

**CHELAN COUNTY COMMISSIONERS
MINUTES OF MARCH 3, 4, 2008**

8:59:56 AM OPENING:

Chairman Hawkins opens session with Commissioner Goehner in attendance. Also present for session are County Administrator Cathy Mulhall and Clerk of the Board. Commissioner Walter is excused from session to represent Chelan County at the Western Interstate Region Meeting (Public Land Use and Conservation) in Washington DC. Ray Reid and Steve Hair present for session.

Commissioner Hawkins shares that one of the County family, Terry Nowka passed away this past week end on Sunday morning. He offers his thoughts and prayers on behalf of all employees for the family.

9:00:39 AM APPROVAL OF MINUTES:

Moved by Commissioner Goehner, seconded by Commissioner Hawkins, and carried that the Board approve the March 25, 26, 2008 minutes as corrected.

9:23:12 AM CONSENT AGENDA:

Moved by Commissioner Goehner, seconded by Commissioner Hawkins, and carried that the Board approve the following action items:

- Vouchers as submitted and listed
- Payroll changes:
 - a) Tina Perez, District Court, Discharge
 - b) Stacey Smith, Community Development, New Hire
 - c) Christopher Wright, Sheriff, Length of Service Increase
 - d) Robert Francis, Sheriff, Length of Service Increase
 - e) Mark Brent, Public Works, Lay Off
- Approve February Payroll 2008B4-20

9:23:39 AM BOARD DISCUSSION:

- Criminal Justice Tax Funds – Payment of Remaining Funds to City of Wenatchee and On-Going Distribution of Funds

9:32:20 AM (ADDED ACTION)

Moved by Commissioner Goehner, seconded by Commissioner Hawkins and carried that the Board approve the **(added)** action item:

1. **Budget Request - Manual Warrant**
 - a) **(Added)** LEOFF 1 Manual Warrant Conesco Senior Health Insurance 2008B4-21

9:33:00 AM BOARD DISCUSSION CONTINUES:

- Watson’s Resort Letter – Letter from Robert Watson, Jr, thanking the Commissioners for help in State Park Planning Team’s decision that all properties west of Lake Chelan State Park will be removed from the proposed long-term boundary classification.

2008C8-46

- Comp Plan Hearings Scheduled for March 4, 2008. Conflict of interest issue, possible continuance of Comp Plan matters. It is a **consensus** of the Board that the intent of the Board will be to continue the Comprehensive Plan hearing matters scheduled to be heard on March 4, for items CPA 2007-10, CPA 2007-11, CPA 2007-12, CPA 2007-17, CPA 2007-18, and CPA 2007-19. It is the intent that items CPA 2008-015, CPA 2007-016, CPA 2007-021, CPA 2007-023, CPA 2007-028, and CPA 2007-031 will be heard as scheduled.
- Chelan County Wild Fire Planning Meeting Update – Priority ranking process was established
- Fire Marshall Candidate Interviews
- Title 15 Road Standards Status, Road Standards Committee Work
- Forest Coalition Meeting
- Lake Chelan Water Quality Study

10:04:26 AM ADMINISTRATIVE AGENDA

County Administrator, Cathy Mulhall

DISCUSSION ITEMS:

1. Chief Deputy Skip Moore Meets with Board Regarding Commission Minutes Program and Recording System - Auditor is getting new recording system. Aptitude Solutions/ Encore is the chosen company and system. Current system of Tyler/Cris System is outdated and replacement is costly. Auditor used a RFP compiled by Yakima. A Commissioner Minutes Program is not currently included in the proposal for the new system. However, Encore does have a Commission Minutes program available.
2. Treasurer Dave Griffiths Present to Discuss Criminal Justice Tax Distribution – It is **consensus** to allow the Dept. of Revenue to disburse the funds to the appropriate entity. The bond has been paid off and the funds disbursed.
3. Potential Review of a Combined Coordinator Position for the Pest and Weed Boards. Present are Chelan/Douglas County Pest Board Chairman Bruce Reathaford, Joe Greutz, Chairman of the Chelan County Weed Board and WSU Extension Director Ray Faini.
4. Administrative Update
 - a) HR Answer Appeals have been submitted
 - b) LOTs applications

11:02:00 AM ACTION ITEMS:

Moved by Commissioner Goehner, seconded by Commissioner Hawkins, and carried unanimously that the Board approve the following action item:

1. **Contracts/Agreements**

- a) Data Access Subscription Casual Use Agreement with Charles R. Steinberg (Clerk) 2008A5-34

2. Miscellaneous

- a) Request to Solicit for Donated Leave for Juvenile Employee 2008B4-22

11:02:24 AM NATURAL RESOURCES DEPARTMENT

Mike Kaputa, Natural Resources Director

DISCUSSION ITEMS:

- Shoreline Master Program Advisory Meeting/Scope of Work
- Chelan City Council Approves Interlocal Agreement Approving the Reimbursement of Funds
- Lake Chelan Water Quality Meeting Update / Testing, Infiltrax Data and DOE Collected Data
- Attendance at State Fish and Wildlife Meeting
- Upcoming Construction Project Contracts for Signature
- Chiwawa Loop Road Bridge Project/Road Closure

11:30:40 A.M. DISCUSSION ITEMS:

- Weed Board Structure
- Board Calendar Updates

11:51:44 AM RECESS

1:02-1:13 PM Tape Running for Voucher Approval

1:38:02 PM BOARD DISCUSSION CONTINUES:

- Washington State Parks and Recreation Commission Letter to Commissioners - Commissioner Hawkins shares letter from Park District stating that private properties on the west side of First Creek on Lake Chelan have been removed from the long-term boundary for Lake Chelan State Park. 2008C8-46

1:38:19 PM CHELAN COUNTY REGIONAL JUSTICE CENTER

Interim Director Phil Stanley

DEPARTMENTAL ISSUES

- Grant Application with CTED for Re-Entry Program 2008A2-1
- Maintenance Crew Building Cinder Block Wall in Unit 4F
- Shower Area Repair in Annex to Begin in May
- Prison Rape Elimination Act (PREA) Training
- Grievance Response
- News Interview on Director Search

2:02:09 PM EXECUTIVE SESSION:

Moved by Commissioner Goehner, seconded by Commissioner Hawkins, and carried that the Board move into 10 minute executive session pursuant to RCW 42.30.110(g) regarding the performance of a public employee.

2:12:01 PM EXECUTIVE SESSION:

Moved by Commissioner Goehner, seconded by Commissioner Hawkins, and carried that the Board extend executive session for an additional 5 minutes pursuant to RCW 42.30.110(g) regarding the performance of a public employee.

2:17:28 PM REGULAR SESSION:

Board resumes regular session.

2:18:27 PM PUBLIC HEARING (CONTINUED TO MARCH 10, 2008)

Title 15 Road Standards Hearing

At the request of the Public Works Department, it is **moved** by Commissioner Goehner, seconded by Commissioner Hawkins and carried that the Board continue the Title 15 Road Standards Hearing to March 10, 2008 at 2:00 p.m. (affirming earlier action by this Board).

2:21:48 PM RECESS

Moved by Commissioner Goehner, seconded by Commissioner Hawkins and carried that the Board recess until Tuesday, March 4.

TUESDAY, MARCH 4

8:46 A.M. OPENING:

Commissioner Hawkins opens session with Commissioner Goehner, County Administrator and Clerk of the Board present. Commissioner Walter Excused from Session to Attend WIR Meetings in Washington DC.

8:46:47 AM CONFERENCE CALL WITH LEGISLATIVE CONSULTANT

JIM POTTS

- Nine Days Left of Legislative Session, Friday Last Day for Bills Out of House
- Cougar Bill Out of Rules Committee Yesterday
- Legislature Determining Building Permit Cap on Farm Buildings Going to House
- License Tab Fee Distribution – Request for consultant to determine which municipalities and counties have imposed car tab fee.

9:01:43 AM RECESS

9:05:50 AM FACILITIES MAINTENANCE

Pat DuLac, Director

DISCUSSION ITEMS:

- Parking Lot Sweeping Continues
- M&W Proposal for Mechanical/Electrical in L&J Building. This is for the original project of approximately six years ago which has not been completed. The hard ceiling portion from the proposal was removed because the firm of Lombard Conrad has been already involved in that project. It is **consensus** to follow recommendation of Maintenance Director to follow through with change.
- Installation of Lighting Controls in Cells Through Override System
- Maintenance Help/Grounds Keeper Needed
- Auditor's Remodel
- Courthouse Display Case
- Community Development Request for Office Space and Kitchen Relocation Space – Maintenance Director recommends partitions
- Orondo Street Parking Lot Enforcement
- Request for Juror Parking
- Light at Fairgrounds in Pavilion
- Access for Landscaping at Fairgrounds Properties
- Sportsplex Maintenance

9:33:07 AM BID OPENING – Close of Receipt of Bids :

Commissioner Hawkins Closes the Receipt of Bids for the Public Works Project Small/Mid Size Pickups. Bid opening action deferred until current discussion is concluded. No one from the public is present for bids.

9:33:15 A.M. MAINTENANCE DISCUSSION CONTINUES:

- Further discussion on the Sportsplex maintenance

9:39:51 A.M. PUBLIC WORKS DEPARTMENT

Public Works Director Greg Pezoldt

BID OPENING: Small/Mid Size Pickups

9:39:51 AM BID OPENING:

One bid received from Town Ford total price for \$39,169.84 including sales tax. Bid accepted as submitted. **Moved** by Commissioner Goehner, seconded by Commissioner Hawkins and carried that the Board forward the bid to the Public Works Department for review and recommendation. 200B1-13

9:41:56 AM DISCUSSION ITEMS:

1. Resolution to Establish CRP 635 – Chiwawa Loop Road Wetland Mitigation

2. Resolution for SR2 Peshastin East Interchange/ Quit Claim Deed to the State of Washington Department of Transportation. Farzan Farivar is present from the Department of Transportation to discuss the issue. This quit claim deed issue is a normal practice on larger projects such as the Peshastin Interchange. Farming operations are discussed regarding fencing and safety issues.
3. Resolution for Road Closures for Ridge to River Relay

(10:10:57 AM Bid received from Sound Ford at 10:10. However, bids were closed at 9:33 a.m. Bid not accepted for opening)

4. Status of State Haul Road – No change in status. Dust control is an issue
5. Nason Creek Bridge – Permit for repair was pursued aggressively according to Public Works Director
6. Eagle Creek Open House Agenda
7. Stormwater Utility in Olds Station
8. Letter from Jeff Wilkins regarding the STP Process/Proposed Project List

10:19:03 AM ACTION ITEMS:

Moved by Commissioner Goehner, seconded by Commissioner Hawkins, and carried unanimously that the Board approve the following action item:

1. **Resolutions:**
 - a) Adoption of **Resolution No. 2008 – 36** to Establish County Road Project No. 635 (CRP 635) – Chiwawa Loop Road Wetland Mitigation
 - b) Adoption of **Resolution No. 2008 – 37** Improvement of SR2 Peshastin East Interchange for Jeske Road and Saunders Road Intersection
 - c) Adoption of **Resolution No. 2008 – 38** Road Closures for Ridge to River Relay on April 12, 2008
2. **Deed:**
 - a) Quit Claim Deed between Chelan County and the Washington State Department of Transportation for the SR2 Peshastin East Interchange 2008R1-3

10:15 A.M. COMMUNITY DEVELOPMENT

John Guenther, Director

DISCUSSION ITEMS:

1. Discussion on Road Standards in Sunnyslope Area with Public Works Director-When will Peters Street sidewalk project date be established? The issue will be referred to County Engineer
2. Comp Plan Amendment Resolutions for the City of Wenatchee, City of Cashmere, City of Chelan, and the City of Entiat
3. Updates on Community Indicators, Parks and Recreation, Leavenworth Working Group. Patrick Walker, Recreation Trails Coordinator for the Chelan/Douglas Land Trust present.
4. Contract Preparation for Development Regulations, Land Use Study and Changes County Wide, Leavenworth Regional Plan-Engineering Analysis, Chelan Regional Plan
5. Contracts for Completion

6. Regional Planning Efforts
7. Permit Tracking Update and Timetable – Demonstration later this week
8. Affordable Housing Approach and Discussion. It is recommended to begin a consortium in this effort and to create an initiative.
9. Refund for \$91.00 for Harry and Cally Horn Building Permit #070073
10. Community Development Request for Remodel – Commissioners share that there are no funds available for this remodel. An interim solution would be to use partitions.
Mr. Guenther shares that he has made changes to his request. More information will be gathered with costs estimates for amended (03/03/2008) changes.

11:17:34 AM ACTION ITEMS:

Moved by Commissioner Goehner, seconded by Commissioner Hawkins, and carried unanimously that the Board approve the following action items from the City of Wenatchee Municipal Codes, Part One, Title 7, 10, 11, 12, 13 (noting there are other items on the City of Wenatchee Comp Plan Amendments which have been continued), as well as the City of Cashmere Comprehensive Plan, the City of Chelan Amendments, and the City of Entiat’s Amendments to their Comprehensive Plans and Municipal Codes as well as the Budget Request/Refund:

1. Resolutions

- a) Adoption of **Resolution No. 2008 - 39** City of Wenatchee’s Municipal Codes, Including: Title 7 Streets and Sidewalks, Title 10 Zoning, Title 11 Subdivisions, Title 12 Environmental Protection (Chapter 12.04 SEPA Guidelines) and Title 13 Administration of Development Regulations.
- b) Adoption of **Resolution No. 2008 - 40** Amendment of the City of Cashmere Comprehensive Plan, Including Capital Facilities, Amendment of the City of Cashmere’s Municipal Code Title 16 Subdivisions and Plats, Adoption of Zoning Map Amendments Requested by the City of Cashmere
- c) Adoption of **Resolution No. 2008 - 41** Amendment of the City of Chelan Comprehensive Plan and Maps and Associated Urban Growth Area Expansion, Adoption of Zoning Map Amendments Requested by the City of Chelan, Adoption of the Dark Sky Ordinance as Described in the City of Chelan’s Amendment Package
- d) Adoption of **Resolution No. 2008 - 42** Amendment of the City of Entiat’s Municipal Code Title 18 Zoning and Development Regulations, Amendment of the City of Entiat’s Comprehensive Plan and Maps

2. Budget Request - Refunds

- a) Refund Approval for Harry and Cally Horn Building permit, \$91.00 2008B4-23

11:18 A.M. OHME GARDENS

Mike Short Manager

DISCUSSION ITEMS:

1. Proposed Commissioned Sales – Changes are proposed by Commissioner Hawkins.
2. Garden Projects

3. Re-subscription Incentive-Ohme Garden Mugs
4. Sign Update

11:39:33 AM RECESS

**1:29:35 PM PUBLIC HEARING – Proposed Amendments to the Chelan County
Comprehensive Plan Land Use Designations**

Commissioner Hawkins opens hearings and notes matters scheduled for today which are 2007-010, 2007-011, 2007-012, 2007-015, 2007-016, 2007-017, 2007-018, 2007-019, 2007-021, 2007-023, 2007-028, and 2007-031. However, there are some possible continuations to discuss.

1:30:19 PM DISCLOSURES:

Commissioner Hawkins shares three of the applications 2007-017, 018, and 019, are being brought forward by his business partner at Valley Tractor, Brian Nelson. He states he has no personal or financial interest in the properties or actions but because of his close personal and business relationship with the applicant he does not believe it is in the best public interest for him to sit in on those applications. Therefore, he would not sit in on those and he would recuse himself. Commissioner Goehner has no issues in conflict.

Commissioner Walter requested that if there was not a strong objection from the either Commissioner Goehner or Commissioner Hawkins to continue 010, 011, and 012 to next week so Commissioner Walter may be present for the hearing. Commissioner Hawkins states that typically we honor those requests because some of the best decision making is when we have a full complement of Commissioners to hear the testimony and participate in the decision.

**1:32:06 PM ACTION ON 2007-010, 2007-011, 2007-012, 2007-17, 2007-18, and 2007-19:
Moved** by Commissioner Goehner, seconded by Commissioner Hawkins to continue the hearings for 2007-010, 2007-011, 2007-012 as well as 2007-17, 2007-18, and 2007-19 continue until next week (March 10 at 1:30 p.m.).

Commissioner Hawkins states that in respecting everyone's time the Commissioners did their best by asking Planner Matthew Hansen to notify the interested parties that this continuation might take place. Attorney Don Dimmitt is present.

Attorney Don Dimmitt requests that the Board hears the applications before them as submitted by Mr. Gates for 2007-010, 2007-011, and 2007-012. Commissioner Hawkins shares that we are left in the dilemma with a number of people being told that it was likely to be continued and they are not here. In the interest of the best process available we will probably continue the hearing until next week.

1:34:21 PM Motion Approved.

1:36:45 PM CPA 2007-015

Planner Graham Simon gives staff report on Comp Plan Amendment 2007-015. The matter was heard on Jan 7, 2007 by the Chelan County Planning Commission. The application was submitted by Paul Chase with contracting agent Norm Nelson for a Comprehensive Plan Land Use Map Amendment on approximately 13.03 acres of land. The proposal is to change the designation from RR5 to RR 2.5. The subject property is located to the east of Highway 2 approximately ¾ of a mile south of Coles Corner (Junction of SR2 and SR207). The property is identified under Assessor Parcel Number is 261716330040. Through the Staff analysis the Planning Commission voted to approve the application unanimously.

This area is west of Leavenworth near the vicinity of the former Winton Mill. It is noted that the same property owners previously changed the zoning from 2.5 to RR5 approximately 3 or 4 years ago. It was changed to RR5 according to the use. DNR is the owner of land near this section of RR20.

Mr. Paul Chase, owner, speaks on the application. He is going back, a few years back they were going to put in a mid sized RV park. In order to do that they had to have a minimum of five acres parcels so that is the reason for the rezone then. That was not able to be accomplished so they want to go back to RR2.5.

The applicant requests written documentation today for his records. Commissioner Hawkins shares that no official action will be taken today but official action would be taken next week by resolution. Commissioner Hawkins shares that anything in writing before that time would be informal. An informal notation is made for the applicant.

Commissioner Goehner reminds the Board that our action by resolution is appealable by initiation of appeal within 60 days to the Growth Management Hearings Board or to Superior Court challenging our decision.

1:43:25 PM ACTION ON CPA 2007-015:

Moved by Commissioner Goehner that based upon recommendation of staff and the vote of the Planning Commission that the Board approves CPA 2007-015, seconded by Commissioner Hawkins, and carried to approve Comp Plan Amendment 2007-015. Formal action will be taken by way of resolution on March 11, 2008.

1:44:23 PM CPA 2007-016:

Planner Graham Simon offers staff report. This matter was heard on Jan 7, 2008 by the Planning Commission. The application was submitted by the Washington State Dept. of Fish and Wildlife Agent Don Benson and contact person Ron Fox of URS Consulting. This request is for a Comprehensive Plan Land Use Map Amendment on approximately 182 acres of land. The proposal is to change the designation from RR 5 to Rural Public Land and Facilities (RP). The subject property is located adjacent to US 97 near Beebe Bridge within

Section 20 of Township 27 North Range 23E. The property is identified under Assessor's Parcel Number 27232012000. The Planning Commission voted unanimously to approve the application. Commissioner Hawkins notes the property that Chelan County has signed an agreement for purchase. That property is not in this action. Previous purchase of the Dole property by Fish and Wildlife is outlined. The application parcel is noted on the map. No one from public speaks on the application.

1:49:37 PM ACTION ON CPA 2007-016

Moved by Commissioner Goehner, seconded by Commissioner Hawkins and carried that the Board approve Comprehensive Plan Amendment 2007-016. Formal action will be taken by way of resolution on March 11, 2008.

1:50:00 PM CPA 2007-021

This matter was heard on Jan 7 by the Planning Commission. Planner Graham Simon gives staff report. This application under CPA 2007-021 was submitted by Dalton Thomas owner, with acting agent Gary Bates for a Comprehensive Plan Land Use Map Amendment on approximately 37.18 acres of land. The proposal is to change the designation from RR5 to RR 2.5. The subject property is located south of the intersection of Knowles Road and Northridge Drive, north of the Sunnyslope area within Section 8, Township 23 N, Range 20 E. Eight Parcel numbers are included in the staff report. The Planning Commission recommended approval of the application at the January 7 Planning Commission Hearing.

This property is up against Eagle Rock. There is one house as shown on the aerial map. Mr. Gary Bates speaks on the matter. The only house on the property is Mr. Dalton Thomas's house. Most of the area around it has been developed on 2 ½ acre parcels. This seems to be consistent to the neighborhood.

Mr. Rick Smith, City of Wenatchee Community Development Director testifies. This is a little awkward in that the reason for the City's opposition is the cumulative affect of five of these applications. Because the others are being delayed he will still try to outline what the City's position is. In October, the City staff was referred 34 Comp Plan Amendments for review and comment. The City staff reviewed the developments which were closest to the City limits and the Urban Growth Boundary for the City of Wenatchee. After discussing the matter with counsel, the good news is that they had no problem with 29 of them; they had concerns about five of the Comprehensive Plan Amendments which encompass about 1100 acres and 325 lots. Specifically, they were concerns about 2007-011, 012, 018, 019, and 021. The reason is not that the City is opposed to development in truly rural areas. They are not opposed to cluster developments which constitute good development but the problem is the location of these five comp plan amendments. They do not believe the location is truly rural and as a practical matter will block expansion of public utilities and other urban services which would occur he believes within the very near future. The maps he offers to the Board refer to all five of the developments but the concern is in the developments to the south in CPA 2007-011, and CPA 012, they are right up against the urban growth area, about 500

acres, They believe it will be impossible to run utilities through that area after it has been developed and the common ownership is established for the land that would be aside in perpetual open space.

Commissioner Hawkins shares that the area of application before the Board is in Sunnyslope and 11, and 12 are in the south end.

Mr. Smith states it is difficult to just talk about 21 (CPA 2007-021) if we do not talk about the others. Obviously 21 is not going to block the northern expansion of urban services and you take all of these cumulatively and put them together we believe it would. The point the staff are making is that we believe it would impossible if you approve that to expand urban services to the south, particularly utilities. The three developments to the north which includes number 21 is creating a wall right outside of the urban growth boundary. As he indicated before, he questions whether this is going to be a rural area for very long. If the Wenatchee area continues to grow, and he believes it will grow very quickly once the utilities are put in place in Sunnyslope. If you grow at the rate of the Tri Cites grew you could easily fill the Sunnyslope area with the 6000 people that are planned for in two years. He states that if you look at the developments on the outskirts, it will be almost impossible to expand beyond that because the Urban Growth Boundary would be affectively blocked from moving further out. So it may seem like a long way away now, he maintains that in 2-3 years we will not able to expand those urban services. The only kind of development that can occur to the north of the city and to the south of the city if these are approved would be on private septic systems. He maintains that really does not constitute 21st century development. It is just going to be low density homes on septic systems with very limited public services. The City believes the Growth Management Act mandates that urban development concentrated and provide with urban services to preserve the rural portions of the community for agriculture, open space, and recreation. He has been asked by the City Council that you reject this application CPA 2007-021 along with four others for the same basic reasons. He asks that the property owners in the County and the City enter into a dialogue about the long term development needs of this area.

Commissioner Goehner wonders if he is to understand that given the location of this Comp Plan Amendment request as it is situated toward RR10 and RR20, which runs right up against the hill, the City of Wenatchee would like to have urban services extend right out to the fringes of the RR20? Mr. Smith says yes at some point in the future. Their concern is that this will be filled up very quickly and you will not be able to expand urban services beyond this wall of these developments that are being created to the north. He also does not think it will take 20 years.

Commissioner Goehner reiterates that the intent of the City would be to not have a rural buffer in the sense from the UGA to the forest. Mr. Smith says these developments are occurring all over the County and he does not see a real buffer.

Commissioner Goehner is speaking specifically to 2007-021 and looking at the location of it and as it is situated. Knowing how the development has been up there, he wonders if what he is hearing Mr. Smith say is that the City of Wenatchee would at some point in time envision that urban services (that being sewer and water which is already there) would go right up to the very edge of commercial forest. Mr. Smith says of that area yes, and perhaps even beyond. He is speaking in terms of years. Commissioner Goehner wonders what he envisions beyond. Mr. Smith says that is hard to say. If you look at Seattle one hundred years ago you would not think it would go beyond a couple of square miles. There is no reason why the City cannot continue to expand because urban services will continue to be needed.

Commissioner Goehner shares that one of the things they are dealing with is wildlife habitat and those kinds of issues. He would not imagine that the City would be extending the urban services encroaching on habitat. That is really what we are looking at there is mule deer habitat particularly.

Commissioner Hawkins shares that he was very much involved in the Sunnyslope process. He is very familiar with this area which is in his district. All of this area that is currently marked Rural Village is already a built environment. He also states that all the area Mr. Smith is talking about is Eagle Rock and all of Eagle Rock is already built large homes on large size lots. Commissioner Hawkins also shares that Sunnyslope plan that was gone through with the consultant anticipated that within the urban growth study area there would be some area that was going to be set up for large lots, some set up for small lots that would utilize urban services. All of the public process and input and testimony received was viewed to continue to remain in large lots and part of that area next to it was also looked to remain in large lots because it was mule deer habitat. That was overwhelmingly the testimony that the group got from the citizens. He wants to share with Mr. Smith is that his predecessor was there at the meetings when that testimony was given. There was never any anticipation of going to smaller lots in that area, according to the Sunnyslope plan. Commissioner Hawkins shares he states this out of mutual respect, that he respects the job Mr. Smith does, the interest that you are trying to serve so do not mistake that. There was never any testimony that was going to be higher density development and never foreseen that the City would be extending sewer out in that area because of the wide spaces in between that existing built environment and the topography that is in place. Commissioner Hawkins is not speaking to the other land use actions. He is speaking to this one specifically. The topography and the existing built environment and the public testimony and the public collaborative process that visualized large rural lots for that area consistent with the pattern of development that was already in place. Commissioner Hawkins appreciates the testimony but states he totally disagrees with it.

Mr. Smith understands the position of Mr. Hawkins. He would respond that it is the County's decision to make ultimately, but he says that it was discussed at the City Council level and the real concern is that by approving these developments you limit the urban area for Chelan County from now until the end of time. He does not believe it will expand beyond

that and he think that if one looks into the future Wenatchee will certainly be a larger city than it is now. As time goes along if you would preclude that, and if more people wanted to move here their only option will essentially be these large lots and clusters of cluster subdivisions throughout the County. They could not be in a truly urban setting. Eventually you will consume much more of the land that people came here to really see and enjoy by developing it. That is the City concern.

Commissioner Hawkins agrees in principal with the concept that you have to preserve open space to the fullest extent possible and you have to preserve open space as a reserve for the future. The Sunnyslope plan does designate areas for reserve. This was not one of them. On this specific application Commissioner Hawkins cannot buy into the logic that we are blocking urban development because you already have a built environment that is rural, fully built out.

Commissioner Goehner understands the planning principal of having RR5 up against the Urban Growth Area because you can have better development with five acres. Commissioner Goehner says the thing that he has wrestled with this is the built environment and the topography. It seems to lend itself toward; in this case, we are allowing a higher density that is more suitable for the area than an even more urban setting. The topography map shows the built (environment). Commissioner Hawkins feels it is a good discussion to have, he however, does not believe it pertains to this specific application.

2:07:37 PM ACTION ON CPA 2007-021

Moved by Commissioner Goehner, seconded by Commissioner Hawkins, and carried that the board approve Comp Plan Amendment 2007-021. Formal action will be taken by way of resolution on March 11, 2008.

2:07:58 PM CPA 2007-023:

Planner Graham Simon gives staff report. This matter was heard on Jan 7, 2007. Submitted by CMR Orchards, owners, with acting agent Teri Miller for a Comprehensive Plan Land Use Map Amendment on approximately 10.74 acres of land. The proposal is to change the designation from RR 5 to RR 2.5. The subject property is located off of Campbell Road, Peshastin WA, in Sections 32, Township 24 N, Range 18E. It is identified under Assessor Parcel No. 241832220200. Staff completed analysis and at the Planning Commissioner Hearing on January 7, 2008, the Planning Commission recommended approval unanimously.

Teri Miller of CRM Orchards, Inc. Commissioner Goehner speaks of the history of the surrounding landowners. He identifies the parcel in the application. He questions the size on nearby parcels. The size is determined to be one acre to one and a half acre. Commissioner Goehner states that this application appears to be consistent with some of the build out that is there. The property that Commissioner Goehner has been referencing was a canyon of sorts but the orchard was right down along Campbell Road and there was ten acres of orchard. Then he had about 160 acres of timber and that was divided off too. That would probably

be to the south of this property. That was done in smaller parcels years ago. This request would be to something comparable to the built environment.

Teri Miller states that they have been in business on 105 years. The main orchard is farther down Highway 97. This block is being encroached heavily by homebuilding in the area. It is not their intent to develop it. They are planning to subdivide it. They are planning on continuing to farming it. In the event of something catastrophic and they would have to sell something, this would be the piece that they would have to ultimately have to sell. They have replanted the orchard in the last ten years so it is their intent to continue farming it.

Commissioner Hawkins shares that the Commissioners are sympathetic to the discussion as all of them have had the discussion at the table and have transitioned out of the really tough times that we had seven years ago. But at that time several people wanted to be able to subdivide their property and sell off part of it so they continue to farm because they were no longer able to get operating loans for the next growing season. So they are sympathetic to that and set up legislation that would allow a person to retain their home site and sell off the balance of their property. We understand what you are saying.

Ms. Miller states that the intent is not to sell it. She affirms that if this was zoned appropriately for development, even though you have no intention to develop it, it would be easier for you to market. Commissioner Goehner shares that the question before the commission today is whether this should be zoned from RR5 to RR 2.5 because your comments are probably more germane to commercial ag – whether it should be de-designated or not. Right now this is not zoned for ag even though it is in ag. The point Commissioner Goehner was trying to make is (the map is pulled up) that the 2.5 is down south of this, plus you have the built out environment is considerably less than 5 acres around this parcel.

2:14:31 PM ACTION ON CPA 2007-023:

Moved by Commissioner Goehner, seconded by Commissioner Hawkins to approve Comp Plan Amendment 2007-023 based upon the Planning Commissioners recommendation and also the built out environment which certainly seems to support this application. Approved. Formal action will be taken by way of resolution on March 11, 2008.

It is noted that Comp Plan Amendment 2007-025 was withdrawn by Mr. Scott Christie.

2:15:06 P.M. CPA 2007-028:

Planner Graham Simon shares the staff report. This application was heard on the Jan 7 Planning Commission Hearing. This application was submitted by Davy Enterprises, LLC, owner, for a Comprehensive Plan Land Use Map on approximately 41.72 acres of land. The proposal is to change the designation from RR 5 to RR 2.5. The subject property is located on Squilchuck approximately ½ mile south of Squilchuck and Pitcher Canyon Road, within Section 33, Township 22 N, Range 20E. The property is also identified by Assessor's

Parcel numbers as on the documents. The Planning Commission, at the January 7 hearing, recommended approval.

Commissioner Goehner comments on the water on site and if clustering was done there, obviously it is available now for clustering. The 2.5 is consistent with what is in the area. Planner Hansen shows that there are smaller parcels to the north, to the east and to the south. There is a rural commercial there. That is Z Meadow Market. It is still zoned commercial. The Grange is also in that area and is noted. No one from the public is present to comment.

2:19:50 PM ACTION ON CPA 2007-028:

Moved by Commissioner Goehner, seconded by Commissioner Hawkins, and carried that the Board approve Comp Plan Amendment 2007-028 based on the recommendation of the Staff and Planning Commission. Approved. Formal action will be taken by way of resolution on March 11, 2008.

2:20:15 PM CPA 2007-031:

Planner Graham Simon gives staff report. The matter was heard on Jan 7 by the Planning Commission. The application was submitted by Morgan Picton and Associates on behalf of Gerald Ross, owner, for a Comprehensive Plan Land Use Map Amendment on approximately 9.28 acres of land. The proposal is to change the designation from RR 5 to Urban Residential 1. The subject property is located at 1571 Manson Boulevard, within Section 26, Township 28N, Range 21 E, and identified under Assessor Parcel number 282126608095. The Planning Commission recommended approval. This was also a part of the UGA expansion, and would be consistent. The UGA was within the application itself to expand the Urban Growth Area so they could have an urban type zoning to go from.

Morgan Picton clarifies for Commissioner Hawkins that the area being shown on the map by Commissioner Hawkins (in the mustard color) is currently in the UGA already. The study area is noted on the map.

Commissioner Goehner questions why staff did not recommend approval. Planner Simon says that the Commissioners have been talking about the sub area planning. The expansion of the UGA, the sub area planning, the individual request by the applicant to expand the UGA- he has the right to do that. Without that UGA expansion the staff cannot recommend an urban zoning outside of an urban growth area. They cannot recommend giving it a UR1, an urban zoning outside of an urban growth area. The applicant did apply for a UGA expansion with this outside of the vision of what the bigger picture will be for Manson's final UGA.

Commissioner Goehner states that is what he is wrestling with. At this point, it is outside so this designation would not be appropriate. He saw an application for this to be designated as UR 1 but he did not see the complimentary application for the expansion. Planner Hansen states that it is part of the application, possibly question number 8, where it talks about urban growth areas and expansions within the packet. That was part of the application as well. It

was an individual request to expand the UGA outside of what was going on with the sub area plan. (Request for expansion was not clearly indicated).

Commissioner Hawkins states that because this was a stand alone UGA where the County is in fact the governing entity for it, it would be appropriate for them to hear it. Planner Simon says they have requested to expand that UGA as part of their application. Planner Hansen says that as far as the application itself. What information was provided as far as what was gathered, he would let Mr. Picton discuss this. Mr. Hansen still feels the first analysis was okay by the information that was provided to them, the numbers, and it was not all provided to the staff. Staff shares the application SEPA checklist. Commissioner Goehner wonders what they are going to do about the Urban Growth Area. If the Commissioners include this, what we have set the line before relative to was the population density projections and everything. Are there accompanying actions that need to take place when we extend the boundary?

Mr. Morgan Picton speaks on the application. It is complimentary to everything that the Manson Community Council and the Sub Area Committee is working on. They are planning on growth of 2000 people between now and 2025. They are also planning on 971 homes during the same period of time. This property is right next to the Urban Growth Boundary Area now. It is also located right on one of the county's finest roads in the area, which has just been repaved. They are grateful for the new road. This is why growth should go out this way. The committee that has been working on the sub area review for Manson has identified that this property is a part of current plan on the to which will be voted on March 11. The reason that this applicant wanted to move forward is health issues. Urban Growth Boundary Review is only going to do that, review the boundary. It is not sure that they are going to actually change zoning with this action that the community is working on. There are health issues affecting this applicant that indicate that they do not have the kind of time to wait for that process. The owner has hired Mr. Picton in hope of getting relief from their situation. He appreciates the recommendation of approval from the Planning Commission.

Commissioner Goehner wrestles with how we get there. It seems to make sense when you have rural village already there, you have a good road, the built out environment is there but the thing we have been trying to be sensitive to are the local community councils. In Peshastin they had a similar thing with a request that was outside or close to the urban growth area that is being proposed or at least being discussed. What they did is went back to the council and said does this fit with your plan because they are trying to defer to the citizen involvement and the public process. So when Commissioner Goehner read through this, it seems logical but we also have another process ongoing as he understands with the Manson Council. He asks Commissioner Hawkins what his thoughts are as to what they have been discussing.

Commissioner Hawkins shares that this is in the area that has urban services, it already has Lake Chelan Reclamation services to it as he recalls. The action on the 11th will be for them to draw the line for the urban growth area. But, by drawing the line for the urban growth area

you do not actually create the land use map you only delineate the urban growth area. So until such time as a plan comes forward, which is the next step in their planning process - to delineate the land use map.

Commissioner Goehner feels that the land use map has to come hand and glove with the line because the population projection is what we are trying to accomplish with urban densities. How would you know where to draw that line if you had not determined how much land should be included?

Mr. Picton has concerns about affordable housing, concerns about economic opportunity, and other goals. This expansion is supposed to address all of those issues. But the issue with this is there won't be an overnight is wholesale zone change of everything that is inside that line. In fact, they anticipate that there will actually be commercial ag inside the UGA. Commissioner Goehner does not believe it can be zoned commercial ag. He states you might have a commercial ag enterprise but it won't be zoned commercial ag because that is not allowed in an urban growth area.

Mr. Picton states that according to Bill Grimes of Studio Cascade in fact there will. There will be a TDR process of transferring development rights has to be in place if you are going to have commercial ag activities inside the UGA. Commissioner Goehner shares that according to how it was shared with the Peshastin Community Council, Growth Management Act does not allow for that. Planner Simon shares that it would not be lands of long term commercial significance; you could have some type of agricultural zoning that might allow ag and mixed ag. It would not be the same type of zoning we have today. Commissioner Hawkins states that the way they want to accomplish preservation of those lands and agricultural operations is to transfer development rights to allow density inside the UGA and then allow the property owner to derive an income from the sale of those rights. Those would be considered the donor lands or the reserve lands.

Mr. Picton states that if you really analyze commercial ag zoning and you look at all of the things that need to be in place Manson does not fit that criteria now so even though this expansion of the UGA includes some commercial ag, it won't fit for long until that population grows.

Commissioner Hawkins's position on this is that he supports the application and he does not believe there is anything that precludes the Commissioners from taking action on the application. It is consistent with the pattern of land usage around it and consistent with the process that is on going.

Mr. Picton shares that they have done zone changes in the past where we did expand the UGA to accommodate the zone that they did outside of the Urban Growth Boundary such as the one they did by the Manson School two years ago.

Commissioner Hawkins states that it is the authority for change in the UGA boundary is the County Commissioners specifically in this case because it is a stand alone.

Commissioner Goehner says he was tracking what Commissioner Hawkins said until he said it is consistent with the process. It seems that if we are going to expand the UGA that we should have documentation that would say why we are doing this. We do have ongoing process with Manson that is why ideally that is the way it should come is from a community council to us with a request.

Commissioner Goehner would be willing to do this way today because it does fit with the built out environment. You have higher densities beyond this, you have the urban services already in place.

Mr. Picton says that certainly public process is one of the goals of the growth management act but it is not necessarily any more important than private property rights which is also a goal.

Commissioner Goehner says that what the County has been trying to do is encouraging the community councils, and in this case you have been very intrical in that process and have been very well aware of what the goals have been from the Commission to the public

2:36:43 PM ACTION ON 2007-031:

Moved by Commissioner Goehner, seconded by Commissioner Hawkins and carried that the Board approve Comp Plan Amendment 2007-031 based upon its consistency with the built out environment and the recommendation of the Planning Commission. Formal action will be taken by way of resolution on March 11, 2008.

Hearing Closed.

2:37:20 PM BOARD DISCUSSION:

Patrick Walker, of the Chelan/Douglas Land Trust, came to pay attention to the process and how you make your decisions and your reasons behind a lot of these things. He would like to would like to reinforce and encourage the County to find solutions to the Comp Plan Amendments. TDR's were just mentioned and he feels that in every scenario we saw here could come in useful, particularly for Teri Miller. The testimony was that they are doing this because they want to have something just in case. Where if a TDR program was in place and assuming that the Miller's orchard was within in a sending area that they would have the ability to farm and gain some income from the land which is a challenge for people. He encourages the Commission to continue to look at alternatives for CPA. That would make it easier for the Commissioners, easier for developers, easier for the landowners to do what they want to do with their land and also for us to keep the planning process that the Planning Department spends a lot of its time on for moving in the direction that everyone is wanting to see without spot zoning

Commissioner Hawkins shares that for the upcoming year there are eight applications for the year. This says a lot for our comp plan amendments, our comp plan revision process and our sub area planning process.

Commissioner Hawkins thanks those who are in attendance.

2:41:45 PM ADJOURNMENT

Moved by Commissioner Goehner, seconded by Commissioner Hawkins and carried that the Board recess until Monday, March 10, 2008. Adjourned.

Vouchers Approved for Payment (2008 Budget)	2008B4-24
Current Expense	\$353,791.20
All Other Funds	<u>149,980.69</u>
Total All Funds	\$503,771.89

BOARD OF CHELAN COUNTY COMMISSIONERS
BUELL HAWKINS, CHAIRMAN

JANET K. MERZ, Clerk of the Board