

COMMISSIONERS RECORD 53
FRANKLIN COUNTY
Commissioners' Proceedings for August 26, 2015

This document is a summarized version of the Board of Commissioners proceedings. The minutes are paraphrased, not verbatim. Access to an electronic audio recording of the meeting is available upon request.

The Honorable Board of Franklin County Commissioners met on the above date. Present for the meeting were Chairman Brad Peck, Chair Pro Tem Rick Miller, and Commissioner Robert E. Koch, Interim County Administrator Jerrod MacPherson, and Clerk to the Board Valerie Loffler. The meeting convened at 9:01 a.m. with the Pledge of Allegiance.

PLANNING AND BUILDING DEPARTMENT

Public Hearing: Zone Change 2015-01, a zone change application to rezone approximately 38.58 acres from Residential Transition to Residential Suburban 20,000; Parcel 115-180-040, applicant Dave Greeno, Big Sky Developers LLC (9:05 am)

Planner Greg Wendt presented a staff report on Zone Change 2015-05 and recommendation from the Planning Commission (Exhibit 1).

Chairman Peck opened the public meeting at 9:10 a.m. No testimony was provided and the public meeting was closed.

MOTION: Commissioner Koch moved to adopt Ordinance 2015-05, Zone Change 2015-01, a zone change application to rezone approximately 38.58 acres from Residential Transition to Residential Suburban 20,000; Parcel 115-180-040 (Applicant Dave Greeno, Big Sky Developers LLC). Second by Commissioner Miller. 3:0 vote in favor. (Exhibit 2)

OFFICE BUSINESS (9:11 a.m.)

Vouchers

Commissioner Koch moved for approval of Fund Expenditures for August 26, 2015, in the amount of \$200,621.95. Second by Commissioner Miller. 3:0 vote in favor. (Exhibit 3)

<u>Fund Expenditures</u>	<u>Warrants</u>		<u>Amount</u>
Current Expense	118083	118088	363.88
County Roads/ #150	118089	118101	59,459.01
Motor Vehicle/ #500	118102	118120	16,046.98
Current Expense	118121	118158	45,469.36
Jail Commissary/ #134	118159		39.84
Enhanced 911/State Contract	118160	118162	645.47
Franklin County RV Facility	118163	118169	12,964.59
TRAC Operations Fund	118170	118184	20,653.16
Current Expense	118185	118222	40,593.56

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Veteran's Assistance	118223	118224	1,221.00
Ending Homelessness	118225	118232	<u>3,165.00</u>
		Grand Total	\$200,621.95

Consent Agenda

MOTION: Commissioner Koch moved for approval of consent agenda items 1 through 3. Second by Mr. Miller. 3:0 vote in favor.

1. Approval of Resolution 2015-309, executing a Second Amendment to Agreement #ESG-CAC-2015 between Benton and Franklin Counties Department of Human Services and Benton Franklin Community Action Committee; approved by Benton County Resolution 2015-184 and Franklin County Resolution 2015-082
2. Approval of Resolution 2015-310, awarding Interagency Agreement between the Benton-Franklin Counties Juvenile Justice Center and the State of Washington Administrative Office of the Courts
3. Motion to approve the placement of Nikki Morgan at a Grade 16, Step 4, for her effective date of hire, September 15, 2015

COUNTY ADMINISTRATOR

Interim County Administrator Jerrod MacPherson, Human Resources Director Carlee Nave and HR Generalist Danita Wetle met with the Board.

Executive Session

At 9:17 am Chairman Peck announced a 15-minute executive session pursuant to RCW 42.30.140(4) regarding labor contract negotiations.

The meeting reconvened at 9:33 am.

Executive Session

Prosecuting Attorney Shawn Sant, Attorney Bill Davis and Franklin County Civil Deputy Prosecuting Attorney Tim Dickerson met with the Board.

At 9:34 am Chairman Peck announced a 30-minute Executive Session pursuant to RCW 42.30.110(1)(b), real estate acquisition or site selection.

The meeting reconvened at 10:06 am to extend the executive session another 30 minutes, reserving the right to conclude before that time.

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The meeting reconvened at 10:39 am to extend the executive session for another 10 minutes. The executive session concluded at 10:50 am.

MOTION (10:51 am) - Mr. Koch: Mr. Chairman, I move to reaffirm the Board's decision to execute the Settlement Agreement with CMV and authorize the Chair to finalize the agreement. Second by Mr. Miller. Mr. Peck asked the motion is reaffirming the Board's earlier decision to execute the Settlement Agreement and authorizing the Chair to take whatever steps are necessary in concert with our civil attorney to execute that agreement? Mr. Koch said, "To finalize the agreement."

Mr. Sant said he has consulted with outside counsel (Mr. Davis), and also reviewed some history of the process that has occurred. He said earlier there was a proposal to do a boundary change and that went through and got a judge's approval approving that boundary change. Apparently that was not agreeable with the parties involved. Ultimately it has not been executed. As a result of prior actions, the Board has asked his office to consider and look at the legal issues and provide a proposal to resolve potential litigation with this issue.

Mr. Peck noted this is a settlement, not a land acquisition.

(10:57 am) Mr. Davis said he has been involved with this particular matter since May 2013. The Board has worked hard in the best interests of the county to enforce the rights and the benefits that the county has bargained for. The predecessors bargained for a right that has a high potential of litigation and would need to be enforced by the county or abandoned by the county. The other side of it is that the other sides could also initiate litigation for purposes of clearing title. It is a difficult situation that for purposes of preserving and being good stewards of the county's welfare and the county's funds, the Board has attempted to their best ability to enforce the rights that were bargained for previously to the extent that they can without expending public funds on a litigation matter that may or may not be fruitful but would be a large expenditure of funds and money. He said he thinks that they have followed judiciously all of the negotiations. There are questions should those negotiations and settlements be held in executive session, and the law allows in the Public Meeting Act to discuss litigation matters and real estate matters in executive session so that you don't lose the benefits. He gave an example. Mr. Davis said the

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whole tenor of the law is to allow people to go forward and bring forth a judicious and good settlement to the best of their abilities to resolve disputes.

Referring to another set of statutes, Mr. Davis said that it is a fundamental purpose of the county to settle disputes by virtue if there is a tort claim filed against the county, the first thing that has to happen by statute is to file a 60-day notice of claim with the county to allow the county body to review and evaluate the complaint for its legitimacy and whether or not it would be wise to proceed with some form of settlement before the lawsuit can be filed. The case law requires that.

Mr. Davis continued: So what you end up with then is it's a public purpose and it's in the best interest of the people to have matters settled. So what we have is we have a title problem with that land. The county in my view has done nothing more than to settle a potential litigation that if it's not going to happen now it would ultimately have to be addressed in the future because it's a matter of public record on that land. What this does is puts the people in my opinion back to the status quo. This is not a gift. There's no donated intent. It's a fundamental government purpose. There's no buyer in the wings that's going to buy this property. And it's possible because of what's going to happen out there that this very well could be an acquisition for a public purpose, that the land could be repurposed for a public use. So this isn't a purchase of real estate. This is to settle a somewhat nasty real estate problem that is now going to be put to rest and be over with. I think the county has gone through this very judiciously.

I really welcome the opportunity at this final time to readdress any of these questions that have arisen that have been brought to the public forum. Those should be brought public. This is a public body and it's a public body that should be crystal clear. It should be transparent. We can see through what goes on here. I feel that the county has done that. I feel comfortable in advising the county with regard to the actions being taken.

Vote (11:02 am): 3:0 vote in favor.

OTHER BUSINESS (11:03 am)

Request by Franklin County Historical Society to use the Courthouse for a fundraiser

Attorney Tim Dickerson suggested a policy be prepared for similar requests in the future.

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(11:08 am) After discussion, the Board had **consensus agreement** to allow the Franklin County Historical Society to hold a fundraiser in the Courthouse rotunda subject to a written agreement agreeable to legal counsel, availability of appropriate insurance, and agreeing to close off the spiral staircase for safety.

The Board also wants the Historical Society to be responsibility for security and janitorial functions.

Hiring of County Administrator (11:09 am)

MOTION: (11:11 am) Mr. Miller moved that we approach Mr. Johnson and have the Interim County Administrator and Human Resources prepare the official documents to send off for the job that we've discussed. Second by Mr. Koch. Mr. Peck noted that staff will work with the steps necessary to negotiate terms and offer an opportunity of employment to Mr. Johnson. 2:1 vote in favor. Yeas: Mr. Peck and Mr. Miller. Nay: Mr. Koch.

Public Comment

Michelle Andres thanked the Board for meeting about land use and clarifying issues. She suggested consideration of using the YMCA system as a nice complement that might benefit the Tri-Cities for community-wide projects such as a water park. Mr. Peck responded to her question about a Special Board Meeting scheduled for August 27.

ADJOURNMENT

The meeting adjourned at 11:19 am.


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There being no further business, the Franklin County Board of Commissioners meeting was adjourned until the Special Meeting scheduled for August 27, 2015, at 2:00 pm.

BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON



Chairman



Chairman Pro Tem



Member

Attest:



Clerk to the Board

Approved and signed September 23, 2015.

EXHIBIT 1
Franklin County
Board of Commissioners
Agenda Summary Report

August 26, 2015
5-2015

DATE: August 17, 2015

PRESENTED BY: Jerrod MacPherson

ITEM: (Select One) Consent Agenda.
 To Be Brought Before the Board. Date: August 26, 2015
Time needed: 15 minutes

SUBJECT / ISSUE: ZC 2015-01, a zone change application to rezone approximately 38.58 acres of land from Residential Transition (R-T) to Residential Suburban 20,000 (RS-20).

ACTION(S) REQUESTED:

Review the Planning Commission Recommendation in a Public Meeting; Pass a motion; and Pass an Ordinance.

BACKGROUND: This is a zone change application to rezone approximately 38.58 acres of land from Residential Transition (R-T) to Residential Suburban 20,000 (RS-20).

The land is located within the City of Pasco's Urban Growth Area Boundary and is designated for low density residential development in the City's Urban Area Comprehensive Plan. With this designation in place, the property is eligible to be zoned Residential Suburban 20,000 (RS-20) while maintaining consistencies with the Urban Area Plan.

In the future, the applicant plans to extend municipal water service to the rezone area. The availability of a municipal water service will allow connections for fire protection, domestic water use, and the ability to develop new lots with a minimum lot size of ½ acre.

The property is located north of the City of Pasco, west of Broadmoor Blvd., north of Burns Road, along east side of Dent Road at the northeast intersection of Burns Road and Dent Road (Parcel Number 115-180-040).

PLANNING COMMISSION HEARING AND REVIEW:

The applicant filed a complete application with the Planning Department in July 2015. The application materials were reviewed by the County Planning Commission in an advertised open record hearing Tuesday, August 4, 2015. The Planning Commission reviewed the application packet, received public testimony, and rendered a recommendation (approval, denial, or approval with conditions). The Franklin County Planning Commission voted to forward a positive recommendation for this application to the Board of County Commissioners subject to five (5) findings of fact:

Prior to the public hearing, Planning Staff had the following discussions with the public regarding this application:

Planning Staff received no phone calls and had no discussion with the public prior to the hearing.

Open Record Hearing Testimony:

In support of the application:

Dave Greeno spoke in support of the application.

In opposition of the application:

None.

Clarification only:

None.

Planning Commission Discussion:

After reviewing the Planning Commission Packet and receiving a Staff Report from the Planning Staff, the Planning Commission heard testimony from the applicant regarding the details of the application. No one in the audience spoke against the application. The Chair asked for a motion. Planning Staff assisted the Planning Commission members with the development of findings of fact.

Planning Commission Vote:

Unanimous positive recommendation.

Appeals:

The deadline to submit an appeal of the Planning Commission's recommendation ended on August 14, 2015.

No appeal submittals were received.

PLANNING COMMISSION RECOMMENDATION:

At the completion of the open record hearing, the planning commission is required make and enter findings from the record and conclusions thereof as to whether or not:

Findings of Fact:

1. The application to rezone approximately 38.58 acres of land from Residential Transition R-T to Residential Suburban 20,000 (RS-20) IS in accordance with the goals and policies of the Pasco Urban Area Comprehensive Plan.
 - a. In accordance with Franklin County Code, Title 17 Zoning, Chapter 17.86.010, and consistent with County Resolution Number 93-015 (County-Wide Planning Policies), the Comprehensive Plans of the City of Pasco, the City of Connell, the City of Mesa, and the City of Kahlotus have been adopted by Franklin County to guide development and redevelopment of lands within each respective City's Urban Growth Area. All zone change activities are to be guided by the respective City's Comprehensive Plan for those lands within a designated Urban Growth Area.
 - b. The land is located within the City of Pasco's Urban Growth Area Boundary. The proposed rezone is consistent with the Pasco Urban Area Comprehensive Plan designation of Low Density Residential. The proposed rezone for RS-20 is consistent with the Plan designation. The proposal is also consistent with the policies of the Plan that encourage the development of a full range of residential environments.
 - c. The County Comprehensive Plan encourages urban level growth and development to occur in designated urban growth areas where adequate public facilities (city water) exist or may be provided.
 - d. The purpose of Franklin County Code, Chapter 17.24, R-T Residential Transition Zoning District:
 - i. This zone is intended to be applied or assigned to lands within Urban Growth Area Boundaries that are essentially undeveloped, however, ultimately intended for suburban or urban residential growth.
 - e. The purpose of Franklin County Code, Chapter 17.28 RS-20 Residential Suburban 20,000 Zoning District:
 - i. This zone is established to provide Urban Growth Area Boundaries a low density residential environment permitting two dwelling units per acre.
 - f. Rezoning the property to low density residential is supported by the Urban Area Comprehensive Plan and would be considered a proper implementation of the Plan.

- g. Recent changes in the immediate vicinity that warrants other or additional zoning:
- i. The 4 developments (Pelican Point, Goose Hollow, Pheasant Run, and Quail Bluff) along the west side of Dent Road are nearing completion.
 - ii. Archer Estates Phase I was recently approved and recorded.
 - iii. Eagle Crest Development was recently approved and is proceeding toward final plat approval.
 - iv. Spencer Estates was recently approved as a final plat on Kohler Road to the west.
 - v. The City has located a one (1) million gallon water tank on Broadmoor Boulevard in preparation of future growth.
 - vi. A city water main was extended in Burns Road earlier this year.
 - vii. Available land for residential development in the I-182 corridor is now limited due to the extent of recent development.
 - viii. The City of Pasco Urban Area Comprehensive Plan anticipates the need for subdivisions to accommodate an additional 9,000 plus residential dwelling units within the Pasco Urban Growth Area from 2007 to 2027.

2. The effect of the proposal on the immediate vicinity **WILL NOT** be materially detrimental.

- a. Consistency with surrounding area: The rezone request is consistent with the surrounding area. Single family residential uses exist or are planned for the general area. Residential lots are currently located on the west side of Dent Road (Eagle Crest Development, pending final plat approval) and north of the proposed rezone area (Archer Estates Phase I) with RS-20 Zoning designations located in the general area.
- b. Access and County road infrastructure:
- i. Franklin County's current six-year transportation program (STIP) calls for this portion of Dent Road to be widened in calendar year 2018. The current width of Dent Road, 26 feet, is below the minimum width of 28 feet seen in the County standards.
 - ii. Traffic and road related recommendations are necessary for any future development in the rezone area. These recommendations focus on ensuring new development has limited access to Dent Road, the collection of fees at time of development for the continued improvement of existing Dent Road, and conducting an evaluation of Dent Road as it relates to the County's speed ordinance update.
- c. Health and Safety:
- i. A rezone to RS-20 will cause the extension of the City's potable water system to the neighborhood.
 - ii. The extension of the water system will bring fully functioning (City operated) fire hydrants to the rezone area.
 - iii. The Health Department has no objections to this zone change application.

3. There **IS** merit and value in the proposal for the community as a whole.

- a. The rezone to RS-20 furthers the implementation of the Urban Area Comprehensive Plan. The Comprehensive Plan designates the site for Low Density Residential development. The proposed rezone to RS-20 is consistent with the Plan designation. The proposal is also consistent with the policies of the Plan that encourage the development of a full range of residential environments.
 - b. The rezone will lead to a residential development which:
 - i. Will provide for the creation of residential lots within the Urban Growth Area adding to the inventory of single-family lots.
 - ii. Will help improve the condition of Dent Road.
 - iii. Will extend city water service to the future development and with this, the extension of the water system will bring fully functioning fire hydrants to the area.
 - iv. The items listed above will contribute to the advancement of the public health, safety and general welfare of the neighborhood around the site in question.
4. Conditions **ARE** required to be imposed in order to mitigate any significant adverse impacts from the proposal.
- a. Future development at the site shall comply with the County Development Regulations (including, but not limited to Title 16 Subdivisions and Title 17 Zoning of the Franklin County Code).
 - b. Future development at this site shall comply with local, state, and federal agency standards.
 - c. Future development at the site shall comply with United States Bureau of Reclamation and South Columbia Basin Irrigation District standards as it relates to irrigation water and USBR facilities in the area.
 - d. Roads and Access: Future development at the rezone site shall be evaluated for the following:
 - i. Limited access to Dent Road for new lots. This has been the practice with other residential subdivisions and maintains the character of Dent Road as a collector. While local access roads into the subdivision would be permitted, street access to individual lots will not be permitted.
 - ii. Collection of fees to go toward the improvement of existing Dent Road. Given the increase in traffic the development of this parcel could generate, and given that it does not seem equitable to require a single developer to improve the entire roadway, fee collection on this and other proximate developments appears to provide balance to this issue.
 - iii. County Public Works to consider Dent Road during the County's speed ordinance update. As more residential development occurs along this roadway, the Public Works Department will conduct a traffic study to determine an appropriate speed for the area.
5. A concomitant agreement between the County and the petitioner **IS NOT** required for this application.

BOARD OF COUNTY COMMISSIONER REVIEW:

The Planning Commission recommendation has been forwarded to the County Commissioners for proper action based upon the following criteria:

- 1. The recommendation of the planning commission shall be effected by proper action of the Board of County Commissioners without further review. OR

2. In the event the Board of County Commissioners deem further review is necessary, it shall conduct a closed record appeal, notice of which is given in accordance with amendments and rezones.

COORDINATION:

City of Pasco;
Big Bend Electric;
South Columbia Basin Irrigation District;
Franklin County Public Works Department;
United States Bureau of Reclamation; and
Benton Franklin Health Department.

RECOMMENDATION:

The County Planning Commission recommends the Board of Commissioners approve ZC 2015-01 with the following motion:

Motion:

Grant approval of ZC 2015-01, subject to the five (5) findings of fact.

HANDLING / ROUTING:

N/A

ATTACHMENTS:

Nine (9) exhibits are attached for consideration:

1. Parcel overview map showing general location of the rezone area;
2. Aerial parcel overview map showing general location of the rezone area;
3. Aerial showing the 38.58 acre parcel rezone area;
4. Zoning map;
5. Record survey for the parcel;
6. USBR letter;
7. Franklin Co. Engineers Report;
8. City of Pasco comment letter; and
9. A draft of the approving resolution.

I certify the above information is accurate and complete.

Jerrod MacPherson – Director of Planning and Building

ORDINANCE NUMBER 5-2015

**BEFORE THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY,
WASHINGTON**

**IN THE MATTER OF COUNTY PLANNING - TO CHANGE THE ZONING
CLASSIFICATION ON APPROXIMATELY 38.58 ACRES OF LAND FROM
RESIDENTIAL TRANSITION (R-T) TO RESIDENTIAL SUBURBAN 20,000
(RS-20) FOR PARCEL NUMBER 115-180-040**

APPLICANT: Dave Greeno (Big Sky Developers, LLC), 12406 Eagle Reach Ct, Pasco, WA 99301.

WHEREAS, on August 26, 2015, the Clerk of the Board did set this date for a public meeting to consider the positive recommendation of the Franklin County Planning Commission to change the zoning classification on approximately 38.58 acres of land (Parcel Number 115-180-040); and

WHEREAS, at the public meeting the Board has found as follows:

The County Planning Commission, after an open record public hearing and consideration on **ZC 2015-01** did recommend approval of said rezone (see attached map), with the following five (5) findings of fact:

Findings of Fact:

1. The application to rezone approximately 38.58 acres of land from Residential Transition R-T to Residential Suburban 20,000 (RS-20) **IS** in accordance with the goals and policies of the Pasco Urban Area Comprehensive Plan.
 - a. In accordance with Franklin County Code, Title 17 Zoning, Chapter 17.86.010, and consistent with County Resolution Number 93-015 (County-Wide Planning Policies), the Comprehensive Plans of the City of Pasco, the City of Connell, the City of Mesa, and the City of Kahlotus have been adopted by Franklin County to guide development and redevelopment of lands within each respective City's Urban Growth Area. All zone change activities are to be guided by the respective City's Comprehensive Plan for those lands within a designated Urban Growth Area.
 - b. The land is located within the City of Pasco's Urban Growth Area Boundary. The proposed rezone is consistent with the Pasco Urban Area Comprehensive Plan designation of Low Density Residential. The proposed rezone for RS-20 is consistent with the Plan designation. The proposal is also consistent with the policies of the Plan that encourage the development of a full range of residential environments.

- c. The County Comprehensive Plan encourages urban level growth and development to occur in designated urban growth areas where adequate public facilities (city water) exist or may be provided.
- d. The purpose of Franklin County Code, Chapter 17.24, R-T Residential Transition Zoning District:
 - i. This zone is intended to be applied or assigned to lands within Urban Growth Area Boundaries that are essentially undeveloped, however, ultimately intended for suburban or urban residential growth.
- e. The purpose of Franklin County Code, Chapter 17.28 RS-20 Residential Suburban 20,000 Zoning District:
 - i. This zone is established to provide Urban Growth Area Boundaries a low density residential environment permitting two dwelling units per acre.
- f. Rezoning the property to low density residential is supported by the Urban Area Comprehensive Plan and would be considered a proper implementation of the Plan.
- g. Recent changes in the immediate vicinity that warrants other or additional zoning:
 - i. The 4 developments (Pelican Point, Goose Hollow, Pheasant Run, and Quail Bluff) along the west side of Dent Road are nearing completion.
 - ii. Archer Estates Phase I was recently approved and recorded.
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 - v. The City has located a one (1) million gallon water tank on Broadmoor Boulevard in preparation of future growth.
 - vi. A city water main was extended in Burns Road earlier this year.
 - vii. Available land for residential development in the I-182 corridor is now limited due to the extent of recent development.

- viii. The City of Pasco Urban Area Comprehensive Plan anticipates the need for subdivisions to accommodate an additional 9,000 plus residential dwelling units within the Pasco Urban Growth Area from 2007 to 2027.
2. The effect of the proposal on the immediate vicinity **WILL NOT** be materially detrimental.
 - a. Consistency with surrounding area: The rezone request is consistent with the surrounding area. Single family residential uses exist or are planned for the general area. Residential lots are currently located on the west side of Dent Road (Eagle Crest Development, pending final plat approval) and north of the proposed rezone area (Archer Estates Phase I) with RS-20 Zoning designations located in the general area.
 - b. Access and County road infrastructure:
 - i. Franklin County's current six-year transportation program (STIP) calls for this portion of Dent Road to be widened in calendar year 2018. The current width of Dent Road, 26 feet, is below the minimum width of 28 feet seen in the County standards.
 - ii. Traffic and road related recommendations are necessary for any future development in the rezone area. These recommendations focus on ensuring new development has limited access to Dent Road, the collection of fees at time of development for the continued improvement of existing Dent Road, and conducting an evaluation of Dent Road as it relates to the County's speed ordinance update.
 - c. Health and Safety:
 - i. A rezone to RS-20 will cause the extension of the City's potable water system to the neighborhood.
 - ii. The extension of the water system will bring fully functioning (City operated) fire hydrants to the rezone area.
 - iii. The Health Department has no objections to this zone change application.
3. There **IS** merit and value in the proposal for the community as a whole.

- a. The rezone to RS-20 furthers the implementation of the Urban Area Comprehensive Plan. The Comprehensive Plan designates the site for Low Density Residential development. The proposed rezone to RS-20 is consistent with the Plan designation. The proposal is also consistent with the policies of the Plan that encourage the development of a full range of residential environments.
 - b. The rezone will lead to a residential development which:
 - i. Will provide for the creation of residential lots within the Urban Growth Area adding to the inventory of single-family lots.
 - ii. Will help improve the condition of Dent Road.
 - iii. Will extend city water service to the future development and with this, the extension of the water system will bring fully functioning fire hydrants to the area.
 - iv. The items listed above will contribute to the advancement of the public health, safety and general welfare of the neighborhood around the site in question.
4. **Conditions ARE required to be imposed in order to mitigate any significant adverse impacts from the proposal.**
- a. Future development at the site shall comply with the County Development Regulations (including, but not limited to Title 16 Subdivisions and Title 17 Zoning of the Franklin County Code).
 - b. Future development at this site shall comply with local, state, and federal agency standards.
 - c. Future development at the site shall comply with United States Bureau of Reclamation and South Columbia Basin Irrigation District standards as it relates to irrigation water and USBR facilities in the area.
 - d. **Roads and Access:** Future development at the rezone site shall be evaluated for the following:
 - i. Limited access to Dent Road for new lots. This has been the practice with other residential subdivisions and maintains the character of Dent Road as a collector. While local access roads into the subdivision would be permitted, street access to individual lots will not be permitted.

- ii. Collection of fees to go toward the improvement of existing Dent Road. Given the increase in traffic the development of this parcel could generate, and given that it does not seem equitable to require a single developer to improve the entire roadway, fee collection on this and other proximate developments appears to provide balance to this issue.
- iii. County Public Works to consider Dent Road during the County's speed ordinance update. As more residential development occurs along this roadway, the Public Works Department will conduct a traffic study to determine an appropriate speed for the area.

5. A concomitant agreement between the County and the petitioner **IS NOT** required for this application.

WHEREAS, it appears to be in the public use and interest to approve said zone change.

NOW, THEREFORE, BE IT ORDAINED that the 38.58 acres (approximate) of land be rezoned from Residential Transition (R-T) to Residential Suburban 20,000 (RS-20) as described above and as depicted on the attached map.

SIGNED AND DATED THIS 26th DAY OF AUGUST 2015.

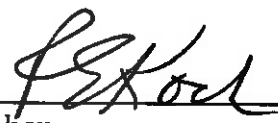
**BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON**



Chairman

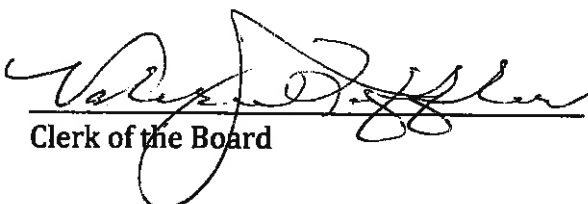


Chairman Pro Tem



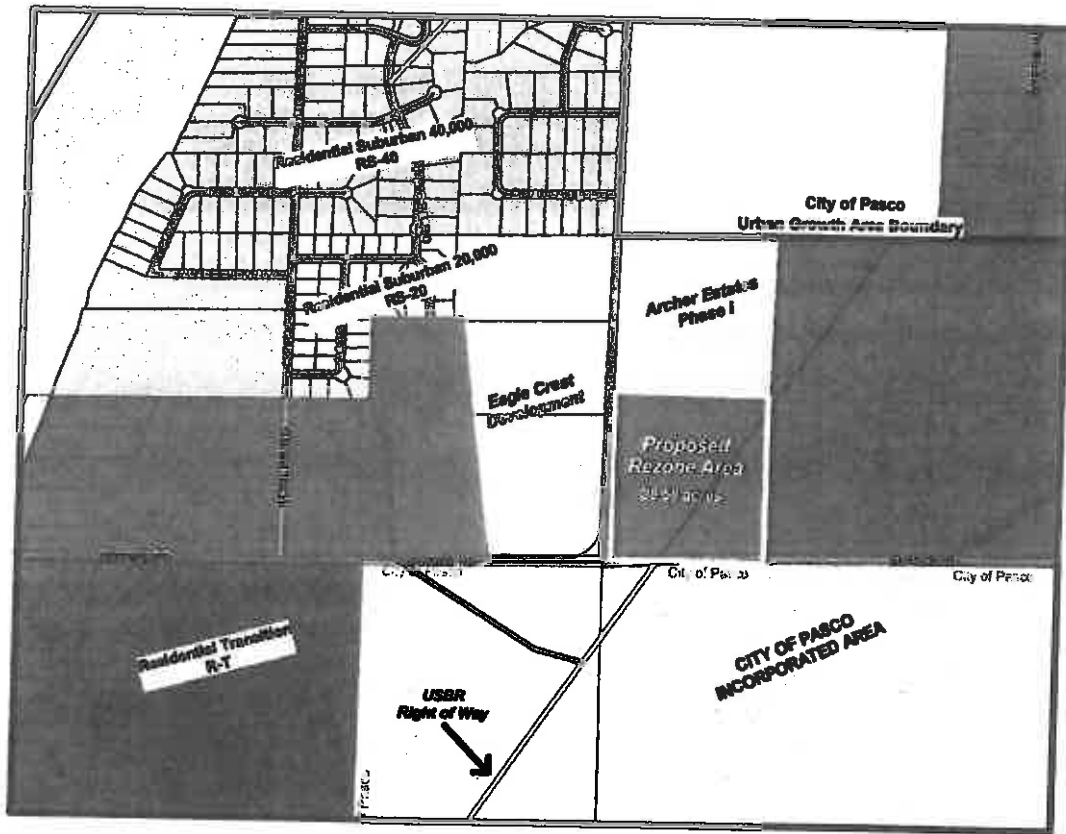
Member

Attest



Clerk of the Board

**A rezone of 38.58 acres of land from
Residential Transition (R-T) to Residential Suburban 20,000 (RS-20).
(Parcel Number 115-180-040)**



ORDINANCE NUMBER 5-2015

**BEFORE THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY,
WASHINGTON**

**IN THE MATTER OF COUNTY PLANNING – TO CHANGE THE ZONING
CLASSIFICATION ON APPROXIMATELY 38.58 ACRES OF LAND FROM
RESIDENTIAL TRANSITION (R-T) TO RESIDENTIAL SUBURBAN 20,000
(RS-20) FOR PARCEL NUMBER 115-180-040**

APPLICANT: Dave Greeno (Big Sky Developers, LLC), 12406 Eagle Reach Ct, Pasco, WA 99301.

WHEREAS, on August 26, 2015, the Clerk of the Board did set this date for a public meeting to consider the positive recommendation of the Franklin County Planning Commission to change the zoning classification on approximately 38.58 acres of land (Parcel Number 115-180-040); and

WHEREAS, at the public meeting the Board has found as follows:

The County Planning Commission, after an open record public hearing and consideration on ZC 2015-01 did recommend approval of said rezone (see attached map), with the following five (5) findings of fact:

Findings of Fact:

1. The application to rezone approximately 38.58 acres of land from Residential Transition R-T to Residential Suburban 20,000 (RS-20) IS in accordance with the goals and policies of the Pasco Urban Area Comprehensive Plan.
 - a. In accordance with Franklin County Code, Title 17 Zoning, Chapter 17.86.010, and consistent with County Resolution Number 93-015 (County-Wide Planning Policies), the Comprehensive Plans of the City of Pasco, the City of Connell, the City of Mesa, and the City of Kahlotus have been adopted by Franklin County to guide development and redevelopment of lands within each respective City's Urban Growth Area. All zone change activities are to be guided by the respective City's Comprehensive Plan for those lands within a designated Urban Growth Area.
 - b. The land is located within the City of Pasco's Urban Growth Area Boundary. The proposed rezone is consistent with the Pasco Urban Area Comprehensive Plan designation of Low Density Residential. The proposed rezone for RS-20 is consistent with the Plan designation. The proposal is also consistent with the policies of the Plan that encourage the development of a full range of residential environments.

- c. The County Comprehensive Plan encourages urban level growth and development to occur in designated urban growth areas where adequate public facilities (city water) exist or may be provided.
- d. The purpose of Franklin County Code, Chapter 17.24, R-T Residential Transition Zoning District:
 - i. This zone is intended to be applied or assigned to lands within Urban Growth Area Boundaries that are essentially undeveloped, however, ultimately intended for suburban or urban residential growth.
- e. The purpose of Franklin County Code, Chapter 17.28 RS-20 Residential Suburban 20,000 Zoning District:
 - i. This zone is established to provide Urban Growth Area Boundaries a low density residential environment permitting two dwelling units per acre.
- f. Rezoning the property to low density residential is supported by the Urban Area Comprehensive Plan and would be considered a proper implementation of the Plan.
- g. Recent changes in the immediate vicinity that warrants other or additional zoning:
 - i. The 4 developments (Pelican Point, Goose Hollow, Pheasant Run, and Quail Bluff) along the west side of Dent Road are nearing completion.
 - ii. Archer Estates Phase I was recently approved and recorded.
 - iii. Eagle Crest Development was recently approved and is proceeding toward final plat approval.
 - iv. Spencer Estates was recently approved as a final plat on Kohler Road to the west.
 - v. The City has located a one (1) million gallon water tank on Broadmoor Boulevard in preparation of future growth.
 - vi. A city water main was extended in Burns Road earlier this year.
 - vii. Available land for residential development in the I-182 corridor is now limited due to the extent of recent development.

- viii. The City of Pasco Urban Area Comprehensive Plan anticipates the need for subdivisions to accommodate an additional 9,000 plus residential dwelling units within the Pasco Urban Growth Area from 2007 to 2027.
2. The effect of the proposal on the immediate vicinity **WILL NOT** be materially detrimental.
 - a. Consistency with surrounding area: The rezone request is consistent with the surrounding area. Single family residential uses exist or are planned for the general area. Residential lots are currently located on the west side of Dent Road (Eagle Crest Development, pending final plat approval) and north of the proposed rezone area (Archer Estates Phase I) with RS-20 Zoning designations located in the general area.
 - b. Access and County road infrastructure:
 - i. Franklin County's current six-year transportation program (STIP) calls for this portion of Dent Road to be widened in calendar year 2018. The current width of Dent Road, 26 feet, is below the minimum width of 28 feet seen in the County standards.
 - ii. Traffic and road related recommendations are necessary for any future development in the rezone area. These recommendations focus on ensuring new development has limited access to Dent Road, the collection of fees at time of development for the continued improvement of existing Dent Road, and conducting an evaluation of Dent Road as it relates to the County's speed ordinance update.
 - c. Health and Safety:
 - i. A rezone to RS-20 will cause the extension of the City's potable water system to the neighborhood.
 - ii. The extension of the water system will bring fully functioning (City operated) fire hydrants to the rezone area.
 - iii. The Health Department has no objections to this zone change application.
3. There **IS** merit and value in the proposal for the community as a whole.

- a. The rezone to RS-20 furthers the implementation of the Urban Area Comprehensive Plan. The Comprehensive Plan designates the site for Low Density Residential development. The proposed rezone to RS-20 is consistent with the Plan designation. The proposal is also consistent with the policies of the Plan that encourage the development of a full range of residential environments.
 - b. The rezone will lead to a residential development which:
 - i. Will provide for the creation of residential lots within the Urban Growth Area adding to the inventory of single-family lots.
 - ii. Will help improve the condition of Dent Road.
 - iii. Will extend city water service to the future development and with this, the extension of the water system will bring fully functioning fire hydrants to the area.
 - iv. The items listed above will contribute to the advancement of the public health, safety and general welfare of the neighborhood around the site in question.
4. Conditions **ARE** required to be imposed in order to mitigate any significant adverse impacts from the proposal.
- a. Future development at the site shall comply with the County Development Regulations (including, but not limited to Title 16 Subdivisions and Title 17 Zoning of the Franklin County Code).
 - b. Future development at this site shall comply with local, state, and federal agency standards.
 - c. Future development at the site shall comply with United States Bureau of Reclamation and South Columbia Basin Irrigation District standards as it relates to irrigation water and USBR facilities in the area.
 - d. Roads and Access: Future development at the rezone site shall be evaluated for the following:
 - i. Limited access to Dent Road for new lots. This has been the practice with other residential subdivisions and maintains the character of Dent Road as a collector. While local access roads into the subdivision would be permitted, street access to individual lots will not be permitted.

- ii. Collection of fees to go toward the improvement of existing Dent Road. Given the increase in traffic the development of this parcel could generate, and given that it does not seem equitable to require a single developer to improve the entire roadway, fee collection on this and other proximate developments appears to provide balance to this issue.
 - iii. County Public Works to consider Dent Road during the County's speed ordinance update. As more residential development occurs along this roadway, the Public Works Department will conduct a traffic study to determine an appropriate speed for the area.
5. A concomitant agreement between the County and the petitioner **IS NOT** required for this application.

WHEREAS, it appears to be in the public use and interest to approve said zone change.

NOW, THEREFORE, BE IT ORDAINED that the 38.58 acres (approximate) of land be rezoned from Residential Transition (R-T) to Residential Suburban 20,000 (RS-20) as described above and as depicted on the attached map.

SIGNED AND DATED THIS 26th DAY OF AUGUST 2015.


**BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON**



Chairman

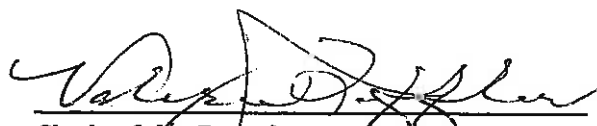


Chairman Pro Tem



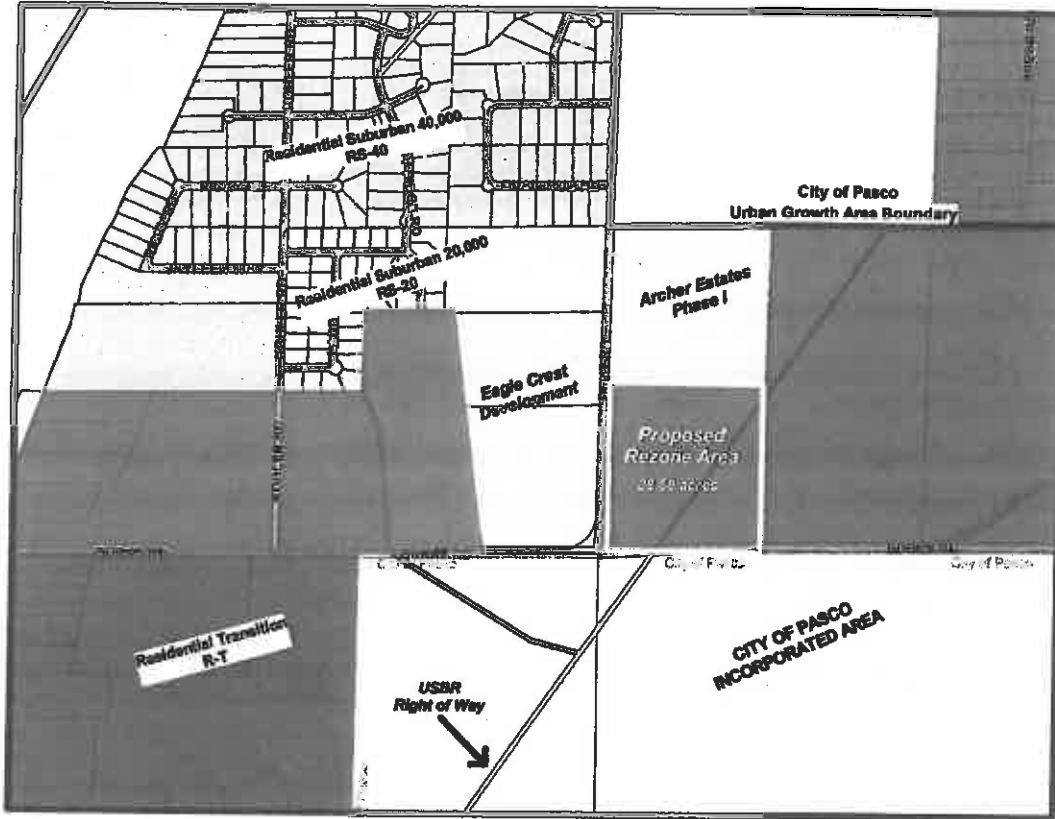
Member

Attest



Clerk of the Board

**A rezone of 38.58 acres of land from
Residential Transition (R-T) to Residential Suburban 20,000 (RS-20).
(Parcel Number 115-180-040)**





FRANKLIN COUNTY AUDITOR

Matt Beaton, Auditor

8/26/2015

Franklin County Commissioners:

Vouchers audited and certified by the auditing officer by RCW 42.24.080, expense reimbursement claims.

Action: As of this date, 8/26/2015

Move that the following warrants be approved for payment:

certified by RCW 42.24.090, have been recorded on a listing, which has been sent to the board members.

FUND Expenditures	WARRANTS		AMOUNT ISSUED
Current Expense	118083	118088	363.88
County Roads/ #150	118089	118101	59,459.01
Motor Vehicle/ # 500	118102	118120	16,046.98
Current Expense	118121	118158	45,469.36
Jail Commissary/ #134	118159		39.84
Enhanced 911/State Contract	118160	118162	645.47
Franklin County RV Facility	118163	118169	12,964.69
Trac Operations Fund	118170	118184	20,653.16
Current Expense	118185	118222	40,593.56
Veteran's Assistance	118223	118224	1,221.00
Ending Homelessness	118225	118232	3,165.00

In the amount of

The motion was seconded by

200,621.95

And passed by a vote of 3 to 0

Reviewed by County Administrator

The attached vouchers have been approved by Auditor or Deputy

Voucher's Audited By Kristy Davis

Matt Beaton

Kristy Davis