



**GRANDVIEW HEARING EXAMINER
REVISED PUBLIC HEARING PACKET
FEBRUARY 23, 2023 @ 3:00 P.M.**

CONTINUED TO PRE-DECISION MEETING ON FEBRUARY 28, 2023 @ 3:00 P.M.

Applicant(s): Nicole Stickley, AICP–AHBL, Inc., and Trini Garibay–Elite Investment Group LLC

Proposed Project: Comprehensive Plan Text Amendment

Project Description: Applicants request a text amendment to the Comprehensive Plan, Land Use Element - *Section V: Future Land Use* pertaining to the R-3 zoning district. The proposed text amendment removes language specific to minimum lot sizes from the Comprehensive Plan. The intent is for the Grandview Urban Area Zoning Ordinance to be the implementing ordinance to regulate development standards relating to lot size requirements.

- Public Hearing Procedure (Pages 1-2)
- Comprehensive Plan Amendment Application (Pages 3-10)
- SEPA Environmental Checklist (Pages 11-26)
- Determination of Non-Significance (Pages 27)
- Notice of Development Application, Environmental Determination & Notice of Public Hearing (Pages 28-29)
- Affidavit of Mailing & Posting (Pages 30-38)
- Affidavit of Publication – Public Hearing Notice (Page 39)
- Public Comments (None)
- Staff Report (Pages 40-43)
- Proposed Comprehensive Plan Text Amendment language for other residential districts (44-46)

This meeting will be held in person in the Council Chambers at City Hall, 207 West Second Street, Grandview, Washington.

CITY OF GRANDVIEW PUBLIC HEARING PROCEDURE

The following procedure is used by the City of Grandview to meet appearance of fairness requirements and to create or supplement the hearing record:

Hearing Examiner:

Today's Public Hearing will include the following land use proposal:

Applicant(s): Nicole Stickley, AICP–AHBL, Inc., and Trini Garibay–Elite Investment Group LLC

Proposed Project: Comprehensive Plan Text Amendment

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1. This hearing must be fair in form and substance as well as appearance, therefore is there anyone in the audience who objects to my participation as the Hearing Examiner in these proceedings? (If objections, the objector must state his/her name, address, and the reason for the objection.)
2. The purpose of this hearing is to hear and consider the pertinent facts relating to this land use proposal.
3. Everyone present will be given an opportunity to be heard.

THE PUBLIC HEARING IS NOW OPEN.

1. Before hearing from the public, the staff report will be presented.
2. Now the applicant will present the proposal.
3. Comments received by mail will now be entered in the record. The Clerk reads any received.
4. As this public hearing must proceed in an orderly fashion, I am asking your cooperation in the following procedure:
 - a. When you address the Hearing Examiner, begin by stating your name and address for the record.
 - b. Speak slowly and clearly.

- c. You will be allowed five minutes to comment.
 - d. If additional time is needed, it will be provided after everyone has had an opportunity to comment.
5. Public comments will now be received.
 6. Does the applicant have any additional comments?
 7. City Staff, do you have additional comments?
 8. Are there additional comments from the public?
 9. The public testimony portion of this hearing is now closed. No further comments will be received.

CITY OF GRANDVIEW
207 WEST SECOND STREET
GRANDVIEW, WA 98930
509-882-9200

COMPREHENSIVE PLAN AMENDMENT APPLICATION

APPLICATION MUST INCLUDE:

1. A completed, signed application form.
2. A completed, signed environmental checklist.
3. A vicinity map showing the location, the zoning, and the uses of all property within 300 feet of the site; and
4. All applicable fees.

Applicant(s): Nicole Stickney, AICP - AHBL, Inc

Mailing Address: 5804 Road 90, Suite H, Pasco, WA 99301

Telephone: (Home) _____ (Business) 509-380-5883

Co-applicant:

Owner (If other than applicant): Trini Garibay - Elite Investment Group LLC

Mailing Address: 5804 Road 90, Suite A, Pasco, WA 99301

Telephone: (Home) _____ (Business) 509-545-3975

Amendment(s) Requested: We respectfully request an amendment to the text regarding the R-3 High Density Residential Zoning district as detailed in the Grandview Comprehensive Plan, Land Use Element - Section V: Future Land Use shown in the box below (see strikeouts).

Land Effected: The proposed text amendment would apply generally to the whole city and would apply specifically to all parcels within the R-3 High Density Residential zoning district.

Property Generally Located at: N/A (text amendment)

Current Zoning: N/A (text amendment)

Proposed Zoning: N/A (text amendment)

Current Use of the Site: N/A

Amend text to read as follows: "... The R-3 district is established to provide a high density residential environment. Lands within this district generally contain multiple-unit residential structures ~~of a scale compatible with the structures in low density districts and with useful yard spaces~~. The R-3 district is intended to allow for a gradual increase in density from lower density residential districts and, where compatible, can provide a transition between different use areas. ~~Minimum area of lot for single-family dwelling is 7,500 square feet; for two-family dwelling attached, minimum lot area is 8,000 square feet, and governed by the standards in R-1 and R-2 districts. Minimum area of lot for multifamily dwellings is 3,000 square feet per dwelling unit for the first four dwelling units and 6,000 square feet per each additional dwelling unit.~~"

Proposed Use of the Site: N/A (text amendment)

Use of Adjacent Sites:

East: _____
West: _____ N/A (text amendment)
South: _____
North: _____

Why is the proposed amendment(s) in the public interest: It is in the public interest and stated in the Comprehensive Plan's goals and policies to allow a variety of housing densities, sizes, types, costs and locations throughout the city to increase options for housing. Amending the Plan's text to remove the density standards would be in the public interest by ensuring the city's goals can be met.

How is the site designated in Grandview Comprehensive Plan? N/A (text amendment)

RELEASE/HOLD HARMLESS AGREEMENT

The undersigned applicant, his heirs and assigns, in consideration for the City processing the application agrees to release, indemnify, defend and hold the City of Grandview harmless from any and all damages and/or claims for damages, including reasonable attorneys' fees, arising from any action or inaction which is based in whole or in part upon false, misleading or incomplete information furnished by the applicant, his agents or employees.

APPLICANT CERTIFICATE OF TRUTH

The applicant/property owner hereby certifies that all of the above statements and the statements in any exhibits and maps transmitted herewith are true under penalty of perjury by the laws of the State of Washington; and the applicants acknowledge that any conditional use granted based on this application may be revoked if any such statement is false.

PRESENCE AT PUBLIC HEARINGS

The applicant/property owner hereby acknowledges that their presence at any and all public hearings concerning this application is required.

Signature of Applicant: *Michelle Strickney* Date Dec. 28, 2022

Co-applicant:
Signature of ~~Owner~~: _____ Date _____
(If other than Applicant): _____ Date _____

Date Received: 12/20/22 By: AP

Receipt No.: 149779 Amount of Fee \$ 1000.00

Additional Applications: _____

Additional Fees: _____

DATE APPLICATION ACCEPTED AS COMPLETE 1/12/23 BY AP



December 28, 2022

Anita G. Palacios
Clerk, City of Grandview
207 West Second Street
Grandview, WA 98930

Project: Elite Development, AHBL No. 2220774
Subject: Comprehensive Plan Amendment Application

Civil Engineers

Structural Engineers

Landscape Architects

Community Planners

Land Surveyors

Neighbors

Dear Anita:

Enclosed are the following items which comprise an application for a text amendment to the City's Comprehensive Plan:

- Comprehensive Plan Amendment Application
- SEPA Non-Project Environmental Checklist

In addition, this letter contains an important narrative explanation of our request.

Introduction

We are requesting a text amendment to the Grandview Comprehensive Plan, Land Use Element - *Section V: Future Land Use*. Our focus is on the language in the Plan pertaining to the R-3 zoning district. In this letter we outline the following:

- The Plan is far too restrictive on development in areas intended for high-density development
- The Plan goes into greater detail than what is typically found in Comprehensive Plan documents and should be modified; some statements contained in the Comprehensive Plan are simply too detailed and prescriptive
- The city's zoning code is the best location for regulating minimum lot sizes and other restrictions relating to building bulk and dimensional aspects as well as limits on density

The R-3 zoning district is one of the zoning districts in the city that implements the "Residential" land use designation (as assigned on the City's Future Land Use Map, Figure 2-6). As indicated by its name, the R-3 district is the location where high-density housing is intended to be located in the city, and structures with multiple units such as tri-plexes, four-plexes, apartment buildings and so forth could be constructed in such locations. In contrast, the R-1 and R-2 districts are zoning districts for residential uses at a lower planned density.

TRI-CITIES

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Suite H

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509.380.5883 TEL

www.ahbl.com

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The plan sets out a good and very helpful introduction to the purposes of the R-3 zoning district:

The R-3 district is established to provide a high density residential environment. Lands within this district generally contain multiple-unit residential structures...

However, a portion of the following phrase (underlined portion) is problematic as it seems to suggest that development, as regulated in the R-3 district, should be more or less the same in terms of density as compared to lower density districts:

"Lands within this district generally contain multiple-unit residential structures of a scale compatible with the structures in low density districts and with useful yard spaces"

Further, the same section sets out a minimum lot size requirement for multifamily housing in the R-3 zoning districts of the city:

"[The] minimum area of lot for multifamily dwellings is 3,000 square feet per dwelling unit for the first four dwelling units and 6,000 square feet per each additional dwelling unit."

This language limits the allowed density in the R-3 zoning district, resulting in an extreme limitation on how apartment buildings can be developed and situated on lots within the city. We contend that this restriction actually conflicts with the City's goals and policies to allow a variety of housing types throughout the city to increase options for affordable housing.

Request

Based on the explanation above, we respectfully request the council approve our proposal to strikeout certain portions of the text, as follows:

"... The R-3 district is established to provide a high density residential environment. Lands within this district generally contain multiple-unit residential structures ~~of a scale compatible with the structures in low density districts and with useful yard spaces~~. The R-3 district is intended to allow for a gradual increase in density from lower density residential districts and, where compatible, can provide a transition between different use areas. Minimum area of lot for single-family dwelling is 7,500 square feet; for two-family dwelling attached, minimum lot area is 8,000 square feet, and governed by the standards in R-1 and R-2 districts. ~~Minimum area of lot for multifamily dwellings is 3,000 square feet per dwelling unit for the first four dwelling units and 6,000 square feet per each additional dwelling unit.~~"



Discussion

On the topic of what the Comprehensive Plan should and should not include, we fully recognize and support the City's prerogative and responsibility to include language in the Comprehensive Plan that is appropriately detailed, easy to understand, and which sets forth a vision for development. We highly value the local preferences, choices, and guidance that the Council (as presently formed and in previous time) has made. However, we request that Council re-evaluate the language contained in the plan to determine if it is still useful and the right approach for the city.

Our request is supported by many of the goals and policies of the City's Comprehensive Plan, including but not limited to the following Land Use Element Policies:

- Encourage urban infill where possible to avoid sprawl and the inefficient leapfrog pattern of development. (policy 1.3)
- Accommodate future population growth through infilling and utilization of undeveloped subdivision lots in order to avoid conversion of agricultural land to residential uses. (policy 1.4)
- Building where adequate public facilities and services exist (policy 3.1)
- Build in City limits prior to UGA development (policy 3.2)
- Provide residential areas with a variety of housing densities, types, sizes, costs and locations (policy 4.2)
- Attempt to assure that basic community values and aspirations are reflected in the City's planning program, while recognizing the rights of individuals to use and develop private property in a manner consistent with City regulations. (policy 4.6)

Additionally, the Comprehensive Plan details that Grandview's economy relies on productive farmlands and those lands must be preserved to ensure economic vitality for future generations. Through the Plan, the City also acknowledges that a certain amount of land is needed for housing and other economic activities and that certain conditions may determine the suitability of areas for various land uses. The Plan also says that land use planning must accommodate the protection of wetlands, wildlife habitats, and other environmentally critical areas. Removing restrictive minimum lot size requirements and increasing the number of housing units allowed in those areas designated for high-density will help to foster appropriate development in areas that are suitable and likewise direct development away from areas that should be protected.

Furthermore, the current **housing crisis** that is occurring in the region and throughout Washington bolsters our request. It is widely recognized that there are many factors that impact housing costs, supply constraints, and choices – including polices and regulations



at the state and local levels. We imagine that Council is mindful of these present-day challenges and considerations.

Our Request and Other Considerations Council may Consider

On a side note, while our application includes a request to only strikeout the minimum lot requirement for multi-family dwellings, we further suggest that the city may want to consider making further edits to the Comprehensive plan to remove all instances where minimum lot sizes are prescribed. Instead, the city may consider only setting out lot size and development standards in the zoning code. We suggest that the Comprehensive Plan should instead provide general policy statements such as average or typical density ranges that are intended (i.e., "While the R-2 Medium Density Residential district is expected to have *X to X* dwelling units per acre, development in the R-3 High Density Residential district would average *X to X* dwelling units per acre.") Our suggested approach is to provide flexibility (because different development areas of the City may have unique circumstances that impact density such as transit access, proximity to commercial / services areas, proximity to schools, transportation limitations, etc.) while setting out general parameters to be implemented with the zoning / development regulations.

Our Next Steps

We want to be very clear and transparent as to our intended "next steps." Following an amendment to the City's Comprehensive Plan , we will next apply to modify GMC 17.35.050 (the development standards for the R-3 zoning district) to effectively increase the allowed density in the R-3 zoning district¹. In doing so, the R-3 zoning district will become more aligned with what neighboring municipalities typically allow for development in an R-3 district (*and additionally more closely align with the density of existing development that is located within Grandview in the areas zoned R-3 that were built prior to the ordinance which created the limitations that are the subject of our request*).

Once that is complete, Elite Investment Group will pursue the opportunity to develop a multi-family project at a 2.05-acre site off of Grandridge Road that is zoned R-3. The proposal would include the construction of attractive and high-quality market-rate housing plus related amenities. The plan is to develop the site with up to 63 units in up to 5 buildings and associated parking, landscaping, and social gathering areas. The development cannot occur without a change to the development regulations - which must *first* be accommodated through the Comprehensive Plan Amendment that we are

¹ We will apply to modify the minimum lot area for multifamily dwellings required by GMC 17.35.050(B) to 1,400 square feet per dwelling unit. Alternatively, the council could direct and approve the change to the municipal code using their legislative authority, if desired.



requesting. The benefits of the project to the community will be many, including creating new living opportunities at an “infill” site where services and infrastructure is already in place, having beautiful design and pleasing aesthetics, adding to the city’s tax base, and creating additional choices for people looking to rent a home in Grandview.

In closing, we are very grateful to you, the city staff, and your consultants for your assistance through this process. Please let me know if the city staff, YVCOG staff, or Council will require any additional items to process this request; we would welcome any opportunity to provide a presentation to staff, to Council or any other interested groups.

Sincerely,

A handwritten signature in black ink that reads "Nicole Stickney". The signature is written in a cursive, flowing style.

Nicole Stickney, AICP
Senior Planning Project Manager

c: J. Trinidad Garibay, Elite Investment Grp LLC

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SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. Background

a. Name of proposed project, if applicable:

Proposed Text Amendment to the City of Grandview Comprehensive Plan

b. Name of applicant:

Nicole Stickney, AHBL
and
J. Trinidad Garibay, Elite Investment Group LLC

c. Address and phone number of applicant and contact person:

Applicant: Trini Garibay
Elite Investment Group LLC
5804 Road 90, Suite A
Pasco, WA 99301-8551
Phone: 509.545.3975
Email: trini@elitecnd.com

Contact: Nicole Stickney
AHBL, Inc.
5804 Road 90 Suite H
Pasco, WA 99301
Phone: 509.316.7131
Email: nstickney@ahbl.com

d. Date checklist prepared:

December 12, 2022

e. Agency requesting checklist:

City of Grandview

f. Proposed timing or schedule (including phasing, if applicable):

The Grandview Municipal Code section 17.92.020 establishes that amendments to the comprehensive plan will be scheduled for City Council's consideration in January; approval of the text amendment is anticipated to occur early in 2023.

g. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

No further activity regarding the comprehensive plan amendment is proposed.

h. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

None known

i. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

None known.

- j. List any government approvals or permits that will be needed for your proposal, if known.

Passage of an Ordinance by the City of Grandview City Council adopting a Comprehensive Plan Amendment. Later, an amendment to Grandview Municipal Code (GMC) 17.35.050(B); Development standards for the R-3 High Density Residential District would be needed to update the GMC to align with the amended Comprehensive Plan.

- k. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

We are requesting the city amend the Comprehensive Plan *Chapter 2 - Land Use Element, Section V. Future Land Use.*

The current text specifies the exact allowed density in the R-3 zoning district which generally restricts the practical placement of apartment buildings. This restriction of a specific housing type conflicts with the Comprehensive Plan's goals and policies to allow a variety of housing types throughout the city to increase options for affordable housing.

Our proposed change is shown below with a strikethrough of the text to represent the requested removal of the language regarding density (expressed as a minimum lot size requirement and a description that high density residential development should be at a scale compatible with low-density development).

"... The R-3 district is established to provide a high density residential environment. Lands within this district generally contain multiple-unit residential structures ~~of a scale compatible with the structures in low density districts and with useful yard spaces.~~ The R-3 district is intended to allow for a gradual increase in density from lower density residential districts and, where compatible, can provide a transition between different use areas. Minimum area of lot for single-family dwelling is 7,500 square feet; for two-family dwelling attached, minimum lot area is 8,000 square feet, and governed by the standards in R-1 and R-2 districts. ~~Minimum area of lot for multifamily dwellings is 3,000 square foot per dwelling unit for the first four dwelling units and 6,000 square foot per each additional dwelling unit.~~"

- l. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The proposed text amendment is a non-project action that applies generally to the whole city and would apply specifically to all parcels within the R-3 High Density Residential zoning district.

B. Environmental Elements

1. Earth

a. General description of the site:

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other _____

N/A, this is a non-project action. All future site-specific development is subject to review.

b. What is the steepest slope on the site (approximate percent slope)?

N/A, this is a non-project action.

According to the City's Comprehensive Plan, the City is typically flat or gently rolling, while within the UGA (and outside of the city limits) some areas have slopes which range between 5 percent to 15 percent or more.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

N/A, this is a non-project action.

According to the City's Comprehensive Plan *Physical Character Element*, the lower Yakima River Basin in the area of Grandview includes recent alluvial, lacustrine and eolian soil deposits. Surficial soils typically include about 1.5 feet of silt type loam overlying stratified silt loam, loam and very fine sandy loam to depths of 5 feet or more. Table 1-1 of the plan specifies "Soil Classifications and Limitations for the City of Grandview and Vicinity" and Figure 1-1 provides a map showing soil types.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

N/A, this is a non-project action.

According to the City's Comprehensive Plan *Physical Character Element*, native soils are underlain by volcanic bedrock including the Saddle Mountains Basalt of the Columbia River Basalt Group.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

N/A, this is a non-project action.

- f. **Could erosion occur as a result of clearing, construction, or use? If so, generally describe.**

N/A, this is a non-project action.

- f. **About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?**

N/A, this is a non-project action.

- g. **Proposed measures to reduce or control erosion, or other impacts to the earth, if any:**

None proposed.

2. Air

- 1) **What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.**

N/A, this is a non-project action. All future site-specific development is subject to review.

- 2) **Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.**

N/A, this is a non-project action.

- 3) **Proposed measures to reduce or control emissions or other impacts to air, if any:**

None proposed.

3. Water

a. Surface Water:

- 1) **Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.**

N/A, this is a non-project action. All future site-specific development is subject to review.

- 2) **Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.**

N/A, this is a non-project action.

- 3) **Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.**

No fill or dredge material will be placed in or removed from water bodies as a result of this proposal.

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

No water will be withdrawn or diverted as a result of this proposal.

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

N/A, this is a non-project action.

According to the City's Comprehensive Plan *Physical Character Element*, the floodplain of the Yakima River in the Grandview area is narrow and not proximate to the built-up portion of the City; an area of the UGA / City limits that is affected by the 100-year floodplain is a small section of the southern noncontiguous portion of the City that houses the wastewater treatment plant and sprayfields.

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

N/A, this is a non-project action.

No waste materials will be discharged to surface waters as a result of the proposal.

b. Ground Water:

1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

N/A, this is a non-project action. All future site-specific development is subject to review.

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

The N/A, this is a non-project action. The city is served by City of Grandview sewer; no wastewater will be discharged to the ground as a result of this proposal.

c. Water runoff (including stormwater):

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

N/A, this is a non-project action. All future site-specific development is subject to review.

2) Could waste materials enter ground or surface waters? If so, generally describe.

N/A, this is a non-project action.

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

N/A, this is a non-project action.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

None proposed.

4. Plants

a. Check the types of vegetation found on the site:

N/A, this is a non-project action.

The Comprehensive Plan identifies a wide range of vegetation found within the area.

- deciduous tree: alder, maple, aspen, other
- evergreen tree: fir, cedar, pine, other
- shrubs
- grass
- pasture
- crop or grain
- Orchards, vineyards or other permanent crops.
- wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- water plants: water lily, eelgrass, milfoil, other
- other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

N/A, this is a non-project action.

c. List threatened and endangered species known to be on or near the site.

N/A, this is a non-project action.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

N/A, this is a non-project action.

e. List all noxious weeds and invasive species known to be on or near the site.

N/A, this is a non-project action.

5. Animals

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. Examples include:

N/A, this is a non-project action. The Comprehensive Plan *Physical Character Element* identifies the type of wildlife and fish found within the area, and discusses habitats.

birds: hawk, heron, eagle, songbirds, other: _____
mammals: deer, bear, elk, beaver, other: _____
fish: bass, salmon, trout, herring, shellfish, other _____

b. List any threatened and endangered species known to be on or near the site.

N/A, this is a non-project action.

c. Is the site part of a migration route? If so, explain.

Yes, Washington State is part of the Pacific Flyway, a bird migration route.

d. Proposed measures to preserve or enhance wildlife, if any:

None proposed.

e. List any invasive animal species known to be on or near the site.

N/A, this is a non-project action.

6. Energy and Natural Resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

N/A, this is a non-project action. All future site-specific development is subject to review.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

N/A, this is a non-project action.

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

N/A, this is a non-project action.

7. Environmental Health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

N/A, this is a non-project action. All future site-specific development is subject to review.

- 1) Describe any known or possible contamination at the site from present or past uses.

N/A, this is a non-project action.

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

N/A, this is a non-project action.

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

N/A, this is a non-project action.

- 4) Describe special emergency services that might be required.

N/A, this is a non-project action.

- 5) Proposed measures to reduce or control environmental health hazards, if any:

None proposed.

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

N/A, this is a non-project action. All future site-specific development is subject to review.

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

N/A, this is a non-project action.

- 3) Proposed measures to reduce or control noise impacts, if any:

None proposed.

8. Land and Shoreline Use

- a. **What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.**

N/A, this is a non-project action. All future site-specific development is subject to review.

- b. **Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?**

N/A, this is a non-project action.

- 1) **Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:**

The proposal will not affect or be affected by surrounding working farm or forest land operations.

- c. **Describe any structures on the site.**

N/A, this is a non-project action.

- d. **Will any structures be demolished? If so, what?**

N/A, this is a non-project action.

- e. **What is the current zoning classification of the site?**

The proposal is related to the R-3 High Density Residential zoning district.

- f. **What is the current comprehensive plan designation of the site?**

The proposed text amendment will affect parcels with the land use designation of Residential in the comprehensive plan (Future Land Use map, Figure 2-6).

- g. **If applicable, what is the current shoreline master program designation of the site?**

N/A, this is a non-project action. It does not appear that any properties zoned R-3 High Density Residential are within shoreline jurisdiction.

All future site-specific development is subject to review.

- h. **Has any part of the site been classified as a critical area by the city or county? If so, specify.**

N/A, this is a non-project action.

- i. **Approximately how many people would reside or work in the completed project?**

N/A, this is a non-project action.

j. Approximately how many people would the completed project displace?

N/A, this is a non-project action.

k. Proposed measures to avoid or reduce displacement impacts, if any:

No measures proposed as no displacement is anticipated to occur.

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

None proposed.

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

No measures proposed as impacts to agricultural and forest lands are not anticipated as a result of this proposal.

9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

N/A, this is a non-project action. All future site-specific development is subject to review.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

N/A, this is a non-project action.

c. Proposed measures to reduce or control housing impacts, if any:

None proposed.

10. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

N/A, this is a non-project action. All future site-specific development is subject to review.

b. What views in the immediate vicinity would be altered or obstructed?

N/A, this is a non-project action.

c. Proposed measures to reduce or control aesthetic impacts, if any:

None proposed.

11. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

N/A, this is a non-project action. All future site-specific development is subject to review.

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

N/A, this is a non-project action.

- c. What existing off-site sources of light or glare may affect your proposal?

N/A, this is a non-project action.

- d. Proposed measures to reduce or control light and glare impacts, if any:

N/A, this is a non-project action.

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?

N/A, this is a non-project action.

The City's Comprehensive Plan describes park, recreation and open space land as well as open space corridors in the *Land Use Element*.

All future site-specific development is subject to review.

- b. Would the proposed project displace any existing recreational uses? If so, describe.

N/A, this is a non-project action.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

None proposed.

13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.

N/A, this is a non-project action. The Comprehensive Plan includes a listing of Historic Building and Places in Table 2-2.

All future site-specific development is subject to review.

- b. **Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.**

N/A, this is a non-project action.

- c. **Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.**

N/A, this is a non-project action.

- d. **Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.**

None proposed.

14. Transportation

- a. **Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.**

N/A, this is a non-project action. All future site-specific development is subject to review.

- b. **Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?**

N/A, this is a non-project action.

- c. **How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?**

N/A, this is a non-project action.

- d. **Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).**

N/A, this is a non-project action.

- e. **Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.**

N/A, this is a non-project action.

- f. **How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?**

N/A, this is a non-project action.

- g. **Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.**

N/A, this is a non-project action.

- h. **Proposed measures to reduce or control transportation impacts, if any:**

None proposed.

15. Public Services

- a. **Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.**

N/A, this is a non-project action. All future site-specific development is subject to review.

- b. **Proposed measures to reduce or control direct impacts on public services, if any.**

None proposed.

16. Utilities

- a. **Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other _____**

N/A, this is a non-project action. All future site-specific development is subject to review.

- b. **Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.**

None proposed.

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: Y. Nicole Strickney

Name of signee _____

Position and Agency/Organization _____

Date Submitted: _____

D. Supplemental sheet for nonproject actions

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The text amendment will not result in an increased discharge to water, emissions to air, production, storage, or release of toxic or hazardous substances, or production of noise. The intent of the text amendment is to remove specific minimum lot size requirements from the comprehensive plan.

Proposed measures to avoid or reduce such increases are:

Any future construction activity related to the text amendment will be subject to SEPA review as well as state and local regulations.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

The proposed non-project action will not affect plants, animals, fish or marine life.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:
None proposed.

3. How would the proposal be likely to deplete energy or natural resources?

The text amendments will not deplete energy or natural resources.

Proposed measures to protect or conserve energy and natural resources are:

The proposed text amendment to remove specific minimum lot size development standards from the comprehensive plan may encourage infill development to occur in locations where infrastructure is already in place. Building where infrastructure systems already exist facilitates energy efficiency. Additionally, infill development often allows residents to live closer to where they work or go to school which also reduces demands on energy and natural resources. Finally, infill development helps decrease a pattern of sprawling development which preserves natural resources such as farmland and open space.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection, such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The proposed text amendment will not affect environmentally sensitive areas. Removing restrictive minimum lot size requirements may help to foster appropriate development in areas that are suitable and direct development away from areas that should be protected.

Proposed measures to protect such resources or to avoid or reduce impacts are:
None proposed.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

The proposal will positively affect land use by facilitating development in areas where suitable infrastructure (roads, utilities) and services are available or can be provided and in turn protect areas that are sensitive from development pressures.

Proposed measures to avoid or reduce shoreline and land use impacts are:
None proposed.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

The proposed text amendment will not increase demands on transportation or public services and utilities.

Proposed measures to reduce or respond to such demand(s) are:
None proposed.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The proposal will comply with all other local, state, and federal laws and requirements for the protection of the environment.



**CITY OF GRANDVIEW
DETERMINATION OF NON-SIGNIFICANCE
WASHINGTON STATE ENVIRONMENTAL POLICY ACT**

The City of Grandview, as the lead agency, issued a:

- Determination of Non-significance (DNS)
- Mitigated Determination of Non-significance (MDNS)
- Modified DNS/MDNS

under the State Environmental Policy Act (SEPA) and WAC 197-11-355 on the following:

Applicant(s): Nicole Stickley, AICP–AHBL, Inc., and Trini Garibay–Elite Investment Group LLC

Proposed Project: Comprehensive Plan Text Amendment

Application Date: December 28, 2022

Application Acceptance: January 12, 2023

Decision-Making Authority: City of Grandview

Project Description: Applicants request a text amendment to the Comprehensive Plan, Land Use Element - *Section V: Future Land Use* pertaining to the R-3 zoning district. The proposed text amendment removes language specific to minimum lot sizes from the Comprehensive Plan. The intent is for the Grandview Urban Area Zoning Ordinance to be the implementing ordinance to regulate development standards relating to lot size requirements.

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

- There is no comment period for this DNS.
- This DNS is issued after using the optional DNS process in WAC 197-11-355.
- This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date below.

Responsible official: Cus Arteaga

Position/title: City Administrator/Public Works Director

Phone: (509) 882-9200

Address: 207 West Second Street, Grandview, WA 98930

Email: carteaga@grandview.wa.us

Date: January 17, 2022

Signature: _____



**CITY OF GRANDVIEW
NOTICE OF DEVELOPMENT APPLICATION
ENVIRONMENTAL DETERMINATION & NOTICE OF PUBLIC HEARING**

The general public is hereby provided notice of the following development application, pursuant to Grandview Municipal Code (GMC) 14.07 and Washington Administrative Code (WAC) 197-11-355:

Applicant(s): Nicole Stickley, AICP–AHBL, Inc., and Trini Garibay–Elite Investment Group LLC
Proposed Project: Comprehensive Plan Text Amendment
Application Date: December 28, 2022
Application Acceptance: January 12, 2023
Decision-Making Authority: City of Grandview

Project Description: Applicants request a text amendment to the Comprehensive Plan, Land Use Element - *Section V: Future Land Use* pertaining to the R-3 zoning district. The proposed text amendment removes language specific to minimum lot sizes from the Comprehensive Plan. The intent is for the Grandview Urban Area Zoning Ordinance to be the implementing ordinance to regulate development standards relating to lot size requirements.

Requested Approvals & Actions: Comprehensive Plan Text Amendment approval.

Existing Environmental Documents: An Environmental Checklist has been prepared and is available from the City upon request.

A decision on this application will be made within 120 days of the date of the letter of completeness.

Environmental Determination

The City of Grandview is the lead agency for this application and intends to issue a Determination of Non-Significance. The City is utilizing the optional DNS process set forth in WAC 197-11-355. This may be the only opportunity to comment on the environmental impacts of this proposal. The proposal may include mitigation measures under applicable codes, and the project review process may incorporate or require mitigation measures regardless of whether an Environmental Impact Statement is prepared. The City will review all timely comments prior to making a final threshold determination. Any person has the right to comment on the application and receive notice of and participate in any hearings on the application, if any are scheduled or held. At this time, the City does not intend to hold a public hearing to consider the environmental aspects of this application. A copy of the threshold determination ultimately issued with respect to this application may be obtained upon request. Comments on the environmental impacts of this proposal must be received by **Thursday, February 9, 2023**.

Comment Period and Where to View Documents

The development application and environmental checklist may be viewed at the City of Grandview, 207 West Second Street, Grandview, WA or on the City's website at www.grandview.wa.us. All interested persons are invited to (a) comment on the application, (b) receive notice of and participate in any hearings, and (c) receive a copy of the decision by submitting such written comments/requests to the City of Grandview, Attn: City Clerk, 207 West Second Street, Grandview, WA 98930, PH: (509) 882-9200, email: anitap@grandview.wa.us. Comments concerning the application should be submitted no later than **Thursday, February 9, 2023**. While comments will be accepted through closing of the public hearing on this proposal, comments received after **Thursday, February 9, 2023** may not be considered in the staff report.

Public Hearing

The City of Grandview Hearing Examiner will hold a public hearing pursuant to GMC 14.03 on **Thursday, February 23, 2023 at 3:00 p.m.** The public hearing will be held in person in the Council Chambers at City Hall, 207 West Second Street, Grandview, WA.

The public hearing will consider the application of the project described above. To request accommodation for special needs, contact Anita Palacios, City Clerk, 24-hours in advance at (509) 882-9200. Interpreters will be available upon request. American Disabilities Act (ADA) accommodations provided upon request 24-hours in advance.

CITY OF GRANDVIEW

Anita G. Palacios, MMC, City Clerk

Publication: Grandview Herald – January 25, 2023



**CITY OF GRANDVIEW
AFFIDAVIT OF MAILING & POSTING**

I, Anita Palacios, City Clerk for the City of Grandview, hereby certify that on the 17th day of January, 2023, I posted at City Hall, Library, Police Department, City's website www.grandview.wa.us, and mailed the attached NOTICE OF DEVELOPMENT APPLICATION, ENVIRONMENTAL DETERMINATION & NOTICE OF PUBLIC HEARING regarding the following land use proposal:

Applicant(s): Nicole Stickley, AICP–AHBL, Inc., and Trini Garibay–Elite Investment Group LLC

Proposed Project: Comprehensive Plan Text Amendment

Project Description: Applicants request a text amendment to the Comprehensive Plan, Land Use Element - *Section V: Future Land Use* pertaining to the R-3 zoning district. The proposed text amendment removes language specific to minimum lot sizes from the Comprehensive Plan. The intent is for the Grandview Urban Area Zoning Ordinance to be the implementing ordinance to regulate development standards relating to lot size requirements.

by delivering to interested parties and governmental agencies, lists attached hereto.

Governmental agencies also received the SEPA Checklist.

CITY OF GRANDVIEW

By: _____

Anita Palacios, City Clerk



**CITY OF GRANDVIEW
NOTICE OF DEVELOPMENT APPLICATION
ENVIRONMENTAL DETERMINATION & NOTICE OF PUBLIC HEARING**

The general public is hereby provided notice of the following development application, pursuant to Grandview Municipal Code (GMC) 14.07 and Washington Administrative Code (WAC) 197-11-355:

Applicant(s): Nicole Stickley, AICP–AHBL, Inc., and Trini Garibay–Elite Investment Group LLC
Proposed Project: Comprehensive Plan Text Amendment
Application Date: December 28, 2022
Application Acceptance: January 12, 2023
Decision-Making Authority: City of Grandview

Project Description: Applicants request a text amendment to the Comprehensive Plan, Land Use Element - *Section V: Future Land Use* pertaining to the R-3 zoning district. The proposed text amendment removes language specific to minimum lot sizes from the Comprehensive Plan. The intent is for the Grandview Urban Area Zoning Ordinance to be the implementing ordinance to regulate development standards relating to lot size requirements.

Requested Approvals & Actions: Comprehensive Plan Text Amendment approval.

Existing Environmental Documents: An Environmental Checklist has been prepared and is available from the City upon request.

A decision on this application will be made within 120 days of the date of the letter of completeness.

Environmental Determination

The City of Grandview is the lead agency for this application and intends to issue a Determination of Non-Significance. The City is utilizing the optional DNS process set forth in WAC 197-11-355. This may be the only opportunity to comment on the environmental impacts of this proposal. The proposal may include mitigation measures under applicable codes, and the project review process may incorporate or require mitigation measures regardless of whether an Environmental Impact Statement is prepared. The City will review all timely comments prior to making a final threshold determination. Any person has the right to comment on the application and receive notice of and participate in any hearings on the application, if any are scheduled or held. At this time, the City does not intend to hold a public hearing to consider the environmental aspects of this application. A copy of the threshold determination ultimately issued with respect to this application may be obtained upon request. Comments on the environmental impacts of this proposal must be received by **Thursday, February 9, 2023**.

Comment Period and Where to View Documents

The development application and environmental checklist may be viewed at the City of Grandview, 207 West Second Street, Grandview, WA or on the City's website at www.grandview.wa.us. All interested persons are invited to (a) comment on the application, (b) receive notice of and participate in any hearings, and (c) receive a copy of the decision by submitting such written comments/requests to the City of Grandview, Attn: City Clerk, 207 West Second Street, Grandview, WA 98930, PH: (509) 882-9200, email: anitap@grandview.wa.us. Comments concerning the application should be submitted no later than **Thursday, February 9, 2023**. While comments will be accepted through closing of the public hearing on this proposal, comments received after **Thursday, February 9, 2023** may not be considered in the staff report.

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The public hearing will consider the application of the project described above. To request accommodation for special needs, contact Anita Palacios, City Clerk, 24-hours in advance at (509) 882-9200. Interpreters will be available upon request. American Disabilities Act (ADA) accommodations provided upon request 24-hours in advance.

CITY OF GRANDVIEW

Anita G. Palacios, MMC, City Clerk

Publication: Grandview Herald – January 25, 2023

Anita Palacios

From: Anita Palacios
Sent: Tuesday, January 17, 2023 2:22 PM
To: Prosser Record Bulletin (legals@recordbulletin.com)
Cc: Nicole Stickney; trini@elitecnd.com; Byron Gumz; Cus Arteaga
Subject: City of Grandview Notice of Development Application, Environmental Determination & Notice of Public Hearing - Elite Investment Group

**CITY OF GRANDVIEW
NOTICE OF DEVELOPMENT APPLICATION
ENVIRONMENTAL DETERMINATION & NOTICE OF PUBLIC HEARING**

The general public is hereby provided notice of the following development application, pursuant to Grandview Municipal Code (GMC) 14.07 and Washington Administrative Code (WAC) 197-11-355:

Applicant(s): Nicole Stickley, AICP–AHBL, Inc., and Trini Garibay–Elite Investment Group LLC
Proposed Project: Comprehensive Plan Text Amendment
Application Date: December 28, 2022
Application Acceptance: January 12, 2023
Decision-Making Authority: City of Grandview

Project Description: Applicants request a text amendment to the Comprehensive Plan, Land Use Element - *Section V: Future Land Use* pertaining to the R-3 zoning district. The proposed text amendment removes language specific to minimum lot sizes from the Comprehensive Plan. The intent is for the Grandview Urban Area Zoning Ordinance to be the implementing ordinance to regulate development standards relating to lot size requirements.

Requested Approvals & Actions: Comprehensive Plan Text Amendment approval.

Existing Environmental Documents: An Environmental Checklist has been prepared and is available from the City upon request.

A decision on this application will be made within 120 days of the date of the letter of completeness.

Environmental Determination

The City of Grandview is the lead agency for this application and intends to issue a Determination of Non-Significance. The City is utilizing the optional DNS process set forth in WAC 197-11-355. This may be the only opportunity to comment on the environmental impacts of this proposal. The proposal may include mitigation measures under applicable codes, and the project review process may incorporate or require mitigation measures regardless of whether an Environmental Impact Statement is prepared. The City will review all timely comments prior to making a final threshold determination. Any person has the right to comment on the application and receive notice of and participate in any hearings on the application, if any are scheduled or held. At this time, the City does not intend to hold a public hearing to consider the environmental aspects of this application. A copy of the threshold determination ultimately issued with respect to this application may be obtained upon request. Comments on the environmental impacts of this proposal must be received by **Thursday, February 9, 2023.**

Comment Period and Where to View Documents

The development application and environmental checklist may be viewed at the City of Grandview, 207 West Second Street, Grandview, WA or on the City's website at www.grandview.wa.us. All interested persons are invited to (a) comment on the application, (b) receive notice of and participate in any hearings, and (c) receive a copy of the decision by submitting such written comments/requests to the City of Grandview, Attn: City Clerk, 207 West Second Street, Grandview, WA 98930, PH: (509) 882-9200, email: anitap@grandview.wa.us. Comments concerning the application should be submitted no later than **Thursday, February 9, 2023**. While comments will be accepted through closing of the public hearing on this proposal, comments received after **Thursday, February 9, 2023** may not be considered in the staff report.

Public Hearing

The City of Grandview Hearing Examiner will hold a public hearing pursuant to GMC 14.03 on **Thursday, February 23, 2023 at 3:00 p.m.** The public hearing will be held in person in the Council Chambers at City Hall, 207 West Second Street, Grandview, WA.

The public hearing will consider the application of the project described above. To request accommodation for special needs, contact Anita Palacios, City Clerk, 24-hours in advance at (509) 882-9200. Interpreters will be available upon request. American Disabilities Act (ADA) accommodations provided upon request 24-hours in advance.

CITY OF GRANDVIEW

Anita G. Palacios, MMC, City Clerk

Publication: Grandview Herald – January 25, 2023

Anita G. Palacios, MMC
City Clerk/Human Resources
City of Grandview
207 West Second Street
Grandview, WA 98930
PH: (509) 882-9208 or 882-9200
Fax: (509) 882-3099
anitap@grandview.wa.us
www.grandview.wa.us

Anita Palacios

From: Anita Palacios
Sent: Tuesday, January 17, 2023 2:39 PM
To: 'GRANDVIEW SCHOOL DISTRICT'; 'ODW.Mail@doh.wa.gov'; 'PORT OF GRANDVIEW'; 'ROZA IRRIGATION DISTRICT'; 'sepa@dahp.wa.gov'; 'SUNNYSIDE VALLEY IRRIGATION DISTRICT'; 'WA STATE DEPT OF COMMERCE (reviewteam@commerce.wa.gov)'; 'WA STATE DEPT OF FISH & WILDLIFE'; 'WA STATE DEPT OF NATURAL RESOURCES'; 'WA STATE DEPT OF SOCIAL & HEALTH SERVICES'; 'WA STATE DEPT OF TRANSPORTATION'; 'WA STATE DEPT OF TRANSPORTATION'; 'YAKAMA NATION'; 'YAKIMA CO ENVIRONMENTAL HEALTH'; 'YAKIMA CO FIRE DISTRICT NO. 5'; 'YAKIMA CO PLANNING DEPT'; 'YAKIMA CO REG TRANSPORTATION ORG'; 'YAKIMA CO TRANSPORTATION SERVICES'; 'YAKIMA CO ZONING & SUBDIVISION'; 'Yakima Health District'; 'YAKIMA REGIONAL CLEAN AIR AUTHORITY'
Subject: City of Grandview - SEPA DNS - Elite Investment Comp Plan Text Amendment
Attachments: ELITE COMPREHENSIVE PLAN TEXT AMENDMENT PUBLIC HEARING NOTICE & SEPA.pdf

Attached is a Notice of Development Application, Environmental Determination and Notice of Public Hearing along with SEPA Checklist for the Elite Investment Comprehensive Plan Text Amendment.

Anita G. Palacios, MMC
City Clerk/Human Resources
City of Grandview
207 West Second Street
Grandview, WA 98930
PH: (509) 882-9208 or 882-9200
Fax: (509) 882-3099
anitap@grandview.wa.us
www.grandview.wa.us

Anita Palacios

From: COM GMU Review Team <reviewteam@commerce.wa.gov>
Sent: Tuesday, January 17, 2023 2:39 PM
To: Anita Palacios
Subject: Email confirmation

CAUTION: External Email

Thank you for submitting your materials to the Growth Management Services Review Team.



STATE OF WASHINGTON
DEPARTMENT OF COMMERCE
1011 Plum Street SE • PO Box 42525 • Olympia, Washington 98504-2525 • (360) 725-4000
www.commerce.wa.gov

01/17/2023

Ms. Anita Palacios
City Clerk
City of Grandview
207 West Second Street
Grandview, WA 98930

Sent Via Electronic Mail

Re: City of Grandview--2023-S-4719--60-day Notice of Intent to Adopt Amendment

Dear Ms. Palacios:

Thank you for sending the Washington State Department of Commerce (Commerce) the 60-day Notice of Intent to Adopt Amendment as required under RCW 36.70A.106. We received your submittal with the following description.

Applicants request a text amendment to the Comprehensive Plan, Land Use Element - Section V: Future Land Use pertaining to the R-3 zoning district. The proposed text amendment removes language specific to minimum lot sizes from the Comprehensive Plan. The intent is for the Grandview Urban Area Zoning Ordinance to be the implementing ordinance to regulate development standards relating to lot size

We received your submittal on 01/17/2023 and processed it with the Submittal ID 2023-S-4719. Please keep this letter as documentation that you have met this procedural requirement. Your 60-day notice period ends on 03/18/2023.

We have forwarded a copy of this notice to other state agencies for comment.

Please remember to submit the final adopted amendment to Commerce within ten days of adoption.

If you have any questions, please contact Growth Management Services at reviewteam@commerce.wa.gov, or call Scott Kuhta, (509) 795-6884.

Sincerely,

Review Team
Growth Management Services

Anita Palacios

From: NoReply@ecy.wa.gov
Sent: Wednesday, January 18, 2023 9:44 AM
To: Anita Palacios
Subject: SEPA record published

CAUTION: External Email

The SEPA admin reviewed and published SEPA record number 202300233, "Elite Comprehensive Plan Text Amendment". It will now be available to the public.

From: Amber Johnson
Email: separegister@ecy.wa.gov
Phone number: (509) 723-5677

AFFIDAVIT OF PUBLICATION

Notice

State of Washington } ss.
County of Yakima }

CITY OF GRANDVIEW
NOTICE OF DEVELOPMENT APPLICATION
ENVIRONMENTAL DETERMINATION & NOTICE OF
PUBLIC HEARING

The undersigned on oath states that

Madelyne Creasy
is an authorized representative of the GRANDVIEW HERALD, a weekly newspaper. That said newspaper is a legal newspaper and has been approved as a legal newspaper by order of the superior court in the county in which it is published and is now and has been for more than six months prior to the date of the publications hereinafter referred to, published in the English language continually as a weekly newspaper in Grandview, Yakima County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of said newspaper. The notice, in the exact form annexed, was published in regular issues of The GRANDVIEW HERALD, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a Notice of

Development Application
Environmental Determination
and Notice of Public
Hearing - Elite Investments
was published on January 25, 2023

The amount of the fee charged for the foregoing publication is the sum of \$ 140.50 which amount has been paid in full.

Madelyne Creasy

Subscribed and sworn to before me on

January 25, 2023
Annette C. Jones

Notary Public for the State of Washington

The general public is hereby provided notice of the following development application, pursuant to Grandview Municipal Code (GMC) 14.07 and Washington Administrative Code (WAC) 197-11-355:

Applicant(s): Nicole Stickley, AICP-AHBL, Inc., and Trini Garibay-Elite Investment Group LLC

Proposed Project: Comprehensive Plan Text Amendment

Application Date: December 28, 2022

Application Acceptance: January 12, 2023

Decision-Making Authority: City of Grandview

Project Description: Applicants request a text amendment to the Comprehensive Plan, Land Use Element - Section V: Future Land Use pertaining to the R-3 zoning district. The proposed text amendment removes language specific to minimum lot sizes from the Comprehensive Plan. The intent is for the Grandview Urban Area Zoning Ordinance to be the implementing ordinance to regulate development standards relating to lot size requirements.

Requesting Approvals & Actions: Comprehensive Plan Text Amendment approval.

Existing Environmental Documents: An Environmental Checklist has been prepared and is available from the City upon request.

A decision on this application will be made within 120 days of the date of the letter of completeness.

Environmental Determination

The City of Grandview is the lead agency for this application and intends to issue a Determination of Non-Significance. The City is utilizing the optional DNS process set forth in WAC 197-11-355. This may be the only opportunity to comment on the environmental impacts of this proposal. The proposal may include mitigation measures under applicable codes, and the project review process may incorporate or require mitigation measures regardless of whether an Environmental Impact Statement is prepared. The City will review all timely comments prior to making a final threshold determination. Any person has the right to comment on the application and receive notice of and participate in any hearings on the application, if any are schedule or held. At this time, the City does not intend to hold a public hearing to consider the environmental aspects of this application. A copy of the threshold determination ultimately issued with respect to this application may be obtained upon request. Comments on the environmental impacts of this proposal must be received by **Thursday, February 9, 2023.**

Comment Period and Where to View Documents

The development application and environmental checklist may be viewed at the City of Grandview, 207 West Second Street, Grandview, WA or on the City's website at www.grandview.wa.us. All interested persons are invited to (a) comment on the application, (b) receive notice of and participate in any hearings, and (c) receive a copy of the decision by submitting such written comments/requests to the City of Grandview, Attn: City Clerk, 207 West Second Street, Grandview, WA 98930, PH: (509) 882-9200, email: anitap@grandview.wa.us. Comments concerning the application should be submitted no later than **Thursday, February 9, 2023**. While comments will be accepted through closing of the public hearing on this proposal, comments received after **Thursday, February 9, 2023** may not be considered in the staff report.

Public Hearing

The City of Grandview Hearing Examiner will hold a public hearing pursuant to GMC 14.03 on **Thursday, February 23, 2023 at 3:00 p.m.** The public hearing will be held in person in the Council Chambers at City Hall, 207 West Second Street, Grandview, WA.

The public hearing will consider the application of the project described above. To request accommodation for special needs, contact Anita Palacios, City Clerk, 24-hours in advance at (509) 882-9200. Interpreters will be available upon request. American Disabilities Act (ADA) accommodations provided upon request 24-hours in advance.

CITY OF GRANDVIEW

Anita G. Palacios, MMC, City Clerk

Published: The Grandview Herald

Published: January 25, 2023

**CITY OF GRANDVIEW HEARING EXAMINER
STAFF RECOMMENDATION
FOR THE
ELITE INVESTMENTS GROUP COMPREHENSIVE PLAN TEXT
AMENDMENT**

City of Grandview
207 West Second Street · Grandview, Washington 98930
Phone: (509) 882-9200

PROJECT/APPLICANT INFORMATION

<u>Project Name:</u>	Elite Investment Group Comprehensive Plan Text Amendment
<u>Applicants:</u> AHBJ, Inc.	<u>Mailing Address:</u> Attn: Nicole Stickney, AICP 5804 Road 90, Suite H Pasco, WA 99301
Elite Investment Group, LLC.	Attn: Trini Garibay 5804 Road 90, Suite A Pasco, WA 99301

FINDINGS AND ANALYSIS

Based upon information supplied by the applicant and a review of the Grandview Comprehensive Plan, the Administrative Official enters the following:

1. **Proposal Description:**

Elite Investment LLC is proposing a change to language in the Grandview Comprehensive Plan. The purpose of the amendments is to change language specific to the lot size requirements within the R-3 High Density Residential District located within the Land Use Element of the Comprehensive Plan.

2. **Jurisdiction and Process:**

The Grandview Municipal Code (GMC) Title 14, Administration of Development Regulations, and the Administrative Element (Chapter 7) of the Grandview Comprehensive Plan identify the process needed to make Comprehensive Plan Text Amendments. Table 14.09.080 identifies that a Comprehensive Plan Amendment requires an Open Record Predecision Meeting in front of the Planning Commission and an Open Record Hearing in front of City Council, with City Council being the deciding body. GMC 2.50.080(C)(5) identifies that the Hearings Examiner is the responsible party for conducting public hearings in accordance with Title 14. Therefore, the Hearings Examiner is responsible for holding the Open Record Predecision Meeting prior to City Council's Open Record Hearing and decision.

3. **Processing Timeframe:**

The application has been processed as follows:

Application Submitted: December 28, 2022

Acceptance of Application: January 12, 2023

Commerce 60-day Notice of Intent to Adopt Amendment: January 17, 2023

Notice of Application, Environmental Review, and Hearing: January 25, 2023

Final SEPA Determination: February 10, 2023

Hearing Examiner: February 23, 2023

City Council: To be scheduled

4. **Proposed Text Amendment:**

Existing Language (page 2-28 of the Grandview Comprehensive Plan):

R-3 High Density Residential. The R-3 district is established to provide a high-density residential environment. Lands within this district generally contain multiple-unit residential structures of a scale compatible with the structures in low density districts and with useful yard spaces. The R-3 district is intended to allow for a gradual increase in density from lower density residential districts and, where compatible, can provide a transition between different use areas. Minimum area of lot for single-family dwelling is 7,500 square feet; for two-family dwelling attached, minimum lot area is 8,000 square feet, and governed by the standards in R-1 and R-2 districts. Minimum area of lot for multifamily dwellings is 3,000 square feet per dwelling unit for the first four dwelling units and 6,000 square feet per each additional dwelling unit.

Applicant Proposed Language:

R-3 High Density Residential. The R-3 district is established to provide a high-density residential environment. Lands within this district generally contain multiple-unit residential structures ~~of a scale compatible with the structures in low density districts and with useful yard spaces~~. The R-3 district is intended to allow for a gradual increase in density from lower density residential districts and, where compatible, can provide a transition between different use areas. ~~Minimum area of lot for single-family dwelling is 7,500 square feet; for two-family dwelling attached, minimum lot area is 8,000 square feet, and governed by the standards in R-1 and R-2 districts. Minimum area of lot for multifamily dwellings is 3,000 square feet per dwelling unit for the first four dwelling units and 6,000 square feet per each additional dwelling unit.~~

Staff Proposed Language:

R-3 High Density Residential. The R-3 district is established to provide a high-density residential environment. Lands within this district generally contain multiple-unit residential structures of a scale ~~generally compatible with the surrounding neighborhood structures in low density districts and with useful yard spaces~~. The R-3 district is intended to allow for a gradual increase in density from lower density residential districts and, where compatible, can provide a transition between different use areas. ~~Minimum area of lot for single-family dwelling is 7,500 square feet; for two-family dwelling attached, minimum lot area is 8,000 square feet, and governed by the standards in R-1 and R-2 districts. Minimum area of lot for multifamily dwellings is 3,000 square feet per dwelling unit for the first four dwelling units and 6,000 square feet per each additional dwelling unit.~~

Applicant Response: *It is in the public interest and stated in the Comprehensive Plan's goals and policies to allow a variety of housing densities, sizes, types, costs, and locations throughout the city to increase options for housing. Amending the Plan's text to remove the density standards would be in the public interest by ensuring the city's goals can be met.*

Staff Response: AHBL Inc, on behalf of Elite Investment Group LLC, are wishing to strike language that pertains to how multiple-unit residential structures are intended to be similar in scale to that of low-density residential districts. Removing that language from the Comprehensive Plan allows for high-density residential multi-family structures to be constructed to contemporary standards, such as 3- or 4-story buildings. The current language restricts the ability for developers to achieve higher residential densities.

This can be seen reflected in the minimum lot size requirements. The existing minimum lot size requirements for multifamily result in a lower residential density than two-family developments, only allowing for a density of 9 units per net residential acre as compared to 11 units per net residential acre seen for duplexes.

Zoning District	Minimum Lot Size	Density
R-3 High Density Residential Zoning	7,500 for SFR 8,000 for duplex 3,000 for each unit up to 4-plex then 6,000 for each additional	5.5 DU/NRA 11 DU/NRA 9 DU/NRA

The Comprehensive Plan contains the Goals and Policies that are implemented through the Grandview Zoning Ordinance. Therefore, it is appropriate to remove lot size requirements from the Comprehensive Plan and implement the Goals and Policies through the Zoning Ordinance. It is recommended that language stating that the multi-residential development is compatible with surrounding neighborhood be added to allow for development standards to be in place to ensure consistent and cohesive development within Grandview.

5. Required Findings. (GMC 14.09.030(c)) The planning commission or hearing examiner shall not recommend approval of a proposed development unless it first makes the following findings and conclusions:
 - i. The development is consistent with the comprehensive plan and meets the requirements and intent of the Grandview Municipal Code.

Staff Findings: There is no site-specific action proposed. The requested action is a Comprehensive Plan Text Amendment to remove language from the Land Use Element pertaining to minimum lot sizes. The proposal is consistent with the Comprehensive Plan's purpose, which is to guide the City of Grandview's development regulations. The applicant has indicated that if City Council approves the proposed text amendment, they plan to apply for a text amendment to the Grandview Zoning Ordinance in order to change the minimum lot size requirements there as well.

- ii. The development makes adequate provisions for drainage, streets and other public ways, irrigation water, domestic water supply, and sanitary wastes.

Staff Findings: The proposal is a non-project action; this standard does not apply.

- iii. The development adequately mitigates impacts identified under other GMC chapters and in particular GMC Title 18.

Staff Findings: The proposal is a non-project action; this standard does not apply.

- iv. The development is beneficial to the public health, safety and welfare and is in the public interest.

Staff Findings: The proposed changes to the Comprehensive Plan will allow for the zoning ordinance to be updated to allow higher residential densities within the R-3 High Density Residential Zoning District. This serves the public interest by providing the ability for more housing units to be built within Grandview.

- v. The development does not lower the level of service of transportation below the minimum standards as shown within the comprehensive plan. If the development results in a level of service lower than those shown in the comprehensive plan, the development may be approved if improvement or strategies to raise the level of service are made concurrent with the development. For the purpose of this section, “concurrent with the development” is defined as the required improvements or strategies in place at the time of occupancy, or a financial commitment is in place to complete the improvements or strategies within six years of approval of the development.

Staff Findings: The proposal is a non-project action; this standard does not apply.

- vi. The area, location and features of any land proposed for dedication are a direct result of the development proposal, are reasonably needed to mitigate the effects of the development, and are proportional to the impacts created by the development.

Staff Findings: The proposal is a non-project action; this standard does not apply.

CONCLUSIONS:

1. The public notice requirements of the Grandview Comprehensive Plan and Grandview Municipal Code have been satisfied.
2. SEPA Environmental review, as required by RCW 43.21C, has been completed, resulting in the issuance of a Determination of Non-Significance (DNS) on February 10, 2023.
3. The proposal is consistent with the goals and policies of GMA and the Grandview Comprehensive Plan.
4. The public use and interest will be served.

RECOMMENDATION:

The Yakima Valley Conference of Governments, acting as staff for the City of Grandview, recommends that the Grandview Hearing Examiner recommend **approval** of the staff proposed changes to the Comprehensive Plan to Grandview City Council.

Existing Language

- R-1 Single-family Residential Suburban. Provides a low-density residential environment permitting four dwelling units per acre. Lands within this district should contain suburban residential development with large lots and expansive yards. Structures in this district are limited to single-family conventional dwellings. Minimum lot area is 10,000 square feet with one dwelling unit per lot permitted.
- R-1 Low Density Residential. The R-1 low-density residential district is established to provide a low-density residential environment. Lands within this district generally should contain single-family conventional dwellings with smaller lots and useful yard spaces. Minimum lot area is 7,500 square feet with one dwelling unit per lot permitted.
- R-2 Medium Density Residential. The R-2 district is established to provide a medium density residential environment. Lands within this district generally should contain multiple unit residential structures of a scale compatible with structures in lower density districts with useful yard spaces. The R-2 district is intended to allow for a gradual increase in density from low density residential districts and, where compatible, can provide a transition between different use areas. Minimum area of lot is 7,500 square feet for single-family structures and 8,000 square feet for two-family structures, with two dwelling units per lot permitted.
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- R-1P Single-Family Residential Park District. The R-1P single-family residential park district is established to provide for medium density residential areas which would be compatible for the development of residential parks, and to prohibit the development of incompatible uses that are detrimental to the residential character. It is also to provide protection from hazards, objectionable influences, building congestion and lack of light, air and privacy. Minimum lot area is 5,000 square feet per unit.
- MR Manufactured Home Park District. It is the purpose of this chapter to establish a procedure to accommodate the placement of manufactured homes in designated park developments where individual spaces are leased or rented and not sold to the occupants. Up to 12 manufactured homes are permitted per park; up to 18 may be allowed with the addition of site amenities such as sidewalks and walking paths.

Proposed Language

- R-1 Single-family Residential Suburban. Provides a low-density residential environment permitting four dwelling units per acre. Lands within this district should contain suburban residential development with large lots and expansive yards. Structures in this district are limited to single-family conventional dwellings. ~~Minimum lot area is 10,000 square feet with one dwelling unit per lot permitted.~~
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transition between different use areas. ~~Minimum area of lot is 7,500 square feet for single-family structures and 8,000 square feet for two-family structures, with two dwelling units per lot permitted.~~

- R-3 High Density Residential. The R-3 district is established to provide a high-density residential environment. Lands within this district generally contain multiple-unit residential structures of a scale **generally** compatible with the **surrounding neighborhood structures in low density districts and with useful yard spaces**. The R-3 district is intended to allow for a gradual increase in density from lower density residential districts and, where compatible, can provide a transition between different use areas. ~~Minimum area of lot for single family dwelling is 7,500 square feet; for two family dwelling attached, minimum lot area is 8,000 square feet, and governed by the standards in R-1 and R-2 districts. Minimum area of lot for multifamily dwellings is 3,000 square feet per dwelling unit for the first four dwelling units and 6,000 square feet per each additional dwelling unit.~~
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