Hillstrom. 200 Herlou Dr. Mr. Hillstrom states his concerns about renters and property values. He is opposed to the development.

Commissioner Quinnell asks for any other speakers.

Tisha Busey: owner of property on Weems way. Neither for or against the Development. She states her concerns that the Comprehensive Plan Amendment, the Zoning Map Amendment and Preliminary plat are coming before the Commission all at once. What would constitute the change to these items? Other concerns are: adequate sewer line, recreational space and guard rail barriers for the steep sloped roads

Commissioner Quinnell asks Dennis Davison if he would like to respond to the questions.

Dennis Davison discusses the change of circumstance as well the water, sewer and street requirements.

Mr. Sample again approaches the podium and discusses the Growth Management Act., The cost of single family homes, senior housing and affordable housing.

Commissioner Smith: two more issues that were brought out. Open space a requirement?

Dennis Davison: Open space is for residents not the public. Commissioners can require open space but it would not be for the public. It would be managed by the homeowners association.

Commissioner Quinnell: So it is not a requirement for Planned Development?

Dennis Davison: It is/but is not a requirement. A developer can propose an open space area to appease residents.

Commissioner Quinnell: Anyone else who would like to speak?

Bill Moulta: (Yakima resident) discusses the issue of change of circumstance, the ability of seniors and young families not being able to afford expensive housing.

Commissioner Quinnell: There is a gentleman that wanted to speak.

Mark Weller: 110 Lyle Lp. Concerns: property values, Lyle Lp being finished before or after building starts, What is a hard surface considered, consideration of property owners that currently live in the area.

Commissioner Quinnell: Dennis that hard surface is asphalt?

Tisha Busey steps up to the podium. Mrs Busey has concerns about sewer line size, storm water retention and possible senior resident designation. She expressed concern for the amount of information coming before the Commission at one time.

Commissioner Quinnell: Anyone else? Anything else? So then, Dennis we looking to do?

Dennis Davison: 3 Findings, the Commission can approve one or all three. The Zoning Map amendment and the Preliminary Plat relies on the Comprehensive Plan Amendment.

Commissioner Quinnell: That is where we start. Growth Area Comp plan amendment 2014-01. Any discussion? Do I have A Motion? I have neither.

Commissioner Smith: By amending the Growth Comp Plan can we still determine how many units per acre?

Dennis Davison: If you approve it to moderate and one can build 12 per acre. With the planned development what you see on the wall is what you get. You may get fewer but no more than what is shown.

Commissioner Smith: Can we make amendment to recommend 5-6 units per lot which would still be R-1.

Dennis Davison: Yes, that would modify the Planned Development application that is within your authority.

Commissioner Quinnell: The advantage of a Planned Development is that you get to see what you are going to get. What the developer is planning is right before us. No speculation, there may be less but not more than planned.

Dennis Davison; gives an example of what would happen if any changes are made to the Planned Development after it is approved. If any changes are propose it come back the Planning Commission or a Hearing Examiner.

Commissioner Quinnell: Property is 4.7 acres not 4.07 acres.

Dennis Davison: It is 4.7 acres according to the Yakima County Assessor's Office

Commissioner Smith: these are single family attached homes but each is owned separately.

Commissioner Quinnell motions to adopt the Selah Urban Growth Area Comprehensive Plan Amendment 2014-01 based on the plan before the commission. Commissioner Pendleton Seconds the motion. With a motion and a second the amendment is carried with a voice vote of 3-0.

Commissioner Quinnell reads the finding

CITY OF SELAH PLANNING COMMISSION
**FINDINGS AND CONCLUSIONS SELAH URBAN GROWTH
AREA COMPREHENSIVE PLAN AMENDMENT 2014-01**

THIS MATTER having come on for public hearing before the City of Selah Planning Commission on September 30, 2014 for the purpose of considering an amendment of the City of Selah Urban Growth Area Comprehensive Plan Future Land Use Map. Designating 4.7± acres of land Moderate Density Residential rather than Low Density Residential.

Commission members present at the September 30, 2014 public hearing were QUINNELL, PENDLETON, and SMITH.

Legal notification pursuant to Selah Code was given on the 19th day of September, 2014. All persons present were given the opportunity to speak for or against the proposed amendment of the City of Selah Urban Growth Area Comprehensive Plan Future Land Use Map.

FINDINGS AND CONCLUSIONS

The Planning Commission **ADOPTS** the findings and conclusions contained in the September 24, 2014 staff report pertaining to the amendment of the City of Selah Urban Growth Area Comprehensive Plan Future Land Use Map.

DECISION

The Planning Commission, based upon the aforementioned findings and controlling factors, finds that the comprehensive plan amendment **IS** in furtherance of the public health, safety or a contribution either to the general welfare of the people in the area or at large; therefore, the amendment should be **APPROVED**.

Motion to by: QUINNELL Seconded: PENDLETON Vote: 3 to 0

Commissioner Quinnell: Next address the Zoning Map Amendment. Adopt, approval or disapproval the Findings for the zoning map amendment. Any discussion and/or questions?

Tisha Busey: Could you reread the criteria for a rezone to take place.

Mr. Durant reads the Selah Zoning Ordinance Major Rezone Application:

MAJOR REZONE APPLICATION: A rezone that is combined with a comprehensive plan amendment is considered to be a "major rezone" under the zoning ordinance, which includes the following considerations:

1. The extent to which the proposed amendment/major rezone is consistent with and/or deviates from the goals, objectives, mapping criteria and policies adopted in the comprehensive plan and the intent of [the zoning ordinance];
2. The adequacy of public facilities, such as roads, sewer, water and other public services required to meet urban or rural needs;
3. The public need for the proposed change. Public need shall mean that a valid public purpose, for which the comprehensive plan and this title have been adopted, is served by the proposed application. Findings that address public need shall, at a minimum document:

- a. Whether additional land for a particular purpose is required in consideration of the amount already provided by the plan map designation or current zoning district within the area as appropriate;
 - b. Whether the timing is appropriate to provide additional land for a particular use.
4. Whether substantial changes in circumstances exist to warrant an amendment to the current designation or zone;
 5. The testimony at the public hearing;
 6. The compatibility of the proposed zone change and associated uses with neighboring land uses;
 7. The suitability of the property in question for uses permitted under the proposed zoning;
 8. The recommendation from interested agencies and departments.

Mr. Durant: Those were the considerations and they were addressed in the Staff Report.

Commissioner Quinnell: Moving forward, we are here for the zoning map amendment. Any questions or a motion.

Commissioner Pendleton motions to approve.

Commissioner Quinnell: I have a motion to approve do I have a second?

Commissioner Smith: I second.

Commissioner Quinnell: I have a motion and a second. Motion carries with a voice vote of 3-0.

Commissioner Quinnell reads the finding:

CITY OF SELAH PLANNING COMMISSION
FINDINGS AND DECISION ZONING MAP AMENDMENT
914.42.14-04

THIS MATTER having come for public hearing before the City of Selah Planning Commission on September 30, 2014 for the purpose of considering the re-classification (rezone) of 4.7± acres of property from One Family Residential (R-1) to Planned Development (PD).

Commission members present at the September 30, 2014 public hearing were QUINNELL, PENDLETON, and SMITH.

Legal notification pursuant to Selah Code was given on the 19th day of September, 2014. All persons present were given the opportunity to speak for or against the proposed rezone.

LAND USE FINDINGS AND CONCLUSIONS

The Planning Commission **ADOPTS** the findings and conclusions contained in the September 24, 2014 staff report pertaining to the rezone of the subject property.

DECISION

The Planning Commission, based upon the aforementioned findings and controlling factors, finds that the proposed rezone **IS** in furtherance of the public health, safety or a contribution either to the general welfare of the people in the area or at large; therefore, the rezone should be **APPROVED**.

Motion to by: PENDLETON Seconded: SMITH Vote: 3 to 0.

Commissioner Quinnell: This takes us to the finding and decision for Preliminary Plat of "Somerset II". Any Discussion, questions or motions?

Commissioner Smith motioned to approve.

Commissioner Pendleton Seconded.

Commissioner Quinnell: I have a motion and a second. Motion carries with a voice vote of 3-0. Commissioner Quinnell reads the findings.

CITY OF SELAH PLANNING COMMISSION
**FINDINGS AND RECOMMENDATION PRELIMINARY PLAT OF
"SOMERSET II"
912.42.14-05**

THIS MATTER having come on for public hearing before the City of Selah Planning Commission on September 30, 2014 for the purpose of considering the preliminary plat of "Somerset II" the subdivision of 4.7 acres into lots and streets in conformance with a Planned Development.

Commission members present at the September 30, 2014 public hearing were QUINNELL, PENDLETON, and SMITH.

Legal notification pursuant to Selah Code was given on the 19th day of September, 2014. All persons present were given the opportunity to speak for or against the proposed preliminary plat.

PRELIMINARY PLAT FINDINGS, CONCLUSIONS AND RECOMMENDED CONDITIONS OF SUBDIVISION APPROVAL.

The Planning Commission **ADOPTS** the findings, conclusions and twenty-one (21) recommended conditions of approval contained in the September 24, 2014 staff report pertaining to the preliminary plat 912.42.14-05 "Somerset II".

DECISION

The Planning Commission, based upon the aforementioned findings, conclusions and recommended conditions of approval contained in the September 24 staff report finds that the proposed preliminary plat **IS** in furtherance of the public health, safety or a contribution either to the general welfare of the people in the area or at large; therefore, the preliminary plat should be **APPROVED WITH CONDITIONS.**

Motion to by: SMITH Seconded: PENDLETON Vote: 3 to 0.

Dennis Davison: Informs the audience when the City Council will meet to consider these three items.

Commissioner Quinnell:

- b. Amend Selah Municipal Code, Title 10, Chapter 10.28, Table A-5(line 10)
 Amend Selah Municipal Code, Title 10 Chapter 10.28.040, Insert Regulatory Note (I)

Dennis Davison: Discusses the amendments above.

CHAPTER 10.28
PERMITTED, ADMINISTRATIVE AND CONDITIONAL USES
TABLE A-5

See Chapter 10.06.020 for an explanation of Use Categories

CITY OF SELAH ZONING ORDINANCE, TITLE 10, CHAPTER 28, TABLE A-5							
PERMITTED USES BY ZONING DISTRICT	LDSF	R-1	R-2	R-3	B-1	B-2	M-1
MINING / REFINING / OFF-SITE HAZARDOUS WASTE TREATMENT							
Asphalt, roofing material manufacture, rock crushing							3
Mining*, including sand and gravel pits							3
Off site hazardous waste treatment and storage facilities*						3	3
RESIDENTIAL							
Accessory structure, use or building*	1	1	1	1	1	1	1
Detached single family dwelling*	1	1	1				
Manufactured home*/Mobile home* (See 10.08.140)	1						
Two family dwelling (duplex) * (See 10.28.040[l])		1(l)	1	1			
Multiple family dwelling*: 0-5 DUA < 6-12 DUA > 12 DUA			2 2	1 1 1			
Manufactured home parks* (See 10.28.040[e])				3			
Retirement apartments			2	1			
Home occupations* (See 10.28.040[o])							
Minor Home Occupations* (See 10.28.040[o])	1	1	1	1	1	1	
Major Home Occupations* (See 10.28.040[o])	2	2	2	2	2	1	

CHAPTER 10.12

ONE-FAMILY RESIDENTIAL (R-1) ZONING DISTRICT

Sections:

10.12.010 Purpose.

10.12.020 Class 1 Permitted, Class 2 Administrative and Class 3 Conditional Uses.

10.12.030 Lot size.

10.12.040 Designated two family residential lots.

10.12.010 Purpose. The One-Family Residential (R-1) Zoning District is established to provide for single family residential development where urban governmental services are currently available or will be extended by the proponent to facilitate development at no public cost.

Specifically, the intent of this district is to:

- (1) Provide for an orderly, phased transition from vacant or partially developed land to single family residential development;
- (2) Facilitate coordinated and collaborative public infrastructure investment;
- (3) Require individual lot connections to municipal water and sewer systems;
- (4) **Require developments to meet the City' s minimum urban development standards;**
- (5) Particular emphasis shall be given to ensuring that R -1 uses and land divisions will facilitate future urban development and extension of utilities.

10.12.020 Class 1 Permitted, Class 2 Administrative and Class 3 Conditional Uses.

Class 1 Permitted, Class 2 Administrative and Class 3 Conditional Uses as listed in Chapter 10.28, Table A.

10.12.030 Lot size.

(1) The minimum lot size requirements for any newly created lot (including lot line adjustments) in this district are progressive based on slope and utility provisions:

<u>Slope</u>	<u>Water and Sewage System</u>	<u>Minimum lot size</u>
< 10%	Municipal water and sewage system	8,000 sq.ft.

> 10% Municipal water and
PLANNING COMMISSION
MINUTES 9/30/14

< 15%	sewage system	10,000 sq.ft.
> 15% < 20%	Municipal water and sewage system	1/2 acre
> 20% < 25%	Municipal water and sewage system	1 acre
> 25%		5 acres

(2) Subdivision designs shall ensure that adequate setbacks, buffering of adjoining uses and sensitivity to physical features are achieved. Lot sizes shall be increased to accommodate specific uses, lot coverage, setbacks, access, landscaping and other requirements as provided in this title.

10.12.040 Designated two family residential lots. Within a proposed land division of ten (10) or more lots ten (10) percent of the lots may be designated for a future two family dwelling. The proposed lot(s) shall be considered by the reviewing body and, once the lot location(s) are approved, the lot(s) shall be clearly identified on the recorded subdivision providing public disclosure of said approval.

The minimum lot size requirement of any lot(s) designated for a future two family dwelling shall be a minimum of 9,000 sq. ft. or such minimum lot size based on slope specified in Section 10.12.030.

CHAPTER 10.28

PERMITTED, ADMINISTRATIVE AND CONDITIONAL USES

Sections:

10.28.010 Designations.

10.28.020 Land use table.

10.28.030 Similar uses.

10.28.040 Regulatory notes.

10.28.010 Designations.

(1) Class 1 uses listed in Title 10.28, Table A are permitted subject to review by the administrative official for compliance with Chapter 10.08 and the applicable standards of this title.

(2) The Class 2 and Class 3 uses listed in Chapter 10.28, Table A, and all matters directly related thereto possess characteristics that warrant review consistent with S.M.C. Title 21, and Chapter 10.08, to ensure:

(a) Consistency with the city's comprehensive plan goals, objectives, policies and development criteria;

(b) The intent, character and development standards appropriate to the zoning district within which it is to be located;

(c) Compatibility with other uses; and,

(d) Other relevant requirements of state or city law.

(3) If a proposed use is to be situated on property within the jurisdictional boundaries of the City's Shorelines Management Master Program, it shall be subject to the permits and procedural requirements thereof in addition to all applicable standards of this title. If a conflict exists between the standards of the City's Shoreline Management Master Program and this title, the more restrictive provisions shall apply.

10.28.020 Land use table. Chapter 10.28, Table A, lists those uses which may be permitted through Class 1, 2 or 3 review in the various zoning districts defined in this title. Uses not listed in Chapter 10.28, Table A, are not permitted uses. Proposed uses not listed in Chapter 10.28, Table A, may be considered as a similar use in accordance with Section 10.28.030 Similar Uses. In addition to Chapter 10.28, Table A, reference to the individual zoning districts and, where indicated, the regulatory notes contained in Section 10.28.040 and definitions in Title 10, Appendix A, is necessary in order to determine if any specific requirements apply to the listed use.

10.28.030 Similar Uses.

(1) When a proposed use is found that is not classified within any of the categories of Chapter 10.28, Table A, the administrative official may determine whether or not the unclassified use is similar to a use currently listed as a Class 1, 2 or 3 use for the zoning district.

(2) Similar use requests shall be initiated by written application and accompanying fee, or directly by the administrative official. Each request shall set forth the specific basis for the request and its compliance with subsection (4) below. The administrative official may submit the similar use request to the planning commission, hearing examiner or any interested, affected or concerned agency(s) or person(s) for review and comment before making a determination. In addition, the administrative official may schedule the planning commission or hearing examiner to conduct a public hearing to consider the similar use request.

(3) The administrative official shall not approve a similar use determination request unless evidence is presented to demonstrate that the proposed use will comply with the purpose, intent, goals, objectives and policies of the comprehensive plan and the zoning district in which it is proposed to be located. The administrative official shall prepare written findings stating the rational upon which the determination was based.

(4) If the administrative official finds that the proposed use is similar, he shall also establish whether the proposed use shall be processed as a Class 2 or a Class 3 use according to Chapter 10.28, Table A. If a proposed use is not determined to be a similar use it shall not be considered an allowable use. Similar use determinations may be appealed to the legislative authority as provided in Chapter 10.48 and S.M.C. Title 21.

10.28.040 Regulatory notes. The following regulatory notes correspond to the uses listed in Chapter 10.28, Table A:

(1) Duplexes are only permitted in the One Family Zoning District (R-1) on lots that have been designated as Two Family Residential lots per S.M.C. Chapter 10.12.040.

Dennis Davison Explains why these amendment are before the Commission and that the Hearing Examiner concludes that until these match (Text and Table) he would not consider the issue.

Commissioner Quinnell: The language is already there but the table does not match.

Dennis Davison: Correct. Mr. Davison discusses Text Amendment, Finding and Decision.

Commissioner Quinnell: Asks about the lot sizes than are already in place. Any questions, comments, and/or discussion. Questions, comments or discussion from the public?

Roy Sample: Asks if this is a Public Hearing

Commissioner Quinnell: Yes.

Mr. Sample approaches the podium. He comments on the advertisement of the Public Hearing. He asked about lot size changes and the efficiency of 7000 square feet lot to 8000 square foot lots. He mentions slope determination. Mr. Sample and Dennis Davison debate the slope issue. He commented on utility service and general Commissioner Procedures.

Dennis Davison: Lot Size changed with Ordinance 1634 in 2004.

Roy Sample: Discusses duplexes, rentals and affordability.

Dennis Davison: Talks about variety of housing

Mr. Sample and Mr. Davison discuss these issues Mr. Sample Steps Down.

Dennis Davison: Requested that the Commissioners change the wording on the Text amendment findings.

CITY OF SELAH PLANNING COMMISSION FINDINGS AND DECISION

THIS MATTER having come on for public hearing before the City of Selah Planning Commission on September 30, 2014, for the purpose of considering zoning ordinance text amendments #2014-01 to Selah Municipal Code Title 10, (Zoning Ordinance), Chapter 10.28, Table A-5 and Chapter 10.28.040 Regulatory Note (1).

The members of the Commission present were QUINNELL, PENDLETON and SMITH.

Legal notification pursuant to Selah Municipal Code was given on the 14th day of September 2014. All persons present were given the opportunity to speak for or against the proposed text amendments.

Zoning Ordinance Text Amendment ~~COMPREHENSIVE PLAN FINDINGS~~

Comprehensive Plan Goals and Policies

1. The proposed zoning ordinance text amendments will or will not, as indicated below, further the following goals and their underlying policies of the 2005 City of Selah Urban Growth Area Comprehensive Plan.

GOAL	WILL FURTHER	WILL NOT FURTHER	N/A
a. Promote orderly growth	XX		
b. Avoid incompatible land uses		XX	
c. Encourage the provision of housing to meet the needs of all segments of the community	XX		
d. Preserve natural resources			XX
e. Protect against flooding and drainage problems			XX
f. Maintain and improve air and water quality			XX
g. Maintain an efficient transportation system	XX		
h. Provide efficient and effective public services at the lowest possible cost	XX		

~~COMPREHENSIVE PLAN CONCLUSIONS~~

~~2. Based upon consideration of the above factors and balancing any conflicting goals and policies of the comprehensive plan, the proposed Zoning Ordinance Text Amendments are CONSISTENT with the goals and policies of the comprehensive plan.~~

CHANGED CIRCUMSTANCES

2. The Planning Commission finds **THE FOLLOWING CHANGES** in circumstances which justifies the proposed zoning ordinance text amendment:

The initial adoption of Selah Municipal Code Title 10, Chapter 10.28 did not provide any reference in Title 10, Chapter 10.28, Table 5-A or Chapter 10.28.040 Regulatory Notes to the provision of Chapter 10.12.040, which would permit duplexes on specifically designated lots

within new subdivisions zone: One Family Residential (R-1) The original purpose of Chapter 10.12.040 was to create a diversity of housing structures and promote affordable housing within the One Family Residential (R-1) zone. The Commission finds that with continued population growth there is a need to provide for greater zoning flexibility when developing property. Said text amendments are in furtherance of the public health, safety and general welfare of the people within the City of Selah.

NEED FOR THE PROPOSED TEXT AMENDMENT

4. The Planning Commission **FINDS** that within the City of Selah and within Selah Municipal Code Title 10 there is a demonstrated and/or recognized need to expand the opportunity and flexibility of Chapter 10.28, Table 5-A and Chapter 10.28.040 Regulatory Notes.

PUBLIC OPINION

4. The public testimony that was offered was **IN SUPPORT OF** the proposed text amendments.

ENVIRONMENTAL REVIEW

5. The Planning Commission finds that environmental review has been completed on the proposal and further finds that such environmental review was **ADEQUATE**.

CONTROLLING FACTORS

The Planning Commission determines that findings **1--5** to be controlling factors in its deliberations on the proposed zoning ordinance text amendments.

DECISION

The Planning Commission, based upon the aforementioned findings and controlling factors, finds that the proposed zoning ordinance text amendments **ARE** in furtherance of the public health, safety and general welfare of the people; therefore, the proposed zoning ordinance text amendments should be **APPROVED**.

Motion to **APPROVE** by: **SMITH**

Seconded by: **PENDLETON**

Vote: 3 to 0

Commissioner Quinnell: Do I have a motion as set by the criteria that Mr. Davison Mentioned?

Commissioner Smith: Motions to approve.

Commissioner Quinnell: I have a motion to approve the Zoning Ordinance Text Amendment Based on the finding one-five.

Commissioner Pendleton; Seconds the motion

Commissioner Quinnell calls for a voice vote. The Zoning Ordinance Text Amendment Is approved with a voice vote of 3-0.

G: General Business

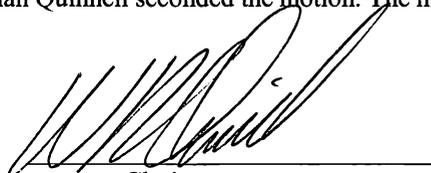
1. Old Business – None
2. New Business: None

H. Reports/Announcements

1. Chairman – None
2. Commissioners – None
3. Staff – None

Adjournment

Commissioner Smith moved to adjourn and Chairman Quinnell seconded the motion. The meeting was adjourned at 7:30 pm with a voice vote of 3-0.



Chairman