

**WHITMAN COUNTY
PLANNING COMMISSION
ZOOM MEETING
October 19,2022**

MEMBERS:

Chad Whetzel, Chair
David Tysz
Weston Kane
Rusty Jamison

Brian Davies, Vice-Chair
Dave Gibney
Mark Tolman

Others: Mark Storey, WC Director; Alan Thomson, WC Planning Director; Grace Di Biase, WC Assistant Planner; Shelly Fox; Brandon Johnson; Elinor Huber, Clerk.

7:01 p.m. – Chad Whetzel called the meeting to order. Introductions were held. Mark Tolman introduced himself.

Mark Tolman – I am a resident just outside of the Pullman City Limits. I just recently purchased a home. I have been a resident here for five going on six years. I spent a career in construction and have been on the other side of many planning commissions across many jurisdictions in the country. So, I hope to come up to speed and be of value to the Commission as things go along.

Brian Davies – Welcome aboard.

Mark Tolman – Thank you.

MOTION by Brian Davies and seconded by Weston Kane to approve the minutes from September 21, 2022. Motion passed.

Reports:

Alan Thomson:

- a. Board of Adjustment forthcoming hearings. We have Board of Adjustment activity so, Grace will report on that.

Grace Di Biase – Thank you. On November 10, 2022, we are meeting in front of the Board of Adjustment for a public hearing. It is at 7:00 p. m. It is in-person and in the auditorium, but of course, we will also have a virtual option by Zoom.

We have a variance for Stoneway Electric. They need to reduce the east side setback for a new storage building.

Then we have a conditional use permit for GRYM K9 which is a canine behavioral training center that is to be located at an existing residence and shop on Sand Road. Both of those will be presented to the BOA and we look forward to that in the next few weeks. If anyone has any questions let me know.

Alan Thomson – Thank you, Grace.

- b. Forthcoming Administrative Use Permits – None.
- c. Update on previous conditional use permits and variances – None.
- d. Update on previous administrative use permits – None.
- e. Board of County Commissioners’ action – None.
- f. Update on previous Board of County Commissioners’ action – None.
- g. Forthcoming Shoreline of the State Substantial Development Permits – None.
- h. Update on previous Shoreline of the State Substantial Development permits – None.
- i. Planning Commission forthcoming hearings - We are having a planning commission hearing tonight on proposed code changes to several development chapters in Whitman County Codes.

Alan Thomson - That is it.

Chad Whetzel – So, we can move on to unfinished business with the Shoreline Master Program update.

Alan Thomson – We will be having in-person from now on available and also with Zoom. So, we are planning on having an in-person meeting with the Shoreline consultant with an update, on November 2, 2022. She is coming down from Spokane and will give us an update on the changes to the Shoreline Master Program.

So, that will be in-person and we can have in-person meetings from now on in the auditorium. But we will also have Zoom available when you can’t get to Colfax.

Chad Whetzel – Do we need to let you know if we can’t make it in-person?

Alan Thomson – Yes, I’m hoping that if you can’t make it in-person you can come in Zoom. That is a good option if you are not able to get here, then yes, let me know. I’ll be asking the question before November 2nd and any other meetings thereafter that, if you can make it in-person or join us in Zoom.

Chad Whetzel – Looks like we have no new business. So, we will move on to the code changes.

7:10 p. m. – Adjourned.

**WHITMAN COUNTY
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PUBLIC HEARING – ZOOM
October 19,2022**

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Others: Mark Storey, WC Director; Alan Thomson, WC Planning Director; Grace Di Biase, WC Assistant Planner; Shelly Fox; Brandon Johnson; Elinor Huber, Clerk.

7:11 p.m. – Chad Whetzel opened the public hearing. We have the proposed amendments to zoning code Chapter 9.04 – State Environmental Policy Act; Chapter 19.03 – Definitions; Chapter 19.10 – Agricultural District; Chapter 19.12 - Cluster Residential District; Chapter 19.15 – North Pullman-Moscow Corridor District; Chapter 19.16 – South Pullman-Moscow Corridor District; Chapter 19.41 – Rural Community Center District (RCC-1); Chapter 19.54 – Nonconforming Uses and Special exceptions; and Chapter 19.59 – Surface Mining and Rock Crushing.

FINDINGS OF FACT

1. *Planning staff recommends that changes be made to the Whitman County zoning code Chapters 9.04, 19.03, 19.10, 19.12, 19.15, 19.16, 19.41, 19.54, and 19.59.*
2. *In Chapter 9.04 – State Environmental Policy Act, staff is recommending adding the word, ‘not’ to Section 9.04.085(A). This is to make the County code consistent with state law in WAC 197-11-680(3)(ii). Chapter 9.04 mistakenly left this word out.*
3. *In Chapter 19.03 – Definitions, staff is recommending adding definitions to assisted living facilities, bunkhouse, and cabin.*
4. *In Chapter 19.10 – Agricultural District, staff is recommending that the number of residences allowed on a parcel of land be increased from one to two; that either a cabin or a bunkhouse be allowed on a parcel; eliminate the accessory dwelling unit section; and that commercial wind turbines, transmission towers, and wind measuring devices have no height restrictions; add clarifying language for construction of residences on parcels of land that existed before January 1, 2007; add that a Rural Residential Site Review (RRSR) is needed for the addition of a second residence, bunkhouse, or cabin on a parcel of land; clarify the meaning of short plat; and add commercial horse boarding facilities, non-profit environmental operations, commercial trucking, and metal fabrication shops for construction and agricultural industries to the list of conditional uses.*

5. *In Chapter 19.12 – Cluster Residential District, staff is recommending eliminating all language referencing long plat subdivision as that is no longer covered by state law; and adding clarifying language that each cluster will require a public water system.*
6. *In Chapter 19.15 – North Pullman – Moscow Corridor District and Chapter 19.16-South Pullman – Moscow District, staff is recommending the addition of structures to the list of modifications allowed administratively to the expansion of existing businesses.*
7. *In Chapter 19.41 – Rural Community Center District (RCC-1), staff is recommending the inclusion of assisted living facilities in the list of conditional uses.*
8. *In Chapter 19.54 – Nonconforming Uses and Special Exceptions, staff is recommending the elimination of Section 19.54.010(B) concerning the discontinuance of residential buildings after six months.*
9. *In Chapter 19.59 – Surface Mining and Rock Crushing, staff is recommending an exemption of an administrative use or conditional use permit review for a one time, less than 10 percent expansion of existing permitted quarries.*
10. *The County completely redid their Comprehensive Plan with adoption of the new Plan on July 5, 2022. In order to have the development regulations consistent with the new Plan, several chapters in the development codes needed to be amended.*
11. *At a regularly scheduled meeting on July 6, 2022, planning staff introduced proposed changes to the development regulations for discussion. Further discussion by the Planning Commission on code changes occurred on August 3, and September 21, 2022.*
12. *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 September 29, 2022. The comment period ended October 13, 2022, and one comment was received. (**See Exhibit 1**, comment from Department of Ecology).*
13. *A legal notice regarding this hearing and the SEPA decision was published in the Whitman County Gazette on September 29, 2022.*
14. *On October 19, 2022, the Planning Commission held a public hearing on the proposed code changes and recommended to the Board of County Commissioners that they be approved and adopted as written.*

Alan Thomson – Chad, that obviously hasn't happened yet, but that is in there if you do so.

Chad Whetzel – Yes, you are right. That would be our last one to put in. Are there any comments on any of these Findings of Fact that we need to discuss? Comments or concerns?

Rusty Jamison – Do you need a motion?

Chad Whetzel – No, we just need discussion right now. If there is any.

Brian Davies – Could we look at Exhibit 1, the comment from Ecology?

Alan Thomson – I'll have to stop sharing and find that one for you.

Brian Davies – Or, Alan, could you paraphrase it for us?

Alan Thomson – So, I did send it to you. This is just a typical, normal comment from Ecology. They have a number of standardized responses to all SEPA's so what they are focusing on here is their water quality program. That is mostly about the mining part of the changes to the Code.

It says, "Any proposed gravel mining/crushing site owner, or operator, must submit an application for coverage under the Sand and Gravel General Permit. The Department of Ecology will determine from information submitted in the application if the site, or operation, is eligible for permit coverage."

So, that is the standard response. That would be if we have a quarry that is being proposed, and they might need a sand and gravel general permit. In fact, they probably will. So that is just Ecology informing us that that would be a step that would have to be taken if we have an application for a quarry. Then that is basically it. At the bottom, it says, *"Ecology bases comments upon information submitted for review."*

Brian Davies – Thank you.

Dave Gibney – The only comment I might make is that some of the changes are not necessarily in response to the Comp Plan change but are just changes that were appropriate for us to consider at this time.

Alan Thomson – Yes.

Brian Davies – Kind of like when they pass a bill there is all kinds of other stuff in it?

Dave Gibney – I won't say that Alan put any pet things in here but it was a good shot to, it was an opportunity to do some improvement. I think it is an improvement.

Chad Whetzel – We just need to make sure that it includes that or doesn't rule that out.

Brian Davies – We talked plenty about bunkhouses and cabins and all that stuff. Sounds like we've got plenty of language to cover that. It just needs to be added in.

Alan Thomson – Am I hearing you want to add something to #10?

Brian Davies – No.

Alan Thomson – I think we are covered with it since we are not a fully-planning GMA community we can change our comp plan at any given time as needed.

Dave Gibney – I think it being part of the minutes and the earlier discussions are sufficient to cover that.

Chad Whetzel – There is nothing in the preamble of the preliminary Findings of Fact the limiting it to making adjustments simply because of zone or the state or other things that would come up. Okay, are there any other questions, comments or considerations on this?

Brian Davies – I'll move that we adopt these additions and updates to these chapters.

Dave Gibney – That's not where we are at.

Brian Davies – We can't do that yet?

MOTION by Dave Gibney and seconded by Weston Kane that we adopt the preliminary Findings of Fact 1-14 as presented by the Staff. Motion passed.

CONCLUSIONS

- 1. These proposals are consistent with the goals and policies of the Whitman County comprehensive Plan.*
- 2. These proposals are consistent with the intent, purposes, and regulations of the Whitman County Code.*

MOTION by Dave Gibney and seconded by Brian Davies to adopt the conclusions as presented by Staff that these proposals are consistent with the Whitman County Comprehensive Plan and with the intent, purposes, and regulations of the Whitman County Code. Motion passed.

MOTION by Dave Gibney and seconded by Rusty Jamison that the Whitman County Planning Commission forward these changes to the Whitman County Zoning Code, Chapters 9 and 19 to the Board of County Commissioners with a recommendation for approval. Motion passed.

Roll call vote:

Brian Davies – Yes.

Dave Gibney – Yes.

Rusty Jamison – Yes.

Weston Kane – Yes.

Mark Tolman – Yes.

David Tysz – Yes.

Chad Whetzel – Yes.

Chad Whetzel - We will forward this on to the BOCC.

Alan Thomson – Chad, I did email the recommendation to you for your signature. When you get a chance sign it and get it back to us so Elinor can sign it.

Chad Whetzel – I will be in Colfax in the morning about 8:30 a.m.

Alan Thomson – That was the main business for tonight, other than information about the next one coming up which is the Shoreline Master Program Update on November 2, 2022. The consultant will be giving a presentation and they have a preliminary draft of the changes. So, we will get to find that out and this meeting is in-person in the auditorium. Is everybody okay with coming in in-person to the meeting?

Chad Whetzel – Since we have a bunch of new members, everybody knows where the auditorium is, don't we?

Brain Davies – It has been a few years.

Chad Whetzel – That part wasn't remodeled, so we shouldn't get lost!

Alan Thomson – So for anybody who has not been in the Public Works building, I don't know if that is anybody at all. Mark Tolman, have you been in the Public Works Building?

Mark Tolman – I haven't.

Alan Thomson – David Tysz, have you been in here?

David Tysz – Yes.

Alan Thomson – It is the building next to the courthouse, the red brick building south of the courthouse and the auditorium is on the first floor. That is where we will meet at 7:00 p.m. November 2, 2022. If anybody can't make it in person, let me know. There will be a Zoom link that you can remotely link in to the meeting. Finally, we will be able to have an in-person meeting again.

Rusty Jamison – Are we going to have some cheer to go with this meeting since it has been so long?

Chad Whetzel – We need to close the public meeting before we get too far ahead.

MOTION by Brian Davies and seconded by Weston Kane to close the public meeting. Motion passed.

7:33 p.m. – Public Hearing adjourned.

Dave Gibney – Hey, just a question. Has Pullman gotten back to you about an airport overlay zone yet?

Alan Thomson – No, when the previous planner left, I think that went silent. I'm not sure if R.J. Lott is even aware of that potential conversation. I've not talked to him at all.

Dave Gibney – Our mayor is an airport guy so if it is important to him, I think he would have pushed it. Since we've gotten the FAA funding now, I doubt if it is, it is not on the top burner to get something in place, so the FAA will give us money.

Mark Storey – I need to visit with Mayor Johnson in the next day or two. I will ask him if there are burning issues around that from their perspective.

Dave Gibney – You can tell those new jets are noisy when they fly overhead.

Mark Storey – I'm sure he would appreciate hearing that.

Chad Whetzel – I like the airport. It pushed the flight path further south for me, so I'm good. Mark Storey, did you find anything on the ditch cleaning thing we were talking about?

Mark Storey – I haven't got that figured out yet. There are some issues on a bunch of roads I'm trying to figure out and I've had a bunch of people on vacation for the last couple of weeks. Myself included. I just came back today.

Chad Whetzel – You've about two more business days to get it taken care of and then you are done for the year.

Mark Storey – I'll have to talk to some people about that.

Chad Whetzel – Unless there is something else to discuss, we can adjourn.

MOTION by Brian Davies and seconded by Weston Kane to adjourn the meeting. Motion passed.

Mark Storey – I thank you all for this. This concludes a big chunk of work we wanted to get done years ago.

Alan Thomson – Ditto on that. There were some changes that really needed to happen and we got them done and, hopefully the BOCC agrees with you.

Chad Whetzel – If they don't, it's their problem.

Brian Davies – So, we will see you all in person in a couple of weeks.

Adjourned – 7:38 p.m.