



CITY OF OTHELLO PLANNING COMMISSION

Regular Meeting 500 E. Main St. August 21, 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 July 17, 2023 Minutes p.3
4. TIB grant application for sidewalks - Informational
5. Sand Hill Estates Comprehensive Plan Amendment & Rezone Request –Public Hearing & Recommendation to City Council p.6
6. July Building & Planning Department Report p.52
7. Old Business
 - a. Housing – We should look at further implementation possibilities from the [Housing Action Plan](#) (see attached) p.55
 - 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, September 18, 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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Join by H.323

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Meeting ID: 818 9421 3261

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City of Othello
Planning Commission
July 17, 2023

CALL TO ORDER

Chair Chris Dorow called the meeting to order at 6:01pm.

ROLL CALL

Commissioners Present: Chair Chris Dorow, Daniela Voorhies, Brian Gentry, Alma Carmona, Maria Martinez, Ruth Sawyer

Absent: Kevin Gilbert

Staff: Community Development Director Anne Henning; Building and Planning Secretary Zuleica Morfin

Attendees: Council Member John Lallas, Joel Garza, Jessie "Weno" Dominguez

Remote Attendees: Angel Garza, Bob Carlson, Gil Alvarado, Sulema

PUBLIC INPUT

Chair Chris Dorow opened the floor for public input. There was none.

MINUTES APPROVAL

June 19, 2023, minutes approved as submitted, M/S Carmona/Sawyer

SAND HILL ESTATES COMPREHENSIVE PLAN AMENDMENT & REZONE REQUEST - DISCUSSION & SET PUBLIC HEARING DATE

Palos Verdes LLC submitted an application to amend the Comprehensive Plan Land Use designation and zoning for the 18 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, shall investigate the merits of the request and may set a public hearing date at which time the request can be considered.

At the last meeting, the Planning Commission discussed a larger area-wide consideration of zoning. While a comprehensive analysis of the zoning in this area would be beneficial, it would take significant time and resources the city doesn't have at this point. In 2027, the City will be required by the state to update its Comprehensive Plan, so a full zoning analysis for the city as a whole should be done at that time. Until then, the city needs to respond to the application received, which is just for the 18 acres on the north edge of the Sand Hill Estates development, currently in a "holding zone" of Open Space Urban Reserve. Per OMC 17.51, Open Space Urban Reserve is described as "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." The urban services are now available, having been extended by the developer as he has developed the land to the south.

The City is 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.

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.

This area has a complicated zoning history, which is available as an attachment to the staff report. Some relevant points are that the whole area was annexed in 1993 and zoned Open Space in 1995. The current residential line was set in 2000, after many meetings and hearings. In 2016, as part of the Comprehensive Plan adoption, areas outside the city were given future land use designations, and the Light Industrial designation to the east of city limits was extended into the Open Space area south of Lee Road. Later maps added the zoning inside the city, showing there was a small strip of Open Space remaining between the Light Industrial to the north and the Residential to the south. That small strip is what is proposed for changes now.

Chair Chris Dorow stated that the city needs to protect Heavy Industrial zoning. He noted that heavy industry needs rail access, and the canal is a barrier, so heavy industry won't local east of 14th Avenue. He said he has been talking to the State and to McCain Foods corporate office in Chicago. He felt it doesn't make sense to have Heavy Industrial on the north side of Lee and Light Industrial on the south side. He said McCain has studies about the separation needed between food processing and residential land. He hopes to have the studies available by next month.

Project proponent Angel Garza noted that it would still be 1300' from the north edge of the proposed residential to Lee Street. He also noted that with most remaining property constrained by drainage pipes, it is difficult to develop. There is not much land left to develop around Othello.

Bob Carlson wanted to know the distance to get sound levels down to acceptable levels.

Angel Garza pointed out that the difference between Grant County and Adams County for heavy industry is the cost of power. Industries are almost always going to choose cheaper power. McCain and Simplot are already established here in Othello, but it will be hard to attract new industries.

Gil Alvarado, representing the Ochoa family, owners of land being annex to the east of the proposal, mentioned that the Light Industrial designation on the Ochoa property needs to be reconsidered since the uses are not compatible with the proposed development. He said the Ochoas are also not interested in having Heavy Industrial north of Lee Road. He felt all the designations should be pushed north. He recommended looking at Walla Walla commercial as a good example.

Chair Dorow said he wanted to know what distance between food processing and residential is normal and customary. He felt the studies coming from McCain Foods would answer that question. Commissioner Brian Gentry asked for the information to be distributed when it is available.

Council member John Lallas recommended looking at current aerial photos of the property being discussed.

Jesse “Weno” Dominguez stated he is the chair of the Othello Housing Authority, he sells 60% of the property in Othello, he represents Angel Garza, and has worked on economic development. He said the Housing Authority has a 3-year waiting list. They are looking for land, but outside the city there are issues with septic systems and water pressure for fire suppression. He had some maps showing USBR drains. The easements are 45’ wide and drains can be 25’ deep, which makes it very hard to develop. The Ochoa land has only a few drains, making it easier to develop. He said Adams County is looking at requiring larger lots. He said it is hard to compete with Quincy and Moses Lake, but people are still moving here, even from as far away as Florida. We are in a housing crisis, which has only been slowed by high interest rates.

Council member Lallas pointed out that Othello is not currently housing all the employment in the city. Ms. Henning pulled up the Housing Needs Assessment, which shows that in 2017, 1257 people lived and worked in town, 1688 lived in town but worked elsewhere, and 3175 came from out of town to jobs in town.

Motion passed unanimously to set August 21 as the public hearing date for the Sand Hill Estates Comprehensive Plan amendment and rezone. M/S Gentry/Martinez

BUILDING & PLANNING DEPARTMENT REPORT

Chair Dorow recommended that Commissioners review the June Building & Planning Report.

ADJOURNMENT

Having no further business, the meeting was adjourned at 7:27pm. Next regular meeting is Monday, August 21, 2023.

_____ Date: _____
Chris Dorow, Chair

_____ Date: _____
Zuleica Morfin, Building and Planning Secretary

TO: Planning Commission

FROM: Anne Henning, Community Development Director

MEETING: August 21, 2023

SUBJECT: Sand Hill Estates Comprehensive Plan Amendment & Zone Change – Public Hearing & Recommendation to City Council

Palos Verdes LLC submitted an application to amend the Comprehensive Plan Land Use designation and zoning for the 18 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 directs the Planning Commission to investigate the merits of the amendment/zone change request, hold a public hearing, consider the request, and forward its findings, conclusions, and recommendations to the City Council. Per OMC 17.87.020(c), the criteria the Council will use are: Is the request in the public interest, does it benefit the public welfare of the community, and is it consistent with the city's zoning scheme.

Staff Comments

1. While the subject area has been commonly described as a buffer, that is not really the intent of the Urban Reserve Zone. OMC 17.51, Open Space Urban Reserve, states "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." Urban services have been extended north from Olympia Street over the last 6 years as the area to the south has been developed, and services are now available to the proposed rezone site. This area has not been farmed for several years.
2. We are processing this application as a legislative decision, since it is both an amendment to the Comprehensive Plan and a corresponding rezone request. A legislative decision gives more discretion to the local governing body. Even if it were only a site-specific rezone request, which would have more stringent review standards, the standards that have been 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. Both of these criteria can be demonstrated for this site.
3. 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 annexed in 1993 and zoned Open Space in 1995.
 - 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. 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 of questionable validity, since a Council may not take action that binds future Councils.)

- 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. 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 zoning inside the city was added to a map. 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 (blue marker)
 - ii. 11-10-2015 Othello Growth Area Map (showing designations in the growth area and not showing any zoning inside the city except for the Light Industrial near Lee & 7th)
 - 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)
 - e. 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. Otherwise, this area would likely still be zoned Open Space all the way to Lee.
- 4. A letter was mailed 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. One comment was received, from the railroad, with concerns about protecting existing industrial properties use/rights and suggesting that the city require the land owner to record a statement about the proximity to industrial properties. See July 11 email from Kim Yeager of Iron Horse Real Estate
 - 5. A notice of application and public was emailed to agencies and published in the legal notices of the newspaper. A public hearing notice was mailed August 7 to all property owners and street addresses within 350' of the proposal and to the same list of industries at the July 3 letter. The only comments received so far were from the railroad making sure we had received their previous comments, WSDOT about the need for traffic information with development, and the City Engineer about the need for traffic and sewer flow information with development.
 - 6. Staff has provided information to the McCain plant manager, who intends to attend the Aug. 21 public hearing.
 - 7. Staff looked for guidance on separation distance between manufacturing and residential. It was difficult to find much. The most useful were:
 - a. The Ontario Ministry of the Environment, Conservation and Parks provides guidance for separation between industrial areas and sensitive land uses. A sensitive land use is

defined as anything not directly associated with the industrial use, such as homes. Industrial impacts considered were fugitive air emissions such as noise, vibration, odor, and dust, and ground-borne vibration. (It is assumed that other impacts to soil or water would be regulated through other environmental laws). There are 3 classes of industrial facilities, from Class I small scale, self-contained with low probability of fugitive emissions to Class III large scale manufacturing/processing with frequent outputs of major annoyance. The potential influence area is 70m for Class I, 300m for Class II, and 1000m for Class III. The separation distance is 20m for Class I, 70m for Class II, and 300m for Class III. (See attachments). For reference, 300m = 984ft

- b. The full Ontario document, "Compatibility Between Facilities and Sensitive Land Uses" is protected and couldn't be attached or printed. It can be viewed at:
<https://archive.org/details/2074.ome/mode/2up>
 - c. "Can Industrial Be a Good Neighbor in Residential Areas?" NAIOP (Commercial Real Estate Development Association), 9-1-22 (See attached)
 - d. "Residential Proximity to Industrial Facilities and Risk of Non-Hodgkin Lymphoma", *Environmental Research* Jan. 2011 (Industries studied included lumber, chemical, petroleum, rubber/plastics, and metal. Distances studied were <0.5 mile, 0.5-1 mile, 1-2 miles, and >2 miles. From the abstract: "This study does not provide strong evidence that living near manufacturing industries increases Non-Hodgkin Lymphoma risk.")
 - e. "Govt Prepared to Study Extending Industry-Residential Buffer Zone Parameters", *New Straits Times*, 7-2-19 (Malaysian government to study recommendations that buffer zones between industrial and residential areas should be expanded from its current range of 50 to 500 meters, to 1 to 2 kilometers). (Unable to find any information on whether study has been done).
8. 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 nearly 1300' from the existing Heavy Industrial boundary to the west. (See map with distances)
 - c. Allowing residential another 300' north should not significantly affect industrial uses. In the Ontario standards, even the industrial with the most impact had a separation distance of less than 1000'.
 - d. 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 (*packet p.10*)
- Zoning Map from about 2010 (*packet p.14*)

- “Othello Growth Area” map saved 11-9-2015 (hand-drawn designations) (*packet p.15*)
- Othello Growth Area map dated 11-10-2015 (*packet p.16*)
- Zoning & Growth Area map dated 12-7-2015 (*packet p.17*)
- Zoning Map dated 1-11-2016 (*packet p.18*)
- Zoning Map adopted 2-10-2020 (*packet p.19*)
- Zone Change History for Olympia to Lee (*packet p.20*)
- Portion of 2020 zoning map with distances (*packet p.27*)
- Public Hearing notice letter sent 8-7-23 (*packet p.28*)
- Comments:
 - Iron Horse Real Estate, 7-11-23 (*packet p.30*)
 - City Engineer, 8-24-23 (*packet p.31*)
 - WSDOT, 8-1-23 (*packet p.32*)
- Ontario Separation Distances (*packet p.33*)
- Ontario Industrial Categorization Criteria (*packet p.40*)
- “Can Industrial Be a Good Neighbor in Residential Areas?” NAIOP, 9-1-22 (*packet p.46*)

Procedural actions

Action	Date
Planning Commission introduction & discussion	June 19, 2023
Planning Commission discussion & set public hearing date	July 17, 2023
Submitted to Commerce for 60-day review	July 19, 2023
DNS issued (SEPA review)	August 4, 2023
Planning Commission public hearing	Scheduled for August 21, 2023
City Council public hearing	Date will be set after Planning Commission makes its recommendation

Public Hearing: Notice of a public hearing was published and mailed for August 21. The Planning Commission should hold a public hearing and take testimony on the proposed amendment to the Comprehensive Plan Land Use Designation and rezone for 18 acres north of Sand Hill Estates #4 & 5.

Action: The Planning Commission should hold a public hearing on the requested changes to the Comprehensive Plan Land Use Designation and zoning, consider the request, and make findings, conclusions, and recommendations to the City Council on the proposed amendment to the Comprehensive Plan Land Use Designation and rezone for 18 acres north of Sand Hill Estates #4 & 5.

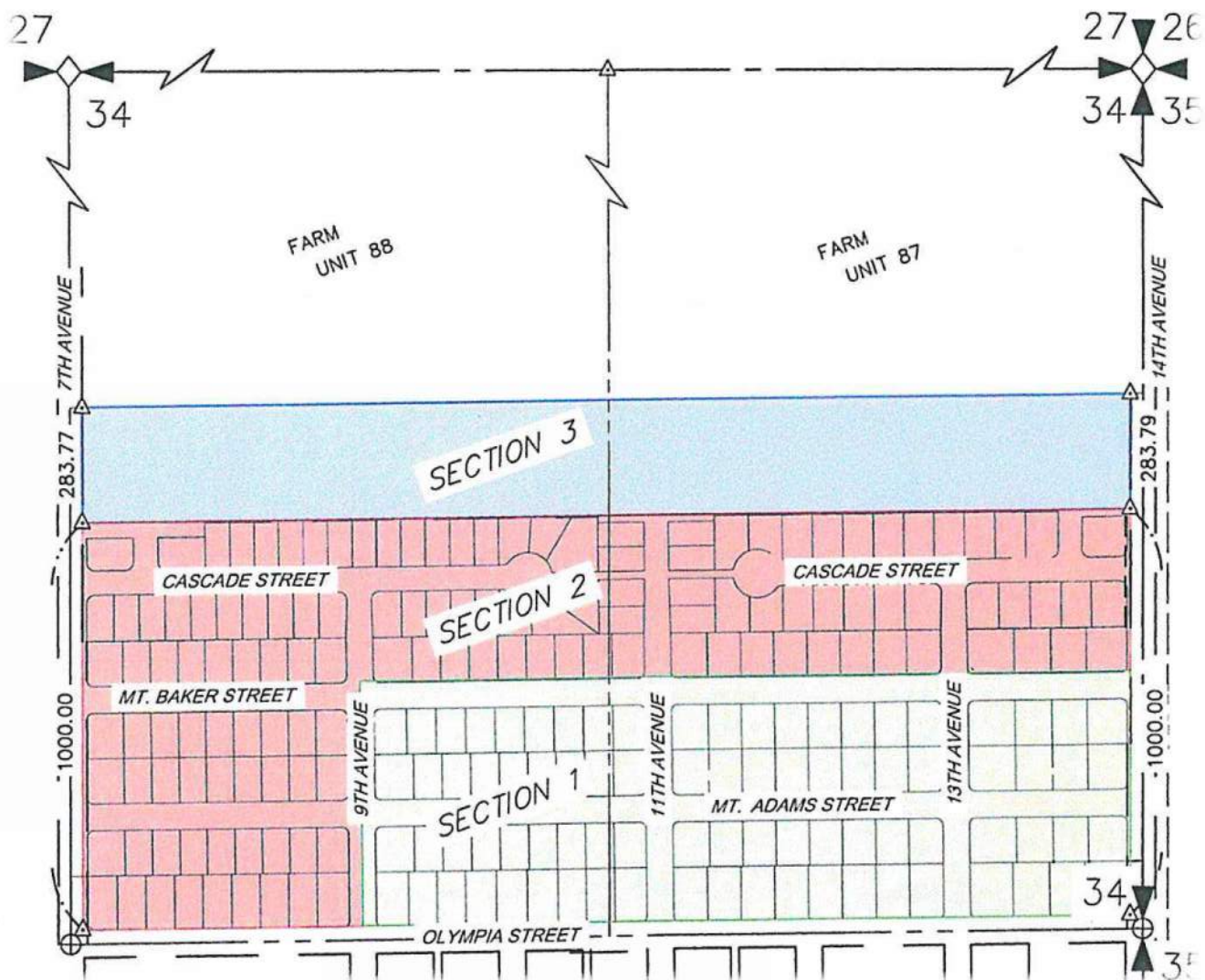
MAY 15 2023



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:** $\pm 733,165$ 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

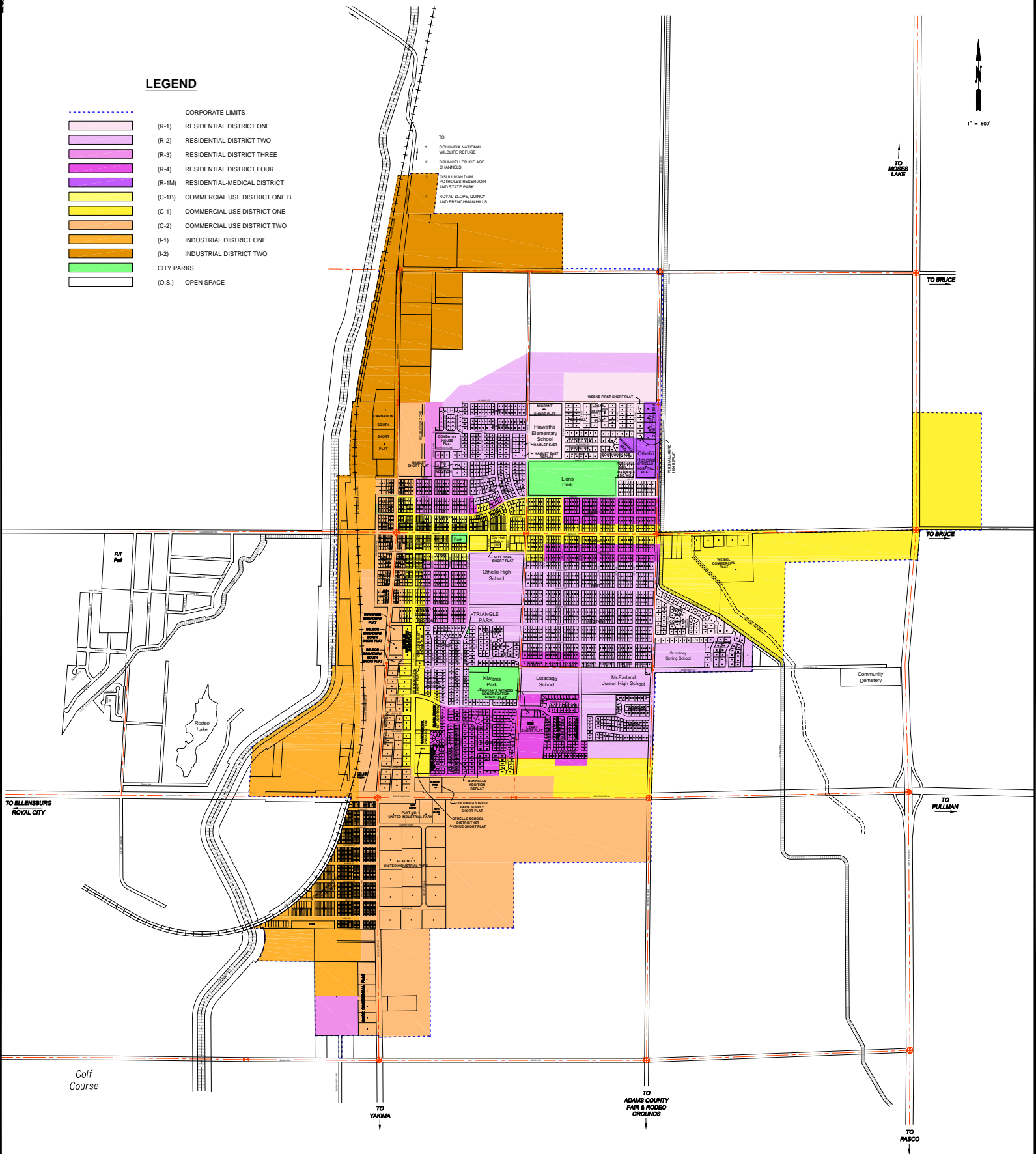
construct residential housing, as presented, discussed, and since then modified, with the City of Othello's input, since the conceptual Master Plan was presented to the City in 2012.

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.

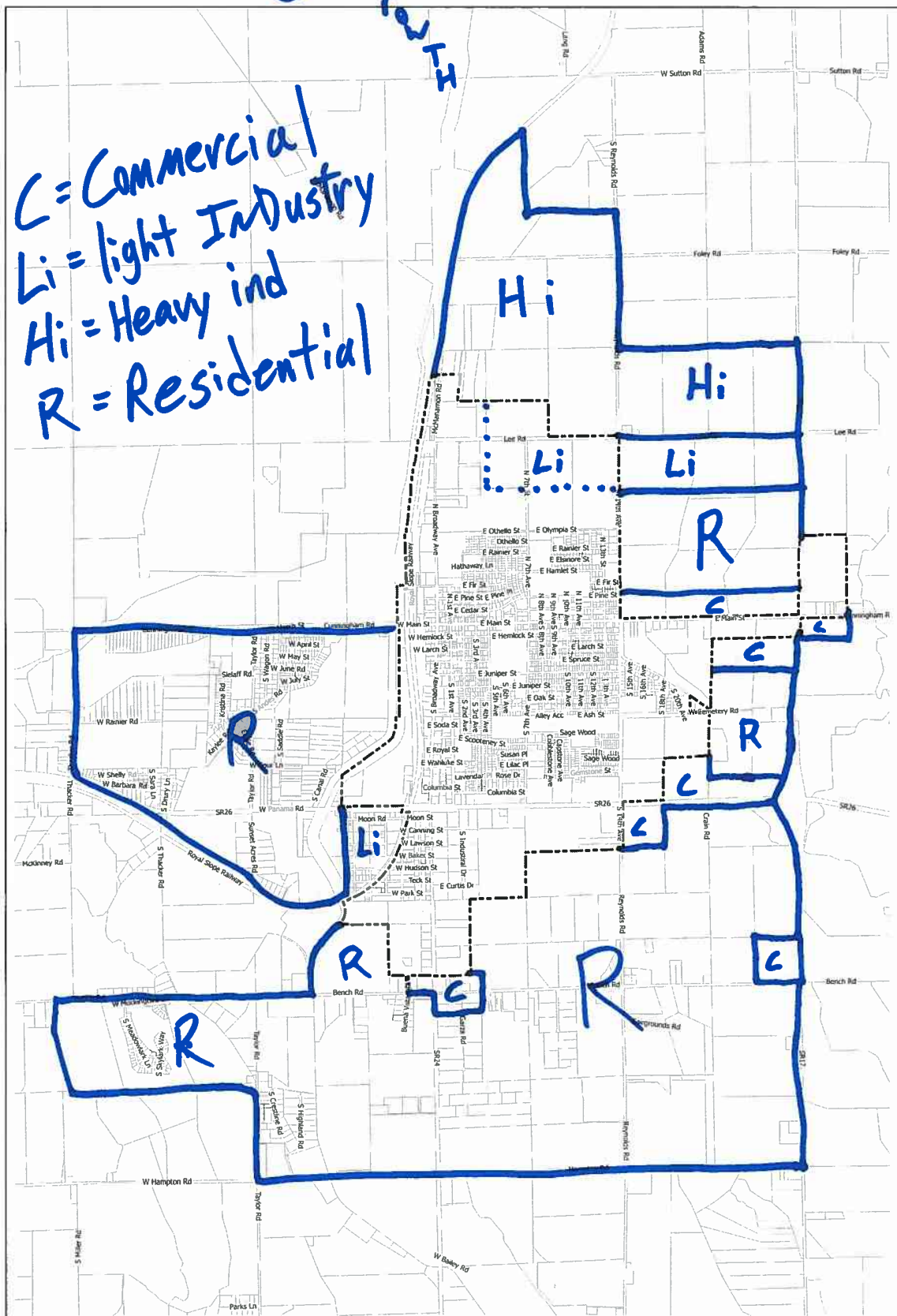
LEGEND

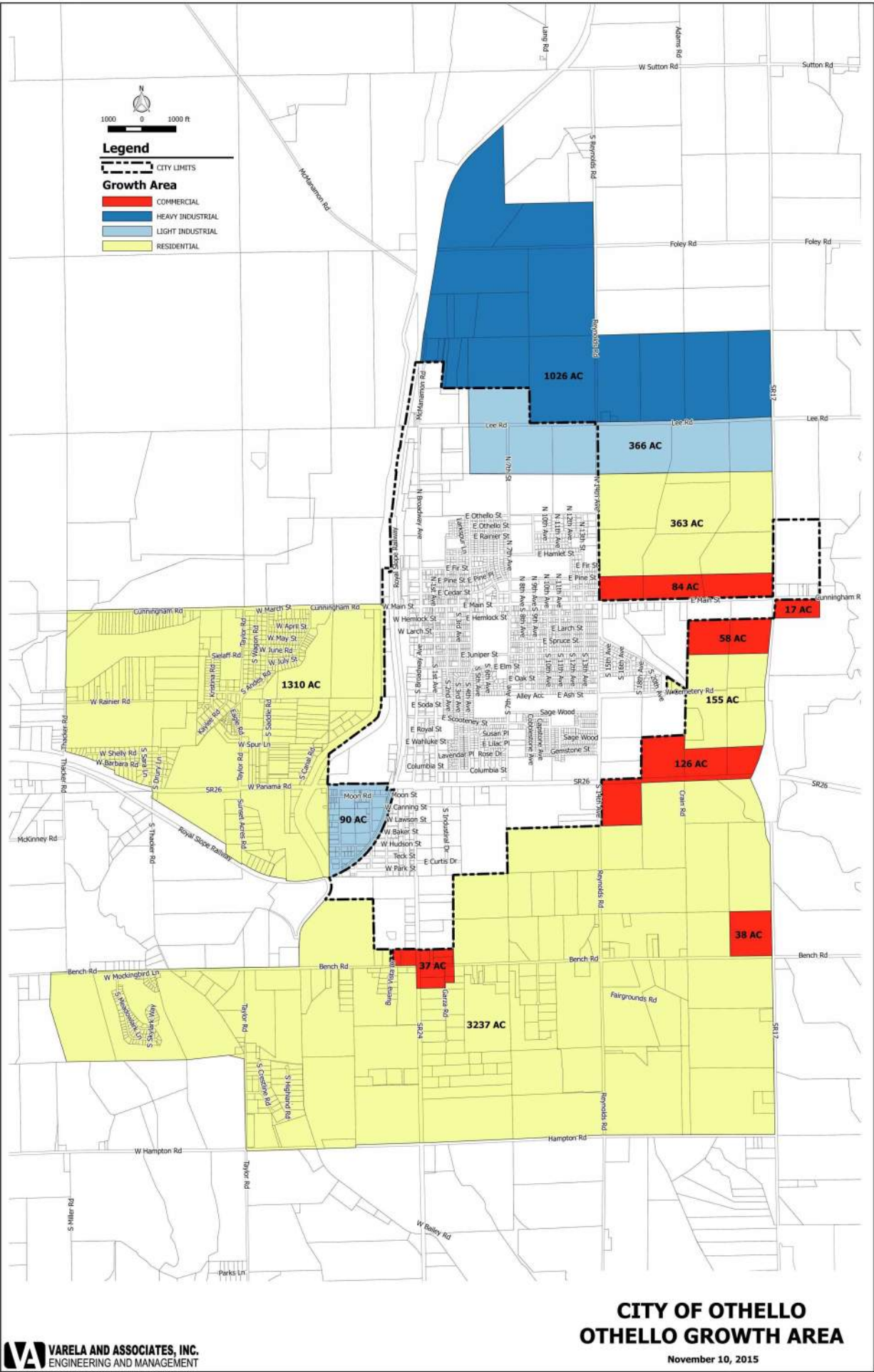
- | | CORPORATE LIMITS |
|--------|-------------------------------|
| (R-1) | RESIDENTIAL DISTRICT ONE |
| (R-2) | RESIDENTIAL DISTRICT TWO |
| (R-3) | RESIDENTIAL DISTRICT THREE |
| (R-4) | RESIDENTIAL DISTRICT FOUR |
| (R-1M) | RESIDENTIAL-MEDICAL DISTRICT |
| (C-1B) | COMMERCIAL USE DISTRICT ONE B |
| (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 |

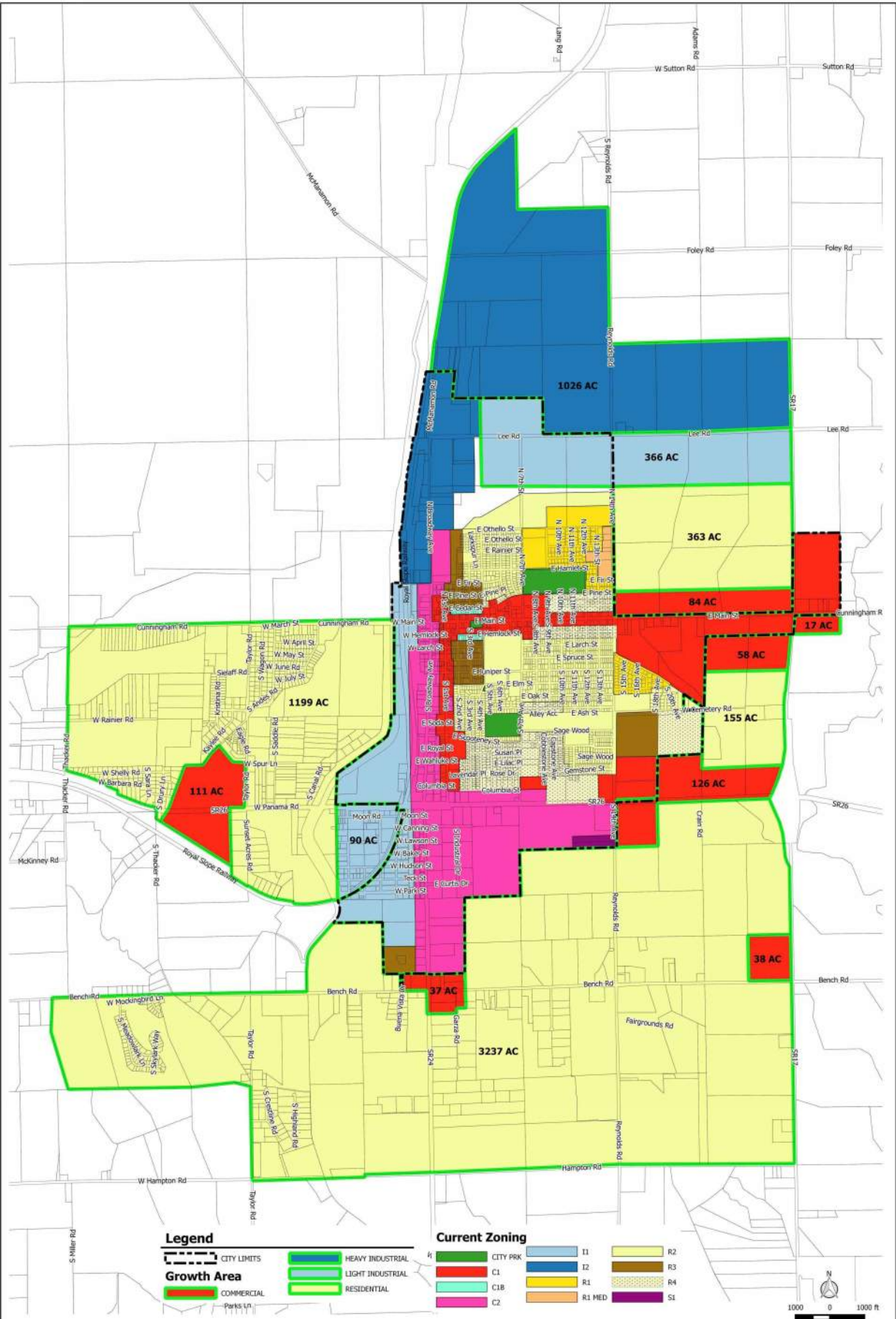


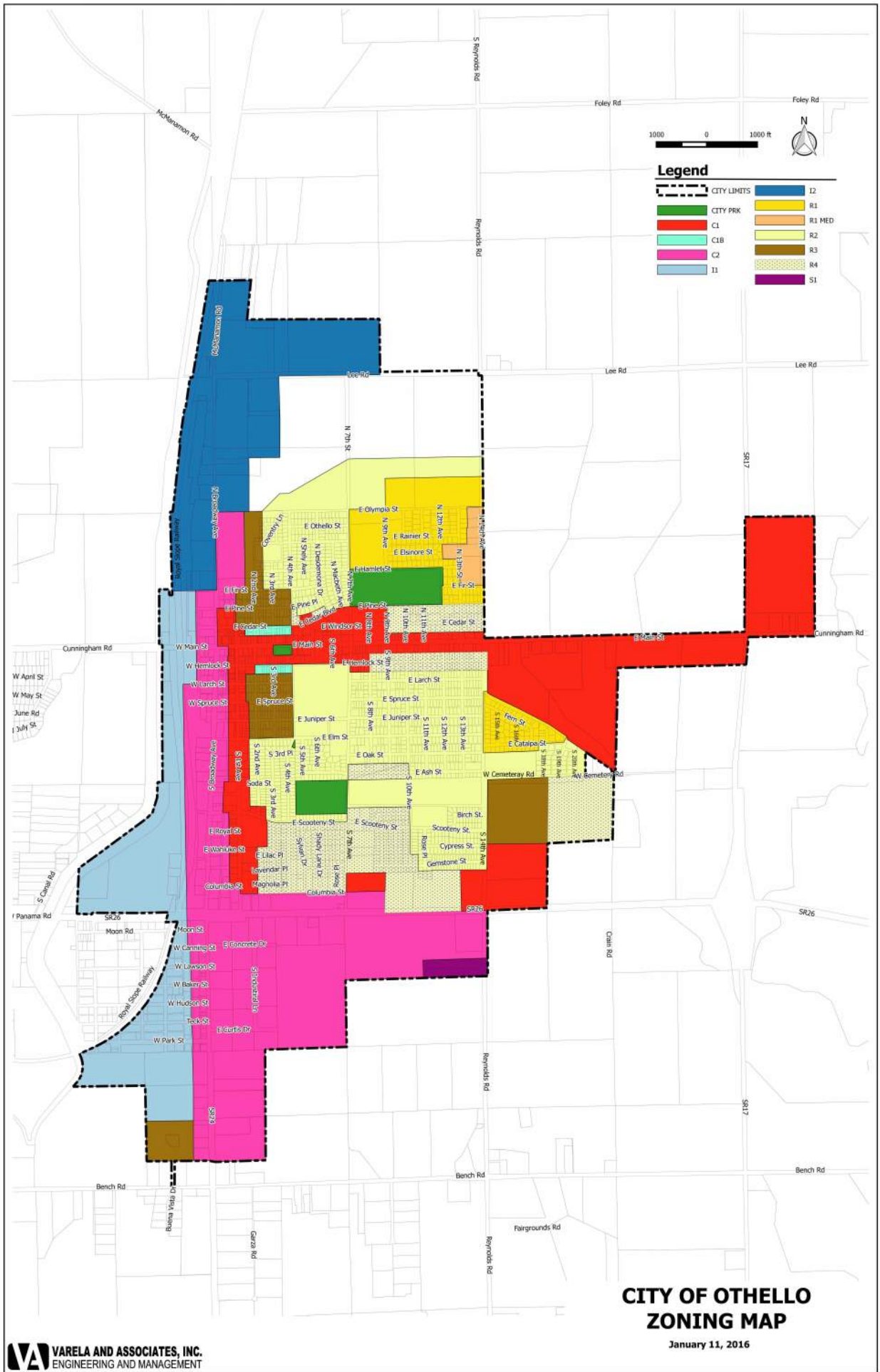
Othello Growth Area

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
























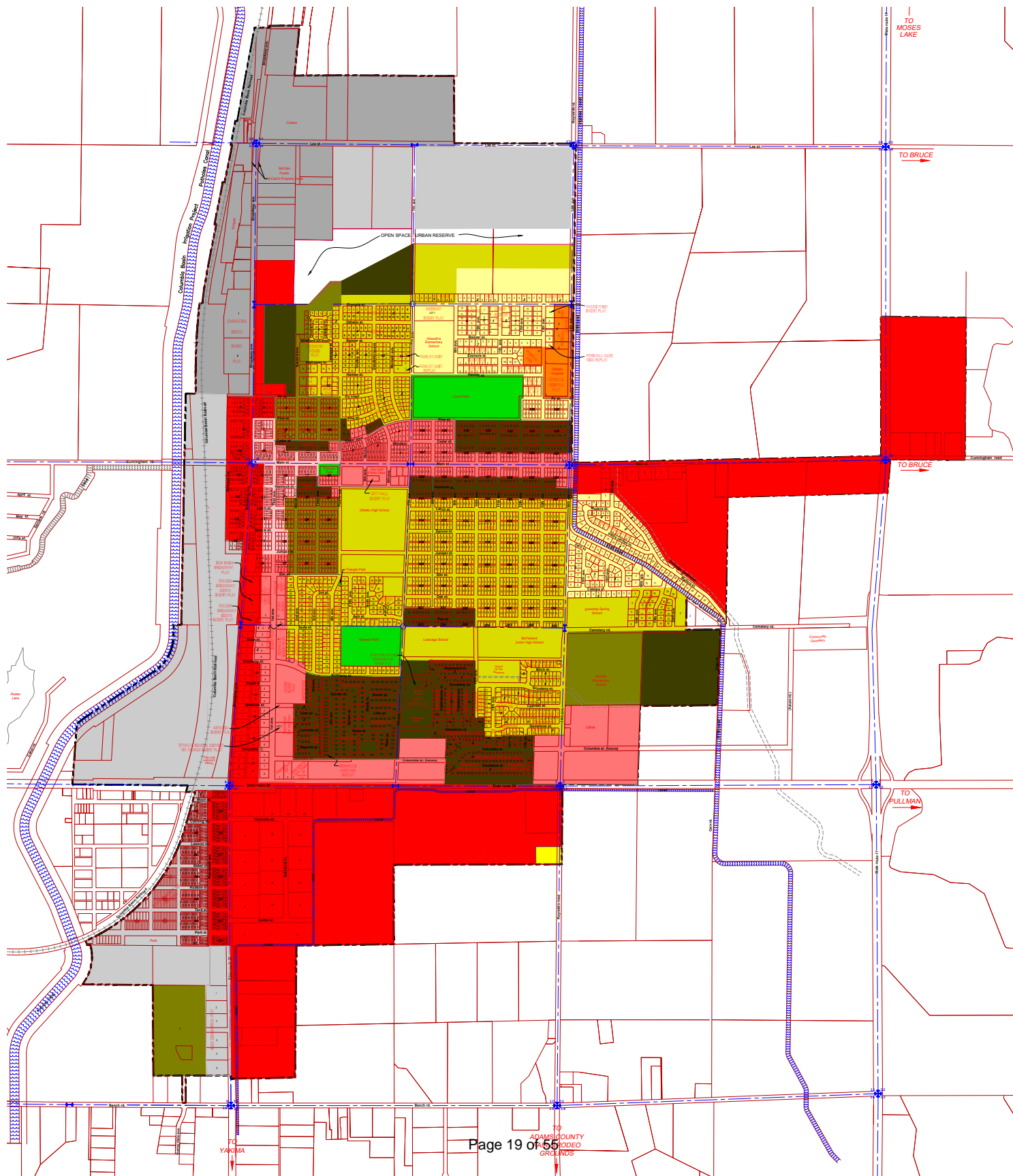


LEGEND

	(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		LOT NUMBER
	(C-2) CENTRAL COMMERCIAL ZONE		BLOCK NUMBER
	(C-3) LARGE SCALE COMMERCIAL ZONE		PLAT NAME
	(I-1) LIGHT INDUSTRIAL ZONE		

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	<p>Rezone request received:</p> <p>R-2 for 600' north of Olympia, from 150' west of 2nd Ave to 9th Ave</p> <p>R-4 for 10 acres west of 7th</p> <p>R-1 for 9th to 14th</p> <p>R-2 (from R-3) for 150' west of 2nd to 4th and between Hamlet and Olympia</p> <p>50' buffer zone currently shown running north-south relocated to run east-west between Residential and Industrial</p> <p>C-2 (from I-2) for Taggares corporate office</p> <p>(Rezone file is labeled "Taggares Rezone Olympia Street")</p>
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	<p>Comments from McCain Foods:</p> <ol style="list-style-type: none"> 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	<p>Memo from Curt Andrews to Mayor, City Administrator, & Planning Commission Chair:</p> <p>"After pondering input over the last few months on the residential zoning north of Olympia, I recommend/suggest/discuss the following:</p> <ol style="list-style-type: none"> 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> <p>A. Developer will construct buffer along the residential/industrial line.</p> <p>B. PJ Company will dedicate land for 100' buffer from 14th to pond.</p> <p>C. Developer will build irrigation system and plant trees.</p> <p>D. Between buffer and development would be 20' alley. Buffer could have 6' asphalt walk path connecting 14th to Broadway.</p> <p>E. Buffer will be dedicated to city 5 years after planting (to ensure trees take hold).</p> <p>F. City would agree to maintain buffer/walk path/alley.</p> <p>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.</p> <p>H. Taggares Co would fence their pond.</p> <p>I. Developer would build wider and safer Olympia w/sidewalks set back from curb on both sides of street.</p> <p>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> <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 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.





The City of Othello

500 East Main Street OTHELLO, WASHINGTON 99344 Telephone (509) 488-5686
Fax (509) 488-0102

August 7, 2023

Public Hearing Notice/Aviso de Audiencia Pública

<p>The City of Othello Planning Commission will hold a public hearing on the following project Monday, August 21, 2023, 6:00 PM. The public is invited to comment.</p> <p>The meeting will be held in person at City Hall, 500 E. Main Street.</p> <p>You can also join remotely via Zoom. The link can be found on the City's website calendar at:</p>	<p>La Comisión de Planificación de la Ciudad de Othello llevará a cabo una audiencia pública sobre el siguiente proyecto el lunes 21 de agosto de 2023 a las 6:00 p.m. Se invita al público a comentar.</p> <p>La reunión se llevará a cabo en persona en el palacio municipal, 500 E. Main Street.</p> <p>También puede unirse de forma remota a través de Zoom. El enlace se puede encontrar en el calendario del sitio web de la Ciudad en:</p>
<p>https://www.othellowa.gov/calendar</p>	

<p>You can join the meeting from your computer, tablet or smartphone; or dial in by phone:</p>	<p>Puede unirse a la reunión desde su computadora, tableta; o marque usando su teléfono:</p>
<p>https://us06web.zoom.us/j/81894213261?pwd=MjMwZ01Ubmdaai8xdlFua0dvd3dMUT09</p> <p>Meeting ID: 818 9421 3261 Passcode: 357731 (253) 215 8782</p> 	

Project Name: City Comprehensive Plan Amendment/Zone Change - Sand Hill Estates
Nombre del Proyecto: Modificación del Plan Integral de la ciudad/Cambio de Zona – Sand Hill Estates

<p>Project Description: Change the designation and zoning of 18 acres from Open Space Urban Reserve to R-4 Residential.</p>	<p>Descripción del Proyecto: Cambiar la designación y zonificación de 18 acres de Reserva Urbana de Espacio Abierto a Residencial R-4.</p>
<p>Project Location: North of Sand Hill Estates #4 & 5, north of Cascade Street, from 7th to 14th Ave. Portions of Parcel #152903068-2660 & -2661.</p>	<p>Ubicación del Proyecto: Al norte de Sand Hill Estates #4 & 5, que están al norte de la calle Cascade Street, de las avenidas 7th a 14th. Porciones de parcelas #152903068-2660 & -2661.</p>

More Information: Get information about this application from city staff at 509-488-5686 or building@othellowa.gov.

Public Comment: The public is encouraged to comment on this proposal. Comments received by the closing date below will be considered by the Planning Commission.

Written comments may be submitted in person or by mail at City Hall, 500 E. Main Street, Othello, WA 99344 or via e-mail at building@othellowa.gov.

An accurate mailing address for those providing comments must be included or they will not qualify as a party of record and, therefore, may not have standing to appeal the decision.

Public Comment Deadline: Aug. 21, 2023, 5:00 PM

Más información: Puede obtener información sobre esta solicitud comunicándose con el personal de la ciudad al 509-488-5686 o building@othellowa.gov.

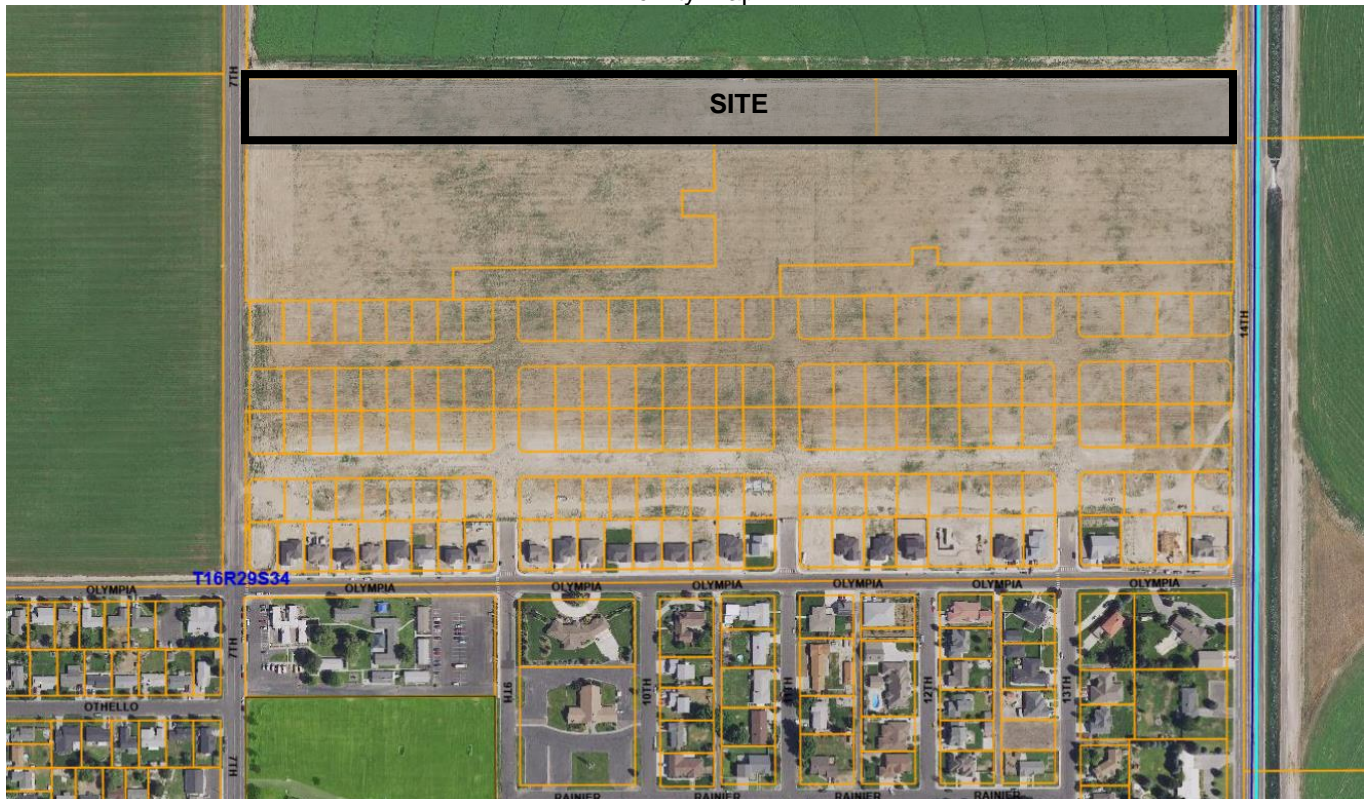
Comentario Público: Es sugerido que el público comente sobre esta propuesta. Los comentarios recibidos antes de la fecha de cierre serán considerados por la Comisión de Planificación.

Los comentarios por escrito se pueden someter en persona o por correo al City Hall, 500 E. Main Street, Othello, WA 99344 o por correo electrónico a building@othellowa.gov.

Se debe incluir una dirección postal precisa para aquellos que proporcionen comentarios o no calificarán como parte del registro y, por lo tanto, es posible que no tengan derecho a apelar la decisión.

Fecha límite para comentarios públicos: 21 de Agosto de 2023, 5:00 PM

Vicinity Map



Anne Henning

From: Kim Yeager <kyeager@ihdllc.com>
Sent: Tuesday, July 11, 2023 10:36 AM
To: Anne Henning
Cc: Building; 'john.lallas@mccain.com'
Subject: Proposed Comp Plan Amendment & Zone Change - Notice Dated 07/03/2023

Anne,

We received your letter dated 7/3/23 regarding the proposed Comp Plan Amendment and Zone Change in Othello, WA. One thing that should be addressed would be to protect the existing industrial properties use/rights within this area regarding the Amendment/Zone Change. Othello could do this by requiring the Land Owners to include something similar to this for all property sales/leases. This could be recorded on all the property or could be required to be included in all documents for land/property acquisitions.

Due to proximity of this development to industrial property, the developer shall include the following language in a document to be recorded which is intended to put future purchases or occupants on notice of the proximity of industrial uses:

Owners, occupant and lessees will take notice that the subject property is situated adjacent to an industrial area, such area lying to the West of the subject property, and is, therefore, subject to the current usage and future develop of such industrial properties in accordance with permitted and accessory uses all owed in the Industrial Zoning Classifications. The proximity of the Industrial Zones shall not be construed or interpreted as limiting or impairing existing rights and usage under the zoning or applicable law. This notice and acknowledgement confirm the right and interest of the owner and/or occupant of currently zoned Industrial property to fully use, expand and develop such property or properties in a manner consistent with such zoning classification and applicable law.

Furthermore, owners occupants and lessees of properties or facilities within the rezone property shall be informed of the Industrial Operations by written statements and all documents of purchase, occupancy or lease substantially as follows: Owners, occupants and lessees shall take subject to and recognize and acknowledge that industrial operations are being conducted and will continue on adjacent/adjoining properties. Expansion and modification of such industrial usages shall be allowed without restriction where consistent with the Industrial zoning classification and applicable law. Such operations includes activities with are normally associated with industrial and manufacturing and industrial traffic (including trucks, forklifts and associated activities) will includes 24 hour operations on a seven (7) day per week basis; and will include other physical, visual, auditory and olfactory effects normally associated with such pursuits.

Thank you for your consideration of this suggestion.

Kim

Kim Yeager
Real Estate Manager/Designated Broker

Iron Horse Real Estate

Railroad Property Management & Land Management

111 University Parkway | Suite 200 | Yakima, WA 98901 |
| P 509.834.2533 | | C 509.388.6602 | | F 509.453.9349 |

Anne Henning

From: Shawn O'Brien
Sent: Monday, July 24, 2023 9:02 AM
To: Anne Henning
Cc: Shawn Logan; Curt Carpenter; Cameron Williamson
Subject: RE: Notice of Application: Sand Hill Land Use Designation & Zone Change

Anne,

Othello Engineering has no issues with the requested Comprehensive Plan Amendment and rezone, but these changes may require amendments to the Sand Hill Estates Residential Traffic Impact Analysis and revised sewer flow calculations.

The original analysis and calculations were based on single family units being constructed in this area. If multifamily units are constructed, based on the volume and density, the impacts of the revised impacts may need to be analyzed.

Shawn O'Brien

City Engineer

City of Othello

(509) 331-2711

www.OthelloWa.gov



From: Anne Henning <ahenning@othellowa.gov>

Sent: Thursday, July 20, 2023 1:34 PM

To: veronicar@co.adams.wa.us; Jacque Laird (jacquel@co.adams.wa.us) <jacquel@co.adams.wa.us>; Janet Bowman (janetb@co.adams.wa.us) <janetb@co.adams.wa.us>; Kayla Meise (kaylam@co.adams.wa.us) <kaylam@co.adams.wa.us>; Andie Lorenz (andiel@co.adams.wa.us); Scott Yeager (scotty@co.adams.wa.us) <scotty@co.adams.wa.us>; Todd O'Brien (toddo@co.adams.wa.us) <toddo@co.adams.wa.us>; Gerald R. Campbell (geraldc@co.adams.wa.us); Gary Lebacken - Adams County Fire District 5 (glebacken@acfd5.com) <glebacken@acfd5.com>; kyle@growadamscounty.com; brittany@growadamscounty.com; Karen Hickey (karenh@co.adams.wa.us); Chris Faix (chris@portofothello.com) <chris@portofothello.com>; (sepa@dahp.wa.gov) <sepa@dahp.wa.gov>; DNR SEPA Center (sepacenter@dnr.wa.gov) <sepacenter@dnr.wa.gov>; WDFW (WDFWR2Planning@dfw.wa.gov) <WDFWR2Planning@dfw.wa.gov>; NC-Review <NC-Review@WSDOT.WA.GOV>; jmendoza@ecbid.org; US Fish & Wildlife - Columbia National Wildlife Refuge (mcriver@fws.gov) <mcriver@fws.gov>; cnelson@usbr.gov; Patrick Baird (keithb@nezperce.org) <keithb@nezperce.org>; sha-EFO-frontdesk@usbr.gov; casey_barney@yakama.com; Guy Moura - Confederated Tribes of the Colville Reservation (Guy.Moura@colvilletribes.com) <Guy.Moura@colvilletribes.com>; Robert Sloma - Confederated Tribes of the Colville Reservation (Robert.Sloma@colvilletribes.com) <Robert.Sloma@colvilletribes.com>; Randy Abrahamson (randya@spokanetribe.com) <randya@spokanetribe.com>; Stovern, Aaron <Aaron.Stovern@avistacorp.com>; Mark Hay <mhay@bbec.org>; Big Bend Electric Cooperative (kmesserschmidt@bbec.org) <kmesserschmidt@bbec.org>; Chambard, David L <David.Chambard@centurylink.com>; Travis.Kohlrus@vyvebb.com; Liza Springer (liza.springer@vyvebb.com) <liza.springer@vyvebb.com>; Sam Grant (sam.grant@cngc.com) <sam.grant@cngc.com>; Shawn Logan <slogan@othellowa.gov>; Curt Carpenter <ccarpenter@othellowa.gov>; Tim Unruh <tunruh@othellowa.gov>; Dave Rehaume <drehaume@othellowa.gov>; Valerie Hernandez

Anne Henning

From: NC-Review <NC-Review@WSDOT.WA.GOV>
Sent: Tuesday, August 1, 2023 8:47 AM
To: Anne Henning
Cc: Cervine, Scott; Darveshi, Shaun; Lorbiecki, Lawrence
Subject: RE: [EXTERNAL] Notice of Application: Sand Hill Land Use Designation & Zone Change

Good morning,

WSDOT has no comments regarding the rezoning however, we would like to see additional information such as a TIA once development begins. Thank you again for the opportunity to review this.

From: Anne Henning <ahenning@othellowa.gov>
Sent: Thursday, July 20, 2023 1:34 PM
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Subject: [EXTERNAL] Notice of Application: Sand Hill Land Use Designation & Zone Change

WARNING: This email originated from outside of WSDOT. Please use caution with links and attachments.

Notice of Comprehensive Plan Amendment/Rezone Application & Public Hearing with Optional DNS

The City of Othello has received an application for an amendment to the Comprehensive Plan and rezone, as described below. Interested persons are encouraged to review the application documents at City Hall or via email, comment on this proposal within the comment period shown below, receive notice of and participate in any hearings, and request a copy of any decisions once made. Written comments may be submitted by mail or in person at City Hall, 500 E. Main Street, Othello, WA 99344 or via e-mail at ahenning@othellowa.gov.

D-6-3 Separation Distances

A guide for land use planning authorities on how to measure recommended distances between industrial areas and sensitive land uses to protect people and the environment.

Class I industrial

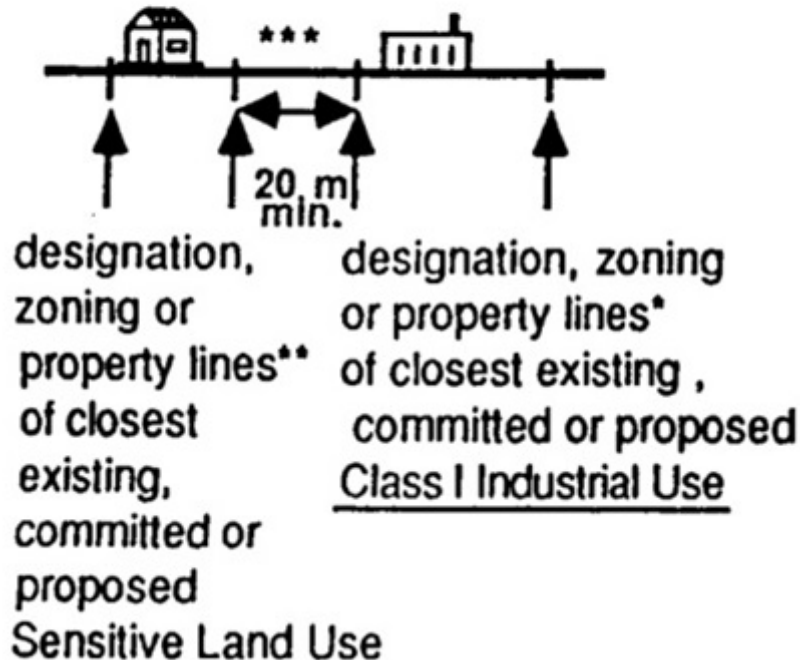
- 70 metre potential influence area
- 20 metre recommended minimum in which incompatible development should not normally take place

Section view

This diagram shows the designation, zoning or property lines of an existing, committed or proposed sensitive land use in relation to the designation, zoning or property lines of the closest existing, committed or proposed Class I industrial use.

CLASS I INDUSTRIAL:

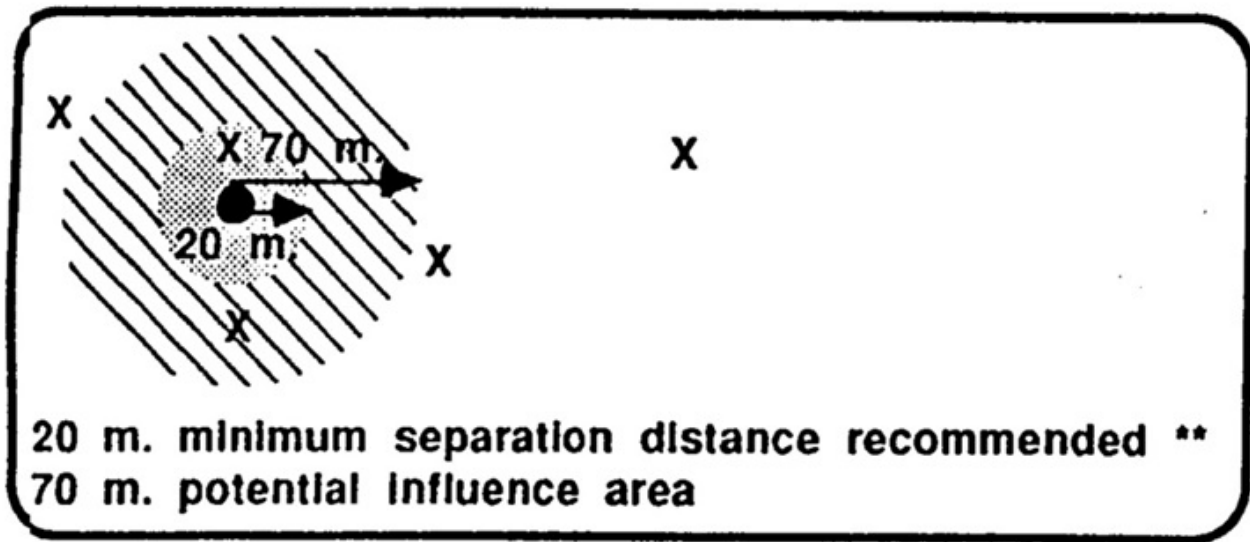
70 m. potential influence area



Plan view

This diagram shows an overhead view of the recommended minimum separation distance (20 metres), potential or actual influence area distance (70 metres), and acceptable range (greater than 70 metres) between sensitive land use and Class I industrial use.

The solid black dot indicates an existing land use, and the Xs indicate a proposed land use.

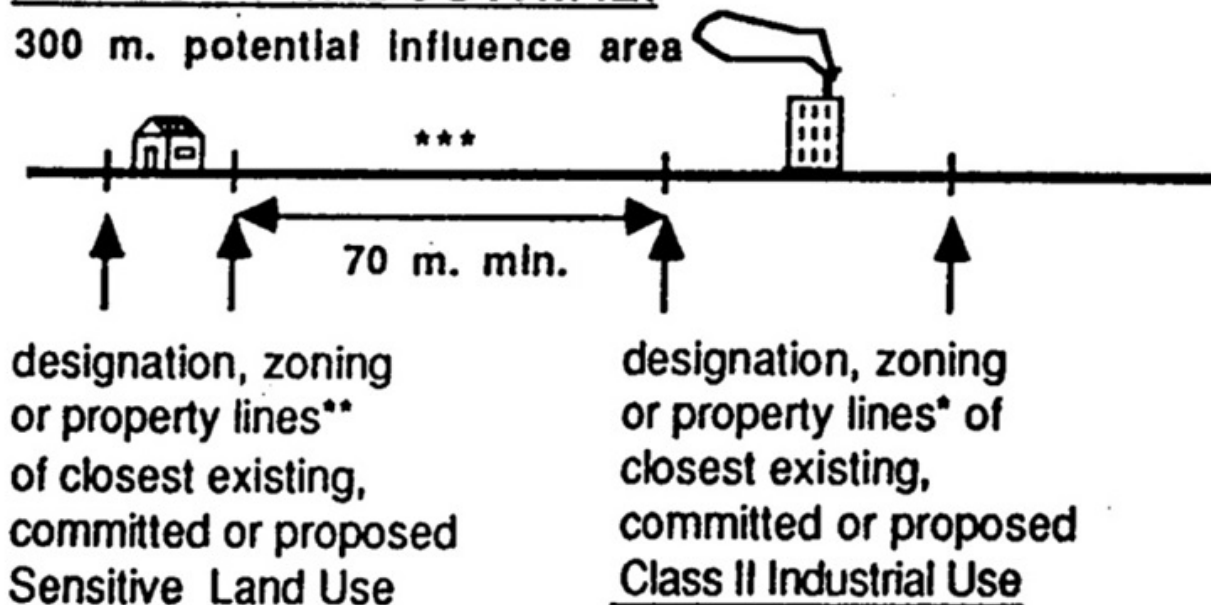


Class II industrial

- 300 metre potential influence area
- 70 metre recommended minimum in which incompatible development should not normally take place

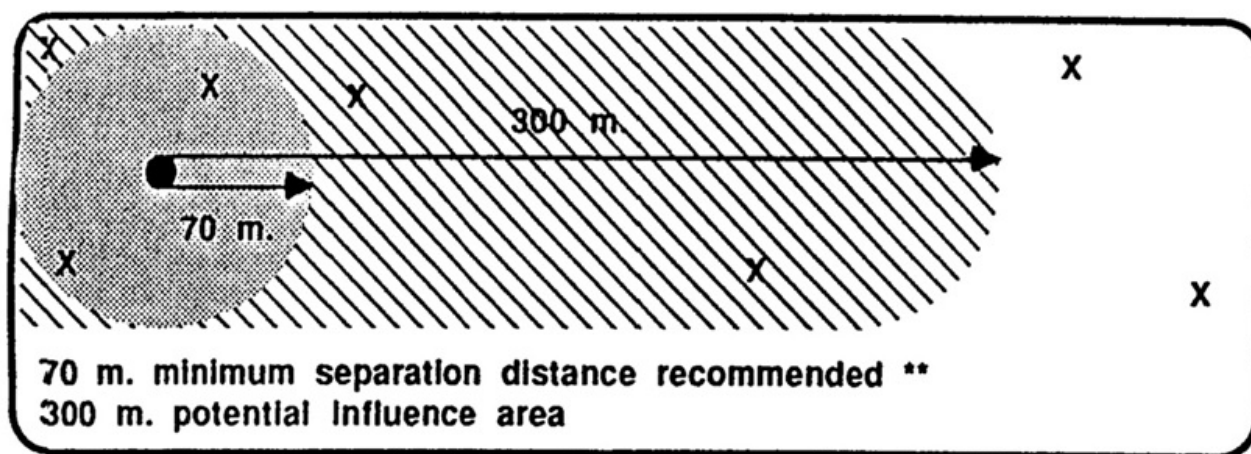
Section view

This diagram shows the designation, zoning or property lines of an existing, committed or proposed sensitive land use in relation to the designation, zoning or property lines of the closest existing, committed or proposed Class II Industrial Use.

CLASS II INDUSTRIAL:**300 m. potential influence area****Plan view**

This diagram shows an overhead view of the recommended minimum separation distance (70 metres), potential or actual influence area (300 metres), and acceptable range (greater than 300 metres) between sensitive land use and Class II industrial use.

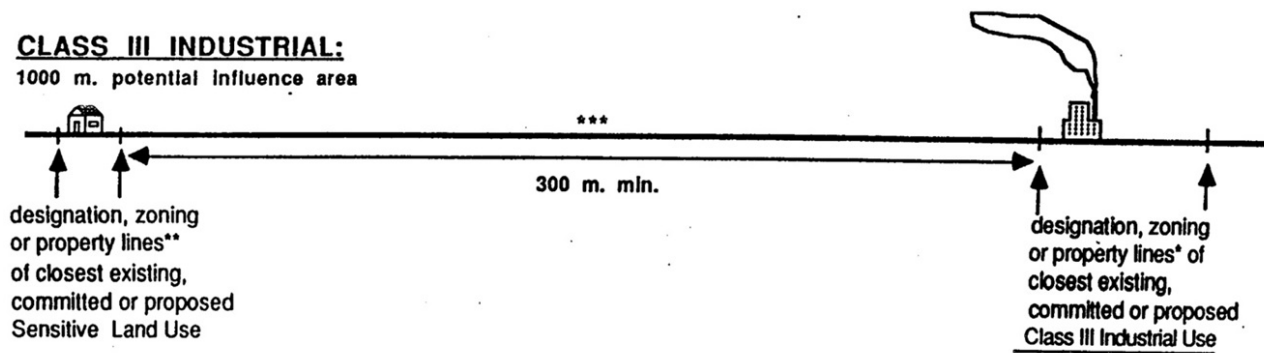
The solid black dot indicates an existing land use, and the Xs indicate a proposed land use.

**Class III industrial**

- 1000 metre potential influence area
- 300 metre recommended minimum in which incompatible development should not normally take place

Section view

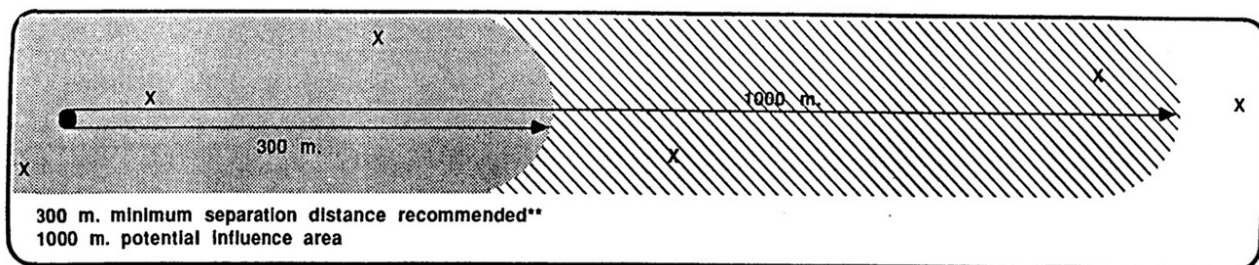
This diagram shows the designation, zoning or property lines of an existing, committed or proposed Sensitive Land Use in relation to the designation, zoning or property lines of the closest existing, committed or proposed Class III Industrial Use.



Plan view

This diagram shows an overhead view of the recommended minimum separation distance (300 metres), potential or actual influence area (1000 metres), and acceptable range (greater than 1000 metres) between sensitive land use and Class III industrial use.

The solid black dot indicates an existing land use, and the Xs indicate a proposed land use.



References

Recommended minimum separation distance

Incompatible development should not normally be permitted within the recommended minimum.

See the following Sections:

- Section 4.3 Recommended Minimum
- Section 4.10 Redevelopment, Infilling and Mixed Use Areas
- Section 4.2.5 Off-Site Separation Distances

Recommended potential area of influence or actual area of influence

“Adverse effects” need to be identified, mitigation proposed and an assessment made on the acceptability of the proposal. See “Section 4.1 Influence of Area Concept”.

Acceptable range

Beyond the potential area of influence, therefore normally development in this range should not pose a compatibility problem. See “Section 4.5.2 Separation Distances Greater than the Potential Area of Influence” for exceptions.

Measuring separation distance

See Section 4.4 Measuring Separation Distances.

The set backs established in zoning by-law can be included in the separation distance measurement if the by-law or site plan control precludes the use of the set back for activities that could create an adverse effect. See “Section 4.4.3, Zoning/Site Plan Control (Industrial Land Uses)”.

Where the established use on-site and ancillary lands associated with a sensitive land use are not of a sensitive nature (e.g., parking lot or roadway), measurement may be taken to where the sensitive activities actually begin.

See the following Sections:

- Section 4.4.2 Site Specific Plans
- Section 4.4.4 Ancillary use (Sensitive Land Use)

This approach may be particularly appropriate for redevelopment/infill proposals.
“See Section 4.10 Redevelopment, Infilling and Mixed Use Areas.”

If the existing land use is industrial, then the proposed land use is sensitive, and vice versa.

Updated: July 13, 2021

Published: September 26, 2016

D-6-1 Industrial Categorization Criteria

A guide for land use planning authorities on the appropriate distances between industrial areas and sensitive land uses like people's homes and workplaces.

Industrial categorization criteria *					
C a t e g o r y	Outputs	Scale	Process	Operation /Intensity	Possible example s **
Cl as s I	<ul style="list-style-type: none"> Noise: Sound not audible off property 	<ul style="list-style-type: none"> No outside storage Small scale plant or 	<ul style="list-style-type: none"> Self contained plant or building which produces/stor 	<ul style="list-style-type: none"> Daytime operations only 	<ul style="list-style-type: none"> Electronics manufacture

- Dust and/or Odour: Infrequent and not intense
- Vibration: No ground borne vibration on plant property

scale is irrelevant in relation to all other criteria for this Class

es a packaged product. Low probability of fugitive emissions

- Infrequent movement of products and/or heavy trucks

- ing and repair
- Furnit ure repair and refini shing
- Bever ages bottli ng
- Auto parts suppl y
- Packa ging and crafti ng servic es
- Distri butio

					n of dairy products • Laundry and linen supply
Class II	• Noise: Sound occasionally audible off property • Dust and/or Odour: Frequent and occasionally intense	• Outside storage permitted • Medium level of production allowed	• Open process • Periodic outputs of minor annoyance • Low probability of fugitive emissions	• Shift operations permitted • Frequent movement of products and/or heavy trucks with the majority of movements during daytime hours	• Magazine printing • Paint spray booths • Metal command • Electrical products

	<ul style="list-style-type: none"> • Vibration: Possible groundborne vibration, but cannot be perceived off property 				ction manu factur ing <ul style="list-style-type: none"> • Manu factur ing of dairy produ cts • Dry cleani ng servic es • Feed packi ng plant
Cl as s III	<ul style="list-style-type: none"> • Noise: sound frequently audible off property 	<ul style="list-style-type: none"> • Outside storage of raw and finished products 	<ul style="list-style-type: none"> • Open process • Frequent outputs of 	<ul style="list-style-type: none"> • Continuous movement of products and employees 	<ul style="list-style-type: none"> • Manu factur ing of paint and

<ul style="list-style-type: none">• Dust and/or Odour: Persistent and/or intense• Vibration: Ground-borne vibration can frequently be perceived off property	<ul style="list-style-type: none">• Large production levels	<p>major annoyances</p> <ul style="list-style-type: none">• High probability of fugitive emissions	<ul style="list-style-type: none">• Daily shift operations permitted	<p>varnish</p> <ul style="list-style-type: none">• Organic chemicals manufacturing• Breweries• Solvent recovery plants• Soaps and detergent manufacturing• Manufacturing
---	---	--	--	--

						ing of resins and costin g • Metal manu factur ing
--	--	--	--	--	--	--

Note: Emissions may be point source or fugitive.

* Note: This Table should not be considered a comprehensive list but is to be used to provide examples of industrial categories.

** Note: The following examples are not limited to the Class indicated on the Table. The categorization of a particular industry will vary with the specifics of the case.

Source: The criteria for categorizing industries into Class I, II or III are derived from Ministry experience and the investigation of complaints related to industrial facilities.

Updated: July 13, 2021
Published: February 26, 2016

CAN INDUSTRIAL BE A GOOD NEIGHBOR IN RESIDENTIAL AREAS?



1 SEP
2022

Can Industrial be a Good Neighbor in Residential Areas?

POSTED ON SEPTEMBER 1, 2022 BY TREY BARRINEAU AND HAS NO COMMENT

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Industrial properties are often built near neighborhoods, but that isn't always popular with the residents, who have legitimate concerns about noise, traffic and pollution from the increased volume of trucks and vans.

A recent [NAIOP online panel discussion](#) examined how developers can work with local communities to address these worries through outreach and engagement, as well as with design and technological innovations.

"Education is key to establishing that relationship early on," said Sven Tustin, executive vice president with Conor Commercial, who moderated the panel. "The developer has to listen to concerns. Residents look at a site plan that shows 200 dock doors, and they assume that there will be 200 trucks coming in and out 24/7."

Local Knowledge is Crucial

According to Micah Miranda, economic development director with the city of Chandler, Arizona, developers should familiarize themselves completely with a community where they want to invest. This includes understanding what the municipality's general development plan calls for, as well as the community's economic priorities.

"In Chandler, we view industrial development through the lens of advanced manufacturing and the supply chain necessary to support those clusters," he said. "The reasons we target this type of industrial is because it produces an extremely high economic impact. These industrial companies that occupy these buildings are often stickier. They have less likelihood of leaving a community once they're in it."

Miranda also urged developers to personally get to know the people on a city's planning and economic development teams.

"City staff are huge resources that I see developers underutilize quite often," he said. "They can save you time, money and probably more importantly, frustration. Once you start talking to city staff, they will literally spill the beans on everything going on in a neighborhood. They want to put developers in the best position to succeed while also representing their community stakeholders, the residents and other businesses to ensure that their quality of life isn't being infringed upon."

Jay Todisco, president of international design firm Ware Malcomb, said it's important for developers to do extensive planning before meeting with local officials.

"There's a strategy that begins with the land plan and how you place the buildings and where the trucks exit and enter the site," he said. "Have a solid game plan before you even engage the city officials."

However, Todisco also noted that flexibility is crucial, even when a developer comes to a community with a well-thought-out strategy in place.

"We engage the planners and we let them tell us what they want," he said. "The more we engage the planners and local people, then we get to a strategy that the city is buying into."

A Case Study from Chicago

Next, Brian Quigley, executive vice president with Conor Commercial, described how his company worked with residents to bring a 68-acre industrial

development to a neighborhood in Chicago's Interstate 55 corridor.

According to Quigley, a row of about 20 houses abuts the parcel. Those residents formed a coalition, and they were very adamant about not allowing the site to be rezoned for industrial uses.

"This is a site that was one of the last to develop in the I-55 submarket because it was zoned residential," he said. "Other developers had taken a look at it and laid out 1.5 million square feet in one or two buildings with trucks all over the site."

That forced the developers to go back to the drawing board.

"One of the first things that we did was meet with Ware Malcomb and come up with a site plan that's not so invasive for the residential community," he said.

The final site plan featured six smaller buildings between 50,000 and 200,000 square feet. All the buildings face outward, but the loading areas and truck court face the interior of the park. The developers put in a spine road that is accessible for all six buildings. All trucks coming off the feeder road don't go near the residential areas, and they stay within the confines of the industrial park.

To address truck noise and industrial lighting, a 12-foot berm was put in between the residential area and the industrial area, which was topped with lots of landscaping and an eight-foot wooden fence. The lights in the employee parking lots were lowered from 24 feet to 12 feet.

"The residents are not going to be looking at docks or trucks," Quigley said. "There are no trucks idling anywhere near their property. Emissions are all pushed to the center of the park."

To further address noise concerns, Conor Commercial hired Shiner Acoustics in Chicago to develop a plan to mitigate noise intrusion into the neighborhood. That led to the construction of a 28-foot-tall PVC sound wall insulated with four inches of wool.

"We prepared all this information and had a meeting with the residents and proved to them that we're committed to being a good neighbor," Quigley said. "In the end, we won them all over. We had meetings monthly during construction. I think the residential folks are happy, and we've got a vibrant, thriving industrial park."

Todisco said hiring experts such as Shiner Acoustics is a crucial step for developers when it comes to winning over residents.

“When the developer hires people like sound engineers, it creates credibility,” he said.

The New Era of Industrial

Another factor that developers must consider is the evolution of industrial buildings amid the rise of e-commerce.

“These really aren’t going to be just distribution buildings anymore,” Todisco said. “They’re going to be mixed use, last mile, mid mile, maybe some light manufacturing.”

Todisco described a developer in Miami who asked to add retail to an infill industrial project and make it look like an apartment building, so Ware Malcomb put in windows and fake balconies.

“All of a sudden, the building has a different look,” Todisco said. “Then we added ground-floor retail. People can pull in and get cup of coffee.”

That’s just one of the many ways these buildings are evolving, he said.

“They’re mixed-use buildings,” he said. “They’re buildings that people are going to want in their neighborhood. We can’t put shoeboxes up anymore. We have to evolve our thinking. How do we integrate into cities and residential neighborhoods to be good neighbors?”

Finally, Ben Conwell, Cushman & Wakefield’s senior managing director for logistics and industrial services, said his clients are starting to embrace the evolution and advancement of technology in industrial facilities.

“The electric vehicle paradigm shift has happened, but we’re still in the early days of being able to deploy vans in an environmentally conscious way,” he said. “Instead, technology is going inside that building to reduce a few things. Eventually, we will get to the point where, instead of employing 600 people, it might employ 300 people who are successful in leveraging technology. We’ll reduce trips from the associates working there.”

Conwell also said environmental, social and governance (ESG) principles will continue to grow in importance. Currently, features like rooftop solar and rainwater capture are tenant-driven features. That will change in the future.

"We see the smart, enlightened big users going to municipalities early on to tell them how they're going to differentiate themselves from all the other concrete boxes in the market," he said. "They're striving to be socially responsible, thoughtful and intentional about site selection decisions, taking into account not just who is within 200 yards of the building, but increasingly concentric circles that go out well beyond that."



Trey Barrineau

Trey Barrineau is the Managing Editor, Publications for NAIOP. In this role, he supervises day-to-day operations of Development magazine.

www.naiop.org/

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City of Othello
Building and Planning Department
July 2023

Building Permits			
	Applied	Issued	Final
Residential	18 ¹	15 ⁴	11 ⁷
Commercial	2 ²	2 ⁵	3 ⁸
Industrial	0	0	1 ⁹
Total	20	17	15

¹ 4 single family, 1 remodel, 1 ADU, 6 reroof, 2 HVAC, 4 fences
² HVAC at 80 E Wahluke, fence at First Baptist Church
⁴ 3 single family, 2 HVAC, 4 reroof, 1 patio cover, 5 fences
⁵ Sagehills Veterinary sign, HVAC at 80 E Wahluke
⁷ 7 single family, 1 shade pergola, 2 siding/stucco, 1 reroof
⁸ Commercial hood at baseball concession stand & pool concessions, HVAC at McDonald's
⁹ HVAC at SVZ

Inspections

- The Inspector completed 156 inspections in July, including 28 rental inspections.

Land Use Permits		
Project	Actions in July	Status as of July 31
Amoruso/Meek/Port Boundary Line Adjustment	Received, reviewed, approved.	Waiting for copy of recorded document.
Charan Short Plat final plat	Corrected sidewalk bond submitted. Drawings/application submitted. Notice of Application prepared and routed.	Comment period ends Aug. 9.
Ochoa Annexation (E of 14 th , Main to Lee)	Council set public hearing date. Public hearing notices prepared for newspaper and on-site. Staff discussions about right-of-way. City Engineer coordinated with Adams County Public Works on who should maintain right-of-way. City Engineer revised the legal description to include adjacent ROW. Prepared information and ordinance for Aug. 7 public hearing.	Scheduled for public hearing Aug. 7.
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.

Land Use Permits		
Project	Actions in July	Status as of July 31
Othello Housing Authority Annexation	No change.	On hold per proponent.
Pegram Major Plat & Development Agreement	No change from June.	Waiting for proposals from proponent on the shared well and drain line/groundwater issues.
Sand Hill Estates #5 final plat	Engineering worked with them on street and utility punch list & maintenance bond. Final plat documents routed for review. Staff completed code review. Prepared for Council review, expected in Aug.	Waiting for street and utility improvements to be ready for acceptance, then will bring the final plat for Council approval (likely in August).
Sand Hill Comprehensive Plan Amendment/Zone Change Request	Based on Planning Commission concern at the previous meeting, staff notified industries about the proposal and opportunity to comment. Only 1 comment received (from the railroad). Planning Commission set public hearing date for Aug. 21. Submitted 60-day notice to Dept. of Commerce. Notice of Application completed and routed to agencies & public. Public hearing notification letter prepared for neighbors. Translated by Mayor's Assistant Brianna Garza. (Mailed Aug. 7).	Planning Commission public hearing scheduled for Aug. 21.
Story Rentals Final Plat (Ace Hardware)	New drawings received, forwarded to City Engineer for review.	No update to plat certificate received. Likely still some issues with the legal description.
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 coordinate next steps. Street improvements must be completed or guaranteed before accepting mylars for recording.

Rental Licensing & Inspection Program

- No new rental applications were submitted in July.
- 17 sites with a total of 41 units were approved in July.
- There were 28 rental inspections in July.
- 137 locations with a total of 262 units have been fully approved so far.
- There are currently 39 active applications for a total of 111 units in various stages of inspection and correction.

- Code Enforcement has documents for 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 who were supposed to have made corrections and schedule a re-inspection. All but 2 responded. Of the other 8, 3 are now fully complete, one completed some of their units and is working on the rest, and the remaining 4 are in the process of finishing their corrections. We will take the next step in enforcement on the 2 who didn't respond at all.
- We continue to track rental units as they come to our attention, and notify the landlord to get their rental license and schedule inspections.

Development Projects

- Working with car wash/espresso building at Pik-a-Pop about their proposed oil/water separator.
- Building Official responded to Adams County Sheriff about the plans needed for the proposed temporary evidence storage membrane structure.

Grants

- Provided input into TIB grant application for sidewalk construction.

Training

- Dept of Commerce webinar: Updating the Housing Element

Other

- Elevate Othello Advisory Team/Planning Team meeting with Rural Development Initiatives (RDI).
- RDI is scheduling focus group meetings in August. Working on the Career Pathways group (opportunities for young people to train for and get jobs that can lead to careers they can have in Othello). Compiling contact list.

Exhibit 5. Matrix of Strategies and Relationship to Housing Objectives

Strategy	Housing Action Plan Objectives			
	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 (MITE) program for affordable housing.	Completed ✓	✓	✓	✓
4. Process Improvements				
4.1 Streamline permit review	✓	✓	✓	