



BOARD OF YAKIMA COUNTY COMMISSIONERS

Regular Meeting

Work Session

Monday, June 5, 2023, at 9:00 am

BOCC Conference Room, Room 232, 128 N 2nd Street, Yakima, WA 98901 or Zoom

6/5/2023 - Minutes

1. CALL TO ORDER

Meeting Called to Order at 9:00 a.m.

PRESENT: Chair LaDon Linde, Commissioner Amanda McKinney, Commissioner Kyle Curtis, Legal Counsel Stefanie Weigand, Clerk of the Board Julie Lawrence, Deputy Clerk of the Board Erin Franklin, Planning Official Tommy Carroll, Human Services Director Esther Magasis, and guests.

2. PUBLIC COMMENT

No Public Comment Received.

3. EXECUTIVE SESSION (20 Minutes)

The Board met in executive session for 19 minutes at 9:01 a.m. for a discussion with legal counsel about legal risks of current or proposed action as allowed by RCW 42.30.110(1)(i). The Board returned at 9:20 a.m., and no further action was taken.

4. PUBLIC SERVICES (60 Minutes)

Naches UGA Discussion: Tommy explained that he had been asked by the Board to provide some information on the potential residential development of agricultural land around the Town of Naches in relation to the Small Lot Provision. He noted that this provision is one of the only ways to subdivide in the ag zone. The ag zone allows for one dwelling per 40 acres, with exception of this provision, in which a property owner can subdivide and create a 1-3 acre lot around their existing house, if the house is at least 5 years old and the property hasn't been subdivided in the past 15 years. This leaves a viable field with the rest of the acreage, but the property owner can also build another house in that field, to either keep or sell. Property owners could repeat this process every 15 years if desired. Originally, this provision was intended to allow farmers to keep their homes on their property and sell their agricultural land to others to continue to farm (e.g. if they are ready to retire).

In response to Commissioner Linde's question about the Open Space Provision, Tommy explained that a property owner could get into the Open Space Program for their ag land and receive an agricultural tax exemption, but the Assessor would assess the house lot area separately as a residential lot. This would be true for any additional house lots created through subdivision via the Small Lot Provision.

Commissioner McKinney observed that the series of subdivisions over time allows for a very natural growth span without having to expand the UGA or taking ag land for development. Tommy then showed a mockup for different agricultural areas around Naches that are eligible for subdivision, and extrapolated how many single-family homes could be constructed over the next 30 years in 3 different sections if all of those property owners opted to utilize the Small Lot Provision: 82 single-family homes this year, 53 in 15 years, and 32 in 30 years. They wouldn't have to sell or rezone their properties – all they would need is a building permit. In Tommy's years of experience, this has been the main type of subdivision in Yakima County.

In response to Commissioner Linde's questions about the history of the cycle for updating the County's Comprehensive Plan and reviewing Urban Growth Areas under the Growth Management Act, Tommy explained that the cycle was originally every 7 years, then every 8 years (changed in 2007-2008), and now every 10 years (changed in 2022). However, because a number of cities kept asking for emergency amendments in between cycles, a previous Yakima County Commissioner Board opted to offer updates every 5 years, starting in about 2012. (In response to Commissioner Curtis' question, Tommy further explained the difference between emergency comprehensive plan amendments and emergency UGA amendments.) Most cities are not in favor of a cycle this short because they don't have the time or funding to update their comprehensive plans that often. It can also result in the use of older land evaluations and census data for any changes; this only compounds the issue, as the Legislature did not properly align the update cycle with the census cycle in the first place. Ultimately, municipalities end up having to perform additional population evaluation for more accurate data. Tommy also noted that many UGA's were originally overextended because municipalities were worried that expansion would be more difficult in the future. Afterward, some of them realized they hadn't adequately analyzed and planned for actual growth, costs, utilities, services, etc.

The Board went on to discuss differing views of "commercially/economically viable/significant" agricultural property, noting that it can be dependent not only on the size of the plot, but also on who is farming the property and what type of crops are being grown. Farmers might even own non-contiguous, smaller properties to farm – Tommy noted that this is becoming more common. They also discussed what might constitute a municipality's "natural" growth pattern vs. growth "by design" as municipalities are required to plan for growth. Tommy explained the idea of "land swaps" in UGA's, noting that while they were allowed in the past, Washington State no longer allows them for agricultural land outside of the regular update cycle. This is a particular challenge in Yakima County, where most available land is agricultural. The letters that the County received from the Department of Commerce pertained to both land swaps and the need to consider the growth of the County as a whole during the regular update cycle. Tommy acknowledged that Yakima County should always work to avoid violations (such as the aforementioned land swaps), but noted that in terms of the regular update cycle, the County tends to naturally stagger these updates based on the needs of local municipalities. For the next update, work will begin at the end of 2023, all the way into 2025. The County will reach out to each of the cities to develop a timeline for updates, which will be based in part on the timing of grant funding the cities use for the update process.

Commissioner McKinney stated that she would like Tommy to inform the Board once this timeline is developed, so that cities and their residents can be made aware with plenty of notice in order to allow ample time for public feedback. In terms of the current emergency amendment request, she advocated for more time for discussion between the Naches town officials and residents in order to find a solution that has community support. Tommy confirmed that he would keep the Board informed and involved in the process.

Commissioner Curtis MOTION: To Add "Naches UGA Deliberations" to Tuesday's Agenda

Commissioner Linde SECOND

Motion Passes Unanimously.

5. HUMAN SERVICES (45 Minutes)

Mental Health Sales Tax RFI Discussion: Esther Magasis explained that she had updated the internal project spreadsheet to reflect departments' answers to the Board's questions at a previous Work Session: "Is this cost currently covered by your budget, in part or in whole?", "If yes, how much of this cost is already covered in your budget?", and "If yes, what is the funding source for this cost and how sustainable is it?" She confirmed that she would also forward the spreadsheet to the Board for their further review. She added that she would follow up with Legal Counsel Dan Clark to clarify whether and how long "supplanting" funds is allowable for therapeutic courts. Esther went on to outline the updates to each internal application.

On the topic of Designated Crisis Responders (DCR's), Commissioner Linde explained that his understanding from Josh Weiss is that the delay in answers on State funding is due to the fact that while it's included in the State's budget, it's not an actual line item, so it's still unclear exactly how much will be available. In the meantime, three different proposed models for the DCR program will be presented to the Board once the law enforcement community finishes providing input and projected costs are finalized. It is possible that the Sheriff's Office and/or some of the city police departments may be able to donate some older vehicles, as well. Esther noted that all of these factors could greatly impact the final amount of the project request.

As for the RFP for external projects, Esther stated that she will now be able to shift her focus from internal applications and DCR's to finishing the external RFP development; Melissa Holm has been researching this topic in the meantime. Esther could have a draft ready by June 16th; however, the Board agreed to have Esther follow up at the June 23rd Work Session due to an already full Work Session on the 16th and a cancelled Work Session

on the 19th in observance of Juneteenth. Esther added that she would work with Lance Larsen to try to get Human Services' projected budget for next year finalized shortly, as well.

6. COMMISSIONER UPDATES/ GENERAL DISCUSSION

The Commissioners gave updates on individual committee/board assignments for the week of May 29, 2023-June 2, 2023. (Commissioner McKinney lost service during this portion of the meeting; however, Commissioners Linde and Curtis shared their updates.)

7. NEW BUSINESS

No New Business.

8. ADJOURN

Commissioner Curtis MOTION: To Adjourn

Commissioner Linde SECOND

Motion Passes to Adjourn. Meeting Adjourned at 10:57 a.m.

All work sessions are recorded and will be available to view on the BOCC website at <https://www.yakimacounty.us/AgendaCenter/Board-of-Commissioners-2>.

APPROVED DATE

DATE/Minutes

JUN 2 0 2023

BOARD OF YAKIMA COUNTY COMMISSIONERS

LaDon Linde, Chair

Amanda McKinney, Commissioner

Kyle Curtis, Commissioner

*Constituting the Board of County Commissioners
for Yakima County, Washington*

