

Agenda Summary Report (ASR)

Franklin County Board of Commissioners

DATE SUBMITTED: July 6, 2021	PREPARED BY: Aaron Gunderson
Meeting Date Requested: July 13, 2021	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 Public Hearing (Quasi-Judicial Item) - A Conditional Use Permit to allow the establishment of an indoor/outdoor event center which is only allowed as a Conditional Use in the AP-20 Zoning District (FCC 17.10.040.G and P- <i>deemed analogous uses</i>). (File # CUP 2021-01 and SEPA 2021-04)	
FISCAL IMPACT: None	
BACKGROUND: The applicant proposes to establish and operate an indoor/outdoor event center on parcel 108-060-057, located South of Levey Road, West of the Snake River and East of Rogers Road. The property is zoned <u>AP-20</u> and the Comprehensive Plan designation is <u>Agricultural</u> . The proposed activities are private events and would take place primarily indoors, with some activities conducted outdoors. The applicant proposes to use approximately 1.92 acres of the 27.9 acre site for the proposed use, which will include a 6,500 sq. ft. two-story single-family dwelling, 4,500 sq. ft. auxiliary building for event hall, 4,800 sq. ft. outdoor event space and 104 parking spaces. Events would have a range of 200-250 people in attendance. The County Building and Planning Department processed the application, coordinated for agency comments, and reviewed the application in accordance with Chapter 17.82 Franklin County Code.	
RECOMMENDATION: The County Building and Planning Department staff provided the Planning Commission with a written recommendation of approval for the application. Subsequently, at their meeting on May 4, 2021, the Planning Commission held a duly advertised open-record public hearing and unanimously passed a motion (7-0) to forward a recommendation of approval, based on six findings of fact and with seventeen suggested conditions of approval. There were no appeals. Per FCC 17.82.110, the board can pass a resolution to take action without further review (a draft proposed resolution is attached) or the board can schedule a future closed record appeal hearing.	
<u>Suggested Motion:</u> Pass Resolution # _____, granting approval of CUP 2021-01, based on the six findings of fact and subject to seventeen conditions of approval.	
COORDINATION: The Conditional Use Permit application was advertised to the public via adopted public notice procedures, and agencies were contacted for review and comment; a SEPA DNS was issued. The County Planning Commission, after an open record public hearing and consideration on CUP 2021-01 recommended approval of the CUP, with six findings of fact and subject to seventeen conditions of approval.	
ATTACHMENTS: (Documents you are submitting to the Board) (1) Draft Resolution (2) Staff Report to the Planning Commission including attachments (3) Draft Planning Commission Minutes	
HANDLING / ROUTING: (Once document is fully executed it will be imported into Document Manager. Please list <u>name(s)</u> of parties that will need a pdf) To the Clerk of the Board: 1 Original Resolution To Planning: 1 Copy Resolution	

I certify the above information is accurate and complete.

Derrick Braaten Derrick Braaten

FRANKLIN COUNTY RESOLUTION _____

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

Conditional Use Permit (CUP) 2021-01 to establish and operate an indoor/outdoor event center which is only allowed as a Conditional Use in the AP-20 Zoning District

WHEREAS, on July 13, 2021, the Board of Franklin County Commissioners, via public meeting, considered the positive recommendation of the Franklin County Planning Commission to grant a conditional use permit for the proposed use under file CUP 2021-01; and

WHEREAS, at the public meeting the Board has found that the County Planning Commission, after an open record public hearing and consideration on **CUP 2021-01** did recommend approval of the Conditional Use Permit with six findings of fact and seventeen conditions of approval; and

WHEREAS, there were no appeals filed; and

WHEREAS, it appears to be in the public use and interest to approve the conditional use permit.

NOW, THEREFORE, BE IT RESOLVED that CUP 2021-01 is hereby approved in accordance with the provisions of the Franklin County Development Regulations and as recommended by the Planning Commission.

BE IT FURTHER RESOLVED that the Chair of the Board of Franklin County Commissions be authorized to sign conditional use permit CUP 2021-01 on behalf of Franklin County.

APPROVED THIS 13th DAY OF JULY, 2021.

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

Chair

Chair Pro-Tem

Attest:_____
Clerk of the Board

Member

FRANKLIN COUNTY BOARD OF COMMISSIONERS**CONDITIONAL USE PERMIT # 2021-01****RESOLUTION NUMBER _____**

The following Conditional Use Permit is granted, in accordance with the provisions of the Development Regulations of Franklin County, and according to the motion passed by the Franklin County Board of Commissions on July 13, 2021.

APPLICANT: Yury Kapitula, PO Box 1261 Richland, WA 99352

LEGAL DESCRIPTION: Portion of the Southeast 1/4 of Section 7, Township 9 North, Range 32 East, W.M., Franklin County, WA.

NON-LEGAL DESCRIPTION: The project is located south of Levey Road, West of the Snake River and East of Rogers Road. The property currently has no address. (Parcel Number 108-060-057).

SEPA REVIEW: A SEPA Checklist was submitted with the CUP application. Planning Staff [*Lead Agency Responsible Official*] reviewed the checklist and issued a Determination of Non-Significance (DNS) on April 8, 2021 under WAC 197-11-340(2) which was published on April 8, 2021. Comments on the Threshold Determination were due by April 22, 2021 and no SPEA specific comments or appeals were received.

CONDITIONAL USE DESCRIPTION: This is a Conditional Use Permit application to allow the establishment of an indoor/outdoor Event Center. Activities on the premises are to be special community events and weddings. The applicant proposes to use approximately 1.92 acres of the 27.9 acre site for the proposed use, which will include a 6,500 sq. ft. two-story single-family dwelling, 4,500 sq. ft. auxiliary building for event hall, 4,800 sq. ft. outdoor event space and 104 parking spaces. The applicant has also indicated they would lease out the unused portion of land to a local farmer for agricultural production.

An attached site plan (Exhibit A) shows the location of the following features:

- Parking spaces, gravel driveway and access easement.
- Proposed two-story house with auxiliary building for event hall.
- Nearby geohazard areas, proposed septic/well locations and existing 10 ft. utility easement.

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FINDINGS OF FACT AND CONDITIONS OF APPROVAL:

Findings of Fact:

1. The proposed establishment of an Event Center in the AP-20 Zoning District **IS** in accordance with goals and policies of the County Development Regulations (Zoning) and the County Comprehensive Plan.
 - a. The Comprehensive Plan designates the land as Agricultural.
 - b. The Franklin County Comprehensive Plan encourages the retention of useful open space and development of recreational opportunities.
 - c. There are critical areas near the project site. However, the project as proposed has development occurring outside of said critical areas.
 - d. The County Zoning map designates the land as Agricultural Production 20 (AP-20).
 - 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 AP-20 Zoning District.
 - f. Per FCC 17.10.040, 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 Levey 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.

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- 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 agricultural. The site is within an agricultural area designated by the Franklin County Comprehensive Plan.
 - d. Applicant has indicated they would lease unused portion of land to local farmer for agricultural production.
 - e. The zoning of the site and most of the parcels near the site is AP-20.
 - f. The current parcel size is approximately 27.9 acres which allows sufficient area for parking, access, etc. for the planned activities, and also provides space between the use and surrounding uses.
 - g. Conditions are required to ensure that impacts of noise, traffic, and temporary structures and signage are adequately mitigated.
4. The location and height of proposed structures and site design **WILL NOT** discourage the development of permitted uses on property in the general vicinity or impair the value thereof.
- a. The building height is approximately 27 ft., which is below the maximum roof height of 35 ft. for primary and accessory structures in the AP-20 zone.
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 special events.
 - 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 public was notified of this proposal in accordance with all guidelines and requirements, and the Planning Department received two neutral comments from the public.

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Conditions of Approval:

1. Comply with the requirements of the **Franklin County Planning and Building Department**.
 - a. The development standards of FCC 17.10.050 will apply to the project, with the exception of building setbacks which will comply with FCC 8.40.080(A)(2). This is due to the lack of working fire hydrants located within 500 feet of the property. Fire code related setbacks are 25 feet for front setback, 25 feet for rear setback and 20 feet for side setbacks. There is also a 15 feet separation between structures without an approved intervening firewall.
 - 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 27.9 acres; if the property is later adjusted through a Boundary Line Adjustment or Short Plat, a new conditional use permit may be required.
 - e. A completed building application is required upon submittal for building permits:
 - i. Completed copy of NREC forms will be required and plans will need to match requirements listed in the NREC forms.
 - ii. Buildings will need to meet the 2018 International Building Code.
 - iii. Scaled detailed plans of structures need to be prepared by a licensed Architect and/or Engineer.
 - iv. Plans will need to show how the minimum code requirements for accessibility will be met.
 - v. A detailed plot plan with distances to all lot lines, easements and adjacent structures as applicable.
 - vi. An approach permit is required from the Franklin County Public Works office.

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2. Comply with the requirements 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. Site access shall meet the minimum requirements for a private access road per Franklin County Design Standards for the Construction of Roads and bridges (Resolution 2002-270). This will be determined at the time of application for an approach permit.
 - c. 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).
3. Comply with the following conditions for **Access and Parking**:
 - a. Parking in the gravel parking lot, as proposed, is allowed as long as events are infrequent and any fugitive dust 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 most analogous to the Event Center use for parking calculation purposes).
 - b. Access to the property will be utilizing access easement AF# 1619162. Access will need to be built to county road standards.
 - c. An 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.

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4. Comply with the following conditions regarding **Occupancy and Uses**:
 - a. The use on the entire property is limited to 250 guests (including vendors and hired personnel) at any time.
 - b. Buildings will need to meet the minimum 2018 International Building Code requirements for accessibility.
 - c. 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 AM and must end by 10 PM.
 - d. Event activities shall conclude by 10 PM.
 - e. 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.
5. Banquet – liquor licenses associated with approved activities are required to be obtained.
6. 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.
7. 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.
8. 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.

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9. Should valid complaints (noise, traffic, parking, etc.) be received regarding activities taking place at the site, the conditional use permit approval may be received by the County and potentially revoked.
10. **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.
11. Shall comply with **fire code** requirements as stated in Franklin County Chapter 8.40.
12. The site shall be maintained at all times so as to not let the land become a fire hazard or accumulate with debris, weeds and/or garbage.
13. 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 for 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.
14. 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.
15. In accordance with the County's Zoning Code, any special permit may be revoked 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.
16. This permit applies to the described lands and shall be for the above named individual and/or his heirs and/or assigns. Any transferring of this permit will require that notice be granted to the Franklin County Planning and Building Department or the permit will be cancelled. It cannot be transferred to another site.

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17. 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 that this location that impact the surrounding properties, and obtaining and retaining appropriate insurance coverage.

This Conditional Use Permit is issued this 13th day of July, 2021.

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

**Attest: _____
Clerk of the Board**

Chair

Original to County Commissioners

Duplicate to File

Duplicate to Applicant

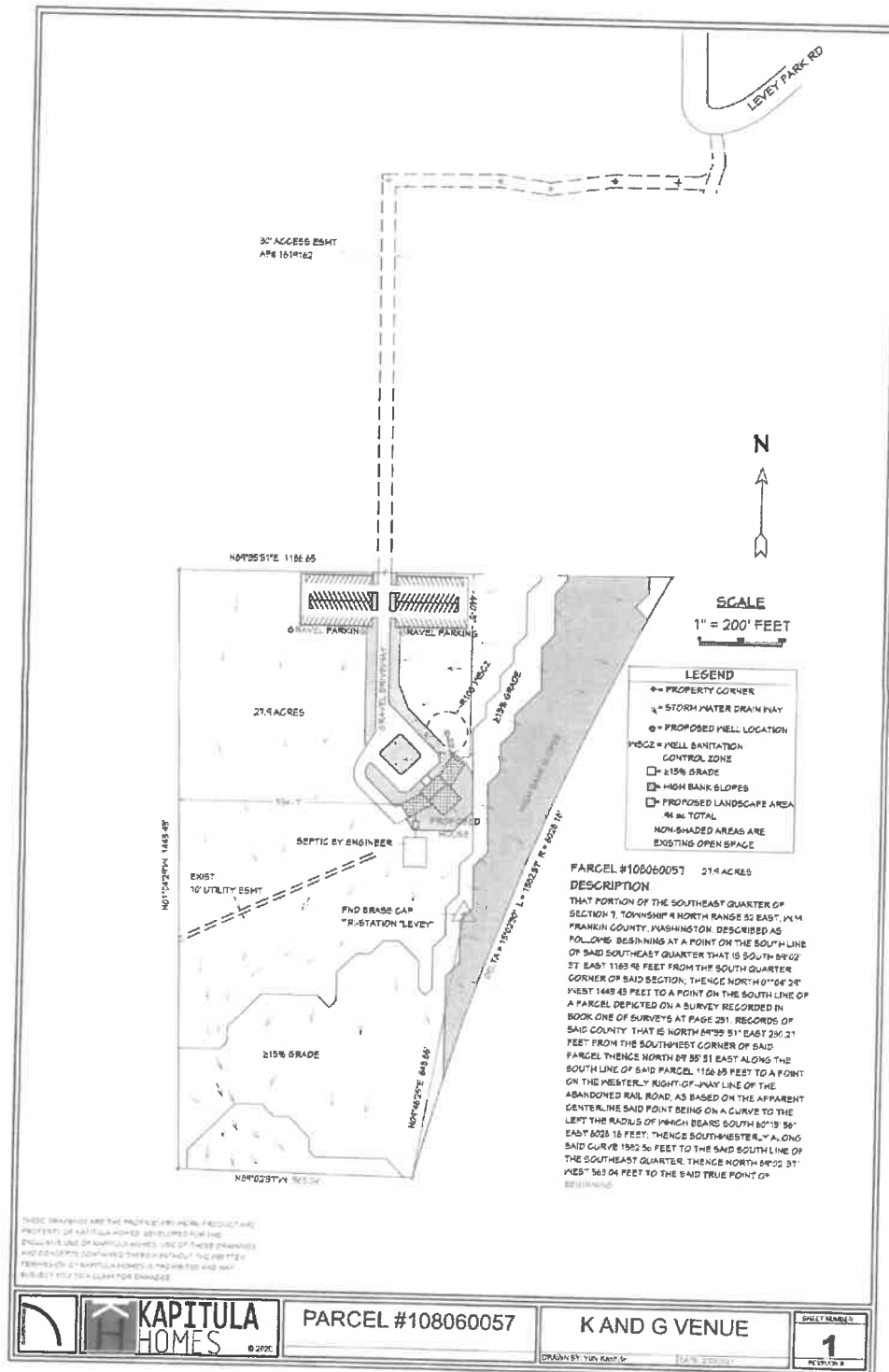
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EXHIBIT A: PROPOSED SITE PLAN



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 2021-01 (Conditional Use Permit) and SEPA 2021-04

PC Meeting Date: May 4, 2021

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

SUMMARY OF THE PUBLIC HEARING:

The proposal for the indoor/outdoor event center under file CUP 2021-01 was presented by Staff at an open record public hearing (regular Planning Commission meeting) on May 4, 2021. The applicant spoke about the proposal and the Planning Commission allowed time for clarification. Planning Commission members had questions about property access/easements, storage location and hours of operation among other things.

There was public testimony for the proposal outside of the applicant. There was one neutral comment regarding the proposal, mostly concerned with access related issues. One comment in support of the application from the agent of then property owner (C5 Land Company, LLC).

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 May 4th 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 approval to the Franklin County Board of Commissioners for Application CUP-2021-01, 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 in the AP-20 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 Agricultural.
 - b. The Franklin County Comprehensive Plan encourages the retention of useful open space and development of recreational opportunities.
 - c. There are critical areas near the project site. However, the project as proposed has development occurring outside of said critical areas.
 - d. The County Zoning map designates the land as Agricultural Production 20 (AP-20).
 - 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 AP-20 Zoning District.
 - f. Per FCC 17.10.040, 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 Levey 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.
 - 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 agricultural. The site is within an agricultural area designated by the Franklin County Comprehensive Plan.
 - d. Applicant has indicated they would lease unused portion of land to local farmer for agricultural production.
 - e. The zoning of the site and most of the parcels near the site is AP-20.
 - f. The current parcel size is approximately 27.9 acres which allows sufficient area for parking, access, etc. for the planned activities, and also provides space between the use and surrounding uses.
 - g. 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. The building height is approximately 27 ft., which is below the maximum roof height of 35 ft. for primary and accessory structures in the AP-20 zone.
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 special events.
 - 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 public was notified of this proposal in accordance with all guidelines and requirements, and the Planning Department received two neutral comments from the public.

Suggested Conditions of Approval:

- 1. The project shall comply with the requirements and recommendations of the **Franklin County Planning and Building Department:**

- a. The development standards of FCC 17.10.050 will apply to the project, with the exception of building setbacks which will comply with FCC 8.40.080(A)(2). This is due to the lack of working fire hydrants located within 500 feet of the property. Fire code related setbacks are 25 feet for front setback, 25 feet for rear setback and 20 feet for side setbacks. There is also a 15 feet separation between structures without an approved intervening firewall.
 - 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 27.9 acres; if the property is later adjusted through a Boundary Line Adjustment or Short Plat, a new conditional use permit may be required.
 - e. A completed building application is required upon submittal for building permits:
 - i. Completed copy of NREC forms will be required and plans will need to match requirement listed in the NREC forms.
 - ii. Buildings will need to meet the 2018 International Building Code.
 - iii. Scaled detailed plans of structures need to be prepared by a licensed Architect and/or Engineer.
 - iv. Plans will need to show how the minimum code requirements for accessibility will be met.
 - v. A detailed plot plan with distances to all lot lines, easements and adjacent structures as applicable.
 - vi. An approach permit is required from the Franklin County Public Works office.
2. 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. Site access shall meet the minimum requirements for a private access road per Franklin County Design Standards for the Construction of Roads and Bridges (Resolution 2002-270). This will be determined at the time of application for an approach permit.

- c. 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).

3. Comply with the following conditions for **Access and Parking**:

- a. Parking in the gravel parking lot, as proposed, is allowed as long as events are infrequent and any fugitive dust 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. Access to the property will be utilizing access easement AF# 1619162. Access will need to be built to county road standards.
- c. 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.

4. Comply with the following conditions regarding **Occupancy and Uses**:

- a. The use on the entire property is limited to 250 guests (including vendors and hired personnel) at any given time.
- b. Buildings will need to meet the minimum 2018 International Building Code requirements for accessibility.
- c. 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.
- d. Event activities shall conclude by 10 p.m.
- e. 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.

5. Should an event provide alcohol to guests, a banquet – liquor license shall be required.
6. 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.
7. 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.
8. 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.
9. 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.
10. 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.
11. Shall comply with **fire code** requirements as stated in Franklin County Chapter 8.40.
12. The site shall be maintained at all times so as to not let the land become a fire hazard or accumulate with debris, weeds and/or garbage.
13. 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.
14. 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.
15. 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.

16. 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.
17. 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.

Suggested Motion: "I move that the Board of County Commissioners adopt the recommendation of the Planning Commission and approve CUP 2021-01, based upon the written findings of fact."

ITEM UNDER REVIEW FROM MAY 4TH PC MEETING**ITEM #2-CUP 2021-01**

Application is to allow for an indoor/outdoor event center, which is only allowed with an approved Conditional Use Permit (In accordance with Franklin County Code Section 17.10.040. A proposed use of this type lies between item G – “public and quasi-public buildings” and item P – “ancillary services, such as tasting rooms/facilities and event centers associated with a winery/distillery/brewery”). The applicant proposes to use approximately 1.92 acres of the site for the proposed use, which will, include a 6,500 sq. ft. two-story single-family dwelling, 4,500 sq. ft. auxiliary building for event hall, 4,800 sq. ft. outdoor event space and 104 parking spaces. The days and hours of operation are 8AM-10PM Monday-Sunday. The property where the project is proposed is zoned Agricultural Production 20 (AP-20) and carries an “Agricultural” Comprehensive Plan Land Use designation.

APPLICANT: Yury Kapitula, K and G Venue

OWNER: C5 Land Company LLC

OPEN PUBLIC HEARING:

Chair Pierret opened public hearing at 8:05 PM.

STAFF REPORT:

Mr. Braaten presented staff report to the commission.

COMMISSIONER QUESTIONS FOR STAFF/APPLICANT:

- Commissioner Lowe had a question about why we’re requiring a private driveway for a commercial business. Mr. Braaten explained that it had to do with the length of the run and the number of lots accessing the driveway. Mr. Mahoney also explained how the County road department doesn’t have jurisdiction over private roads and how they only deal with the approach on and off the county roads. Mr. Mahoney continued by stating Commissioner Lowe raised a point with his comment and that its worth further review. Commissioner Lowe responded that he frequently drives by that area and is concerned with the potential safety issues associated with weekend traffic. Commissioner Lowe continued stating at time of application, for public works to look further into something like additional signage. Mr. Mahoney agreed with Commissioner Lowe’s statement.
- Commissioner Didier had a question about the different accesses. Mr. Braaten responded that he would defer to Mr. Gordon about this issue, but stated that there seems to be one access on which everyone agrees with using. Commissioner Didier explained she would wait to allow for Mr. Gordon to explain the issue.
- Commissioner Lenk noted that the site plan didn’t include a location for storage. Mr. Braaten stated there isn’t anything in the County Code requiring storage, but noted the applicant is building a home probably big enough for storage in general.
- Commissioner McMullen stated the days listed are Monday-Sunday, which probably should read as Sunday-Saturday as these are the days of the week. Commissioner McMullen also noted there was an error in the staff report about the parcel and its relation to nearby locations. Mr. Braaten noted the errors and will make the corrections.
- Chair Pierret had a question about whether they could put a stipulation resolving Mr. Gordon’s liability if people venture out of the easement onto his property. Mr. Braaten stated the County can’t indemnify or act as a kind of insurance. Ms. Johnson concurred with Mr. Braaten’s statement. Chair Pierret also asked how many houses are nearby the property. Mr. Braaten stated there wasn’t very many people in the [one-mile] notification radius with more than half the properties tied to Mr. Gordon. Chair Pierret stated the reason he asked, was in the past they had requirements for event centers to shut down by 8 PM. Mr. Braaten stated the County’s

ITEM UNDER REVIEW FROM MAY 4TH PC MEETING

noise ordinance is set at 10 PM. Chair Pierret asked if it could be less, with Mr. Braaten responding that they [Planning Commission] can make whatever recommendation to the board they want. Mr. Braaten continued by stating this event center has a rather large indoor space, which is different from the other event spaces the commission has seen recently and might need to be taken into consideration. Commissioner Lowe stated he has dealt with noise complaints before in past and its indeed at 10 PM. Commissioner Lowe also stated he didn't know how he would be okay with that. Ms. Johnson stated she wouldn't know how to enforce the provision, due to it being in excess of County Code.

- Commissioner Vincent if the lighting is subject to review by the building department and if there were any additional requirements for lighting on the access road. Mr. Braaten stated not at this point would we have additional requirements for lighting, if the applicant had a lot of lights or something of that nature, then we would look at their lighting plan.

PUBLIC COMMENTS:

- Mr. Kapitula spoke in support of the application. Mr. Kapitula commented that they were looking at between 200-250 guests at any one particular event. Mr. Kapitula also commented about storage by stating they were going to have a least a 400 sq. ft. garage on the east side of the building, to use for said storage.
- Mr. Gordon spoke neutrally of the application, his main concern had to do with making sure people stay on the easement. Mr. Gordon continued stating he wants some kind of plan or stipulation making sure people stay on the easement and out of the orchard. Mr. Gordon also spoke about the alternative easement and how it was not an official easement, but was a survey commissioned by JR Carr and was somehow recorded. Mr. Gordon stated he had received a Vacation of Easement application and wanted JR Carr to pay the application costs. Mr. Braaten stated he does not have the authority to require who is going to do what. Mr. Gordon asked Mr. Kapitula if he would pay for the Vacation of Easement, Mr. Kapitula agreed to pay and stated they knew it wasn't official and weren't going to use it, but put it on the site plan in case.
- Ms. Sayre wanted to clarify with staff that once acreage for the project is taken out there will be less than 20 acres due to the topography of the land, which makes it non-usable as far as farming. Ms. Sayer also stated she agreed with Mr. Kapitula that the alternative easement is not really an easement. Ms. Sayre concluded by stating this would be a positive development for the community, due to the current lack of event centers in the area.

CLOSING PUBLIC HEARING ITEM:

Chair Pierret closed public hearing at 8:58 PM.

Commissioner Lenk asked staff if they need to modify or delete the event size limit (condition 4a). Mr. Braaten stated it would need to be modified to 250 people. Mr. Braaten stated there are also modification needed to specify noise limits of 10AM to 10PM to be outdoor noises only and to strike out the three hours of total duration notation. Commissioner Lenk also asked about the easement and if any clarification needs to be added. Mr. Braaten stated the correct easement number as indicated by Mr. Gordon is already listed in the conditions of approval.

Commissioner Lenk made a motion to approve CUP 2021-01 with the six (6) findings of fact and 17 suggested conditions of approval. With 5a being modified and deleting part of 5c limiting the tenants to 3 hours of total duration (upon review of staff report, it was determined to be 4a and 4c as the conditions to be modified), along with eliminating the disputed easement out of the site plan.

Commissioner Vincent seconded the motion.

Vote: CUP 2021-01

Mike Vincent- Yes

Roger Lenk- Yes

ITEM UNDER REVIEW FROM MAY 4TH PC MEETING

Layton Lowe- Yes
Claude Pierret- Yes
Kent McMullen- Yes
Mike Corrales- Yes
Melinda Didier- Yes

The motion is approved.

The remainder of the meeting minutes are being EXCLUDED, as the next part of the meeting addressed an item will go to the Board of County Commissioners at a future date, which is subject to the state Appearance of Fairness Doctrine.

Agenda Item #2

STAFF REPORT

CUP 2021-01

Kapitula – Indoor/Outdoor Event Center

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 2021-01 (Conditional Use Permit) and SEPA 2021-04

Hearing Date: May 4, 2021

Applicant: Yury Kapitula, PO Box 1261 Richland, WA 99352

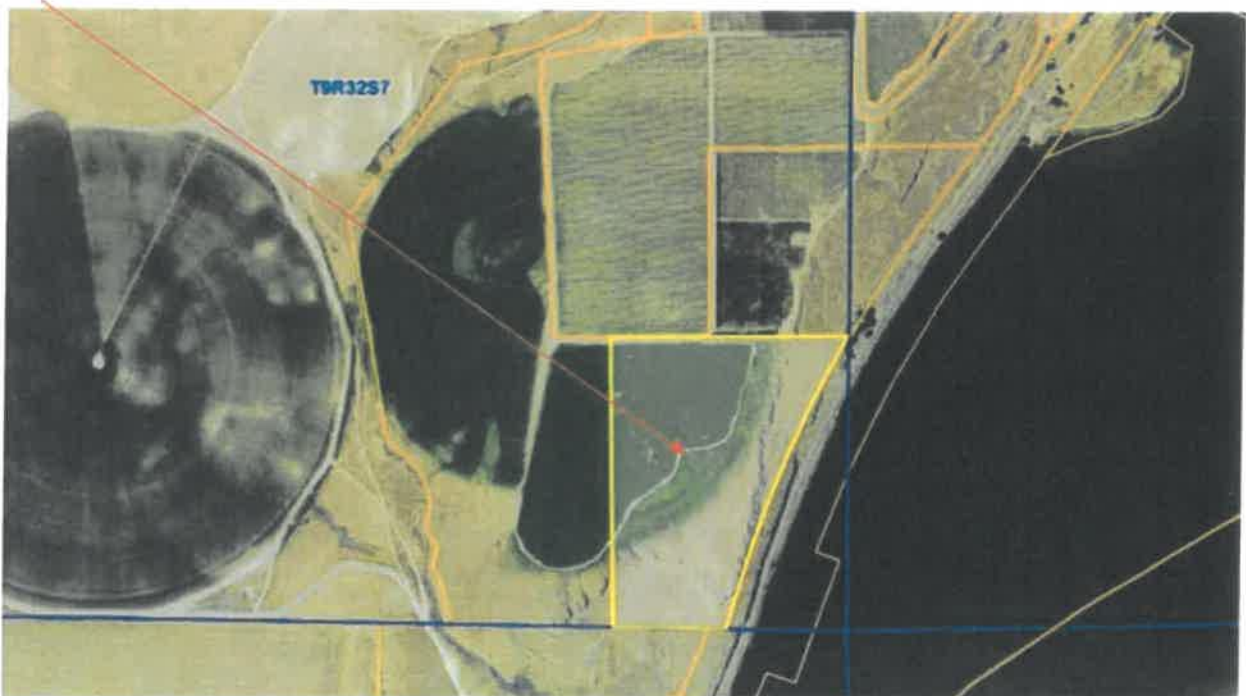
Owner: C5 Land Company LLC, PO BOX 2532, Pasco, WA 99302

Location: The property currently has no address. The parcel is bounded to the north by Levey Road, to west by the Snake River, to the east by Rogers Road. (Parcel Number 108-060-057).

Legal description: Portion of the Southeast 1/4 of Section 7, Township 9 North, Range 32 East, W.M. Franklin County, WA.

VICINITY MAP:

SUBJECT PARCEL



Property size: The current property (parcel) size is approximately 27.9 acres in size.

Property to be used: Approximately 1.92 acres of the site is to be used for the proposed use.

Staff Report
CUP 2021-01

2

Comp. Plan: Agricultural

Zoning: Agricultural Production 20 (AP-20)

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:

Application is to allow an indoor/outdoor event center, which appears to be only allowed with an approved Conditional Use Permit *(In accordance with Franklin County Code Section 17.10.040. A proposed use of this type lies between item G - "public and quasi-public buildings" and item P - "ancillary services, such as tasting rooms/facilities and event centers associated with a winery/distillery/brewery")*.

The applicant proposes to use approximately 1.92 acres of the 27.9 acre site for the proposed use, which will include a 6,500 sq. ft. two-story single-family dwelling, 4,500 sq. ft. auxiliary building for event hall, 4,800 sq. ft. outdoor event space and 104 parking spaces. The applicant has also indicated they would lease out the unused portion of land to a local farmer for agricultural production.

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

- The hours of operation will be Monday-Sunday from 8AM-10PM.
- Building height will be approximately 27 ft. with stucco exterior.
- Activities will be community events and weddings.

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

- Parking spaces, gravel driveway and access easements.
- The proposed two-story house with auxiliary building for event hall.
- Nearby geohazard areas, proposed septic/well locations, and existing 10 ft. utility easement.

PUBLIC NOTICE:

- The Planning Staff emailed technical review requests to Technical Agencies on **April 8, 2021.**
- The Planning staff mailed notices to Property Owners within **one mile** on **April 8, 2021.**
- A Public Notice was published in the *Franklin County Graphic* on **April 8, 2021.**
- A sign was posted on the property on **April 8, 2021.**

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 **April 8, 2021** under WAC 197-11-340(2) which was published on **April 8, 2021**.
- The Washington State Department of Ecology filed the notice under **SEPA #202101788** in the statewide SEPA register.
- Comments on the DNS Threshold Determination were due by **April 22, 2021**. 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 17.10 Agricultural Production 20 (AP-20) Zone
 - b. Chapter 17.82 Special Permits
 - c. Chapter 18.04 State Environmental Policy Act Guidelines (SEPA)
 - d. Title 14 Development Code Administration
2. Franklin County Comprehensive Plan
3. Benton Franklin District Board of Health Rules and Regulations No. 2

PUBLIC COMMENT:

No public comments were received as of April 22, 2021.

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. Site access shall meet the minimum requirements for a private access road per Franklin County Design Standards for the Construction of Roads and Bridges (Resolution 2002-270). This will be determined at the time of application for an approach permit.
 3. 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. **Franklin County Assessor's Office:** *No comments received.*
4. **DAHP:**
 - a. Received letter dated April 16, 2021. For more information please see letter in agency/public comment section.
5. **Health District:** *No comments received.*
6. **Fire District #3:** *No comments received.*
7. **South Columbia Basin Irrigation District:** *No comments received.*
8. **US Bureau of Reclamation:**
 - a. Sent response dated April 21, 2021 where they stated they had no comment. For more information please see letter in agency/public comment section.
9. **County Risk Management:** *No comments received.*
10. **Department of Ecology:**
 - a. Comments were received in letter dated April 21, 2021. For more information please see letter in agency/public comment section.
11. **Planning and Building Department:** The Planning Department has determined the following suggested findings and provided comments for this application:
 - a. An "indoor/outdoor event center" is not specifically listed as an allowed use, nor is it specifically prohibited, in the AP-20 zone. Therefore, as required under FCC 17.66.210, Staff has reviewed the proposal and has determined the intensity of use from an indoor/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 AP-20 (Agricultural Production) 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 proposed as part of this application.

- ii. House/event center will be required to comply with 2018 International Building Code.
- c. Per FCC 17.10.040, 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 Agricultural.
- 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 mapped critical areas near the project site.
 - i. According to the site map, the location of structures will be outside of those critical areas.
- g. Events will occur on an intermittent basis, anywhere on Monday-Sunday from 8AM-10PM.
 - i. Applicant has indicated it will be reserved to special events and weddings.
- h. Any exterior lighting shall be directed on-site so as not to interfere with the comfort and repose of adjoining property owners.
- i. The proposed use of the site is for indoor/outdoor events which, due to weather and frequency, may only occur seasonally. 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). 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).
- j. There is a gravel parking area that will be designed to accommodate 104 parking spaces.

- k. Separate building permits are required for any proposed or future buildings including storage buildings exceeding 200 sq. ft.:
 - i. A completed building application is required upon submittal for building permits.
 - ii. Completed copy of NREC forms will be required and plans will need to match requirement listed in the NREC forms.
 - iii. Buildings will need to meet the 2018 International Building Code.
 - iv. Scaled detailed plans of structures will need to be prepared by a licensed Architect and/or Engineer.
 - v. Plans will need to show how the minimum code requirements for accessibility will be met.
 - vi. A detailed plot plan with distances to all lot lines, easements and adjacent structures as applicable.
 - vii. An approach permit is required from the Franklin County Public Works office.

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 2021-01.

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 2021-01, with the following suggested findings of fact and suggested conditions of approval:

Suggested Findings of Fact:

1. The proposed use in the AP-20 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 Agricultural.
 - b. The Franklin County Comprehensive Plan encourages the retention of useful open space and development of recreational opportunities.
 - c. There are critical areas near the project site. But project as proposed has development occurring outside of critical areas.
 - d. The County Zoning map designates the land as AP-20.
 - 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 AP-20 Zoning District.
 - f. Per FCC 17.10.040, 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 Levey 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.
 - 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 agricultural. The site is within an agricultural area designated by the Franklin County Comprehensive Plan.
 - d. Applicant has indicated they would lease unused portion of land to local farmer for agricultural production.
 - e. The zoning of the site and most of the parcels near the site is AP-20.
 - f. The current parcel size is approximately 27.9 acres which allows sufficient area for parking, access, etc. for the planned activities, and also provides space between the use and surrounding uses.
 - g. 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. The building height is approximately 27 ft., which is below the maximum roof height of 35 ft. for primary and accessory structures in the AP-20 zone.
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 special events.
 - 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 public was notified of this proposal in accordance with all guidelines and requirements, and the Planning Department received no comments from the public.

Suggested Conditions of Approval:

1. The project shall comply with the requirements and recommendations of the **Franklin County Planning and Building Department:**

- a. The development standards of FCC 17.10.050 will apply to the project, with the exception of building setbacks which will comply with Franklin County Ordinance 03-2021. This is due to the lack of working fire hydrants located within 500 feet of the property. Fire code related setbacks are 25 feet for front setback, 25 feet for rear setback, 20 feet for side setbacks, and 20 feet for rear setback. There's also a 15 feet separation between structures without an approved intervening fire wall.
 - 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 27.9 acres; if the property is later adjusted through a Boundary Line Adjustment or Short Plat, a new conditional use permit may be required.
 - e. A completed building application is required upon submittal for building permits:
 - i. Completed copy of NREC forms will be required and plans will need to match requirement listed in the NREC forms.
 - ii. Buildings will need to meet the 2018 International Building Code.
 - iii. Scaled detailed plans of structures need to be prepared by a licensed Architect and/or Engineer.
 - iv. Plans will need to show how the minimum code requirements for accessibility will be met.
 - v. A detailed plot plan with distances to all lot lines, easements and adjacent structures as applicable.
 - vi. An approach permit is required from the Franklin County Public Works office.
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. Site access shall meet the minimum requirements for a private access road per Franklin County Design Standards for the Construction of Roads and Bridges (Resolution 2002-270). This will be determined at the time of application for an approach permit.

- c. 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 in the gravel parking lot, as proposed, is allowed as long as events are infrequent and any fugitive dust 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. Access to the property will be utilizing access easement AF# 1619162. Access will need to be built to county road standards.
 - c. 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. Buildings will need to meet the minimum 2018 International Building Code requirements for accessibility.
 - c. 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.
 - d. Event activities shall conclude by 10 p.m.
 - e. 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. Shall comply with **fire code** requirements as stated in Franklin County Ordinance 03-2021.
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 #2

PUBLIC NOTICE

AGENCY/PUBLIC COMMENT

CUP 2021-01

Kapitula – Indoor/Outdoor Event Center

TO: THE FRANKLIN COUNTY PLANNING AND BUILDING DEPARTMENT

April 28, 2021

For public hearing on #CUP 2021-01 and SEPA 2021-04

May 4, 2021

I would like to comment on the proposed development. I own I-MAX, LLC which owns the property that includes the access easement AF#1619162 to the proposed development from Levey Road (copy of easement AF#1619162 is attached). When we gave this easement it was for access to the property named in the attached easement owned by the Jack B. Carr Trust. JR Carr and his family, heirs to the Trust, wanted to build a home on the property and we agreed to give him an easement to the property.

My concern is that the easement goes through our property that has orchards and wine grapes on it. I would like to see a plan to insure that people who come on to the property stay on the easement and do not wander into the grapes and orchard. Because it is farm ground, we use pesticides and herbicides to control weeds, pests and disease in the field. At certain times, some of these chemicals could be harmful to people if they do not stay on the easement.

The application states that the venue could be open every day. We would like to have a written agreement stating that people will not wander off of the easement into our orchards and vineyards, and, if they do, that any exposure to chemicals used in those orchards and vineyards will not result in litigation against us. If people stay in their cars on the easement, they will not be exposed.

The easement is 30 feet wide. We are not interested in widening the easement because it would include taking out some of our crops.

AF#554778 is not an easement. It is also on my property and it was just a survey done by JR Carr and he somehow got it recorded. He did this without my knowledge. We only learned of it when we received this proposal. As you can see, it doesn't even show on the easement papers for AF#1619162. We did not agree to this so-called easement and we do not acknowledge this easement.



Jeff Gordon, Owner and Member

I-MAX, LLC

Gordon Brothers Cellars, Inc.

Kamiak Vineyards, Inc.

4-28-2021

Date



FRANKLIN COUNTY

PLANNING AND BUILDING DEPARTMENT

NOTICE OF PUBLIC HEARING & SEPA DETERMINATION

NOTICE IS HEREBY GIVEN that there has been proposed to the Franklin County Planning Commission an application by **Yury Kapitula** of K and G Venue, PO BOX 1261 Richland, WA 99352, for a Conditional Use Permit, file # CUP 2021-01 and SEPA 2021-04.

Said application is to allow for an indoor/outdoor event center, which is only allowed with an approved Conditional Use Permit (*In accordance with Franklin County Code Section 17.10.040. A proposed use of this type lies between item G – “public and quasi-public buildings” and item P – “ancillary services, such as tasting rooms/facilities and event centers associated with a winery/distillery/brewery”*). The applicant proposes to use approximately 1.92 acres of the site for the proposed use, which will, include a 6,500 sq. ft. two-story single-family dwelling, 4,500 sq. ft. auxiliary building for event hall, 4,800 sq. ft. outdoor event space and 104 parking spaces. The days and hours of operation are 8AM-10PM Monday-Sunday. The property where the project is proposed is zoned Agricultural Production 20 (AP-20) and carries an “Agricultural” Comprehensive Plan Land Use designation.

The subject parcel is described as follows:

LEGAL DESCRIPTION:

THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 9 NORTH RANGE 32 EAST, W.M. FRANKLIN COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER THAT IS SOUTH 89°02' 37" EAST 1163.96 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION; THENCE NORTH 01°04' 29" WEST 1443.43 FEET TO A POINT ON THE SOUTH LINE OF A PARCEL DEPICTED ON A SURVEY RECORDED IN BOOK ONE OF SURVEYS AT PAGE 251, RECORDS OF SAID COUNTY, THAT IS NORTH 89°35' 51" EAST 280.27 FEET FROM THE SOUTHWEST CORNER OF SAID PARCEL THENCE NORTH 89° 35' 51 EAST ALONG THE SOUTH LINE OF SAID PARCEL 1186.65 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF THE ABANDONED RAIL ROAD, AS BASED ON THE APPARENT CENTERLINE SAID POINT BEING ON A CURVE TO THE LEFT THE RADIUS OF WHICH BEARS SOUTH 60°15' 56" EAST 6028.16 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE 1582.58 FEET TO THE SAID SOUTH LINE OF THE SOUTHEAST QUARTER; THENCE NORTH 89°02' 37" WEST 563.04 FEET TO THE SAID TRUE POINT OF BEGINNING.

NON-LEGAL DESCRIPTION:

The property's parcel number is 108-060-057, there is no address for the property. Levey Road is North of the property, Rogers Road is West of the property, and Snake River is East of the property.

NOTICE IS FURTHER GIVEN that said application will be considered by the Franklin County Planning Commission. A public hearing will be held on **May 4, 2021 at 7:00 PM**. Due to the Covid-19 emergency declaration, the public may not attend in person. Written comments are accepted prior to public hearing and those comments shall be submitted by either email at planninginquiry@co.franklin.wa.us, or by regular mail to Franklin County Planning Department, 502 W. Boeing Street, Pasco, WA 99301. Written Comments shall be submitted by **4:00 PM on April 30, 2021**. Further information on how to participate in the meeting is provided below.

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 **April 8, 2021** and the comment period for the determination and environmental impacts of the proposal were closed on **April 22, 2021**.

HOW TO ATTEND VIRTUAL MEETING: To participate in meeting, you will have to pre-register by phone at 509-545-3521 or email at planninginquiry@co.franklin.wa.us before end of business day **(4:00 PM) April 30, 2021**. WebEx invitations will be sent out through email **May 3, 2021 by 4:00 PM**. You can

watch the proceeding on YouTube Live, by going to the Franklin County, WA agenda page at <https://www.co.franklin.wa.us/planning/agenda.html>. There you can access the virtual agenda with the YouTube Live link. Virtual agendas will be posted by the Friday before said meeting date.

Information concerning the proposal can be obtained by email at planninginquiry@co.franklin.wa.us or by calling 509-545-3521.

DATED AT PASCO, WASHINGTON ON THIS 8th DAY OF APRIL 2021

PUBLISH:

Franklin County Graphic: April 8, 2021



FRANKLIN COUNTY

PLANNING AND BUILDING DEPARTMENT

AGENCY COMMENTS (CUP 2021-01/SEPA 2020-04)

DATE: April 8, 2021

RE: CUP 2021-01

TO: County Engineer
Benton-Franklin Health Dist.
Fire Code Official
Assessor/GIS
County E-911
SEPA Registry

Irr. Dist.(FCID__SCBID__X__)
Fire Dist. # 3
Elec.Utility (PUD X BBEC__)
County Building Official
US Bureau of Reclamation

FROM: Derrick Braaten, Planning & Building Director

CC: Matt Mahoney, Rebeca Gilley, Aaron Gunderson

Agency Representative:

Enclosed is a copy of a proposed Conditional Use Permit application. The proposal is for an indoor/outdoor event center.

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:

Signed: _____
Title: _____

Date: _____



Allyson Brooks Ph.D., Director
State Historic Preservation Officer

April 16, 2021

Aaron Gunderson
Planner I
Franklin County
1016 N. 4th Ave.
Pasco, WA 99301

In future correspondence please refer to:
Project Tracking Code: 2021-04-02279
Property: Franklin County_K & G Venue (CUP 2021-01/SEPA 2021-04)
Re: Survey Requested

Dear Aaron Gunderson:

Thank you for contacting the Washington State Historic Preservation Officer (SHPO) and Department of Archaeology and Historic Preservation (DAHP) and providing documentation regarding the above referenced project. Our statewide predictive model indicates that there is a high probability of encountering cultural resources within the proposed project area. This is due, in part, to the proximity of the proposed project area to the Snake River, a resource known to have been historically important to Native American groups and settlers in the area. Further, the scale of the proposed ground disturbing actions would destroy any archaeological resources present. Identification during construction is not a recommended detection method because inadvertent discoveries often result in costly construction delays and damage to the resource. Therefore, we recommend a professional archaeological survey of the project area be conducted prior to ground disturbing activities. We also recommend consultation with the concerned Tribes' cultural committees and staff regarding cultural resource issues.

These comments are based on the information available at the time of this review and on behalf of the SHPO in conformance with Washington State law. Should additional information become available, our assessment may be revised.

Thank you for the opportunity to comment on this project and we look forward to receiving the survey report. Please ensure that the DAHP Project Number (a.k.a. Project Tracking Code) is shared with any hired cultural resource consultants and is attached to any communications or submitted reports. Should you have any questions, please feel free to contact me.

Sincerely,

Sydney Hanson
Transportation Archaeologist
(360) 280-7563
Sydney.Hanson@dahp.wa.gov



Memo



Public Works Department

To: Derrick Braaten, Planning & Building Director
From: John Christensen, County Surveyor
cc: Craig Erdman, County Engineer
Date: April 19, 2021
Re: CUP 2021-01

Derrick,

Public Works has concluded that the proposed use will have an impact on the existing average daily traffic but 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. Site access shall meet the minimum requirements for a private access road per Franklin County Design Standards for the Construction of Roads and Bridges (Resolution 2002-270). This will be determined at the time of application for an approach permit.
3. 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 or concerns.



United States Department of the Interior

BUREAU OF RECLAMATION

Ephrata Field Office

32 C Street NW

Ephrata, WA 98823-0815



IN REPLY REFER TO:

CPN-6612

2.2.3.18

Apr 21, 2021

Aaron Gunderson, Planner I
Franklin County Planning and Building Department
502 W. Boeing St.
Pasco, WA 99301

Subject: Kapitula CUP 2021-01/SEPA 2021-04

Dear Mr. Gunderson,

We appreciate the opportunity to review and comment on the subject proposal. This letter is in response to your request for comments, due April 22, 2021.

Generally, all survey data on The Bureau of Reclamation Farm Unit Maps pertaining to Reclamation facilities, associated rights-of-way, and Farm Unit boundaries within the area being subdivided must be included on the plat. The plat recorded with the county is considered the official Reclamation record.

Landowners should be aware of existing Reclamation and South Columbia Basin Irrigation District (SCBID) rights to construct, reconstruct, operate, and maintain Columbia Basin Project (CBP) facilities as necessary. Reclamation and the SCBID must review and approve any work that will involve these facilities or the existing rights-of-way prior to commencing such work. Structures are prohibited from encroaching upon existing rights-of-way corridors without Reclamation's and the SCBID's prior approval. This includes, but is not limited to, improvements such as on-site sewage disposal systems, drain fields, domestic wells, paving, fencing, and landscaping. It is important to note that Reclamation's concurrence to this proposal is conditioned upon the assurance that there are no encroachments upon Project facilities or rights-of-way.

Although this proposal is within the CBP and the SCBID, it does not involve any CBP facilities. Therefore, we have no comment regarding this proposal's impact on facilities or associated rights-of-way.

Thank you for your assistance and cooperation. If you have any questions, please contact Ms. Michele Porter, GIS Specialist, at mporter@usbr.gov or Ms. Nasha Flores, Acting Realty Supervisor, at nflores@usbr.gov or (509) 754-0266. For the hearing impaired, please call the Federal Relay System at (800) 877-8339

Sincerely,

NASHA FLORES

Digitally signed by NASHA
FLORES

Date: 2021.04.21 13:20:34 -07'00'

Nasha Flores
Acting Realty Supervisor

INTERIOR REGION 9 • COLUMBIA-PACIFIC NORTHWEST

IDAHO, MONTANA*, OREGON*, WASHINGTON

* PARTIAL

cc: South Columbia Basin Irrigation District
PO Box 1006
Pasco, WA 99301

Yuri Kapitula
PO Box 1261
Richland, WA 99352

Aaron Gunderson

From: Stephen Kramer
Sent: Monday, April 26, 2021 12:28 PM
To: Aaron Gunderson
Subject: RE: Request for Review and Comments & Notice of DNS (CUP 2021-01/SEPA 2021-04)

Aaron

Here's my comments for this one-

1. It is unclear from your application if the house will be the "event venue" or if a separate building is being proposed? Please clarify and revise your site plan accordingly.
2. If a separate building is being proposed as the "event venue", then the plans will need to demonstrate compliance with the 2018 International Building Code.
3. If any portion of the house is being utilized by the public and/or any other person other than the owners, then the plans will need to demonstrate compliance with the 2018 International Building Code.
4. The use of this building is categorized as an "Assembly" use occupancy and is required by code to be drafted by a licensed Architect and/or Engineer. Please confirm that there is no conflict between the plans and engineering prior to resubmittal.
5. Please show on your plans how you will meet the minimum code requirements for Accessibility?
6. Please provide a completed copy of the NREC forms. Please confirm that your plans match the requirements from the NREC forms.
7. Your SEPA applications indicates that there are steep slopes present. Once all items have been provided we will be able to start your plan review, and at that time a Geological assessment may be required.
8. Review of your application will also need to be approved for the requirements of the Fire Code. Please review your application and demonstrate on your plans how you will meet these requirements.

Steve Kramer
Building Official
Franklin County, WA
502 W Boeing St
Pasco, WA 99301
(509)-545-3521
skramer@co.franklin.wa.us

From: Aaron Gunderson <agunderson@co.franklin.wa.us>
Sent: Friday, April 23, 2021 10:07 AM
To: Darryl Brown <dbrown@co.franklin.wa.us>; Stephen Kramer <skramer@co.franklin.wa.us>
Subject: FW: Request for Review and Comments & Notice of DNS (CUP 2021-01/SEPA 2021-04)

Here's CUP 2021-01.

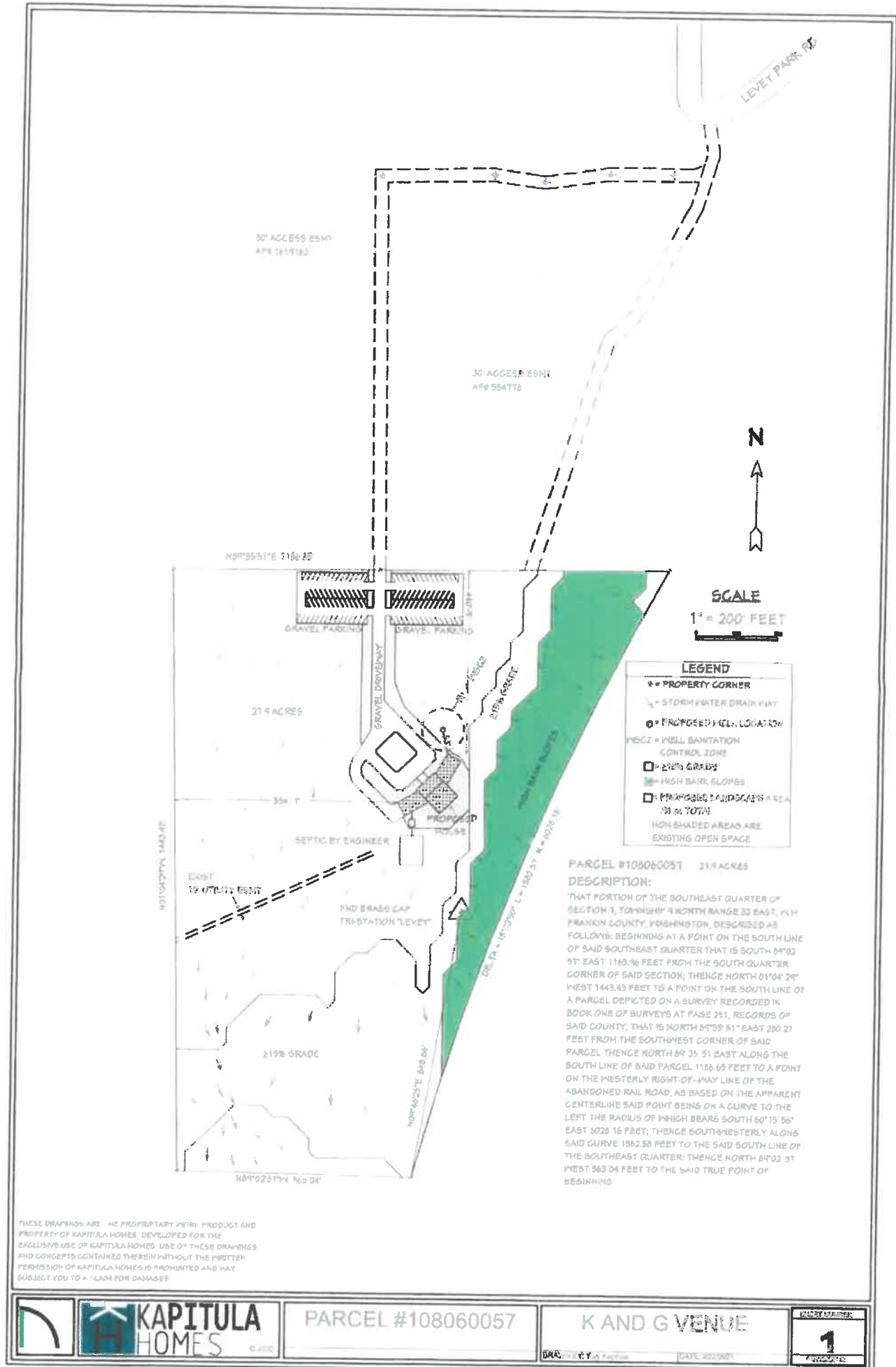
Aaron Gunderson
Planner I
Franklin County, WA | Planning & Building Dept.
509-545-3521

Agenda Item #2

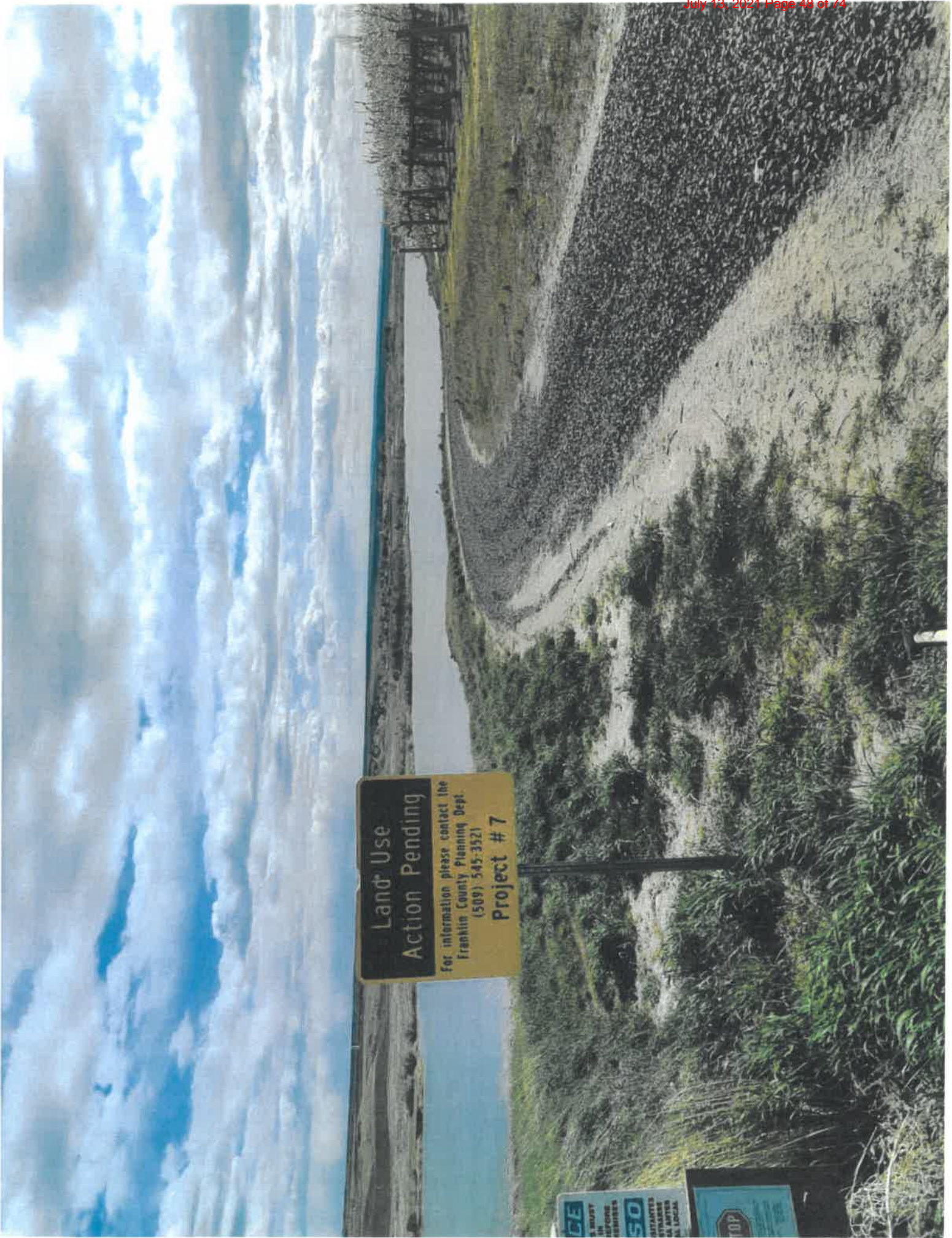
MAPS & SITE PHOTOS

CUP 2021-01

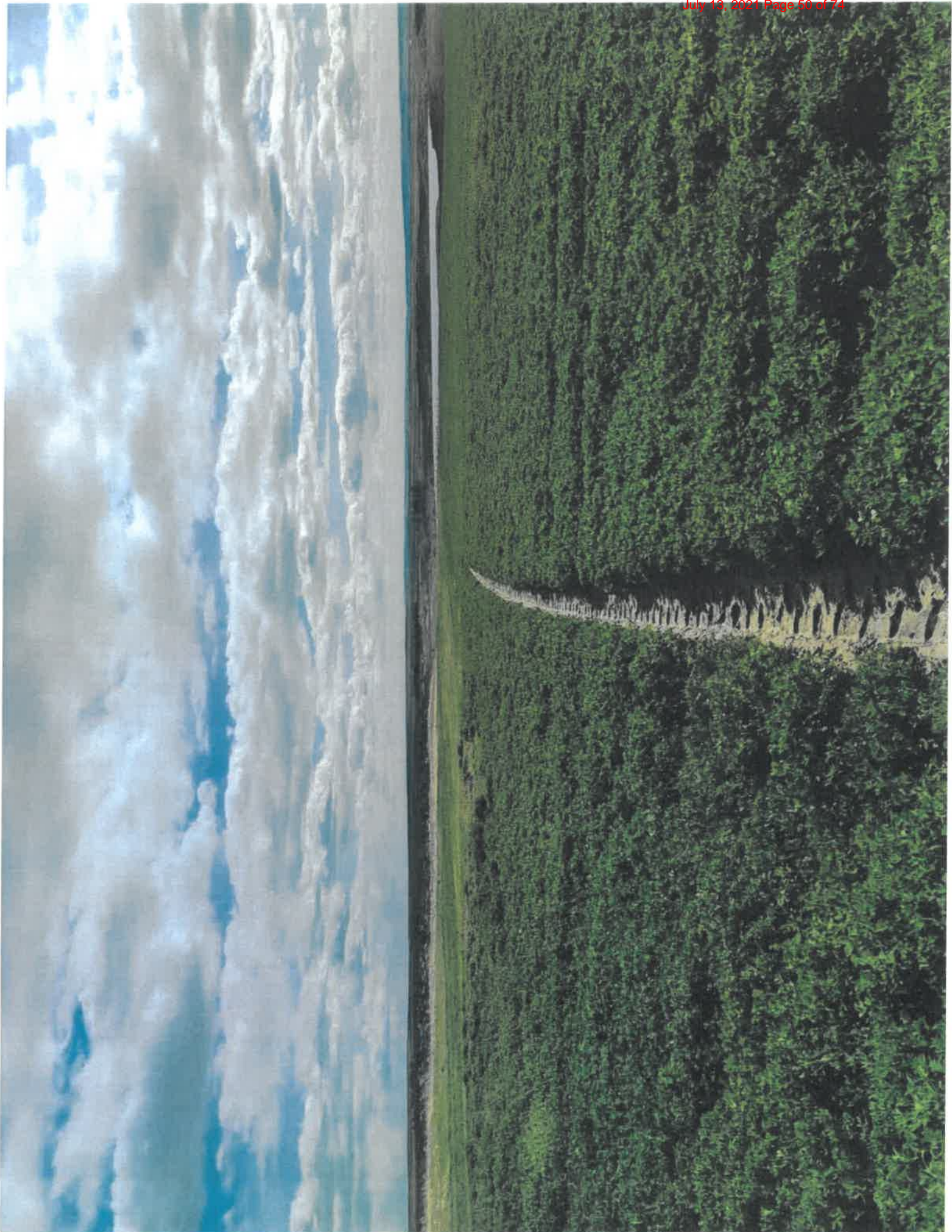
Kapitula – Indoor/Outdoor Event Center

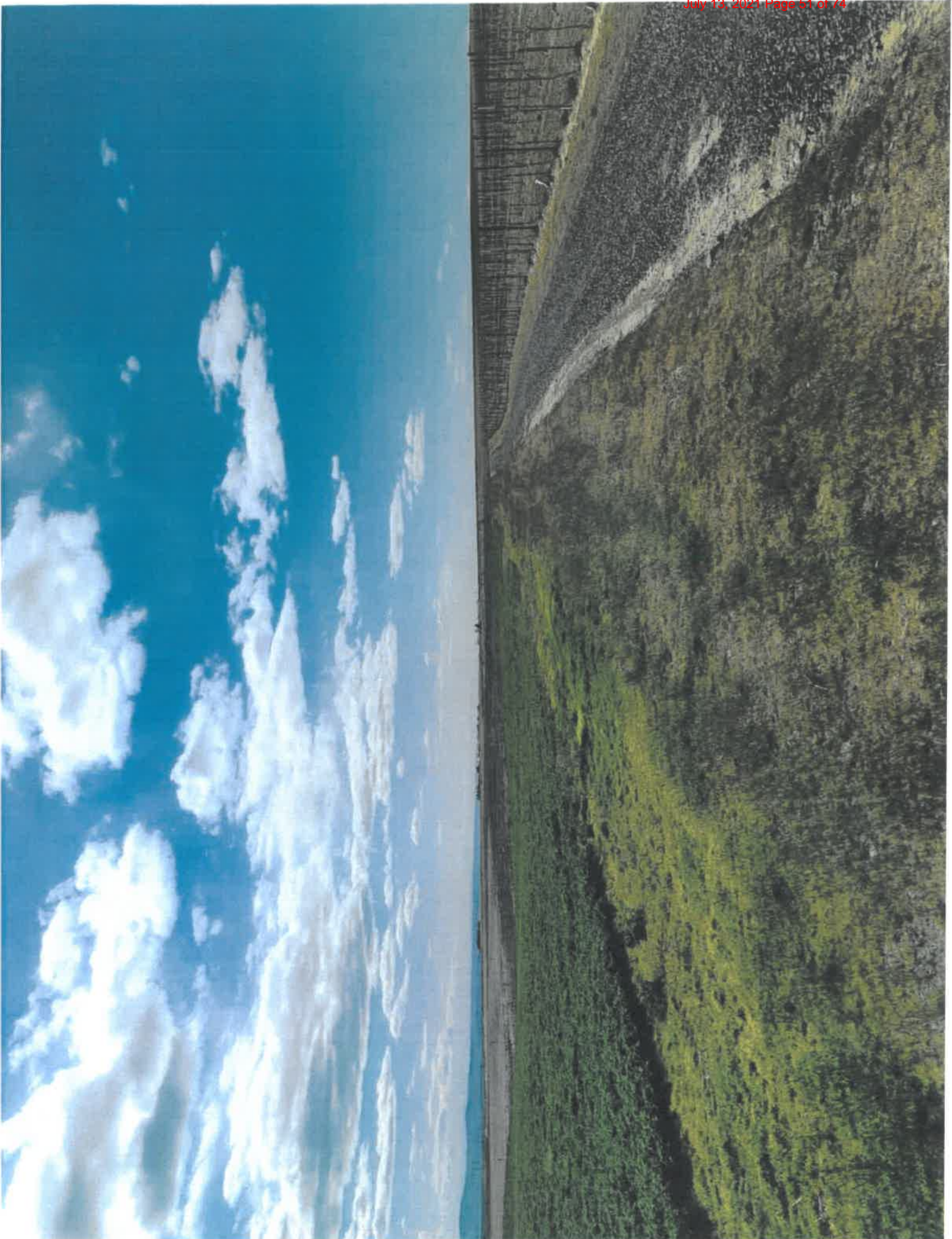


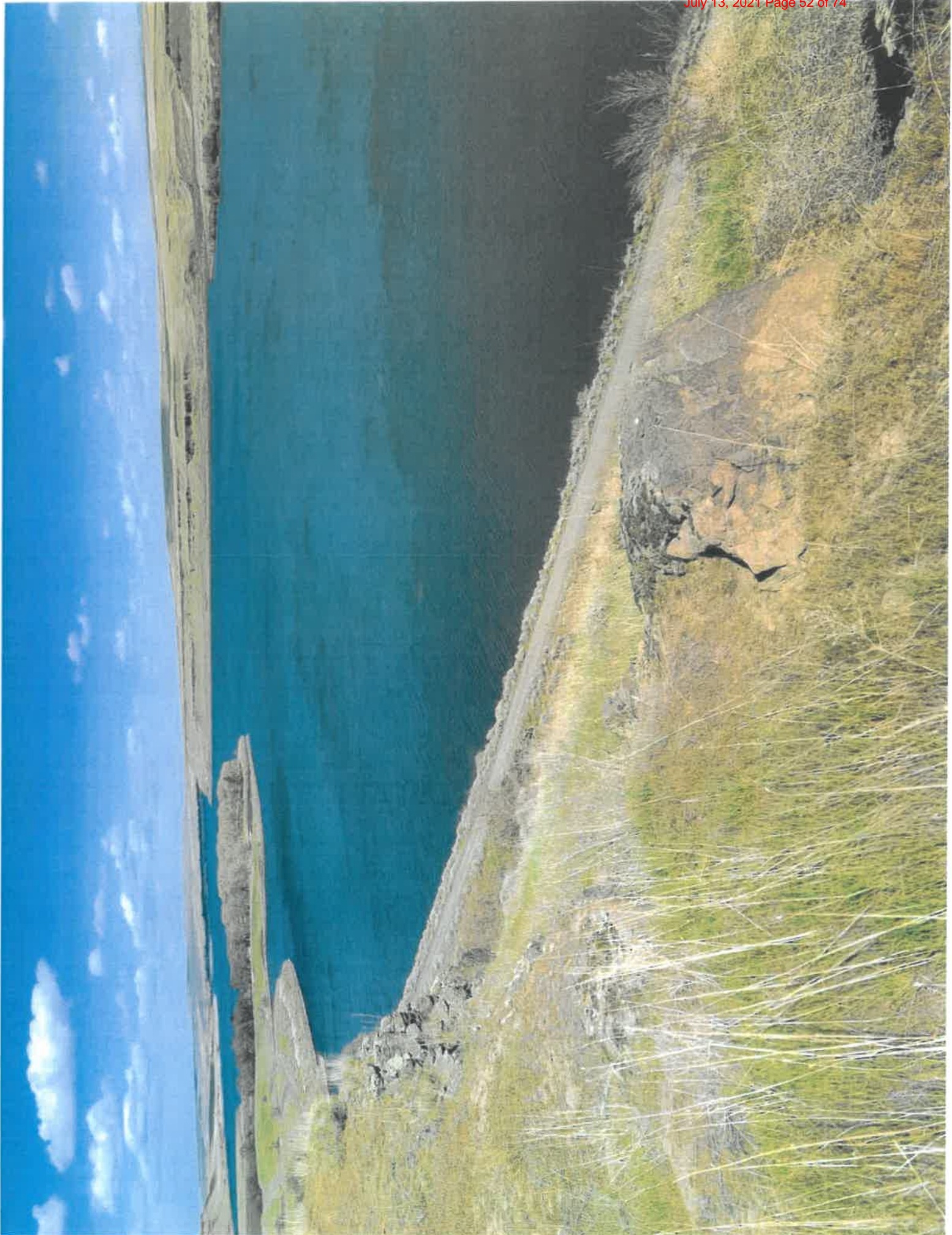














Agenda Item #2

APPLICATION, SEPA DETERMINATION & SEPA CHECKLIST

CUP 2021-01

Kapitula – Indoor/Outdoor Event Center



FRANKLIN COUNTY

PLANNING AND BUILDING DEPARTMENT

GENERAL LAND DEVELOPMENT APPLICATION

FOR STAFF USE ONLY:	FILE #: CUP 2021-01 / SEPA 2021-04	RECEIVED FEB 26 2021 FRANKLIN COUNTY PLANNING DEPARTMENT	
	Total Fees: \$ PL 21-80202		Reviewed by:
	Receipt #: \$ 400		Hearing Date:
	Date of Pre-App meeting:		
	Date deemed complete:		

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

<input checked="" type="checkbox"/> for contact person:	CONTACT INFORMATION YURY KAPITULA 509-492-6659
<input type="checkbox"/>	Property Owner Name: C S Land Company LLC Mailing Address: P.O. Box 2532 Phone: 947-8065 Email: jrobertson@csland.com
<input type="checkbox"/>	Applicant / Agent / Contractor (if different) Company: Name: YURY KAPITULA Address: PO BOX 1261 RICHLAND, WA 99352 Phone: 509-492-6659 Email: YuryKapitula@Gmail.com
<input type="checkbox"/>	Surveyor / Engineer Company: Name: Address: Email: Phone:

BRIEF DESCRIPTION OF PROJECT OR REQUEST:

CONDITIONAL USE PERMIT APPLICATION

PROPERTY INFORMATION:

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

108060057

Legal Description of Property:

SEE ATTACHED

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

NKA LEVEY 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 laws for the State of Washington (RCW Chapter 42.17) and all other applicable laws 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 C5 Land Company LLC 2-25-21 Date Yury Applicant/Representative 2/22/2021 Date
by JR CARA

Print Name: C5 Land Company LLC Print Name: YURY KAPITULA
by JR CARA,
its manager

CONDITIONAL USE PERMIT INFORMATION

ZONING:	AP-20
PROJECT NAME:	K AND G VENUE
WHAT ARE YOU PROPOSING? <i>(ex: Accessory Dwelling Unit, Bed and Breakfast, Commercial Agriculture, Church, Dairy, Accessory Building deviating from standards, Wireless Communication Facility, etc.)</i>	SINGLE FAMILY DWELLING WITH AUX BUILDING ATTACHMENT
LOT/PARCEL SIZE:	27.90 ACRES
SIZE OF THE AREA TO BE USED FOR THE PROPOSED USE OR BUILDING:	1.92 ACRE + PARKING 104 SPACES
PRESENT USE OF THE LAND AND STRUCTURES, IF ANY:	AGRICULTURAL / OPEN SPACE
DETAILED DESCRIPTION OF THE PROPOSED USE / DEVELOPMENT PROPOSAL (ATTACH ADDITIONAL SHEETS IF NEEDED):	SINGLE FAMILY DWELLING WITH AUX BUILDING ATTACHMENT
WILL THE PROJECT BE CONDUCTED ENTIRELY WITHIN A STRUCTURE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
A. IF NO, DESCRIBE THE OUTDOOR ACTIVITIES (E.G., OUTDOOR EATING, PLAYGROUND, PARK):	WEDDINGS / EVENTS
B. WHAT IS THE APPROXIMATE SQUARE FOOTAGE, OR SEATING CAPACITY OF YOUR OUTDOOR USE AREA(S)?	4,800 SQ FT
C. WHAT TYPE OF NOISES WILL THE OUTDOOR USE GENERATE (E.G. MUSIC, MACHINERY, VEHICLES)?	WEDDING ACTIVITY / EVENTS
PROPOSED HOURS OF OPERATION/DAYS OF THE WEEK (INDICATE MONTHS, IF SEASONAL):	MONDAY - SUNDAY 8AM - 10PM

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

TWO STORY SINGLE FAMILY DWELLING APROX. SIZE 6,500 SQ FT WITH
AUX BUILDING ATTACHMENT APROX. SIZE 4,500 SQ FT TO BE USED AS EVENT HALL.
BUILDING HEIGHT APROX. 27'

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

1. BY LEASING UNUSED PORTION OF LAND TO LOCAL FARMER FOR AG PRODUCTION
2. FLORICULTURE

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

- VERY FEW NEIGHBORS NEAR BY
- MOSTLY FLAT LAND AND EASY ACCESS
- SPECTACULAR VIEWS
- IDEAL SETTING FOR WEDDING EVENTS

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

NONE

DESCRIBE ANY EXISTING ZONING ORDINANCE VIOLATION:

NONE

IRRIGATION SOURCE:

☒ NONE ☐ PRIVATE ☐ SCBID ☐ FCID OTHER: WELL PROJECT

DOMESTIC WATER SUPPLY:

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

SEWAGE DISPOSAL:

☒ ON-SITE SEPTIC ☐ OTHER (SPECIFY):

LIST UTILITY PROVIDERS:

Power – FRANKLIN PUD
Telephone – CENTRY LINK
Natural Gas – N/A
Cable / Broadband –
Sanitary waste disposal - BASIN DISPOSAL

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.

<u>CS Land Company LLC</u>	<u>2-25-21</u>	<u>[Signature]</u>	<u>2/22/2021</u>
Owner	Date	Applicant/Representative	Date

Print Name: <u>CS Land Co. by JRC</u>	Print Name: <u>YURY KAPITULA</u>
<u>its manager</u>	Rev. Jan 2019

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 indoor/outdoor event center. The applicant proposes to use approximately 1.92 acres for the proposed use, out of the approximately 27.9 acre property. Features of the proposed use include; 6,500 sq. ft. two-story single-family dwelling, 4,500 sq. ft. auxiliary building for event hall, 4,800 sq. ft. outdoor event space and 104 parking spaces. The days and hours of operation are 8AM-10PM Monday-Sunday. The property where the project is proposed is zoned Agricultural Production 20 (AP-20) and carries an "Agricultural" Comprehensive Plan Land Use designation.

File Number: SEPA 2021-04 (CUP 2021-01)

Proponent: Yury Kapitula

Location: Parcel number 108-060-057, there is no address for the property. Levey Road is North of the property, Rogers Road is West of the Property, and Snake River is East of the property.

Legal Description: Portion of the Southeast $\frac{1}{4}$ of Section 7, Township 9 North, Range 32 East, W.M. Franklin County, WA.

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 (April 8, 2021). Comments must be submitted by: April 22, 2021.

Responsible official: Derrick Braaten

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

Address: 502 Boeing Street, Pasco, WA 99301

Date/Signature:

4/8/2021 - 

Any agency or person may appeal this SEPA determination by filing a written appeal to the responsible official no later than April 22, 2021. Contact the responsible official to read or ask about the procedure for SEPA appeals.



SEPA2021-04

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

1. Name of proposed project, if applicable:

K AND G VENUE

2. Name of applicant:

YURY KAPITULA

3. Address and phone number of applicant and contact person:

PO BOX 1261 RICHLAND, WA 99352

4. Date checklist prepared:

2/22/2021

5. Agency requesting checklist:

Franklin County

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

AT THE TIME OF APPLICATION OF CUP

Starting construction within 6 months of receiving CUP. FCP: 3/9/2021

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.

NONE KNOWN

SEPA Checklist FCP: 3/9/2021

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.

NONE KNOWN

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

CONDITIONAL USE PERMIT FOR WEDDING / EVENT VENUE

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.)

SINGLE FAMILY DWELLING WITH AUX BUILDING ATTACHMENT

Two story single family dwelling approximately 6,500 Sq. Ft., Aux building attachment approximately 4,500 Sq. Ft., and 27.9 acre site with .94 acres of landscape area. FCP: 3/9/2021

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.

NKA LEVEY RD PASCO, WA 99301

SECTION 7, TOWNSHIP 9 NORTH, RANGE 32 EAST

SITE PLAN MAY CHANGE BASED ON GEO-TECH

Site plan is attached to this document. FCP 3/9/2021

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

COMBO OF FLAT TO GENTLE SLOPES TO HIGH BANK ABOVE RIVER

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

15% - 20%

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.

SILTY GRAVEL WITH SAND

According to USDA General Soil Map, the soil type is Shano-Warden. FCP 3/9/2020

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

NO None known FCP: 3/9/2021

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.

EXCAVATE FOR SINGLE FAMILY DWELLING WITH AUX BUILDING ATTACHMENT

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

NO None known FCP: 3/9/2021

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

LESS THAN 1%

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

- CONTROL STORM WATER RUN OFF
- LANDSCAPE FABRIC AS NEEDED

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.

NONE

Dust from soil around and fumes from construction equipment. FCP: 3/9/2021

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

NO None known FCP: 3/9/2021

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:

N/A

During construction, all debris shall be maintained on-site and properly disposed of. Dust control measures including an adequate water supply shall be provided. FCP: 3/9/2021

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.

NO Snake River is approximately 367-400 feet from the proposed event center. FCP: 3/9/2021

- 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.

N/A No FCP: 3/9/2021

- 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.

N/A

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

N/A

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.

NO

- 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.

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.

NEW DOMESTIC WELL. NO WATER TO BE DISCHARGED TO GROUND

Well is located approximately 53 feet from proposed house/aux building. FCP: 3/9/2021

- 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.

DOMESTIC SEWAGE FROM SINGLE FAMILY DWELLING

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.

N/A

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

N/A On-site Septic will be located outside of 100 foot well radius. FCP: 3/9/2021

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

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:

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?

NATIVE GRASS

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

NONE None known FCP: 3/9/2021

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

COMMON RESIDENTIAL LANDSCAPING TREES AND SHRUBS

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

NONE KNOWN

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:

HAVE NOT OBSERVED ANY

Hawk, songbirds FCP: 3/9/2021

To Be Completed by Applicant:

**Evaluation for
Agency Use Only:**

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

Deer FCP: 3/9/2021

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

NONE KNOWN

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

NO Pacific Migratory Flyway FCP: 3/9/2021

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

NONE

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

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.

ELECTRIC USED FOR HEATING

Electricity will be used for lighting, heating/cooling and other various needs associated with an event center.
FCP: 3/9/2021

- b. Would your project affect the potential use of solar energy by adjacent properties?
If so, generally describe.

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:

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.

NO

None known FCP: 3/9/2021

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

NONE

None known FCP: 3/9/2021

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.

NONE None known FCP: 3/9/2021

- 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.

NONE None known FCP: 3/9/2021

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

NONE

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

NONE

b. Noise

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

NONE

- 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.

SHORT-TERM; COMMON NOISE ASSOCIATED WITH CONSTRUCTING A HOUSE.
LONG-TERM; WEDDING ACTIVITY / EVENTS 8:00AM - 10:00PM

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

NONE

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. AGRICULTURAL PRODUCTION, IT WILL NOT AFFECT CURRENT LAND USE ON NEARBY ADJACENT PROPERTIES

- 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?

NONE

- 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:

NO

- c. Describe any structures on the site.

PROPOSED SINGLE FAMILY DWELLING WITH AUX BUILDING ATTACHMENT

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

NO

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

AP-20

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

AGRICULTURE

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

NONE

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

YES, SLOPES / HIGH BANK

High slopes along the west/south areas of the property. Proposed event center/house will be located outside of this area. FCP: 3/9/2021

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

8

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

NONE

To Be Completed by Applicant:

**Evaluation for
Agency Use Only:**

k. Proposed measures to avoid or reduce displacement impacts, if any:
N/A

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

NONE

Having some of the land be used in agricultural activities.
FCP: 3/9/2021

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

NONE

9. Housing

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

SINGLE FAMILY DWELLING WITH AUX BUILDING ATTACHMENT

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

NONE

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

NONE

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?

BUILDING HEIGHT APROX. 27' WITH STUCCO EXTERIOR

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

NONE

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

NONE

11. Light and Glare

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

NONE

Lighting from the house during the evening hours. FCP: 3/9/2021

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

NO

To Be Completed by Applicant:

**Evaluation for
Agency Use Only:**

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

NONE

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

NONE

Any outdoor lighting shall be setup using "dark sky standards" - All light shall be directed towards the ground. FCP: 3/9/2021

12. Recreation

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

PARK NEARBY
BOATING, FISHING, TRAILS

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

NO

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

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.

NONE

- 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.

NO

WISAAD was consulted and a level 5 survey highly advised was noted. FCP: 3/9/2021

- 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

The "Washington information system for Architectural and Archaeological Records Data" was consulted. FCP 3/9/2021

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.

N/A

Any inadvertent discovery must be reported to the Yakima Nation, Colville Confederated Tribes, and Confederated Tribes of the Umatilla Reservation. FCP 3/9/2021

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.

LEVEY RD. DEEDED ACCESS EASEMENT THROUGH PRIVATE PROPERTY

- 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?

NO

Nearest transit stop is approximately 11 miles away.

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

104 PARKING SPACES

- 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).

NO

Private access road will need to comply with county road standards. FCP 3/9/2021

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

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?

To Be Completed by Applicant:

**Evaluation for
Agency Use Only:**

15 DAILY NON-COMMERCIAL VEHICULAR TRIPS PER DAY.
2 PER DAY COMMERCIAL WITH 10 PER DAY ON EVENT DAYS.

Upwards of 208 vehicular trips during special events. FCP: 3/9/2021

- 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.

NO

- 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 Might generate additional fire, police and EMT services during special events. FCP: 3/9/2021

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

N/A

16. Utilities

- a. Circle utilities currently available at the site:

electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other _____

- 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.

FRANKLIN PUD TO BRING POWER TO THE PROPERTY

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 YURY KAPITULA

Position and Agency/Organization OWNER, KAPITULA HOMES

Date Submitted: 2/22/2021