MINUTES OF THE
SPokane County Planning Commission
February 26, 2015

A meeting of the Spokane County Planning Commission was called to order by Chair Stephen Pohl, at 9:03 a.m. on February 26, 2015 in the Commissioners Hearing Room, Lower Level, Public Works Building, Spokane, WA.

Present:

Planning Commission
Stephen Pohl, Chair
Mike Cummings
Joyce McNamee
Stanley Stirling
Alene Lindstrand

Staff
John Pederson, Planning Director, Spokane County Dept. of Building and Planning
Steve Davenport, Senior Planner, Spokane County Dept. of Building and Planning

Interested parties as shown on the attached copy of the Sign-in Sheet.

1. Chair, Stephen Pohl, stated that he would like to discuss Item #5 prior to the Public Hearing.

2. Public Comment

There was no public comment.

3. Action on Minutes of February 12, 2015

Motion by Alene Lindstrand to approve the minutes of February 12, 2015. Second by Stan Stirling. Motion carried unanimously.

4. Public Hearing: Comprehensive Wastewater Management Plan (CWMP) as an Element of the Spokane County Comprehensive Plan

John Pederson stated that Gene Repp, Department of Utilities, would present an update of the Comprehensive Wastewater Management Plan to the Planning Commission.

Jeff Hanson, HDR, Inc. stated that he has been working with Gene Repp, Spokane County Department of Utilities, on the 2014 Comprehensive Wastewater Management Plan (CWMP). Mr. Hanson provided copies of his presentation. (Exhibit 1) Mr. Hanson presented the history of the CWMP and explained the septic tank elimination program (STEP) has now been completed and the next step is to focus on the approach to provide sewer service currently undeveloped areas. Mr. Hanson explained that proposed revisions to the service areas in Spokane County may require concurrence from the City of Spokane and Liberty Lake Sewer & Water District. Mr. Hanson stated the proposal is to accommodate future growth and flow projections, sewer flow projects, treatment considerations in the sewer service area and the expanded Urban Growth Area (UGA). Mr. Hanson also stated the proposal is to meet the needs of existing and future citizens, enhance water quality protection and the environment, especially within the UGA. Mr. Hanson indicated the
CWMP is looking at extending service within the next 20 years to undeveloped areas in the UGA and the County service area.

Mr. Cummings asked if further growth was proposed in Spokane Valley. Mr. Hanson directed the members to the three maps showing the areas proposed in blue that are within the County's service area but not yet extended, with green representing the current service areas.

Mr. Hanson explained the existing wastewater flow at 8.6 million gallons per day with the projection in 20 years being approximately 11.7 to 19 million gallons a day, which is not through direct connections but also includes rain events, manholes, ground water levels, age of pipes which leak, etc. Mr. Hanson stated there are two treatment facilities; one is County owned and operated, and one that the County shares with the City of Spokane. Mr. Stirling asked if the County plant was designed with that in mind. Mr. Hanson replied yes with the potential for expansion to 24 million gallons per day.

Ms. Lindstrand asked for an explanation of the legend on the maps where it states proposed Urban Growth Area boundary. Mr. Hanson explained that the maps show the current UGA boundary and the extension into the revised UGA boundary.

Mr. Cummings asked if the update is being coordinated with the City of Spokane. Mr. Hanson stated correct, the City is in the process and the County has a share of that capacity and will help financially to make those upgrades. Ms. Lindstrand asked how much does the County contribute to the City for these upgrades. Mr. Hanson stated he did not know, only that there is a contractual contribution between the County to the City and if the City upgrades their plan the County pays for a share of the upgrades.

Mr. Pohl asked if there were any other questions or any public testimony. There being no further public comment, the public comment portion of the meeting was closed.

**Motion by Mr. Stirling** to send this to the Board of County Commissioners. **Second by Mike Cummings. Motion carried unanimously.**

5. **Staff Report**

Mr. Pederson informed the members that the County is entering into mediation with the appellants regarding the 2013 UGA Update as it has been declared invalid by the Growth Management Hearings Board. Mr. Pederson stated that this process will take time and he will keep the members apprised.

6. **Staff Report/ Planning Commission Issues: Deliberations from February 12, 2015 meeting on: Proposed Text Amendment to Spokane County Zoning Code re: Railroad Intermodal Facilities in Rural and Resource Zones**

Mr. Pederson reiterated the events of the Planning Commission Hearing of February 12, 2015 regarding the proposed text amendment to the Spokane County Zoning Code for Railroad Intermodal Facilities in Rural and Resource Zones. Mr. Pederson provided an overview of the public and agency comments, stating the majority of the comments received were not in favor of the proposed text amendment as it relates to Resource Lands. That non-agricultural uses in Resource Lands are not consistent with the purpose and intent of the Comprehensive Plan Goals and Policies. Mr. Pederson also explained that the Fairchild Air Force Base overlay zone requires consultation with the Base regarding any development in the accident potential zones and military impact areas. Mr. Pederson directed the members to the zoning code matrices indicating what is
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outright permitted and/or subject to performance standards. Mr. Pederson explained this text amendment is not an outright permitted use and has the potential to impact the County; a Conditional Use permit would allow each site to be reviewed on a case-by-case basis and would require a public hearing process. Mr. Pederson stated the amendment would be more in line with the rural land use designation. Mr. Pederson informed the members that the applicant is here and available to answer additional questions.

Ms. Lindstrand stated that if this particular request is outside the text amendment she did not see any problems, but questions the justifying of the text amendment if there are more than one or two potential sites. Mr. Pederson stated there are probably not a significant number of these kinds of facilities that may be sited in the County, the maps show the potential locations which are very limited and Mr. Hume can explain the scope and applicability. Ms. Lindstrand asked why this could not be a Conditional Use permit. Mr. Pederson stated that was a good point and could be part of the Commissions’ recommendation.

Mr. Pohl asked for clarification. Mr. Hume stated that developing an intermodal facility is expensive, has to be located within a mile and a half of an existing rail system, and the development would not be countywide as it is limited to four rural zones. Mr. Hume explained it has to be a text amendment as opposed to amending the code to allow for this type of facility, which includes other agricultural products unrelated in intermodal facility. Mr. Hume explained the text has to be there to allow diversification and to allow short-line railroads to sustain themselves.

Mr. Stirling asked if this could be used for agricultural products? Mr. Hume stated it is being used for agriculture products but the need is for other uses. Mr. Stirling stated this would be a boon to farmers. Mr. Hume agreed and stated without this text amendment the eventual maintenance of the railroad may not be there and the agricultural industry could lose.

DISCUSSION

Discussion was then directed towards Fairchild Air Force Base’s comments and the approval process and rules that would have to be applied for a project within Fairchild Air Force Base’s overlay zone.

Mr. Pohl stated there are lots of moving parts, questions about the implementation of the amendment and how the Planning Commission needs to proceed. Mr. Pederson stated the members could recommend revisions to the text in response to public comments. Mr. Pederson explained there is a compatibility issue with Resource Lands which are designated to be maintained and protected from certain uses, that this kind of requested use is more supported by the Rural zone, as opposed to the Resource Land zone. Mr. Pohl noted that the staff report indicates this type of facility could be allowed through major industrial development, discussed the issues with the Resource Land zone, and the Conditional Use permitting process would be cumbersome to go through as opposed to an allowed use.

The Commission took a break at 10:12 a.m.
The meeting reconvened at 10:22 a.m.

Ms. McNamee stated this is a great idea, it reduces the traffic on the highways and she could see a proposed text amendment in the Rural zone as she believes agricultural lands need to be protected.
Mr. Cummings found it interesting the comments received from the City of Cheney and stated he did not want to amend Resource Lands as he would be more inclined to look at a Conditional Use Permit on a case-by-case basis.

Mr. Pohl asked for additional suggestions and a motion to adopt the proposed amendment to Spokane County Code Chapter 14.300 Definitions and Chapter 14.616 Resource Lands and Chapter 14.618 Rural Zones, by changing the proposed Railroad Yard Intermodal Site from the limited use/permitted use to a Conditional Use designation with specific performance standards, as well as revising the definition of Railroad Yard Intermodal Site from strictly intermodal transfer to transfer of all types of freight.

Mr. Pohl asked Mr. Pederson to explain the conditional use process. Mr. Pederson explained Conditional Use permits go through an application process, needing a detailed site plan, notification to neighbors, and a public hearing process through the County Hearing Examiner. Mr. Pederson indicated the Hearing Examiner can limit hours of operation, and impose additional mitigating measures as needed.

Motion made by Ms. Lindstrand to amend the Zoning Code text to allow an Intermodal Transfer Site, as revised by the applicant as a Conditional Use Permit in the Resource Land and Rural zones. Second by Ms. McNamee.

Mr. Pederson indicated staff will amend the Resource Lands matrix and the Rural Zone matrix to allow an Intermodal Transfer site as a Conditional Use Permit and revise the Railroad Yard Intermodal Transfer site definition.

After discussion, the motion carried unanimously.

7. Set Next Agenda

The next meeting of the Planning Commission will be held on March 26, 2015.

There being no further business before the Commission, the meeting adjourned at 10:40 a.m.

Stephen Pohl, Chair
Pete Rayne

Approved: 5-14-16

Barb Aubert, Clerk