

1                                   **YAKIMA COUNTY PLANNING COMMISSION**  
2                                   **PUBLIC HEARING MINUTES – DELIBERATIONS**

3                                   Wednesday, August 8, 2018

4                                   **First Street Conference Room**  
5                                   **223 N. First Street, Yakima, Washington 98901**  
6

7   **I. Call to Order:**

8       **A. Roll Call:**

9           **Doug Mayo:** Call the meeting to order. August 8, (Inaudible) 2018. Time is approximately  
10           (Inaudible) 5:30. I don't think I trust that clock. We're here for a meet, to have some  
11           deliberations and some voting on the items before us. Roll call.

12  
13           **Noelle Madera:** She's running inside.

14  
15           **Doug Mayo:** I guess I should get the agenda out.

16  
17           **Noelle Madera:** Ashley is running in right now.

18  
19           **Ashley Garza:** How late am I?

20  
21           **Noelle Madera:** We just started it.

22  
23           **Phil Hoge:** We were just about to take roll call.

24  
25           **Ashley Garza:** Ok it's 5:30 and zero seconds. I'm going to take roll, or did we already do  
26           that.

27  
28           **Tua Vang:** That's where we were at.

29           **Ashley Garza:** Do I say how many people, I forget. Do I say how many people are here  
30           or do we go around and just...

31           **Phil Hoge:** It might be good to go around because we have a new person Eva who is  
32           going to be helping us tonight.

33  
34           **Everybody:** Hi Eva!

35  
36           **Tua Vang:** She'll be transcribing.

37  
38           **Phil Hoge:** If you would say you name clearly, slowly.  
39

40 **B. PC Introductions:**

41

42 **Mike Shuttleworth**

43 **Jerry Mellen**

44 **Joe Walsh**

45 **Ashley Garza**

46 **Jerry Craig**

47 **Doug Mayo**

48

49 **Ashley Garza:** Ok, so looks like six of seven are here.

50

51 **Noelle Madera:** Doug did email that he won't be here, Doug Miller.

52

53 **Ashley Garza:** Ok, so, do I need to put that on record that he is not here? Alright.

54

55 **Staff Present:** Tommy Carroll, Noelle Madera, Phil Hoge, Keelan McPhee, and Tua  
56 Vang

57

58 **C. Approval of July 11, 2018 minutes:**

59 **Ashley Garza:** Are we going to approve, are we moving forward to approve the minutes?

60 **Phil Hoge:** Yes. You approved the June minutes last time and we have them here for you  
61 to sign so you don't need to take action on that today. The July minutes need a motion.

62 **Ashley Garza:** We need a motion for that.

63 **Joe Walsh:** I vote to approve the July minutes.

64 **Doug Mayo:** I second.

65 **Ashley Garza:** Any discussion? Do I need to say, Joe Walsh, do I need to say that out  
66 loud, you didn't say like Mike Shuttleworth...

67 **Noelle Madera:** You mean like who seconded, is that what you mean? You can.

68 **Phil Hoge:** We are taking some notes.

69 **Tommy Carroll:** It would be helpful for the record, the audio record.

70 **Ashley Garza:** Okay. I'm a little bit of a mess by now. So Mike made the motion, oh Joe  
71 made the motion and Doug seconded it. Let's take a vote. All in favor of approving the  
72 minutes for July 11, 2018?

73 **Planning Commission:** Aye.

74 **Ashley Garza:** Six Ayes. Any opposed? Six people approve the minutes for July 11, 2018.

75 **II. Open Record Public Hearing – 2018 Biennial Comprehensive Plan Map and Text**

76

77 **A. Deliberations:**

78

79 **Ashley Garza:** Today we are just going to deliberate, right? The public hearing is actually  
80 officially closed.

81

82 **Phil Hoge:** You continued the hearing so actually the hearing is continued but I think you  
83 close at least temporarily for public testimony.

84 **Doug Mayo:** There was some information we asked for at least two of the situations. I  
85 guess we need to finish discussion on those before we move onto deliberations.

86 **Ashley Garza:** Are you providing that?

87

88 **Phil Hoge:** No, I wasn't. I'm trying to find my notes.

89

90 **Noelle Madera:** Were you talking about the memo that Keelan had sent?

91

92 **Keelan McPhee:** Oh, we're going to start with that?

93

94 **Phil Hoge:** Which one do you want to start with?

95

96 **Noelle Madera:** Or do want to discuss those right before you deliberate?

97

98 **Keelan McPhee:** It was the two text amendments.

99

100 **Noelle Madera:** It was the two text amendments.

101

102 **Joe Walsh:** The text amendments and the crematorium.

103

104 **Doug Mayo:** The crematorium and then the other one.

105

106 **Noelle Madera:** It was number six. Was it the accessory dwelling unit?

107

108 **Tua Vang:** I have it right here. Accessory dwelling units in the...

109

110 **Noelle Madera:** It would be number...?

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112 **Ashley Garza:** Are we still taking public testimony or not?

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**Joe Walsh:** I think there was something out of Gilbert Orchard.

A case with new evidence came in, in regards to (inaudible) new avenues.

**Noelle Madera:** There was a new comment letter that came in that I emailed you.

**Joe Walsh:** We received that.

**Ashley Garza:** Yes, we got that. Because we wouldn't officially start deliberations until we're done with all that right? Or are we gonna just...

**Mike Shuttleworth:** Should we would just start deliberation and go through them, and then when we get to the ones that have information on them, we can deal with them at that time?

**Ashley Garza:** Is that legal?

**Everyone:** Yes.

**Ashley Garza:** Although on the other hand, there's people here waiting specifically for certain cases.

**Noelle Madera:** Yeah, that's fine too.

**Ashley Garza:** Maybe you guys don't want to stay here until 10 o'clock tonight.

#### **LRN2018-00003- WILLIAMSON/MIOCENE**

**Bill Hordan:** If you want to start with Miocene, that will get Dave out of here and I'm going to stay here for a couple.

**Ashley Garza:** Can we do that? Ok let's do that.

**Mike Shuttleworth:** Madam Chairman I'm going to step away on this issue because one of the people who testified is an attorney and is actually the attorney for the company I work for.

**Ashley:** Ok. We will move forward. We still have a quorum. We are going to move forward without Mike. And you're going to be out of the deliberations as well as the voting? Ok. There is not anything that needs to happen with that, legally? Ok.

**Tua Vang:** He just recused himself.

155 **Ashley Garza:** Is the Miocene yours?  
156  
157 **Tua Vang:** Yes, it is.  
158  
159 **Ashley Garza:** Do you want to start or you still?  
160  
161 **Tua Vang:** I think you guys just talk about it. I mean you guys have all the information and  
162 people have...  
163  
164 **Ashley Garza:** Get ready to take a vote on.  
165  
166 **Tua Vang:** Yes, anything that you guys want to discuss.  
167  
168 **Doug Mayo:** Is there any discussion?  
169  
170 **Ashley Garza:** Do we need to make a motion on that first?  
171  
172 **Doug Mayo:** I would move that we put the mineral overlay on the entire parcel. Because  
173 we don't really know what part of the parcel or how much of the parcel will end up being  
174 (inaudible). The agreement can be (inaudible) other parties.  
175  
176 **Joe Walsh:** Can we change the quantity of land that was applied for?  
177  
178 **Tua Vang:** I think they can make a recommendation to do that right Tommy? If that's what  
179 you guys propose to do. Our recommendation will probably be different from yours.  
180  
181 **Noelle Madera:** Well ours stays the same than their recommendation.  
182  
183 **Tua Vang:** Ours stays the same for 186 acres and then you guys can propose to do that,  
184 and then we can let the board figure that out.  
185  
186 **Ashley Garza:** Doug made a motion to move forward on a mineral overlay over the entire  
187 parcel and Joe seconded that. Any discussion?  
188  
189 **Doug Mayo:** I guess I'll give my discussion. There's a bunch of uncertainty on what exactly  
190 how much and where and to not delay things further and have to come back to us again  
191 the next year and the year after. Just do it and get it over with.  
192  
193 **Joe Walsh:** As I understood, the value assessment hadn't been done yet. The size of the  
194 parcel is somewhat unknown.  
195  
196 **Doug Mayo:** I think the parcel lines might still be subject to consideration also.  
197

198 **Ashley Garza:** If I remember correctly, didn't both the attorney and the existing property  
199 owner not want, they weren't asking for that because they thought it would make it more  
200 difficult.

201  
202 **Doug Mayo:** I don't remember that.

203  
204 **Tua Vang:** He recommended to keep it at what was proposed by the applicant and with  
205 these being negotiated between Fish and Wildlife to keep it at the 186 acres.

206  
207 **Doug Mayo:** Which attorney is that?

208  
209 **Tua Vang:** Jamie Carmody, the gentleman that spoke at the very end.

210  
211 **Doug Mayo:** He was the applicant's attorney?

212  
213 **Tua Vang:** It's just what they proposed. They like to keep it to make it less difficult for  
214 them. I think it makes sense to me. I don't know how much I can weigh in on this Tommy.  
215 I think it's up to you guys to make the determination.

216  
217 **Ashley Garza:** Right, but you still have a recommendation in here. You're recommending  
218 what they proposed.

219  
220 **Tua Vang:** Yes.

221  
222 **Noelle Madera:** Can I just ask a procedural question? So, do we just send, we would have  
223 to amend the development agreement, which is fine, it's not a final development  
224 agreement. Do we just change the acreage in the development agreement and forward  
225 that with the, if they do vote to? I just looked at the development agreement is specific to  
226 186 acres. Do we also with their motion just change the development agreement and  
227 move that forward with their recommendation if they were to vote?

228  
229 **Tommy Carroll:** As part of the board deliberation they will make a decision on either the  
230 whole parcel or the 186. At that point in time, the ordinance that moves forward will include  
231 the development agreement. So, we would amend the development agreement after they  
232 deliberate.

233  
234 **Noelle Madera:** If they recommend this and then they vote to approve this  
235 recommendation for the whole parcel, we don't have to change the development  
236 agreement into the board?

237  
238 **Tommy Carroll:** Yes.

239  
240 **Doug Mayo:** I don't see where it would change the development agreement.

241

242 **Noelle:** It says the acreage.  
243  
244 **Doug Mayo:** Still I don't (inaudible) part tax parcel. We're talking about the whole tax  
245 parcel (inaudible). As long as there's an overlay within one hundred (inaudible)  
246  
247 **Tua Vang:** Yes. That's what Noelle was just asking about. Do we need to make that  
248 change now?  
249  
250 **Tommy Carroll:** If there is any specific language in the development agreement that  
251 would conflict with having the whole parcel designated we would just change that, but if it  
252 doesn't conflict with it it'll be fine. The development agreement is essentially part of the  
253 application. But Doug is right.  
254  
255 **Ashley Garza:** Any more discussion? All in favor of approving or moving the approval  
256 forward to the commissioners to provide a mineral overlay on the entire parcel, parcel  
257 number 16152711001, say aye.  
258  
259 **Planning Commission:** Aye.  
260  
261 **Ashely Garza:** All opposed? I'm going to say no. Can I say why? Just because I agree  
262 with the staff findings and would like it to stay that way. So, not against moving it forward,  
263 just that. Four approved and one not approved.  
264  
265 **LRN2018-00001- CROSIER ORCHARDS, INC.**  
266  
267 **Ashely Garza:** Lets go ahead with LRN2018-00001 Crosier Orchards. So, do we want to  
268 have a discussion on it before we make a motion?  
269  
270 **Doug Mayo:** Can the staff just repeat their recommendation?  
271  
272 **Phil Hoge:** The recommendation was to approve the application, which was to change  
273 the plan designation from Ag Resource to Rural Self-Sufficient and to rezone the property  
274 from AG to R-10/5.  
275  
276 **Ashley Garza:** There was quite a bit of concern about the water. The county is pretty good  
277 at doing sufficient studies, and the health department handles that anyway as far as the  
278 capacity of septic and stuff.  
279  
280 **Doug Mayo:** It's another level of bureaucratic chat, that will look to see if it will perc, to  
281 see if the water is there. All these other things that will have to be approved by people  
282 other than us before they are allowed to develop it. So, I think that if we approve this, we  
283 are not saying yeah you get to go build a house, we are saying you get to go forward and  
284 ask the other people if you can build a house.  
285

286 **Ashley Garza:** Correct. I think that was the biggest concern from Mr. Martin and additional  
287 owners. They were mostly concerned about the capacity of water, and if there was  
288 sufficient room for a septic.

289  
290 **Mike Shuttleworth:** I think there was testimony also about a case that they were  
291 concerned about the number of houses being built, traffic on the road and adequate vision.  
292 I'm just a little concerned that we are taking agricultural land, selling the water rights, and  
293 then developing (inaudible) water again. I think if people would retain their water rights for  
294 residential that's one thing, but double dip I'm a little concerned about that.

295  
296 **Doug Mayo:** Although a house uses considerably less water than an acre of an orchard,  
297 I'm not sure how... I think I heard some testimony that the well was never for that other  
298 parcel in the first place. That's kind of interesting.

299  
300 **Joe Walsh:** It was used there.

301  
302 **Doug Mayo:** It was used there, but I think I heard them say that before that (inaudible). I  
303 mean it should be for so many acres... Without having the documents here to look that up  
304 I don't know how.... There again do you leave (inaudible) the county... Again, those are  
305 agencies that can look into the water. DOE will look into whether actually if some of that  
306 well water was (inaudible) appropriated to that site or parcel. Because I don't know if it's  
307 our duty or task to do that.

308  
309 **Ashley Garza:** Can I ask you a question? This is yours, right?

310  
311 **Phil Hoge:** Yes.

312  
313 **Ashley Garza:** Was it previously classified as Agriculture or existing right now? Or what  
314 was it, I can't recall?

315  
316 **Phil Hoge:** You mean before the Plan 2015 was adopted?

317  
318 **Ashley Garza:** Yes.

319  
320 **Phil Hoge:** I think it was not. It's currently designated and zoned Agriculture, but before  
321 Plan 2015 was adopted it was zoned General Rural.

322  
323 **Ashley Garza:** Ok, but right now it's existing agriculture. And we go through it, as part of  
324 your findings you went through the declassification process.

325  
326 **Phil Hoge:** Yes, and we found in the Ag de-designation process that the soils aren't rated  
327 very highly just in terms of their productivity for the amount of crops. The yields were very  
328 low, and it was rocky.



330 **Mike Shuttleworth:** Are you saying we reclassified as of 2015?  
331  
332 **Phil Hoge:** Yes. Well it's hard to tell what the plan designation was prior to [Plan] 2015,  
333 but it was zoned General Rural. It was not zoned Agriculture prior to Plan 2015 being  
334 adopted in '97.  
335  
336 **Ashley Garza:** And then they did farm on it.  
337  
338 **Doug Mayo:** Under General Rural what were you allowed to do compared to what they  
339 are asking to do now?  
340  
341 **Phil Hoge:** Yes. You could do four 1-acre lots. Well you could only do a short plat on  
342 them, or you could do a long plat on them or...? No, you can only do 4 lots per parcel.  
343  
344 **Doug Mayo:** I move we accept the recommendations of the staff.  
345  
346 **Unknown:** What were the recommendations of staff?  
347  
348 **Ashley Garza:** He wants to move to accept the staff recommendations, but he's asking  
349 what those were, so we need to clarify that motion.  
350  
351 **Tua Vang:** I'm looking it up right now online.  
352  
353 **Ashley Garza:** Thank you. Doug has made a motion to accept the staff recommendation  
354 to approve the requested Comprehensive Plan Amendment from Agricultural Resource to  
355 Rural Self-Sufficient and approval of the concurrent rezone from AG to R-10/5 subject to...  
356 oh we already did that. Any second?  
357  
358 **Jerry Mellen:** Second.  
359  
360 **Ashley Garza:** Jerry seconds. Any more discussion?  
361  
362 **Joe Walsh:** I think it makes sense because of the poor soils report and the lack of any  
363 irrigation. The county's new water utility would be able to provide direction for domestic  
364 use. At this point the land appears to have no other option.  
365  
366 **Ashley Garza:** Anybody else? I call a vote, so all in favor of the motion?  
367  
368 **Planning Commission:** Ayes.  
369  
370 **Ashely Garza:** Any opposed?  
371  
372 **Mike Shuttleworth:** Aye.

373 **Ashley Garza:** 5 yes and 1 no.

374 **LRN2018-00002- GILBERT ORCHARDS**

375 **Ashley Garza:** Do you have that, so this one was.

376

377 **Tua Vang:** I'm going to pull it up online too.

378

379 **Ashley Garza:** Yes, I mixed my Crosier with...

380

381 **Mike Shuttleworth:** Can you pull up the map?

382

383 **Ashley Garza:** Yeah, let's refresh ourselves.

384

385 **Ashley Garza:** This one was in regard to Gilbert Orchards. We discussed the change.  
386 The comprehensive Plan Amendment from urban residential to urban commercial and  
387 urban commercial to urban industrial, and approval of the concurrent rezone from SR, R-  
388 1 and B-2 to M-1. I think you guys are getting the maps up so we can refresh our memories.  
389 And I think we heard testimony from mostly the Gilbert Orchards. We did receive the letter,  
390 and it is part of the record. I know we heard from Tom with Gilbert Orchards and Rosetta  
391 Whitman, who is the neighbor.

392

393 **Noelle Madera:** And Craig Anderson.

394

395 **Ashley Garza:** Any discussion? Questions?

396

397 **Jerry Mellen:** I think we ought to address questions that were raised in the letter. I guess  
398 not speaking against doing it, but I think that some stipulation needs to be put in to address  
399 those issues. (inaudible) traffic issues.

400

401 **Doug Mayo:** I understood what I think I heard there's stipulations in place right now that  
402 are not being followed. And it's the code enforcement complaint issue that it's up to county  
403 code or sheriffs or whatever to enforce as far as parking and non-street parking on public  
404 right of way, they're not supposed to be parking and things like that. I don't know what we  
405 can do about that other than to in a way say you're not behaving well unless you do more.  
406 How do we get the county to enforce the codes, especially when a lot of the truckers are  
407 not employees there from wherever, so how do they control it?

408

409 **Joe Walsh:** I have a concern also with the transportation element and the storm water.  
410 During the testimony, Mr. Hale referenced the circulation map for trucks. He didn't know  
411 much about it and he hadn't seen it. There have been staff changes over the last couple  
412 years, so he was kind of in a new position I take it. Noelle referenced that she (inaudible)  
413 at one point back in previous files.

414

415 **Noelle Madera:** In the circulation map, it was really just a map, it was basically a  
416 requirement of the county roads for them to show how they wouldn't stay on the county  
417 road. So it was basically a map that showed the trucks would be entering and then exiting.  
418 If you go out onsite I believe that there's signage. This might be the exit and maybe this is  
419 the entrance. There's a sign over here that does tell the trucks to head this way. There is  
420 signage, so the circulation plan was how when they came in they would keep trucks from  
421 queuing on the right of way. It's not that they don't have a circulation plan, it just seems  
422 that it is not working probably for a number of reasons. I know when they were here, when  
423 I was listening to the transcripts they mentioned fencing, which made it sound like they're  
424 having problems with people parking at different hours when they're not necessarily there.  
425 That's what I kind of got from how he worded that. This would coincide with some of the  
426 neighbor letters about different hours of the people parking. The circulation map is  
427 basically just showing how they're going to be coming in off of Gilbert Road to prevent  
428 queuing up and that there's enough space for the trucks to que up on their property not  
429 on the right of way. So, Rosetta did mention those stakes and we did go and check out.  
430 They are right of way stakes, so we asked about it and the sheriff who was asked to deal  
431 with the parking in the right of way. They asked the county surveyors to put the stakes out  
432 so they can clearly see where the right of way is. That's why the stakes are there. So, then  
433 they can tell people stay off of this right of way and this is where the right of way is.

434  
435 **Mike Shuttleworth:** The right of way from this facility to the east, or west, east excuse me  
436 goes up to Wiley City. Does the county have any signs that say no truck traffic?

437  
438 **Noelle Madera:** No.

439  
440 **Mike Shuttleworth:** The trucks can go either direction, there's nothing stopping them?

441  
442 **Noelle Madera:** Yes, and we did also look...

443  
444 **Ashley Garza:** You talked about Borton going.

445  
446 **Noelle Madera:** They did talk about Borton, and Tommy and I went and did a drive. This  
447 road does come down and there is Ag out here. I don't know if they are accessing it  
448 another way. They obviously could access it this way or come all the way down this way.  
449 We didn't see any trucks the day we were out there, but we literally just drove, turned  
450 around, and went back. I don't know what kind of fruit they have, if they're running trucks  
451 the same time that Gilbert is running trucks, who knows.

452  
453 **Mike Shuttleworth:** Well, they're probably running trucks during harvest but that's it,  
454 because it doesn't look like there's any storage or anything down there.

455  
456 **Noelle Madera:** But there are no-truck signs in that area.

457

458 **Joe Walsh:** Recently the Yakima City Council agreed to establish truck routes. Does that  
459 include the UGA?

460  
461 **Noelle Madera:** I don't think so.

462  
463 **Tommy Carroll:** Not that I've heard.

464  
465 **Noelle Madera:** I just saw that article.

466  
467 **Joe Walsh:** One of the recommendations was to include a portion of Ahtanum Road.

468  
469 **Doug Mayo:** I think they quit at city limits. I briefly read through the list, and it seems like  
470 from 64<sup>th</sup> to the city limits or something like that.

471  
472 **Joe Walsh:** But they included downtown and everything.

473  
474 **Doug Mayo:** But I mean it was within the town, but it stopped at city limits. I think their  
475 ordinance stopped at the city limits because they don't have jurisdiction for the streets  
476 outside city limits. But pretty much all of county roads are at least farm to market roads  
477 even though they just might be a couple of coats of BST.

478  
479 **Joe Walsh:** I thought it might give hope to being able to put a sign and establish truck  
480 routes sign out on Ahtanum to where they would turn into Gilbert.

481  
482 **Jerry Mellen:** Could something like that be part of our recommendation?

483  
484 **Ashley Garza:** We can probably recommend anything we want and have them consider.  
485 We can ask the commissioners to consider anything. We can definitely notes that that's a  
486 concern.

487  
488 **Jerry Mellen:** I think it's a valid concern.

489  
490 **Ashley Garza:** My thought though is whether or not we change, by changing the  
491 language, the overlay sorry the zone, we're not really changing much because it is set up  
492 the way it is regardless what zone it's in. It's just to make it a little bit easier.

493  
494 **Noelle Madera:** It makes it easier.

495  
496 **Doug Mayo:** Doesn't it save them the lawyer bills and time.

497  
498 **Ashley Garza:** Either way they've already gone through the process, there's  
499 recommendations and considerations. You need to fix the traffic and they've done that,  
500 and they've still gotten approval. Regardless whether they have this, they're still going to  
501 move forward and do exactly what they're doing.

502  
503 **Noelle Madera:** Yes, they still have a ten-year phase project that they were approved in  
504 2015 and they're still working on.

505  
506 **Mike Shuttleworth:** Does that include that northern east?

507  
508 **Noelle Madera:** It does not. They have no land use approval on the northern property.

509  
510 **Mike Shuttleworth:** I would recommend that be moved from this amendment. Because it  
511 is residential up there and its consistent with the surrounding up there. I think there was  
512 testimony that there is a creek and some other (inaudible) from using that.

513  
514 **Noelle Madera:** There's a floodway right here and then this is a gravel road, so we've had  
515 conversations with them that if they were to use this then there would be either road  
516 improvements or they would have to find some way over this flood plain. I don't know  
517 which would be cheaper.

518  
519 **Tommy Carroll:** That also addresses the storm water related issues. The nuance about  
520 this whole case is that those parcels south of Gilbert Road are already approved for  
521 development, so the cat is out of the bag on those. It's the one that is being requested up  
522 there, the vacant one, that Mike is talking about. It's the one that is not developed and  
523 that's the one that would require a future storm water related plan to address. And that's  
524 the one that would concern them as far as impervious surfaces, the drainage going into  
525 the creek and so forth.

526  
527 **Ashley Garza:** And possible additional employees and things like that.

528  
529 **Tommy Carroll:** Crossing the creek and accessing Hackett Road, which is the road above  
530 that's a dirt road. If they want to take trucks onto Hackett they're going to have to pave  
531 Hackett.

532  
533 **Noelle Madera:** Going into this, cause we've known that they were going to apply for this  
534 for a while, the main concern that we've had discussions with transportation was Hackett  
535 Road. I don't believe in any of our conversations about this proposal they've never really  
536 mentioned any of the parking or the truck issues on Gilbert Road or Wiley Road, and they  
537 didn't mention that the sheriff had been contacted. Our main discussion was Hackett  
538 Road, and would they have to improve all of it or just one direction. We've never really  
539 had any conversations about the existing traffic concerns, only the Hackett Road ones.  
540 We were kind of surprised with their comments because we didn't really know that there  
541 were a lot of ongoing issues on Gilbert or Wiley Road. None of the neighbors had  
542 previously commented, not that there have never been issues. There could be issues all  
543 the times we've been approving stuff, we just had never heard anything. I know when we  
544 approved the ten-year plan the big issue was the intersection between Wiley and Gilbert,  
545 the center section here. Their condition and SEPA is that they can't use Wiley Road until

546 this intersection is improved and that was it. And then of course not queuing in the  
547 roadway, which we're having issues with it seems. When we we're doing pre-meetings  
548 and discussions about this whole project, this parcel accessing Hackett was the main  
549 conversation with transportation. That's why we don't have any condition compliance and  
550 we don't have any resolution yet, because we didn't realize that there was a major issue  
551 going on until we got transportation's comments.

552  
553 **Ashley Garza:** You're going to continue working on trying to get them compliant  
554 regardless of the changes because that's already existing?

555  
556 **Tommy Carroll:** And the difficulty to that is, and this kind of goes back to what was said  
557 earlier, when Noelle and I went out there to look at the access of Wiley Road all the way  
558 south to where those other fields are there was a truck that had already unloaded at  
559 Gilbert. It had turned going north on Wiley Road to get back on Ahtanum. It had parked  
560 on the right of way and they were in the convenience store. Gilbert Orchards has no control  
561 over that whatsoever.

562  
563 **Noelle Madera:** They're over here just parked along the right of way over here.

564  
565 **Tommy Carroll:** And we would have a very difficult time in code enforcement on that. I  
566 don't even know what we would do.

567  
568 **Doug Mayo:** What we do here tonight wouldn't have anything to do with that. I mean you've  
569 got no way to control. I guess they'd just have to keep, then the guy that owns the  
570 convenience store to complain that the trucker couldn't (inaudible) It's unfortunate that  
571 they have a community there that is getting swallowed by agriculture. A lot of the other  
572 businesses ...

573  
574 **Tommy Carroll:** Tua, is that Magic?

575  
576 **Tua Vang:** Yes. This program right here.

577  
578 **Tommy Carroll:** Zoom in to just that facility, Tua. Now turn on the 2008 photos. The other  
579 thing too is they own parcels in this area that they did not include in this rezone request, if  
580 I recall. Little houses and things near Hackett. Doug's right, they're getting swallowed up.

581  
582 **Doug Mayo:** But on the other hand, if they had a house and they're using it for employee  
583 housing included into this, will they have to tear the house down? Can they keep that  
584 house in that M1 or whatever it is?

585  
586 **Noelle Madera:** They can keep it, but if they were going to do any expansions they would  
587 have to tear it down. The few houses that are on lots that they are going to rezone, I have  
588 a feeling they're just going to be tearing those down. I think this house, is this house  
589 excluded or is that? I think this house isn't in there.

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**Doug Mayo:** (inaudible) was not included

**Noelle Madera:** Yes, this one is not included but this house I'm assuming, I can't remember if they're going to tear it down or if it's going to be a caregiver house. Over here at least one of these little parcels has a house. I don't know if their plan is to tear that down either. They would be non-conforming, so if they wanted to do any kind of big expansion on the residence there they would have to apply for a non-conforming use expansion.

**Doug Mayo:** They can leave them as...?

**Noelle Madera:** They can leave them. They can keep operating.

**Doug Mayo:** I just foresee that they've pretty much swallowed the whole thing here.

**Joe Walsh:** Mr. Hale's testimony, as I remember, didn't really predict anything further being built throughout this ten-year plan which expires in 2025.

**Doug Mayo:** I thought they were going to build buildings. They wanted an 80-foot tall.

**Noelle Madera:** They previously applied for an 80-foot tall building and we denied it because it's not allowed in that zone. The industrial zone has a 60-foot tall building limit, so they could potentially put a larger building.

**Doug Mayo:** But I thought there were plans to do additional, it was right in their SEPA that they were going to do more storage.

**Noelle Madera:** Yes, they have more storage approved, but I would assume that they will probably come back and try to get the tall building. That's my assumption. They haven't said we're rezoning it so we can get the tall building.

**Joe Walsh:** The ten-year plan identified their anticipated buildings.

**Noelle Madera:** Yes. Is the 80-foot-tall building in there?

**Jerry Mellen:** The fact that they've already applied for an 80-foot (inaudible).

**Noelle Madera:** Previously when they applied for the 80-foot-tall building it was under title 15 and you had to do a variance for an adjustment to the building height, and it is very hard to approve variances. That's why we denied it. Now under title 19 it's an administrative adjustment. So, I just want to throw that out there, full disclosure. So, a 60-foot-tall building they can do an administrative adjustment, which means is a type 2 review in house and it doesn't have stricter criteria. So, it could be larger.



634 **Ashley Garza:** I've seen those 80-foot buildings.  
635  
636 **Noelle Madera:** Selah has one. We went and checked one out just to kind of get the scale.  
637  
638 **Ashley Garza:** I should have taken a picture of the one in Richland. It's huge.  
639  
640 **Doug Mayo:** It doesn't have houses next to it, vacant lot.  
641  
642 **Ashley Garza:** It's bigger than you think.  
643  
644 **Mike Shuttleworth:** I would make a motion, if this were a discussion item, that the Yakima  
645 County Planning Commission recommend approval of the Horizon 2040 Map Amendment  
646 and Rezone request. This one says subject to consideration of the testimony from  
647 neighbors and interested parties. With the caveat that the northern parcel, and I can't find  
648 where it says the parcel number, be excluded. (inaudible)  
649  
650 **Joe Walsh:** That's parcel number 171202-43010.  
651  
652 **Ashley Garza:** Any second?  
653  
654 **Jerry Mellen:** I would second that.  
655 **Ashley Garza:** Mike made a motion and Jerry seconded it. Any further discussion?  
  
656 **Doug Mayo:** The parcel that you're looking to exclude, all of the parcels are still subject  
657 to all the (inaudible) storm water rules, all the rules of the road with pun intended and the  
658 access road. So, I'm not aware that what we do here is any changing zoning would change  
659 what they would be able to do there. I just think it's easier for them (inaudible) not letting  
660 them. Correct me if I'm wrong, but we're not letting them exempt themselves or go past  
661 any of the other rules, storm water, drainage, shoreline management, all of that other stuff  
662 is still there. What they're planning on doing with that parcel they're either going to just  
663 come up on the north end and have employee parking there and walk over, we don't really  
664 know.  
  
665 **Mike Shuttleworth:** I think my recommendation, the reason being is, and I use the term  
666 it's not prime for development yet, there's too many issues with the floodplain, gravel road,  
667 and those type of things. There's nothing to stop from applying sometime in the future if  
668 they do decide to do something with it.  
  
669 **Joe Walsh:** I have a question. Was that parcel included in the ten-year plan?  
  
670 **Noelle Madera:** No. They have no land use approval on that. And they would still have to  
671 go through all the regulations, but all of the southern properties already have the Ag related  
672 industry so you kind of know they're going to stick with it. They're not going to tear that  
673 down and put something more industrial, but I get the concern. The property on the north,



674 by putting it into industrial there's a lot of uses they can do that are more intense than the  
675 Ag related industry. So, I get that concern for sure.

676 **Doug Mayo:** When you look at that map you wonder why they're allowed to do anything  
677 at all. They're in the floodplains and the storm way and the floodway and floodplain. When  
678 the '96 comes around again it's going to flood all (inaudible).

679 **Keelan McPhee:** It did in '96.

680 **Doug Mayo:** When you look up the parcel in question it has less of a cross hatch than the  
681 part that's already being used. Actually, the red doesn't even go through that parcel.

682 **Noelle Madera:** Yes, there's no floodplain or floodway on that parcel. They would just  
683 have to cross floodway to get to it through there or do road improvements to Hackett. Even  
684 if it were just employee parking it could potentially be a lot of cars, so either way they  
685 would have to do improvements to Hackett or find a way over the floodway, which, I don't  
686 know.

687 **Ashley Garza:** Mike made a motion, any more discussion?

688 **Noelle Madera:** Did anybody second that?

689 **Tua Vang:** Yes, Jerry Mellen did.

690 **Ashley Garza:** So, are we ready to vote then? All in favor of the motion made by Mike to  
691 approve the staff findings but not including parcel 171202-4310, the parcel to the north,  
692 say aye.

693 **Planning Commission:** Aye.

694 **Ashley Garza:** All opposed?

695 **Doug Mayo:** Nay.

696 **Ashley Garza:** Five yes and 1 no. And we already took care of three. So **LRN2018-00004**  
697 proposed by Tom Durant. That was just the change of the text.

698 **Phil Hoge:** That was the mini storage.

699 Oh, this was the mini storage.

700 **LRN2018-00004-TOM DURANT**

701 **Keelan McPhee:** Do you want me to just read the (inaudible) Approval which would  
702 eliminate the current requirement of Title 19.18.321 of mini storage facilities to front  
703 arterials or collective streets in the M1, M2, and G.

704 **Ashley Garza:** Is there any discussion on this one?

705 **Jerry Mellen:** I (inaudible) with Bainter site was a question, can someone refresh my  
706 memory with that?

707 **Mike Shuttleworth:** Is that within the city limits of Yakima?

708 **Phil Hoge:** I guess his point was that this would allow someone to go down onto the  
709 Bainter Land. It is zoned general commercial, no it is zoned B2. He was afraid someone  
710 would come in and get it rezoned general commercial and then they would put mini storage  
711 down there. But that wouldn't happen because it is already in the city so it's not subject to  
712 what you are doing here. Irrelevant, yeah.

713 **Mike Shuttleworth:** I would move to approve the text amendment to be done by planning  
714 staff.

715 **Joe Walsh:** Second.

716 **Ashley Garza:** Mike made the motion and Joe seconded it. Any more discussion? Ready  
717 to vote? All in favor of motion made to accept staff recommendation for the Amendment  
718 for M1 to remove the requirement for mini storage facilities to be located on the frontage  
719 of urban aeriels and rural collectors in the lite industrial M1, and heavy industrial M2 say  
720 aye.

721 **Planning Commission:** Aye.

722 **Ashley Garza:** All opposed? Six approve. Ok so **LRN2018-00005 Western Building**  
723 **Design.**

724 **LRN2018-00005- WESTERN BUILDING DESIGN**

725 **Ashley Garza:** And I only have one thing in here.

726 **Keelan McPhee:** This is one that we sent a memo on, that we had discussions about it at  
727 the hearing.

728 **Mike Shuttleworth:** It ended up being the file recommendation.

729 **Keelan McPhee:** The recommendation was to still allow it as a type 2. And then also to  
730 add cemeteries, crematoriums, columbarium, and mausoleums as type 3 in the light  
731 industrial. It was left off when it was converted from 15A to 19.

732 **Tommy Carroll:** The memo accidentally had it in general commercial instead of M1.

733 **Doug Mayo:** Can you put up what it is, the final staff proposal?

734 **Joe Walsh:** If we go back to previous items. That was originally 2015.

735 **Doug Mayo:** The crematoriums, columbaria, and the mausoleum are two in the Ag zone.  
736 Does it have to be in conjunction with the cemetery? I made a comment about just putting

737 it out in the middle of the hop field and said they weren't allowed to do that, and according  
738 to this they are. A (inaudible) is generally acceptable right?

739 **Noelle Madera:** For cemeteries, is that what you're asking?

740 **Doug Mayo:** Well everything in cemeteries, crematoriums, columbaria, mausoleums are  
741 two in the Ag zone?

742 **Mike Shuttleworth:** That's not a funeral home.

743 **Doug Mayo:** Crematorium.

744 **Mike Shuttleworth:** That's not the same as a funeral home.

745 **Doug Mayo:** That's true, but someone made a comment about put your crematorium  
746 away from people. And they said, well we can't do that, but apparently they can.

747 **Ashley Garza:** I think I said you couldn't do that, but I was wrong.

748 **Doug Mayo:** What is a columbarium?

749 **Tua Vang:** I believe it's like, was it like a shrine? Let's go ask google. We'll pull up a picture  
750 for you. I looked at it the other day. Yeah, its places for people to put their folks, urns, stuff  
751 like that.

752 **Keelan McPhee:** That one would be the most likely one we see. And this is the one that  
753 was changed. That was the general commercial.

754 **Tua Vang:** Then it should go here?

755 **Keelan McPhee:** No, it's in the right place.

756 **Mike Shuttleworth:** I would move to (inaudible) approval of the text amendment  
757 presented by staff.

758 **Ashley Garza:** Any second?

759 **Joe Walsh:** There is no, not allowed in B-1?

760 **Keelan McPhee:** Yeah, I think that this only change here were because this one was, a  
761 Type 3 in the 15A which was the old Urban zoning ordinance and we had accidentally left  
762 it off. The rest of these are all the same.

763 **Jerry Mellen:** You've added three in the M-2.

764 **Keelan McPhee:** Yes, but under this column nothing has changed.

765 **Doug Mayo:** A funeral home can be with a cemetery, not a crematorium?

766 **Tua Vang:** This is what is currently in the code.

767 **Doug Mayo:** That choice isn't listed.

768 **Tua Vang:** Yes, it would be up in that category.

769 **Keelan McPhee:** Yes, it is confusing points with that. This is just funeral homes. This is  
770 just cemetery with anything, and this is funeral homes with crematoriums.

771 **Doug Mayo:** But not cemetery?

772 **Tua Vang:** Right.

773 **Doug Mayo:** Where does a funeral home with a cemetery fall? There is no funeral home  
774 with a cemetery?

775 **Noelle Madera:** I think it would only be in the zones if they both are allowed in. So, if  
776 funeral home is allowed in the RS and a cemetery is allowed in the RS, and then the SR  
777 and M-1, I think those are the only two zones where you can have a cemetery and a  
778 funeral home. Correct?

779 **Tommy Carroll:** Yes. The question is, what will have required two different reviews?

780 **Noelle Madera:** Luckily, except for the last one, they're all the same level anyway. The  
781 M1 is the only one where it is different.

782 **Doug Mayo:** Do we want to add the new one down there, funeral home, crematorium,  
783 and cemetery? And or?

784 **Keelan McPhee:** I don't know. I mean we could have proposed to change the whole way  
785 it was but we didn't.

786 **Joe Walsh:** Could you put funeral home with or without cemetery?

787 **Doug Mayo:** Something like that.

788 **Mike Shuttleworth:** Just put funeral homes with or without cemetery.

789 **Tua Vang:** It would change this review here though, in the zone, if that's the case. This is  
790 type 1 here, (inaudible) and GC and then the type review changed here.

791 **Noelle Madera:** Yes, but we didn't consider cemeteries.

792 **Keelan McPhee:** Yes, that's the problem, we didn't consider cemeteries.

793 **Doug Mayo:** I mean, what is Terrace Heights right now? Their funeral home, their  
794 cemetery, their crematorium.

795 **Noelle Madera:** I think they're in the M-1 where all that is right? Is that what you guys  
796 would think?

797 **Tua Vang:** R-1.

798 **Noelle Madera:** No, the existing one. Wasn't it in the (inaudible)

799 **Tua Vang:** Its R-1.

800 **Noelle Madera:** Ok.

801 **Mike Shuttleworth:** There is already existing use and they want to expand it to the M-1  
802 zone?

803 **Ashley Garza:** Pretty much they don't want funeral home you said?

804 **Tommy Carroll:** Yes. They're in R-1 and M-1 right now. They want to expand into the M-  
805 1, but there isn't (inaudible) on the site.

806 **Doug Mayo:** Isn't there a funeral home there?

807 **Phil Hoge:** No, it's called Memorial Chapel.

808 **Doug Mayo:** But it's a cemetery and a crematorium.

809 **Joe Walsh:** Correct. The parcel just west of that.

810 **Ashley Garza:** Asking to allow general commercial? As a type 2, right?

811 **Keelan McPhee:** As a type 2. And then we also were adding that into the industrial  
812 because we accidentally took it off when we went from 15A to 19.

813 **Ashley Garza:** We're fixing that as well? That's also in your new staff recommendations?

814 **Keelan McPhee:** Yes. We didn't notice it until the hearing.

815 **Ashley Garza:** And that's just a text amendment?

816 **Joe Walsh:** The issue that Mr. Hordan was talking about last time was more about two  
817 crematoriums one associated with a cemetery and one not. And the timing of their  
818 crematoriums use. It's almost as if we need a distance.

819 **Doug Mayo:** That's why I suggested that they put it out in the middle of the hop fields.

820 **Joe Walsh:** The distance between crematoriums?

821 **Mike Shuttleworth:** I guess my looking at it, we got this M-1 zone which can probably  
822 have a processing plant or some smoke belching plant that would be making  
823 crematoriums smell like a rose garden, really, I mean for smells and all that kind of stuff. I  
824 think this is the point where maybe this is a good neighbor thing between the applicants  
825 and the cemetery can get together and work out some kind of schedule if need be. If it  
826 becomes a problem.

827 **Doug Mayo:** I heard the new I don't know what the word is, but basically the new oven  
828 (inaudible) They're not talking about smells they're talking about visible heat waves. Which  
829 trees can shield, we've already got the one right there in the purple that's offsite.

830 **Jerry Mellen:** I'd like to go back to the chart from the zoning (inaudible)

831 **Tua Vang:** Ok, this thing keeps freezing up. Give me one second.

832 **Ashley Garza:** And we should probably consider not just this area cause they're asking  
833 for change to all general commercial. So, we should be considering it.

834 **Jerry Mellen:** We spent some time talking about crematorium issues and B-1 and B-2  
835 zones. And the way it shows there it is presumed to be effective I guess if I am at a B-2  
836 store I would have an issue with that.

837 **Joe Walsh:** And the way it used to be it was a type 3 review. That was Bill's point.

838 **Ashley Garza:** There's a motion on the table and we haven't heard a second. So, do we  
839 want...?

840 **Mike Shuttleworth:** Can you repeat the motion?

841 **Doug Mayo:** I thought there was a second?

842 **Mike Shuttleworth:** No.

843 **Tua Vang:** I didn't hear one.

844 **Ashley Garza:** We skipped to discussion.

845 **Joe Walsh:** If I'm not mistaken the part that was taken toward the end of that conversation,  
846 Tommy can agree that you can change from Chapter 19 from the previous development  
847 code that maybe didn't get the scrutiny that it should have.

848 **Keelan McPhee:** We based our proposal to (inaudible) basically on the fact that hearing  
849 couldn't really bring that much to it. The planning official can still condition it and the  
850 neighbors are still notified and the planning official can raise it to a type 3 if they see fit.  
851 That was what our condition was based on. Now B-2 we might want to look at.

852 **Ashley Garza:** It used to be a 3 and now it's a 2. The thought was is that also a text  
853 amendment that needs to be fixed or was that the intention. And I'm sure it was through  
854 that process, but I don't remember either.

855 **Tommy Carroll:** The intention on things that were 3's that are now 2's was to make them  
856 easier.

857 **Ashley Garza:** Easier, ok because you didn't see there was a rezone, valid?

858 **Tommy Carroll:** Whether or not it was completely vetted for funeral homes with  
859 crematoriums or crematoriums in general it was an overall theme that we were kind of  
860 directed to do.

861 **Ashley Garza:** It was intentional? In the M-1, most likely, ok.

862 **Doug Mayo:** What's an M-2? Wouldn't a B-1 be more likely to have a barbershop  
863 (inaudible) more than an (inaudible). I mean if it's a 3 and M-2 how can it be a 2 and B-1  
864 and B-2?

865 **Keelan McPhee:** I think it was just that it wasn't allowed so we put it as a Type 3 because  
866 it was a step lower than what it had been previously. That's what we were doing with that.

867 **Mike Shuttleworth:** And you want to keep your heavy industrial for heavy industrial uses.  
868 From my mind that's (inaudible) either B-1 or B-2 you've got a (inaudible) next to all kinds  
869 of businesses. Sunnyside funeral homes is in the middle of town the bank is next door.

870 **Doug Mayo:** Does it got a crematorium in it?

871 **Mike Shuttleworth:** I don't believe that one does but in Prosser it does, its right down next  
872 to the car dealership. In fact, there's a barbershop right across the street from it.

873 **Ashley Garza:** Ok I'm going to go ahead and second, we haven't done that yet. Ill second  
874 Mike's motion and open it up for discussion.

875 **Doug Mayo:** Can you reread the motion?

876 **Ashley Garza:** The motion is to approve staff's recommendations to allow crematoriums  
877 in the general commercial as well as allow for the text amendment for the M-1 zoning that  
878 was established as part of amendment.

879 **Doug Mayo:** To except this?

880 **Ashley Garza:** Yes

881 **Jerry Mellen:** Let me ask a question. As that reads the bottom line for a funeral home with  
882 a crematorium will be permitted under the type 2 rezone. But if that was only a crematorium  
883 that would go up to the top line and would not be permitted under B1 and B2?

884 **Doug Mayo:** This doesn't seem compatible between the top line and the other two lines.

885 **Keelan McPhee:** Almost, yes, I don't know almost seems like we could've taken  
886 crematoriums out of that top one. That's how its read.

887 **Doug Mayo:** So B-1 and B-2 get to have a funeral home there. If you don't have a funeral  
888 home, it doesn't belong.

889 **Mike Shuttleworth:** The crematorium would be secondary to the funeral home, in B-1  
890 and B-2?

891 **Keelan McPhee:** Let me (inaudible) a little in the staff report because they have different  
892 impacts, a funeral home versus a cemetery. They're different.

893 **Doug Mayo:** Not so much in this country but in a lot of other countries a lot of churches  
894 have the cemeteries on the grounds. (inaudible)

895 **Ashley Garza:** Well there's kind of a history of how the land grants, when they spread  
896 west there was a requirement for school's cemeteries and churches. Land that had to be  
897 reserved.

898 **Doug Mayo:** Drive around this town and right in the middle (inaudible) there's a church.

899 **Mike Shuttleworth:** Cemeteries are pretty much separate.

900 **Doug Mayo:** You don't know.

901 **Jerry Mellen:** I just want to make sure that we're clear with the staff if somebody came in  
902 with just a crematorium not with a cemetery or a funeral home that the top line would apply  
903 (inaudible)

904 **Keelan McPhee:** And I think part of it we have brought up is the animal thing. Associated  
905 with a veterinary clinic.

906 **Ashley Garza:** We did talk about that.

907 **Keelan McPhee:** In the AG zone but yeah that's not included.

908 **Doug Mayo:** I know we haven't looked at it but I suspect we get into the veterinary clinics  
909 they have crematoriums listed. They got their own charge for those animal crematoriums.

910 **Keelan McPhee:** No.

911 **Tommy Carroll:** I don't think so.

912 **Mike Shuttleworth:** I don't think it's something you would really consider.

913 **Noelle Madera:** It just says vet clinic.

914 **Mike Shuttleworth:** That's a discussion for another time.

915 **Ashley Garza:** All in favor? Of the motion made by Mike.

916 **Planning Commission:** Aye.

917 **Ashley Garza:** So that approves by six to zero.

918 **LRN2018-00006 - YAKIMA COUNTY PUBLIC SERVICES**

919 **Ashley Garza:** LRN 2018-00006 Yakima County Public Services and I think this was just  
920 text amendments, right, Title 19?



921 **Tua Vang:** Title 19.

922 **Keelan McPhee:** It was a county-initiated text amendment.

923 **Ashley Garza:** Dismantling yards? I have nurseries.

924 **Joe Walsh:** Yes, there's four things.

925 **Ashley Garza:** 2018 text amendments to Title 19 Yakima County Unified Land  
926 Development Code regarding standards related to automotive wrecking dismantling  
927 yards, nurseries, accessory dwelling units, and final approval of plats. All in one so we  
928 didn't separate any of these rights? So, they're either going to be recommended all or not  
929 or revise it.

930 **Tommy Carroll:** No, you can go down each individual one, but the case number is the  
931 same.

932 **Ashley Garza:** Ok. So, let's do it, I think we should vote on them.

933 **Doug Mayo:** Did we even talk about the auto wrecking?

934 **Mike Shuttleworth:** Madam Chair can we do it all at once, but I think we had a question  
935 where it says on accessory dwelling units I think it was some wording explaining that's  
936 going to be done.

937 **Keelan McPhee:** Well we had a question about whether, the 100-foot didn't apply then  
938 how come all the other ones didn't reply? So, we addressed that in the memo basically  
939 that some of those other requirements would only be for new accessory dwelling units  
940 that's not an existing manufactured home. The Building Official wouldn't review the  
941 existing manufactured home for any of those requirements and the other requirements in  
942 it are based on the planning ideas that we need to share if this accessory we don't want  
943 to have basically two completely separate residences if you're considering it an accessory  
944 dwelling.

945 **Tommy Carroll:** Scroll up a little bit Tua.

946 **Ashley Garza:** Your staff recommendations are a little bit different than what we originally  
947 had based on last discussion, right?

948 **Keelan McPhee:** No, I think it's the same.

949 **Tua Vang:** We were just trying to figure it out.

950 **Noelle Madera:** The hearing one would of been different from the draft I think. If you're  
951 looking at the draft.

952 **Keelan McPhee:** Yeah, we changed it from the very first draft.

953 **Ashley Garza:** But the one during the hearing is the one we had the most discussion on.

954 **Joe Walsh:** Did we get a copy of that?

955 **Noelle Madera:** Yes, I think it was emailed.

956 **Mike Shuttleworth:** Chairperson I would recommend that we recommend approval of the  
957 Yakima County Public Works suggested changes to the Comprehensive Plan as outlined  
958 in LRN2018-00006. Including the change to the accessory dwelling unit.

959 **Ashley Garza:** Any second to Mike's?

960 **Joe Walsh:** I'll second.

961 **Ashley Garza:** OK, any discussion?

962 **Jerry Mellen:** I don't have a specific point but I have (inaudible) the accessory dwelling  
963 units are going to be an issue. (inaudible) we ought to know what we are doing really well.

964 **Doug Mayo:** I don't necessarily understand what the implications of different scenarios  
965 (inaudible) If I understand this you come in and you build grandma a house she passes  
966 and your rent it out and it has to be within so many feet of the original house? And smaller  
967 than the original house, is that where we are?

968 **Jerry Mellen:** Lets change the issue where I don't build grandma a house I build a house  
969 that I want to live in (inaudible)

970 **Mike Shuttleworth:** The accessory dwelling unit is basically a requirement by the state of  
971 Washington for all jurisdictions and its number one reason it's for allotment if you can  
972 build 1000 square foot house or provide them with a very decent dwelling for somebody,  
973 either starting house of someplace to rent and its close enough that you can take care of  
974 it and you provide part of that housing (inaudible) if its needed out there.

975 **Jerry Mellen:** We've changed or modified part one.

976 **Joe Walsh:** The state did.

977 **Doug Mayo:** So this is part of like GMA.

978 **Mike Shuttleworth:** Well its actually separate from that, the idea was to provide for wells.

979 **Doug Mayo:** So (inaudible) counters 2 how many of those can you put on a lot?

980 **Mike Shuttleworth:** Just one.

981 **Doug Mayo:** Can you add one? The lot has to be how big?

982 **Noelle Madera:** It doesn't say, just the health district would have to approve it if they want  
983 a septic.

984 **Doug Mayo:** Do additional rules intercept that?

985 **Noelle Madera:** Yes, there's other things that might dictate the size, it has to be at least  
986 this size now.

987 **Doug Mayo:** But it can't be more than how many feet away?

988 **Keelan McPhee:** A hundred. Except for this is for administrative adjustment to that and  
989 the very specific cases of previously approved aged and infirmed residences that are not  
990 in violation of the people who are coming in to get approved as accessory dwelling units.

991 **Doug Mayo:** They would, pardon the pun, grandfather into the 110 feet away. Now if you  
992 had a 10-acre parcel.

993 **Joe Walsh:** They're essentially already permitted.

994 **Doug Mayo:** They got permitted to build a building for different use. And now they've just  
995 changed it. Its allowed for a different use.

996 **Noelle Madera:** Well, they have to apply for it to be permanent instead of temporary. For  
997 these specific ones. We're talking about specifically the old aged and infirmed that are too  
998 far correct?

999 **Doug Mayo:** That's why they were allowed in the first place.

1000 **Mike Shuttleworth:** They were allowed before accessory building permits were. They had  
1001 temporary dwellings that people could have their father or mother that they had to take  
1002 care of on their property. And a lot of people spent hard earn money to put those on their  
1003 property and then we changed the accessory dwelling units, but I don't think we ever sat  
1004 down and said ok but what about these existing homes. That meet most of the criteria but  
1005 not all of it.

1006 **Keelan McPhee:** Yes, that distance requirement was 200 feet previously so that's part of  
1007 why we thought it would be ok to give some leeway.

1008 **Doug Mayo:** So why did we want to change it to 200?

1009 **Tommy Carroll:** For the 200 (inaudible) aged infirmed. But when we adopted Title 19 we  
1010 put 100 feet for new accessory dwelling units.

1011 **Doug Mayo:** Why?

1012 **Tommy Carroll:** Try to keep them as close as possible so it didn't look like there was 2  
1013 houses on the lot.

1014 **Mike Shuttleworth:** Is it possible to use the same well, septic instead of having...

1015 **Tommy Carroll:** Same driveway

1016 **Noelle Madera:** Weren't the accessory dwelling in Title 15 weren't they required to be 100  
1017 feet? The aged and infirmed were allowed to be 200 and the accessory dwelling unit had

1018 to be 100. The old accessory dwelling unit didn't allow manufactured homes they had to  
1019 be stick built and so that's way we kind of combined the two things.

1020 **Doug Mayo:** But you can't have two people on the well without (inaudible)

1021 **Joe Walsh:** Which is a paper process. Would a mobile home be permitted under this?

1022 **Noelle Madera:** Well, the aged and infirmed are all manufactured homes because they  
1023 were supposed to be temporary. For accessory dwelling units in general, yes. Now I  
1024 believe you can have a manufactured home where before it could only be stick built.

1025 **Doug Mayo:** If you have a manufactured home, you can bring a manufactured home in  
1026 now as an accessory dwelling unit, but it has to be within a hundred feet.

1027 **Tua Vang:** Less than 1,000 square feet.

1028 **Joe Walsh:** No more than 1,000 square feet.

1029 **Keelan McPhee:** And it has to meet all those other requirements, the visual requirements.

1030 **Doug Mayo:** I guess I'm ok except for dropping down the 100 feet.

1031 **Ashley Garza:** Which already exists, the 100 feet.

1032 **Keelan McPhee:** Yes, this would give a possibility of allowing something that's already  
1033 115 feet to remain.

1034 **Doug Mayo:** It allows some administrative, it puts some gray in it.

1035 **Mike Shuttleworth:** Now its blue.

1036 **Ashley Garza:** Any more discussion on any of the other ordinances? Ok, I'm going to  
1037 move to call for the vote. So, all in favor aye?

1038 **Planning Commission:** Aye.

1039 **Ashley Garza:** All opposed?

1040 **Jerry Mellen:** Nay, I'm opposed to the accessory buildings. (inaudible)

1041 **Joe Walsh:** The opposition is just for that one.

1042 **Tua Vang:** For the ADU's. Is that correct?

1043 **Ashley Garza:** It's just for number 3. So, does that mean I needed it separately. He's just  
1044 opposing to the one number, number 3.

1045 **Noelle Madera:** We can just clarify on the findings.

1046 **Ashley Garza:** Well what time is it?

1047 **Tua Vang:** Almost 7.

1048 **III. New Business:**

1049 **Ashley Garza:** Any new business? Or do I need to adjourn or anything as far as the public  
1050 hearing? Do I need to close it? Ok let's officially close it at 6:55 and then adjourn and then  
1051 we move forward on anything else you guys want to share with us?

1052 **Tommy Carroll:** Yes, the Administrative Official the Planning boss is going to ask us to  
1053 bring to you folks the idea of eliminating the M-2 zone from our ordinance. And so, we will  
1054 have to do some analysis and look at it. We currently don't have any in the County but  
1055 there's feelings on both sides of the fence that we should have it because there might be  
1056 a big heavy industrial use that wants to come in at some point in time. That would be better  
1057 suited for an M-2 zone that we would apply to that particular parcel. That might not be the  
1058 best thing located right off Terrace Heights Drive we're the (inaudible) located. So, he  
1059 wants us to discuss that, so we'll get some maps up and we'll look at it just kind of look at  
1060 the land uses around it and kind of some have discussions about that.

1061 **Mike Shuttleworth:** Could you include a discussion in there of a master plan industrial  
1062 facilities allowed outside the general growth area.

1063 **Tommy Carroll:** Yes. Actually that is another thing too. We do not have criteria on the  
1064 rezone (inaudible) industrial land I believe. And mapping criteria in our Comp Plan which  
1065 we have for pretty much everything else, I recall. So, there's somethings like that we got  
1066 to bring forward to you. The other thing was the City of Mabton. The City of Mabton  
1067 submitted an emergency amendment request today. I may have mentioned it to you guys  
1068 a while back. And the Commissioners recommended against accepting the emergency  
1069 amendment a few months back, but they've asked the group to resubmit their proposal.  
1070 So, it was submitted today and delivered to the Commissioners today. In the upcoming  
1071 weeks we will find out whether or not they want you guys to review this proposal. And Tua  
1072 if you could go to the City of Mabton.

1073 **Tua Vang:** On the map? Yes, go to their website. Take the zoning off. Then let me know  
1074 where you want me to go, right here?

1075 **Tommy Carroll:** Go down to themes and then go to boundaries. Off the top and then  
1076 scroll down to urban growth area. So, for those of you that were here you remember we  
1077 updated Urban Growth Area boundaries. Mabton was one of the cities that got an  
1078 expansion. And what you can't see on the map but that's that flower company where they  
1079 grow all those pre-potted plants. That goes down, just move up for a second.

1080 **Tua Vang:** I'm just going to shrink it.

1081 **Tommy Carroll:** All of that got put in there and if you remember the mayor of Mabton also  
1082 mentioned the possibility of a marijuana company moving in. And so, they wanted to make  
1083 sure land is available. So, it's part of that process and also the previous UG process we

1084 had. Mabton did land swaps. So, to get this they had to get rid of some land and that's  
1085 kind of the deal the Commissioners did with the cities. Well as one of those land swaps  
1086 occurred this area here got taken out of the UGA, things got moved over and of course  
1087 like everything that happens they want back in the UGA. This particular property owner  
1088 right here is working with farmworkers clinic to put in a new Farmworkers Clinic, senior  
1089 housing, this area right here I believe is a floodplain they want to put basketball courts,  
1090 tennis courts, senior housing, Farmworkers Clinic, community center, some other type of  
1091 housing I can't recall what.

1092 **Bill Hordan:** Low-income.

1093 **Tommy Carroll:** Low-income. I can't remember, anyway they want to put that right here.  
1094 So that request right now is to the Commissioners. If the Commissioners say yes review  
1095 it, then under our inner local agreement with all fourteen cities, we agree to review urban  
1096 growth area boundaries outside of the normal UGA review process. We will use the  
1097 previous UGA land capacity analysis and for those of you who remember the land capacity  
1098 analysis identified how much vacant land or developable land in the city how much is  
1099 developed what R-1, commercial and so forth. So, you will get a staff report if the  
1100 Commissioners tell us to move forward that tells how much land is in the city that's vacant.  
1101 How much this is going to add to it and so forth. The difference about all of this is this is  
1102 not necessarily speculation. The ones you guys get before this guy wanted to be in UGA  
1103 because he says at some point in time I want to sell that for houses, but right now hops is  
1104 doing so darn good I don't want to take it out of hops yet but I want it in the UGA just in  
1105 case. Well then, we are making a decision that can be in hops for thirty years. This  
1106 particular case this was an old nursery now I believe it's no longer functioning, but they  
1107 have the plans the engineers hired, the architects hired.

1108 **Ashley Garza:** It is essentially capital facilities?

1109 **Tommy Carroll:** And Farmworkers Clinic I believe needs to actually move forward on this  
1110 road typically fast because they got money that they need to spend before they lose it.

1111 **Doug Mayo:** What they need is utilities?

1112 **Tommy Carroll:** Which runs right here. We won't let it go out of the dotted red line. If we  
1113 could we wouldn't even be here right now.

1114 **Doug Mayo:** There's some uses that can extend like schools or...?

1115 **Tommy Carroll:** And then of those that are health hazard I believe we've done a couple  
1116 of those.

1117 **Ashley Garza:** Didn't we do an emergency Map Amendment for Naches?

1118 **Tua Vang:** Naches last year.

1119 **Tommy Carroll:** And that was a for sewer situation as well but that was also a little self-  
1120 inflicted. The SEID grant/funds was for the expansion of a sewer. We as planning  
1121 reminded them hey they're not in the UGA.

1122 **Doug Mayo:** Was that for the new school?

1123 **Ashley Garza:** They're essentially the same cause there is both grant money as being  
1124 held up based on the initiative.

1125 **Tommy Carroll:** My gut feeling is that the Commissioner recommends us review it. But  
1126 you'll find out probably by your next meeting. If that's going to be the case so that will be  
1127 brought before you in a month or so.

1128 **Doug Mayo:** I see on the other side they cut out part of the highway. They carved part of  
1129 it out.

1130 **Tommy Carroll:** Move over there Tua please.

1131 **Tua Vang:** You're talking about this area right here?

1132 **Phil Hoge:** On the east side of the city limits.

1133 **Doug Mayo:** Probably just shrink it down.

1134 **Tua Vang:** Let me know where to go.

1135 **Phil Hoge:** That'll show it.

1136 **Tommy Carroll:** Just put the UGA.

1137 **Tua Vang:** It's slow.

1138 **Ashley Garza:** I can't remember why that was.

1139 **Doug Mayo:** That was pretty sneaky.

1140 **Tua Vang:** I think it's part of the freeway.

1141 **Ashley Garza:** I can't remember why that was but we talked about that. We did have that  
1142 conversation though when we did the UGA and there was a reason for it.

1143 **Doug Mayo:** It gives them that many more square feet they can put somewhere else.

1144 **Phil Hoge:** It's the railroad right-of-way.

1145 **Mike Shuttleworth:** It doesn't matter its state highway and rail road combined.

1146 **Ashley Garza:** You can't put utilities through it though.



1147 **Phil Hoge:** It's odd because the way the land was added to the UGA for that flower  
1148 business to the south of the highway that just never got squared off for whatever reason.

1149 **Doug Mayo:** Why in the world would you try to square things up?

1150 **Ashley Garza:** Well cause utilities wouldn't be able to get through that parcel unless they  
1151 went through somebody else's.

1152 **Tua Vang:** 997 so that's probably rail road, this parcel right here they cut it out.

1153 **Phil Hoge:** I think its rail road there's rail road deeded land or leased land and then there's  
1154 railroad right-of-way.

1155 **Tua Vang:** So this follows a parcel line of these properties here that's why it's like that.  
1156 Then it just comes straight down.

1157 **Ashley Garza:** So that's for another day.

1158 **Doug Mayo:** So that'll be or not maybe next month, maybe later?

1159 **Ashley Garza:** I will say, one, we have here public comment. So, I should say do you  
1160 want to comment?

1161 **Bill Hordan:** Thank you for your hard work. I mean that thank you.

1162 **Ashley Garza:** So we need to talk about the next meeting if we are all available and  
1163 what's on the table.

1164 **Mike Shuttleworth:** Madam Chairperson I will not be available on September 12.

1165 **Ashley Garza:** That brings us down to potentially five maybe six.

1166 **Tommy Carroll:** If we don't have a lot we will call and lot of things to discuss are things  
1167 ready for you, we will call and let you know we don't want to waste your time.

1168 **Ashley Garza:** I would be in favor of missing that one if you don't have answers,  
1169 because it was those two things that you were mostly looking at.

1170 **Tommy Carroll:** Yeah it takes a while to get things on the Commissioner's agenda.  
1171 Noelle is going to be the one working on it and she's already started a little bit of it in  
1172 anticipation of if the Commissioner's are going to tell us to move forward. But she  
1173 doesn't want to do too much just in case the answer is no don't do anything, but she  
1174 won't have anything ready for you on this by the next meeting probably. But we would  
1175 know if we were going to move forward on it by next meeting hopefully. I can't think  
1176 about any other major text amendment, but I know we have some things on our code  
1177 that we do want to fix that we want more of an analysis done on it, not just staff bringing  
1178 new things saying here they are.

1179 **Noelle Madera:** Sign ordinance.



1180 **Tommy Carroll:** Oh yeah, we need to make the necessary changes to our sign  
1181 standards to accommodate the Supreme Court case, so there's things that we need to  
1182 bring to you keep you relatively occupied. I just don't want to push it just for the sake of  
1183 having a meeting.

1184 **Joe Walsh:** Would I be out of line to suggest that somebody from the county investigate  
1185 with the city of Yakima to see if truck route signage will be in the UGA?

1186 **Tommy Carroll:** Sure, we can definitely do that. I would just say one thing there is  
1187 definitely not a, in the Planning department we sit right next to the transportation  
1188 department and I don't think I've ever heard anybody talk about a positive work  
1189 relationship with any other transportation related entity. These are our roads, that's their  
1190 roads, that's their highway and I imagine their turf wars set up through RCW's they gave  
1191 the County Engineer a lot of authority. But it's not an adversarial thing, it's almost like  
1192 that's not my sandbox I'm not going to get in it. But in this particular case it would make  
1193 sense for a sign to keep going. If the city of Yakima wants to send somebody out on the  
1194 road that eventually turns into a county road it would be beneficial for them to know  
1195 which way to keep going.

1196 **Ashley Garza:** Well I think the state is the one that defines the arterial roads and what is  
1197 arterial and what is not. And we have to adhere to that. That was probably their way of  
1198 saying...

1199 **Mike Shuttleworth:** Actually, classification is done by the feds.

1200 **Ashley Garza:** Oh, the federal government, yes.

1201 **Mike Shuttleworth:** It has to do with their funding mechanism for the roads.

1202 **Doug Mayo:** What's worse is between Union Gap and the city where boundaries,  
1203 (talking) nobody wants to plow the snow. (talking)

1204 **Tommy Carroll:** If you look at our UGA map see where we draw the red dotted line  
1205 we're trying to make sure if the city annexes that area that's in the orchard in those three  
1206 big lots we're going to take that portion of the road, up above, and also there to the east  
1207 it's on the other side of the road. Back in 2004 when Phil Hoge was first doing the UGA  
1208 thing for all fourteen cities he just kept finding them everywhere where the County would  
1209 go out and have to pave the 100-foot loath of a road because our lines just weren't  
1210 consistent.

1211 **Tua Vang:** They missed one here and here.

1212 **Ashley Garza:** The one thing about the signs is it also requires then someone to enforce  
1213 those. I know the police department and the city will fine you and they'll pull you over  
1214 and fine you if you're driving in a no truck zone. So that will also have to be considered  
1215 when you're talking with the County is that a deputy, will the sheriff's department enforce  
1216 that?

1217 **Tommy Carroll:** I will get back to you or Bill will, he will be talking to Transportation.

1218 **Ashley Garza:** It is actually a really big fine if you have a certain amount of tonnage on a  
1219 no truck road.

1220 **Doug Mayo:** Especially in Spring thaw when they close the roads (inaudible) thaw is  
1221 coming up the ground and just destroying (inaudible).

1222 **Ashley Garza:** Ok, I'm adjourning.

1223 **IV. Public Comment:** None

1224 **V. Communications:** None

1225 **VI. Adjournment of continuance to date, place and time certain**

1226 Meeting was adjourned at approximately 7:10 pm.

1227 Minutes approved by the Planning Commission on October 10, 2018

1228

1229 Signed: A Garza

1230 Planning Commission, Chair

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1232