

Agenda Summary Report (ASR)

Franklin County Board of Commissioners

DATE SUBMITTED: December 17, 2019	PREPARED BY: Derrick Braaten
Meeting Date Requested: January 14, 2020	PRESENTED BY: Derrick Braaten
ITEM: (Select One) <input type="checkbox"/> Consent Agenda <input checked="" type="checkbox"/> Brought Before the Board Time needed: 10 minutes	
SUBJECT: Closed Record Hearing (Quasi-Judicial Item) - A Conditional Use Permit (CUP) to allow an outdoor event center (in accordance with FCC Section 17.14.040 (D) - "public and quasi-public buildings"). (File # CUP 2019-06 and SEPA 2019-10)	
FISCAL IMPACT: None	
BACKGROUND: <i>(In accordance with Franklin County Code Section 17.14.040. A proposed use of this type lies between item D - "public and quasi-public buildings" and item I - "ancillary services, such as tasting rooms/facilities and event centers associated with a winery/distillery/brewery" regarding intensity of use).</i> The applicant proposes to use approximately 20,550 sq. ft. of the site for the proposed use, which will, include portable restrooms, banquet tents for the specific events, and parking spaces. The proposal would include outdoor lighting at the site, until 10 p.m. when events take place. The property where the project is proposed is zoned RR-1 and carries a "Rural Residential" Land Use designation; the property is located the area known as "Clark's Addition."	
RECOMMENDATION: The Planning Department staff provided the Planning Commission with a written recommendation of approval for the application. Subsequently, at their meeting on November 12, 2019, the Planning Commission held a duly advertised open-record public hearing and unanimously passed a motion (4-0) to forward a recommendation of denial, with 6 suggested findings of fact, as amended by the Planning Commission. <u>Suggested Motion:</u> I move that the Board of County Commissioners adopt the recommendation of the Planning Commission and deny CUP 2019-06, based upon the written findings of fact. If the board wishes to further review the item, no action should be taken, and instead the Planning and Building department will schedule and advertise a future "closed record <i>appeal</i> hearing."	
COORDINATION: The Building & Planning Dept. processed the application, coordinated for agency comments, and reviewed the application per FCC 17.82. The application was advertised to the public via adopted procedures; a SEPA DNS was issued. Public comment included 2 letters, 1 e-mail, and 14 speakers, all in opposition. The applicant provided a petition signed by 8 immediate neighbors in support of the proposal, two of which offered their property for overflow parking, if needed.	
ATTACHMENTS: (Documents you are submitting to the Board) (1) (1) BoCC Project Summary (2) Staff Report to the P.C. including attachments and comment letters (3) Draft P.C. Minutes (11/12/2019)	
HANDLING / ROUTING: To the Clerk of the Board: 1 Original Resolution To Planning: 1 Copy Res.	

I certify the above information is accurate and complete.

-----Derrick Braaten

FACT SHEET/STAFF SUMMARY
Meeting before the Franklin County Planning Commission

THIS IS A QUASI-JUDICIAL ACTION
PLEASE AVOID, AND DISCLOSE, ANY EX-PARTE COMMUNICATIONS (CH 42.36 RCW)

Case file: CUP 2019-06 (Conditional Use Permit) and SEPA 2019-10

PC Meeting Date: November 12, 2019

See the staff report for the application details, description, explanation of public notice, etc.

SUMMARY OF THE PUBLIC HEARING:

The proposal for an Outdoor Event Center under file CUP 2019-06 was presented by Staff at an open record public hearing (regular Planning Commission meeting) on November 12, 2019. The applicant spoke about the proposal and time was allowed for clarification by the Planning Commission. The Commission then heard testimony in opposition to the proposal from 14 individuals. The reasons given for opposition include concerns for increased noise, littering, traffic, and driving under the influence of alcohol; the potential increased workload for the Sheriff's Department and Fire Department; the possibility of a change of neighborhood character and property values; and the logistics of increasing demand on the existing community water system.

There was no neutral testimony and no public testimony in favor of the proposal, though the applicant did provide a petition signed by 8 immediate neighbors in support of the proposal. *(See draft minutes)*

Findings of Fact Criteria Used by Planning Commission: The Planning Commission made and entered findings from the record and conclusions thereof as to whether or not:

1. The proposal is in accordance with the goals, policies, objectives, maps and/or narrative text of the comprehensive plan;
2. The proposal will adversely affect public infrastructure;
3. The proposal will be constructed, maintained and operated to be in harmony with the existing or intended character of the general vicinity;
4. The location and height of proposed structures and the site design will discourage the development of permitted uses on property in the general vicinity or impair the value thereof;
5. The operation in connection with the proposal will be more objectionable to nearby properties by reason of noise, fumes, vibrations, dust, traffic, or flashing lights than would be the operation of any permitted uses within the district;

6. The proposal will endanger the public health or safety if located and developed where proposed, or in any way will become a nuisance to uses permitted in the district.

At the November 12th meeting, the Planning Commission discussed the proposal, the comments made, the record as provided, and findings of fact. A motion was made for a recommendation of denial to the Franklin County Board of Commissioners for Application CUP-2019-06, with alternative findings of fact (as provided below).

Findings of Fact – Planning Commission: The Planning Commission (with assistance from Planning Staff) made and entered the following findings from the record, and conclusions thereof:

1. The proposed use **IS NOT** in accordance with the goals and policies of the County Development Regulations (Zoning) and the applicable Comprehensive Plan.
 - a. The use “Outdoor Event Center” is not specifically listed as a use that is allowed, or prohibited, in the RR-1 zone.
 - b. As such, as provided for in FCC 17.66.210, the Planning Commission makes a determination as to whether the proposed use is “similar to and not more objectionable than the use specifically permitted”
 - c. The Planning Commission has determined that an outdoor event center, as proposed, will be more intense of a use than an events center ancillary service associated with a winery, distillery, or brewery.
2. The proposal **WILL** adversely affect public infrastructure.
 - a. As proposed, the site can only accommodate 67 people for an event.
3. The proposal **WILL NOT BE** constructed, maintained, and operated to be in harmony with the existing or intended character of the general vicinity.
 - a. Residential activity is the primary use in the area.
 - b. Commercial activities generating high traffic volumes and noise are not compatible with the expectations of residential use and hobby farming in the area.
4. The location and height of the proposed tent structures and site design **WILL** discourage the development of permitted uses on property in the general vicinity or impair the value thereof.
 - a. Area uses are primarily residential and hobby farming
 - b. Activities generating more than residential traffic levels will negatively impact the quality of residential life in the area.
5. The operation in connection with the proposal **WILL** be more objectionable to nearby properties by reason of noise, fumes, vibrations, dust, traffic, or flashing lights than would be the operation of any permitted uses within the district.
 - a. The Planning Commission has determined that an outdoor event center will be more intense of a use than an events center ancillary service associated with a winery,

distillery, or brewery, as proposed.

6. The proposal **WILL** endanger the public health, safety, or general welfare if located where, and as, proposed.
 - a. As provided in the BFHD October 31, 2019 comment, the site can only accommodate up to 67 people, without approval from the Clark's Addition water purveyor.

Suggested Motion: "I move that the Board of County Commissioners adopt the recommendation of the Planning Commission and deny CUP 2019-06, based upon the written findings of fact."

NOVEMBER 12, 2019 DRAFT PC MEETING MINUTES

CUP 2019-06

GARIBAY – OUTDOOR EVENT CENTER

**FRANKLIN COUNTY
PLANNING COMMISSION
MINUTES
November 12, 2019**

MEMBERS PRESENT:

Claude Pierret, Roger Lenk, Mike Corrales, Mike Vincent

MEMBERS ABSENT:

Melinda Didier, Kent McMullen & Layton Lowe

STAFF PRESENT:

Derrick Braaten, Planning & Building Director

Rebeca Gilley, Julie Michel and Aaron Gunderson were present from the Planning and Building Department.

The Franklin County Planning Commission was called to order at approximately 6:30 pm. by Planning Commission Chairperson **Claude Pierret**. A quorum was present.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES / AGENDA:

Chair **Pierret** asked for a motion to approve the Agenda.

Commissioner Corrales made a motion to approve Agenda.

Commissioner Lenk seconded.

Motion carried.

Chair Pierret asked for a motion for approval of the minutes from September 24, 2019 meeting.

Commissioner Lenk moved to approve minutes.

Commissioner Corrales seconded.

PUBLIC HEARING INTRODUCTION:

Chair Pierret read the following:

*"It is now time for the Public Hearing Portion of our Meeting"
Good evening and welcome:*

Here are the ground rules for tonight's hearing:

1. *All speakers must come forward, speak into the microphone, giving their names and addresses for the record and please sign the sign in sheet. No testimony will be taken from anywhere except at the podium. These proceedings are required by law to be recorded and the recording equipment cannot pick up comments that are not given at the microphone;*
2. *All comments and questions shall be addressed to the Planning Commission, should be relevant to the application and not be of a personal nature;*
3. *Each speaker shall have FIVE minutes to provide testimony;*
4. *Avoid repetitive comments;*
5. *If there are a large number of speakers who are part of a group or organization, please select a representative to speak on behalf of the group;*
6. *Behavior such as clapping, booing, hissing or remarks is prohibited. Every citizen here tonight should have the opportunity to testify without such distractions.*

Are there any questions regarding the Public Hearing ground rules?"

Chair Pierret asked the Commission members to keep in mind that the Planning Commission is prohibited by law from communicating with members of the public on the subject matter of these hearings except in these hearings. Chair Pierret also stated that the Planning Commission may not participate in a decision in which there is an appearance of conflict of interest to the average person. He asked,

"As to the matters which are before us today has anyone:

- Had any ex parte communications,
- Have any ownership interests in the properties,
- Have any business dealings with proponents or opponents of the matters, or
- Have business associates or immediate family who may be either benefited or harmed by a decision in these matters?"

Chair Pierret asked if any Commission Member had declaration regarding any of the items on the agenda. There were no declarations.

Chair Pierret asked if anyone in the audience would object to any Commission Member hearing any of the items on the agenda. There were no objections. He proceeded by stating,

"The order of the hearing shall be as follows:

1. Planning staff shall provide a staff report; the Commission may ask questions of staff;
2. The applicant or applicant's representative(s) presentation;
3. Other testimony in favor of the request;
4. Testimony either neutral or against the request;
5. Final Staff comments;
6. Clarification of public statements that occurred during the testimony portion of the public hearing;
7. Close the Public Hearing and Planning Commission discussion of the proposed action."

Chair Pierret then asked,

"Are there any procedural questions before we begin the public hearing?" There were no questions.

OPEN THE PUBLIC HEARING FOR THE REGULAR PLANNING COMMISSION MEETING:

Public Hearing opened at 6:31 pm.

ITEM #1 – CUP 2019-06 / SEPA 2019-10

An application for a Conditional Use Permit is to establish an outdoor event center at 4108 Janet Rd., which appears to be only allowed with an approved Conditional Use Permit (in accordance with Franklin County Code Section 17.14.040 Item D – "public and quasi-public buildings" and Item I - "ancillary services such as tasting rooms/facilities and event centers associated with a winery/distillery/brewery" regarding intensity of use).

APPLICANT: Alicia Garibay, 4108 Janet Rd, Pasco WA 99301

OWNER: Alicia Garibay, 4108 Janet Rd, Pasco WA 99301

STAFF REPORT

Mr. Braaten provided a summary of the written staff report. He stated the application is to allow the use of approximately 20,550 sq. ft. of the 1.25 acre site for the proposed event center, which will include portable restrooms, banquet tents for the specific events, and parking spaces. The applicant has indicated this proposed use is to be "temporary", with plans to move the business within 3-4 years, or sooner if an adequate permanent facility becomes available.

Mr. Braaten said two (2) neighbors have offered their land in regards to overflow parking. Mr. Braaten then read a letter from the Health District. Mr. Braaten noted that one to three people will work on site. He shows a site plan of the area. Mr. Braaten goes on to explain about the letters and one (1) email received against the proposal. He then reads through agency comments

Mr. Braaten closed the report to the Planning Commission suggesting a **Positive Recommendation** with six (6) suggested findings of fact and eighteen (18) suggested conditions of approval.

Mr. Braaten gave a summary of the findings of facts and conditions of approval and was then asked to read all of the eighteen (18) suggested conditions of approval out loud. He noted the CUP would be good for five (5) years.

Chair Pierret asked if any Commissioner had questions for the staff.

Commissioner Lenk states that staff had mentioned the availability for water. The Clark Water Association commented water is for residential use only. Commissioner Lenk asked if that would be a denial and Mr. Braaten said that comment received is not a denial and does not think the parties have had a discussion on the matter.

Commissioner Lenk asked about some pictures in the Planning Commission packet. Mr. Braaten explains Ms. Garibay is an event decorator and she had supplied those pictures along with her application and states that it would be best for Ms. Garibay to explain.

Commissioner Lenk cited Code 17.78 (off street parking) and would like to know if this CUP allows her not to have to comply. Mr. Braaten goes on to say as long as the events are less than 30 per year. Commissioner Lenk goes on to ask about another FCC 17.14.50 citing that only 40% of lot coverage and Mr. Braaten explains.

Chair Pierret had a question about one of the Findings of Fact Criteria (#5, page 6) Mr. Braaten explained.

Chair Pierret asked if the applicant or anyone would like to speak in favor of the project.

APPLICANT: Alicia Garibay, 4108 Janet Rd, Pasco, WA. Ms. Garibay explains her reasons why she would like to have a temporary event center on her property. She goes on to say that she would only like to have the event center for 4 years or less.

Chair Pierret asked if anyone else would like to speak in favor. No one spoke. He then asked if anyone would like to speak neutral or against the project.

OPPONENTS:

Chuck Harmon, 6716 Road 42: Mr. Harmon said he does not want something like this in the neighborhood. Clark Subdivision is not the place for an event center.

Dan Smart, 1051 Clark Rd: Mr. Smart spoke of his concerns for the potential change to the neighborhood character and cannot understand why this is happening again in the neighborhood.

Mr. Braaten clarifies that Conditional Use Permits do not set precedence. Each individual has the right to go through the process.

Clay Whipple, 4610 Ivy Rd: Mr. Whipple said he does not want the event center at this location citing reasons of not the place for an event center.

Randy Minnon, 3821 Melody Ln: Mr. Minnon said he does not want an event center in the neighborhood and needed some clarification in regards to the Health District comments. He also states area is zoned residential.

Mr. Braaten explained how the process would work.

Kelly Ramacher, 4113 Janet Rd: Ms. Ramacher expressed her concern for excessive noise, parking and alcohol use, lives right across the street.

Ken Williams, 7109 Road 44: Mr. Williams said he has many concerns including parking, lot size and is not set up for accommodating large events.

Cynthia Smart 1051 Clark Rd: Ms. Smart expressed concern for increased noise and traffic and septic systems.

Johnny Conn, 3912 Ivy Rd: Mr. Conn said that he has the same concerns that the other neighbors have. Clarks Subdivision is no place for an event center.

Chuck Harmon, 6716 Road 42: Mr. Harmon expressed concern for overflow parking and states again the event center needs to be somewhere else.

Teresa Williams, 7109 Road 44: Ms. Williams listed the duration of noise as her concern.

Chris Ramacher, 4113 Janet Rd: Mr. Ramacher expressed concern for increased noise and traffic. He also had a letter from his sister & brother in law that live at 1101 Clark Rd. Mr. Ramacher read the letter repeated many concerns of previous speakers.

Dwight Mathews, 4413 Roberta Rd: Mr. Mathews repeated many of the concerns of previous speakers.

Diana Woollum, 4221 Janet Rd: Ms. Woollum reiterated previous remarks.

Linda Woollum, 4223 Janet Rd: Ms. Woollum said she agrees with all of the other comments given at the meeting.

Chair Pierret asked for final comments from staff and any clarification of any public statements.

Mr. Braaten says no.

Public Testimony closed at 7:49 pm.

PLANNING COMMISSION DISCUSSION

Chair Pierret states the area is residential not commercial and does not like the idea.

Commissioner Lenk had questions about the rural residential zoning and the purpose. He said the purpose for this zoning is residential and agricultural. He questioned how the proposed use fits within that purpose.

Mr. Braaten states that there are two motions to look at. Does the Planning Commission agree with the staff's determination or does not agree with the staff's determination. Mr. Braaten is looking for a final answer as provided by code and goes on to explain.

Commissioner Corrales does not agree with eliminating all together event centers in the RR-1 zone. Mr. Braaten states there are only two areas that are zoned RR-1. Staff is looking for guidance. Commissioner Corrales believes this still needs to go on a case by case basis.

Chair Pierret asked staff how to formulate a motion. He states that all Planning Commission members are all in agreement to deny CUP 2019-06.

Commissioner Lenk made a motion the Planning Commission **deny** CUP 2019-06 with reviewing alternative findings of facts.

Commissioner Vincent seconded.

Vote: CUP 2019-06

Claude Pierret – yes
Mike Vincent – yes
Mike Corrales - yes

Roger Lenk – yes

The Motion has passed.

Mr. Braaten reads from the suggested findings of fact.

Mr. Mahoney suggests the Planning Commission read all of the findings of fact and make necessary changes.

Commissioner Lenk reads from the six (6) Findings and Fact Criteria and changes were made.

Commissioner Lenk moves to forward CUP 2019-06 to the Board of County Commissioners with the recommendation to **deny** based on six (6) alternative Findings and Facts.

Chair Pierret seconded.

VOTE: CUP 2019-06

Claude Pierret – yes

Mike Vincent – yes

Mike Corrales – yes

Roger Lenk – yes

Motion passed.

The public hearing was closed at 8:20 pm.

ADJOURN PLANNING COMMISSION REGULAR MEETING

Agenda Item #1

STAFF REPORT

CUP 2019-06

GARIBAY – OUTDOOR EVENT CENTER

Agenda Item #1

STAFF REPORT

CUP 2019-06

GARIBAY – OUTDOOR EVENT CENTER

**FRANKLIN COUNTY
PLANNING COMMISSION
AGENDA**

REGULAR MEETING: November 12, 2019 – 6:30 P.M.
COMMISSIONER'S MEETING ROOM
Franklin County Courthouse
Entrance at Main Door – 1016 North 4th Avenue, Pasco, WA

OPEN PLANNING COMMISSION REGULAR MEETING – 6:30 P.M.

CALL TO ORDER

ROLL CALL

Current Planning Commission Members/Districts/Terms:

Member	District	Term Expires
Mike Vincent	Columbia River West Area	August 1, 2021
Roger Lenk	Riverview/Pasco UGAB	August 27, 2022
Layton Lowe	Connell/Kahlotus Area (Combined)	December 9, 2019
Claude Pierret	Snake River Area	May 1, 2023
Kent McMullen	Riverview/Pasco UGAB	March 26, 2023
Mike Corrales	Basin City Area	May 1, 2020
Melinda Didier	Eltopia Area	March 1, 2020

DECLARATION OF QUORUM

PLEDGE OF ALLEGIENCE

APPROVAL OF AGENDA

Approval of (or requested changes to) Agenda for November 12, 2019

APPROVAL OF MINUTES

Approval of Minutes from the September 24, 2019 Special Planning Commission Meeting

PUBLIC HEARING - ITEM #1 – CUP 2019-06, consideration of a Conditional Use Permit application for an outdoor event center at 4108 Janet Road. The applicant proposes to use approximately 20,550 square feet of the site for the proposed use, which will, include portable restrooms, banquet tents for the specific events, and approximately 12,700 square feet for parking spaces. Events could include music until 10 pm (live music to end at 8 pm) when events take place. The property where the project is proposed is zoned RR-1 and carries a "Rural Residential" Land Use designation; the property is located the area known as "Clark's Addition."

APPLICANT: Alicia Garibay

OWNER: N/A

1. **Open Public Hearing**
 - a. Staff Report
 - b. Proponents
 - c. Opponents
 - d. Clarification of Public Statements/Questions
2. Close Public Hearing
3. Planning Commission Discussion
4. Recommendation/Motion/Finding of Fact

UPDATE ON PAST ITEMS

- None

ADJOURN PLANNING COMMISSION REGULAR MEETING



FRANKLIN COUNTY

PLANNING AND BUILDING DEPARTMENT

Planning Commission Public Hearing Procedures, Protocols and Etiquette

The Planning Commission Process:

The Planning Commission is a seven (7) member volunteer board that is appointed by the Board of County Commissioners.

This public hearing is the 'only' open record hearing for a land use application and is the public's opportunity to speak in favor or against an application. The Planning Commission is not a "final" decision making committee but rather makes "recommendations" to the elected officials for the different applications they review. The purpose of the 'open record public hearing' is for the Commission to gather factual information to assist them in formulating their recommendations. The hearing is not a debate or a question and answer session with the audience.

Copies of the agenda and staff reports are available in the hearing room. Please ask staff if you have any questions.

The Public Hearing:

The Chair will introduce the item on the agenda. The public hearing will be "opened" and Staff will be requested to give a summary of the Staff report.

1. **The Chair will request input from proponents (people in favor of the application).** Please step forward to the middle of the room or near a podium and state your name and address for the record before stating your testimony.
2. **The Chair will request input from opponents (people not in favor of the application).** Please step forward to the middle of the room or near a podium and state your name and address for the record before stating your testimony.
3. **The Chair will ask the public for any clarification of statements or questions.** Also the Planning Commission members may ask questions of proponents and opponents. Please step forward to the middle of the room or near a podium and state your name and address for the record before stating your testimony.
4. **The Chair will "close" the public hearing.**
5. **The Chair will allow for Planning Commission Member discussion only.** Once deliberation has ended The Chair will ask for a motion for recommendation with findings of fact and/or conditions.

Hearing Tips, Protocols and Etiquette:

Please speak clearly. State your name and address for the record;

Speak only when recognized by the Chair;

Focus your testimony on the matter at hand, state only the relevant facts and opinions;

Avoid repetitive testimony. If another witness has made similar points please make note of it in the record and state that you concur with the previous speaker;

Please be prepared to limit your comments to five (5) minutes per speaker per item. When large groups are present, the Chair may reduce the time per speaker (usually to three minutes each);

Speaking time may not be deferred to another witness;

Do not speak to the Commission unless you step forward to the middle of the room or near a podium;

Exhibits (photographs, letters, maps) become part of the permanent record and cannot be returned;

The Commission's hearings are conducted in a courtroom-like environment and audience conduct shall be in accordance with courtroom etiquette. Clapping, cheering, speaking out of order or disorderly conduct are not appropriate and are grounds for removal from the hearing room by order of the Chair. Pagers and cellular phones should be turned off or placed on vibrate as to not disturb the hearing.

Please contact the Planning and Building Department at 545-3521 if you have questions.

**FRANKLIN COUNTY
PLANNING COMMISSION
MINUTES
September 24, 2019
Special Meeting**

MEMBERS PRESENT:

Claude Pierret, Roger Lenk, Kent McMullen, Melinda Didier & Mike Corrales

MEMBERS ABSENT:

Mike Vincent & Layton Lowe

STAFF PRESENT:

Derrick Braaten, Planning & Building Director

MillieAnne VanDevender (AHBL, Inc), Contract Planner
Nicole Stickney (AHBL, Inc), Contract Planner

Rebeca Gilley, Donna Crisp, and Julie Michel were present from the Planning and Building Department.

The Franklin County Planning Commission was called to order at approximately 7:00 p.m. by Planning Commission Chairperson **Claude Pierret**. A quorum was present.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES / AGENDA:

Chair **Pierret** asked for a motion to approve the Agenda.

Commissioner Lenk made a motion to approve Agenda.

Commissioner McMullen seconded.

Motion carried.

Chair Pierret asked for a motion for approval of the minutes from September 3, 2019 meeting.

Commissioner Lenk moved to approve minutes.

Commissioner Didier seconded.

Motion carried.

PUBLIC HEARING INTRODUCTION:

Chair Pierret read the following:

Chair Pierret asked the Commission members to keep in mind that the Planning Commission is prohibited by law from communicating with members of the public on the subject matter of these hearings except in these hearings. Chair Pierret also stated that the Planning Commission may not participate in a decision in which there is an appearance of conflict of interest to the average person. He asked,

"As to the matters which are before us today has anyone:

- Had any ex parte communications,
- Have any ownership interests in the properties,
- Have any business dealings with proponents or opponents of the matters, or
- Have business associates or immediate family who may be either benefited or harmed by a decision in these matters?"

Chair Pierret asked if any Commission Member had declaration regarding any of the items on the agenda. There were no declarations.

Chair Pierret asked if anyone in the audience would object to any Commission Member hearing any of the items on the agenda. There were no objections. He proceeded by stating,

"The order of the hearing shall be as follows:

1. Planning staff shall provide a staff report;
2. Planning Commission will consider the suggested findings of fact, and/or modify, for the record to support a recommendation to the Board of County Commissioners;
3. Close the Planning Commission discussion of the proposed action."

Chair Pierret then asked if there were any procedural questions before we begin the meeting.

OPEN PUBLIC HEARING FOR THE SPECIAL PLANNING COMMISSION MEETING:

Public Hearing opened at 7:05 pm.

ITEM #1 – CUP 2019-05 –MOTION TO FORWARD APPLICATION WITH A RECOMMENDATION

Consideration of a Conditional Use Permit for an outdoor event center at 4616 Ivy Road.

APPLICANT: Enrique & Luz Salas, 4616 Ivy Rd, Pasco WA 99301

OWNER: Mayra Salas & Juan Rodriguez, 4616 Ivy Rd, Pasco WA 99301

STAFF SUMMARY OF THE PUBLIC HEARING

Mrs. VanDevender provided a summary of the Open Record Public Hearing (regular Planning Commission meeting) from September 3, 2019. She explained the proposal was for an Outdoor Event Center under CUP 2019-05, the applicant spoke about the proposal, and time was allowed for

clarification by the Planning Commission. The Commission then heard testimony in opposition to the proposal from 17 individuals. Mrs. VanDevender went on to explain the reasons given for opposition including concerns for increased noise, littering, traffic and driving under the influence of alcohol; the increased workload for the Sheriff's Department; the possibility of a change of neighborhood characteristics and property values; and the increasing demand on the existing community water system.

Mrs. VanDevender said at the September 3rd meeting, the Planning Commission discussed and made a motion for a positive recommendation to the Board of County Commissioners for CUP 2019-05. A vote was taken by roll-call and the motion failed. The public hearing was then closed and no recommendation was made.

Mrs. VanDevender went on to say the Planning Commission shall make and enter findings of fact from the record and conclusions thereof; and render a recommendation to the Board of County Commissioners as to whether the proposal be denied, approved or approved with modifications and/or conditions.

Mrs. VanDevender provided a brief summary of the alternative suggested findings of facts and conditions of approval.

Chair Pierret asked if any Commissioner had questions for the staff.

Commissioner Didier asked about the location and if there was already any type of business there. Mrs. VanDevender commented that the owners have thrown the occasional party.

Commissioner Lenk made a comment about the parking. He said the proposal does not appear to meet the requirements of FCC Title 17.78.030 which allows a maximum of 5 parking spaces. The application proposed 100 parking spaces.

Mr. Braaten explained that Title 17.78.030 does not specifically pertain to a commercial business. He said he did not recall discussion of the parking requirements at the September 3rd meeting.

Chair Pierret voiced concern that there would be a significant impact on County Roads.

Mr. Braaten explained that the County Engineer was given opportunity to determine the impact. Mrs. VanDevender said that Findings #5 and #3a address the concerns. Chair Pierret agreed.

Chair Pierret asked for further questions or comments for the staff.

Chair Pierret entertained a motion.

Commissioner Lenk made a motion to adopt the suggested the findings of fact as contained in the staff report as prepared, and forward the Board of County Commissioners a recommendation of **Denial** for Application CUP 2019-05.

Commissioner McMullen seconded.

VOTE:

Melinda Didier – yes
Claude Pierret - yes
Mike Corrales – yes
Roger Lenk – yes

Kent McMullen – yes

Motion for Denial passed.

The Special Meeting was adjourned at 7:21 pm.

WORKSHOP

FRANKLIN COUNTY COMPREHENSIVE PLAN UPDATE – PROPOSED NEW TITLE 14

Mrs. Stickney introduced the proposed language for the addition of a new title to Franklin County's Development Code. She explained that AHBL drafted a new section, Title 14-Development Code Administration for consideration and said the new title is needed to attain compliance with the Local Project Review Act (RCW 76.70B) and the Land Use Petition Act (Chapter 36.70C RCW).

Mrs. Stickney provided a summary of the proposed language, section-by-section, and allowed time for comments from the Commission. There was some discussion.

Mrs. Stickney suggested next steps for the Planning Commission to move forward at their discretion.

The Special Meeting was adjourned at 8:00 pm

FACT SHEET/STAFF REVIEW

Hearing before the Franklin County Planning Commission

NOTE TO PLANNING COMMISSIONERS:
THIS IS A QUASI-JUDICIAL PUBLIC HEARING
PLEASE AVOID, AND DISCLOSE, ANY EX-PARTE COMMUNICATIONS (CH 42.36 RCW)

Case file: CUP 2019-06 (Conditional Use Permit) and SEPA 2019-10

Hearing Date: November 12, 2019

Applicant: Alicia Garibay, 4108 Janet Road, Pasco WA 99301

Owner: Alicia Garibay, 4108 Janet Road, Pasco WA 99301

Location: The property address is 4108 Janet Road. The parcel is bounded to the north by Janet Road and is one (1) parcel east of Road 42 North, and one (1) parcel north of Ivy Road. (Parcel Number 114-182-037).

Legal description: LOCATED IN THE NORTHEAST QUARTER OF THE SECTION 2, TOWNSHIP 9 N, RANGE 29 E, W.M., LESS THE IVY STREET RIGHT OF WAY, Lot #20 Replat of Clark Subdivision.

VICINITY MAP:

SUBJECT PARCEL

Fire District 3 Station



- Property size:** The current property (parcel) size is approximately 1.12 acres, net.
- Property to be used:** Approximately 20,550 sq. ft. of the site is to be used for the business
- Comp. Plan:** Rural Residential
- Zoning:** Rural Residential, RR-1
- Suggested Recommendation:** Positive recommendation with six (6) suggested findings of fact and eighteen (18) suggested conditions of approval
- Suggested Motion:** I move to forward CUP 2019-06 to the board of commissioners with a positive recommendation based on the six (6) findings of fact and eighteen (18) suggested conditions of approval.

APPLICATION DESCRIPTION:

Said application is to allow an outdoor event center, which appears to be only allowed with an approved Conditional Use Permit *(In accordance with Franklin County Code Section 17.14.040. A proposed use of this type lies between item D - "public and quasi-public buildings" and item I - "ancillary services, such as tasting rooms/facilities and event centers associated with a winery/distillery/brewery" regarding intensity of use).*

The applicant proposes to use approximately 20,550 sq. ft. of the 1.25 acre site for the proposed use, which will include portable restrooms, banquet tents for the specific events, and parking spaces. The applicant has indicated this proposed use is to be "temporary", with plans to move the business within 3-4 years, or sooner if an adequate permanent facility become available. (The property where the project is proposed is zoned RR-1 and carries a "Rural Residential" Land Use designation; the property is located in the area known as "Clark's Addition."

The following information about the project was provided by the applicant:

- Approximately three to five people will work on the site during business hours.
- The use results in approximately fifty to one hundred vehicle trips per event, depending on the number of event attendees. Events will occur 1-3 times per week and typically concentrated to the hours between 10 am and 5pm or between 5pm and 11pm on weekends. Events will only occur approximately 8 months of the year, depending on weather conditions.

The existing structures on the site include an approximately 1,680 square foot residential structure, a metal gazebo structure less than 200 sq. ft. in size, and a 288 square foot utility shed.

The applicant provided a **site plan** which shows the location of the following features:

- An approximately 12,700 square foot grass parking area with gravel driveway;
- The existing home, shed, and gazebo.
- The 20,550 sq. ft. proposed event area.

PUBLIC NOTICE:

- The Planning Staff emailed technical review requests to Technical Agencies on **October 10, 2019.**
- The Planning staff mailed notices to Property Owners within **one mile** on **October 10, 2019.**
- A Public Notice was published in the *Tri-City Herald* and *Franklin County Graphic* on **October 10, 2019.**
- A sign was posted on the property on **October 11, 2019.**

SEPA:

- A SEPA Checklist was included in the application. Planning Staff [Lead Agency Responsible Official] reviewed the checklist and issued a Determination of Non-Significance (DNS) on **October 10, 2019** under WAC 197-11-340(2) which was published on **October 10, 2019.**
- The Washington State Department of Ecology filed the notice under **SEPA #201905813** in the statewide SEPA register.
- Comments on the DNS Threshold Determination were due by **October 24, 2019.** As of the date of this staff report, no SEPA specific comments or appeals have been received.

APPLICABLE STANDARDS/CODES:

1. County Zoning-- County Code:
 - a. Chapter 17.14 RR-1 Rural Residential Zone
 - b. Chapter 17.82 Special Permits
 - c. Chapter 18.04 State Environmental Policy Act Guidelines (SEPA)
2. Franklin County Comprehensive Plan
3. Benton Franklin District Board of Health Rules and Regulations No. 2

PUBLIC COMMENT:

Two letters, and one e-mail, from Franklin County citizens were received as of the preparation of this staff report. The letters contain comments in objection to the proposal. The two letters, and the e-mail, express concern for the potential increased noise levels in the community due to the nature of the proposed use, and a concern that allowing commercial activities in the area will negatively affect the residential character of the area. One of the letters expresses concern that the existing infrastructure (roads, sewer system, etc.) will not support the increased traffic the use will generate. *Please see attached comments.*

Eight (8) neighbors in the immediate area have signed a petition in support of the proposal. Two of those neighbors have also offered to allow for event attendees to park on their property, should there be a need for overflow parking. *Please see attached comments.*

AGENCY COMMENTS/CRITERIA FOR FINDINGS OF FACT:

1. **Public Works Department:** Public Works has concluded that the proposed use will not have a significant impact on the County Road System and provides the following general comments:
 1. An approach permit is required for access to Franklin County roads per the County Road Approach Policy (Resolution No. 2014-123). Requirements include required permits, approach construction, minimum design standards, etc. per Franklin County Design Standards for the Construction of Roads and Bridges (Resolution 2002-270).
 2. Any utility extension crossing Franklin County roads will be addressed at the time of application. See Accommodation of Utilities on County Road Right-of-Way for more information (Resolution #2000-330).
2. **Franklin PUD:** *No comments received.*
3. **Health District:** The Health District has no objections to the proposal provided the following requirements are met:
 - a. The lot must meet all applicable usable land area requirements in accordance with Benton Franklin District Board of Health Rules and Regulation No. 2.
 - b. An event center would need to have plumbed restroom facilities for the guests. Portable toilets may be used to supplement large events but shall not be the only restroom available.
 - c. The event center would need to provide potable water from an approved public water supply.
2. **Fire District #3:** No overflow parking on Janet Rd, especially in front of the residence during events. Needs to be reserved for emergency services. *Please see attached comment.*
3. **South Columbia Basin Irrigation District:** The District has no comments on the proposal.
4. **US Bureau of Reclamation:** *No comments received.*
5. **County Risk Management:** *No comments received.*
6. **Clarks Addition Water Association:** Concern that the proposed use will require using the water system to clean-up after events. System is intended for residential use, not commercial. *Please see attached comment.*
7. **Planning and Building Department:** The Planning Department has determined the following suggested findings and provided comments for this application:
 - a. An "outdoor event center" is not specifically listed as an allowed use, nor is it specifically prohibited, in the RR-1 zone. Therefore, as required under FCC 17.66.210, Staff has reviewed the proposal and has determined the intensity of use from an outdoor event center would likely be less than an event center associated

with a winery/distillery/brewery with regard to impacts to the transportation and utility infrastructure, but could be more intense than a public or quasi-public building, depending on the specific use of a public or quasi-public building, especially with regard to noise and traffic.

- i. FCC 17.66.210 further requires that Staff's determination of any proposed use not specifically listed as prohibited, or permitted, within a zone must be reviewed for concurrence by the Planning Commission before being allowed.
- b. The property is located in the RR-1 (Rural Residential) zone. A conditional use permit is required for an event center (public and quasi-public buildings- *deemed analogous uses*) in this zone.
 - i. New permanent structures are not proposed as part of this application.
- c. Per FCC 17.14.040, ancillary services, such as tasting rooms/facilities and event centers associated with a winery/distillery/brewery are permitted through the conditional/special use permit process.
 - i. This application for an event center does not have any connection to a tasting room or beverage production facility.
- d. The Comprehensive Plan designation for the property is Rural Residential. The property is located in the area known as "Clark's Addition."
- e. The Comprehensive Plan contains the following goal: "Encourage the retention of useful open space and development of recreational opportunities, conserve critical fish and wildlife habitat, increase public access to natural resource lands and water, and develop parks."
 - i. Currently, Franklin County does not own and operate any public parks with developed recreational amenities such as public shelters, restrooms, and formal gathering spaces.
 - ii. The proposal includes (private) open space and a formal recreational gathering place.
- f. There are no mapped critical areas on or near the project site.
- g. The project site is located less than one mile north of the City of Pasco.
- h. Events will occur on an intermittent basis, generally on weekends from spring to fall.
- i. Any exterior lighting shall be directed on-site so as not to interfere with the comfort and repose of adjoining property owners.
- j. The proposed use of the site is primarily for outdoor events which, due to weather, may only occur seasonally (approximately 16-30 times per year). Per FCC 17.78.100, Special Event parking lots which are used on an infrequent basis are

exempted from Chapter 17.78 for Off-Street Parking, except for the maintenance requirements of 17.78.090(G). Under this provision, parking on the grass, as proposed, could be allowed. However, if events do occur year-round (or more than 30 times per year), the requirements of FCC 17.78 shall be required and the number of parking space calculations will be based on those required for Community Services (considered to be most analogous to the Public and Quasi-Public Buildings/ Outdoor Event Center use).

- k. The proposed approximately 12,700 sq. ft. parking area can accommodate up to seventy (70) vehicles, assuming 180 sq. ft. per vehicle.
- l. Separate building permits are required for any proposed or future buildings including storage buildings exceeding 200 sq. ft.:
 - i. A Building application is required with the submittal for building permits.
 - ii. A detailed plot plan with distances to all lot lines, easements and adjacent structures as applicable.
 - iii. An access permit is required from the Franklin County Public Works office.
 - iv. Scaled detailed plans of structures. (WA State Engineering may be required dependent on occupancy and method of construction).

According to the Franklin County Code, Chapter 17.82 Special Permits, the Planning Commission shall:

1. Make and enter findings of fact from the record and conclusions thereof;
2. Shall render a recommendation to the Board of Commissioners as to whether the proposal be denied, approved, or approved with modifications and/or conditions.

Findings of Fact Criteria by Planning Commission: The planning commission shall make and enter findings from the record and conclusions thereof as to whether or not:

1. The proposal is in accordance with the goals, policies, objectives, maps and/or narrative text of the comprehensive plan;
2. The proposal will adversely affect public infrastructure;
3. The proposal will be constructed, maintained and operated to be in harmony with the existing or intended character of the general vicinity;
4. The location and height of proposed structures and the site design will discourage the development of permitted uses on property in the general vicinity or impair the value thereof;
5. The operation in connection with the proposal will be more objectionable to nearby properties by reason of noise, fumes, vibrations, dust, traffic, or flashing lights than would be the operation of any permitted uses within the district;

6. The proposal will endanger the public health or safety if located and developed where proposed, or in any way will become a nuisance to uses permitted in the district.

Planning and Building Department Staff Assistance: Planning Staff will assist the Planning Commission with the determination of findings and conditions for CUP-2019-06.

Recommendation: The Franklin County Planning Department recommends that the Planning Commission forward a **POSITIVE** recommendation to the Franklin County Board of Commissioners for Application CUP-2019-05, with the following suggested findings of fact and suggested conditions of approval:

Suggested Findings of Fact:

1. The proposed use in the RR-1 Zoning District **IS** in accordance with goals and policies of the County Development Regulations (Zoning) and the applicable Comprehensive Plan.
 - a. The Franklin County Comprehensive Plan classifies the land as Rural Residential.
 - b. The Franklin County Comprehensive Plan encourages the retention of useful open space and development of recreational opportunities.
 - c. There are no critical areas present on the project site.
 - d. The County Zoning map designates the land as RR-1.
 - e. The use "public and quasi-public building" (most analogous use to an Outdoor Event Center) is allowed with a Conditional/Special Use Permit in the RR-1 Zoning District.
 - f. Per FCC 17.14.040, ancillary services, such as tasting rooms/facilities and event centers associated with a winery/distillery/brewery are permitted through the conditional/special use permit process.
 - g. The applicant has applied for a Conditional Use Permit to allow the proposed use.
2. The proposal **WILL NOT** adversely affect public infrastructure.
 - a. Access to the parcel is from Janet Road.
 - b. The use will not have a significant impact on the County Road System.
3. The proposal **WILL BE** constructed, maintained, and operated to be in harmony with the existing or intended character of the general vicinity.

- a. The existing character of the immediate area consists of farms and single family homes. The proposal is located less than one mile north of the City of Pasco;
 - b. The proposed use will be on an intermittent basis and will not impair the ability for rural, residential, and agricultural activities to continue, nor will it have a negative impact on the intended character of the general vicinity.
 - c. The existing and intended character of the immediate area is rural and agricultural. The site is within a Rural Residential area designated by the Franklin County Comprehensive Plan. The Rural Residential area is intended to contain a residential transitional area between the suburban areas surrounding cities and towns and agricultural resource lands.
 - d. The zoning of the site and most of the parcels near the site is RR-1.
 - e. The current parcel size is approximately 1.12 acres which allows sufficient area for parking, access, etc. for the planned activities, and also provides space between the use and surrounding uses. A vegetated buffer has been planted (120+ Arbor vitae) around the property and event area.
 - f. Conditions are required to ensure that impacts of noise, traffic, and temporary structures and signage are adequately mitigated.
4. The location and height of the proposed accessory structures and site design **WILL NOT** discourage the development of permitted uses on property in the general vicinity or impair the value thereof.
 - a. No new permanent structures are proposed as a part of the project at this time. The proposal includes portable restrooms and banquet tents for the specific events.
 - b. The proposal would include outdoor lighting at the site, until 10 p.m. when evening events take place.
5. The operation in connection with the proposal **WILL NOT** be more objectionable to nearby properties by reason of noise, fumes, vibrations, dust, traffic, or flashing lights than would be the operation of any permitted uses within the district.
 - a. Traffic of passenger vehicles and employees to the site will be intermittent and typically concentrated to the hours between noon and 5pm or between 5pm and 10pm on weekends. Noise and traffic will be limited to those hours.
 - b. Conditions are required to ensure that impacts of noise, traffic, and temporary structures and signage are adequately mitigated.
6. The proposal **WILL NOT** endanger the public health, safety, or general welfare if located where proposed.
 - a. The project is subject to the County's Right to Farm ordinance.

- b. The project is required to comply with Health Department and Public Works standards regarding health and access/safety standards for the proposed use.
- c. The project site is less than ½ mile from a public fire station.
- d. The public was notified of this proposal in accordance with all guidelines and requirements, and the Planning Department received EIGHT COMMENTS (as provided through a petition signed by surrounding neighbors) in favor of the proposal, and THREE COMMENTS in objection to the proposal.

Suggested Conditions of Approval:

1. The project shall comply with the requirements and recommendations of the **Benton-Franklin Health District**:
 - a. The lot must meet all applicable usable land area requirements in accordance with Benton Franklin District Board of Health Rules and Regulation No. 2.
 - b. An event center would need to have plumbed restroom facilities for the guests. Portable toilets may be used to supplement large events shall may not be the only restroom available.
 - c. The event center would need to provide potable water from an approved public water supply.
2. The project shall comply with the requirements and recommendations of the **Franklin County Planning and Building Department**:
 - a. The development standards of FCC 17.14.050 will apply to the project. No building shall be closer than 25 feet from a road right-of-way (or 55 feet from the centerline of the adjoining road, whichever is greater). The side setbacks are 10 feet (providing that the side yard on a corner lot shall not be less than 25 feet wide, or 55 feet wide from the centerline of an existing/future road, access easement, or whichever is greater) and the rear yard setback is a minimum of 25 feet.
 - b. All storm drainage shall be retained on-site and controlled by way of drainage swales, dry wells, french drains or other means as approved by the county engineer.
 - c. Exterior lighting shall be directed on-site so as not to interfere with the comfort and repose of adjoining property owners.
 - d. The current parcel size is approximately 1.12 net acres; if the property is later adjusted through a Boundary Line Adjustment or Short Plat, a new conditional use permit may be required.
3. The project shall comply with the requirements and recommendations of the **Franklin County Public Works Department**:

- a. An approach permit is required for access to Franklin County roads per the County Road Approach Policy (Resolution No. 2014-123). Requirements include required permits, approach construction, minimum design standards, etc. per Franklin County Design Standards for the Construction of Roads and Bridges (Resolution 2002-270).
 - b. Any utility extension crossing Franklin County roads will be addressed at the time of application. See Accommodation of Utilities on County Road Right-of-Way for more information (Resolution #2000-330).
4. Comply with the following conditions for **Access and Parking**:
 - a. Parking on the grass, as proposed, is allowed as long as events are infrequent and any fire risk (especially during drought or near-drought conditions) is mitigated through appropriate means. However, if events do occur year-round or more than 30 times per year, the requirements of FCC 17.78 will apply and the number of parking space calculations will be based on those required for Retail Trade and Services (considered to be the use most analogous to an Event Center use for parking calculation purposes).
 - b. The parking area should be set back an appropriate distance to allow for ingress / egress and as to not hinder driver's vision triangles as they leave or access the site. An internal access driveway shall be established and access shall not be blocked at any time to provide safe ingress/ egress for emergency vehicle access. Parking shall not be allowed along the interior driveways and "No Parking" signs (temporary or permanent) shall be installed.
 - c. Parking along Janet Road for activities is not permitted. Any new approaches onto County roads will require an approach permit from Public Works.
 - d. A handicapped parking area is to be designated, meeting ADA requirements, and appropriate ADA signage installed.
 - e. Any temporary signage used to locate the Event Center must meet the provisions of the Franklin County Sign Code, specifically, FCC 15.16.080.2.e. No sign shall obstruct any roadways and all signs shall be removed not more than one day after an event.
5. Comply with the following conditions regarding **Occupancy and Uses**:
 - a. The use on the entire property is limited to 200 guests (including vendors and hired personnel) at any given time.
 - b. Events with outdoor entertainment, music, public address systems and speeches (particularly those with amplified sound) shall not unreasonably impact neighboring residents or businesses. All music and activities resulting in sound that can interfere with normal conversation at a distance of seventy-five (75) feet or more from the source of the sound must not begin before 10 a.m. and must end by 10 p.m., and is limited to three hours of total duration.
 - c. Event activities must conclude by 10 p.m.

- d. Any tents or temporary shelters used on the site must meet National Fire Protection Association (NFPA) standards and are subject to inspection by a County official. All tents must include an affixed manufacturer's label stating the tent meets NFPA requirements. If a label is not attached, it will be the event organizer's responsibility to produce documentation from the manufacturer that the tent meets this standard prior to its acceptance. The County's Building Official is required to inspect and approve the final installation of all temporary structures over 400 square feet (excluding portable toilets) and any applicable inspection fees will apply.
6. Should an event provide alcohol to guests, a banquet – liquor license shall be required.
7. The business operator shall apply for and receive a business registration on an annual basis. In addition, an annual Fire & Life Self Inspection Survey Form is required to be completed. The applicant shall apply for and receive a County Business License on an annual basis.
8. The applicant shall commence the authorized conditional use (obtain a business registration with Franklin County) within one year after the effective date of this permit, or the permit shall expire.
9. It is the responsibility of the property owner to ensure that proper arrangements for waste removal and the pickup and haul-away of any additional litter and refuse is prepared for all events.
10. Should valid complaints (noise, traffic, parking, etc.) be received regarding activities taking place at the site, the conditional use permit approval may be reviewed by the County and potentially revoked.
11. RIGHT TO FARM: Applicant shall be aware that this facility is located in an area where farming and farm operations exist. Further, to assist in preserving the right of farmers to operate utilizing accepted and appropriate practices, the County has adopted a Franklin County Right to Farm Ordinance, as amended. At no time shall a farm operation, or accessory farm related enterprise such as crop dusting operation or airstrip use, be deemed to be a public or private nuisance as it relates to the activities associated with this land use approval
12. Comply with **fire code** requirements.
13. The site shall be maintained at all times so as to not let the land become a fire hazard or accumulate with debris and weeds and/or garbage.
14. Future expansions and improvements at the site shall comply with the submitted and approved site plans (and any building plans submitted and approved). To allow future flexibility, changes to the plans which are determined to be minor or incidental may be done administratively by the Planning Department. Major changes, which do not meet the intent of, or seriously re-align, the approved plans, shall be reviewed by the Planning Commission through a new Conditional Use Permit process prior to that change occurring.
15. Nothing in this CUP approval shall be construed as excusing the applicant from compliance with any federal, state, or local statutes, ordinances, or regulations applicable to this project.

16. In accordance with the County's Zoning Code, any special permit may be reviewed for potential termination and revocation by the Board of Commissioners if, after a public hearing, it is found that the conditions upon which the special permit was authorized have not been fulfilled or if the use authorized has changed in size, scope, nature or intensity so as to become a detriment to the surrounding area. The decision of the Board is final.
17. This permit applies to the described lands and shall be for the above named individual. The permit may not be transferred to other individual(s) or entities, or to another site. Any changes, or proposed changes, in ownership or operation will require the application of a new Conditional Use Permit.
18. By accepting the issuance of this permit, the Permit Holder(s) agree(s) to accept full responsibility for any and all operations conducted or negligence occurring at this location and any incidents that occur on surrounding properties caused by operations or negligence at this location; Permit Holder(s) further agree(s) to indemnify and hold the County harmless and agree that the County is in no way negligent in relation to granting this permit, or operations or negligence that occur at this location or on surrounding properties caused by operations or negligence on this property; Permit Holder(s) further agree(s) to accept full responsibility for any future cleanup needed due to activities conducted at this location that impact the surrounding properties, and obtaining and retaining appropriate insurance coverage.

Agenda Item #1

PUBLIC NOTICE

PUBLIC COMMENTS

CUP 2019-06

GARIBAY – OUTDOOR EVENT CENTER



FRANKLIN COUNTY

PLANNING AND BUILDING DEPARTMENT

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that there has been proposed to the Franklin County Planning Commission an application by **Alicia Garibay**, 4108 Janet Rd, Pasco WA for a Conditional Use Permit, file # **CUP 2019-06** and **SEPA 2019-10**.

Said application is to allow an outdoor event center, which is only allowed with an approved Conditional Use Permit (*In accordance with Franklin County Code Section 17.14.040. A proposed use of this type lies between item D - "public and quasi-public buildings" and item I - "ancillary services, such as tasting rooms/facilities and event centers associated with a winery/distillery/brewery" regarding intensity of use*). The applicant proposes to use approximately 20,550 sq. ft. of the site for the proposed use, which will, include portable restrooms, banquet tents for the specific events, and parking spaces. The proposal would include outdoor lighting at the site, until 10 p.m. when events take place. The property where the project is proposed is zoned RR-1 and carries a "Rural Residential" Land Use designation; the property is located the area known as "Clark's Addition."

The subject parcel is described as follows:

LEGAL DESCRIPTION:

LOCATED IN THE NORTHEAST QUARTER OF THE SECTION 2, TOWNSHIP 9 N, RANGE 29 E, W.M., LESS THE IVY STREET RIGHT OF WAY, Lot #20 Replat of Clark Subdivision.

NON-LEGAL DESCRIPTION:

The property address is 4108 Janet Road. The parcel is bounded to the north by Janet Road and is one (1) parcel west of Road 42 North, and one (1) parcel north of Ivy Road. (Parcel Number 114-182-037).

NOTICE IS FURTHER GIVEN that said application will be considered by the Franklin County Planning Commission. Said consideration will be a public hearing on **November 12, 2019 at 6:30 p.m.** in the **Franklin County Courthouse, Commissioners Meeting Room, 1016 North 4th Avenue, Pasco, WA 99301** and all concerned may appear and present any support for or objections to the application. Written comments are accepted prior to the public hearing and those comments shall be submitted to the Franklin County Planning Department, 502 W. Boeing Street, Pasco, Washington 99301.

NOTICE IS FURTHER GIVEN that said proposal has been reviewed under the requirements of the State Environmental Policy Act, as amended, along with the Environmental Checklist and other information. A determination has been made as to the environmental impacts of the proposal and a **Determination of Non-Significance (DNS)** has been issued. Accordingly, an Environmental Impact Statement is **not** required. This determination was made on **October 10, 2019** and comments regarding the determination and the environmental impacts of the proposal can be made to the Planning Department by **Thursday, October 24, 2019.**

Information concerning the proposal can be obtained at the Franklin County Planning Department, 502 W. Boeing Street, Pasco, Washington 99301, or by calling (509) 545-3521.

Page 2

CUP 2019-06

VICINITY MAP:



DATED AT PASCO, WASHINGTON ON THIS 10th DAY OF OCTOBER 2019.

PUBLISH:

Franklin County Graphic: October 10, 2019

Tri-City Herald: October 10, 2019

 10/10/2019
Derrick Braaten, Planning and Building Director

Derrick Braaten

From: Victor Hubbard <sylvicetal@msn.com>
Sent: Tuesday, October 15, 2019 10:50 AM
To: Derrick Braaten
Subject: [EXTERNAL] RE: CUP 2019-06; SEPA 2019-10

CAUTION: This email originated from outside of Franklin County. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mr. Braaten,

We are asking that the request for a Conditional Use Permit for an "outdoor event center" be denied. We chose to live in our neighborhood because of its designation of "rural residential". The area is typically quiet and has very little traffic. An "outdoor event center" would create far too much noise and bring traffic that the local streets are not designed to accommodate.

Thank you,

Victor Hubbard
6713 N Road 42
Pasco, WA
509.845.6475



FRANKLIN COUNTY

PLANNING AND BUILDING DEPARTMENT

AGENCY COMMENTS (CUP 2019-06/SEPA)

DATE: October 10, 2019

RE: CUP 2019-06

TO: County Engineer
Benton-Franklin Health Dist.
Fire Code Official
Assessor/GIS
County E-911
Irr. Dist. (FCID X SCBID X)
Fire Dist. # 3
Elec. Utility (PUD X BBEC)
County Building Official
Bureau of Reclamation

FROM: Derrick Braaten

CC: Matt Mahoney; Nicole Stickney

Agency Representative:

Enclosed is a copy of a proposed Conditional Use Permit application.

We would appreciate your review and comments **within ten (10) working days of the above listed date, if possible.** If it will take longer to review the CUP, please contact this office at (509) 545-3521.

Sincerely,

Derrick Braaten
Planning & Building Director

See attached for additional information

REPLY: Section D102, Required Access, International Fire Code
Not allow parking on either side of Janet Road, particularly
in front of 4108 Janet Rd (south side of street) during
events. For emergency vehicle parking.

Signed: Michael E. Harris Date: 10/10/2019
Title: Fire Chief
Franklin Co FD #3

Delivered @ the 11/12/2019 P.H.

To the Franklin County Planning Department,

Here I am writing this same letter again because all of the same concerns apply to the new proposal for an event center on Janet Road. All of the original concerns were for an event center on Ivy Road in regards to Conditional Use Permit (#CUP 2019-05 and SEPA 2019-8).

We have strong objections and concerns to the proposal presented by Alicia Garibay regarding the Conditional Use Permit (#CUP 2019-06 and SEPA 2019-10) for an Event Center at the address of 4108 Janet Rd, Pasco WA. I (Kristina Tucker) have lived in the Clark addition area for over 46 Years. I lived at 4117 Janet Road for most of my childhood and currently live at 1101 Clark Road as a wife and mother with a family of my own. As a longtime resident of Clark's Addition, we have several objections and concerns around bringing an event center to this area:

1. Most people move to the country and out of the city limits to enjoy peace and quiet and avoid the traffic and noise of town and/or the city. An event center would increase the noise and traffic and would serve as a nuisance to the residents who call Clark's Addition home.
2. This area is zoned "Rural Residential". We live here and it is our home. We come home to enjoy peace and quiet after a long day of work.
3. We spend many weekends and evenings outside and do not want to have to listen to other people's music selections, loud speakers, and booming base more than what usually takes place in our area. Currently when events are held in our neighborhood, we can hear the music and feel the base from these events throughout the day and late into the evening. An event center would add to the current and occasional noise disturbances and make it a frequent and ongoing disturbance.
4. Bringing an event center to our neighborhood, will also bring increased traffic. Many children and pets play near and/or in the roads of Clark's Addition. Our neighborhood community has been able to enjoy low levels of traffic because this is a country setting. The safety of children and pets will be impacted with increased traffic due to an event center.
5. With an increase in traffic to our neighborhood, there is also an increase in the potential for crime. More people will be brought into our area and this could lead to increased theft, burglary, drinking and driving, increased car and/or personal accidents, personal property damage, and many more hazardous possibilities.

Once again, please consider these objections and concerns and come to a decision that is in the best interest of the tax paying residents of Clark's Addition. The best decision would be to not allow an event center in an area that is zoned RR-1 "Rural Residential". Please keep our homes and country way of life peaceful, quite, and simple. We truly appreciate your time and thoughtful consideration of our concerns and objections.

Sincerely,



Kristina Tucker, William Tucker, and our family

1101 Clark Rd.

Pasco WA, 99301

October 21, 2019

Franklin County Planning Department
502 W Boeing Street
Pasco, WA 99301

Re: Permit File # CUP 2019-06 and SEPA 2019-10

I am writing to voice my concerns about this proposal. This seems very similar to the request by Enrique and Luz Salas last month. Perhaps a smaller but just moving northeast of the original property request.

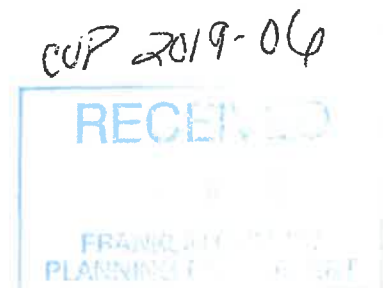
I have the same concerns with this one, as the last. I understand I will not see much traffic or possibly even the lighting. But, I am very concerned with the "music" affecting my quality of life. As I stated in my last letter concerning the Salas's request. Hours of loud music, rattling windows and forcing many of us inside for relief should not be allowed.

Even more importantly, Clark's Addition is a residential, family neighborhood. We do not need any kind of commercial businesses here.

Thank You



Cheryl Stevens
4121 Melody Lane
Pasco, WA 99301



To whom it may concern:

Concerning application by Alice Garibay for conditional use permit CUP 2019-06 and SEPA 2019-10

I am writing to ask that the proposed use permit change by Alice Garibay, for 4108 Janet Rd, Pasco, WA, be denied. This location is a rural/residential area. This event center proposal is very similar to one recently denied. (Luz Salas, CUP 2019-05 and SEPA 2019-08).

The roads, sewer system, etc. are not designed for the increased traffic and usage being proposed. A lack of sidewalks and minimal traffic controls, along with narrow streets in the area put pedestrian traffic at risk. Being a rural area, it is not uncommon to see residents riding horses and walking their pets on the sides of the roads.

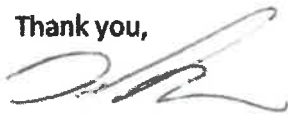
This proposal will also stretch even further the limited emergency services in the area. If alcohol is served at these events this becomes a serious concern.

This is a quiet, residential area with a "country-like feel". Listening to a PA system and seeing outdoor lighting from an outdoor events center into the late evening hours will essentially create a public nuisance for the rest of the community.

I understand the desire of the applicant(s) to create a business opportunity for themselves, but it shouldn't come at the expense of the rest of the area's residents. One has to wonder, with this permit request coming so soon after a very similar request was made and denied, if this is going to be an ongoing attempt to change the current rural /residential usage of this area. Most of us who live here came for that "country-like feel" I mentioned earlier.

Again, this is a residential neighborhood with no city sewer, no sidewalks, no enhanced traffic controls, etc., that might be available in a less rural location. I ask you to deny this permit.

Thank you,

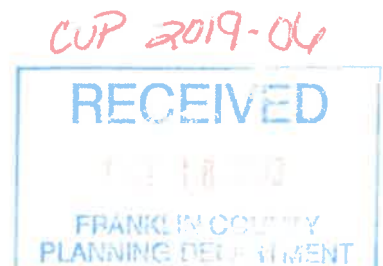


Terry Parker

3715 Quail Rd

Pasco, WA 99301

(509)366-0778



Memo



Public Works Department

To: Derrick Braaten, Planning & Building Director
From: John Christensen, County Surveyor
cc: Craig Erdman, County Engineer
Date: October 17, 2019
Re: CUP 2019-06

Derrick,

Public Works has concluded that the proposed use will not have a significant impact on the County Road System. However, we have the following general comments:

1. An approach permit is required for access to Franklin County roads per the County Road Approach Policy (Resolution No. 2014-123). Requirements include required permits, approach construction, minimum design standards, etc. per Franklin County Design Standards for the Construction of Roads and Bridges (Resolution 2002-270).
2. Any utility extension crossing Franklin County roads will be addressed at the time of application. See Accommodation of Utilities on County Road Right-of-Way for more information (Resolution #2000-330).

Please let me know if you have any questions.



October 29, 2019

Derrick Bratten
Franklin County Planning Department
502 Boeing Street
Pasco, WA 99301

Re: CUP 2019-006 (Garibay) Event Center

Dear Mr. Bratten:

This office has reviewed the above referenced CUP/SEPA for Garibay event center. This office has no objections to this proposal provided:

- 1) The lot must meet all applicable usable land area requirements in accordance with Benton Franklin District Board of Health Rules and Regulation No. 2.
- 2) An event center would need to have plumbed restroom facilities for the guests. This will require an on-site sewage system to be permitted install and approved for the proposed use in accordance with Benton Franklin District Board of Health Rules and Regulation No. 2. Portable toilets may be used to supplement large events but may not be the only restroom available.
- 3) The event center would need to provide potable water from an approved public water supply.

If you have any questions regarding these comments, please contact me at 509-460-4313.

Sincerely,

James R. Dawson
Senior Manager
Surveillance & Investigation

Alicia Martinez Garibay

I will be conducting events at my home, 4108 Janet Rd Pasco. With the consent of my neighbors, there will be 3 events a month or less. Music will be controlled by a DJ and end at 11pm. If there are mariachis at 8pm they will be cut off. **I will be on the premises at all times.** There will be security at all events.

Name/Signature:

Address:

Phone#

1. JOSE MORENO 4021 W IVY RD. 521-0592
2. Donna L. Salinas 4120 Janet Rd. 5476924
3. Rafael Soto 7517 Rd 42 9479766
212-4241
4. [Signature] 4012 Janet Rd 907-617-3173
907-723-8502
5. Delma SANTIAGO 4017 Janet Rd 509-521-4771
6. Rita Silva 4005 Janet Rd. 509-366-6191
7. Al [Signature] 4010 JANET RD 509 547 3512
8. Ignacia Bino, 4105 W IVY RD 845-7980
9. _____
10. _____

RECEIVED

AUG 28 2019

FRANKLIN COUNTY
PLANNING DEPARTMENT

Alicia Martinez Garibay
I have authorization
from Felicia Santian and
Donna Salinas to park
vehicles in their parking
area if needed for
overflow of vehicles due
to an event

Donna L. Salinas
Debra Santian



AGUILAR, ALFREDO & LAURA 1739 N 24TH AVE PASCO, WA 99301-3333	AGUILAR, MIGUEL A & XOCHITI 4011 ROBERTA RD PASCO, WA 99301-9375	AGUILAR (ETAL), ANTONIO & ARACELI 4516 JANET RD PASCO, WA 99301-9356
ALDRICH, ROB L 4710 JANET RD PASCO, WA 99301-9358	ALENCASTER, ANA CRUZ & SANTIAGO 4406 JANET RD PASCO, WA 99301-9355	ALTON, SHIRLEY & LONNIE 1641 CLARK RD PASCO, WA 99301-8303
ALVAREZ, LORENA 3008 W ELLA ST PASCO, WA 99301-3205	ALVAREZ, JESUS & ROSA 5118 JANET RD PASCO, WA 99301-9553	ALVAREZ, JANET & RAMIRO 4920 IVY RD PASCO, WA 99301-9328
ALVAREZ (ETUX), URIEL ROMERO 3904 JANET RD PASCO, WA 99301-9363	ALVAREZ (JR), JESUS 5112 JANET RD PASCO, WA 99301-9553	AMEZCUA (ETUX), ABEL 5100 IVY RD PASCO, WA 99301-9395
ARAYGA (ETAL), MARGARITA 4807 JANET RD PASCO, WA 99301-9359	ARMSTRONG, MICHAEL J 4207 PRAIRIE LN PASCO, WA 99301-8109	ARROYOS, VICENTE 3913 IVY RD PASCO, WA 99301-9324
ARTEAGA (ETUX), RAFAELA 5013 JANET RD PASCO, WA 99301-9550	AVALOS, JOSE L & LORENA 3807 MELODY LN PASCO, WA 99301-8311	AYALA, MICHAEL 4616 JANET RD PASCO, WA 99301-9316
AYALA, LETICIA 4815 JANET RD PASCO, WA 99301-9359	BADILLO, INOCENCIO & BLANCA 7400 N ROAD 48 PASCO, WA 99301-9330	BAIE, BRENNDEN & CHANDA 7204 N ROAD 42 PASCO, WA 99301-9335
BALERO, DONALD & JANICE 4515 JANET RD PASCO, WA 99301-9356	BARAJAS (ETAL), ISRAEL 1381 GREENACRES RD MESA, WA 99343-9560	BASS (ETUX), JAMES F 286 FLAT WOODS RD AMHERST, VA 24521-3858
BEENKEN, CODY W 7215 N ROAD 42 PASCO, WA 99301-9369	BLACKMAN, KAREN 6920 ROAD 42 PASCO, WA 99301-9367	BLASDEL, JEREMY & KIMBERLY 3804 QUAIL RD PASCO, WA 99301-9319
BOSTICK, STEVE E & BETTY 3903 QUAIL RD PASCO, WA 99301-9308	BOYER-BASS (TR), PAULETTE 286 FLAT WOOD RD AMHERST, VA 24521-3858	CALDERON (ETAL), REY 5012 JANET RD PASCO, WA 99301-9550

CALDWELL, JAMES C & TRUDY
6970 N ROAD 42
PASCO, WA 99301-9367

CAMPOS, ASAUL & MARIA C
1315 CLARK RD
PASCO, WA 99301-8302

CANO, NABOR G & BERTHA A
2003 N 9TH AVE
PASCO, WA 99301-3651

CANO (ETAL), NABOR
4105 IVY RD
PASCO, WA 99301-9326

CARDENAS, GABRIEL & PATRICIA
3905 ROBERTA RD
PASCO, WA 99301-9374

CARLON, TODD & JOYCE
4308 IVY RD
PASCO, WA 99301-9327

CARTER, DAVID L
3715 MELODY LN
PASCO, WA 99301-9349

CASTANEDA, BERTHA
4415 IVY RD
PASCO, WA 99301-8309

CASTANEDA, CLEMENTE & MARIA
1014 S 7TH LN
PASCO, WA 99301-5728

CASTRO, ANA
6716 N ROAD 36
PASCO, WA 99301-9347

CERVANTES, DANIEL & ROSA M
7609 N ROAD 44
PASCO, WA 99301-8305

CHAVEZ, HUMBERTO R
4320 IVY RD
PASCO, WA 99301-9327

CHAYRES, VICTOR A & MARIA D
4416 JANET RD
PASCO, WA 99301-9355

CLARK ADDITION WATER ASSOC
3912 IVY RD
PASCO, WA 99301-9324

COLLINS, LORI MARIE
62306 N 106 PR NE
BENTON CITY, WA 99320-8776

COLUMBIA WATERS FARM LLC
1281 FALLS RD
PASCO, WA 99301-9610

CONN, JOHNNY W & KAREN M
3912 IVY RD
PASCO, WA 99301-9324

COPE, LURIS W
20621 S HANEY RD
KENNEWICK, WA 99337-8575

CUEVAS, UBALDO & MARIA M
7305 N ROAD 44
PASCO, WA 99301-9340

CUNNINGHAM, LAURIE
3808 ROBERTA RD
PASCO, WA 99301-9344

DAMIAN, JUAN I
1751 CLARK RD
PASCO, WA 99301-8304

DANILYUK, PAVEL
7608 N ROAD 42
PASCO, WA 99301-9352

DAVIS, BRYAN J
355 BALSWOOD CT
WEST RICHLAND, WA 99353-9292

DELGADO, NOEL
7421 N ROAD 42
PASCO, WA 99301-9371

DEPARTMENT OF NATURAL RESOURCES
PO BOX 47016
OLYMPIA, WA 98504-7016

DERRICK, CLAUDE
4009 MELODY LN
PASCO, WA 99301-8314

DURAN, JESUS
4415 JANET RD
PASCO, WA 99301-9355

ELY, RICHARD & GERALDINE
4108 IVY RD
PASCO, WA 99301-9326

ELY (ETUX), JOSEPH L
921 CLARK RD
PASCO, WA 99301-9391

ESPIRITU, CESAR RENE
5021 JANET RD
PASCO, WA 99301-9550

EUBANKS, BRUCE & LORETTA 7420 N ROAD 36 PASCO, WA 99301-9325	CITY OF CONNELL, LEE BARROW PO BOX 1200 CONNELL, WA 99326-1200	FARM 2005 LLC 2699 N ROAD 68 PASCO, WA 99301-1967
FELLOWS, SHAUN 5113 JANET RD PASCO, WA 99301-9553	FLORES, ISIDRO & AMPARO 7108 N ROAD 36 PASCO, WA 99301-9312	FLORES, ANDRES & SARA 4405 JANET RD PASCO, WA 99301-9355
FLORES (ETUX), ANDRES 4515 JANET RD PASCO, WA 99301-9356	FLUHARTY, TROY P 3905 JANET RD PASCO, WA 99301-9363	FOSTER, CLYDE & CHERYL 7106 N ROAD 36 PASCO, WA 99301-9312
FRANCISCO (ETUX), PASCUAL 90 S VERBENA ST KENNEWICK, WA 99337-9631	FREELAND (ETAL), MICAH 4608 IVY RD PASCO, WA 99301-9331	GALAVIZ, JUAN & ROSA INEZ 1611 CLARK RD PASCO, WA 99301-8390
GALVEZ, YESENIA R 4013 IVY RD PASCO, WA 99301-9925	GARCIA, OSCAR 1228 S 3RD AVE PASCO, WA 99301-5706	GARCIA, ELPIDIO 3716 ROBERTA RD PASCO, WA 99301-9345
GARCIA (JR), PORFIRIO & ROSA 3709 JANET RD PASCO, WA 99301-9365	GARIBAY, ALICIA MARTINEZ 4108 JANET RD PASCO, WA 99301-9361	GOMEZ, MARIA GUADALUPE 4615 JANET RD PASCO, WA 99301-9316
GUZMAN (ETUX), NATHAN 3821 ROBERTA RD PASCO, WA 99301-9373	HANUS, KIM A 4012 IVY RD PASCO, WA 99301-9925	HARMON, CHARLES & CARALYNE 6716 N ROAD 42 PASCO, WA 99301-9301
HARO, MANUEL 4004 MELODY LN PASCO, WA 99301-8314	HARO, ISAAC 4004 MELODY LN PASCO, WA 99301-8314	HEALIER, JOHN 3921 MELODY LN PASCO, WA 99301-9378
HERRERA, ISIDRO & SABINA 3920 ROBERTA RD PASCO, WA 99301-9350	HIATT (TR), LYNN D & REMEDIOS E 4615 IVY RD PASCO, WA 99301-9304	HOBSON, PERRY & CAROLYN 3916 MELODY LN PASCO, WA 99301-9378
HOLLENBECK (ETAL), TRACY 247 ERDMAN LN BURBANK, WA 99323-9673	HUBBARD, VICTOR R & SYLVIA G 6713 N ROAD 42 PASCO, WA 99301-9301	HUNTER, DIANE M 5207 W HILDEBRAND APT 320 KENNEWICK, WA 99338-5206

HUSTON, LISABETH A
1571 CLARK RD
PASCO, WA 99301-8303

JAYNE (ETAL), RONDA
1381 CLARK RD
PASCO, WA 99301-8302

JOHNSON, JOSIAH & CHENYN
506 E VINEYARD DR
PASCO, WA 99301-9667

JOHNSON (TR), MELVIN & BARBARA
4913 IVY RD
PASCO, WA 99301-9328

JONES (TR), DANA & KENNETH
1433 OLD PROSSER HWY
GRANDVIEW, WA 98930-9669

KNIGHT, LARRY & CHRISTINA
3908 ROBERTA RD
PASCO, WA 99301-9350

KOZELISKY, DENI C
3705 ROBERTA RD
PASCO, WA 99301-9372

KRAMER, JOSHUA C
4017 MELODY LN
PASCO, WA 99301-8314

LAMB WESTON, INC.
PO BOX 1900
PASCO, WA 99302-1900

LAMPSON (JR), BYRON
3821 IVY RD
PASCO, WA 99301-9323

LAPP (ETAL), SHARON
6704 N ROAD 36
PASCO, WA 99301-9347

LEMIEUX-JONES (ETVIR), GINA
3820 IVY RD
PASCO, WA 99301-9323

LEMUS, EVANGELINA MENDOZA
4321 JANET RD
PASCO, WA 99301-8312

LEONARD, RILEY F & ANGELA M
3912 QUAIL RD
PASCO, WA 99301-9313

LICON (ETAL), FRANCISCO &
HERLINDA
4720 JANET RD
PASCO, WA 99301-9358

LINDSLEY, TIMOTHY A & ROLAIN K
4907 JANET RD
PASCO, WA 99301-9360

LINDSLEY, CHERYL L
4913 JANET RD
PASCO, WA 99301-9360

LOERA (ETAL), ELVIA G
3721 QUAIL RD
PASCO, WA 99301-9306

LOPEZ, DEBORAH ANN
7008 N ROAD 36
PASCO, WA 99301-9348

LOPEZ, JONATHAN P & BELEN
4120 MELODY LN
PASCO, WA 99301-8315

LYLE, LARRY & COLLEEN K
7508 N ROAD 36
PASCO, WA 99301-9311

MADRIGAL, DAVID & ALPHA M
PO BOX 4385
PASCO, WA 99302-4385

MADRIGAL, PORFIRIO MENDOZA
4109 MELODY LN
PASCO, WA 99301-8315

MARTIN, RICHARD D & CATHY
13104 2ND ST SE
LAKE STEVENS, WA 98258-9261

MARTIN, ROBERT & KAREN
3707 MELODY LN
PASCO, WA 99301-9349

MARTIN-BURIA, LINDA
4912 IVY RD
PASCO, WA 99301-9328

MARTINEZ, JOSE MORENO
4021 W IVY RD
PASCO, WA 99301-9925

MATHEWS, JOHN & NAOMI
7608 N ROAD 36
PASCO, WA 99301-9310

MAY, ROBERT A
3921 JANET RD
PASCO, WA 99301-9363

MEDINA, JULIO
4212 ROBERTA RD
PASCO, WA 99301-9341

MEDINA (ETAL), JUAN SR & ANGELINA
1291 CLARK RD
PASCO, WA 99301-8301

MENDEZ (ETUX), JESUS R
4405 IVY RD
PASCO, WA 99301-8309

MENDOZA, JAVIER & NATALIE
7114 N ROAD 42
PASCO, WA 99301-9336

MENDOZA, GUILLERMINA
6706 N ROAD 36
PASCO, WA 99301-9347

MINIELLY, DAROLD & PAMELA
1471 CLARK RD
PASCO, WA 99301-8307

MINNON, RANDY
3821 MELODY LN
PASCO, WA 99301-8311

MONTEZ (ETAL), EDWARD & ELIZABETH
1913 RIVERVIEW DR
PASCO, WA 99301-3559

MORENO, JOSE A & YASMIN A
3701 IVY DR
PASCO, WA 99301-9322

MORENO (ETUX), JESUS E
FLORES
3704 QUAIL RD
PASCO, WA 99301-9317

MORFIN, FIDEL M & ANA O
PO BOX 5094
PASCO, WA 99302-5094

MUNGUIA (ETAL), BLANCA U
1011 CLARK RD
PASCO, WA 99301-8300

MURRI (ETAL), DOUGLAS &
DEBRA
239 HIGH MEADOWS ST
RICHLAND, WA 99352-8435

NAVARRETE, TOMAS O & GLORIA A
7314 N ROAD 42
PASCO, WA 99301-9334

NERI R (ETUX), ARMANDO
416 W B ST
PASCO, WA 99301-5743

NICHOLS (ETAL), KEVIN D
PO BOX 193
PRESCOTT, WA 99348-0193

NIEMI (ETAL), SAMUEL H
4012 JANET RD
PASCO, WA 99301-9362

NOPENS, DICK & JULIE
4916 JANET RD
PASCO, WA 99301-9360

OLBERDING, FRED
911 BIRCH RD
PASCO, WA 99301-8855

OLBERDING, ALLEN & CHERYL
5 LAVENDER CT
PASCO, WA 99301-1899

OLBERDING, FRED
911 BIRCH RD
PASCO, WA 99301-8855

OLIVAR, CLARA INES
5119 JANET RD
PASCO, WA 99301-9553

OLIVERA, MANUEL A & MARIA L
4021 ROBERTA RD
PASCO, WA 99301-9375

OROZCO (ETUX), SALVADOR
4506 JANET RD
PASCO, WA 99301-9356

OWEN, JULIE
4607 IVY RD
PASCO, WA 99301-9304

PALOMINO, JESUS M & BEATRIZ Y
3817 JANET RD
PASCO, WA 99301-9364

PALOMINO (ETAL), ALEX
PO BOX 3471
PASCO, WA 99302-3471

PARKER, TERRY L
3715 QUAIL RD
PASCO, WA 99301-9306

PARRA, DAVID
3716 MELODY LN
PASCO, WA 99301-9349

PAZ, ANTONIO & MARIA AURELIA
PO BOX 4251
PASCO, WA 99302-4251

PERKINS, CRAIG J
4812 IVY RD
PASCO, WA 99301-9329

PIKE, LOWELL SCOTT 6718 N ROAD 36 PASCO, WA 99301-9347	POLAND, RICK & TRICIA 7420 N ROAD 42 PASCO, WA 99301-9333	PORT OF PASCO PO BOX 769 PASCO, WA 99301-0769
RAMACHER, KELLY & CHRISTOPHER 4113 JANET RD PASCO, WA 99301-9361	RAMIREZ, GABRIEL PO BOX 4105 PASCO, WA 99302-4105	RAMOS, ANA F 48 PROTON LN RICHLAND, WA 99354-1748
RAMOS (ETUX), ROGELIO 7320 ROAD 48 PASCO, WA 99301-9357	RANSOM, DEANNA K 7103 N ROAD 42 PASCO, WA 99301-9368	RANSOM, GARLAND R 7015 N ROAD 42 PASCO, WA 99301-9397
RANSOM, GARLAND & NEDRA 4016 ROBERTA RD PASCO, WA 99301-9343	RASKA, CARL F & KATHI 4020 JANET RD PASCO, WA 99301-9362	RODRIGUEZ, RAFAEL PEREZ 3920 IVY RD PASCO, WA 99301-9324
RODRIGUEZ (ETUX), JUAN B 4616 IVY RD PASCO, WA 99301-9331	ROLLER, GEORGE L 4716 IVY RD PASCO, WA 99301-9377	ROMAINE, JOSHUA 3712 MELODY LN PASCO, WA 99301-9349
ROUNDY, GLEN F & DIANE H 1281 FALLS RD PASCO, WA 99301-9610	RUPOUT, TODD HENDRICKS 7304 N ROAD 42 PASCO, WA 99301-9334	SAENZ, ADOLFO & FRANCISCA 3821 QUAIL RD PASCO, WA 99301-9307
SAENZ, ARMANDO & JURI 3808 QUAIL RD PASCO, WA 99301-9319	SALAS, ENRIQUE & LUZ 4616 IVY RD PASCO, WA 99301-9331	SALDANA, AZUCENA MORENO 3721 ROBERTA RD PASCO, WA 99301-9372
SALINAS, SIMON & DONNA 4120 JANET RD PASCO, WA 99301-9361	SANCHEZ, ANA ROSA 439 W 10TH AVE KENNEWICK, WA 99336-6363	SANCHEZ, MAYRA M 7205 N ROAD 42 PASCO, WA 99301-9369
SANTILLAN, JESUS & DELIA 4017 JANET RD PASCO, WA 99301-9362	SCHWENDIMAN, STEVEN & GLENDA 3612 MEOLDY LN PASCO, WA 99301-9318	SEGURA, SANTIAGO & YOLANDA 4509 IVY RD PASCO, WA 99301-9399
SILVA, GUMESINDO & RITA 4005 JANET RD PASCO, WA 99301-9362	SMALL, LEVI 1301 BABS AVE BENTON CITY, WA 99320-9780	SMART, DANNY LEE & CYNTHIA 1051 CLARK RD PASCO, WA 99301-8300

SOLIS, EFRAIN LINARES
7520 N ROAD 42
PASCO, WA 99301-9351

SOTO, RAFAEL & MARIA
7517 N ROAD 42
PASCO, WA 99301-9351

SPRAGUE (JR), DENTON & VIVIAN
4214 IVY RD
PASCO, WA 99301-9332

STEVENS, CHERYL L
4121 MELODY LN
PASCO, WA 99301-8315

STUMPF, JAY J & KETRA M
4020 W IVY RD
PASCO, WA 99301-9925

SUTTON (ETAL), BRIAN P
1421 CLARK RD
PASCO, WA 99301-8307

TABOR, DOUGLAS & WILMA J
4709 IVY RD
PASCO, WA 99301-9305

TERNES, JAMES D & JANET L
1563 CLARK RD
PASCO, WA 99301-8303

THOMPSON (ETAL), FRANCES
4606 JANET RD
PASCO, WA 99301-9316

TISCARENO, JOAQUIN & MARIA
3721 IVY RD
PASCO, WA 99301-9322

TISCARENO, MARIA R
3721 IVY RD
PASCO, WA 99301-9322

TORRES, TEODORO & HILDA
7760 N ROAD 36
PASCO, WA 99301-8588

TORRES, JULIE C
PO BOX 5127
PASCO, WA 99302-5127

TORRES, CRISTOBEL
7205 N ROAD 44
PASCO, WA 99301-9339

TORRES, PEDRO M & MARICRUZ
7104 N ROAD 36
PASCO, WA 99301-9312

TORRES, ABRAHAM & MARIA
5100 IVY RD
PASCO, WA 99301-9395

TORRES, JORGE
6526 EAGLE CREST DR
PASCO, WA 99301-8531

TORRES (ETAL), JORGE & CLAUDIA
5100 IVY RD
PASCO, WA 99301-9395

TREJO, MARIA
1912 W RUBY ST
PASCO, WA 99301-3457

TRIEBWASSER, CLAUDIA K
4117 JANET RD
PASCO, WA 99301-9361

TRUJILLO, GUADALUPE
3805 ROBERTA RD
PASCO, WA 99301-9373

TUCKER, KRISTINA C & WILLIAM R
1101 CLARK RD
PASCO, WA 99301-8300

ULLRICH, DEVERLE WEBSTER
7821 N ROAD 44
PASCO, WA 99301-9315

VALENCIA, ANTONIO
5016 IVY RD
PASCO, WA 99301-9829

VANDEMAN, ARTHUR & DONNA
7315 N ROAD 42
PASCO, WA 99301-9370

VARGAS (ETUX), FIDEL LIRA
4220 JANET RD
PASCO, WA 99301-9353

VIDAURRI, ROBERTO & MINERVA
1731 CLARK RD
PASCO, WA 99301-8304

VIERA, MANUEL & ESTHER
3812 MELODY LN
PASCO, WA 99301-8311

VIERA, JUAN & ROSARIO
4813 LAREDO DR
PASCO, WA 99301-8357

VIXIE, MATTHEW
3915 JANET RD
PASCO, WA 99301-9363

WATERS, DONALD A & JANE E
6920 N ROAD 42
PASCO, WA 99301-9367

WEBER, JAY & JOANNE
3920 JANET RD
PASCO, WA 99301-9363

WHIPPLE, CLAY
4610 IVY RD
PASCO, WA 99301-9331

WHITE, WILLIAM B
211 WHITE DR
BURBANK, WA 99323-9660

WILLIAMS, KENNETH & TERESSA
7109 N ROAD 44
PASCO, WA 99301-9342

WINCHESTER, ALBERT R
3912 JANET RD
PASCO, WA 99301-9363

WINDSOR (JR), BLAN D
4721 IVY RD
PASCO, WA 99301-9305

WOOLLUM, TODD D & DIANA J
4221 JANET RD
PASCO, WA 99301-9353

WRIGHT, JEROME
7809 N ROAD 44
PASCO, WA 99301-9315

YEPEZ (ETUX), RAFAEL TORRES
7300 N ROAD 48
PASCO, WA 99301-9357

ZAMORA, OSWALDO & MARIA
3907 MELODY LN
PASCO, WA 99301-9378

ADAIR (ETAL), JAMES
4111 WESTLAKE CT
WEST RICHLAND, WA 99353-7333

Agenda Item #1

APPLICATION, SEPA DETERMINATION & SEPA CHECKLIST

CUP 2019-06

GARIBAY – OUTDOOR EVENT CENTER



FRANKLIN COUNTY

PLANNING AND BUILDING DEPARTMENT

RECEIVED

AUG 28 2019

FRANKLIN COUNTY
PLANNING DEPARTMENT

GENERAL LAND DEVELOPMENT APPLICATION

FOR STAFF USE ONLY:	FILE #: CUP 2019-06 + SEPA 2019-0410	Reviewed by: Hearing Date:	<p>STAMP HERE</p> <p>RECEIVED</p> <p>AUG 28 2019</p> <p>FRANKLIN COUNTY PLANNING DEPARTMENT</p>
	Total Fees: \$ 550.00 + 150		
	Receipt #: 400		
	Date of Pre-App meeting: PL19-00768 + PL19-00767		
	Date deemed complete:		

CHECK ALL THAT APPLY AND ATTACH THE SUPPLEMENTAL FORM(S):	<input type="checkbox"/> Comprehensive Plan Amendment	<input type="checkbox"/> Shoreline Substantial Development
	<input checked="" type="checkbox"/> Conditional Use Permit	<input type="checkbox"/> Shoreline Conditional Use Permit
	<input type="checkbox"/> Variance	<input type="checkbox"/> Shoreline Variance
	<input type="checkbox"/> Rezone	<input type="checkbox"/> Shoreline Exemption
	<input type="checkbox"/> Non-Conforming Use Determination	<input type="checkbox"/> Shoreline Non-Conforming
	<input type="checkbox"/> Zoning Interpretation / Administrative Decision	<input checked="" type="checkbox"/> SEPA Environmental Checklist
	<input type="checkbox"/> Short Plat	<input type="checkbox"/> Appeal (File # of the item appealed:)
	<input type="checkbox"/> Subdivision (Long Plat)	<input type="checkbox"/> Critical Areas Determination / Review / Reasonable Use Exemption
	<input type="checkbox"/> Binding Site Plan	<input type="checkbox"/> Temporary Use Permit
	<input type="checkbox"/> Lot Segregation Request	<input type="checkbox"/> Home Occupation
	<input type="checkbox"/> Alteration / Vacation	<input type="checkbox"/> H2A Farm Worker Housing (zoning review)
	<input type="checkbox"/> Planned Unit Development	
	<input type="checkbox"/> Other:	

<input checked="" type="checkbox"/> for contact person:	CONTACT INFORMATION	
<input type="checkbox"/>	<p><i>Alicia Martinez-Garibay</i></p> <p>Property Owner</p> <p>Name:</p> <p>Mailing Address: 4108 Janet Rd Pasco 99301</p> <p>Phone: 209-374-6491 Email: aliciaultran@live.com</p>	
<input type="checkbox"/>	<p>Applicant / Agent / Contractor (if different)</p> <p>Company: Name:</p> <p>Address: Email:</p> <p>Phone: Live</p>	
<input type="checkbox"/>	<p>Surveyor / Engineer</p> <p>Company: Name:</p> <p>Address: Email:</p> <p>Phone:</p>	

BRIEF DESCRIPTION OF PROJECT OR REQUEST:

garden for Events 200 people or less
wedding-quinceanera, Anniversary ect

PROPERTY INFORMATION

Parcel number(s) (9-digit tax number):

114182037

Legal Description of Property:

Site Address (describe location if no address is assigned):

4108 Janet Rd Pasco WA 99301

- All appropriate fees must accompany this application. Fees are non-refundable and subject to change. Please contact the Planning Department for current fee totals.
- This application, including attachments, must be completed in its entirety for all items applicable to your project.
- Supplemental information is generally required for land use approvals. Ensure that all required information is submitted along with this application form.
- If the property is owned by a corporation or LLC please attach documentation showing that the person signing as the "owner" has the authority to sign on behalf of the corporation or LLC. If there are multiple owners, provide an attachment in the same format and with the same declarations.

I, the undersigned, hereby authorize the filing of this application and certify under penalty of perjury that the information contained in this application is complete and correct to the best of my knowledge. Further, I hereby grant Franklin County staff or representatives to enter my property during the course of this review to inspect my property as needed.

I understand that any information submitted to the Franklin County Planning/Building Department is subject to public records disclosure law for the State of Washington (RCW Chapter 42.17) and all other applicable law that may require the release of the documents to the public.

☐ This authorizes the designated Applicant's representative (if applicable) to act on behalf of the applicant for the processing of this request.

Owner

Date

Applicant/Representative

Date

Print Name:

Print Name:

PROPOSED STRUCTURES AND USE (SIZE, HEIGHT, ETC.):

n/a

HOW WILL THE PROPOSED DEVELOPMENT BE COMPATIBLE WITH THE USES PERMITTED IN THE SURROUNDING ZONE(S)?

DESCRIBE HOW THE SUBJECT PROPERTY IS PHYSICALLY SUITABLE FOR THE TYPE, DENSITY AND/OR INTENSITY OF THE USE BEING PROPOSED:

I have more than an acre of grass planted 120 arbovitae trees. I will be on premises at all times plus security. Plenty of parking

PROPOSED MEASURES TO ENSURE COMPATIBILITY WITH PERMITTED USES IN THE SURROUNDING ZONE (EXAMPLE: FENCES, LANDSCAPE BUFFERS, BERMS, ETC):

120 arbovitae for privacy + noise

DESCRIBE ANY EXISTING ZONING ORDINANCE VIOLATION:

n/a

IRRIGATION SOURCE:

☐ NONE ☒ PRIVATE ☐ SCBID ☐ FCID

DOMESTIC WATER SUPPLY:

☐ ON-SITE WELL ☒ COMMUNITY WELL (Well ID # and location):
☐ OTHER (SPECIFY):

SEWAGE DISPOSAL:

☒ ON-SITE SEPTIC ☐ OTHER (SPECIFY):

porta potties 2 (disabled)¹

LIST UTILITY PROVIDERS:

Power – PUD

Telephone –

Natural Gas –

Cable / Broadband –

Sanitary waste disposal –

Spectrum

Blue Room Bdi

CONDITIONAL USE PERMIT INFORMATION #2019-06

ZONING:

PROJECT NAME:

Butterfly Garden - Alicia Martinez Garibay

WHAT ARE YOU PROPOSING? (ex: Accessory Dwelling Unit, Bed and Breakfast, Commercial Agriculture, Church, Dairy, Accessory Building deviating from standards, Wireless Communication Facility, etc.)

Events (garden)

LOT / PARCEL SIZE:

1 acre + 1/4

1800x

SIZE OF THE AREA TO BE USED FOR THE PROPOSED USE OR BUILDING:

N/A

150 X 137

PRESENT USE OF THE LAND AND STRUCTURES, IF ANY:

home + shed
residential

parcel # 114182037

4108 Janet Rd Pasco WA 99301

DETAILED DESCRIPTION OF THE PROPOSED USE / DEVELOPMENT PROPOSAL: (ATTACH ADDITIONAL SHEETS IF NEEDED)

Event garden to host family events such as Weddings Anniversaries - Quinceaneras ect. I will provide decoration porta potties (disabled unit) chairs tables. Parking for up to 200 people or less. 2-3 times a month when weather permits.

WILL THE PROJECT BE CONDUCTED ENTIRELY WITHIN A STRUCTURE? ☐ YES ☒ NO

A. IF NO, DESCRIBE THE OUTDOOR ACTIVITIES (E.G., OUTDOOR EATING, PLAYGROUND, PARK):

event garden

B. WHAT IS THE APPROXIMATE SQUARE FOOTAGE, OR SEATING CAPACITY OF YOUR OUTDOOR USE AREA(S)?

150 X 137

C. WHAT TYPE OF NOISES WILL THE OUTDOOR USE GENERATE? (E.G. MUSIC, MACHINERY, VEHICLES)

music by DJ occasional Mariachi

PROPOSED HOURS OF OPERATION / DAYS OF THE WEEK (INDICATE MONTHS, IF SEASONAL):

10am - 11pm mainly Sat-Sun occasional wkday
March - Oct or weather permits 2-3 times a month

I, the undersigned, hereby authorize the filing of this application and certify under penalty of perjury that the information contained in this application is complete and correct to the best of my knowledge. Further, I hereby grant Franklin County staff or representatives to enter my property during the course of this review to inspect my property as needed.

☐ This authorizes the designated Applicant's representative (if applicable) to act on behalf of the applicant for the processing of this request.

Alicia Martinez Garibay
Owner _____ Date _____

Applicant/Representative _____ Date _____

Print Name: *Alicia Martinez Garibay*

Print Name: _____

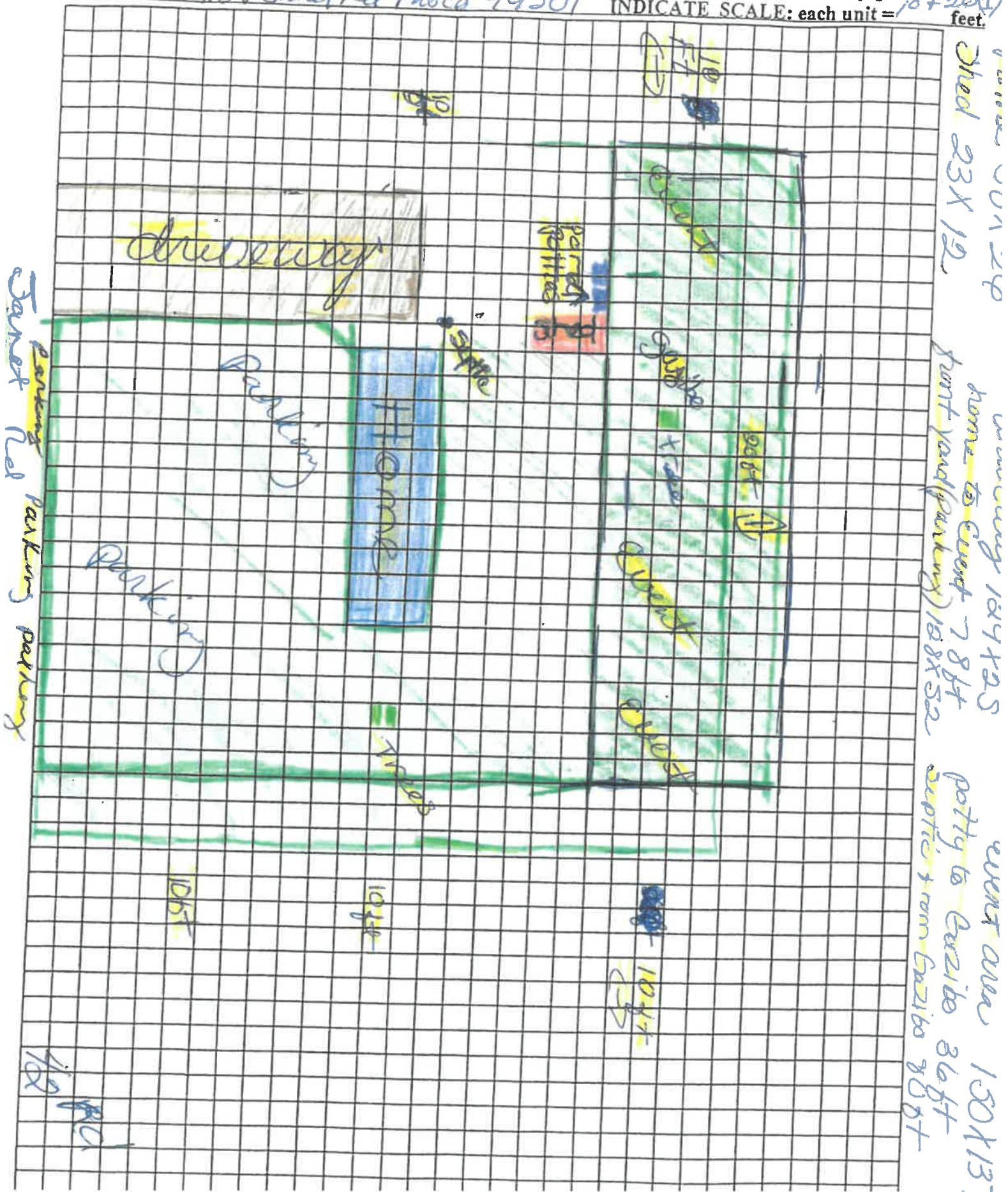
Rev. Jan 2019



SITE PLAN

It is **VERY IMPORTANT** that you follow ALL of the instructions on the **COVER SHEET** under **SITE PLAN** when you are making your drawings. **PLEASE** use a **COLORED PENCIL OR PEN** that will contrast with the color of the grid on this page.

SITE ADDRESS: 4108 Janet Rd Pasco 99301 INDICATE SCALE: each unit = 10 + 20 feet.



FRANKLIN COUNTY
WASHINGTON

TAXSIFTER

[SIMPLE SEARCH](#) [SALES SEARCH](#) [REETSIFTER](#) [COUNTY HOME PAGE](#) [CONTACT](#) [DISCLAIMER](#)[PAYMENT CART\(0\)](#)Peter McEndorfer
Franklin County Assessor 1016 N. 4th Ave Bldg. A104 Pasco, WA 99301[Assessor](#) [Treasurer](#) [Appraisal](#) [MapSifter](#)

Parcel

Parcel#: 114182037 Owner Name: GARIBAY, ALICIA MARTINEZ
 DOR Code: 18 - Residential - All other Address1:
 Situs: 4108 JANET RD, PASCO 99301 Address2: 4108 JANET RD
 Map Number: 092902-11-CLARKR-000-0200 City, State: PASCO WA
 Status: Zip: 99301-9361
 Description: LOT 20, REPLAT CLARK SUBDIV
 Comment:

2020 Market Value		2020 Taxable Value		2020 Assessment Data	
Land:	\$56,800	Land:	\$56,800	District:	106 - DISTRICT 106
Improvements:	\$110,600	Improvements:	\$110,600	Current Use/DFL:	No
Permanent Crop:	\$0	Permanent Crop:	\$0	Total Acres:	1.12000
Total	\$167,400	Total	\$167,400		

Ownership

Owner's Name Ownership %
 GARIBAY, ALICIA MARTINEZ 100 %

Sales History

Sale Date	Sales Document	# Parcels	Excise #	Grantor	Grantee	Price
10/29/18	SWD-1886654	1	60173	JOHNSTON, JIMMY & GAIL	GARIBAY, ALICIA MARTINEZ	\$242,000

Building Permits

Permit No.	Date	Description	Amount
7-1723	8/22/2007	PREFAB SHED 12x24	\$5,760.00

Historical Valuation Info

Year	Billed Owner	Land	Impr.	PermCrop Value	Total	Exempt	Taxable
2020	GARIBAY, ALICIA MARTINEZ	\$56,800	\$110,600	\$0	\$167,400	\$0	\$167,400
2019	GARIBAY, ALICIA MARTINEZ	\$56,800	\$86,000	\$0	\$142,800	\$0	\$142,800
2018	GARIBAY, ALICIA MARTINEZ	\$56,800	\$86,800	\$0	\$143,600	\$0	\$143,600
2017	JOHNSTON, JIMMY & GAIL	\$56,800	\$79,300	\$0	\$136,100	\$0	\$136,100
2016	JOHNSTON, JIMMY & GAIL	\$49,600	\$62,200	\$0	\$111,800	\$0	\$111,800

[View Taxes](#)

Parcel Comments

No Comments Available

PLANNING AND BUILDING DEPARTMENT
502 W. Boeing St.
Pasco, WA 99301
509-545-3521

Receipt Number: PL19-00767

Payer/Payee: ALICIA MARTINEZ GARIBAY
4108 JANET RD
PASCO WA 99301-9361

Cashier: Rebeca Gilley

Date: 08/28/2019

CUP-2019-06 CONDITIONAL USE PERMIT 4108 JANET RD

Fee Description

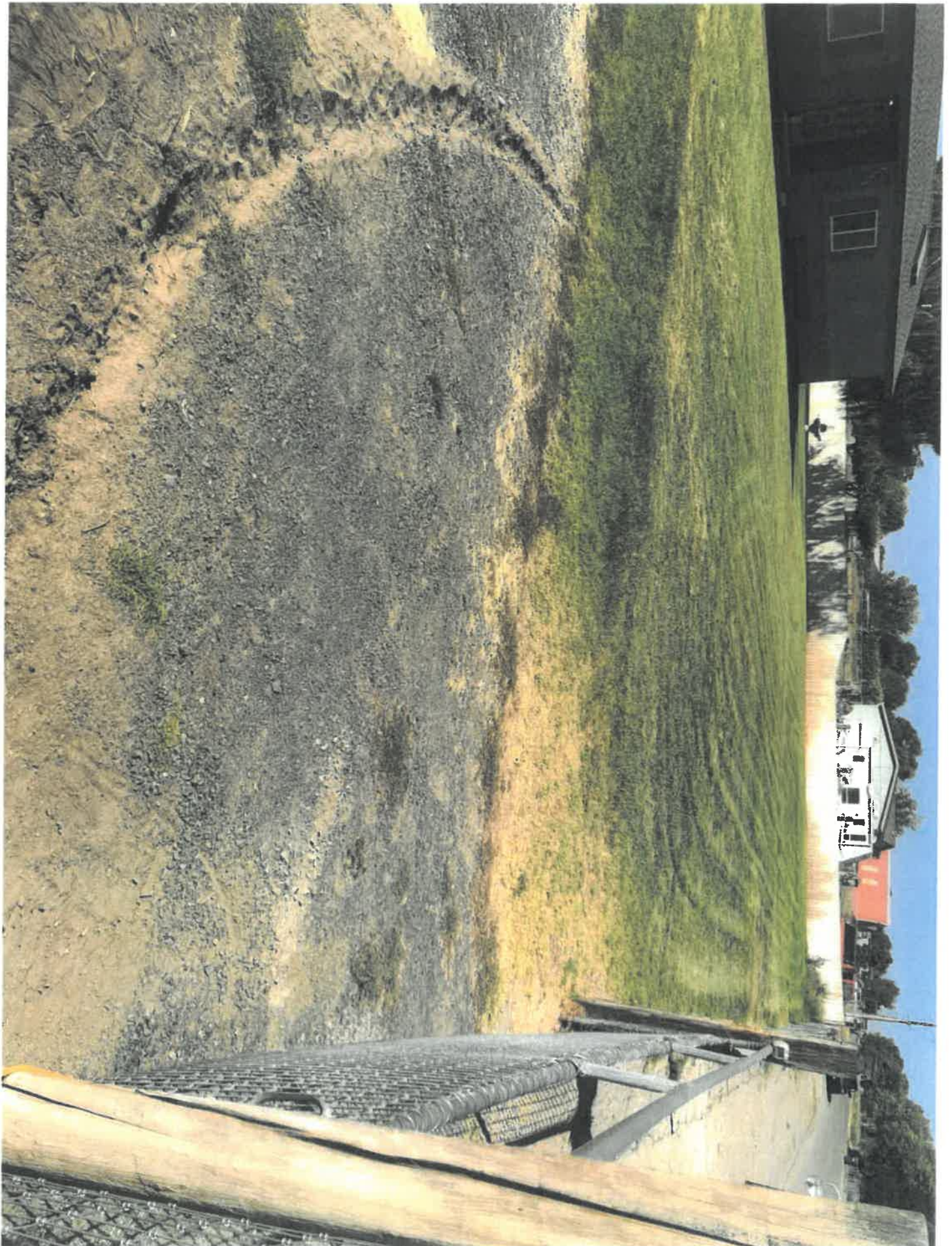
Conditional Use Permit

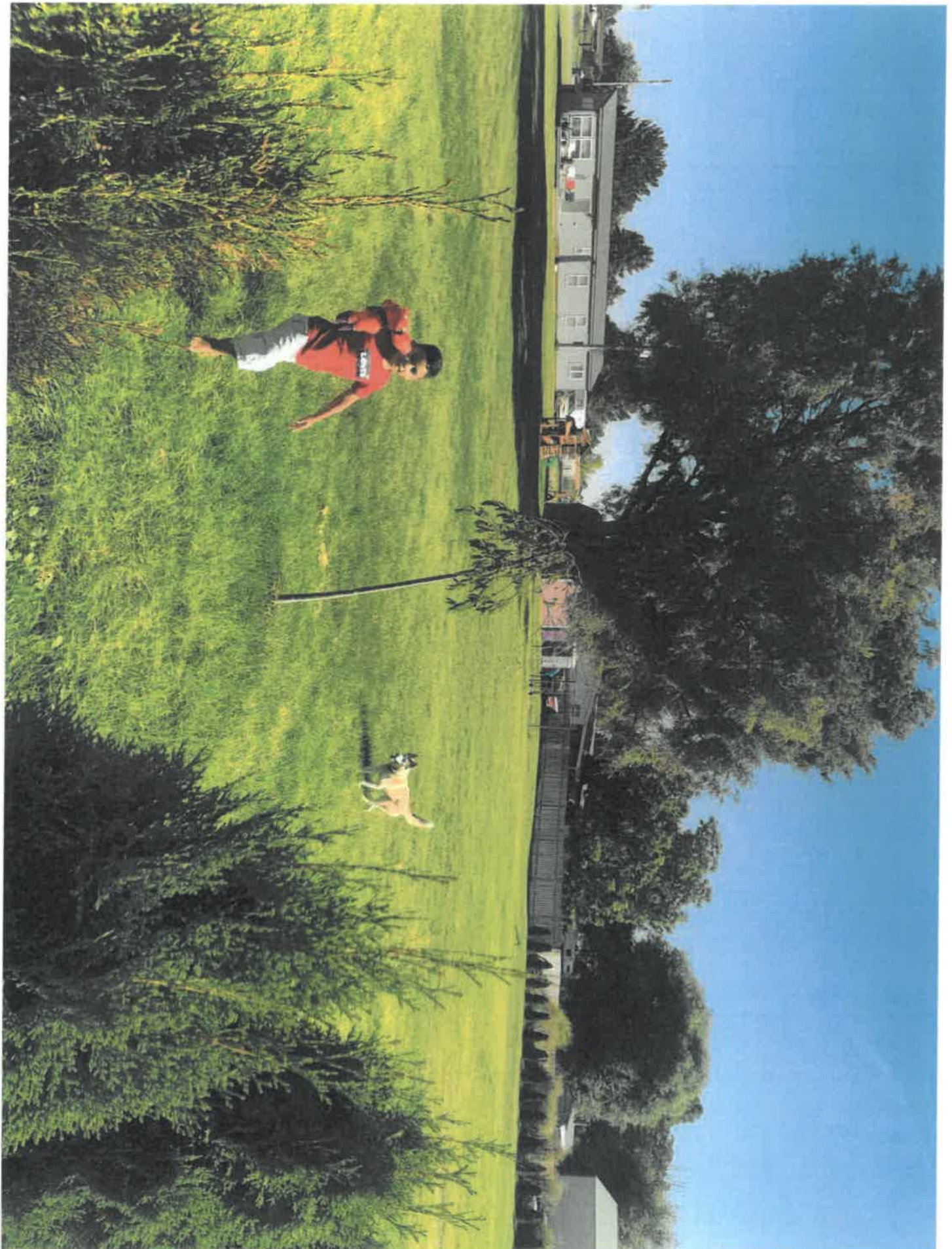
<u>Fee Amount</u>	<u>Amount Paid</u>	<u>Fee Balance</u>
\$400.00	\$400.00	\$0.00
\$400.00	\$400.00	\$0.00

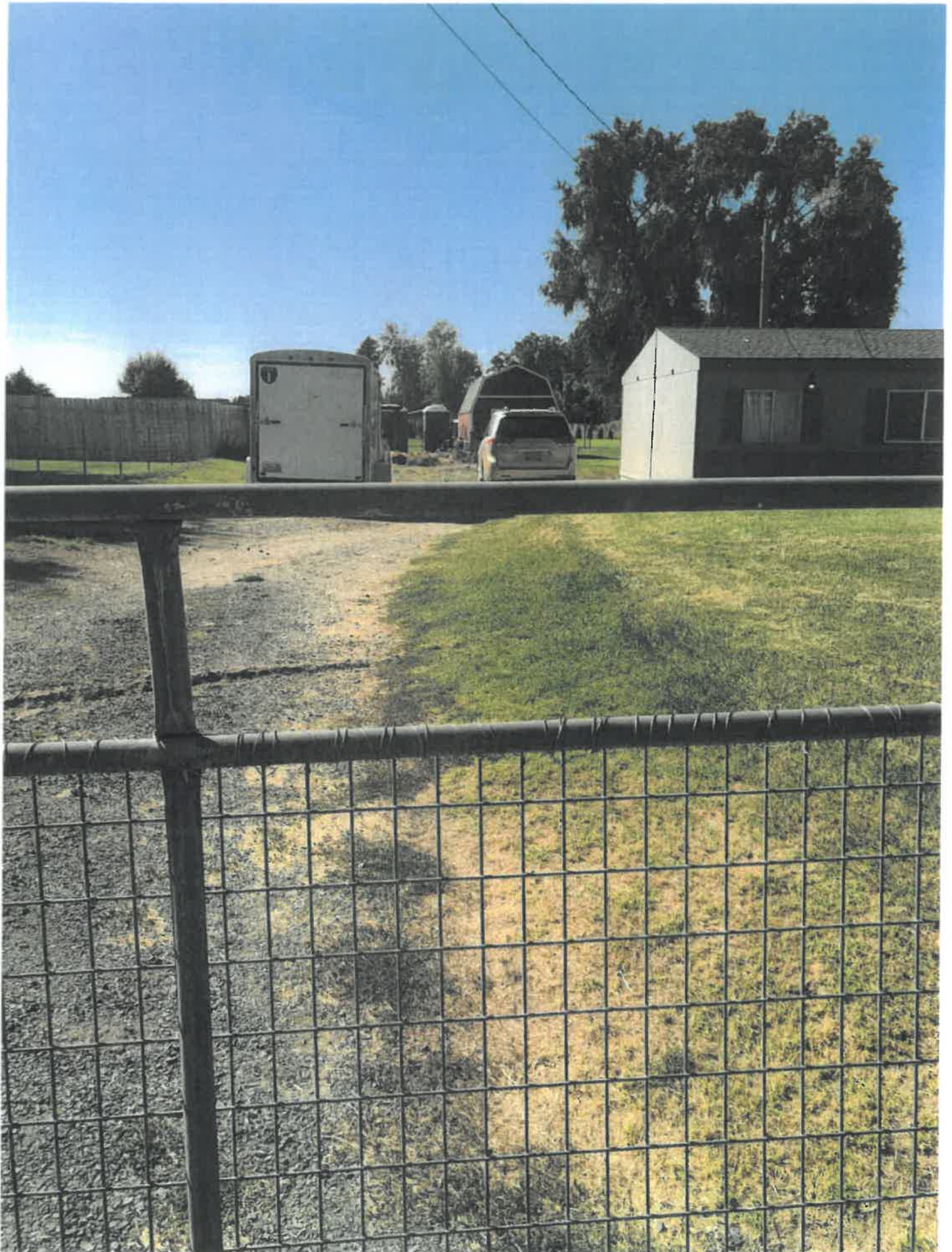
Payment Method	Reference Number	Payment Amount
CHECK	383	\$400.00
Total Paid:		\$400.00







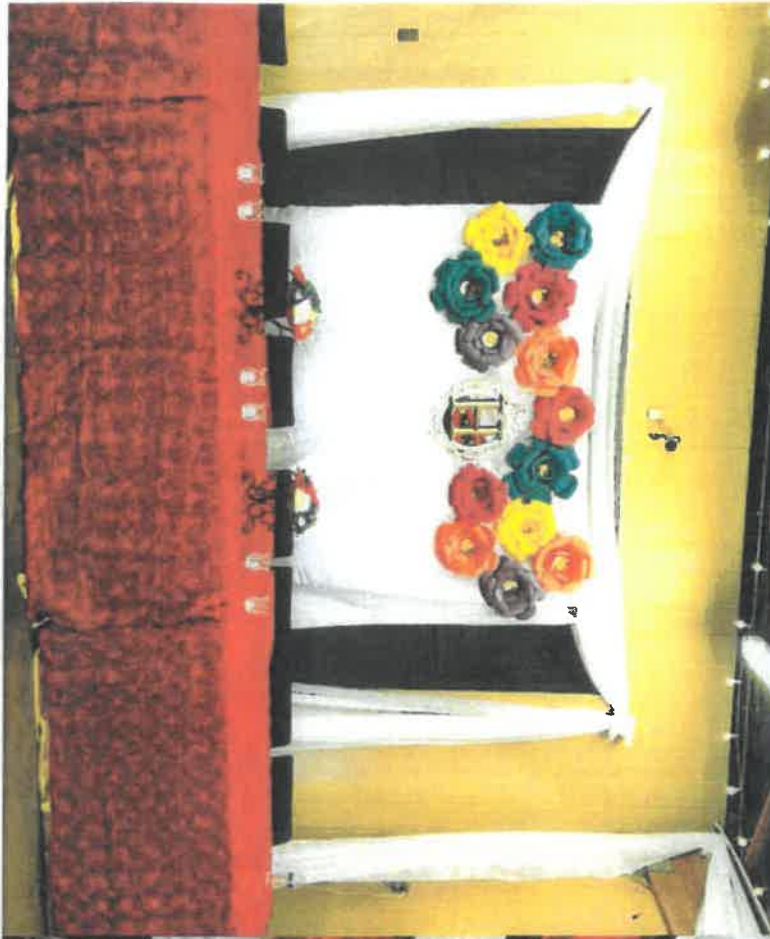
















All Safety Products, Inc
PO Box 3822
Lakewood, CA 90711
562-630-3700

accounting@allsafetyproducts.com

Veteran Owned
Small Business Certified

Invoice

Date	Invoice #
6/14/2019	45367

Bill To	Ship To
Martinez Garibay, Alicia 4108 Janet Rd. Pasco, WA 99301	Alicia Martinez-Garibay 509-374-6491 4108 Janet Rd. Pasco, WA 99301

P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project
	Due on receipt	AAG	6/14/2019	Truck Carrier		
Quantity	Item Code	Description			Price Each	Amount
1	PJI PH03-1000	Comfort XL Restroom - Color: Purple Size: 62' x 62' x 91' high Tank: 33 Gal			1,745.00	1,745.00
1	PJI PJN3	Portable Restroom Color: Purple Interior Dim: 41" x 41" x 82" Exterior Dim: 43.5" x 47" x 91"			648.00	648.00
1	Carrier	Shipping by Reddaway Pro# 50102033486			470.00	470.00
1	Sales Tax-Non Jur...	Sales tax			201.67	201.67

Thank you for your order.						Subtotal	\$3,064.67
						Sales Tax (0.0%)	\$0.00
						Total	\$3,064.67
						Payments/Credits	-\$3,064.67
						Balance Due	\$0.00

IMPORTANT! Read product descriptions and warnings prior to use. Our products meet or exceed most safety requirements. Our FIN Number is 06-1679741 (Incorporated in CA.) A 1.5% late charge per month will be charged on late payments.

FRANKLIN COUNTY, WASHINGTON

STATE ENVIRONMENTAL POLICY ACT (SEPA) DETERMINATION OF NONSIGNIFICANCE (DNS)

Description of proposal: The proposal is for the approval of a Conditional Use Permit, to establish an outdoor event center. The applicant proposes to use approximately 20,550 sq. ft. of the approx. 1.25 acre site for the proposed use, which will include portable restrooms, banquet tents for the specific events, and a parking area. The proposal would include outdoor lighting at the site, with events from 1 p.m. when events take place. The property where the project is proposed is zoned RR-1 and carries a "Rural Residential" Land Use designation; the property is located the area known as "Clark's Addition."

File Number: SEPA 2019-10 (CUP 2019-06)

Proponent Alicia Garibay

Location: An existing residence on the property is addressed as 4108 Janet Road, Pasco, WA. The parcel is bounded to the north by Janet Road, and lies approx. 1,700 feet to the west of Road 36. (Parcel Number 114-182-037).

Legal Description: LOCATED IN THE NORTHEAST QUARTER OF THE SECTION 2, TOWNSHIP 9 N, RANGE 29 E, W.M., LESS THE IVY STREET RIGHT OF WAY, Lot #20 Replat of Clark Subdivision.

Lead agency: Franklin County, Washington.

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued under WAC 197-11-350; the lead agency will not act on this proposal for 14 days from the date of publication (October 10, 2019). Comments must be submitted by: October 24, 2019.

Responsible official: Derrick Braaten

Position/title/Phone: Planning and Building Director — (509) 545-3521

Address: 502 Boeing Street, Pasco, WA 99301

Date/Signature:

10/10/19 - Derrick Braaten

Any agency or person may appeal this SEPA determination by filing a written appeal to the responsible official no later than **October 24, 2019**. Contact the responsible official to read or ask about the procedure for SEPA appeals.



SEPA 2019-09 10

SEPA ENVIRONMENTAL CHECKLIST FRANKLIN COUNTY, WASHINGTON

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

For guidance on completing this form or assistance in understanding a question, visit
<http://www.ecy.wa.gov/programs/sea/sepa/ChecklistGuidance.html>

The SEPA Handbook is available online at:
<http://www.ecy.wa.gov/programs/sea/sepa/handbk/hbintro.html>

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the supplemental sheet for nonproject actions (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements -that do not contribute meaningfully to the analysis of the proposal.

A. Background

Franklin County Planning 10/10/2019: CUP 2019-05

1. Name of proposed project, if applicable: *Butterfly Garden*
2. Name of applicant: *Alicia Martinez Garibay*
3. Address and phone number of applicant and contact person:
4108 Janet Red Paso 99301 809-374-6491

4. Date checklist prepared:

5. Agency requesting checklist:
Franklin County

6. Proposed timing or schedule (including phasing, if applicable):

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

no

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

no

Franklin County Planning 10/10/2019: CUP 2019-05

10. List any government approvals or permits that will be needed for your proposal, if known.

Franklin County Planning 10/10/2019: CUP 2019-05, and any construction permits required for new construction

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

Franklin County Planning 10/10/2019: 1-acre site, approx. 20,550 sq. ft. of site to be used for events. Temporary tents to be used for outdoor activities. Portable restrooms are proposed. Events to host up to 200 guests, from 11 am to 11 pm, as proposed.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

Franklin County Planning 10/10/2019: 4108 Janet Road, Pasco, WA. LOCATED IN THE NORTHEAST QUARTER OF THE SECTION 2, TOWNSHIP 9 N, RANGE 29 E, W.M., LESS THE IVY STREET RIGHT OF WAY, Lot #20 Replat of Clark Subdivision. Parcel #114-182-037

To Be Completed by Applicant:

**Evaluation for
Agency Use Only:**

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site:

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other

b. What is the steepest slope on the site (approximate percent slope)?

Franklin County Planning 10/10/2019: 1%-3%

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

Franklin County Planning 10/10/2019: Quincy loam fine sand

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

Franklin County Planning 10/10/2019: No

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

Franklin County Planning 10/10/2019: N/A

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

Franklin County Planning 10/10/2019: No

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Franklin County Planning 10/10/2019: None

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

Franklin County Planning 10/10/2019: N/A

2. Air

To Be Completed by Applicant:

**Evaluation for
Agency Use Only:**

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. **Franklin County Planning 10/10/2019: There is potential for increased carbon emissions from vehicle traffic to and from the site during events.**
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. **Franklin County Planning 10/10/2019: Working farms within proximity to the site may produce odors, noise, or dust.**
- c. Proposed measures to reduce or control emissions or other impacts to air, if any: **Franklin County Planning 10/10/2019: N/A**

3. Water

a. Surface Water:

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.
Franklin County Planning 10/10/2019: No
- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.
Franklin County Planning 10/10/2019: No
- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.
Franklin County Planning 10/10/2019: N/A
- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.
Franklin County Planning 10/10/2019: No

To Be Completed by Applicant:

**Evaluation for
Agency Use Only:**

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

Franklin County Planning 10/10/2019: FEMA FIRM Map #5300440695B (eff. 05/01/1980) indicates the proposal does not lie within a 100-year floodplain

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

Franklin County Planning 10/10/2019: No

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

Franklin County Planning 10/10/2019: No

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

Franklin County Planning 10/10/2019: N/A

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Franklin County Planning 10/10/2019: No

- 2) Could waste materials enter ground or surface waters? If so, generally describe.

Franklin County Planning 10/10/2019: No

- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

Franklin County Planning 10/10/2019: No

To Be Completed by Applicant:

**Evaluation for
Agency Use Only:**

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

Franklin County Planning 10/10/2019: N/A

4. Plants

a. Check the types of vegetation found on the site:

- ☐ deciduous tree: alder, maple, aspen, other
☐ evergreen tree: fir, cedar, pine, other
☒ shrubs
☒ grass
☐ pasture
☐ crop or grain
☐ Orchards, vineyards or other permanent crops.
☐ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
☐ water plants: water lily, eelgrass, milfoil, other
☐ other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

none

c. List threatened and endangered species known to be on or near the site.

Franklin County Planning 10/10/2019: None

N/A

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

flowers

e. List all noxious weeds and invasive species known to be on or near the site.

Franklin County Planning 10/10/2019: None

5. Animals

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site.

Examples include:

birds: hawk, heron, eagle, songbirds, other:

To Be Completed by Applicant:

**Evaluation for
Agency Use Only:**

mammals: deer, bear, elk, beaver, other:
fish: bass, salmon, trout, herring, shellfish, other _____

- b. List any threatened and endangered species known to be on or near the site.

Franklin County Planning 10/10/2019: No known threatened or endangered species on site, according to the Priority Habitats and Species Map on the WA Dept. of Fish & Wildlife website

- c. Is the site part of a migration route? If so, explain.

Franklin County Planning 10/10/2019:

- d. Proposed measures to preserve or enhance wildlife, if any:

Franklin County Planning 10/10/2019: None

- e. List any invasive animal species known to be on or near the site.

Franklin County Planning 10/10/2019: None

6. Energy and Natural Resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet

the completed project's energy needs? Describe whether it will be used for heating,

manufacturing, etc. Franklin County Planning 10/10/2019: Electricity for music and lighting

- b. Would your project affect the potential use of solar energy by adjacent properties?

If so, generally describe. Franklin County Planning 10/10/2019: No

- c. What kinds of energy conservation features are included in the plans of this proposal?

List other proposed measures to reduce or control energy impacts, if any:

Franklin County Planning 10/10/2019: None

7. Environmental Health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk

of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal?

If so, describe.

Franklin County Planning 10/10/2019: None

- 1) Describe any known or possible contamination at the site from present or past uses.

Franklin County Planning 10/10/2019: None

To Be Completed by Applicant:

**Evaluation for
Agency Use Only:**

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

n/a

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

n/a

- 4) Describe special emergency services that might be required.

Franklin County Planning 10/10/2019: None

- 5) Proposed measures to reduce or control environmental health hazards, if any:

Franklin County Planning 10/10/2019: None

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

None

Franklin County Planning 10/10/2019: Uses in the area consist of residential and agricultural. Any noises near the site are typical of residential and agricultural traffic and farming machinery.

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Of Mariachi

Franklin County Planning 10/10/2019: There will be a minor increase in noise levels due to traffic and events on a short-term basis

- 3) Proposed measures to reduce or control noise impacts, if any:

Controlled Volume

Franklin County Planning 10/10/2019: All activities creating noise shall meet the noise ordinance regulations

8. Land and Shoreline Use

To Be Completed by Applicant:

**Evaluation for
Agency Use Only:**

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

Franklin County Planning 10/10/2019: Primary uses in the area are single-family residential and hobby farming

no

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

Franklin County Planning 10/10/2019: No

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

Franklin County Planning 10/10/2019: Property is located in a "right-to-farm" area and may be impacted from surrounding farming activities

- c. Describe any structures on the site.

Shed metal garibo

- d. Will any structures be demolished? If so, what?

no

- e. What is the current zoning classification of the site?

Franklin County Planning 10/10/2019: Rural Residential 1 (RR-1)

- f. What is the current comprehensive plan designation of the site?

Franklin County Planning 10/10/2019: Rural Residential land-use designation; the property is located in the area known as "Clark's Addition"

- g. If applicable, what is the current shoreline master program designation of the site?

Franklin County Planning 10/10/2019: N/A

- h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

no

- i. Approximately how many people would reside or work in the completed project?

200 or less guests

- j. Approximately how many people would the completed project displace?

Franklin County Planning 10/10/2019: None

To Be Completed by Applicant:

**Evaluation for
Agency Use Only:**

- k. Proposed measures to avoid or reduce displacement impacts, if any:

Franklin County Planning 10/10/2019: N/A

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

Franklin County Planning 10/10/2019: None

- m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

Franklin County Planning 10/10/2019: N/A

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

N/A

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

N/A

- c. Proposed measures to reduce or control housing impacts, if any:

Franklin County Planning 10/10/2019: N/A

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

N/A

Franklin County Planning 10/10/2019: Tents for events will be setup to accommodate guests. Tents will be removed between events.

- b. What views in the immediate vicinity would be altered or obstructed?

N/A

- b. Proposed measures to reduce or control aesthetic impacts, if any:

N/A

11. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

Franklin County Planning 10/10/2019: Site lighting will be used for events occurring at night. Light shall be contained onsite and not encroach upon other properties.

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

Franklin County Planning 10/10/2019: No, not as proposed

To Be Completed by Applicant:

**Evaluation for
Agency Use Only:**

- c. What existing off-site sources of light or glare may affect your proposal?

Franklin County Planning 10/10/2019: N/A

- d. Proposed measures to reduce or control light and glare impacts, if any:

Franklin County Planning 10/10/2019: N/A

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?

Franklin County Planning 10/10/2019: None

- b. Would the proposed project displace any existing recreational uses? If so, describe.

Franklin County Planning 10/10/2019: None

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

Franklin County Planning 10/10/2019: None

13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.

N/A

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

N/A

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

N/A

Franklin County Planning 10/10/2019: The Washington Information System for Architectural & Archaeological Records Data mapping system was consulted.

To Be Completed by Applicant:

**Evaluation for
Agency Use Only:**

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

Franklin County Planning 10/10/2019: None

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

Franklin County Planning 10/10/2019: The parcel is accessed via Janet Road, connecting to Road 36 approx. 1,700' to the east.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

Franklin County Planning 10/10/2019: No

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

Franklin County Planning 10/10/2019: Proposed parking area is 128'x52', able to accommodate up to thirty-seven (37) 180 sq. ft. parking spaces.

See on site map

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

Franklin County Planning 10/10/2019: Project will be required to meet Franklin County Public Works standards.

~~no~~

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

Franklin County Planning 10/10/2019: Project site is less than 3-miles from the Tri-Cities Airport Terminal. (1.6 miles from end of NW oriented runway).

~~no~~

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

Franklin County Planning 10/10/2019: Vehicle trips will increase before and after events

~~n/a~~

To Be Completed by Applicant:

**Evaluation for
Agency Use Only:**

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

N/A

- h. Proposed measures to reduce or control transportation impacts, if any:

N/A

15. Public Services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

no

- b. Proposed measures to reduce or control direct impacts on public services, if any.

no

16. Utilities

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,
other porta potties (4 disabled)

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

N/A

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature:

Name of signee

Position and Agency/Organization

Date Submitted: Franklin County Planning 10/10/2019: Checklist
submitted on August 28, 2019

D. supplemental sheet for nonproject actions

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

Music Controlled by DJ Mariachi will a certain amount of hours

Proposed measures to avoid or reduce such increases are:

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

N/A

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

3. How would the proposal be likely to deplete energy or natural resources?

N/A

Proposed measures to protect or conserve energy and natural resources are:

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

N/A

Proposed measures to protect such resources or to avoid or reduce impacts are:

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

N/A

Proposed measures to avoid or reduce shoreline and land use impacts are:

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

Proposed measures to reduce or respond to such demand(s) are:

Sun light + batteries

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

N/A

PLANNING AND BUILDING DEPARTMENT
502 W. Boeing St.
Pasco, WA 99301
509-545-3521

Receipt Number: PL19-00768

Payer/Payee: ALICIA MARTINEZ GARIBAY
4108 JANET RD
PASCO WA 99301-9361

Cashier: Rebeca Gilley

Date: 08/28/2019

SEPA-2019-09 STATE ENVIRONMENTAL POLICY ACT 4108 JANET RD
(SEPA)

Fee Description

State Environmental Policy Act (SEPA)

<u>Fee Amount</u>	<u>Amount Paid</u>	<u>Fee Balance</u>
\$150.00	\$150.00	\$0.00
\$150.00	\$150.00	\$0.00

Payment Method	Reference Number	Payment Amount
CHECK	383	\$150.00
Total Paid:		\$150.00