

**WHITMAN COUNTY
PLANNING COMMISSION
March 6, 2019
Public Hearing
Amending Critical Areas Ordinance**

MEMBERS:

Chad Whetzel- Chairman
Keith Paulson
Dave Gibney

Guy Williams
Matt Sutherland
Brian Davies

Staff: Alan Thomson, Whitman County Planner; Katrin Kunz, Whitman County Assistant Planner; Elinor Huber, Clerk.

Audience: Shelly Chambers, League of Women Voters; Paul Mihalyov

7:12 p.m. - Chad Whetzel opened the hearing.

MOTION by Matt Sutherland and seconded by Guy Williams to accept the findings of fact 1-11 as prepared by staff. Motion passed.

MOTION by Matt Sutherland and seconded by Guy Williams to accept the conclusions 1-5 as prepared by staff. Motion passed.

MOTION by Matt Sutherland and seconded by Keith Paulson to send proposed amendments of findings of fact and conclusions to the Whitman County Board of Commissioners with a recommendation for approval. Roll call vote. Motion passed.

Dave Gibney – Yes.

Matt Sutherland – Yes.

Brian Davies – Yes.

Guy Williams – Yes.

Chad Whetzel – Yes.

Keith Paulson – Yes.

Proposed amendments to the Critical Areas Ordinance.

FINDINGS OF FACT

1. *The Growth Management Act (GMA) adopted in 1990, is a series of state statutes that requires fast-growing cities and counties to develop a comprehensive plan to manage their population*

growth. It is primarily codified under Chapter 36.70A RCW although it has been amended and added to in several other parts of the Revised Code of Washington (RCW.)

- 2. Under RCW 37.70A.020, the GMA establishes a series of 13 goals that should act as the basis of all comprehensive plans: Concentrated urban growth; Sprawl reduction; Regional transportation; Affordable housing; Economic development; Permit processing; Natural resource industries; Open space and recreation; Environmental protection; Early and continuous public participation; Public facilities and services; Historic preservation; and Shoreline management.*
- 3. The GMA comprises of fully planning counties and partially planning counties. Those counties that had both a population of 50,000 or more and, until May 16, 1995, had its population increase by more than 10% in the previous ten years, or, on or after May 16, 1995, had population increase of more than 17% in the previous 10 years, were required to conform fully with RCW 36.70A. Those counties would be considered fully planning under the GMA. The counties that did not meet those thresholds could choose to opt-out of RCW 36-70A or choose to opt-in. Those counties would be considered partially planning under the GMA.*
- 4. Partially planning counties are only required to adopt critical areas regulations and designate natural resource lands.*
- 5. Upon the initiation of the GMA in 1990, 18 counties were required to fully plan, 10 counties opted-in to fully plan, and 11 counties chose to partially plan. Whitman County chose to partially plan.*
- 6. The Washington State Department of Commerce is the primary state-level contact for GMA-related issues. They provide technical assistance to help local governments comply with the GMA and implement their comprehensive plans effectively.*
- 7. Whitman County adopted critical areas ordinances shortly after the GMA was created. Those ordinances were updated on December 15, 2014. The GMA requires periodic updates to critical areas ordinances. This action is part of the required periodic update. Whitman County's next update deadline is by June 2020. From that point the next periodic update would be due in eight years, June 2028.*
- 8. At a regularly scheduled meeting on January 3, 2018, planning staff initiated the review process of the County's Critical Areas Ordinance (CAO) with the Planning Commission. Review of the CAO continued at every scheduled meeting of the Planning Commission from that point onward.*
- 9. On September 27, 2018, the Planning Department submitted a revised update of the CAO to the Department of Commerce. This began a 60-day review process required by the GMA. During this 60-day review period several comments on the draft CAO were received. The draft ordinance was further amended and added to as a result of the Comments. The 60-day comment period ended on November 26, 2018.*

10. *As required by the State Environmental Policy Act, a SEPA Environmental Checklist for this non-project action was prepared, and a DNS (Determination of Nonsignificance) was issued on February 14, 2019. The comment period ended February 28, 2019, and no comment was received.*
11. *A legal notice regarding this hearing and the SEPA decision was published in the Whitman County Gazette on February 14, 2019.*

From the foregoing findings of fact, this Commission now makes the following:

PRELIMINARY CONCLUSIONS

1. *These proposals are consistent with the goals and policies of the Whitman County Comprehensive Plan and the State Growth Management Act.*
2. *These proposals are consistent with the general purposes of the zoning code.*
3. *These proposals will benefit business and landowners with increased efficiency in implementation of the County Code.*
4. *These proposals will not have a significant adverse environmental impact.*
5. *Whitman County has taken all the necessary actions required by the GMA and this update is complete.*

7:14 p.m. – Hearing closed.

**WHITMAN COUNTY
PLANNING COMMISSION
March 6, 2019
Public Hearing
Code Amendments
Chapters 19.10 and 19.12**

MEMBERS:

Chad Whetzel- Chairman
Keith Paulson
Dave Gibney

Guy Williams
Matt Sutherland
Brian Davies

Staff: Alan Thomson, Whitman County Planner; Katrin Kunz, Whitman County Assistant Planner; Elinor Huber, Clerk.

Audience: Shelly Chambers, League of Women Voters; Paul Mihalyov

7:08 p.m. – Chad Whetzel called the meeting to order. Introductions were held around the room.

Dave Gibney – If I remember right, we beat this thing to death so I will make a motion.

MOTION by Dave Gibney and seconded by Matt Sutherland to adopt the findings of fact 1-7 as prepared by staff. Motion passed.

MOTION by Dave Gibney and seconded by Guy Williams to adopt the conclusions 1-4 as prepared by staff. Motion passed.

MOTION by Dave Gibney and seconded by Keith Paulson to forward the findings of fact and the amendments to Zoning Code Chapters 19.10 and 19.12 to the Board of County Commissioners with a recommendation for approval. Roll call vote. Motion passed.

Dave Gibney – Yes.

Matt Sutherland – Yes.

Brian Davies – Yes.

Guy Williams – Yes.

Chad Whetzel – Yes.

Keith Paulson – Yes.

Proposed amendments to zoning code Chapter 19.10 – Agricultural District and Chapter 19.12- Cluster Residential District.

FINDINGS OF FACT

1. *Planning staff recommends that changes be made to the Whitman County zoning code Chapter 19.10 – and Chapter 19.12.*
2. *In Chapter 19.10 – Agricultural District, staff is recommending adding clarifying language to the creation of residential parcels and the issuance of Rural Housing Certificates (RHC); clarifying the boundary line adjustment process in relation to residential parcels less than 20 acres; modifying the Rural Residential Site Review (RRSR) process; changing the commercial agricultural operator’s appeal time of an RHC from 20 days to 10 business days; and amending the language for the design and construction of residential driveways to reflect a change in the Fire Code.*
3. *In Chapter 19.12 – Cluster Residential District, staff is recommending amending the language for the design and construction of residential driveways to reflect a change in the fire Code in order to make it consistent with the same change in Chapter 19.10.*
4. *At a regularly scheduled meeting on November 7, 2018, planning staff brought to the Planning Commission’s attention that some language in the Agricultural District code needed to be amended. Further discussion on this subject occurred at the next Planning Commission meetings on December 5, 2018, January 16, 2019, and February 6, 2019.*
5. *At a regularly scheduled meeting on February 6, 2019, planning staff brought to the Planning Commission’s attention that in order to be consistent with the code change in Chapter 19.10 regarding the design and construction of private driveways, the same change should be made to that language in Chapter 19.12.*
6. *As required by the State Environmental Policy Act, a SEPA Environmental Checklist for this non-project action was prepared, and a DNS (Determination of Nonsignificance) was issued on February 14, 2019. The comment period ended February 28, 2019, and no comment was received.*
7. *A legal notice regarding this hearing and the SEPA decision was published in the Whitman County Gazette on February 14, 2019.*

From the foregoing Findings of Fact, this Commission now makes the following:

CONCLUSIONS

1. *These proposals are consistent with the goals and policies of the Whitman County Comprehensive Plan.*
2. *These proposals are consistent with the general purpose of the zoning code.*
3. *These proposals will benefit businesses and landowners with increased efficiency in implementation of the County code.*
4. *These proposals will not have a significant adverse environmental impact.*

7:11 p.m. - Hearing closed