

City of Selah
Planning Commission Minutes
of
August 21, 2012

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

A. Call to Order

The meeting was called to order by Chairman Roberts at 6:01 p.m.

B. Roll Call:

Members Present: Commissioners Roberts, Smith, Torkelson, and Pendleton.
Members Absent: Commissioner Quinnell
Staff Present: Dennis Davison, Community Planner; Diana Turner, Secretary
Guests: Kyle Helms, Laura & Bill Harris

C. Agenda Change None

D. Communications

1. Oral -None.

2. Written - None

E. Approval of Minutes

Chairman Roberts called for a motion on the minutes of the Planning Commission meeting of March 20, 2012.

Commissioner Smith moved to approve the minutes, Commissioner Torkelson seconded. Minutes were approved with voice vote 4/0.

F. Public Hearing

1. Old Business None

2. New Business

a. **HARRIS SHORT PLAT (FILE 913.80.12-01)**

Chairman Roberts opened the public hearing and asked staff to present their report.

Mr. Davison explained the process for the short plat. . He then presented the staff report.

FILE NO: 913.80.12-01 - Short Plat Application

PROPONENT: Bill Harris

LOCATION: 280 Driscoll Road----The site is located south and east of the Brader Hill Reservoir (Parcel Number: 181302-22407).

REQUEST: Short plat one parcel (2.5 acres) in area into two (2) separate lots (one 2 acres in area)(one ½ acre in area in the One Family Residential (R-1) zoning district.

A Subdivision Variance application accompanied the Short Plat Application and was considered and recommended for Denial by the Planning Commission. Further consideration of the Short Plat Application by the Planning Commission was discontinued. The City Council on May 22 considered and subsequently rejected the Planning Commission recommendation of Denial and Approved the Subdivision Variance application.

The Planning Commission will now resume consideration of the Short Plat Application at the August 7, public hearing.

Selah Municipal Code, Chapter 10.50.016 provides that the Planning Commission shall review the proposal for compliance with the subdivision ordinance, consider public input and recommend approval, approval with conditions or denial. The Commission shall forward its recommendation to the Administrative Official for final disposition.

LAND USE AND ZONING: The existing parcel contains a single family residence...

SURROUNDING LAND USE:

North: Single Family Residences and the City's Brader Hill Reservoir
South: Vacant hillside
East: Residences
West: A residence and vacant hillside

The subject property and surrounding properties are all zoned One-Family Residential (R-1).

The 'future land use map' contained in the 2005 City of Selah Urban Growth Area Comprehensive Plan designates all surrounding properties "Low Density Residential" providing for a maximum density of five (5) dwelling units per acre.

The City of Selah, as the lead agency for this proposal under the State Environmental Policy Act (SEPA) determined that this proposal is categorically exempt from SEPA per WAC 197-11-800(6)(a).

The existing parcel is served with City water and on-site septic tank. Basic public utilities are available to serve the proposed new parcel. An 8" sewer and water line abuts the proposed new parcel to the North.

Heritage Hills Drive designated "local access" with two travel lanes (34 foot pavement width), 50 foot right-of-way width with curb/gutter, and sidewalk on one side.

OTHER FINDINGS

(1) One single family residence occupies the existing lot.

(2) As proposed the existing lot will have access to Heritage Hills Drive via an existing access easement while the proposed new parcel will directly abut Heritage Hills Drive.

(3) Division of the property into two separate lots could contribute an additional ten (10) vehicle trips per day onto Heritage Hills Drive.

CONCLUSION: The site is designated for Low Density Residential development, the site is zoned One-Family Residential (R-1), the proposed new parcel would be served by municipal services, all street infrastructure improvements have been previously completed and this site is an appropriate location for infill development.

RECOMMENDATION: APPROVAL of the short plat application subject to the following:

1. Final lot dimensions, lot area, and improvements indicated on the proposed short plat map must substantially conform to the short plat recommended by the Planning Commission.
2. The following notes must be placed on the short plat map:

The owner(s) shown hereon, or any grantees or assignees in interest, hereby covenant and agree to retain all surface water generated within the short plat on-site.

Access to the proposed new parcel shall be limited to Heritage Hills Drive where the lot abuts said street.

3. The short plat is to be recorded within five (5) years of the City's approval or such approval expires.
4. The proposed new parcel shall be connected to municipal sewer and water systems
Mr. Davison explained the process for the Commission.

Members of the Commission present were Pendleton, Roberts Smith and Torkelson.

Chairman Roberts called for comments from the applicant.

Bill Harris this is the second time for him as the first was for the variance and now for the short plat. He noted that Commissioner Torkelson has a conflict of interest. Going forward the neighbor's concerns have all been addressed and the neighbor understand what we are doing. The residence is a single family and similar to the rest of the neighborhood. This will clean up the lot and give the city more tax base.

Commissioner Torkelson asked Mr. Harris if he wanted him to recluse himself.

Mr. Harris stated that is up to him, but if there is a problem down the road they could use it if he did not recluse himself.

Commissioner Torkelson asked what the conflict of interest was about.

Mr. Harris asked if he was on the Architectural Committee for Heritage Hills.

Mr. Torkelson stated he was not on that committee. When he voted before it was due to creating a flat lot and setting precedence and not due to anything else.

Mr. Harris stated that there are codes for flag lots and they are done all the time.

Commissioner Torkelson stated that traditionally in Selah they try to not create flag lots. Because he is a developer he secluded himself as creating flag lots helps him with his work.

Chairman Roberts asked if Mr. Davison wanted him to read the Findings and Decision.

Mr. Davison stated if the Commissioners have read them and agree with them they can approve or deny the proposal.

Chairman Roberts called for comments from the Commissioners.

Commissioner Smith stated she did not have any problem with the proposal. She asked Mr. Harris what the Council's reason for approval of the variance?

Mr. Harris stated the Council could not see the reasoning for not approving it. It develops a weedy lot and increases the tax base.

Commissioner Pendleton stated that you traded land for an easement and this would cut you off as a land owner. Also the easement is considered a perpetual easement which can never be taken away.

Discussion ensued on the perpetual easement.

Chairman Roberts called for further discussions.

Mr. Davison stated they could as staff recommended approval of the short plat with the four conditions.

Chairman Roberts moved to approve the short plat with the conditions.

Commissioner Smith seconded the motion.

Chairman Roberts called for the vote. Voice 3/0

Finding and Decision

SHORT PLAT: # 913.80.12-01
ENVIRONMENTAL REVIEW: NA

PROPONENT: Bill Harris

Factors to Be Considered (Indicate N/A if not applicable) (Pursuant to Selah Code and RCW 58.17.110)

1. STREETS, ROADS, ALLEYS, AND OTHER PUBLIC WAYS.

Factual Findings: Lot 2 of the short plat abuts Heritage Hills Drive while Lot 1 is accessible via an access easement (across City owned property) to Heritage Hills Drive which is designated a "local access street". No near-term improvements are scheduled to Heritage Hills Drive. The proposed short plat, dividing the property into two parcels, will potentially generate 10 additional vehicle trips on Heritage Hills Drive.

Conclusions: The existing street network is sufficient to accommodate vehicular traffic from the proposed short plat.

2. SIDEWALKS.

Factual Findings: Sidewalk exists on the North side of Heritage Hills Drive.

Conclusions: Adequate pedestrian access is provided near the location of the proposed short plat.

3. DRAINAGE.

Factual Findings: Storm water will continue to drain via its natural and historical course. Existing drainage will remain on site and be privately maintained.

Conclusions: This proposal will not alter historical drainage patterns. Street drainage will not increase.

4. POTABLE WATER SUPPLIES.

Factual Findings: Municipal water currently serves the two proposed parcels.

Conclusions: Adequate municipal water is available to serve the existing facilities and any future development.

5. SANITARY WASTES.

Factual Findings: Municipal sewage collection facilities are available to serve the proposed parcels

Conclusions: Adequate municipal sewage collection facilities are available to serve the existing and any future development.

6. OPEN SPACES.

Factual Findings: No specific "open space" designated within the short plat.

Conclusions: Adequate "open space" (Wixson Park) and school grounds exists nearby to serve the proposed short plat.

7. PARKS AND RECREATION AND PLAYGROUNDS.

Factual Findings: Wixson Park and school grounds (both open spaces) exists nearby to serve the proposed short plat

Conclusions: Adequate "open space" (Wixson Park) and school grounds exists nearby to serve the proposed short plat.

8. SCHOOLS AND SCHOOL GROUNDS.

Factual Findings: Public school found throughout the community. The proposed short plat will potentially generate additional students.

Conclusions: The proposed short plat may generate a demand for school facilities.

9. PUBLIC HEALTH, SAFETY AND GENERAL WELFARE.

Factual Findings: Municipal water and sewerage facilities, the municipal street system including pedestrian access all serve the site.

Conclusions: Adequate provisions for public health and welfare.

10. WILL THE PUBLIC INTEREST BE SERVED?

Factual Findings: The City has adopted a comprehensive plan that designates the property Low Density Residential allowing for continued residential development. The City in support of that comprehensive plan has adopted a zoning ordinance and zoned the property One Family Residential (R-1). Both parcels exceed the minimum lot size requirement. The Commission previously considered and recommended approval of a variance affecting the requirement that each lot abuts a public street.

Conclusions: The proposal, requiring prior approval of a variance, results in one of the proposed parcels being accessible via an access easement and the second lot abutting a public street. Each parcel contains an area larger than the minimum size required in the One Family Residential (R-1) zone. The proposal is compliant with the City's comprehensive plan and is in furtherance of the City's zoning ordinance and is not detrimental to the neighborhood.

OTHER FACTORS THAT MAY BE RELEVANT FOR CONSIDERATION:

11. ADJACENT LAND USE

Factual Findings: Single family residential uses to the North, East and West. To the South is vacant hillside.

Conclusions: Land use is compatible with surrounding uses.

12. ZONING.

Factual Findings: Adjacent properties are zoned One Family Residential (R-1).

Conclusions: Adjacent property is zoned for low density residential use. The proposed short plat is compatible with adjacent zoning.

13. COMPREHENSIVE PLAN

Factual Findings: The City of Selah Urban Growth Area Comprehensive Plan (2005) designates the property Low Density Residential.

Conclusions: The proposed development is consistent with the comprehensive land use designation.

14. ENVIRONMENTAL IMPACTS.

Factual Findings: Categorically exempt from environmental review.

Conclusions: Environmental review not required.

15. TOPOGRAPHY AND NATURAL FEATURES.

Factual Findings: The property is flat to the North and relatively steep to the South.

Conclusions: The proposed short plat is suitable for additional infill development near the north property line.

REASONS FOR APPROVAL: Based on these findings the short plat is approved with conditions.

Motion to approve short plat by Roberts, **SECONDED BY Smith**
VOTE: 3 to 0

RECOMMENDED CONDITIONS OF APPROVAL:

1. Require any future residential structure erected on Lot 2 to connect to municipal sewer and water.
2. Final lot dimensions and lot area must substantially conform to the proposed short plat recommended by the Planning Commission.
3. The following notes must be placed on the final plat map:

"The owners, their grantees and assignees in interest, hereby covenant and agree to retain all surface water generated within the short plat on-site."

4. The short plat is to be recorded within five (5) years of approval or such approval expires.

b. COMPREHENSIVE PLAN AMENDMENT FEE

Public hearing to consider the creation of Selah municipal code chapter 20.22.02 within title 20 unified fee schedule

During preparation of the 2012 municipal budget City Council asked why there was no City of Selah Urban Growth Area Comprehensive Plan amendment fee. Staff responded there was no previous direction to include one and staff had not considered fee schedule amendments since 2008.

Staff was immediately directed to consider such a fee as anyone could propose an amendment and a fee would discourage frivolous and time consuming applications.

During the proposed amendment review and preparation process staff realized there were numerous "comprehensive plans" (i.e., land use plans, parks and recreation plans, transportation plans, municipal utility plan, etc.) that are subject to potential amendment.

Staff is suggesting the "Comprehensive Plan Amendment Fee" be broadened to include all City adopted comprehensive plans

The proposed text would read as follows:

Chapter 20.22.02 Comprehensive Plan Amendment Fee.

- (a) Any Comprehensive Plan (land use, transportation, parks and recreation, etc.) Amendment submitted by a non-governmental entity shall be charged a non-refundable application fee:
\$ 400.00

FINDINGS AND DECISION

THIS MATTER having come on for public hearing before the City of Selah Planning Commission on August 21, 2012, for the purpose of considering a new chapter to Selah Municipal Code, Title 20 Unified Fee Schedule, Chapter 20.22 Comprehensive Plan Amendment Fee.

The members of the Commission present were Pendelton, Roberts, Smith and Torkelson.

Legal notification pursuant to Selah Municipal Code was given on the 29th day of July 2012. All persons present were given the opportunity to speak for or against the proposed Selah Municipal Code amendment.

COMPREHENSIVE PLAN FINDINGS

Comprehensive Plan Goals and Policies

1. The proposed Selah Municipal Code text amendment 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 Selah Municipal Code, Title 20, Chapter 20.22 amendment is neither consistent nor inconsistent with the goals and policies of the comprehensive plan.

CHANGED CIRCUMSTANCES

3. The Planning Commission finds the following changes in circumstances which justifies the proposed Selah Municipal Code text amendment:

The initial adoption of Title 20, Unified Fee Schedule, in 2004, did not include a fee for processing and review of Comprehensive Plan Amendments. The Council during its 2012 budget review recommended the Planning Commission consider such an application fee.

The Commission finds that with continued population growth and geographic expansion of the municipal boundary there will continue to be proposed comprehensive plan amendments. The proposed text amendment will assist in defraying the public cost of reviewing and analyzing the proposed amendments and is 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 Selah Municipal Code Title 20, Unified Fee Schedule, there is a demonstrated and/or recognized need for the proposed amendment to assist in defraying the public cost of reviewing and analyzing proposed comprehensive plan amendments

PUBLIC OPINION

5. No public testimony that was offered on the proposed text amendment.

ENVIRONMENTAL REVIEW

6. 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 numbered 3, 4, 5 and 6 to be the controlling factors in its deliberations on the proposed text amendment to Selah Municipal Code, Title 20.

DECISION

The Planning Commission, based upon the aforementioned findings and controlling factors, finds that the proposed text amendment to Selah Municipal Code, Title 20 IS in furtherance of the public health, safety and general welfare of the people; therefore, the proposed text amendment should be approved.

Mr. Davison stated that the \$400 might cover the advertising cost but not much else.

Discussion ensued on the \$400 text amendment fee.

Motion to approve by: Torkelson Seconded by: Pendelton

Vote: 4 to 0

G: General Business

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

H. Reports/Announcements

1. Chairman - None

2. Commissioners – None

3. Staff – Mr. Davison stated the High School is remodeling and the Junior High is building a new building, which staff is working on. Railroad Ave and South Park Drive have both been completed. Tree Top is getting ready for their Bar-B-Que. There have been some overlays of W. Fremont and W. Naches Avenues. Also the medical cannabis issue will be brought back to the Commission.

I. Adjournment

Chairman Roberts called for a motion to adjourn. Commissioner Torkelson moved to adjourn the meeting, Commissioner Smith seconded the motion. The meeting was adjourned the meeting at 6:45 pm.



Chairman