

**TOWN OF GARFIELD
PLANNING COMMISSION PUBLIC HEARING AND MEETING MINUTES
OCTOBER 20, 2008**

CALL TO ORDER: Chairman Phil Weagraff called the public hearing to order at 6:04 PM.

ROLL CALL: Tammy Howard, Kevin Pickron, Tami Southern, Damon Vassar, Phil Weagraff and Planning Commission Secretary Annie Pillers.

PUBLIC PRESENT: There was no public present.

BACKGROUND:

Chairman Phil Weagraff explained the town council had asked the Planning Commission to consider adding public buildings to the zoning code. Currently there is no provision in any zoning area for any kind of public building. It was confirmed the zoning code was redone in 2005.

BOARD QUALIFICATION:

Phil Weagraff asked each member of the Planning Commission the following questions.

- a. "Does any member of this Commission have a personal or financial interest in this matter or its outcome? All members indicated no, except Tammy Howard who said probably not, but that she works for a hospital district, which owns public buildings.
- b. "Does any member of this Commission live or own property within 300 feet of the area which is the subject of this proceeding?" The members did not believe this would disqualify them nor did they feel they could not hear the matter objectively.
- c. "Is there a member of this Commission who believes that he or she cannot sit and hear this matter fairly and objectively?" All members – no.
- d. "Is there a member of this Commission whose employer has a personal or financial interest in this matter or its outcome? All members indicated no, except Tammy Howard who said probably not, but that she works for a hospital district, which owns public buildings.
- f. "Is there a member of this Commission who has had oral or written, off-the-record communication (ex parte), without notice to opponents or proponents that is directed towards the merits or outcome of this proceeding? All members - no.
- e. "Is there any member of this audience who feels a member of this commission cannot judge this issue fairly? No public in attendance.

Phil Weagraff then read:

The laws of the State of Washington provide that, "During the pendency of any quasi-judicial proceeding, no member of a decision-making body may engage in ex parte communications with opponents or proponents with respect to the proposal which is the subject of the proceeding. This prohibition does not preclude a member of a decision-making body from seeking in public hearing specific information or data from such parties relative to the decision if both the request and the results are a part of the record. Nor does such prohibition preclude correspondence between a citizen and his or her elected official if any such correspondence is made a part of the record when it pertains to the subject matter of a quasi-judicial proceeding."

Proposal:

Add the existing definition “public building” as defined in 24.02.060 (30) as a conditional use in the zoning districts outlined in 24.04.070.

Chairman Weagraff asked the commission members what their preference would be with respect to public buildings in all zones or specific zones.

Phil confirmed the current sites proposed for the public safety building include the land just past Greg Partch’s in the field not farmed in AG-1 Zone, the land where Jim Storms grows trees in R-1, and across from Tami Southern’s house in FI-1.

Phil said his initial idea was to allow public buildings in the whole corridor here (AG1, R1 trees, FI-2) where main street goes down.

Kevin Pickron said he liked the idea of having public buildings be approved by conditional use. It provides a check and balance. As the town moves forward, the Board of Adjustment can respond to that. He noted the town would get more community response once people know where the public safety building will be located. Annie Pillers confirmed property owners within 300 feet of any proposed conditional use, get written notification of the proposal and Board hearing. He liked the fact the community would get notice as part of the conditional use request.

Further, Kevin said he was okay to open public buildings to all zones as it goes through the Board for a conditional use. He said if it was limited to only the AG1 zone tonight it would be a barrier. By being conditional use in any zone, the Board can deal with it on a case-by-case basis.

Tammy Howard said she couldn’t see any place where the Board would say no. She liked the idea of public buildings in all zones as a conditional use. It would come to Board of Adjustment first and notification would go out to community members.

Phil Weagraff was agreeable to including public buildings in all the zones.

Tami Southern agreed about public notification. She said people want to know the location as it could affect their house value. Kevin noted there were houses in every zone, even downtown. He said he could exclude public buildings in AG2, but that use could change, and we don’t know how the city could grow.

The public hearing was closed at 6:20 and the commission meeting opened.

Kevin Pickron **MOVED** to add the existing definition “public building” as defined in 24.02.060 (30) as a conditional use in the zoning districts outlined in 24.04.070. Tammy Howard seconded the motion and the motion carried unanimously.

DRAFT FINDINGS OF FACT:

Annie Pillers read the draft findings of fact -

The existing zoning ordinance defines public building as a building constructed for public purposes and usage by agencies and departments of local, county, state, or federal government but does not include this use under the list of outright uses or conditional uses in the zoning code. This appears to be a simple oversight when the zoning code was adopted.

Public buildings, as a conditional use to the zoning districts, would not negatively affect the comprehensive plan.

Public buildings, as a conditional use to the zoning districts, would not be inconsistent with other conditional uses already defined in those districts.

Making public buildings a conditional use rather than an outright use affords any oversight necessary to insure conformity within the existing zoning district which the public building is proposed.

Making public buildings a conditional use rather than an outright use affords public notice to residents impacted within 300' of the proposed area.

The Planning Commission approved the findings of fact as outlined.

APPROVAL OF MINUTES: Tammy Howard **MOVED** the minutes of the May 5, 2008 be approved as written. Damon Vassar seconded the motion and the motion carried unanimously.

SETBACK CLARIFICATION: Annie Pillers asked for clarification in the side yard setback for F1-2. Phil Weagraff said with the potential of houses next door the setback would be 15 feet, similar to the other zones.

ZONING UPDATE: Kevin Pickron indicated he had been reviewing the zoning code and found a few inconsistencies he would like to address. The Planning Commission agreed to meet following the Board of Adjustment Meeting, Monday, October 27th to reviewing the zoning code.

ADJOURNMENT: Phil Weagraff adjourned the meeting at 6:33 pm.

NEXT MEETING: Monday, October 27th, 6:15 PM following the Board of Adjustment Meeting at 6:00 pm.

Approved:

ATTEST:

Phil Weagraff, Chairman

Annie Pillers, Clerk/Treasurer