

**BOARD OF COUNTY COMMISSIONERS
GRANT COUNTY, WASHINGTON**

RESOLUTION NO. 11-060-CC

A Resolution Relating to Comprehensive Planning in Grant County in Accordance with the Washington State Growth Management Act (RCW 36.70 A) and amending the 2006 Comprehensive Plan and Zone Changes.

WHEREAS, in 1990, the Washington State Legislature passed and the Governor signed into law the Growth Management Act (GMA) as contained in SHB No 2929 (Washington Laws, 1990 1st Ex. Sess., Ch 17), which was subsequently codified as among other chapters, Chapter 36.70 A RCW; and

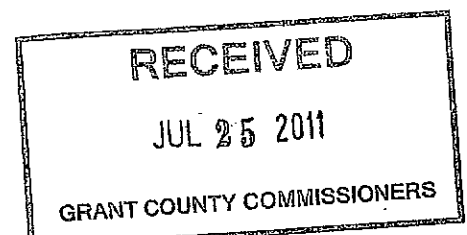
WHEREAS, the Washington State Growth Management Act requires all counties and cities in the State to do some planning and the fastest growing counties and cities with them, to plan extensively in keeping with state goals and policies on: sprawl reduction, affordable housing, economic development, open space and recreation, regional transportation, environmental protection, property rights, natural resource industries, historic lands and buildings, permit processing, public facilities and services, and early and continuous public participation; and

WHEREAS, the Washington State Growth Management Act requires all counties and cities within the state to classify, designate, and conserve natural resource lands (agricultural and mineral) and protect critical areas (wetlands, geologically hazardous areas, fish and wildlife habitat conservation areas, aquifer recharge areas, and frequently flooded areas); and

WHEREAS, Chapter 36.70 RCW required Grant County to adopt a Comprehensive Plan that met specified GMA goals and addressed the mandated GMA elements; and

WHEREAS, after complete review and public record of the State Environmental Review process, Grant County issued a Final Environmental Impact Statement on July, 2, 1999; and subsequent amendments through 2011 and;

WHEREAS, over the past years, the Comprehensive Plan's policies may have changed to insure that the development patterns in the County remain consistent with the intent of the communities' vision for the future and the Plan's goals and policies; and



WHEREAS, it is important that amendments to this plan retain the broad perspectives articulated in the community vision statements, satisfies the goals and policies of this Plan, and remain consistent with the intent of the GMA; and

WHEREAS, the Growth Management Act (GMA) establishes procedures for the review and amendment of Comprehensive Plans governing counties and cities planning under the Act; and

WHEREAS, the county has established a public participation program identifying procedures whereby proposed amendments or revisions of the Comprehensive Plan are considered by the governing body of the County no more frequently than once every year; and

WHEREAS, amendments to the Comprehensive Plan fall into several major categories or types and different review application and review criteria apply to each. The kinds of amendments identified herein include:

- Urban Growth Area Boundary Changes;
- Plan policy or text changes;
- Plan Map changes;
- Supporting document changes; emergency amendments; and
- Site-specific amendments; and

WHEREAS, policy amendments may be initiated by the County or by other entities, organizations or individuals through petition; and

WHEREAS, petitions were received on forms provided by the Department, containing appropriate maps showing the proposed change and addressing the policy or map evaluation criteria as described in the Comprehensive Plan; and

WHEREAS, On April 19, 2011 the Board of County Commissioners directed staff to initiate the SEPA review process and schedule each of the complete amendments proposed, along with staff recommendations before the Planning Commission for public hearing; and

WHEREAS, public hearings were conducted by the Planning Commission on June 15, 2011, to hear staff recommendations and take public testimony on each of the proposed amendments to the Grant County Comprehensive Plan and proposed Zone Changes; making recommendations and listing Findings of Fact on each amendment and zone change, and;

WHEREAS, the Planning Commission staff reports and recommendations are made a part of the record of this public hearing as it relates to SEPA and the attached amendments and zone changes.

WHEREAS, a non-project proposal to consider adoption of amendments to the Comprehensive Plan, including site-specific land use designation changes and changes to Figure 5-5 Future Land Use Map, were considered, and;

WHEREAS, copies of this EIS Addendum were distributed to agencies, organizations and individuals listed on the Planning Department distribution list and requesting that comments be submitted in accordance with WAC 197-11-340 (2), and;

WHEREAS, the Board of County Commissioners conducted an open-record public hearing on Tuesday, July 19, 2011 to consider the 2011 requests for amendment to the Comprehensive Plan and zone changes, and the recommendation from the Planning Commission for each of the proposed amendments and zone changes;

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners for Grant County adopts the attached Findings of Fact per Attachment "B" and the attached record pertaining to the approval of the 2011 Comprehensive Plan amendments and Zone Changes; and

BE IT FURTHER RESOLVED, that the Board of County Commissioners for Grant County adopts Findings of Fact as per Attachment "A" in support of these actions.

PASSED by the Board of County Commissioners in regular session at Ephrata, Washington, by the following vote, then signed by its membership and attested to by its Clerk in authorization of such passage this 26th day of July 2011.

DATED this 26th day of July, 2011.

**BOARD OF COUNTY
COMMISSIONERS
GRANT COUNTY,
WASHINGTON**

Yea Nay Abstain

Excused
Carolann Swartz, Chair

ATTEST:

[Signature]
Clerk of the Board

[Signature]
Richard Stevens, Vice Chair

[Signature]
Cindy Carter, Member

ATTACHMENT "A"

GRANT COUNTY COMPREHENSIVE PLAN AMENDMENT 2011 FINDINGS OF FACT

Section I – General Findings

- 1.1 Grant County has experienced and will continue to experience population growth and accompanying development, resulting in competing demands for public facilities, services and land uses, and is required to prepare and adopt amendments to the Comprehensive Plan and land use regulations pursuant to the Growth Management Act.
- 1.2 Growth Management requires that land be managed properly and wisely. Otherwise meeting the demands of a rapidly growing county population is likely to cause urban and suburban sprawl, commercial strip development, development at inappropriate locations and densities, damage to environmentally sensitive areas, and the loss of natural resource lands, rural character, open space, and critical areas. Also, this pattern of development is likely to create demands for urban services and utilities that are insufficient to support their extension in a cost-effective manner.
- 1.3 The 2011 Comprehensive Plan amendment process responds to the environmental concerns raised during the public hearing process, while protecting property owners from unconstitutional takings and substantive due process violations.
- 1.4 RCW 36.70A.020 sets for a list of 13 goals "to guide the development and adoption of comprehensive plans and development regulations." In the amendment public hearing process, and these findings of fact, the Planning Commission and Board of County Commissioners considered the 13 Growth Management Goals, weighed them as they apply to the subject matter of these findings, and has attempted to achieve a reasoned balance among them.

Section 2 - Public Participation

- 2.1 Petitions received by the Planning Department were reviewed by the Board of County Commissioners, and the Board directed the Planning Department to proceed with further review of the petitions and to prepare environmental documentation consistent with the requirements of RCW 43.21C and Grant County Code Chapter 24.04 (SEPA).
- 2.2 In accordance with Grant County Code Chapter 25.12 -- Legislative Actions, the Planning Commission held public hearings on June 15, 2011 at which time testimony

was taken from interested agencies, organizations, and individual citizens, regarding the proposed amendments and zone changes.

- 2.3 Board of County Commissioners and Planning Commission meetings, hearings, and study sessions requiring “legal notice” were advertised in the local paper of record pursuant to the requirements of RCW 36.70 and the Grant County Unified Development Code. Copies of the proposed amendments, and 2011 Addendum to the Environmental Impact Statement were broadly disseminated for public and agency review at no charge. All meetings and hearings to which the public was invited were conducted in an open forum. At hearings, all persons desiring to speak were given an opportunity to do so. Public testimony and written correspondence were given full consideration as part of the amendment process.
- 2.4 The existing enhanced public participation policies within Grant County ensure that the public had an opportunity to provide meaningful comments on the proposed amendments.
- 2.5 The appeal mechanisms contained within Grant County ordinances provide sufficient due process to allow interested parties an opportunity to respond at a meaningful time and in a meaningful manner.

Section 3 – Criteria for Amendment Approval

- 3.1 A petition for a site-specific land use redesignation was reviewed for conformance with pertinent provisions of the Grant County Comprehensive Plan and Unified Development Code.
- 3.2 In reviewing the amendments, the Planning Commission and Board of County Commissioners considered testimony provided at public hearings and recommendations provided by staff and interested or affected agencies with jurisdiction. The Planning Commission and Board of County Commissioners approved, approved with conditions, or rejected an application for a change of designation or density based on the following criteria:
 - (a) The change would benefit the public health, safety, and/or welfare;
 - (b) The change is warranted because of changed circumstances or because of a need for additional property in the proposed land-use designation.
 - (c) The change is consistent with the criteria for land use designations specified in the Comprehensive Plan.
 - (d) The change will not be detrimental to uses or property in the immediate vicinity of the subject property.
 - (e) The change has merit and value for the community as a whole
 - (f) The change, if granted, will not result in an enclave of property owners enjoying greater privileges and opportunities than those enjoyed by other property owners

in the vicinity where there is not substantive difference in the properties themselves with different designations.

- (g) The benefits of the change will outweigh any significant adverse impacts of the change
- (h) The change is consistent with the purpose and intent of the Comprehensive Plan and the requirements of Grant County Code Titles 22, 23, 24, and 25; and
- (i) The change complies with all other applicable criteria and standards of GCC Chapter 25.12

Section 4 – Board of County Commissioners Final Recommendations And/or Actions

- 4.1 Recorded motions by the Board of County Commissioners for each proposed amendment and Findings of Fact are listed in Attachment “B”
- 4.2 Recorded motions by the Board of County Commissioners for each proposed zone change and Findings of Fact are listed in Attachment “B”
- 4.3 Supporting Findings of Fact for each decision were identified under Section 3 as detailed above, unless otherwise noted in the record of the Board of County Commissioners.
- 4.4 Detailed applications along with supporting documentation and staff reports are made a part of this recommendation.

ATTACHMENT 'B'
FINAL ACTION AND FINDINGS OF FACT
BOARD OF COUNTY COMMISSIONERS
COMPREHENSIVE PLAN AND DEVELOPMENT REGULATIONS
2011 AMENDMENTS

- 1) 11-5563 -- Marcus Kinion
- 2) 11-5564 -- Nick Todd
- 3) 11-5565 -- Andres Negrete

#1. FILE NO. 11-5563
MARCUS KINION

SITE-SPECIFIC LAND USE REDESIGNATION AND MINOR ZONE CHANGE

LOCATION:

The subject area is a 7.02 acre portion of parcel #17-1418-000. The parcel is located east of Coulee City and is bordered on the west by McEntee Street, on the South by Pinto Ridge Road NE and is located in a portion of S. 03, T. 24 N, R 28 E. WM., Grant County Washington.

STAFF ANALYSIS:

The applicant has submitted a request for a site-specific land use re-designation of 7.02 acres of an 11.04 acre parcel from "Agricultural (Rangeland)" to "Rural Residential - 1". The parcel is bordered on the north and west by the city limits of Coulee City and to the east by lands designated as Rural Residential - 1. The current use of the property is residential and it appears it has not been farmed or grazed for several years.

Soils on the site are not considered to be Prime Farmland soils according to the Soil Survey of Grant County. This parcel is not located in an irrigated farm unit associated with the Columbia Basin Irrigation Project. The parcel is not and has not been enrolled in Current Use Program according to the Assessor's Office nor does it appear to meet the criteria as defined in the Comprehensive Plan for Agriculture (Range land).

This parcel appears to meet the criteria for the Rural Residential - 1 designation in that the parcel maintains the rural aspects of the County and provides a buffering or transitions between existing rural developments and areas of higher or lower densities.

PLANNING COMMISSION RECOMMENDATION FOR COMPREHENSIVE PLAN RE-DESIGNATION:

The Planning Commission conducted an open record hearing for this application on June 15, 2011. At their hearing the Commission voted unanimously to recommend approval of this Site Specific re-designation from Agriculture (Rangeland) to Rural Residential - 1.

DECISION:

The Board of County Commissioners voted unanimously to uphold the recommendation of the Planning Commission to approve the following request for a Site Specific Land Use Re-designation.

- 1) **Re-designate parcel #17-1418-000 from “Agriculture (Rangeland)” to “Rural Residential – 1”.**

The Board of County Commissioners established the following Findings of Fact:

1. The change *would* benefit the public health, safety, and or welfare;
2. The change *is* warranted because of changed circumstances or because of a need for additional property in the proposed land use designation.
3. The change *is* consistent with the criteria for land use designations specified in the Comprehensive Plan.
4. The change *will not* be detrimental to uses or property in the immediate vicinity of the subject property.
5. The change *does have* merit for the community as a whole.
6. The change, if granted, *will not* result in a group of property owners enjoying greater privileges and opportunities than those enjoyed by other property owners in the vicinity where there is not substantive difference in the properties themselves which justify different designations.
7. The benefits of the change *will* outweigh any significant adverse impacts of the change.
8. The change *is* consistent with the purpose and intent of the Comprehensive Plan and the requirements of GCC 22, 23, 24 and 25.
9. The change *does* comply with all other applicable criteria and standards of Chapter 25.12 UDC.

Minor Zone Change

PLANNING COMMISSION SUMMARY AND RECOMMENDATION

The Planning Commission conducted an open record hearing for this application on June 15, 2011. At the hearing no members from the public spoke for or against this proposal. The Planning Commission made a unanimous recommendation to approve the proposed Minor Re-zone from Agriculture to Rural Residential – 1.

DECISION:

The Board of County Commissioners voted unanimously to uphold the recommendation of the Planning Commission and approve.

- 1) **A Minor Re-zone of parcel # 17-1418-000 from Agriculture to Rural Residential – 1.**

The Board of County Commissioners established the following Findings of Fact:

- 1) The proposed rezone *will not* be contrary to the intent or purposes and regulations of the Grant County Code or the Comprehensive Plan;
- 2) The property in question *is* suitable for uses allowed under the proposed zoning district;
- 3) Uses allowed under the proposed zone change *are* compatible with neighboring land uses;
- 4) The proposed rezone *can* be served by adequate facilities including access, fire protection, water, storm-water control, and sewage disposal facilities;
- 5) Substantial changes *do exist* to warrant an amendment to the current zoning district;
- 6) A public need *does exist* for the proposed rezone. Public need shall mean that a valid public purpose, for which the comprehensive plan and this chapter have been adopted, is served by the proposed rezone.
- 7) The proposed rezone *will not* result in significant adverse impacts on the human or natural environments that cannot be mitigated by conditions of approval;
- 8) The cumulative impact of additional requests for like actions (the total of the rezones over time or space) *will not* produce significant adverse effects to the environment that cannot be mitigated by conditions of approval;

- 9) The pedestrian and vehicular traffic associated with the rezone *will not* be hazardous to existing and anticipated traffic in the neighborhood; and
- 10) The proposed zoning district *does not* include any allowable use or activity that would result in the location of an incompatible use adjacent to an airport or airfield (RCW 36.70).

#2. File No. 11-5564
NICK TODD

SITE SPECIFIC LAND USE REDESIGNATION AND MINOR ZONE CHANGE

LOCATION:

The subject area is located approximately ½ mile north of SR-28 west of Quincy and on the east side of Rd S NW. The situs address is 10525 Rd S NW, Quincy, WA and is identified as a portion of Farm Unit 219, Block 73 located in a portion of S. 12, T. 20 N, R. 23 E, WM, Grant County, WA. (Assessor Parcel #20-0864-000)

STAFF ANALYSIS:

The applicant has submitted a Comprehensive Plan Amendment requesting a Site Specific Land Use Re-designation of approximately 3 acres from “Urban Industrial” to “Residential – Suburban (R-1)”. The applicants has identified that the site is a home site which according to the Assessor’s records was built around 1965.

It appears when the Comprehensive Plan and Unified Development Code were adopted in the late 1999 and early 2000 this parcel was included in the original Urban Growth Area of Quincy and designated as Industrial. The parcel has a natural separation of an irrigation ditch which runs along the south boundary of the parcel. The parcel is small in nature and should return to a residential designation.

PLANNING COMMISSION RECOMMENDATION FOR COMPREHENSIVE PLAN RE-DESIGNATION:

The Planning Commission conducted an open record public hearing for this application on June 15, 2011. At their hearing the Commission voted unanimously to recommend approval of this land use re-designation application from “Urban Industrial” to “Residential – Suburban”.

DECISION:

The Board of County Commissioners voted unanimously to uphold the recommendation of the Planning Commission to **approve** the following request for a Site Specific Land Use Re-designation:

- 1) **Re-designate parcel #20-0864-000 from Industrial (Urban) to Residential - Suburban.**

The Board of County Commissioners established the following Findings of Fact:

1. The change *would* benefit the public health, safety, and or welfare;
2. The change *is* warranted because of changed circumstances or because of a need for additional property in the proposed land use designation.
3. The change *is* consistent with the criteria for land use designations specified in the Comprehensive Plan.
4. The change *will not* be detrimental to uses or property in the immediate vicinity of the subject property.
5. The change *does have* merit for the community as a whole.

6. The change, if granted, *will not* result in a group of property owners enjoying greater privileges and opportunities than those enjoyed by other property owners in the vicinity where there is not substantive difference in the properties themselves which justify different designations.
7. The benefits of the change *will* outweigh any significant adverse impacts of the change.
8. The change *is* consistent with the purpose and intent of the Comprehensive Plan and the requirements of GCC 22, 23, 24 and 25.
9. The change *does* comply with all other applicable criteria and standards of Chapter 25.12 UDC.

Minor Zone Change

PLANNING COMMISSION SUMMARY AND RECOMMENDATION:

The Planning Commission conducted an open record hearing for this application on June 15, 2011. At the hearing no members from the public spoke for or against this proposal. Planning Commission made a unanimous recommendation to approve the proposed Minor Re-zone from Urban Industrial to Urban Residential -1.

DECISION:

The Board of County Commissioners voted unanimously to uphold the recommendation of the Planning Commission and approve.

- 1) **A Minor Re-zone of parcel #20-0864-000 from Urban Industrial to Urban Residential - 1**

The Board of County Commissioners established the following Findings of Fact:

- 1) The proposed rezone *will not* be contrary to the intent or purposes and regulations of the Grant County Code or the Comprehensive Plan;
- 2) The property in question *is* suitable for uses allowed under the proposed zoning district;
- 3) Uses allowed under the proposed zone change *are* compatible with neighboring land uses;
- 4) The proposed rezone *can* be served by adequate facilities including access, fire protection, water, storm-water control, and sewage disposal facilities;
- 5) Substantial changes *do exist* to warrant an amendment to the current zoning district;
- 6) A public need *does exist* for the proposed rezone. Public need shall mean that a valid public purpose, for which the comprehensive plan and this chapter have been adopted, is served by the proposed rezone.
- 7) The proposed rezone *will not* result in significant adverse impacts on the human or natural environments that cannot be mitigated by conditions of approval;
- 8) The cumulative impact of additional requests for like actions (the total of the rezones over time or space) *will not* produce significant adverse effects to the environment that cannot be mitigated by conditions of approval;
- 9) The pedestrian and vehicular traffic associated with the rezone *will not* be hazardous to existing and anticipated traffic in the neighborhood; and
- 10) The proposed zoning district *does not* include any allowable use or activity that would result in the location of an incompatible use adjacent to an airport or airfield (RCW 36.70).

#3. FILE NO. 11-5565 – ANDRES NEGRETE

SITE SPECIFIC LAND USE REDESIGNATION AND MINOR ZONE CHANGE

LOCATION:

The subject area is the southern 2.14 acre portion of parcel #15-0044-000 and all of parcel #15-0054-002. The parcel is bordered on the north by Mattawa’s city limits and 4th Street E, to the East is S Rd SW and

the West is Broadway Ave. Extended. Parcels are located in a portion of S. 2, T. 14 N., R. 23E., WM, Grant County WA

STAFF ANALYSIS:

The applicant has submitted a request for a site-specific land use re-designation consisting of two parcels. Parcel 15-0054-002 is 2.00 acres and a 2.14 acre portion of Parcel 15-0044-000 for a total of 4.14 acres from “Residential – Medium Density” to “Commercial”. The parcels are bordered on the north by the city limits of Mattawa, to the East and West by Residential – Medium Density and to the South by Urban Heavy Industrial. Currently the proposed area is vacant. The remaining portion of parcel 15-0044-000 not part of this application has an existing homes and garage.

Based on research done by the GIS Department in January 2010 the Mattawa Urban Growth Area boundary consists of approximately 2,070 acres of which 652.51 acres are designated Commercial. This proposal is located on the east side of Mattawa where there exist approximately 30 acres of undeveloped commercial lands close to the city’s core. Most of the commercially designated lands are located on the west side of Mattawa around Hwy 243.

PLANNING COMMISSION RECOMMENDATION FOR COMPREHENSIVE PLAN RE-DESIGNATION:

The Planning Commission conducted an open record hearing for this application on June 15, 2011. At their hearing the Commission voted unanimously to recommend approval of this application.

DECISION:

The Board of County Commissioners voted unanimously to uphold the recommendation of the Planning Commission to **approve** the following request for a Site Specific Land Use Re-designation:

- 1) **Re-designate a 2.14 acre portion of parcel #15-0044-000 and all of parcel #15-0054-002 from Residential – Medium Density to Commercial (Urban).**

The Board of County Commissioners established the following Findings of Fact:

1. The change *would* benefit the public health, safety, and or welfare;
2. The change *is* warranted because of changed circumstances or because of a need for additional property in the proposed land use designation.
3. The change *is* consistent with the criteria for land use designations specified in the Comprehensive Plan.
4. The change *will not* be detrimental to uses or property in the immediate vicinity of the subject property.
5. The change *does have* merit for the community as a whole.
6. The change, if granted, *will not* result in a group of property owners enjoying greater privileges and opportunities than those enjoyed by other property owners in the vicinity where there is not substantive difference in the properties themselves which justify different designations.
7. The benefits of the change *will* outweigh any significant adverse impacts of the change.
8. The change *is* consistent with the purpose and intent of the Comprehensive Plan and the requirements of GCC 22, 23, 24 and 25.
9. The change *does* comply with all other applicable criteria and standards of Chapter 25.12 UDC.

MINOR ZONE CHANGE

PLANNING COMMISSION SUMMARY AND RECOMMENDATION:

The Planning Commission conducted an open record hearing for this application on June 15, 2011. At the hearing the applicant's agent and one member of the public spoke in favor for this proposal. The Planning Commission made a unanimous recommendation to approve the proposed Minor zone change from "Urban Residential – 3" to "Urban Commercial – 2".

DECISION:

The Board of County Commissioners voted unanimously to uphold the recommendation of the Planning Commission and approve:

- 1) **A Minor Re-zone of a 2.14 acre portion of parcel #15-0044-000 and all of Parcel #15-0054-002 from Urban Residential – 3 to Urban Commercial - 2.**

The Board of County Commissioners established the following Findings of Fact:

- 1) The proposed rezone *will not* be contrary to the intent or purposes and regulations of the Grant County Code or the Comprehensive Plan;
- 2) The property in question *is* suitable for uses allowed under the proposed zoning district;
- 3) Uses allowed under the proposed zone change *are* compatible with neighboring land uses;
- 4) The proposed rezone *can* be served by adequate facilities including access, fire protection, water, storm-water control, and sewage disposal facilities;
- 5) Substantial changes *do exist* to warrant an amendment to the current zoning district;
- 6) A public need *does exist* for the proposed rezone. Public need shall mean that a valid public purpose, for which the comprehensive plan and this chapter have been adopted, is served by the proposed rezone.
- 7) The proposed rezone *will not* result in significant adverse impacts on the human or natural environments that cannot be mitigated by conditions of approval;
- 8) The cumulative impact of additional requests for like actions (the total of the rezones over time or space) *will not* produce significant adverse effects to the environment that cannot be mitigated by conditions of approval;
- 9) The pedestrian and vehicular traffic associated with the rezone *will not* be hazardous to existing and anticipated traffic in the neighborhood; and
- 10) The proposed zoning district *does not* include any allowable use or activity that would result in the location of an incompatible use adjacent to an airport or airfield (RCW 36.70).