



CITY OF OTHELLO PLANNING COMMISSION

**Regular Meeting
500 E. Main St.
July 17, 2023
6:00 PM**

For those who would like to attend remotely, see virtual instructions at the end of the agenda

1. Call to Order - Roll Call
2. Public Input
3. Approval of June 19, 2023 Minutes p.3
4. Sand Hill Estates Comprehensive Plan Amendment & Rezone Request – Discussion & Set Public Hearing Date p.9
5. July Building & Planning Department Report p.32
6. Old Business
 - a. Housing – We should look at further implementation possibilities from the [Housing Action Plan](#) (see attached) p.35
 - b. Columbia Street Local Improvement District (LID) – Nothing to report
 - c. Subdivision Update – OMC Title 16 – This should be the next big project for the Commission
 - d. Zoning Update – Home Occupations – OMC 17.59 – We will come back to this as time allows

Next Regular Meeting is Monday, August 21, 2023 at 6:00 PM

Remote Meeting Instructions:

Join Zoom Meeting

<https://us06web.zoom.us/j/81894213261?pwd=MjMwZ01Ubmdaai8xdlFua0dvd3dMUT09>

Meeting ID: 818 9421 3261

Passcode: 357731

One tap mobile

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City of Othello
Planning Commission
June 19, 2023
Anne Henning

CALL TO ORDER

There were technical difficulties with the Zoom set-up.
Chair Chris Dorow called the meeting to order at 6:28 pm.

ROLL CALL

Commissioners Present: Chair Chris Dorow, Alma Carmona, Daniela Voorhies, and Ruth Sawyer

Absent: Brian Gentry, Kevin Gilbert

Staff: Community Development Director Anne Henning, IT Director Abner Garza

Attendees: Bob Carlson, Gregg Fultz (OSD), Sheriff Dale Wagner, Doug Pegram, Gil Alvarado, Maria Martinez; Angel Garza was present on Zoom

PUBLIC INPUT

Gil Alvarado, GAJ Planning, PO Box 260, Moses Lake, introduced himself and stated he is representing the Ochoa family in their requested annexation of over 400 acres and the associated zoning, north of Walmart up to Lee Road. He noted that the northern part of the Ochoa property is designated as light industrial; however, some of the uses allowed in the I-1 Zone, such as wrecking yards/junk yards, manufacturing, packaging, food products, are incompatible with the Ochoas' development plans. He suggested that Othello may not want those uses in that location either. He saw that the Commission was addressing long range planning in the area later in tonight's agenda and wanted to bring this issue to their attention. He noted that heavy industrial is designated to the north, although there isn't infrastructure to support that yet. He mentioned the trip generation on Lee Road and that it can be hard to turn north onto SR 17. Chair Dorow asked if the zoning would need to be changed to address these uses. Ms. Henning clarified that a planned development with different uses could be requested but could not be required. Mr. Alvarado noted that lenders don't like it when there is extra process to go through, compared to outright permitted uses. This is a change in the last few years. He said it would be best to change the underlying designations. Chair Dorow noted that the Commission would be discussing this issue later in the agenda.

Sheriff Dale Wagner of the Adams County Sheriff's Office requested assistance from the Planning Commission. He provided handouts with a variance request for temporary evidence storage. He stated there have been some major crime issues in the county and there has not been enough space to get evidence, especially vehicles, out of the weather. The county has acquired \$900,000 for evidence storage, and \$30,000 for temporary storage and preservation. He said there are 3 containers in a fenced area that have been there for 4 or 5 years and were permitted by the city. The plan is to use those containers for storage and then span the space between them with covers that they have purchased. One will be open from end to end, the other will be open for now until they can get the correct ends for it to close it in to protect from rain and weather. The County Commissioners approved the purchase but suggested checking with the city if any permits are needed. The city does require permits and also platting. The city also limits containers to one. The Sheriff's Office is trying to make best use of resources. Ms. Henning clarified that the Planning Commission doesn't have the power to grant a variance. Chair Dorow asked for clarification on temporary vs permanent. Ms. Henning says the Municipal Code defines temporary as 1 year, while the International Building Code defines temporary as 180 days. She explained that the OMC would allow a

permit for a temporary structure on unplatting property, but it would have to be for less than a year or 180 days, depending on which definition of temporary you used. Sheriff Wagner stated that once they have a permanent evidence facility, this membrane structure can be removed. He said he has been working on the permanent building for the past 2 years. Ms. Henning clarified that platting has been the issue with that building as well. She explained that if the membrane structure would be in place for less than 180 days, the city could issue a permit for a temporary structure on unplatting property. Because it is unknown how long the structure will be needed, the Council would need to grant permission to build on unplatting property. That is what Sheriff Wagner is requesting assistance with. Chair Dorow suggested that this item be added to the agenda. Motion approved to add to the agenda, M/S Carmona/Voorhies

MINUTES APPROVAL

April 17, 2023, minutes approved as submitted, M/S Voorhies/Carmona

MUNICIPAL CODE UPDATE – FENCES - OMC 14.36 - REVISIONS

After several months of review, in April 2023 the Planning Commission held a public hearing on changes to the fence regulations adopted in 1979. The Commission recommended updates to the City Council, who adopted the changes at the end of April. Since then, a few issues have come up that should be addressed, including the limitation on side yard fence height, fences within easements, and at what point a replacement fence needs to meet the new standards.

Community Development Director Anne Henning explained the proposed changes. The first one is that language was added requiring corner lot side yard fences to be set back 20' from the side street. This is more than the setback for the house. Staff recommended returning the language to how it was before the April changes. The Commission thought they had already done this previously, so they were in support of this change.

The second issue was whether to include language about fences in easements. Staff could not find language that addressed this issue in several other Eastern Washington codes but did find an example in the Moses Lake code. Commissioners like the idea of having it stated in the code, but also wanted it to be stated on the application and the permit, so that owners are aware they will be responsible for replacing the fence if they chose to build it in an easement.

The final issue was if the code should include a point where the new regulations take effect. The draft states at 25% replacement, as a starting point for discussion. Of the codes staff reviewed, again it was only Moses Lake that addressed this issue. Ms. Henning explained that Moses Lake went through a big change in fence requirements, while Othello's changes were less significant. Commissioner Alma Carmona stated she liked including a percentage but she felt 25% was too low. Commissioners decided that 50% was a more reasonable number.

Ms. Henning also asked about a situation where a corner lot has a house facing the side street. Should it be treated the same as any other corner lot? After discussion, Commissioners decided this situation is what the Deviation section is for.

Although this wasn't a formal public hearing, Chair Dorow asked the public attending whether they had any comments. There were none.

Motion approved to recommend the proposed changes to City Council. M/S Carmona/Voorhies

PEGRAM MAJOR PLAT – DEFERRALS & DEVIATIONS - RECOMMENDATION TO HEARING EXAMINER

Douglas and Vaughn Pegram have applied for a 135-lot residential subdivision west of SR24/Broadway and north of Bench Road. The application includes some requests for deviations and deferrals of street and utility standards. OMC 16.40 sets up the process to deviate from standards and defer improvements.

The Commission is reviewing only the deviation and deferral requests, to make a recommendation on whether each should be approved or denied. The major plat itself is reviewed and approved by the Hearing Examiner after a public hearing. The Hearing Examiner will also hold a public hearing and make a recommendation to Council on the requested development agreement for phased completion of final plats.

Staff explained that 3 of the requested deviations are not needed because they are already addressed in the code or by standard procedures (landscape timing and collection of fees for utility connections and parks). Staff identified one waiver that wasn't requested but is needed and staff supports (waive turnaround for dead-end streets less than 150' long). Staff supports the requested deviations for 60' right-of-way and distance to collector streets of more than 1000'. Staff recommended denial of the requested deferral of sidewalks.

Doug Pegram, project proponent, stated he was unaware of the request his engineers made to defer the sidewalks. Mr. Pegram said the sidewalks should be done for each phase when the other street and utility improvements are installed.

Motion approved to accept staff recommendation as follows. M/S Carmona/Sawyer:

1. The request for 60' ROW width on neighborhood streets should be approved. The extra ROW is not needed now that the constructed width of the street has been reduced. The code will be corrected in the next update to eliminate this conflict on future developments.
2. The request for some lots to be farther than 1000' from a collector street should be approved. Given the physical constraints to access in the area (canal and railroad), additional collector streets are not needed.
3. The request to pour sidewalks as each house is finished should be denied. Allowing multiple separate concrete pours would result in an inferior finished product as well as complicating the acceptance timeline for the improvements. Other developments in Othello have not had any issues when sidewalks were constructed before final plat approval.
4. The waiver of turnaround provisions at dead-end streets less than 150' long should be granted, with the condition that barricades should be placed at the end of these streets. It would be an unnecessary hardship to require a turnaround when it is not needed, and could lead to trespassing and vehicles driving across undeveloped property.

SAND HILL ESTATES REZONE/COMPREHENSIVE PLAN AMENDMENT – INTRODUCTION & SET PUBLIC HEARING DATE

Palos Verdes LLC submitted an application to amend the Comprehensive Plan Land Use designation and zoning north of the existing Sand Hill Estates developments. This area is currently designated and zoned Open Space Urban Reserve. The proposal is to designate it as Residential and zone it R-4 Residential.

OMC 17.87.020 states that the Planning Commission, upon receipt of an amendment or zone change request, or after a motion of its own, shall investigate the merits of the request and may set a public hearing date at which time the request can be considered. Community Development Director Anne Henning asked the Commission to also consider whether there are other areas that should also be redesignated and/or rezoned.

Ms. Henning noted that the proposed rezone area has a complicated zoning history that is detailed in the attachment to the staff report, when the residential zoning was implemented, but there is very little information about the Light Industrial zoning, no staff reports or minutes that discuss it, just maps showing it. She said her best guess based on the dates of the various maps is that the line for light industrial outside the city was drawn first, then extended into the open space area inside the city, then the other zoning inside the city was added to the map, leaving a little strip of open space. Chair Chris Dorow stated that he lived on Olympia at the time of the residential zoning and he remembers the controversy. He was just starting on the Planning Commission at the time of the industrial zoning. He spoke about the need for transitions into industrial areas. He also noted that Othello is growing while other cities in Adams County aren't. He felt it was the protection of industrial/employment areas that allowed Othello to grow. He remembered from 1999-2000 that the City Council felt it was very important to have space for growth. He noted that at the time, the city had only 4000 people. Now the city is close to 10,000 people. Protection of industrial is more important than ever. At the same time, there is a gigantic need for housing. The city needs to look at how to maintain business growth and deal with housing issues. At the time, the philosophy was to keep all the industrial together, which has been very effective. The light industrial at the time has all been developed. It's not easy to find light industrial locations now. The Commission needs to balance the need for housing with opportunities for business growth, and not box in industrial.

Commissioner Carmona wondered how the businesses in the area felt about the change to the open space area. Ms. Henning said they haven't been approached yet.

Palos Verdes/Sand Hill Estates owner Angel Garza said that there are 80 to 90 acres of light industrial north of his property. He asked the Commission to think about how many light industrial businesses came to town in the last 10 or 15 years. Chair Dorow mentioned the development from McCain to 7th Avenue, which included agricultural storage buildings and the Avista substation. Mr. Garza felt that 80-90 acres was a lot of Light Industrial. He felt that 700' to 800' could be rezoned to residential. 500' to 600' along Lee Road would be sufficient for 5 to 7 lots of 5 to 7 acres each, which would be suitable for trucking operations. If the same zoning were extended onto the Ochoa property to the east, that would be a lot of light industrial property that would take a long time to develop. He said the Open Space Reserve zoning creating a buffer is difficult for him because he has 13 acres he can't do anything with.

Chair Dorow said that the issue for him is how much of a buffer does Heavy Industrial need from Residential? He isn't comfortable with hemming in Heavy Industrial with housing. He wants to leave room for the industrial to grow, in order to protect the future of Othello. He said the number one location for industry is Othello, due to water and transportation.

Mr. Garza said he doesn't own the light industrial property, so that part doesn't really matter to him. He is trying to build affordable housing, so he would like to see the buffer moved north and his property zoned R-4 so that he can build apartments, maybe 48 units this year and 48 next year. Chair Dorow noted that R-4 can also be used to build single family houses, and most of the R-4 has been used for single family.

He said the Commission needs to determine what and where is best for Othello. The Commission should set some levels of concern. To start the discussion, he gave his priorities:

1. Protect opportunities for industrial growth.
2. Mitigate industrial impacts on residential (safety, noise).
3. Provide housing.
4. Transition of housing types.

Chair Dorow stated he is not against residential in this area, but it's number 3 on his list. How would it be mitigated? Maybe screening. Mitigation should be the responsibility of whoever is encroaching. He said it is good governance to start with determining where heavy industrial should go, and from there determine other zones.

Mr. Garza pointed out that it is 1300' to Lee Road to his property. 7th Avenue is more than 1300' from the existing industries, so the rezone area will still be a sufficient distance from industry. He stated he could build another 70 homes on the rezone piece, otherwise he would be prevented from building any more homes. He said he has his engineer looking at possible mitigation measures.

Chair Dorow asked for public comment.

Gil Alvarado, GAJ Planning, representing the Ochoa family, said the uses allowed in the Light Industrial Zone don't fit the plans the Ochoas have for their property to the east. They are considering some uses that aren't allowed in the current zoning, such as hotels. He said the Planning Commission should work backwards from the Heavy Industrial Zone and determine what the city can afford to extend and whether there is the water and sewer capacity to extend it down Lee Road. He said the property along Highway 17 is some of the most valuable property. If a hotel developer sees that it is zoned Heavy Industrial, they will just keep going along the highway to Tri Cities and not build in Othello. Chair Dorow mentioned there has been significant investment in infrastructure along Lee Road over the years, up to 14th Avenue. Mr. Alvarado said he was discussing the portion east of 14th Avenue. He suggested there could be an alternative zoning designation, maybe a zone that doesn't currently exist, that would be more compatible with the adjoining residential zoning. He said he will be back to discuss this with the Commission in the future.

Bob Carlson clarified that the current issue was the Sand Hill property. He felt that the existing open space was a sufficient buffer. He asked who was going to do the screening. He felt that changing the zoning to residential was fine as long as it was screened from the light industrial.

Chair Dorow stated that mitigation was the biggest issue.

Ms. Henning asked what information the Commission wants to see for the next meeting. Chair Dorow said if there is encroachment on established areas, the developer should be responsible for the screening and addressing the impact on industrial. This should be set up front. Mr. Garza asked how the buffer was set. Chair Dorow responded that it was based on noise.

Ms. Henning asked if the Commission would be ready to hold a public hearing at the next meeting? Chair Dorow said it depended if the questions could be answered by then. Commissioner Carmona said she would like to have more information first, including screening options and how the established businesses feel about the buffer, if they would feel infringed on. Chair Dorow asked for standards that the Commission could present to City Council for how to make a good decision for protecting priorities 1 through 4.

Mr. Garza asked what happened to the property if the zone change doesn't work out. If he can't build on it, who will maintain it? The answer was it is the property owner's obligation to maintain their property.

The Commission will further discuss these issues at their next meeting.

ADAMS COUNTY EVIDENCE FACILITY

Chair Dorow invited Sheriff Wagner to discuss his request for a temporary evidence storage building on unplattem property. He felt this is a unique circumstance due to it being first responder issues, with some urgency. He said the city wanted to be good partners with Adams County. He said it was an important issue in the community. He asked if the Commission would be able to make a recommendation to the City Council tonight, or if more time was needed. Ms. Henning said there might be information the Commission doesn't have, but any new information can be brought to Council along with the recommendation. Now that there has been a formal request, she can route it to staff for comments. Commissioner Carmona agreed this is a special situation, so it was appropriate to move it quickly. Commissioner Sawyer asked for some history of the site. Sheriff Wagner said his understanding was originally all county services were to be out in that area, but then the Commissioners at the time decided to remodel a building in town for some of the county services, leaving just the Sheriff's Office at the site.

Motion passed to recommend to City Council to grant a building permit to Adams County for a temporary evidence facility. M/S Carmona/Voorhies

Sheriff Wagner will submit a revised letter that removes the variance language.

APRIL & MAY BUILDING & PLANNING DEPARTMENT REPORTS

Chair Dorow said that in light of the time, he would let Commissioners read these at home.

ADJOURNMENT

Having no further business, the meeting was adjourned at 8:38pm. Next regular meeting is Monday, July 17, 2023.

Chris Dorow, Chair

Date: _____

Zuleica Morfin, Building and Planning Secretary

Date: _____

TO: Planning Commission

FROM: Anne Henning, Community Development Director

MEETING: July 17, 2023

SUBJECT: Sand Hill Estates Comprehensive Plan Amendment & Zone Change –Set Public Hearing Date

Palos Verdes LLC submitted an application to amend the Comprehensive Plan Land Use designation and zoning for the 13 acres of their property at the north end of the Sand Hill Estates developments. This area is currently designated and zoned Open Space Urban Reserve. The proposal is to designate it as Residential and zone it R-4 Residential.

OMC 17.87.020 states that the Planning Commission, upon receipt of an amendment or zone change request, or after a motion of its own, shall investigate the merits of the request and may set a public hearing date at which time the request can be considered.

Staff Comments

1. At the last meeting, the Planning Commission asked for additional information and guidance, but most of these requests were related to a larger area-wide consideration of zoning. A comprehensive analysis of the zoning in this area would be beneficial, but would take significant time and resources the city doesn't have at this point. The City will be required to update its Comprehensive Plan by 2027; a full zoning analysis for the city as a whole should be done at that time. Until then, we need to respond to the application we have received, which is just for the 13 acres on the north edge of the Sand Hill Estates development, currently in a "holding zone" of Open Space Urban Reserve.
2. Per OMC 17.51, Open Space Urban Reserve, "These lands serve in a temporary function as open space until needed for urban development. Those areas are restricted to agricultural uses until the full range of urban services are available."
3. We are processing this application as a legislative decision, since it is both an amendment to the Comprehensive Plan along with a rezone request. Even if it were only a site-specific rezone request, the review standards required by the courts are: Whether conditions have substantially changed since the original adoptions of the zone, and that the rezone must bear a substantial relationship to the public health, safety, morals, or welfare.
4. A letter was sent July 3 to owners of heavy industrial properties, notifying them of the proposal and that the Planning Commission would be discussing it at the July 17 meeting.
5. This area has a complicated zoning history. Details are summarized in the attached "Zone Change History" table, but the short version is:
 - a. The whole Olympia to Lee area was one property which was annexed in 1993 and zoned Open Space in 1995. See 2010 Zoning Map.
 - b. In 1999, there was a request to rezone the first 600' north of Olympia to R-2 from west of 2nd to 9th, and R-1 from 9th to 14th (among other changes proposed). Many public hearings and meetings and much opposition later, Ord. 1054 was adopted (April 2000). Despite the many possibilities discussed in the months leading up to the ordinance (limiting to owner-occupied duplexes, require buffers, alleys, tree lines, walk path, fencing, require houses to have noise dampening), the only special conditions in the ordinance were Section 5, which stated the intent that all lands north of the rezone will eventually be zoned for non-public assembly and non-residential uses, which could

include accessory uses such as landscaping, parking, alleys, buffers, non dwelling or public assembly structures etc. (Note that Section 5 is questionable, since a Council may not take action that binds future Councils.) See 2011 Zoning Map.

- c. As part of the 1999/2000 zone change, a noise study was conducted and the boundaries were eventually set based at least partly on the results of the study, creating more residential property than was originally requested. The key point seems to be no residential closer than 750' to existing industrial (southeast corner of McCain & Wilbur Ellis properties); however, this condition appears to be more related to the property on the west side of 7th Ave since the McCain property is over 1300' from 7th Ave.
- d. Olympia to Lee was rezoned back Open Space in 2012 (Ord. 1469) related to farming and grazing sheep. See 2013 Zoning Map.
- e. In 2016, the City adopted a modern Comprehensive Plan, including maps. The previous (Ord. 1054) R-1 and R-2 Zone locations were shown (600' & 1000' from Olympia) as well as designating (but not zoning) south of Lee Road to Light Industrial, with a small amount of Open Space left in between. Staff was unable to find any minutes, notes, staff reports, or agenda memos about this change, but piecing it together from the sequence of maps, it appears the Light Industrial line was drawn in the growth area and extended into the city in this area. It may have been lined up with existing property lines. The first maps didn't show any other zoning inside the city. It isn't until a month later that the city zoning was added. It is at this point that the small remaining strip of Open Space becomes apparent. See the progression from:
 - i. Othello Growth Area map with hand-drawn designations
 - ii. 11-10-2015 Othello Growth Area Map (showing designations only in the growth area)
 - iii. 12-7-2015 Current Zoning & Growth Area Map (showing existing zoning in relation to the growth area and future zoning (green boundary)
 - iv. 1-11-2016 Zoning Map (showing white (presumably Open Space) north of the residential)
- f. The 2018-2020 Zoning Update used the 2016 residential zoning boundaries in this area. The industrial zoning on the Othello School District property was added to the 2020 Zoning update, at the suggestion of the Adams County Planning Commission.

6. Staff's conclusions:

- a. It is clear that conditions in this area have changed significantly since the Open Space designation was first applied in 1995. The full range of urban services is now available so it no longer makes sense to zone this land for agriculture. The land is now needed for the urban development it had been reserved for, so it is time to rezone it for an urban use.
- b. Noise: The distance from industry to residential was set at 750', so this does not affect the Sand Hill property, which is over 1300' from the Heavy Industrial designation north of Lee Road and over 1300' from the existing Heavy Industrial boundary to the west.
- c. Allowing residential another 300' north should not significantly affect industrial uses. But because the residential will likely be developed first, some sort of screening could be required, to lessen the impact on this property when the adjacent property is developed; however, OMC 17.74.060 Property Line Screening would require "full screening" by a nonresidential project abutting residential development, consisting of a fence and landscaping. Also, general legal advice is to avoid placing conditions on a rezone.

Attachments

- Zone Change/Comp Plan Amendment Application revised 5-15-2023
- Zoning Map from about 2010
- Zoning Map from about 2013
- “Othello Growth Area” map saved 11-9-2015 (hand-drawn designations)
- Othello Growth Area map dated 11-10-2015
- Zoning & Growth Area map dated 12-7-2015
- Zoning Map dated 1-11-2016
- Zoning Map adopted 2-10-2020
- Zone Change History for Olympia to Lee

Action: The Planning Commission should take all of the following actions:

1. Discuss the requested changes to the Comprehensive Plan Land Use Designation and zoning,
2. Give staff direction on whether other information is needed before the public hearing, and
3. Set August 21 as the public hearing date to formally consider the Comprehensive Plan amendment and zone change request.

MAY 15 2023



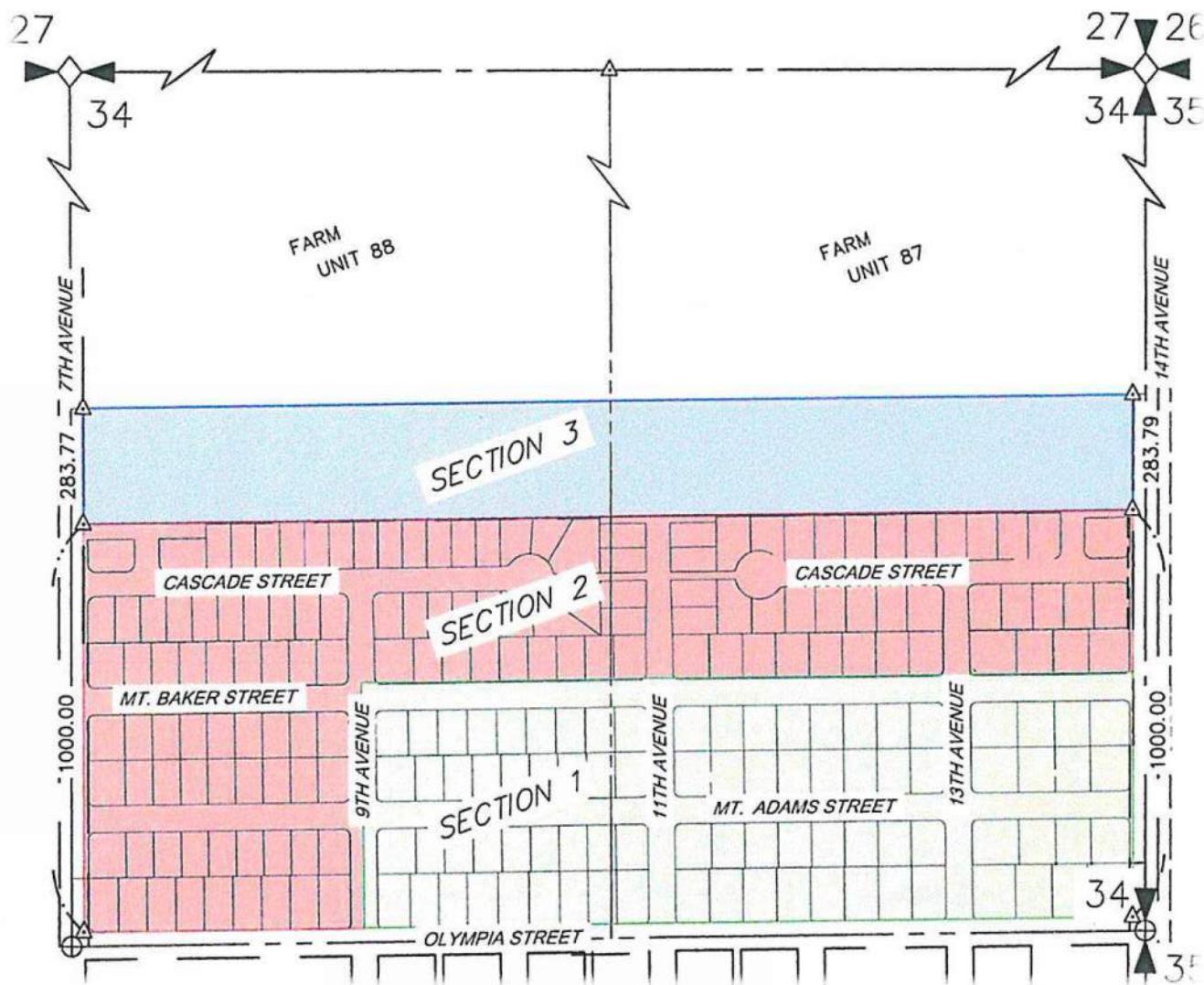
OTHELLO BUILDING & PLANNING

ZONE MAP AMENDMENT REQUEST

SAND HILL ESTATES

CITY OF OTHELLO, WASHINGTON

- Summary:** The purpose of this narrative shall be to outline the proposed Zone Map Amendment for a portion of the Sand Hill Estates development property in the City of Othello, Washington. The property in question is currently zoned Open Space Reserve, and the project proponent is requesting to amend the zoning to Residential "R-4". The property is located North of the Sand Hill Estates IV subdivision, and the entitled Sand Hill Estates V subdivision, in Section 34, Township 16 North, Range 29 East. The area in question is shown below as "Section 3":



- Zone Change Area:** ± 733,165 SF or 16.831 acres (Section 3) – See attached Legal and Exhibit

- Property Owner: Palos Verdes LLC – See attached Application
- Existing Zoning: “OPEN SPACE RESERVE” (Section 3)
- Proposed Zoning: Residential “R-4”

The following are questions found on the City of Othello’s Application for Comprehensive Plan/Zoning Map Amendment Supplemental Application:

1. What is the purpose or goal of the proposed amendment?

The purpose of this request shall be to amend the zoning of the property in question to continue with the Master Plan development of Sand Hill Estates, as originally presented to the City of Othello in 2012.

2. Describe the property: size, terrain, critical areas, etc.

The property in question was previously used as farmland, with gently rolling topography, sloping slightly East to West, similar to the land previously developed for Sand Hill Estates I, II, III, and IV. Sand Hill Estates V will be developed in 2023 on similar existing terrain.

3. What is the current use, zoning, and land use designation of the subject property and the surrounding properties (north, south, east, west)?

The current zoning of the property in question is Open Space Reserve, with the following adjacent zoning designations:

- North: I-1 Light Industrial
- South: R-1 and R-2 Residential (Sand Hill Estates)
- East: East of 14th Ave / Canal is not yet Incorporated farmland
- West: West of 7th Ave / R-4 Residential & Open Space Reserve

4. How will the proposal address the long-term interests and needs of the community as a whole?

The proposed Residential “R-4” zoning designation would provide the City of Othello with transitional housing options, and a functional buffer between the Residential “R-1/R-2” zoned property to the south (Sand Hill Estates), and the Light Industrial zoned property to the North.

5. Are there any changed conditions on the subject property or its surrounding area since the original zoning/designation that might support a change to the zoning/designation?

In 2011/2012 the property was purchased for the development of a multi-phased single family residential subdivision. A phased conceptual Master Plan exhibit was presented to the City of Othello for review and discussion. Plan). No mention of the Open Space zoning designation was brought to the attention of the developer, or our firm, and this designation

was also not presented on the official zoning map at this time. To date, the developer has extended the required infrastructure (sewer, water, streets, etc.) to the property in question, to serve future phases of the Sand Hill Estates development.

6. How does the request help implement the Comp Plan?

We feel this request is consistent with the City of Othello's Comprehensive Plan in that we are proposing to maintain a buffer between the two (2) zones, through a high density zoning designation (Residential "R-4"), and through the creation of a Grant of Noise Easement, which will overlay the property in question. Further, we encourage the City of Othello to impose a landscape buffer on the Light Industrial property to the North, IF the property is developed with a Light Industrial use. Generally speaking, governing agencies require a landscape buffer to be placed on a commercial, or industrially zoned property at the time of development, when it is adjacent to a residential zoned property.

7. Will the proposal have adverse impacts on adjacent properties?

This request will impact the Light Industrial zoned property to the North, which, if approved by the City, may be required to construct/implement a landscape buffer along their shared property line, "IF" the property is developed with a light industrial use. Placing this "open space" burden on the Sand Hill Estates property restricts residential development opportunities for the City of Othello, and negatively impacts the conceptual Master Plan for Sand Hill Estates. It is my professional opinion that the property North of Sand Hill Estates may at some point in the future be rezoned to accommodate future residential, commercial, or even educational needs in the City of Othello.

8. Is the proposal likely to cause significant adverse impacts to the city's transportation network, capital facilities, utilities, parks, or environmental features that cannot be mitigated?

The proposed zone change, and subsequent future development of this property will have no known negative impact to the City of Othello, as previously stated during prior public hearings, and communication with City staff. The development has already created single family residential home ownership opportunities in the City, and expanded/improved City infrastructure to serve the property in question.

9. Describe the suitability of the area for the proposed designation, considering adjacent land uses and the surrounding development pattern, and the zoning standards under the potential zoning classification.

Since the purchase of the property, the developers plan has always been to develop the property with a residential use. The proposed zoning designation would provide sustainable housing opportunities for the City of Othello, and a natural progression of higher density residential opportunities between the residential zoned land to the South, and the Light Industrial zoned land to the North. The residential development of this property will also expand the City of Othello infrastructure needed to serve any future development to the North. This zone map amendment would permit the landowner the right to continue to

construct residential housing, as presented, discussed, and since then modified, with the City of Othello's input, since the conceptual Master Plan was presented to the City in 2012.

10. Is the subject parcel(s) physically suitable for the requested designation and anticipated development, including access, provision of utilities, compatibility with existing and planned surrounding land uses?

The property in question is suitable for the requested zoning designation, and any future development, with more than sufficient access and utilities already being extended through the Sand Hill Estates development, to serve the property in question.

GRANT OF LIGHT INDUSTRIAL NOISE EASEMENT

THIS GRANT of Easement, executed this _____ day of _____, 202____, by PALOS VERDES LLC, a Washington limited liability company, further known as the GRANTOR, provides a Grant of Industrial Noise Easement to the City of Othello, Washington, further known as GRANTEE.

WITNESSETH:

NOW, THEREFORE, in consideration for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor, for itself, its heirs, administrators, executors, successors and assigns, does hereby grant, bargain, and convey unto the Grantee, its successors and assigns this easement for the public acknowledgement of potential light industrial development and operational noise that may potentially impact the residential properties, existing and or proposed, that are described within the following legal description that is hereby made a part of this document.

GRANTOR(S), their successors and assigns, do hereby fully waive, remis and release any and all right for cause of action which they may now have or which they may have in the future against GRANTEE, its successors and assigns, due to said noise caused by the lawful operation and use of the adjacent light industrial zoned property.

All rights, easement, releases, benefits, and estates granted hereunder shall be covenants running with the land described in below:

That portion of Farm Units 87 and 88 in Section 34, Township 16 North, Range 29 East, Willamette Meridian, Adams County, Washington, described as follows:

Commencing at the southeast corner of said parcel at the North edge of Olympia Street right-of-way and extending North along 14th Avenue one thousand two hundred and eighty three and 79/100 feet (1283.79'), then West to a point one thousand two hundred and eighty three and 77/100 feet (1283.77) North of the northerly right-of-way of the intersection of Olympia Street and 7th Avenue, then South along the center of 7th Avenue to the southwest corner of said parcel at the North edge of Olympia Street right-of-way, then East along the North right of way of Olympia Street right-of-way to the Point of Beginning. Excepting the South one thousand feet (1000)

The GRANTEE, its successors and assigns, shall have and hold this Grant of Easement subject to the following considerations, covenants and reversions:

- (a) GRANTORS are authorized to develop this property under the R-4 zoning designation, in accordance with City standards and requirements at the time of development request.

- (b) If the southern 200' of the adjacent property to the North is not developed with a light industrial use, then this Grant of Easement shall automatically terminate and revert to the GRANTORS, their successors and assigns, and the easement herein granted shall no longer exist as an easement upon, over and across the property.
- (c) Nothing contained herein shall be construed as a waiver by GRANTORS, their successors or assigns, or any right provided by law for redress due to the unlawful and negligent use of the adjacent property (excessive noise not generally permitted by the City, etc.).

IN WITNESS WHEREOF, the GRANTOR has caused this Grant of Easement to be executed the day and year first above written.

GRANTOR

PALOS VERDES, LLC

By: _____
Angel Garza

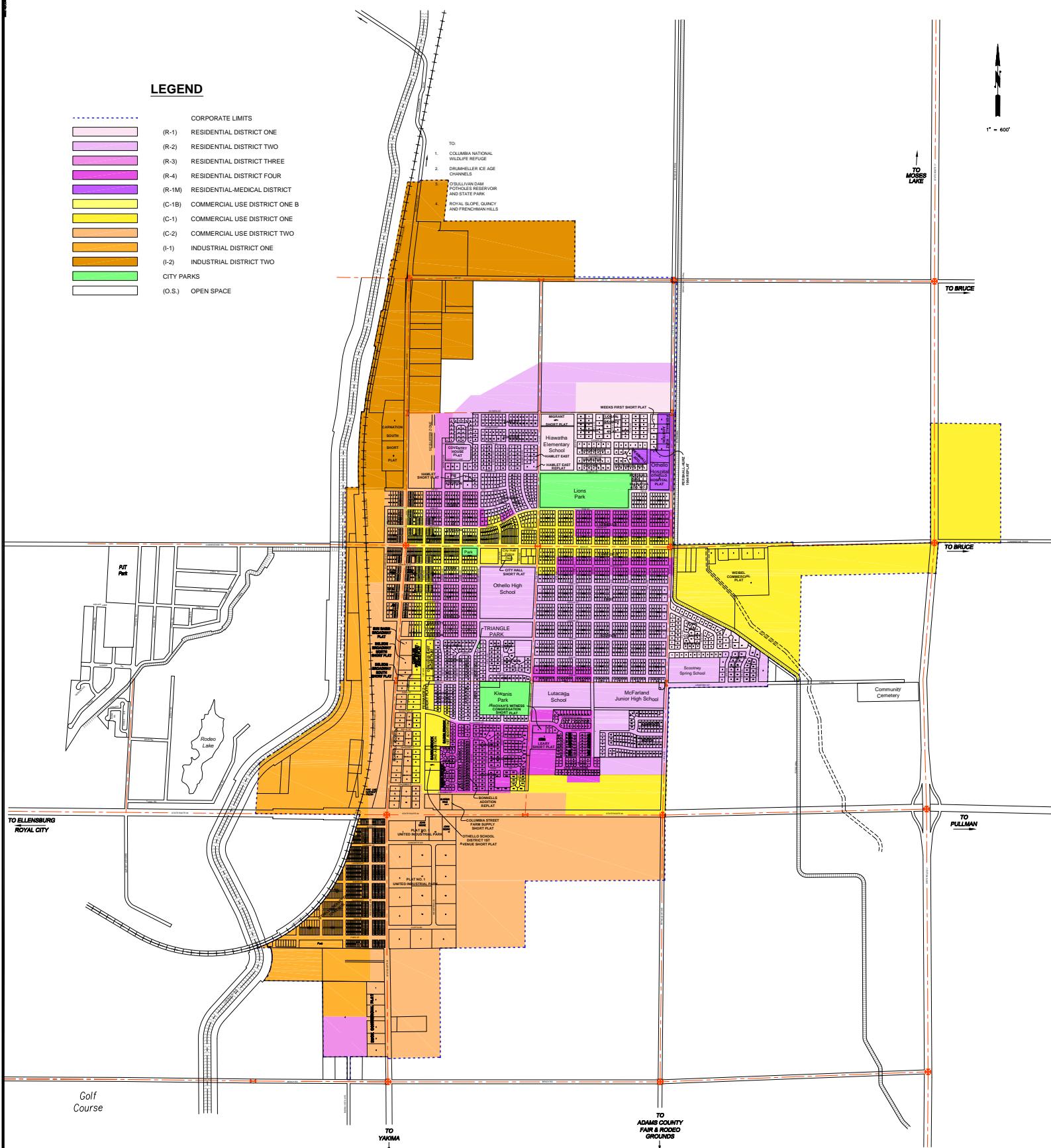
STATE OF WASHINGTON))ss
County of Adams)

On this _____ day of _____, 20_____, before me, a Notary Public in and for the State of Washington, personally appeared the above party, known or identified to me to be the Manager of Palos Verdes LLC, the Company that executed the aforementioned Easement, who acknowledged to me that he is authorized to sign on behalf of the Company and said Company executed the same.

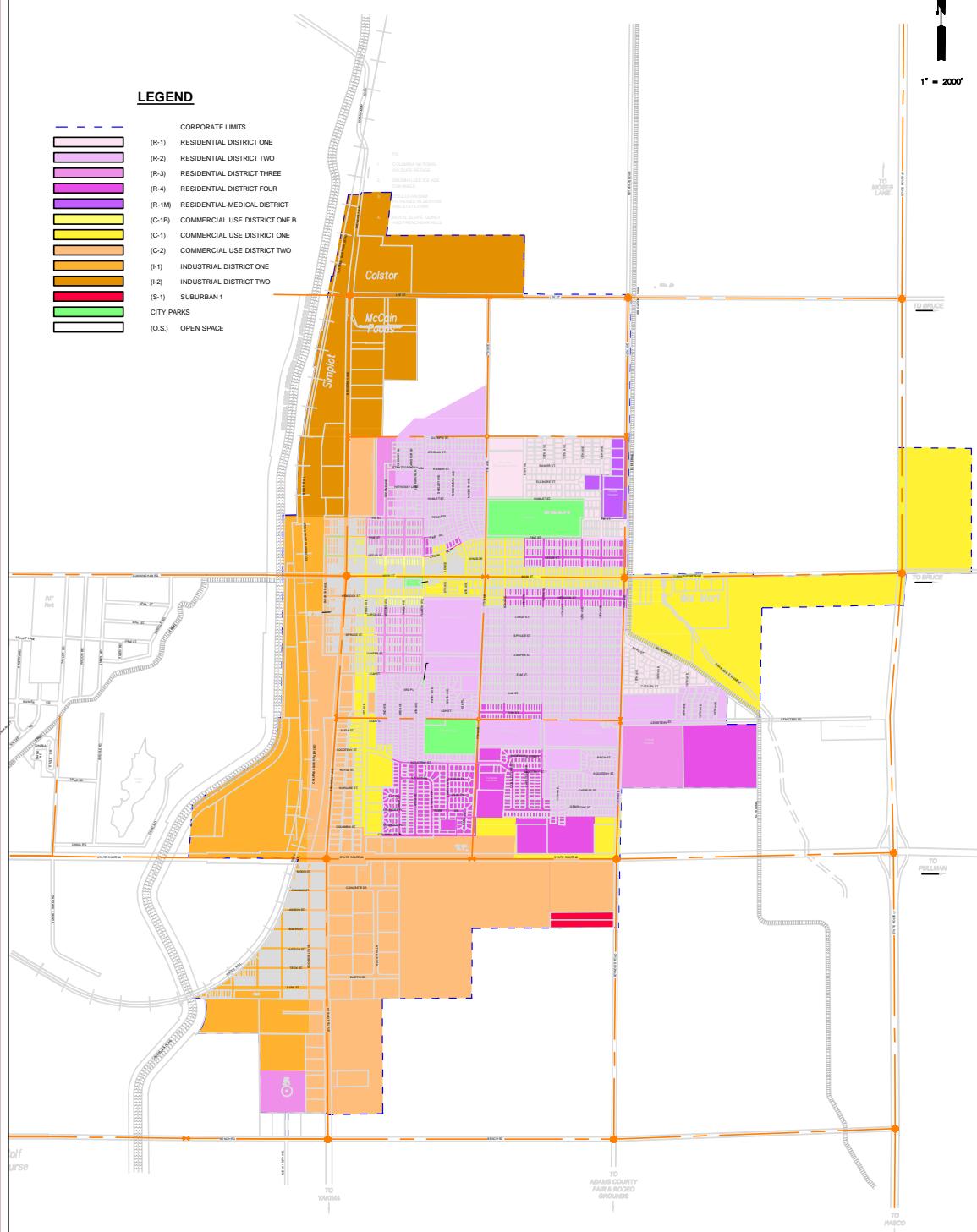
Notary Public in and for the State of Washington
Residing at:

LEGEND

	CORPORATE LIMITS
■	(R-1) RESIDENTIAL DISTRICT ONE
■	(R-2) RESIDENTIAL DISTRICT TWO
■	(R-3) RESIDENTIAL DISTRICT THREE
■	(R-4) RESIDENTIAL DISTRICT FOUR
■	(R-1M) RESIDENTIAL-MEDICAL DISTRICT
■	(C-1B) COMMERCIAL USE DISTRICT ONE B
■	(C-1) COMMERCIAL USE DISTRICT ONE
■	(C-2) COMMERCIAL USE DISTRICT TWO
■	(I-1) INDUSTRIAL DISTRICT ONE
■	(I-2) INDUSTRIAL DISTRICT TWO
■	CITY PARKS
■	(O.S.) OPEN SPACE



Saved 5-15-2010



Saved 2-13-2013

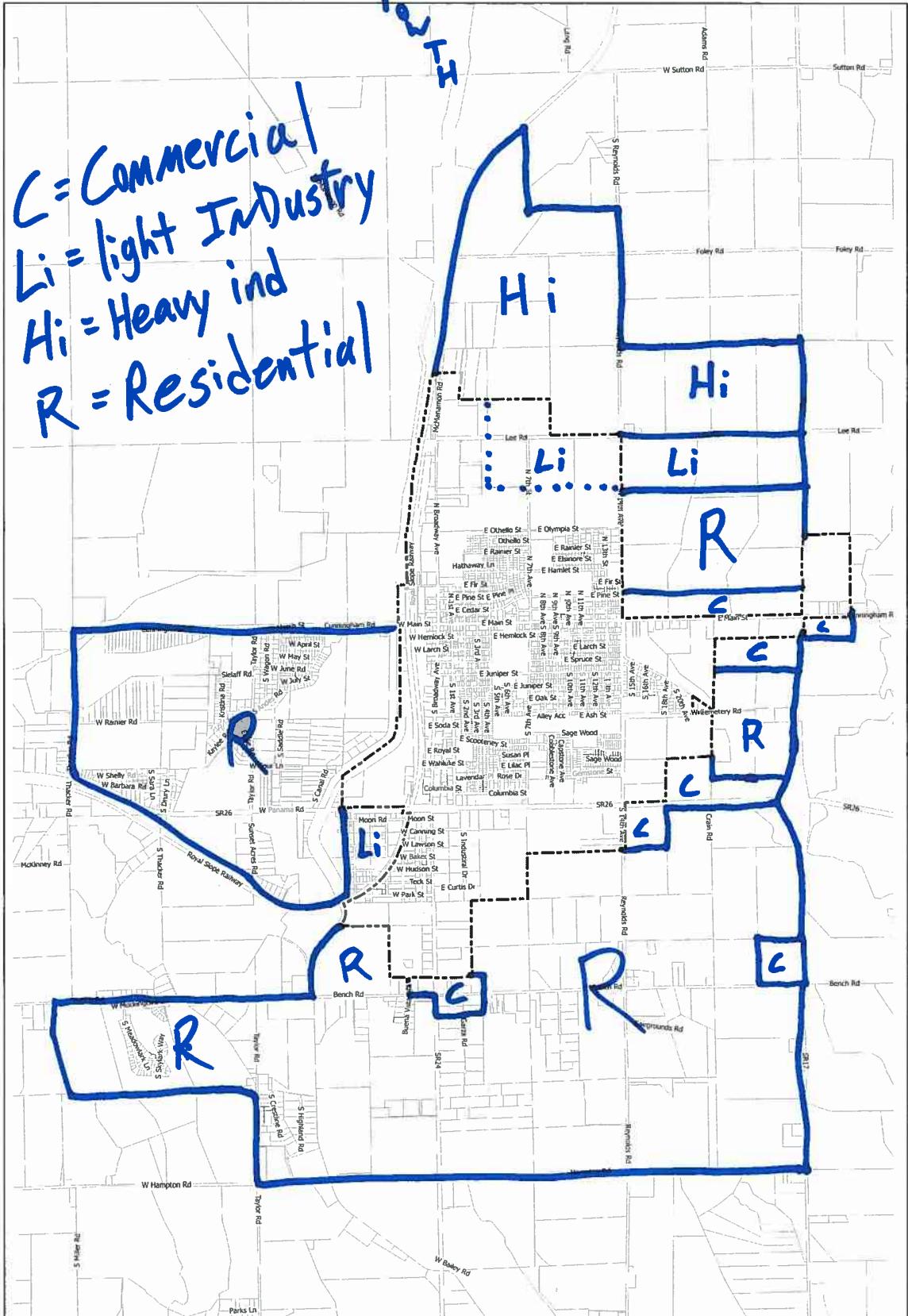
**CITY OF OTHELLO
ZONING MAP**

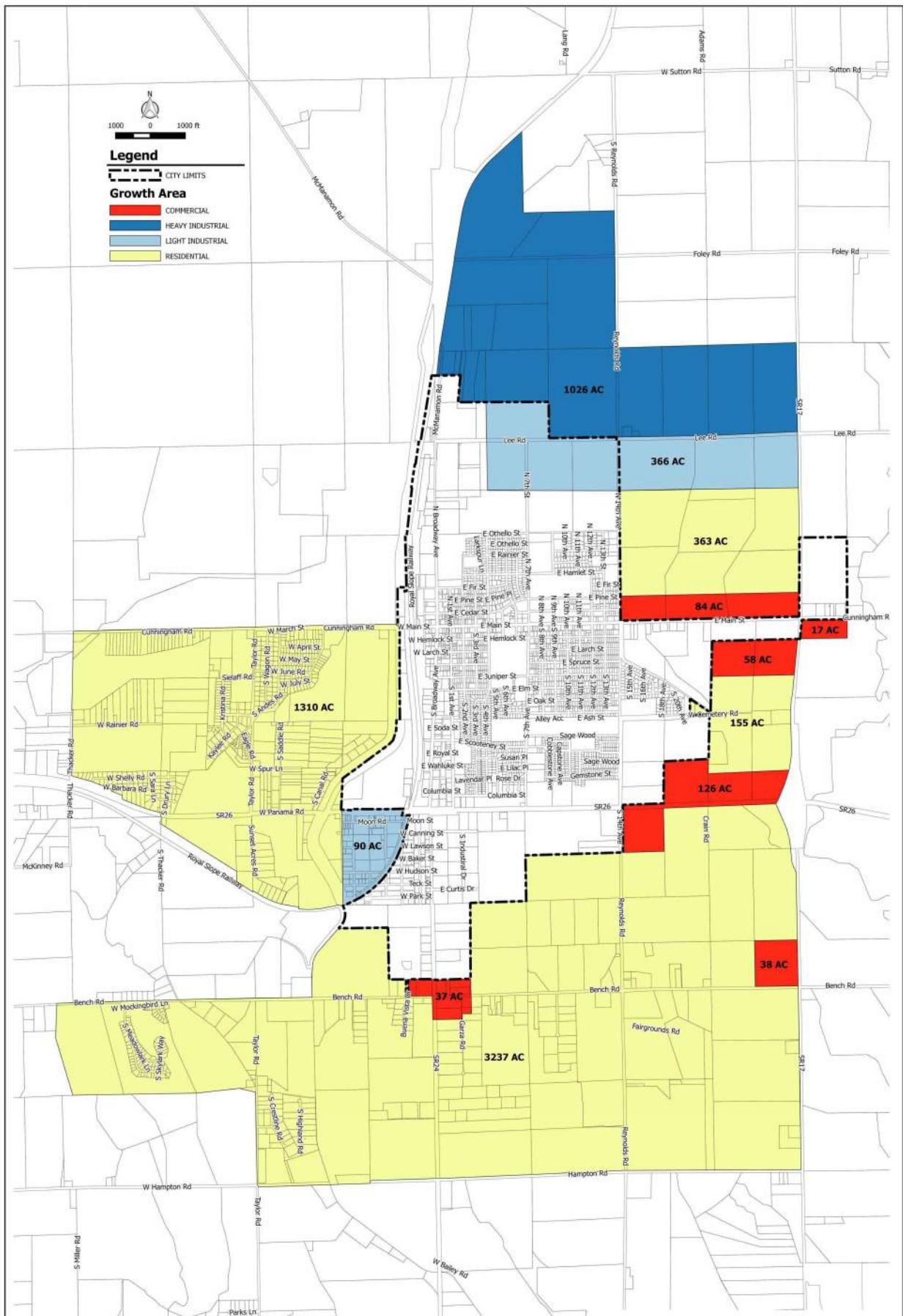


Gray & Osborne, Inc.
CONSULTING ENGINEERS

Othello Growth Area

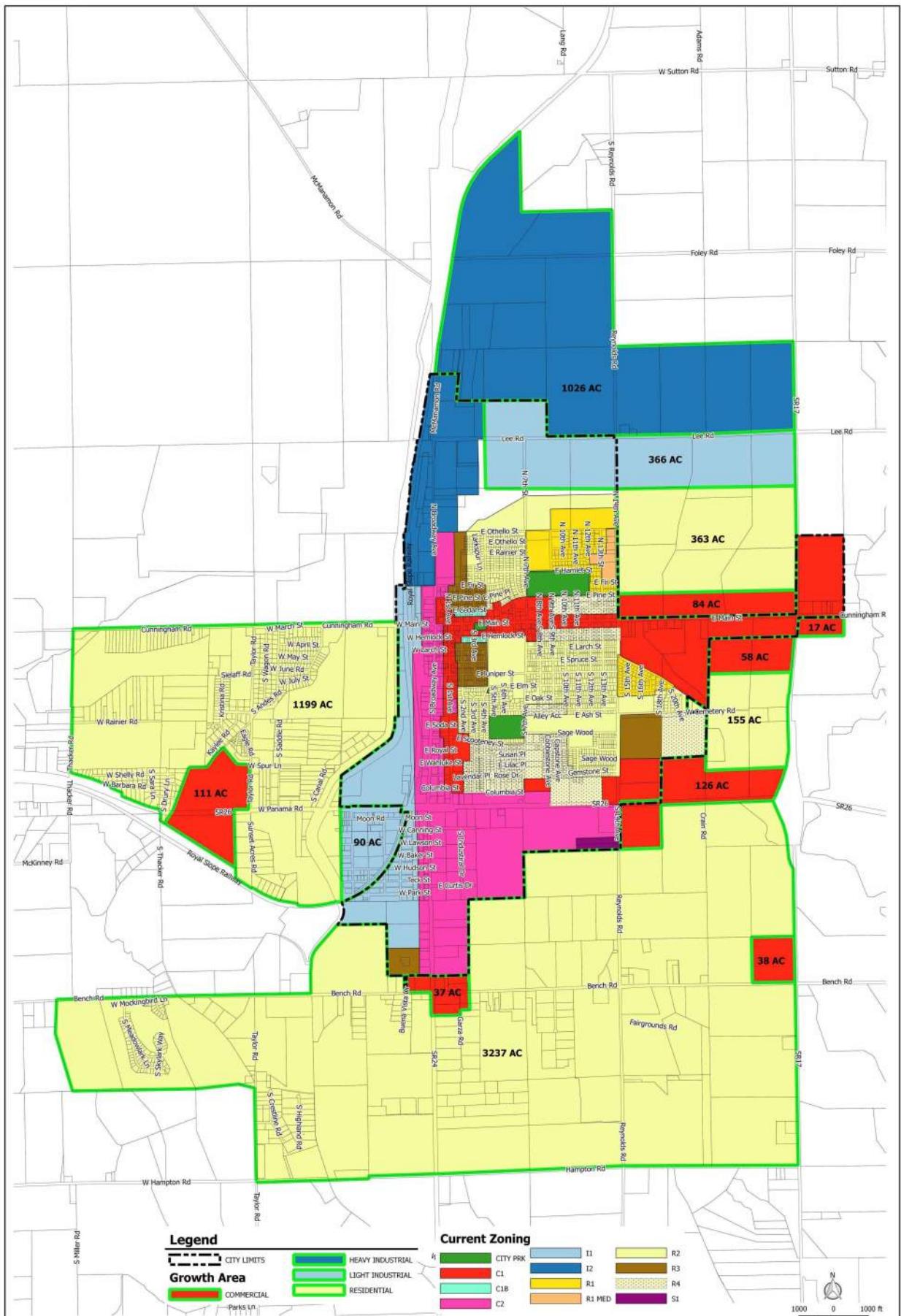
C = Commercial
 Li = light Industry
 Hi = Heavy ind
 R = Residential





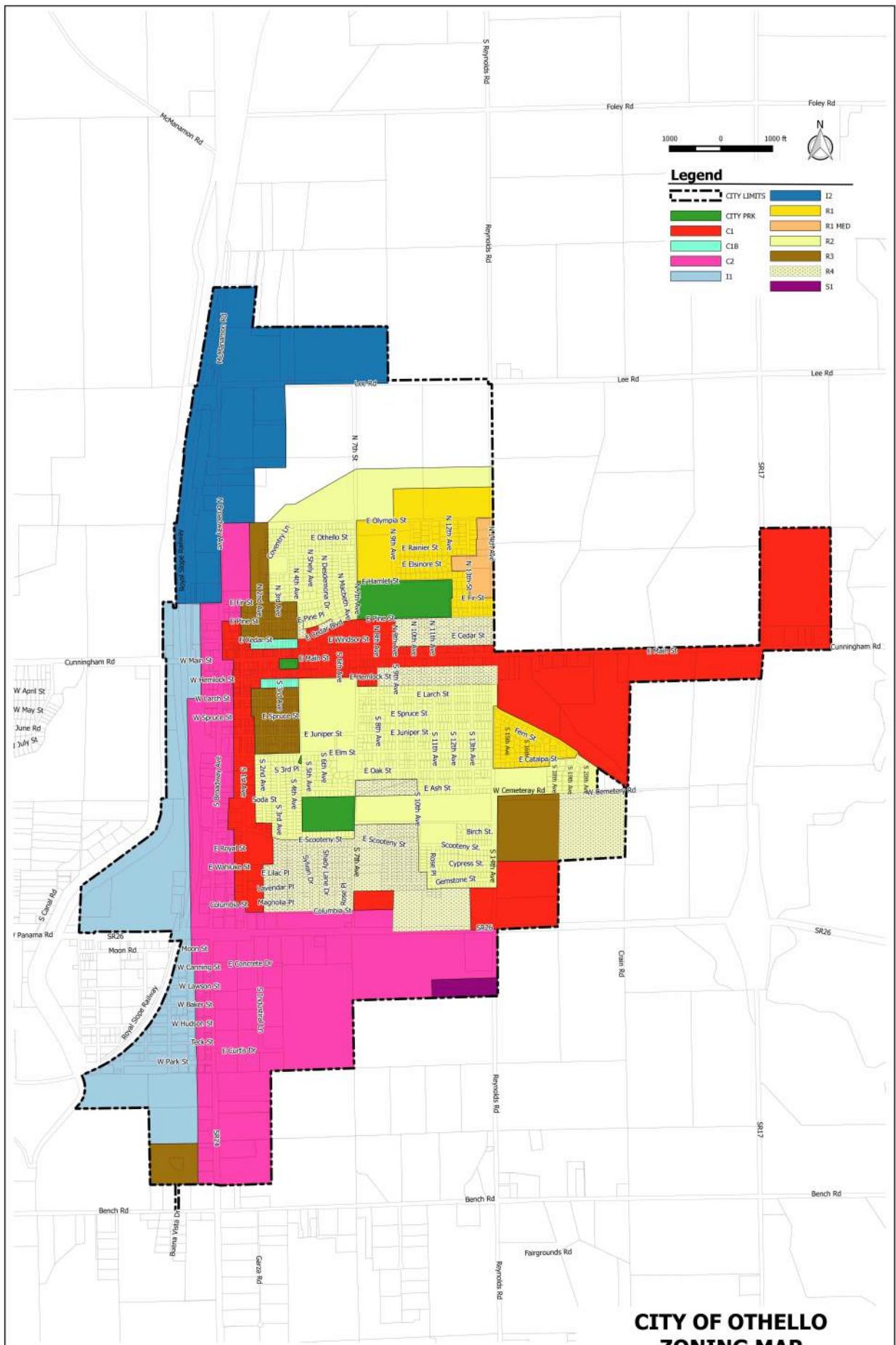
CITY OF OTHELLO OTHELLO GROWTH AREA

November 10, 2015



CITY OF OTHELLO CURRENT ZONING & GROWTH AREA

December 7, 2015



CITY OF OTHELLO ZONING MAP

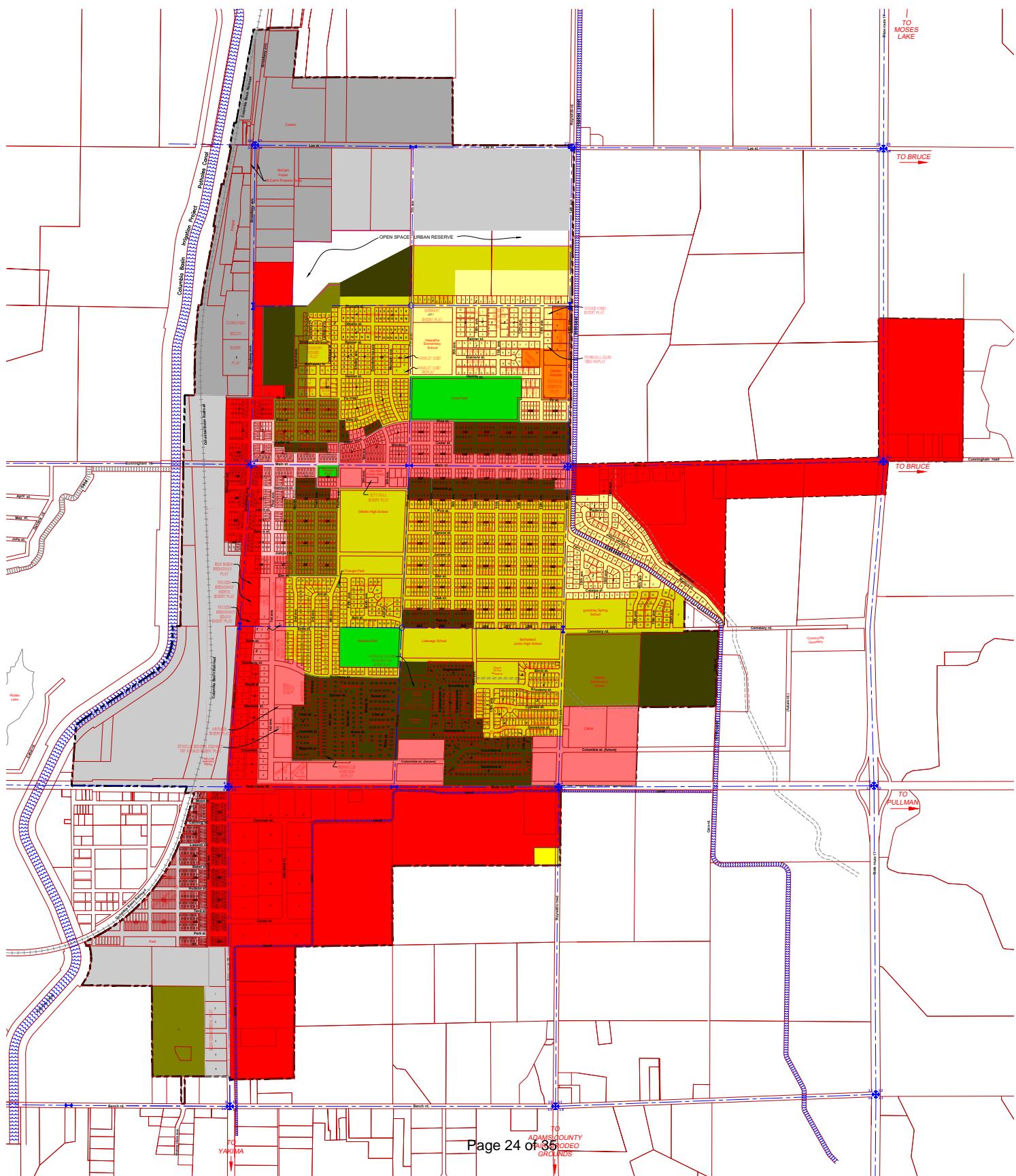
January 11, 2016

LEGEND

(R-1)	RESIDENTIAL DISTRICT ONE	(I-2)	HEAVY INDUSTRIAL ZONE
(R-2)	RESIDENTIAL DISTRICT TWO	(S-1)	SUBURBAN 1
(R-3)	RESIDENTIAL DISTRICT THREE	(O.S.)	OPEN SPACE - URBAN RESERVE
(R-4)	RESIDENTIAL DISTRICT FOUR		CITY PARKS
(R-M)	RESIDENTIAL-MEDICAL DISTRICT		CITY LIMITS
(C-1)	TRADITIONAL COMMERCIAL ZONE	191	LOT NUMBER
(C-2)	CENTRAL COMMERCIAL ZONE		BLOCK NUMBER
(C-3)	LARGE SCALE COMMERCIAL ZONE		CANAL
(I-1)	LIGHT INDUSTRIAL ZONE		PLAT NAME

**CITY OF OTHELLO
ZONING MAP**

February 10, 2020



Zone Change History for Olympia to Lee

Date	Action
1993	Annexed. Ord. 893. No zoning established, but ordinance states, "The newly-annexed real property described in Section 1 shall be allowed to continue in its current use until it is zoned."
1995	Handwritten note on copy of Ord. 893 in rezone file says "property zoned Open Space 12-31-95". The last ordinance in 1995 was Ord. 976 adopting the zoning map.
12-20-1999	Rezone request received: R-2 for 600' north of Olympia, from 150' west of 2 nd Ave to 9 th Ave R-4 for 10 acres west of 7 th R-1 for 9 th to 14 th R-2 (from R-3) for 150' west of 2 nd to 4 th and between Hamlet and Olympia 50' buffer zone currently shown running north-south relocated to run east-west between Residential and Industrial C-2 (from I-2) for Taggares corporate office (Rezone file is labeled "Taggares Rezone Olympia Street")
1-18-2000	Planning Commission public hearing. Opposition from residents with concerns about traffic (increased amount and speeding), that it would restrict industrial expansion, school crowding, not wanting duplexes and apartments, property values. Support from a builder because there is a housing crunch, income level for the average citizen puts constraints on the builder, this area already has water and sewer and would be fairly easy to lay out. Petition submitted of people asking that the area be kept as single family. Opposition from McCain and Nestle related to lack of environmental checklist, lack of a good zoning transition, limiting industrial expansion. Letter of support from the Senior Citizens Club. Continued to 2-22-2000
1-25-2000	SEPA Determination of Non-Significance (DNS) issued.
1-26-2000	Comments from McCain Foods: 1. Request to review environmental checklist at least 2 weeks before the next scheduled meeting. 2. Request to see the Comprehensive Zoning Plan for the entire area. 3. There should be a tiering down of zoning, from heavy industrial to residential. 4. Many years ago, the McCain facility was built away from residents for several reasons. Now is not the time to start bringing households closer to the facility. 5. McCain is a major employer in the Othello area. Allowing homes to be built closer to our properties could restrict us from expanding in the future.
2-1-2000	Memo from Curt Andrews to Mayor, City Administrator, & Planning Commission Chair: "After pondering input over the last few months on the residential zoning north of Olympia, I recommend/suggest/discuss the following: 1. We adopt new industrial zones to be compatible with the comp plan (attachment referenced but not in file). 2. We adopt new residential standards to make more distinction (than just duplexes) between the different zones (attachment referenced). 3. We rezone all areas between Olympia and Lee. 4. Rather than use R-4 (which would allow anything to occur in the future), we do the retirement areas using planned unit development methods, which will be case by case. 5. The planned unit developments would be limited to retirement/assisted living ranging from small individual dwellings to large care homes."

Date	Action
	<p>6. We would all agree that when the area is platted, the following will be required:</p> <ul style="list-style-type: none"> A. Developer will construct buffer along the residential/industrial line. B. PJ Company will dedicate land for 100' buffer from 14th to pond. C. Developer will build irrigation system and plant trees. D. Between buffer and development would be 20' alley. Buffer could have 6' asphalt walk path connecting 14th to Broadway. E. Buffer will be dedicated to city 5 years after planting (to ensure trees take hold). F. City would agree to maintain buffer/walk path/alley. G. Industry would build and maintain 6' chain link fence on north side of buffer and ensure that 500' from fence north would only be used for I-1 and I-2 uses. H. Taggares Co would fence their pond. I. Developer would build wider and safer Olympia w/sidewalks set back from curb on both sides of street. J. Taggares Co would dedicate all of Olympia w/80' ROW and agree to build their half of the south side of their office when requested by city. <p>I think this arrangement would address all the comments heard from the public except the desire to have no buildings or zoning higher than they have. I feel this is a compromise between PJT Company's desire to zone most of this area residential and McCain's desire to zone none of it residential. It also accommodates developers having the least amount of roads and improvements for the maximum number of lots and development."</p>
2-1-2000	<p>Memo from Curt Andrews to Planning Commission:</p> <p>"Safety on Olympia: In order to provide a higher level of safety, we should locate the sidewalks as far away from the curb as possible. We must have no trucks on this route with a maximum speed of 30 mph. This will require that the developer dedicate a wider ROW (80') and install sidewalks on both sides of the road including where the existing developments have already occurred without sidewalks.</p> <p>Safety of children from the industrial areas: The residential area should be fenced off from the industrial area with a 6' chain link fence as industries are developed and the buffers installed. The fence will be located on the north side of the tree buffer, which would be built by the developer and maintained by the city.</p> <p>Getting the big picture: What will happen north of this and how it will transition to industry is an important question. We need to get everyone to agree to the comprehensive zoning plan, which will provide the transition and buffers at this time for the area all the way to Lee Road.</p> <p>Protecting property values: The public did not want structures built that would lower property values. To ensure this, we need to tighten up the R-2 Zone to ensure they are compatible with most of the existing R-2 in the area. There were several comments asking that land adjacent to their homes be zoned higher than their zone to increase their property values. Because of the required housing mix for all different classes of houses, we need to maintain a balance between the R-1 through R-5 zones and should not zone everything R-1.</p> <p>Noise and odor: The existing houses and new houses would have an impact from the processing plants. Therefore a tree buffer needs to be installed to deflect the objectionable impacts away from the houses and provide a 500' space of less intensive use (I-2) provided between housing and existing industry."</p>

Date	Action
2-7-2000	McCain Foods comments: DNS based on faulty/incomplete checklist so it is invalid and should be withdrawn, does not evaluate the entire proposal, takes a piecemeal approach to SEPA, does not address all government permits and approvals, does not address surface water bodies, does not analyze capacity of stormwater retention pond and impacts by rezone and subsequent development, does not analyze hazards of Wilbur-Ellis chemicals and pesticides, does not analyze impacts of new homes, traffic, school demand, sewer, water, and other utilities; can water be supplied to new development when the city has previously said it may not be able to supply water to the two largest employers?
2-14-2000	Noise study by Taylor Environmental Engineering. Two samples were taken: 7-9 PM and 7:30-9:30 AM the following morning when it was overcast with snow. The sampling route was Lee Road, Reynolds/14 th , Olympia, 7 th , and the boundary of the existing developed industrial area. Conclusions in report: Study area meets daytime standards for residential but not nighttime standards (10 dBA less). However, per WAC 173-60-050, noise from existing industrial installations which have exceeded the limits consistently over the last 3 years can continue. WAC 173-60-40 exempts warning devices not operating continuously for more than 5 minutes and sounds created by safety and protective devices when noise suppression would defeat the intent of the device. Per the report, all samples exceeded 45 dBA (nighttime limit for residential). All samples were less than 55 dBA, with exceptions, including an undefined area that was discounted because of muffling from removable tanks and other items temporarily stored on site.
2-15-2000	<p>Memo from Curt Andrews to City Attorney with history of project: "Two years ago, met w/PJ Taggares to begin comprehensive zoning to "pre-process" sites to make them prime for development of residential, commercial, and industrial lands. This pre-processing would include the annexations, rezones, etc. that are required to have a site ready to build on. This is when the draft comprehensive plan began to take the shape it currently has.</p> <p>About 6 months ago we met with a company wanting to build a retirement campus along with McCains and Tom Dickey for this particular project at the corner of 7th and Olympia. At the time, Taggares Co. requested that we rezone this 10-acre parcel. However after discussions with all involved, I thought it more prudent to rezone a larger area more compatible with the draft comp plan that had already been agreed to. We could begin to designate the residential/industrial line, which was vaguely shown as a row of trees on the draft comp plan.</p> <p>After discussions with all involved, the City expanded the rezone to 1000' north of Olympia providing a 500' buffer to industry. This was a balance between McCain wanting it all industrial and Taggares wanting it open for future changes as the market changes. We then met with the public and had good public input and modified the details to address most of the public comments (attached sketch shows R-1 & R-2 north of Olympia, 60' buffer, 6' fence, 30' trees, 5' path, 20' alley north of R-2, then a strip of I-2, then a wider area of I-3 up to Lee).</p> <p>However now McCain is pushing to have it all zoned, specifically providing a buffer for future lands that they may purchase for future growth. Taggares Co does not want to provide a buffer for McCains future."</p>
2-16-2000	Noise study distributed to P.J. Taggares Company, McCain Foods, and Nestle Brand Foods.

Date	Action
2-16-2000	Memo from City Attorney Jim Whitaker to Curt Andrews: Important to remember the space between the residential uses and industrial uses not just a buffer but is a transition area. A transition zone clearly envisions use of the land in a productive manner.
2-18-2000	Fax from City Administrator to Taggares Company, McCain Foods, and Nestle Foods: Map of proposed rezone area. Based on limiting the western and northern boundary of the residential zone to be no closer than the current distance between the current industrial area and the nearest current residential area.
2-22-2000	Planning Commission public hearing. Discussion of zoning for 1000' north of Olympia. City Administrator provided responses to McCain's comments on SEPA. Noise study presented by staff. Testimony: Concerns about moving residential closer to industry and how that affects future industrial expansion. Concerns about smells from industrial areas causing complaints in proposed residential areas. Concerns about school overcrowding. Testimony in support from a local builder but concerned that R-2 regulations were going to get more restrictive and limit residential growth. Staff's response to the public testimony was that the industrial plants are making every effort to control smells, houses could be required to be built to a higher standard to dampen noise inside the house, a planned industrial expansion would be adding \$180,000 in property taxes for schools. Public hearing continued to 3-20-2000
2-28-2000	Memo from Curt Andrews to Planning Commission: Noise: Industry should be required to mitigate their nighttime noise to within the state standards, but only to the extent that it enters onto existing residentially zoned land. Putting houses closer to an existing industrial zone would add a burden to the plants. Putting them further away would take housing away from the developer. Growth: We need to make sure to allow room for the plants to grow around their existing site for the processing operation. Emissions: Smell from the plants can be more of a concern than the sound. The sound is usually a consistent background noise but in the past smell has been a problem. Goal: The Planning Commission needs to do what is best for the community as a whole and not lean towards special interests or local residences personal gain in deciding a rezone. Land Use: There were comments to provide more housing closer to Lee Road east of 7 th Ave. However keep in mind that Lee Road is an industrial corridor since it has the substantial investment of infrastructure for industry and should be preserved for that.
3-20-2000	Planning Commission public hearing. Action limited to 1000' north of Olympia. Another hearing to be held in the future for the area north to Lee Road and south of Olympia. ¹ Staff provided a map showing gradual transition from existing residential areas to existing industry: R-1 & R-2 along Olympia and for the first 1000', then moving north into C-1 (300'), then C-2 (350'), then I-1 for 1000' to Lee. Staff's proposal was for a Planned Unit Development so future developments would come back to the Commission at a new public hearing to discuss special uses for this area. Testimony objecting to proposal for R-2 for a portion along Olympia instead of all R-1. Concern about apartments and duplexes in R-2. Staff stated duplexes would be owner-occupied

¹ Checked ordinances from this point through Feb. 2012 (Ord. 1355) and found no ordinances related to zoning north of the residential north of Olympia. Later review of all zoning ordinances found Ord. 1372 which rezoned the whole area back to Open Space. Ord. 1469 in 2016 adopted the Comp Plan and new maps, including the previous R-1/R-2 configuration and also Light Industrial designation (but not zoning) south of Lee Rd.

Date	Action
	<p>and there would be no apartments. McCain Foods manager questioned the 650' of commercial zoning, because he understood it would be 750' to residential because of noise. Staff responded that when he reads it into evidence, it will be 750' to the nearest residence. At the close of the hearing, staff stated that the proposed commercial would need to be different from the other C-1 and C-2 zones. The intent is to keep high density uses away from the industrial plants. Existing commercial zones allow churches, assembly buildings, RV parks, and mobile home parks, which should not be allowed in this area. Staff recommended a condition that assembly uses for over __ people and residential uses such as RV parks and daycare be prohibited. Staff also recommended that lots fronting Olympia should be owner occupied duplexes or single family homes. Staff discussion about tree buffer, not necessarily effective at reducing noise but developer would maintain it. Recommendation to Council, conditional on lots north of Olympia shall have single family dwellings or owner-occupied duplexes only and no commercial day care or RV or mobile home parks in the commercial zone.</p>
3-23-2000	<p>Planning Commission Findings of Fact, Conclusions, and Decision signed.</p> <p>Findings:</p> <ol style="list-style-type: none"> 1. The proposed rezone is compatible with the draft Comprehensive Plan. 2. It provides a gradual transition from existing residential areas to existing industry. 3. It will protect the housing from industrial encroachment and will protect the industry from residential encroachment. 4. It does not place any new residential zones any closer to the noise producing industry than currently exists. 5. It fits closely with the sound evaluation drawing dated 2-22-2000. 6. This is a good compromise between all of the special interests that were voiced during the 3 public hearings. 7. It provides a commercial buffer zone between the residential and industrial uses. 8. It can be done immediately with our current zone definitions and will be compatible with the proposed new zone definitions. 9. It will allow for Planned Unit Developments to enable unique residential developments with public approval. 10. It will provide a good mix of R-1, R-2, and R-3 housing areas. 11. It provides for an efficient land and infrastructure use by fitting into our standard block and alley layout. <p>Conditions:</p> <ol style="list-style-type: none"> 1. A buffer of trees and alley are provided between the residential and commercial zone. 2. Assembly uses, open to the public, having more than 50 people in one room, and residential uses (daycare, RV, mobile home and motel, etc.) are prohibited north of the residential zone due to the proximity to the industrial plants and the hazard of and ammonia release and other hazards. 3. No dwelling shall be closer than 750' from the existing industrial zone, which is the SE corner of McCain and Wilbur Ellis properties. 4. The R-2 lots immediately north of Olympia Street shall have single family dwellings or owner-occupied duplexes only.
3-23-2000	<p>Memo from Curt Andrews to PJ Taggares Company and McCain Foods: The attached drawing is what the City understands our arrangement to be. The important point being</p>

Date	Action
	<p>the 750' from the existing industrial zone to any dwelling and all of the area north of this line will always be non-residential in use.</p> <p>We will begin the process to zone that area north of the line to Lee Road this next month; you will be receiving notice of this rezone. If this is not acceptable, please let me know immediately before we go to Council March 27 to set the final public hearing.</p>
3-27-2000	<p>Planning Commission's Findings of Fact, Conclusions, and Decision presented to Council. Planning Commission recommended rezoning to R-2 for the area 1000' north of Olympia, except a 600'x1800' R-1 portion, and non-residential uses west of 7th Avenue above a diagonal line starting 1000' north of Olympia, running southwest to a point 350' north of Olympia on 4th Avenue extended. 750' noise buffer between Residential and Industrial.</p> <p>Council set the public hearing for 4-10-2000.</p>
4-10-2000	<p>Council public hearing. Minutes state Planning Commission held 3 public hearings on the rezone issue. There was interest in the property being rezoned to R-4 but that is not included at this time. The Planning Commission had recommended that the R-2 lots immediately north of Olympia Street will be issued building permits for single family dwellings or owner-occupied duplexes only. Testimony opposed to the rezone, concerned about maintaining the rules and enforcement of owner-occupied duplexes. Concern about residential areas being so close to industrial areas and the need to allow existing potato plants continued growth. Testimony in favor of the rezone because of the need for more residential lots to build on.</p>
4-10-2000	<p>Ord. 1054 rezoned portion from Open Space Reserve to R-1 and R-2 (matching 2020 zoning). Includes Section 5: "Let it be known that it is the intent of the City of Othello that all lands North of these parcels will eventually be zoned for non-public assembly and non-residential uses but could include accessory uses such as landscaping, parking, alleys, buffers, non dwelling or public assembly structures, etc."</p>
11-5-2012	<p>Request from Terra Gold Farms for a variance to bring sheep in to pasture the blue grass between Olympia Street and Lee Road, and 14th Avenue and 7th Avenue.</p>
11-19-2012	<p>Planning Commission considered a rezone for the parcel that is currently zoned residential from 7th Avenue to 14th Avenue, Lee Road to Olympia Street, to Open Space, to allow the farming that is currently being done on this site. Also a request to allow electric fencing in the Open Space Zone. Planning Commission voted in favor of both requests.</p>
11-26-2012	<p>Public hearing on the rezone request to Open Space. Described in agenda memo and minutes as 14th to 7th, Lee to Olympia.</p> <p>Ord. 1372 rezoned Parcel 1529030681077 from multiple zones of Open Space Urban Reserve, Residential 1, and Residential 2 to Open Space Reserve across the entire parcel.</p>
4-11-2016	<p>Ord. 1469 adopting Comp Plan and maps reflected the 2000 R-1/R-2 boundaries north of Olympia and designated the area to the north Light Industrial, leaving a small strip of the previous Open Space Reserve in between. It appears the Light Industrial line was drawn on the Growth Area Map, both inside and outside city limits, without reference to the existing zoning in the city. Staff could only find maps, no minutes, staff reports, or notes about how this line was chosen. It may have been intended to line up with the quarter-section line. The Industrial Zoning was not applied at this time, though, leaving the entire area north of the residential to Lee Road as Open Space.</p>

Date	Action
12-12-19	Adams County Planning Commission, as part of trying to achieve coordination between City and County zoning, discussed the Othello School District property south of Lee between 7 th and 14 th . They felt this property is suited to Light Industrial, which is how it was designated in the City's Comprehensive Plan, and therefore the County Planning Commission felt the City should rezone it to I-1 as part of the area-wide zoning update the City was working on. This was a study session, not a regular meeting, so they did not issue a formal recommendation.
12-16-2019	Adams County Planning Commission Chair Bob Carlson conveyed the County Planning Commission thoughts on the School District property to the Othello Planning Commission. The Othello Planning Commission voted to add this rezoning to their recommendations to the Council. (There were several subsequent meetings where this issue was discussed)
2-10-2020	After a several-month process dealing with many aspects of a major overhaul of the Zoning Code and city-wide rezones (which started with Planning Commission review in 2017), Council adopted Ord. 1548 amending the Comprehensive Plan Future Zoning & Growth Area Map and adopting a new Official Zoning Map. The boundary between Open Space and R-2 matches what was adopted in 2000 and 2016. The Light Industrial zoning matches the Comprehensive Plan designation adopted in 2016.

City of Othello
Building and Planning Department
June 2023

Building Permits			
	Applied	Issued	Final
Residential	15 ¹	17 ⁴	16 ⁷
Commercial	2 ²	3 ⁵	4 ⁸
Industrial	0	0	3 ⁹
Total	17	20	23

¹ 1 single family, 1 addition, 2 siding, 4 reroof, 1 patio cover, 1 remodel, 1 HVAC, 4 fences
² Adams County evidence facility temporary structure, mechanical (new oven) at 337 E. 1st Ave.
⁴ 2 single family, 3 HVAC, 2 additions, 1 siding, 5 reroof, 1 remodel, 3 fences
⁵ Hood at pool concession stand, shed at OSD office, new oven at 337 E. 1st Ave.
⁷ 1 single family, 1 pool & hot tub, 2 HVAC, 2 additions, 1 fire repair, 2 siding/stucco, 1 remodel, 6 reroof
⁸ HVAC replacement Sacred Heart, boiler replacement OHS, gas piping to separate stores at 103 S. 1st Ave, Library wall sign
⁹ SVZ entry cover, HVAC replacement at 1246 S. Broadway, McCain reroof

Inspections

- The Inspector completed 131 inspections in June, including 14 rental inspections.

Land Use Permits		
Project	Actions in June	Status as of June 30
Charan Short Plat	Cultural Resources Report rec'd. Sidewalk bond submitted (but needs to be corrected) (corrected rec'd 7/3)	Final plat submittal expected in early July.
Ochoa Annexation (E of 14 th , Main to Lee)	Annexation Petition submitted, forwarded to County Auditor. County Auditor determined the petition to be sufficient. Prepared it for Council action in July.	Scheduled for July 3 Council agenda to set public hearing.
Ochoa Short Plat	No change (Deferrals heard at Aug. 2021 Planning Commission meeting.)	Waiting for proposed covenant language from applicant's attorney, as specified in PC recommendation.
Othello Housing Authority Annexation	No change.	On hold per proponent.
Pegram Major Plat & Development Agreement	Code review. Issued & routed MDNS. Prepared deferrals & deviations for Planning Commission review. Planning Commission reviewed the deviations & deferrals and made	Waiting for proposals from proponent on the shared well and drain line/groundwater issues.

Land Use Permits		
Project	Actions in June	Status as of June 30
	<p>recommendations for Hearing Examiner.</p> <p>Checked mailing list provided by applicant for public hearing letters.</p> <p>Sent public hearing notice (English/ Spanish) but then had to cancel the hearing until issues can be resolved.</p> <p>Additional comments from neighboring property owner about shared well on this property that serves several lots outside city limits.</p> <p>Remaining pages of well agreement received.</p> <p>Comments from neighboring property owner about drain lines and groundwater on the property.</p> <p>Met w/developer's engineer & City Engineer to discuss the issues.</p> <p>Started on Hearing Examiner staff report.</p>	
Sand Hill Estates #5 final plat	<p>Street and utility construction almost done.</p> <p>Final plat documents submitted.</p>	Staff will review and route final plat documents as soon as possible (done 7/3).
Sand Hill Zone Change Request	<p>Research into the history of the zoning in the area.</p> <p>Prepared for Planning Commission initial review.</p> <p>Planning Commission reviewed it June 19; they requested additional information.</p> <p>Prepared letter to heavy industrial landowners about the proposal.</p> <p>Staff report for July Planning Commission meeting.</p>	Agenda packet ready for July Planning Commission meeting. Letter to industrial property owners sent July 3.
Story Rentals Final Plat (Ace Hardware)	Staff review of most recent submittals and comments sent to proponent.	Still some issues with the legal description & plat certificate that need to be resolved.
Wahitis Short Plat	No change (Received notice from School District Jan 2023 that USBR has formally released the easement that has been holding up this project.)	Need to schedule a meeting to discuss the next steps. Street improvements must be completed or guaranteed before accepting mylars for recording.

Rental Licensing & Inspection Program

- 5 new rental applications for 6 units were submitted in June.
- 6 sites with a total of 11 units were approved in June.

- There were 14 rental inspections in June.
- 118 locations with a total of 212 units have been fully approved so far.
- There are currently 59 active applications for a total of 161 units in various stages of inspection and correction.
- Still working with Code Enforcement on 9 landlords who haven't responded to letters at the end of March, to get their units licensed.
- In late June, we sent letters to 10 landlords who are more than 30 days past their inspections and are supposed to have made corrections and schedule a re-inspection.
- We continue to note rentals as we discover them, and notify the landlord to get their rental license and schedule inspections.

Development Projects

- Car wash/espresso building at Pik-a-Pop submitted revisions.
- Worked with Adams County Sheriff's Office on their proposed temporary evidence storage structure. Prepared for City Council consideration. Reviewed permit.

Municipal Code

- Planning Commission recommended and Council adopted some fixes for problems with the recently-amended fence code.

Grants

- Provided input into CDBG grant application for Lions parking lot.

Training

- Attended in-person "Designing Walkable, Accessible Communities Where People Live, Work, Play, and Learn" training sponsored by WSDOT and City of Moses Lake.
- Watched required IT training.
- Watched most of required anti-harassment training for supervisors.

Transportation

- WSDOT calls and Zoom meeting about Complete Streets/pedestrian and bike facilities at the proposed roundabout at 1st Avenue & SR 26.

Enforcement

- Building Official noticed shade structure modified with walls, serving food behind Guatemalan store. No refrigeration, no hand wash facilities. He reported to Health Department and sent letter about removing unpermitted structure. Corrected within a few days.

Other

- Elevate Othello Advisory Team/Planning Team meeting with RDI.
- Met with School District at their request to discuss the walkpath near Lutacaga and McFarland. They have concerns about security, fencing, and the condition of the path.

Exhibit 5. Matrix of Strategies and Relationship to Housing Objectives

		Housing Action Plan Objectives			
Strategy		1. Make it Easier to Build Affordable Ownership and Rental Housing	2. Increase Housing Variety and Choice	3. Ensure Opportunities for Families with Children	4. Promote Housing for Agricultural Workers
1. Revising Zoning and Building Standards					
1.1	Coordinate future upzoning in areas likely to experience redevelopment	✓	✓	✓	✓
1.2	Modify setback, lot coverage, and landscaping standards for site design	✓	✓	✓	
1.3	Require minimum residential densities for development	✓		✓	
1.4	Add provisions for ADUs or smaller lot homes in some residential zones	Partial	✓	✓	✓
1.5	Adopt design standards or guidelines		✓		
1.6	Remove extra lot area requirements in the R-4 zone	Completed	✓	✓	✓
1.7	Continue with long-term planning for annexation and infrastructure extension	✓	✓	✓	✓
2. Parking and Transportation Standards					
2.1	Review off-street parking requirements	✓	✓		✓
2.2	Encourage or require alley-accessed, rear, or shared parking	✓	✓		
2.3	Reduce neighborhood street width requirements	Partial	✓	✓	
3. Affordable Housing Incentives or Investments					
3.1	Offer density bonuses for affordable housing	✓	✓	✓	✓
3.2	Offer alternative development standards for affordable housing	✓	✓	✓	✓
3.3	Offer fee waivers for affordable housing	✓	✓	✓	✓
3.4	Explore the use of a Multifamily Tax Exemption (MFTEx) program for affordable housing.	Completed	✓	✓	✓
4. Process Improvements					
4.1	Streamline permit review	✓	✓	✓	