

1 **YAKIMA COUNTY PLANNING COMMISSION**

2 **Open Record Public Hearing Minutes**

3 Wednesday, October 13, 2021, 6:00 PM

4 **Location:**

5 **First Street Conference Room, 223 N. First Street, Yakima, WA 98901**

6 <https://global.gotomeeting.com/join/786140677>

7 **United States: +1 (872) 240-3412 Access Code: 786-140-677**

8
9 **I. Call to Order:** Doug Mayo (Chair) called the meeting to order at 6:01 pm.

10 **A. Roll Call.** A quorum was present.

- 11 1. **Commissioners Present:** Jerry Craig, Jerry Mellen, Doug Mayo, and Kyle
12 Curtis. Mike Shuttleworth joined at 6:07 p.m.
- 13 2. **Commissioners Absent:** None (two vacant positions).
- 14 3. **Yakima County Planning Staff Present:** Noelle Madera, Tua Vang, Phil Hoge,
15 Olivia Story, Aman Walia, and Karri Espinoza.
- 16 4. **Public Present:** Jeff Ranger, Paul Williams, Stacy Mills, RYANNE Mills, Doug
17 MacNeil, Laurie Kirkland, Jonathan Thompson, Eugene Thompson, and Ted
18 Tolle.
- 19 5. **Virtual Public Present:** 1 (360) 580-9196, 1 (509) 307-8427, Connor Phelps,
20 Jeffrey Davis, Kent VanArnam, Kyle, Mike, Mya Stivner, Paul Beveridge,
21 Roxanne Thompson, and Trudy Walker.

22 **B. Approval of September 8, 2021 meeting minutes.**

23 There being no objections to the meeting minutes, the Planning Commission
24 approved the September 8, 2021 minutes and were declared approved by the
25 chair.

26
27
28 **II. Public Comment:** None.

29
30
31 **III. Open Record Public Hearing Continued for LRN2021-00001/SEP2021-00010 Naches**
32 **Emergency Urban Growth Area (UGA) Amendment**

33 **Doug Mayo** – We will now re-open the open record public hearing that was continued
34 last month. So we will continue it. We have some hearing rules. Can you guys hear me?
35 All persons speaking to the Planning Commission shall stand, approach the rostrum and
36 microphone, actually we would like you to stand over here because we don't have a
37 rostrum setup. Stand here, face the room. We need to speak clearly so that the
38 microphone can pick it all up. Identify yourself by name, your address, and whom they
39 represent. Testimony shall be kept factual and on subject. The Chair is charged with the
40 responsibility of discouraging and stopping irrelevant, unnecessarily long, repetitive, or
41 abusive testimony, and at the onset may limit the length of testimony. Time permitting,
42 an opportunity will be provided for additional public comment from previous speakers
43 after everyone who so desires has had an opportunity to testify. All comments shall be
44 directed to the Chair, and interruptions, demonstrations, applause, or other distractions

during or at the conclusion of anyone's testimony are not permitted. Anyone making "out of order" comments shall be subject to removal from the meeting, and the Chair may call a recess in, or adjourn, the meeting in the event of excessive disruption. Speakers shall not question one another. Instead, questions from Speakers shall be addressed to the Chair. Upon request of a majority of Planning Commission members present, the Chair may allow direct questioning of an expert witness who has previously testified on behalf of an opponent or proponent, or on other business before the Commission. If written statements are made, a copy shall be presented to the Planning Commission and to the Secretary. We will now continue the hearing LRN2021-00001/SEP2021-00010 Naches Emergency UGA Amendment. Introduction of exhibits into the records? Do we have other exhibits?

Tua Vang - Just what I sent you Mr. Chairman. The Town of Naches submitted their comment letter. It was a response to the majority of the questions that were asked at the last hearing and then the Mills sent in another comment letter, which you guys have should have received also.

Doug Mayo - I don't know unless it's here tonight.

Tua Vang - Do you guys get the, do you want a copy of the Town of Naches?

Doug Mayo - It might be here.

Kyle Curtis - I got that one.

Doug Mayo - I got the Naches. I did see something.

Tua Vang - I will pass around my copy for you to review from the Mills. And that was pretty much the only two that came in after the last hearing. I can get you copies of that also if you need it.

Doug Mayo - And we'll commence now with public testimony. Bear in mind that we hopefully don't repeat much of what we heard last month and obviously there will be some. I have a list here of the sign-ins. I guess I'll just go down the list in the order of the names. Anyone who wants to come up, take turns and we will listen to what you have. First on the list is Mr. Ranger.

Jeff Ranger - You mind if I sit, pull up a chair, and sit because of this, instead of standing? You have any?

Doug Mayo - No.

Jeff Ranger - Jeff Ranger. Administrator. Town of Naches, 29 East Second Street. Unfortunately, the last meeting, due to this, I just come out of surgery, wasn't able to attend which probably would of solved or at least added to it last time. What I want to do is maybe go over the how it come about that the Town went into this, ask for emergency, although you guys do understand that emergency is not the Town's definition. It's Growth Management side through Yakima County. Town of Naches has no more salable lots within this Town of Naches. They're all sold. With limited staff,

94 limited time we have a bunch of huge projects. We have two office people. Next
95 year is the normal year, cycle, to come through for Urban Growth Boundaries. We
96 talked to the Mayor and Council and we decided to go ahead and request to the
97 Board of County Commissioners to grant to go a year early. Several factors that come
98 into that because we lost our bank, because not that it wasn't profitable, they didn't
99 foresee enough growth within the Naches area. We do have some land that is
100 available in our Urban Growth Boundary but it's currently being farmed which is great
101 but we need to have a little more supply so that there is possibilities. Mr. Diener, which
102 is the property to the east, through his representative was contacted and after some
103 miscommunications between his representative, him, he is fully aware and would like
104 to bring his property into the Urban Growth Boundary. You've seen in what we
105 submitted to you that the Town has done approximately \$6 million dollars of
106 construction projects, so more or less \$10 million dollar investment once we figure in
107 planning and engineering and everything else to start moving the Town to the east.
108 As you know we picked up Allan Brothers and everything else. We were doing,
109 actually, currently a \$1.8 million dollar upgrade to our treatment plant and
110 subsequently next year, we're adding another \$4 million dollar upgrade to our
111 treatment plant. In all essence to be fair to the rest of our people, we are looking you
112 know to share costs and we do have people looking for growth. I know that a lot, I'm
113 trying to cover all that was done in the last meeting. The mayor basically directed us
114 to go ahead and put in the application and see where it goes. I met with Tua and I
115 want to say that the staff was outstanding to work with. We did request the east. Tua
116 and his staff thought that the stuff to the west which is partly the Mill's property should
117 be included in this deal. Now just to give you a little background, is done prior to me
118 being an administrator, which is 23-24 years ago, water was to these lots. Water
119 serving a lot halfway up Simmons Road and there's three, the Mills current home they
120 live in, and two homes to the west where they already have services. Well the intent
121 of Growth Management Act is for the Town, and subsequently anyway I'll get back
122 to that a little bit. The Mills made the application to the County and the County
123 contacted me and said would you serve water? I said that's illegal within the Growth
124 Management Act. We cannot serve water outside of our Urban Growth Boundaries.
125 I think in some ways Tua took that into consideration, why are we servicing these
126 areas and not being at least within our Urban Growth Area? And that's just my
127 interpretation. You can ask him his response of it is. Plus, the County had given the
128 Simmons Road which splits those two into the west. Well now they're asking us to give
129 them and of course I am representing the Town, the Town's got to upkeep to do that
130 road we spent thousands of dollars doing it, and subsequently now there's County
131 development on it but the accesses there are all city-owned only. In some ways I can
132 understand some apprehension on that other and that's fine and I don't know, I've
133 been talking to the County Roads Department, Matt, and saying hey if they maybe
134 don't take this maybe would you be considering taking Simmons Road back? So why
135 should we be maintained in an area that the County is developing and not the Town?
136 In all essence, these are all factual matters. I know a lot of the letters you got are their
137 feelings but are not factual in nature, but that's where we're at. If you've got any
138 other questions for me or at our Mayor is here today too. There's probably other things
139 that you would like to talk about that the Town has showed that it is willing to invest.
140 We like I say, we have no lots left within Town. This doesn't mean just because you're
141 in the Urban Growth Boundary that you have to develop. There's just a lot of them
142 that haven't. And a lot, five of your letters concern people that have property in the

Urban Growth Boundary but don't want somebody else, so you take that for whichever way it comes. And then also, the other fact is they say well you have a lot of commercial area down on the highway, that, why don't you turn that into it? Well we've got SIED funds and we have other businesses that are looking to locate there and they're actually in the process, so those lands aren't available. And the lands next to the treatment plant are not what you would be well aware of, not really considered high-optimal residential but more in the development of commercial or general business. And just, so you see the road that lines, Tua if you can show them Bonlow?

Tua Vang - I'm not sure where that's at.

Jeff Ranger - Leave your pointer there. The whole length east and west is Bonlow. There's a little stub out there called Kel-lowry and that was put in probably four or five years ago and that has always been intended to connect Kel-lowry, and I have been in contact with everybody in between and there's a possibility of doing that, and when we connect Kel-lowry, I know a lot of the letters said that, well, Old Naches Highway isn't developed too safely, is underdeveloped, well our development standards will connect you know the north and south of Kel-lowry and improve Old Naches Highway if it needs to a three-lane, sidewalk, illumination to the old. That's our standard. We don't allow anything less than that. So their fear of the road's going to be what it is if somebody developed it's not a factual deal. They would have to develop into full standards.

Doug Mayo - Couple questions?

Jeff Ranger - Sure.

Doug Mayo - The owner, again what's the owner's name to the east?

Jeff Ranger - Diener.

Doug Mayo - You guys approached him? He didn't approach you?

Jeff Ranger - I was approached through a representative of his that was thinking of selling is a realtor.

Doug Mayo - Okay so they came to you?

Jeff Ranger - They came to me and then we started having a talk. Then John actually didn't quite get what it is and talked to Tua even, worried about his tax rate. After he was done, he actually wanted some of his property on the north side that he had put in. I said no.

Doug Mayo - So you kind of had to convince him to do this?

Jeff Ranger - Well I'm not convincing him. It was the guy representing him, the real estate that came to us. He was not totally but yes, he is. Right now, Tua, he thought he contacted you once, correct? Tua?

Tua Vang - He did. He actually called me and he was wondering how this would impact his taxes if he was brought into the Urban Growth Area. And I told him to reach out to you and talk to you about it.

Doug Mayo - So the Mill's property, how long have they been served with city water?

Jeff Ranger - The house they've been in has been served in 30-35 years,

Doug Mayo - Okay.

Jeff Ranger - At least. Maybe it does, maybe longer that but I don't know.

Doug Mayo - The Diener House?

Jeff Ranger - Maybe I better not go out...

Doug Mayo - The Mill's house?

Jeff Ranger - The Mill's house, yes. There's three houses on the bottom.

Doug Mayo - So that is before...?

Jeff Ranger - Prior to growth management.

Doug Mayo - Prior to growth management so they I'm sure grandfathered in on that. I would hope. Now the Kel-lowry, do you guys have easement through there?

Jeff Ranger - We have one little spot left to get.

Doug Mayo - One little spot? How which?

Jeff Ranger - In the red there but.

Doug Mayo - In the red?

Jeff Ranger - The land. We have an easement through there for utilities already because we already have one but it's a road easement. The property is right now tied up in litigation. She doesn't want to go any farther at this point, but, until that litigation is cleaned up.

Doug Mayo - So the Kel-lowry that's in the bottom part of the yellow? How much do you?

Jeff Ranger - That's Town, that's Town, Kel-lowry the bottom, the red part is County.

Doug Mayo - But the yellow part how much easement do you have?

Jeff Ranger – We have all of it, from the Old Naches Highway to the red is all we have proper easement for that. And all the yellow area, the west side of the Diener property and Haun property, which Haun, that other piece that is already annexed in so that property's been in the Town since 2005.

Doug Mayo – It's annexed but how much easement do you have through there?

Jeff Ranger – We have proper amount of easement. We have 52 feet or something. I don't know what the County's got but I know what we got because that's part of our annexation.

Doug Mayo – Okay. I'm looking at the letter from HLA. I'm sure you're aware of it.

Jeff Ranger – Yes, sure.

Doug Mayo – It talks about a whole bunch of opportunities the City may have to get low-interest loans to make improvements.

Jeff Ranger – Yes.

Doug Mayo – How is the City going to, if the City makes improvements how are they going to get, the existing citizens going to get refunded for improvements that is made for this new area? Do they have fees or?

Jeff Ranger – The citizens, I give you the deal Doug, and I did a development to the west. We are not, the citizens aren't taking any money, it'll be TIB, it will be some other deal. The deal's there's a match by the Town, and the developer will pay the match. That's the minimum. If it's too much then the Town has to pay, I mean or the developer will have to pay all the costs, but it will not be the Town's coffers coming to the roads.

Doug Mayo – Well that's just TIB. You've got...

Jeff Ranger – We've got others, there's a lot federal, if you connect, we get a full connection than we can go for federal money because then it will be a classified road.

Doug Mayo – I'm just curious on how the existing citizens are not going to get stuck paying for bunch of the improvements that benefit these parcels. Because the City of Naches will be the responsible party to match the loans.

Jeff Ranger – Can I go up to the screen?

Doug Mayo – Yes, I think that will help.

Jeff Ranger – We did that same road project up here, from here to here, and there's a developer here and then this was mine, we paid all the Town's share. Yes, this is TIB but the developer paid all the Town's share. There will not be money coming out of the Town's street deal to fund the development. If you read that further on more, it is the cost of the developer ultimately so it isn't coming out of the City's funds.

Doug Mayo - We have another letter from the Department of Commerce.

Jeff Ranger - Right.

Doug Mayo - That it's curious as to why you need more lots when you've already got a whole bunch of lots.

Jeff Ranger - Let me see that. Well I want to know, could you show me the lots we have because I'm the one that sold the last of them. I know Scott really well and I actually, they never got that letter to me, but there is not a lot left in the Town of Naches. A buildable lot. There are.

Doug Mayo - There is not a lot left or there's not one for sale?

Jeff Ranger - There is not a lot left.

Doug Mayo - So there's no vacant lots?

Jeff Ranger - There's vacant lots. They're all built. There's two being currently built on.

Doug Mayo - That's within the Town, how about the existing urban area?

Jeff Ranger - There's the two, east of Mills. You can see those there, that's in honey crisp, that isn't going to be developed for a long time. The Huck's have had it in forever. There's also west or on the east side, west of the Diener's is Kailan Dunn's, which has been an apple orchard and alfalfa forever. So let me I guess Doug, give you the other deal about being on the development side of it is. Just because a land, a parcel's in the Urban Growth Boundary, we can't force them to develop that land. And I've asked both of them if they would like to have theirs out of R1 so someone else and they both said no. But I don't think either of them have the commitment to have the \$500 to \$600,000 dollars it takes to develop. The land that we're asking for is currently, I won't go to the Mill's property but the Mill's property hasn't been farmed in a dozen years since they've been there, and Diener's property has been, since his father died which is about seven or eight years ago has been open land.

Doug Mayo - Any other questions for Mr. Ranger?

Jerry Mellen - How many lots are we actually talking about?

Jeff Ranger - Well if you do our standard single-family it's about 8,000 minimum, we got to take roads out of it. Let's take each of them separate. Mr. Mill's has got a problem because it's narrow and I would think even if he developed his property through the ultimate, I'd say 16 to 18, and it's a hard one to do because the road, they've got to pay their portion of the road and bring the utilities in. But the one the east is approximately 22 so I would say there's a possible 80 lots if everything was dead perfect. I mean you've got to take all your utilities, all your roads interior build and all the other, but it is an open flat piece of land that has the best connection to US Highway 12. It's closest to the school systems and the other thing that as far as the

Town's are everything else, like two of your commenting letters, two of them are on the school board, and their biggest point of it is school enrollment's still dropping down there, so where are these people supposed to live? And then you take the development I just completed, we have four or five former sheriffs. One's our mayor. We have two Yakima firefighters. We have two or three active cops. I mean we have some teachers and some other stuff that live in there. I still, don't and we have a development standard where we have CC&Rs, you have to have so much, I mean it's not a low-income type of housing. But you got to realize it could take 10 years to develop even when they're doing it, so I mean you can do justification as far as you got this land and they should develop but you don't, you can't say hey you're next in line, you have to develop. That's not the issue and they're still allowed to farm or do what they want with their land and they don't have to annex, so this is just more or less you should be well aware of everybody's got Urban Growth Boundary that they can't develop for some reason. Tua's been very forward and when we did the research on this most of the property to the south was in the Town has developed at its fullest. You can ask him to do that but we really only have one way to go and that's east. And that...

Doug Mayo - Now the connections is Highway 12.

Jeff Ranger - Right.

Doug Mayo - You say there's some lady in there that isn't interested right now.

Jeff Ranger - It's not that she's not interested. I told you that her and her son are fighting over land and it's been a legal deal. You know as well as I do you can't gift or deed or allow anything until that's corrected.

Doug Mayo - If that went on for a while then anybody that lived here is going down, up on Old Naches and down Allan to get to Yakima. Okay?

Jeff Ranger - Well, I disagree with you because been doing it. They still have to develop, say that east is developed, that old highway is going to be developed all the way back to the west end of the yellow and it's going to be three-lane or whatever. Would you rather go out Shafer or come down Allan? I mean that you tell me what and or that is but I can't forecast what's going to happen in a legal situation, but also to let you know that the only improvements that have been done on Allan have been done by the Town of Naches. We have the part in between. We did the old new intersection. I just factually, I listen to some of the letters, they're all worried about Allan Brothers and the factual deal one letter saying well you know we're worried about Caton's up on the landfill. Well Caton's were there long before the person who wrote the letter built their house there. I mean we but can hypothetical but the calculation as the County staff has done is this is within a numerical equation that we should be able to get this property.

Doug Mayo - Any other questions?

Kyle Curtis - Just really quick. I think it is safe to say that the reason why we're seeing this request now, I know we don't like using the word emergency, versus waiting one

year or however it's just because the staff have capacity to really work on this request?

Jeff Ranger – We do and we got time and we got we got profits, but it's not only that it is developments like anything else it goes through it ebbs and flows, and time, and even say this land was approved by the county commissioners and whatever the next two three weeks or whatever, you're not going to see any movement on this for two years. But we can start going through funding sources and people would say what can we do here. If you're aware of the County got a certain amount of money through this you know through the COVID deal and they're talking about going and helping all these towns in their Urban Growth Areas. Help them put water and sewer trunk lines through there, and we've already invested our money and we'd probably be one of the first ones in there. So the County's being very proactive to help us develop our Urban Growth Areas, but if you're not going to get any, what does it do for somebody like us. And we'd like our schools to prosper. We wouldn't like to lose those banks that they could see a little more growth. That's where we're at. We are trying to be proactive. The Town picked up the park that was the non-profit for all these years. We've already developed the west side, redoing the building, got a park and ride going in there. We already have a study done by WSDOT. We are very efficient for a Town but when there's two people you are limited. You know everybody says short staff, we're short staff. One's gone, we're down to 50 percent and I know nobody likes to hear crying or whatever that's where we're at. For us when we've got a \$4 million dollar upgrade and treatment plant and two other large grants and plus doing our normal work, for two people that's enough on the deal, and again I think staff was really good to work with and we didn't ask him for the west side. We think it's fair, whether it's granted is up to you guys or preferred to be granted, but yes that is it. I don't like this word emergency either but do we let it get filed back. I mean I'd like to not have to come here next year again because if we got turned down, you'll see us again here next year and whatever and hopefully maybe some of the things that Doug brought up, maybe they will or maybe they won't be settled by then. I can't tell either of you that. Our mayor is here and a former mayor and like I say I know a lot of these letters that were wrote, were wrote because they're from families that haven't wanted Naches to grow for 30-40 years so why start now? I can bring you back letters and show it to you. I don't mind somebody arguing a factual, an argument, I hate a feeling argument in a factual setting.

Jerry Craig – I just have one question.

Jeff Ranger – Sure, sure.

Jerry Craig – Just to be clear. I'm a little naïve. What you're saying is the growth management plan that was approved several years ago and amended once for Allan Brothers is not correct, that there is no land available in the Town of Naches for development?

Jeff Ranger – No, at the time that we did that, the subdivision to the west was empty, there were plenty of lots. They're all sold, all gone, all build on. We have parcels that are in the Urban Growth Boundaries that aren't available and probably in the foresee in the next 10 to 15 years aren't going to be developed but you can't make

somebody develop their land if they're in there, but you know subsequently we do have to look for growth of the Town to make it work for us.

Jerry Craig - Thank you!

Jeff Ranger - Okay.

Doug Mayo - Mr. Williams?

Paul Williams - Paul Williams, the Mayor of Naches. Basically what our Town is looking to do is to add value to these peoples' land. By bringing it into the growth area it doesn't do anything unless they decide to break up their land. And for that, that's giving them an added value to their land. If they choose to continue doing what they are, it's not going to cost them anything extra. They can continue to farm and move on as they are. But if they decide that they want to get a higher value out of their property that's there. Obviously, our Town wants to grow and we can't grow unless you have a place to go.

Doug Mayo - Any Questions? Busy night.

Paul Williams - Business is good.

Kyle Curtis - I don't have any questions.

Doug Mayo - Thank you!

Paul Williams - Okay.

Doug Mayo - Mr. and or Mrs. Mills.

Ryanne Mills - We're just here to listen.

Doug Mayo - Okay. Doug MacNeil?

Doug MacNeil - I didn't come here to say much but let me give you a little idea. Doug MacNeil at Post Office Box 64, 112 Apple Loop in Naches. We go back historically. I was on the council and became mayor during growth management times. And when we looked at the things that happened prior to growth management, I could do Highway 12, which is my grandfather's property in the Naches in 1898. I have read the comments that the various people have written, all of which are outside of the city limits of Naches, with the exception of one. I can have empathy for their concerns, but by the same token I'm also concerned about what is happening in the Town of Naches. And growth is inevitable and we can argue about it or we can accept it. It's the reality of life. Our school enrollment, I was involved for 30 years in our school system and I know that numbers are going down. Well, if we have housing for those people, that happens so far as enrollment increases are concerned. I just have real empathy. I have seen what Jeff Ranger has done. And our council so far as the improvement particularly to the west of Town where my wife and I currently are living. And he does things that are of quality. He says what's going to happen out

east Old Naches Highway. Well it's not going to remain the way it is today. Curbs, gutters, three lanes. Kel-lowry Road coming across from Kel-lowry to US 12, if his problems can be solved, so far as the woman and her son are concerned, so that can be another ingress/egress to that area, that's going to improve. Yet again, I can say I have empathy for those people who have farms in the area. They're concerned about sprays. Well that's the responsibility of a farmer to make sure that when you're spraying, that spray is contained within the confines of your property. The arguments they're making, yes, they make sense. If I was a farmer I would agree, but I'm more concerned about the growth of Naches. What we have there today, it has been the last 20 years. It's unbelievable. I have written some 60 pages of 170 years of Naches history starting with the Longmire Wagon Train and as I go through, the growth that has occurred in the last 20 years is overwhelming. I would appeal to you as commissioners to give approval to this particular request. Thank you.

Doug Mayo - Laurie Kirkland.

Laurie Kirkland - I'm not here for that.

Doug Mayo - Oh, okay, understood. Jonathan Thompson.

Jonathan Thompson - Good evening gentlemen. I don't think anybody here is against the growth of the Town of Naches, but can I approach the map?

Doug Mayo - Certainly.

Jonathan Thompson - Mr. Ranger says this is commercial land and he has SIED money or something already in, prepared or from people.

Jeff Ranger - Yeah, I like to challenge. Inaudible.

Jonathan Thompson - Oh okay. He claims that there is some SIED money from some people that we do not have names for. This is commercial and he's saying he has some mystery people that are planning on putting businesses there. I see this is commercial down here. There's other commercial around. I don't understand why it would be necessary for this particular place to stay commercial. There's plenty of commercial property available around Naches. This would be the natural growth for the Town of Naches. It goes right, I mean the roads, it fits right in like a piece of jigsaw puzzle. He's going out of his way to run that direction. It doesn't seem reasonable. Oh let's see here. He was approached by a real estate guy, representing Ben Diener. Gave us no name. Is the real estate agent related to him? I do not know. I mean there is potential for this there's, I mean we're just getting pretty vague answers up here about how this is coming together and being done. It's already in urban growth. You don't even have to expand urban growth to do it. It seems like a lot of work has been done in order to justify this little addition up here. He wants to force Kailan Dunn to go through, and I know Kailan Dunn don't want to annex. That's been done against his will in order to make this happen. Yes, there's other land in the urban growth. Perhaps people don't want to pay the price for it, but are we responsible for giving developers cheaper land? I mean is that the responsibility of the community? That the developers get the cheaper piece of land to develop? I mean the developers

534 who don't want to pay the price that other people are asking. But I mean I don't think
535 that dictates that we have a special section and do all this rigmarole and get
536 everybody all wound up when there's plenty of other options. There's just not being,
537 I understand this piece of property is in dispute between the mother and the son but
538 it is coming up for sale in the future. I suspect it doesn't benefit anybody to put it in,
539 obviously it couldn't be annexed right now because it's in dispute legally, but that
540 dispute will be resolved. And when it is that would be the place for people to put
541 houses. It just makes sense. This piece right here is owned by the same people and
542 it's already in R1. I'd be curious to know who these mystery people are, that have
543 already gave, I mean what was the word he used? I don't think SIED money was the
544 word he used but? Well anyway, sorry, can't remember the exact verbiage that was
545 uttered there. I'd be curious to know, did, was that a scheduled surgery that was
546 happened that day or was that an emergency that we couldn't have the last
547 meeting was? Just a question.

548
549 **Doug Mayo** - Jonathan, we don't need to go personal about on this stuff.

550
551 **Jonathan Thompson** - Okay.

552
553 **Doug Mayo** - Just get some facts out.

554
555 **Jonathan Thompson** - Alright. Okay, well. Other than speculation that's all I have to
556 say.

557
558 **Jeff Ranger** - Doug do you want me to clarify some of that stuff?

559
560 **Doug Mayo** - Inaudible.

561
562 **Jeff Ranger** - SIED, just so everybody knows, the gentlemen apparently doesn't
563 understand. SIED is done by the Yakima County Development Association that was
564 water and sewer. They do money, half loan, half grant, and again going back to our
565 Naches policy is, there's been a million and a half awarded for Allan Brothers to come
566 in and the school and all the others and their office, and there is actually currently
567 right now a medical clinic coming in. The person he's talking about the real estate
568 person that is Diener's representative is Joe Holman, with Coldwell Banker, no relation
569 to me whatsoever. And, this is the deal about why I like to stay factual, I mean I like
570 to be, the SIED money as you well is the County agency, that's your state sales taxes.
571 There's no underhanded. It's done out in the public eye. It's awarded through all the
572 municipalities or the County, whoever applied for it. So it is a County run fund. So if
573 there's any other questions would like to be asked about the accusations I certainly
574 will.

575
576 **Doug Mayo** - For the record that was Mr. Ranger speaking. You didn't come forward.

577
578 **Jeff Ranger** - I'm sorry.

579
580 **Doug Mayo** - Eugene Thompson.

582 **Eugene Thompson** – Alright Eugene Thompson. Representing family of 9131 Old
583 Naches Highway.

584
585 **Doug Mayo** – Please slow down and we need to pick it up on the microphone.

586
587 **Noelle Madera** – Maybe stand in front of the chair, if that's okay? Thank you.

588
589 **Eugene Thompson** – Eugene Thompson. Representing Thompson family of 9131 Old
590 Naches Highway, which is across from the Dunn's place there on the east side. Just
591 a few things I've noticed here. So sounds like the report and all pages I went through
592 last time, crunching the numbers, lots, vacant lots, sounds like it's possibly outdated?
593 What I've read is that there's a surplus of lots for all the planned growth plus some
594 surplus. (Inaudible) maybe wrong. But if those lots are there and those people don't
595 want to develop, okay, because want them to incorporate these places on the east
596 side, which half of the people have spoken and said well just incorporate and don't
597 have to develop. The other half are really emphasizing pushing the Town needs to
598 grow. We need to develop. So are they pushing to get it developed or just
599 incorporating it? It's kind of this contradictory sense there. The stuff on the east side
600 being close to the school, it's a small town. What I see to the west side, what I see on
601 the east side, I walk a mile every day to get to school that's not really a benefit of
602 being there versus elsewhere. In close to the highway, well that's only if Kel-lowry is
603 involved and you run a road through it or you're going to have to go up over to Allan
604 Road and down south, and from the old highway to Allan. It's great if you guys put
605 in street lamps, make it triple-wide, put in some sidewalks but it's going to stop at the
606 yellow. The real problem is that the corner of Allan and Highway 12 where it's a blind
607 turn. So if you increase traffic there someone's going to get into an accident. That's
608 guaranteed that. City of Naches losing a bank, that to me sounds like an emotional
609 feely thing. True to my US Bank closing in Yakima, it's packed full of people. The bank
610 left. Is population a business? I don't see why that effects anything. Might just be
611 online banking technology too. Same with school enrollment, I don't know how far
612 back that date is going but it's COVID, there's a lot of schools that don't have a lot
613 of enrollment right now. (Inaudible) address, on the south side for this urgency, I'm
614 not going to call it an emergent thing, but the urgency of this is also involved
615 relabeling possible lots to on the south side into floodplain, and I don't why that was
616 necessary done. Might be the Ecology department or agricultural (inaudible) on
617 what's suitable not suitable but that seem to have been relabeled with urgency to
618 handle this with urgency. Even though there is not a lot of staff now, I don't know why
619 you wouldn't want to just wait until next year to hire some more staff, town personnel
620 there. But as (inaudible) before (inaudible) ultimately the cost of development goes
621 through the developer. If it's a floodplain, I've seen where they bring in dirt rock, raise
622 it up. Get it out of flood. They can do it in Dubai in the middle of the ocean. It seems
623 to me a lot of these reasons for why this place versus that place, it's based on money.
624 Money talks. So it doesn't seem to be coming from citizens of Naches because there's
625 SIED money, there's government grants, there's things like that, ultimately cost to the
626 developer. It just seems odd that was related in such way instead of the developer
627 incurring the costs for raising it up. I mean if you want citizens and good families in
628 there and I don't know why that has to boil down to the developer's cost. Other
629 things, looks like the Mills place, without, hasn't been utilized 12 plus years. Dunn's
630 place only been vacated, not used for 7 to 8 years. Sounds like they need to

631 (inaudible) Mills. Seems current notes here. Yes, I guess that's basically what I have to
632 say.

633

634 **Doug Mayo** - Any questions for Mr. Thompson? Okay then, thank you.

635

636 **Eugene Thompson** - Well I mean to rehash when we talked about before about
637 feelings and facts, the general feeling from the last meeting is that people feel there's
638 corruption or collusion, or something going on. Who knows who's related to who or
639 knows who? But this is going to be on government record through the recorded
640 minutes. So I think in the future if there is corruption or collusion upon possible
641 investigation, this meeting, the prior meeting, where you guys know maybe some bias
642 will be great grounds for such investigations, so. Keeping this on public record is a
643 good idea.

644

645 **Doug Mayo** - Ted Tolles?

646

647 **Ted Tolle** - Good evening? My name is Ted Tolle. I live at 9170 Old Naches Highway.
648 I own the property that abuts to the Diener's property. I just got a quick question for
649 you guys. Jeff refers to the Diener's being in on this. Has he supplied you guys with
650 any kind of written documentation that establishes that they actually are okay with
651 being included in this? Or is it just hearsay? Do you guys have anything? Any kind of
652 statement from the Dieners stating that this is what their wishes are?

653

654 **Tua Vang** - The chairman is asking me to answer that question and no we do not
655 have anything from any of the property owners that they're interested or they're not
656 interested besides the Mills.

657

658 **Ted Tolle** - Because there was a statement earlier that said there was concurrence
659 with the Diener's. And I'm not speaking on behalf of them but I know them very well
660 and I do not believe this exists. So I don't believe that the truth is completely
661 presented to you guys as far as that property is concerned.

662

663 **Doug Mayo** - But you don't know that, you just...

664

665 **Ted Tolle** - No I do know that. So that's all I got.

666

667 **Doug Mayo** - Thank you. Anybody else want to testify or speak?

668

669 **Noelle Madera** - Doug do you want Karri to start going through people online?

670

671 **Doug Mayo** - Oh, yes. Thanks for reminding. Do we any that aren't County staff?

672

673 **Noelle Madera** - Karri's just going to call individual names and ask if they are here to
674 speak to Naches.

675

676 **Karri Espinoza** - Would Mike like to comment for Naches? Not hearing anything would
677 Trudy like to comment for Naches?

678

679 **Doug Mayo** - It might take a little while to get connected.

Tua Vang – Karri they are also muted I don't know if you can unmute them and ask them? Well actually yes. When you ask them, you probably want to unmute them. And if you can't unmute them then...

Noelle Madera – They have to unmute them themselves.

Tua Vang – Yes, she can't unmute them.

Karri Espinoza – Yes, I can't unmute them they have to unmute themselves when I call upon them.

Tua Vang – Okay just wanted to make sure.

Karri Espinoza – Okay, does Jeffrey want to comment for Naches?

Jeffrey Davis – Yes, can you hear me?

Karri Espinoza – Yes.

Jeffrey Davis – Yes, I've been trying to follow along. I'm at 9140 Old Naches Highway. The audio has been really garbled in the Zoom meeting, I don't know if I'm the only one having that problem but it's been, I've heard most of everything, but it's pretty tough to hear exactly what everybody's saying. So I guess I had a question based on what I heard the Town representative kind of mention and I guess if this is adopted, if these proposed additions to the Urban Growth Area get adopted, will the Town be seeking to improve Old Naches Highway along the Diener property and improve Kel-lowry? Along those areas that are yellow in the map, that's on the street before the property is developed? Is that what I heard Jeff Ranger say? That the Town would be going after TIB (Transportation Improvement Board) money or other funding sources to do those improvements ahead of time, or would that be only done if there was a developer that purchased property and had plans approved to develop, and then they had to make a developer contribution? So that's my one question. I can pause and wait for a response or I can ask all my questions and make my comments, whatever you prefer.

Doug Mayo – Jeff why don't you come up here.

Jeff Ranger – Yes, the Town will always be looking for funding sources. We will not build them if we do not have people that are willing to incur the Town's portion. But yes, we will always be looking for funding. The first deal would be to try to connect Kel-lowry. It'll probably take a year, but as you are aware, the funding cycle is, just because you're funded this year, it still takes a year or two for even successful and getting a grant to get a project rolling. But I guess I'm all limited to that to answer the question he's asking. Yes, we will be actively involved looking for money and we may go to the County if they decide to help with water and sewer and get that put in first or help with road service at the same time. I guess the answer's yes. (Inaudible). Does that answer your question?

Doug Mayo – Well it's his question.

Jeff Ranger – Okay.

Jeffrey Davis – Okay, thank you. Would the improvements on Old Naches Highway only be out to the area that's included in the Urban Growth Area, you wouldn't be going past that area?

Jeff Ranger – We would look to maybe partner with Yakima County because we can't develop any property outside of our scope. I have talked to Matt Pietrusiewicz and we have talked about improving all of Old Naches Highway if we could find a funding source or get a funding source. But right now with the County, I talked to Matt probably 60 days ago and they have other projects that are certainly ahead of this, but at the time they have shown their cooperation that maybe we could put a dual application in.

Jeffrey Davis – Okay, thanks. And then the last question I had is, you know I'm not an expert on the urban Growth Management Act and how all that works, but I know I read through all the stuff early on that got sent to all the adjacent or affected property owners in. So, is the Town right now out of some kind of compliance rule with the amount of R-1 zoning, acres of R-1 zoning that it has currently in its growth management plan? And if they are, is there some kind of penalty or ramifications for being out of compliance or is it just more going back to what you said about "if you don't have enough zoning then you don't, you're not attracting people to come live in the Town?" And I don't know if that's a question for the Town or if that's for the planning.

Jeff Ranger – There is no penalty. It is the Towns' prerogative to decide how it's going to grow and where it's going to grow. But again this decision is because we're coming through the County planning and only the Board of County Commissioners, it is their "dictative" of what's there and this proposal was prepared by County planning staff. I think very well in my opinion, but that it was not done by the Town of Naches, it was done by County planning.

Jeffrey Davis – Okay thanks. And the only other statement, I would reiterate all the statements I made the first hearing, but for this one I understand that growth happens in towns. Towns grow, there's more residential type of houses and that type of thing. But you're talking about factual versus feeling, and it is factual that I moved to Naches and purchased the property that I'm on because I wanted to live in an area where it wasn't town-size lot sizes, where houses were super close together and I don't feel that the R1 zoning proposed for the Diener property fits in with the nature of the surrounding property. I've said that before but when you're talking about lot sizes, I think you said 8,000 square feet and 80 possible lots, that's a dramatic change in the characteristics of the area that surrounds my parcel. I mean when you look out from my parcel you see large lots of farmland, not everybody's farming their land right now but it's larger lots with houses on it and so this would be a major change to that type of characteristic of the area. That's all I have to say.

777 **Karri Espinoza** – Okay, Kent, do you have a comment for Naches? How about Paul,
778 any comments for Naches? Moving along, Roxanne? We also have a Mya? And then
779 I have a caller one and a caller two that have not identified. I'm not hearing
780 anything.

781
782 **Doug Mayo** – Well, hearing no further comments, I will close the hearing for testimony
783 and we'll move to deliberations.

784
785

786 **IV. Deliberations**

787 **Doug Mayo** – And the deliberations I want to do the two areas separately. We'll talk
788 about the one to the east first and then we'll talk about the one to the west. We don't
789 have to do them as one. We could do them separately. Ordinarily, someone would
790 make a motion and then we would go through the discussion. So does anyone,
791 anyone want to make a motion up or down on, it'll be better to the Diener property
792 that is to the east whether we accept?

793

794 **Jerry Mellen** – Do we need a motion to divide these?

795

796 **Doug Mayo** – I was told by, that, it's not good comment not to do that.

797

798 **Jerry Mellen** – Okay. Could someone go to the map and designate what area 1 is
799 and what area 2 is?

800

801 **Doug Mayo** – Sure.

802

803 **Kyle Curtis** – I can do that.

804

805 **Doug Mayo** – So my thought was that first we'll talk about this property and after we
806 vote on that, then we'll talk about the property. So we got the east, we got the west.
807 Two areas.

808

809 **Noelle Madera** – Just really quick. It is a little hard to hear you on the speaker for Jerry
810 and then also to just let you know Mike Shuttleworth did join the call at 6:08, so he's
811 been on for the whole time.

812

813 **Doug Mayo** – Yes, I see his name there.

814

815 **Noelle Madera** – Okay, perfect.

816

817 **Tua Vang** – Mr. chairman, I also want to point out that there are three properties over
818 here to the east that were being considered. This one at the top. This one at the
819 bottom right here and there's a tiny one here that's got a house on it.

820

821 **Doug Mayo** – Are they all the same owner?

822

823 **Tua Vang** – I believe that the Diener's own those three, yes. And up here, there are
824 five different property owners.

825

826 **Doug Mayo** - And I guess I would ask if anybody wants to take them one parcel at a
827 time?
828
829 **Jerry Craig** - Of those five? No. No.
830
831 **Doug Mayo** - Okay. Anyway someone want to make a motion, one way or the other
832 on the area to the east, the Diener property? Well, to get the conversation started, I
833 don't like negatives to be negative, I will move that we accept the area to the east
834 into the UGA. I make that motion and put it on the table to start discussion. Do I hear
835 a second?
836
837 **Kyle Curtis** - Yes, I'll go ahead and second for discussion.
838
839 **Doug Mayo** - And then protocol, since I've made the motion, I'll talk first. I'm
840 concerned about the letter from the Department of Commerce. I'm concerned
841 about the numbers that were put forth when the County about how many lots, the
842 County says are available which is considerably different from testimony than I've
843 heard this evening. I'm concerned about the costs. I know that road. And I know the
844 intersections. And I know the hill there by the Thompson's driveway. I've been on them
845 several times, and I'm concerned, and of course the testimony of the people living
846 in the area, I'm going to vote "no," when it comes to vote. And you seconded the
847 motion, you get to speak.
848
849 **Kyle Curtis** - No I don't have any comments to add. As to my second, I think for me
850 maybe just some procedural clarification would help me better kind of understand
851 why we're at this point. So in order for this discussion to get on our plate, the Board of
852 County Commissioners had to say "yes" to even engage with County staff and even
853 to start this process, so the BOCC gave the green light to begin the process, is that
854 correct?
855
856 **Tua Vang** - Yes, with the emergency amendment, the applicant, who would be the
857 Town or City would make a request, such as this to the Board of County
858 Commissioners, and then the request would then be forwarded to the Commissioners,
859 and at that time the Commissioners would let us know whether to review it or not.
860
861 **Kyle Curtis** - I guess I'd like to keep in the back of my mind of like how much time and
862 energy and resources the County has already invested in going through this process.
863 I mean I imagine that would be a big figure as why it goes all the way up to the
864 County Commissioners to make the decision of whether or not. That's all I have for my
865 comments.
866
867 **Tua Vang** - Yes.
868
869 **Jerry Mellen** - My comment would be to support your position.
870
871 **Doug Mayo** - Did you hear that?
872
873 **Noelle Madera** - A little louder.
874

875 **Jerry Mellen** – I said my position would be to support Doug's position for the same
876 reasons he would make.
877
878 **Doug Mayo** – Mr. Craig?
879
880 **Jerry Craig** – My position would be the same. I would support your position Doug.
881
882 **Doug Mayo** – Okay, so the motion that's on the table is to accept them into the UGA.
883 So a "yes" would accept them in and "no" would not. And I call for a vote now.
884
885 **Jerry Craig** – "No."
886
887 **Doug Mayo** – Jerry Craig?
888
889 **Jerry Craig** – "No."
890
891 **Doug Mayo** – Jerry Mellen?
892
893 **Jerry Mellen** – "No."
894
895 **Doug Mayo** – Kyle?
896
897 **Kyle Curtis** – "Yes."
898
899 **Doug Mayo** – And I speak "no." Mike?
900
901 **Mike Shuttleworth** – I vote "yes."
902
903 **Doug Mayo** – Okay, so the vote is two "yeses," three "noes." Okay, now we'll talk
904 about the area to the west, predominantly is owned by the Mills. There are four other
905 parcels or three other parcels? I think Mill's own two of them.
906
907 **Tua Vang** – I will take you there, give me a second here. There's five total.
908
909 **Doug Mayo** – They have one for their house and one for the orchard I believe.
910
911 **Tua Vang** – I'm sorry, give me a second here. I don't have the taskbar here to zoom
912 in. (Inaudible.)
913
914 **Jerry Craig** – Before we begin, is this parcel that we're talking about, the same parcel
915 that during the 5-year review of annual growth management, that was proposed by
916 the City of Naches that was voted "no?" Is that clear, Doug?
917
918 **Doug Mayo** – I don't know. I wasn't here then. I have no knowledge of that.
919
920 **Jerry Craig** – Do you remember, Jerry?
921
922 **Jerry Mellen** – No. No.
923

924 **Doug Mayo** - Move it down a little bit.
 925
 926 **Tua Vang** - I'm trying. That's the best I can get right here.
 927
 928 **Doug Mayo** - So you kind of got a hammerhead and then two little parcels down at
 929 the bottom. I'm assuming that's their house on a separate parcel?
 930
 931 **Tua Vang** - I believe the Mill's house is right here, the bottom left. And they just did a
 932 subdivision or short subdivision to parcel it off. And then the rest of it is vacant within
 933 it. This is a separate home that is owned by somebody else I believe.
 934
 935 **Doug Mayo** - So right now it's vacant?
 936
 937 **Tua Vang** - They haven't finalized. If I'm correct, they haven't finalized their short plat
 938 yet. They got a decision of approving it with conditions but they haven't finalized the
 939 short plat yet?
 940
 941 **Doug Mayo** - Is the land vacant or is there an orchard?
 942
 943 **Tua Vang** - I believe it's vacant.
 944
 945 **Doug Mayo** - Does anyone want to make a motion on this one?
 946
 947 **Jerry Mellen** - Question? What is zoning of the parcel to the west of that?
 948
 949 **Tua Vang** - These are all AG. Oh, this one right here? Let me see if I can pull up, can
 950 somebody pull up GIS? Can you pull up GIS Noelle? I believe it's all AG. Any idea
 951 Noelle.
 952
 953 **Noelle Madera** - I'm almost there.
 954
 955 **Tua Vang** - Okay.
 956
 957 **Noelle Madera** - The top of the hammerhead is R-10/5.
 958
 959 **Doug Mayo** - What about the one to the west?
 960
 961 **Tua Vang** - The west, west of those properties.
 962
 963 **Noelle Madera** - Everything else is AG.
 964
 965 **Tua Vang** - Yes, I believe that's what it is. I'll bring it up here. I forgot I have this app
 966 here. So here is the hammerhead with... Sorry I'm probably not sharing this am I? Give
 967 me one second everybody. There you go. Is that better?
 968
 969 **Noelle Madera** - Yes.
 970
 971 **Tua Vang** - So the subject properties that we are talking about that are in
 972 consideration right now is this one here. That's R-10/5. These two and these two right

973 here, so to the west of what you're asking is 12007 here, that is AG, and that one is
 974 also AG.

975

976 **Doug Mayo** - So what's the one to the west of that zoned?

977

978 **Tua Vang** - This is in the city limits. I believe they are industrial right now.

979

980 **Jeff Ranger** - No they're not.

981

982 **Tua Vang** - Oh, they're not.

983

984 **Jeff Ranger** - They been switched to R-1.

985

986 **Tua Vang** - Okay.

987

988 **Jeff Ranger** - The lower one to the left is still industrial. The one to the right to the deal
 989 is R-1 and the one above the industrial is R-1, but they're very limited in development.
 990 We had landowners that made land applications. We have changed our
 991 Comprehensive Plan.

992

993 **Kyle Curtis** - So I will go ahead and make a motion that we recommend the BOCC
 994 to approve these five parcels, the west side parcels I guess is we're calling them, to
 995 be annexed into the urban growth management.

996

997 **Doug Mayo** - I'll second that. Put it on the table. Kyle, do you wish to speak?

998

999 **Kyle Curtis** - Yes, just briefly I think we had a lot of good dialogue today on the
 1000 homework that's been done for these parcels. I do think that kicking this up to the
 1001 BOCC, any further concerns that have been brought up today, can be worked out
 1002 with our recommendation on the table as well. At the end of the day, it's those folks
 1003 that are going to have to make this decision. So that's why I made the motion.

1004

1005 **Doug Mayo** - I'm concerned that the Mill's. I'm not sure that they understand the
 1006 pros and cons of being in the urban area, but what they've written and what they
 1007 proposed to us is that they don't want to this. And the vast majority of the property is
 1008 theirs and that's concerning to me. Any other comments?

1009

1010 **Jerry Mellen** - I would support Kyle's recommendation. I think it just makes sense the
 1011 way it's zoned with the other R-1 properties around it.

1012

1013 **Doug Mayo** - Okay, I call for a vote. "Yes" would be to include recommending to the
 1014 Board for inclusion and "no" would be to not do that. I start with Jerry Craig.

1015

1016 **Jerry Craig** - "Yes."

1017

1018 **Doug Mayo** - Jerry Mellen?

1019

1020 **Jerry Mellen** - "Yes."

1021

Doug Mayo – Kyle?

Kyle Curtis – “Yes.”

Doug Mayo – And my concern with the Mill’s I am going to vote “no.” Mike?

Mike Shuttleworth – “Yes.”

Doug Mayo – So we got four “yes” and one “no.” And I believe that's the end of the deliberations. Thanks everybody for coming. You're welcome to stay. We've got other things on the agenda.

V. New Business

A. LRN2019-00010 Agritourism Study Session. Olivia presented the proposed Agritourism text amendments.

B. LRN2019-00004 Hearing Examiner Text Amendments Study Session. Phil presented the proposed Hearing Examiner text amendments and concluded by proposing that the Planning Commission’s next step would be to hold a public hearing on these amendments. The Planning Commission concurred with holding a hearing on November 10th.

VI. Old Business

A. LRN2021-00003 Short-Term Rentals, Findings of Fact. Kyle Curtis motioned to approve the Findings of Fact as submitted. Jerry Craig seconded the motion. The Planning Commission voted 5 to 0 in favor of approving the findings.

VII. Communications

A. Reports of subcommittees and study groups. None.

B. Status report of cases before the BOCC. Noelle informed the Planning Commission that the Board approved the CAO Floodplain changes.

C. Secretary’s report. None.

VIII. Adjournment or continuance to a date, place, and time: The next meeting to be held on November 10, 2021, 6:00 pm. The October 13, 2021 meeting was adjourned at 8:19 pm.

Minutes approved by the Planning Commission on 12/8/21.

Signed: 
Planning Commission Chair

\\nt2\Planning\Planning Commission\2021 - 2030\2021\Minutes Final\Oct 2021\Oct 13 Hearing Minutes_Final.docx