

**City of Connell, Washington  
CITY COUNCIL  
PRELIMINARY AGENDA**

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**REGULAR MEETING**

**6:00 PM**

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1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. CORRESPONDENCE/PRESENTATIONS/APPOINTMENTS

Name	Committee	Re/Appointed	Expires
Casey Hart	Planning Commission	1/3/2017	12/31/2022
Burl Booker	Hotel/Motel	1/3/2017	12/31/2017
Casey Hart	Hotel/Motel	1/3/2017	12/31/2017
Jim Paul	Hotel/Motel	1/3/2017	12/31/2017
Jay Patel	Hotel/Motel	1/3/2017	12/31/2017
Manuel Galvez	Tree Advisory	1/3/2017	12/31/2019

5. CONSENT CALENDAR

All matter listed within the Consent Calendar have been distributed to each member of the Connell City Council for reading and study, are considered to be routine, and will be enacted by one motion of the Council with no separate discussion. If separate discussion is desired, that item may be removed from the Consent Calendar and placed on the Regular Agenda by request.

- a) Minutes of the Regular Council Meeting December 19, 2016
- b) Accounts Payable 12/30/16 \$28,614.68
- c) Accounts Payable 1/03/17 \$15,039.15
- d) Payroll Register 12/15/16-12/20/16 \$55,204.16

6. PRESENTATIONS FOR COUNCILMEMBERS
7. APPROVAL OF AGENDA

ORDER OF BUSINESS

8. EXECUTIVE SESSION – 10 Minutes to discuss potential litigation
9. PUBLIC HEARING: Revisions to CMC Title 8 Animals & Title 17 Zoning
10. ORDINANCE NO. 969-2017 - Text Amendment Title 8 Animals
11. ORDINANCE NO. 970-2017 – Text Amendment Title 17 Zoning
12. COMMITTEE, CITY ADMINISTRATOR, AND DEPARTMENT REPORTS
13. CITIZEN COMMENT/NON-AGENDA ITEMS
14. CITY COUNCIL CLOSING REMARKS
15. ADJOURNMENT

*The public is welcome and encouraged to attend this meeting. The City of Connell wishes to provide reasonable access to all public meetings for individuals with disabilities. Please contact the City Clerk at least three business days prior to the meeting for accommodations to be arranged.*

MEETING OF THE CITY OF CONNELL, WASHINGTON  
CONNELL, FRANKLIN COUNTY, WASHINGTON

December 19, 2016

The regular semi-monthly, meeting of the Connell City Council was called to order by Mayor Blackwell at 6:00 pm in the City Hall and was opened with the Pledge of Allegiance.

ROLL CALL

**PRESENT:** Mayor Bruce Blackwell, Mayor Pro Tem Monty Huber, and Councilmember's: Ray Minor, Katherine Silva, Rhonda Quinton, and Joe Escalera.

**STAFF:** City Administrator Maria Peña, Public Works Director Larry Turner, Accounting Clerk Marissa Canales, Fire Chief Chris Schulte, Police Chief Chris Turner, and Attorney Dan Hultgrenn.

**VISITORS:** Franklin County Graphic; Katherine Bingham Trowbridge, Franklin PUD; Ben Hooper and Lori Combs. Citizens; Manny Choi, John Linder and Pat Barrera.

CORRESPONDENCE/PRESENTATIONS/APPOINTMENTS

Mayor Blackwell reported that the City had received a letter of resignation from Darrell Ferguson a member of the Planning Commission Committee. He also announced the reappointment of John White to the Mosquito Board for another term.

CONSENT CALENDAR

**Motion:** Councilmember Silva moved to approve the Consent Calendar as listed:

- a) Minutes of the Regular Council Meeting December 5, 2016
- b) Accounts Payable December 19, 2016 for \$80,421.60

Councilmember Quinton seconded motion. Motion carried unanimously.

APPROVAL OF AGENDA

**Motion:** Councilmember Minor moved to approve the agenda. Mayor Pro Tem Huber seconded motion. Motion carried unanimously.

ORDER OF BUSINESS

**FRANKLIN PUD-BROADBAND PRESENTATION-BEN HOOPER**

Ben Hooper, Broadband Services Manager for Franklin PUD, was in attendance to discuss the following:

1. Broadband-What, where are the City's needs:
  - Missed commercial opportunities
  - Potential new commercial opportunities
  - Residential service

Mr. Hooper provided a map to Council, which showed the Franklin PUD fiber within the City of Connell.

MEETING OF THE CITY OF CONNELL  
Regular Meeting – December 19, 2016

2. How did Franklin PUD's wholesale broadband work:
  - An RCW prevented Franklin PUD from being a reseller
  - PUD broadband aid to construction process

Mr. Hooper gave a summary on the process and cost. He noted that Franklin PUD broadband would contribute towards the overall construction cost for a fiber project. This amount was determined by a formula that was based on the cost of construction, monthly re-occurring charge and the term of the project. Any dollars that remained would be a non-re-occurring charge (one time charge) to the customer.

3. Wireless
  - Would additional wireless deployments be sufficient for residential use?
  - Possible locations for additional locations for additional wireless sites
4. Fiber deployment
  - Potential for deploying Fiber to the home/business in Connell
  - Only augment fiber to address business concerns

Franklin Co PUD would be willing to work with the City and broadband companies to bring better internet services to the community. Mr. Hooper stated the first step would be to know where the concentrations are, areas where residents wanted these services. Mayor Blackwell stated anyone interested to contact him at City Hall.

LETTER OF INTENT-FRANKLIN COUNTY PUBLIC HOSPITAL DISTRICT

City Administrator Maria Peña informed Council that the Hospital District was seeking to expand their facilities. She provided a letter of intent from the Franklin County Hospital District for the purchase of City property. They were looking to acquire the parcel across from them, adjacent to land owned by the City. They were currently working with CenturyLink to acquire that parcel. They were also looking to acquire a triangle of approximately .10 acres of the parcel that the Fire Hall sat on. To have the Hospital District expand their facility would be a benefit to the City. Although the letter of intent would not be legally binding, it would assist the Hospital District in acquiring the land from CenturyLink.

**Motion:** Councilmember Silva moved to authorize the City Administrator to sign the letter of Intent for Franklin County Public Hospital District No. 1. Councilmember Quinton seconded motion. Motion carried unanimously.

ORDINANCE NO. 972-2016 ADOPTION OF 2017 FISCAL YEAR BUDGET

The City's 2017 Final Budget was presented to Councilmembers for consideration and adoption. The Council held the required number and types of public hearings related to the budget, and adopted an employee salary resolution and property tax levy ordinance for 2017. 2017 budget changes from the last time the 2017 budget was presented to the Council for review were the following items:

1. Created a 404 Water Emergency Fund – per Ordinance adopted by Council.
2. Added the GIS mapping expense to the water, sewer, and general fund per Council consensus.

## MEETING OF THE CITY OF CONNELL

Regular Meeting – December 19, 2016

3. Increased wages for the swimming pool – due to an increase in minimum wages for Washington State.
4. Increased Jail fees of \$20,000 for the Police Department – due to a new contract with Franklin County.
5. Included a grant for the Fire Department for equipment.
6. Increased expenditures for Engineering per City Administrator Peña.
7. Included \$2,500 to the General Fund for fireworks.

Councilmember's held discussion and asked City staff questions about the 2017 budget.

**Motion:** Councilmember Quinton moved to approve Ordinance No. 972-2016 adopting the 2017 Fiscal Year Budget for the City of Connell for a total amount of \$15,152,745.00. Councilmember Escalera seconded motion. Motion carried unanimously.

### ORDINANCE NO. 974-2016 AMENDING TITLE 2.16 TREE ADVISORY COMMITTEE

In January of this year Council adopted Ordinance No. 963-2016 and established a Tree Advisory Board and standards for trees. Ken Sellereite had been working with Public Works Director Larry Turner and City Staff to have the City receive the Tree City U.S. designation. In September, the Tree City USA application was submitted which brought the City closer to achieve that designation. After the application was reviewed the Arbor Day Foundation requested that City staff add language to the code delegating someone the responsibility and authority over tree care. Since this was a task that was carried out by Public Works staff, City Administrator Peña believed that it would be in the City's best interest to delegate that authority to the Public Works Director.

**Motion:** Councilmember Silva moved to adopt Ordinance No. 974-2016 Amending Title 2.16 of the Connell Municipal Code. Councilmember Minor seconded motion. Motion carried unanimously.

### TASK ORDER GIS SERVICES-ANDERSON PERRY & ASSOCIATES

City Administrator Maria Peña presented Council with an attached Task Order specific for GIS Services from Anderson Perry & Associates Inc. It was previously proposed at the last Council meeting. It would become a permanent part of the Agreement for Engineering Services entered between the City and Anderson Perry & Associates, Inc. This task order would be the actual authorization that would provide a web-based mapping and information tracking system for water, sewer, and land use in the amount not to exceed \$22,020. It was anticipated that the work could be completed within a three month period and would begin in January.

**Motion:** Mayor Pro Tem Huber moved to approve the Task Order for GIS Services-Anderson Perry & Associates Inc. Councilmember Minor seconded motion. Motion carried unanimously

## COMMITTEE / DEPARTMENT REPORTS

### CITY ADMINISTRATOR- Maria Peña

1. Provided council with her City Administrator report.
2. Announced City Office's upcoming Christmas Holiday schedule.

MEETING OF THE CITY OF CONNELL  
Regular Meeting – December 19, 2016

PUBLIC WORKS DIRECTOR- Larry Turner

1. Public Works staff had been keeping up with the weather with a few hiccups along the way.

POLICE CHIEF- Chris Turner

1. Town was quiet, the weather been keeping people in.

FIRE CHIEF- Chris Schulte

1. Reported a house fire that occurred early Sunday morning, the house was a total loss.
2. Lamb Weston's alarm sensor went off but was a false alarm.
3. Delivered Christmas presents to families around Connell.

MEETING RECESSED

Mayor Blackwell recessed the regular meeting at 7:08 pm to go into Executive session for 10 minutes to consider the minimum price at which real estate will be offered for lease or sale.

MEETING RECONVENED

Mayor Blackwell called the regular meeting back to order at 7:19 pm.

MEETING ADJOURNED

There being no further business before the City Council of Connell Mayor Blackwell adjourned the meeting at 7:20 pm.

ATTEST: \_\_\_\_\_  
Marissa Canales, Accounting Clerk

\_\_\_\_\_  
Bruce Blackwell, Mayor

# ACCOUNTS PAYABLE

City Of Connell  
MCAG #: 0286

As Of: 12/30/2016

Time: 12:28:09 Date: 12/30/2016  
Page: 1

Accts Pay #	Received	Date Due	Vendor	Amount	Memo
16211	12/30/2016	12/30/2016 4421	Adamson Police Products	216.00	Carrier
16228	12/30/2016	12/30/2016 3167	American Society of Composers	341.00	Music Events
16203	12/30/2016	12/30/2016 74	Bank Of America - Visa	184.07	Fire Dept VISA - Bike Rack To Install Next To Flag Pole.
16204	12/30/2016	12/30/2016 74	Bank Of America - Visa	29.00	Visa Bill-Lunch W/ PUD
16217	12/30/2016	12/30/2016 74	Bank Of America - Visa	37.58	City Hall VISA
16225	12/30/2016	12/30/2016 74	Bank Of America - Visa	1,249.06	VISA Charges- Police Department (Note- Paypal Purchases Made To Different Ebay Vendors- Information In Description Of Voucher)
16227	12/30/2016	12/30/2016 74	Bank Of America - Visa	483.34	VISA Charges- City Admin Card
16215	12/30/2016	12/30/2016 99	Big Bend Electric Cooperative, INC.	1,754.02	Electric Bills 12/2016
16214	12/30/2016	12/30/2016 118	Budget Print Center Inc.	236.93	Orange Door Hangers Both Sides
16205	12/30/2016	12/30/2016 140	Cascade Earth Sciences Ltd	1,403.88	WW Soil Sampling/Labs
16200	12/30/2016	12/30/2016 515	CenturyLink	379.40	Phone Bills For 2016
16202	12/30/2016	12/30/2016 160	Code Publishing Company	92.66	ORd. 973
16199	12/30/2016	12/30/2016 2500	Connell Heritage Museum	119.40	GSM Backup Security Systems 2016
16206	12/30/2016	12/30/2016 4122	Dallas Midwest, LLC	847.00	Chairs For C.C.
16207	12/30/2016	12/30/2016 227	Dept Of Labor/Industries	336.00	Boiler Inspections
16213	12/30/2016	12/30/2016 229	Dept Of Licensing-Firearm	72.00	4 Original CPLs
16226	12/30/2016	12/30/2016 284	Franklin Co Corrections	1,498.50	Inmate Housing & Work Release
16221	12/30/2016	12/30/2016 4599	Franklin County Fire District #1	3,615.30	Reimbursement Of Mile Post 10 Fire Collected By The City From Juan Espinoza Check Paid To City #1617
16222	12/30/2016	12/30/2016 4600	Franklin County Fire District #2	1,463.45	Mile Post 10 Fire Reimbursement From Juan Espinoza Check Number 1617 Received By City
16223	12/30/2016	12/30/2016 4601	Franklin County Fire District #4	1,858.45	Mile Post 10 Fire Reimbursement From Juan Espinoza- Check Number 1617 Received By The City
16224	12/30/2016	12/30/2016 4602	Franklin County Fire District #5	1,411.75	Reimbursement Of Mile Post 10 Fire Collected By The City From Juan Espinoza Check Paid To City #1617
16229	12/30/2016	12/30/2016 293	Franklin County Planning	579.43	Payment For Plan Reviews Performed (Jan. 2016)
16212	12/30/2016	12/30/2016 4303	Galls, LLC	355.71	Uniforms
16218	12/30/2016	12/30/2016 4034	Lopez, Jose A.	30.00	CC Deposit Refund For Event Held On 12/17/16
16216	12/30/2016	12/30/2016 468	Northwest Mailing Inc.	86.59	Postage Machine Ink Cartridge
16208	12/30/2016	12/30/2016 521	Pasco Ranch And Home Inc, Attn:AVR	195.47	Clothing Allowance-Tom
16220	12/30/2016	12/30/2016 2275	Public Safety Testing	128.00	4th QTR Subscription Fees
16198	12/30/2016	12/30/2016 1829	Safeguard Business Systems	203.85	1099, W-2 For 2016
16219	12/30/2016	12/30/2016 4363	Stop Stuck, Ltd.	68.08	StopStick Bag
16209	12/30/2016	12/30/2016 331	Timken Motor & Crane Service LLC	8,204.76	Well 5 Motor Repair

# ACCOUNTS PAYABLE

City Of Connell  
MCAG #: 0286

As Of: 12/30/2016

Time: 12:28:09 Date: 12/30/2016  
Page: 2

Accts Pay #	Received	Date Due	Vendor	Amount	Memo
16210	12/30/2016	12/30/2016	3440 Washington State Patrol, Budget and Fiscal Service	534.00	4th Qtr ACCESS User Fees
16201	12/30/2016	12/30/2016	667 Wesley Group, The	600.00	Union Relations-police
Report Total:				28,614.68	

CERTIFICATION: I, the undersigned do hereby certify under penalty of perjury, that the materials have been furnished, the services rendered or the labor performed as described and that the claim is a due and unpaid obligation against the City of Connell and that I am authorized to authenticate and certify to said claim.

( ) Finance Director ( ) Auditing Officer \_\_\_\_\_ Date: \_\_\_\_\_  
( ) Deputy Finance Director

# ACCOUNTS PAYABLE

City Of Connell  
MCAG #: 0286

Time: 12:32:46 Date: 12/30/2016  
Page: 1

As Of: 01/03/2017

Accs Pay #	Received	Date Due	Vendor	Amount	Memo
16197	01/03/2017	01/03/2017	47	3,405.00	2017 Annual Membership Dues
16148	01/03/2017	01/03/2017	1776	9,139.85	2017 Bias Annual Software Bill And Support
16150	01/03/2017	01/03/2017	1776	550.00	Bais Class For Rose And Genesis
16139	01/03/2017	01/03/2017	104	1,944.30	2017 Remittance For Pension And Disability
Report Total:				15,039.15	

CERTIFICATION: I, the undersigned do hereby certify under penalty of perjury, that the materials have been furnished, the services rendered or the labor performed as described and that the claim is a due and unpaid obligation against the City of Connell and that I am authorized to authenticate and certify to said claim.

( ) Finance Director ( ) Auditing Officer \_\_\_\_\_ Date: \_\_\_\_\_  
 ( ) Deputy Finance Director

# CHECK REGISTER

City Of Connell  
MCAG #: 0286

12/15/2016 To: 12/20/2016

Time: 12:59:44 Date: 12/20/2016  
Page: 1

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
4536	12/15/2016	Payroll	7	EFT		1,636.51	
4537	12/15/2016	Payroll	7	EFT		1,092.16	
4538	12/15/2016	Payroll	7	EFT		497.29	
4539	12/15/2016	Payroll	7	EFT		1,527.20	
4540	12/15/2016	Payroll	7	EFT		1,245.14	
4541	12/15/2016	Payroll	7	EFT		1,592.53	
4544	12/15/2016	Payroll	7	EFT		1,774.46	
4547	12/15/2016	Payroll	7	EFT		1,516.99	
4548	12/15/2016	Payroll	7	EFT		1,766.00	
4549	12/15/2016	Payroll	7	EFT		1,110.83	
4550	12/15/2016	Payroll	7	EFT		161.40	
4551	12/15/2016	Payroll	7	EFT		2,352.87	
4552	12/15/2016	Payroll	7	EFT		1,309.15	
4553	12/15/2016	Payroll	7	EFT		1,317.50	
4554	12/15/2016	Payroll	7	EFT		1,879.54	
4556	12/15/2016	Payroll	7	EFT		1,100.01	
4557	12/15/2016	Payroll	7	EFT		1,978.06	
4558	12/15/2016	Payroll	7	EFT		2,583.13	
4559	12/15/2016	Payroll	7	EFT		161.40	
4560	12/15/2016	Payroll	7	EFT		988.15	
4561	12/15/2016	Payroll	7	EFT		2,405.00	
4562	12/15/2016	Payroll	7	EFT		2,059.82	
4643	12/20/2016	Payroll	7	EFT	Community First Bank	12,521.08	941 Deposit For 12/15/2016 - 12/15/2016
4644	12/20/2016	Payroll	7	EFT	Department Of Retirement	7,830.74	12/15/2016 To 12/15/2016 - PERS 2; 12/15/2016 To 12/15/2016 - LEOFF 2; 12/15/2016 To 12/15/2016 - Deferred Comp; 12/15/2016 To 12/15/2016 - PERS 3
4645	12/20/2016	Payroll	7	EFT	MT457-306685	500.00	12/15/2016 To 12/15/2016 - ICMA-457
4542	12/15/2016	Payroll	7	35737		161.40	
4543	12/15/2016	Payroll	7	35738		1,153.08	
4545	12/15/2016	Payroll	7	35739		384.92	
4546	12/15/2016	Payroll	7	35740		161.40	
4555	12/15/2016	Payroll	7	35741		161.40	
4646	12/20/2016	Payroll	7	35788	WSECU	275.00	12/15/2016 To 12/15/2016 - WSECU
						35,745.22	
						2,618.24	
						8,299.49	
						8,541.21	
						55,204.16	Payroll: 55,204.16



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**MEMORANDUM**

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**DATE:** JANUARY 3, 2017  
**TO:** MAYOR AND COUNCILMEMBERS  
**FROM:** MARIA PEÑA, CITY ADMINISTRATOR  
**RE:** EXECUTIVE SESSION

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City Administrator will need a 10 minute executive session to discuss with Council and legal counsel litigation or potential litigation.



City of Connell

EASTERN  
WASHINGTON'S  
HARVESTLAND

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**MEMORANDUM**

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**DATE:** JANUARY 3, 2017  
**TO:** MAYOR AND COUNCILMEMBERS  
**FROM:** MARIA PEÑA, CITY ADMINISTRATOR  
**RE: PUBLIC HEARING – REVISIONS TO CMC TITLE 8 ANIMALS & TITLE 17 ZONING**

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The purpose for the attached revisions to CMC Title 8 Animals and Title 17 Zoning, as recommended by the Planning Commission, are to add clarity and consistency between the two codes.

**RECOMMENDATION:** Move to adopt staff report, findings, and recommendation from the Planning Commission approving the suggested code revisions.

**STAFF REPORT  
January 3, 2017**

**FILE NAME:** Code Revisions to Animal Code (Title 8) and Zoning (Title 17)

**PROCESS:** Text Amendment

**HEARING DATES:** Planning Commission – December 12, 2016 at 5:30 p.m. in City Hall  
City Council – January 3, 2017 at 6 p.m. in City Hall

**OVERVIEW**

Municipal Code revisions to CMC Title 8 Animals and Title 17 Zoning are now proposed to add clarity and consistency. In 2006, by correct hearing process and decision, the City prohibited keeping of "fowl" within city limits (CMC 8.12). However, although certain sections were revised at that time, Ag Zoning for "poultry raising" was inadvertently missed along with allowance of chickens in the Residential, Rural Density (RR) Zone. The City has no land designated as RR and is proposing removal of that zoning designation as recognized in the Connell Comprehensive Plan. The intent of the current code revision is to clarify allowed uses, consistent with prior steps performed.

**FINDINGS OF FACT**

**Process**

Text Amendment process was followed in accordance with Connell Municipal Code (CMC) 17.04 & 16A.02.060.

- Hearing Notice (Attachment 1)
- SEPA Checklist (Attachment 2)
- Threshold Determination (Attachment 3)
- Notice of Proposed Amendment to Dept of Commerce (Attachment 4)
- Affidavit of Publication (Attachment 5)
- Planning Commission Hearings Minutes (Attachment 6)
- Correspondence (Attachment 7)

**Review**

A site-specific inquiry brought the issue to light that there was a potential conflict in code interpretation. Following review and consideration suggested code revisions were developed by legal counsel to add clarity and consistency.

**Comprehensive Plan / Zoning**

Pertinent Comprehensive Plan Provisions are as follows:

**Land Use Goals and Policies:**

Goal 1, Policy 4 states: Permit agricultural production on properties suitable for agricultural uses within the Urban Growth Area while such use is viable.

Goal 4, Policy 3 states: Gradually transition from one type of use to another through zoning and/or the use of development and design standards, and

Goal 4, Policy 4 states: Ensure adequate buffering between land use types to assure compatibility.  
See also Strategy 1: Develop landscaping buffering and setback requirements for land use types to ensure adequate buffering between land use types.

Housing Goals and Policies:

Goal 2 states: Ensure compatibility of residential development with established and projected land use patterns.

Summary of Findings:

Population and Housing - RR (Residential, Rural Density): There currently is no land zoned Rural Density.

**RECOMMENDATION**  
**Approval of Suggested Code Revisions**

Suggested Motion:

*Move to adopt staff report, findings, and recommendation; and to recommend approval of Suggested Code Revisions.*

Next Step:

Council shall consider adoption of code revisions by ordinance.

Attch 1



City of Connell

EASTERN  
WASHINGTON'S  
HARVESTLAND

**City of Connell, Washington**

**NOTICE OF DETERMINATION OF NONSIGNIFICANCE**

On November 17, 2016, the City of Connell issued a Determination of Nonsignificance (DNS) under the State Environmental Policy Act Rules for the following project:

**Revisions to Connell Municipal Code, specifically Title 8 Animals & Title 17 Zoning**

The City has completed an Environmental Checklist and gathered other information for this project and has determined that the proposal will not have a probable significant adverse impact on the environment.

Copies of the DNS are available at the Connell City Hall during normal business hours. The public is invited to comment on this DNS by submitting written comments to the City no later than December 8, 2016 at City of Connell, 104 E. Adams, PO Box 1200, Connell, WA 99326.

**NOTICE OF PUBLIC HEARINGS**

**NOTICE IS HEREBY GIVEN** that the **Planning Commission** of the City of Connell will conduct a **PUBLIC HEARING** on **Monday, December 12, 2016 at 5:30 pm** in accordance with CMC 16A.08 for the purpose of forwarding recommendations to the City Council. The commission is considering **Text Amendments to CMC Title 8 Animals and Title 17 Zoning.**

**FURTHER NOTICE IS HEREBY GIVEN** that the **City Council** of the City of Connell will conduct a **PUBLIC HEARING** on **Tuesday, January 3, 2017 at 6:00 p.m.**, or shortly thereafter, in the Connell City Hall, located at 104 E. Adams Street, Connell, Washington in accordance with CMC 16A.08 , for the purpose of reviewing and/or acting on the recommendations from the Planning Commission on this matter.

Information may be examined or copies obtained at the City Hall between business hours of 9:00 a.m. and 5:00 p.m. Additional information may be obtained by contacting Maria Peña, City Administrator at (509) 234-2701.

The public is welcome to attend. The City of Connell strives to provide reasonable access to all public meetings for individuals with disabilities. Please contact the City Clerk at least three business days prior to the date of the scheduled meeting for accommodations to be arranged.

# SEPA ENVIRONMENTAL CHECKLIST

UPDATED 2014

***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

1. Name of proposed project, if applicable: **Revisions to the Connell Municipal Code specifically Title 8 Animals and Title 17 Zoning, to add clarity and consistency between these Titles concerning allowed uses in the Residential, Agriculture an Industrial Heavy zoning classification as well as removing Chapter 17.06 Residential Rural District.**

2. Name of applicant: **City of Connell**

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

{00473688}

**City of Connell, ATTN: Maria Peña, City Administrator  
104 E. Adams / P.O. Box 1200  
Connell, WA 99326  
(509) 234-2701 ext 1234**

4. Date checklist prepared: **November 16, 2016**

5. Agency requesting checklist: **City of Connell**

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

**Open Record Hearing December 12, 2016 before City of Connell Planning Commission;  
Open Record Hearing December 19, 2016 by City Council of the City of Connell.**

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

**None known at this time.**

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

**Comprehensive Plan and Connell Municipal Code guide and govern land use;  
consistent with Water/Wastewater Plans, Critical Areas, and Site Review requirements.**

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

**There are no applications pending at this time.**

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

**State agency review by Washington State Department of Commerce, Adoption by  
Connell City Council.**

11. 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.) **Code revisions to CMC Title 8 Animals and Title 17 Zoning are being proposed to add clarity and consistency concerning what uses are allowed in the Ag Zone and other zones within the City as well as mitigation that may be required on allowed uses. In helping to clarify these uses Chapter 17.06 Rural Residential District is being removed from the code.**

12. 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.

**All property within City of Connell Urban Growth Area and City limits, including:**

**All or portions of Sections 24, 25, 26, & 36, T14N, R31E;**

**All or portions of Sections 7, 18, 19, 30, 31, & 32, R32E, T14N;**

**Portions of Section 1, T13N, R31E;**

**All or portions of Sections 3, 4, 5, 6, 9, & 10 in T13N, R32E, WM.**

## **B. ENVIRONMENTAL ELEMENTS**

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## 1. Earth

### a. General description of the site

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

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

**The city-wide area does include canyon walls with extreme slope, described more fully by Critical Area maps.**

### 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.

**Mostly sand and gravel, with rock outcroppings. The Connell area lies within the Columbia River Basin, a broad rolling basalt plateau. Landforms include uplands covered by loess (wind-deposited sediment) soils, channeled scablands, canyons, coulees (deep drainage channels), and river terraces.**

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

**Flood zone areas are identified and governed by existing ordinances.**

### 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 to Code Revision. Site Review required for specific proposals.**

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

**Comprehensive Plan & Municipal Code address site-specific issues.**

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

**N/A to Code Revision. Site Review for proposals.**

### h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

**N/A to Code Revision process; impacts are assessed by Site Review. Development requires compliance with environmental regulations, including dust abatement, and adherence to Erosion Control Plans.**

## 2. Air

### a. 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 to Code Revision process; impacts are assessed by Site Review.**

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

**N/A to Code Revision process; impacts are assessed by Site Review. Agricultural uses might add objectionable air emissions, especially to neighboring residential properties.**

### c. Proposed measures to reduce or control emissions or other impacts to air, if any:

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**N/A to Code Revision process; impacts are assessed by Site Review. Potential mitigation for project or site-specific submittals might invoke consideration of suitable separation and buffering limitations.**

### **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.

**The Esquatzel Drainage Canal is located within the Connell area.**

- 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 to Code Revision process; impacts are assessed by Site Review. Potential mitigation for project or site-specific submittals might include consideration of suitable separation and buffering.**

- 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.

**N/A to Code Revision. Site Review for project or site-specific proposals.**

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

**N/A to Code Revision. Use of municipal sources of water is required for project development, with Site Review for project or site-specific submittals.**

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

**Flood zone designations are identified by FEMA maps, and site-specific proposals are governed by established Flood Control ordinances.**

- 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 to Code Revision process; impacts gauged by Site Review. Mitigation might include required monitoring of discharge levels.**

#### **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.

**Municipal wells provide the primary source of water for properties.**

- 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.

**Waste discharge must be strictly managed to acceptable levels.**

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.

**On-site retention of storm water is required by Department of Ecology.**

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

**Waste materials must be managed effectively to avoid contamination.**

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe. **N/A to Code Revision process; impacts gauged by Site Review.**

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

**N/A to Code Revision process; impacts measured by Site Review. Mitigation will require proper containment to established Water, Wastewater, and Storm Drainage standards.**

4. **Plants**

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

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

**Connell is in a low-precipitation area (8" average rainfall per year), with dry shrubs, grasses, and sagebrush.**

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

**N/A to Code Revision. Site Review required for specific proposals.**

c. List threatened and endangered species known to be on or near the site. **None known.**

**The Connell area contains typical Shrub-steppe vegetation: sagebrush (*Artemisia tridentata*), tumbleweed (*Salsola sp.*), common rabbit brush (*Chrysothamnus nauseosus*), summer cypress (*Chenopodium capitatum*), Idaho fescue (*Festuca idahoensis*), bluebunch wheat grass (*Agropyron spicatum*), crested wheatgrass (*A. cflstatum*), and cheatgrass (*Bromus tectorum*).**

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

**Established ordinances protect and enhance plants and critical areas.**

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

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The Franklin County Noxious Weed Control Board has listed the following as weeds they are working on, or monitoring to prevent further spread:

babysbreath	jointed goatgrass	poison hemlock	thistle, musk
camelthorn	knapweed, diffuse	puncturevine	thistle, Scotch
cereal rye	knapweed, spotted	Ravenna grass	velvetleaf
common reed (nonnative genotypes)	knotweed, Bohemian	rush skeletonweed	white bryony
Dalmation toadflax	kochia	saltcedar	yellow flag iris
hoary cress	longspine sandbur	spurge, myrtle	yellow nutsedge
houndstongue	loosestrife, purple	thistle, Canada	yellow starthistle

## 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:

birds: **hawk, heron, eagle, songbirds**  
mammals: **deer, elk, coyotes**  
fish: **N/A.**

- b. List any threatened and endangered species known to be on or near the site. **None.**  
**The US Fish and Wildlife Service (USFWS) has not identified any plant or animal species, listed as threatened or endangered under the Endangered Species Act, within the Connell area.**

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

**The Columbia Basin is within a migration route for ducks and geese.**

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

**Notification and compliance with Washington State Department of Fish and Wildlife (WDFW) for site-specific proposals.**

- e. List any invasive animal species known to be on or near the site. **None known.**

## 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 to Code Revision. Site Review required for specific proposals.**

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

- 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: **International Energy Codes are adopted to provide compliance.**

## 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 to Code Revision process; impacts gauged by Site Review. Mitigation might require data/proof of environmental compliance.**

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

**N/A to Code Revision process; site-specific to be evaluated by Site Review.**

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.

**Williams Natural Gas line is located near the periphery of city limit boundary, and Avista Natural Gas is located within the City of Connell.**

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 to Code Revision. Site Review required for specific proposals.**

4) Describe special emergency services that might be required. **Site Review.**

5) Proposed measures to reduce or control environmental health hazards, if any: **Compliance with current SEPA & Department of Drinking Water rules.**

**b. Noise**

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

**N/A to Code Revision. Site Review required for specific proposals.**

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 to Code Revision. Site Review required for specific proposals.**

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

**Noise ordinances as established by Connell Municipal Code.**

**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.

**The current use of the site include Residential, Agriculture and Industiral Heavy. The current conflict in code provisions may exist when comparing Title 8 Animal regulations and Title 17 Zoning. Any adopted Text Amendments, allowing specific agricultural uses and/or imposing specific limitations or conditions of development could impact land within, nearby and adjacent to property zoned Residential, Agriculture, and Industrial Heavy. There is no property zoned Residential Rural.**

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?

**The history of the Connell area includes a foundation of agriculture. Currently, Ag-zoned land comprises 1196.18 acres (or 16.3%) of the 7326.92 acres total within the City of Connell Urban Growth Area (as per City of Connell Comprehensive Plan 2007).**

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**Conversion of Agriculture-zoned lands to industrial or residential use is foreseen, consistent with Comprehensive Plan designations for future use.**

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

**Text changes should not impede existing agricultural uses on surrounding working farm or forest land.**

c. Describe any structures on the site.

**Some structures exist in agricultural areas, which must comply with established Building Codes.**

d. Will any structures be demolished? If so, what? **N/A.**

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

**The current zoning classifications include Agriculture, Residential, and Industrial Heavy.**

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

**Within the City of Connell, the Comprehensive Plan designation for Ag-zoned land is Industrial or Residential. Because the purpose of Ag zoning is mainly to serve as a transition zone, leading eventually to municipal-type use, the scope and intensity of any allowed ag use may be restricted and will need to be monitored by Site Review. Determinations shall be consistent with Comprehensive Plan designations and projected development patterns. For Ag-zoned properties designated Residential or adjoining Residential Comp Plan, limitations might be imposed on intensity of use, and might require certain separation/buffering requirements for site-specific proposals. The Comprehensive Plan acknowledges that there is no land zoned Rural Density.**

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

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

**Critical Area designations & Development Standards are established.**

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

**Current population: 5,365. (April 1, 2016 OFM).**

j. Approximately how many people would the completed project displace? **N/A.**

k. Proposed measures to avoid or reduce displacement impacts, if any: **N/A.**

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

**Comprehensive Plan Land Use, Zoning Code & Development regulations.**

m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any:

**1. Protect outlying agricultural lands of long-term commercial significance.**

**2. Apply appropriate standards for Residential, Agriculture and Industrial Heavy zoned properties based on Site Review.**

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## 9. Housing

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

**Housing is addressed in Connell Comprehensive Plan.**

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. **None.**

- c. Proposed measures to reduce or control housing impacts, if any:  
**Comprehensive Plan Housing Element.**

## 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?

**Connell Municipal Code limits residential site to 35' maximum height.**

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

**Agricultural use allowed could result in views which are objectionable to adjoining residential properties. Buffering, screening and other conditions imposed by Site Review could mitigate these impacts.**

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

**Specific Zoning & Site Review criteria; to set clear expectations and parameters, which may invoke separation/buffering requirements.**

## 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 for Code Revision. Specific project evaluation by Site Review.**

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

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

**As determined by Site Review.**

- d. Proposed measures to reduce or control light and glare impacts, if any: **Compliance with adopted regulations.**

## 12. Recreation

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

**Described in Connell Parks and Recreation Comprehensive Plan.**

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

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

**Policy guidance from established goals and policies.**

## 13. Historic and cultural preservation

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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 located on or near the site? If so, specifically describe.

**Historic buildings are located within the City of Connell. Prior reviews by Washington Department of Archaeology and Historic Preservation (DAHP) included historical property and National Register of Historic Places files, the State Register, archaeological site forms, and pertinent archaeological reports for the area.**

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.

**Based on prior reviews by the DAHP of the cultural resource survey report database, no previously recorded archaeological sites or historical inventoried properties are located within the Connell area.**

**The Connell area is located within the ethnographic territory of the Yakima, Walla Walla, Wauyukma, and Palouse peoples. Of these, the closest traditional territory that encompasses the area around the City of Connell was part of the Palouse Tribe. The Palouse people occupied portions of the Columbia River watershed including the area around Washtucna Coulee (named after a Palouse chief) and nearby areas around the Snake and Palouse rivers.**

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.

**Review and consultation with agencies having jurisdiction, as noted above.**

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.

**Consultation with DAHP, Connell Downtown Development group, Indian tribes, and Inadvertent Discovery Plans.**

#### 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.

**Functionally classified streets are identified in Comprehensive Plan. Appropriate provisions are outlined to service transportation needs.**

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?

**No. The nearest site is 30 miles distant in more metropolitan areas.**

c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? **Parking regulations are governed by established zoning ordinances.**

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 for Code Revision. Specific project evaluation by Site Review.**

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

**Services within Agriculture-zoned areas include rail and air.**

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 to Code Revision. Specific project evaluation by Site Review.**

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. **Generally no.**

**But intensive agricultural uses may require disease containment protocols.**

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

**Proper planning and coordination with WSDOT & RTPD. Design and installation in accordance with established City and State standards.**

**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. **Zoning designations establish certain parameters.**

b. Proposed measures to reduce or control direct impacts on public services, if any. **Planning and coordination with other agencies, schools, local businesses, and developers; to fairly assess and mitigate impacts, by established and updated policies and standards.**

**16. Utilities**

a. Circle utilities currently available at the site:

electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,  
other \_\_\_\_\_

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.

**N/A to Code Revision.**

**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: 

Name of signee **Maria Peña**

Position and Agency/Organization **City Administrator / City of Connell**

Date Submitted: **November 17, 2016**

## 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?

**Code revisions to CMC Title 8 Animals and Title 17 Zoning are being proposed to add clarity and consistency concerning what uses are allowed in the Residential, Agriculture, and Industrial Heavy zoning within the City as well as mitigation that may be required on allowed uses.**

Proposed measures to avoid or reduce such increases are:

**For Industrial Heavy and Ag-zoned properties designated as future Residential or adjoining Residential Comp Plan, limitations might be imposed on intensity of use, and might require certain separation/buffering requirements for site-specific proposals.**

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

**Minimal impact to existing plants and animals.**

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

**For Industrial Heavy and Ag-zoned properties designated future Residential or adjoining Residential Comp Plan, limitations might be imposed on intensity of use, and might require certain separation/buffering requirements for site-specific proposals.**

3. How would the proposal be likely to deplete energy or natural resources? **Not likely.**

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

**International Energy Codes are adopted to provide compliance.**

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?

**Provisions protect environmentally sensitive areas, species, and habitat; as well as cultural sites, wetlands, floodplains, and prime farmlands.**

Proposed measures to protect such resources or to avoid or reduce impacts are:

**SEPA and other environmental regulations require compliance with standards.**

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?

**Code revisions to CMC Title 8 Animals and Title 17 Zoning are being proposed to add clarity and consistency concerning what uses are allowed in the Residential, Agricultural, and Industrial Heavy zones within the City as well as mitigation that may be required on allowed uses.**

Proposed measures to avoid or reduce shoreline and land use impacts are:

**For Industrial Heavy and Ag-zoned properties designated future Residential or adjoining Residential Comp Plan, limitations might be imposed on intensity of use, and might require certain separation/buffering requirements for site-specific proposals.**

6. How would the proposal be likely to increase demands on transportation or public services and utilities? **Minimal impact to transportation patterns is foreseen. Appropriate provisions are generally outlined to service transportation needs.**

Proposed measures to reduce or respond to such demand(s) are:

**Proper planning and coordination with WSDOT and RTPO. Design and installation in accordance with established City and State standards.**

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.  
**Environmental protection is governed by adopted policies.**



**City of Connell**

**EASTERN  
WASHINGTON'S  
HARVESTLAND**

**Maria Peña, City Administrator**  
104 E. Adams, P.O. Box 1200 ♦ Connell WA 99326  
(509) 234-2701 ♦ Fax: (509) 234-2704 ext 1234 ♦ [www.cityofconnell.com](http://www.cityofconnell.com)

**DETERMINATION OF NONSIGNIFICANCE**

**Description of proposal: Revisions to Connell Municipal Code,  
specifically Title 8 Animals and Title 17 Zoning**

**Proponent: City of Connell**

**Location of proposal, including street address, if any:**

- All property within City of Connell Urban Growth area and City limits, including:**
- All or portions of Sections 24, 25, 26, & 36, T14N, R31E;**
- All or portions of Sections 7, 18, 19, 30, 31, & 32, R32E, T14N;**
- Portions of Section 1, T13N, R31E;**
- All or portions of Sections 3, 4, 5, 6, 9, & 10 in T13N, R32E, WM.**

**Lead Agency: City of Connell**

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 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.

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. Comments must be submitted by December 8, 2016.

**Responsible official: Maria Peña**  
**Position/Title: City Administrator Phone: 509-234-2701ext 1234**  
**Address: P.O. Box 1200, Connell, WA 99326**

**Date: November 17, 2016**

**Signature *Maria Peña***  
*Maria Peña*



# Department of Commerce

Attached

## Notice of Proposed Amendment Request for Expedited Review

Pursuant to RCW 36.70A.106(3)(b), the following jurisdiction provides notice of a proposed development regulation amendment and requests expedited state agency review under the Growth Management Act.

**The expedited review period is 10 business days (14 calendar days).**

**Proposed amendments to Comprehensive Plans are not eligible for expedited review.**

*If needed, you may expand this form and the fields below, but please try to keep the entire form under two pages in length.*

<b>Jurisdiction:</b>	City of Connell
<b>Mailing Address:</b>	PO Box 1200 Connell, WA 99326-1200
<b>Date:</b>	12- -2016
<b>Contact Name:</b>	Maria Pena
<b>Title/Position:</b>	City Administrator
<b>Phone Number:</b>	509 234-2701 ext 1234
<b>E-mail Address:</b>	m.pena@connellwa.org
<b>Brief Description of the Proposed/Draft Development Regulations Amendment: (40 words or less)</b>	Example: Proposed amendment to... Make code revisions to add clarity and consistency between CMC Title 8 Animals and Title 17 Zoning relating to AG uses.
<b>Is this action part of the scheduled review and update? GMA requires review every 8 years under RCW 36.70A.130(4)-(6).</b>	Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>
<b>Public Hearing Date:</b>	Planning Board/Commission: 12-12-16 Council/County Commission: 1-3-17
<b>Proposed Adoption Date:</b>	1-3-2017

**REQUIRED:** Attach or include a copy the proposed amendment text or document(s). We do not accept a website hyperlink requiring us to retrieve external documents. Jurisdictions must submit the actual document(s) to Commerce. If you experience difficulty, please contact [reviewteam@commerce.wa.gov](mailto:reviewteam@commerce.wa.gov).

**AFFIDAVIT OF PUBLICATION**

STATE OF WASHINGTON  
COUNTY OF FRANKLIN

SS:

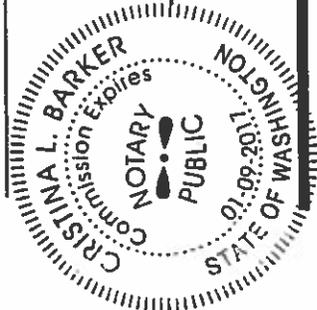
Kathy Valdez being first duly sworn on oath deposes and says that she is the manager of the FRANKLIN COUNTY GRAPHIC, a weekly newspaper. That said newspaper is a legal newspaper approved by the Superior Court of the State of Washington, in and for Franklin County, under order made and entered on the 11th day of January, 1955, and it is now and has been for more than six months prior to the date of the publication hereinafter referred to, published in the English language continually as a weekly newspaper, in Connell, Franklin County, Washington, and that the annexed is a true copy of

**DNS AND TEXT AMENDMENT**

as it was published in regular issue (and not in supplemental form) of said newspaper, once each week for a period of one week to-wit, commencing on the 24th day of November, 2016, and that such newspaper was regularly distributed to its subscribers during all of said period, that the full amount \$120.90 has not been paid in full at the legal rate.

Kathy Valdez  
Manager

Subscribed and sworn to before me this 24th day of November, 2016



Cristina L. Barker  
Notary Public in and for the  
State of Washington, residing in Connell.  
My Commission Expires: 01-09-2017

**City of Connell, Washington  
NOTICE OF DETERMINATION OF  
NONSIGNIFICANCE**

On November 17, 2016, the City of Connell issued a Determination of Nonsignificance (DNS) under the State Environmental Policy Act for the following project:

**Revisions to Connell Municipal Code, specifically Title 8 Animals & Title 17 Zoning**

The City has completed an Environmental Checklist and gathered other information for this project and has determined that the proposal will not have a probable significant adverse impact on the environment.

Copies of the DNS are available at the Connell City Hall during normal business hours. The public is invited to comment on this DNS by submitting written comments to the City no later than December 8, 2016 at City of Connell, 104 E. Adams, PO Box 1200, Connell, WA 99326.

**NOTICE OF PUBLIC HEARINGS**

**NOTICE IS HEREBY GIVEN** that the Planning Commission of the City of Connell will conduct a **PUBLIC HEARING** on **Monday, December 12, 2016 at 5:30 pm** in accordance with GMC 16A.08 for the purpose of forwarding recommendations to the City Council. The commission is considering **Text Amendments to GMC Title 8 Animals and Title 17 Zoning**.

**FURTHER NOTICE IS HEREBY GIVEN**

that the City Council of the City of Connell will conduct a **PUBLIC HEARING** on **Tuesday, January 3, 2017 at 6:00 p.m.**, or shortly thereafter, in the Connell City Hall located at 104 E. Adams Street, Connell, Washington in accordance with GMC 16A.08 for the purpose of reviewing recommendations from the Planning Commission on this matter.

Information may be examined or copies obtained at the City Hall between business hours of 9:00 a.m. and 5:00 p.m. Additional information may be obtained by contacting Maria Rohn, City Administrator at (509) 234-2701.

The public is welcome to attend. The City of Connell strives to provide reasonable access to all public meetings for individuals with disabilities. Please contact the City Clerk at least three business days prior to the date of the scheduled meeting for accommodations to be arranged.

Published November 24, 2016, in the Franklin County Graphic

Attach Ce

**CITY OF CONNELL, WASHINGTON  
MEETING OF THE PLANNING COMMISSION  
PUBLIC OPEN HEARING**

**August 4, 2016**

The meeting of the Connell Planning Commission was called to order at 5:30 p.m. on August 4, 2016, in City Hall.

**ROLL CALL**

**PRESENT:** Commission Members Roger Bailie, Robert Misener, and Darrell Ferguson.  
**STAFF:** City Administrator Jed Crowther, Building Services Clerk Sterling Joyner, City Clerk/Treasurer Maria Peña.

**ORDER OF BUSINESS**

**Public Hearing- Text amendment to Connell Municipal Code.**

**A) Staff Report**

City Administrator Jed Crowther stated that it is important to state that this isn't a re-hearing of the fowl discussion from 2006, but it is to clarify what will be allowed in Ag zoning. He noted the staff report was provided and would be considered in full. He read the overview, referenced findings, and informed that the suggested code revisions were found on the last few pages of the staff report. He said that legal counsel helped prepare those with the options of possible exceptions through a CUP process - or by a total ban of fowl.

**B) Public Comment**

Pat Munyan (White Salmon) not opposed to what staff is trying to do. Says some of the language is subjective and needs more definitive language. He gave his concern about protected class.

**C) Commission Comment**

Commissioner Misener had looked at multiple city codes and liked wording of one more than ours. He gave example and said maybe we could consider at a later time. Ferguson asked if a situation caused these changes; Crowther answered it was outlined in the packet that it was a site specific inquiry. Visitor Pat Munyan spoke once more mentioning an example of possible inconsistency within city code.

**Motion:** Commission Member Misener moved to accept the suggested code revisions as submitted by Staff. Commission Member Ferguson seconded. Motion passed by majority vote.

**MEETING ADJOURNED**

There being no further business to be heard, the meeting was adjourned at 5:47 p.m.

**ATTEST:**



\_\_\_\_\_  
Sterling Joyner, Building Services Clerk

**CITY OF CONNELL, WASHINGTON  
MEETING OF THE PLANNING COMMISSION**

**December 12, 2016**

The meeting of the Connell Planning Commission was called to order at 5:31 p.m. in City Hall.

**ROLL CALL**

**PRESENT:** Commission Members Roger Bailie, Darrell Ferguson, Vangie Ellwein, and Robert Misener.  
**STAFF:** City Administrator Maria Peña, Marissa Canales, and Mayor Bruce Blackwell.  
**ABSENT:** Casey Hart and Sterling Joyner

**ORDER OF BUSINESS**

Consent on minutes of last meeting: motion made by Misener; second by Ellwein.

Chairman Bailey opened the Public Hearing at 5:33 pm and asked for a staff report.

**Staff report:** City Administrator Peña recapped the process that had taken place prior to the Planning Commission hearing, all intended to clear conflicts between Connell Municipal Code Title 8 Animals and Title 17 Zoning. She noted the proposed ordinance along with the stricken out changes and underlined new language that were included in the packet provided.

**CMC Title 8-Animals**

The word fowl was changed to poultry. Swine removed from section but included in the definition of livestock. Running at large section taken out since outdated and did not pertain to current City practice. New definitions for poultry and livestock were added.

**CMC Title 17 – Zoning**

New definitions for livestock and poultry were added. Complete removal of *Residential, Rural Density* zoning designation from all code sections. Conditional Use Permit requirements added for permitted uses for certain allowances. Board Member Bailie inquired about number of animals permitted for youth projects. Administrator Peña advised she would look into answers. More detailed explanations for Conditional Uses were added.

**Public comment:** None

**Commission comment:** Misener complimented Administrator Peña for considering commission's suggestions in making revisions. Administrator Peña noted that City Council had rejected a recent request to allow chickens in city limits.

**Action:** Motion to adopt with possible modification to the number of animals permitted for youth projects by Member Ferguson and seconded by Member Misener. **Motion carried unanimously to adopt with modifications.**

**NEXT PUBLIC HEARING BY CITY COUNCIL: Tuesday, January 3, 2017 at 6:00 p.m.**

**Note:** Commissioner Ferguson announced his formal resignation from the commission with gratitude.

There being no further business to be heard, **the hearing was adjourned at 5:59 p.m.**

ATTEST:

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Sterling Joyner, Building Services Clerk

**Maria Pena**

Attach 7

**From:** Patrick Munyan [patm@ci.white-salmon.wa.us]  
**Sent:** Thursday, August 11, 2016 1:04 PM  
**To:** Maria Pena

**Follow Up Flag:** FollowUp  
**Flag Status:** Completed

August 11, 2016

Dear Maria,

As you are aware I am opposing the language revisions to CMC 17.05.020 (2) which state;

*Dairying, poultry raising and livestock, other than swine, will be permitted only upon issuance of a conditional use permit, and only upon a showing that the use will not result in offensive views, odors, smells, or other adverse impacts that would interfere with the use and enjoyment of any property zoned residential within the city. No dairying poultry or livestock meeting these conditions shall be located within 500" of any residential property. Swine and "ALL" animal feed establishments are specifically prohibited.*

The revised language is subjective and provides no fact-based, measurable and observable determination method. Instead the language is designed to rely on personal opinions, interpretations, point of views, emotions and judgement. The revised language is contrived to bring merit to the Riddell Development Company and City of Connell purchase and sale agreement (11271944) to which the City agreed to make all reasonable effort to "DENY" approval of industry and/or residential developments that would create and adversarial conditions to future homeowners in the development. The agreement further provides, "The essence of this statement is to protect future homeowner's views, odors and other residential and/or industrial development impacts that would affect owners and quite enjoyment of their property.

Furthermore, this same language was recently used, through an administrative parcel review & ruling letter, to deny an adjacent property owner a permitted used in an Ag Zone. The parcel review & ruling denied the use based on the adjoining property being subject to a Purchase/Sale agreement (Agreement 11271944). The administrative review stated, "to the extent of its legal authority, the City of Connell agrees to make all reasonable effort to protect future Tullamoor Homeowner's from development that would create adverse conditions. The essence of this statement is to protect future homeowner's from views, odors and other development impacts that would affect the future homeowner's lifestyle and quiet enjoyment of their property."

Pursuant to CMC Title 11 section 11.10.020 - the purpose of this title and the titles set forth in Section 11.10.010 (which encompasses Title 12, Streets and Sidewalks; Title 13, Water and Sewage; Title 14, Buildings and Construction; Title 15, Environmental Regulations; Title 16, Subdivisions; Title 16A, Development Administrative Regulations; Title 17, Zoning; and Title 18, Manufactured Housing Placement) is to provide and promote the health, safety and welfare of the general public. This title and the titles set forth in Section 11.10.010 are not intended to create or otherwise establish or designate any particular class or group of persons who will or should be specially protected or benefited by its terms. By the use of the Purchase/Sale Agreement language in rulings and proposed revisions to CMC 17.05.020 (2) it appears that it is the administration's position to protect groups (residential of future residential) or persons (Riddell Development) over other proposed uses regardless of the permitted uses.

There is no reason to make changes CMC 17.05.020 (2). The City already has a strong process; it just needs to be adhered to by the administration. Adding subjective information into the code is placing the City in a

position for further land-use appeals. Subjective information is considered ill-suited for decision making in business and politics. The following is how your current code process is intended to work;

First, the City should never issue its administrative decision prior to the submission of an application from someone with a vested property interest. The law requires an application from someone with a property interest. Pursuant to RCW 35A.21.280 a property owner may make a written request for a statement of restrictions applicable to a single parcel, tract, lot, or block of real property to the code city in which the real property is located. Pursuant to RCW 35A.21.280 an "Owner" means any vested owner or any person holding the buyer's interest under a recorded real estate contract in which the seller is the vested owner. However, even though RCW 35A.21.280 was recently used to deny a permitted use it did apply that particular parcel. RCW 35A.21.280 defines "Real property" as a parcel, tract, lot or block: (i) Containing a single-family residence that is occupied by the owner or a member of his or her family, or rented to another by the owner; or (ii) five acres or less in size: so this whole section does not apply to parcels large than 5 acres.

Even if the animal code and/or Ag Zone allowed pigeons or other animal uses, there are city safeguards in place to regulate a commercial raising operation. First, the City should apply CMC Chapter 17.05 (AGRICULTURAL) – section 17.05.040 Development standards. In addition to the specific regulations set forth in this title and the development standards set forth in or adopted by this code, development standards in the Ag district shall also include a site review in accordance with Section 16A.06.030. Pursuant to CMC 16A.06.030 it is required for each new or expanded use dealing with public, commercial or industrial uses. A valid request from someone with a valid application to raise allowed animals and sale would be classified as a commercial use and trigger a site review process.

Pursuant to CMC changer 16A.06 (CONSISTENCY WITH DEVELOPMENT REGULATIONS) – section 16A.06.030 Site review;

(a) No building permit will be issued nor may any use or change in use be made of land without a site review. This does not apply to open or temporary land uses which do not exceed ten days in duration or single-family residences and their accessory structures in R districts. Review will normally take ten working days from the date of filing.

(b) Action. The city administrator or designee will make appropriate findings and either approve or conditionally approve site review applications. Such action will normally be taken within ten days of the filing of a valid application.

In the event of a valid application, the City can make the determination that the proposed use is a permitted used in accordance with the Zoning requirement. However, even though the zoning ordinance regulations are insufficient to address the potential environmental impacts in light of the number of animals proposed, the City can issue a conditionally approval but require a site review application based on the size of the proposed use. Once the site review application is received the City can then move forward with a determination of consistency in accordance with CMC 16A.06.010 Determination of Consistency.

Pursuant to CMC 16A.06.010 Determination of Consistency - When the city receives a project permit application, consistency between the proposed project and the applicable regulations and comprehensive plan should be determined through the process in this chapter and the city's adopted SEPA regulations (Chapter 15.04). To determine consistency, during project permit review, the city shall determine whether the items listed in this subsection are defined in the development regulations applicable to the proposed project. In the absence of applicable development regulations, the city shall determine whether the items listed in this subsection are defined in the city's adopted comprehensive plan. This determination of consistency shall include the following:

The type of land use permitted at the site, including uses that may be allowed under certain circumstances, if the criteria for approval have been satisfied;

(2) The level of development, such as units per acre, lot size or other measures of density;

(3) The availability and adequacy of infrastructure and public facilities and services needed to serve the development; and

(4) The character of the development, such as development standards

As you can see, this process provides the City with “Objective” information necessary to make a determination on the proposed use as presented and afford the applicant appropriate due process. Furthermore, the City may also consider and impose conditions on other issues such as buffers, environmental issues and scale of the project. Therefore there is no reason to stipulate a required buffer that is not based on facts and is inconsistent with your comprehensive plan and/or related zoning for Ag zone lands to transition into residential or industrial uses.

Pursuant to CMC Chapter 17.16 IH (INDUSTRIAL, HEAVY) DISTRICT –section 17.16.020 (2) - Meat and poultry slaughterhouses and packing is a permitted use. *(Strangle the code excludes stockyards; how can you have a slaughterhouse without stock yards).* The minimum setbacks for such uses: Front—none, but ten feet if abutting a residential district; side and rear—none, but twenty feet if abutting a residential district *(17.16.040 Development standard)*. Additional permitted uses includes; (3) Wood processing plants, but not pulp and paper manufacturing plants; and (4) Asphalt and concrete product manufacturing plants. All of these uses would most likely result in offensive views, odors, smells, or other adverse impacts that would interfere with the use and enjoyment of any property zoned residential within the city over Ag uses. Here again, this gives me reason to believe that it is the administration intent to protect a particular person and group as required by their agreement.

Pursuant to CMC Chapter 17.06 RR (RESIDENTIAL, RURAL) DISTRICT – section 17.06.020 Permitted uses (2) - Agriculture and animal husbandry are permitted uses. The development standards in a RR zone are as follows;

(1) Minimum lot area: Maximum density of two units per gross acre, with no lot being less *than twenty thousand square feet in area*;

(2) Minimum setbacks: Street frontage—twenty feet; rear—twenty feet; sides—ten feet. Corrals, pens, and the like must be on the rear half of the lot;

With the proposed language changes CMC 17.05.020 (2) the City is creating code inconsistency. Here again, this further leads me to believe that the proposed changes are designed to protect a particular person and/or group such as future homeowners within the Tullamoor development.

For the future, the City simply needs to change its animal nuisance ordinance to reflect that the zoning ordinance should supersede the animal control ordinance as to permitted uses; and adhere to their code process to avoid conflicts. Even in that case, the City can regulate commercial uses that may impact adjacent properties using the site review process. The mechanism is in place, and it just needs to be followed.

Additional information;

Pursuant to RCW 36.70A.177 Agricultural lands—Innovative zoning techniques—Accessory uses. A county or a city may use a variety of innovative zoning techniques in areas designated as agricultural lands of long-term commercial significance under RCW 36.70A.170. The innovative zoning techniques should be **designed to conserve agricultural lands and encourage the agricultural economy**. A county or city should encourage

nonagricultural uses to be limited to lands with poor soils or otherwise not suitable for agricultural purposes. (The City is proposing the opposite by discouraging Agricultural uses to benefit residential uses).

Innovative zoning techniques a county or city may consider include, but are not limited to:

Agricultural zoning, which limits the density of development and restricts or prohibits nonfarm uses of agricultural land and may allow accessory uses, including nonagricultural accessory uses and activities, that support, promote, or sustain agricultural operations and production. This would strengthen Connells economy.

Cluster zoning, which allows new development on one portion of the land, leaving the remainder in agricultural or open space uses;

Large lot zoning, which establishes as a minimum lot size the amount of land necessary to achieve a successful farming practice; Which Connell Ag Zone currently provides.

Quarter/quarter zoning, which permits one residential dwelling on a one-acre minimum lot for each one-sixteenth of a section of land; and

Sliding scale zoning, which allows the number of lots for single-family residential purposes with a minimum lot size of one acre to increase inversely as the size of the total acreage increases.

Pursuant to RCW 7.48.300 Agricultural activities and forest practices—The legislature finds that agricultural activities conducted on farmland and forest practices in urbanizing areas are often subjected to nuisance lawsuits, and that such suits encourage and even force the premature removal of the lands from agricultural uses and timber production. It is therefore the purpose of RCW 7.48.300 through 7.48.310 and 7.48.905 to provide that agricultural activities conducted on farmland and forest practices be protected from nuisance lawsuits. Connell proposed Ag Zone changes are in direct conflict with RCW 7.48.300 and should not be allowed.

Here again, the City simply needs to change its animal nuisance ordinance to reflect that the zoning ordinance should supersede the animal control ordinance as to permitted uses; and adhere to their code process to avoid conflicts. Even in that case, the City can regulate commercial uses that may impact adjacent properties using the site review process. The mechanism is in place, and it just needs to be followed.

Thank You For Your Consideration,  
Patrick Munyan Jr.

## Title 8 ANIMALS

### Chapters:

- 8.04 Running at Large
- 8.08 Dogs, Cats and Household Pets
- 8.12 ~~Fowl~~ Poultry
- ~~8.16 Swine~~
- 8.20 Livestock

### Chapter 8.04 RUNNING AT LARGE

#### Sections:

- 8.04.010 Prohibited.
- ~~8.04.020 Impoundment charge.~~
- ~~8.04.030 Impoundment duty—Owner notification.~~
- ~~8.04.040 Sale.~~
- ~~8.04.050 Poundmaster designated—Costs.~~

#### **8.04.010 Prohibited.**

It is unlawful for the owner thereof to permit any ~~hog, mule, horse, or any kind of cattle~~ livestock to run at large within the eCity limits. Violation of this section shall be a misdemeanor and upon conviction shall be punished as provided in Section 1.01.010.

#### ~~8.04.020 Impoundment charge.~~

~~Any person who is the owner of any hog, mule, horse, or any kind of cattle found running at large within the city limits, not in the custody of any person, contrary to the provisions of this chapter, shall be charged by the city for taking up and caring for said animal in the pound and impounding the same, fifty cents for each animal and the additional expense of feeding and taking care of said animal. (Ord. 36 § 2, 1915).~~

#### ~~8.04.030 Impoundment duty—Owner notification.~~

~~It shall be the duty of the city marshal to take into his possession and impound any hog, mule, horse or any kind of cattle permitted to run at large within the city limits and in violation of the provisions of this chapter and the marshal shall hold said animal in the pound for three days and if possible ascertain the owner of said impounded animal and notify him that said animal has been impounded for a violation of this chapter.~~

#### ~~8.04.040 Sale.~~

~~Immediately after the three days mentioned in Section 8.04.030, the marshal shall post notices in three public places within the city limits, or in some newspaper of general circulation. The notices shall give a description of the stock taken up and impounded and state that unless said animal is redeemed by the owner, it will be offered for sale at public auction, stating the hour, day and place where such sale shall occur. The sale shall in no case occur in less than thirty days from the date of the notices, and the owner of said hog, mule, horse or any kind of cattle so impounded shall have~~

~~the right to redeem any stock taken up as provided in this chapter, at any time prior to the date of the sale by paying the charges for impounding the stock and the costs of keeping and feeding such stock and domestic animals. If at the time set for the sale, the stock has not been redeemed, then the marshal shall proceed to offer said stock for sale to the highest bidder for cash, and he shall retain from the proceeds of such sale the costs of keeping and feeding said stock and the charges for impounding the same. The charges and expenses so collected shall be turned over to the city clerk/treasurer and be credited by him to the current expense fund, and the overplus, if any, shall also be deposited with the city clerk/treasurer and kept by him for a period of six months, provided, if the owner of said animal so sold at any time within six months proves his ownership of said animal so sold, then said overplus shall be paid to the owner, (but if no claim or demand is made for said over plus if any, then it shall have expired). In case there is no reasonable sum bid for any animal advertised for sale as provided in this chapter, the marshal may at his option adjourn said sale and readvertise for sale said animal from time to time).~~

**~~8.04.050—Poundmaster-designated—Costs.~~**

~~The city marshal is designated poundmaster for the enforcement of the provisions of this chapter. Any sum which may be retained as provided for in this chapter as costs for keeping and feeding stock and animals so impounded or sold by virtue thereof, shall be applied by the marshal to the payment of such costs, and the marshal shall not allow unreasonable charges for such keeping and feeding of any impounded stock or animals.~~

**Chapter 8.12**  
**FOWL POULTRY**

Sections:

- 8.12.010 Definitions.
- 8.12.015 ~~Fowl~~ Poultry prohibited.

**8.12.010 Definitions.**

~~“Fowl” as used in this chapter includes chickens, ducks, turkeys, and geese, and the singular number as used herein also includes the plural number.—~~

“Poultry is defined as chickens, turkey, waterfowl, game birds, pigeons, peacocks, doves and other domestic fowl.

**8.12.015 ~~Fowl~~ Poultry prohibited.**

No person shall own, possess, keep, raise, or harbor ~~or allow fowl~~ poultry on his/her premises or property anywhere within the city limits except as expressly allowed under provisions of Title 17 Zoning. Violation of this section shall be a misdemeanor and upon conviction shall be punished as provided in Section 1.04.010.

**Chapter 8.16**  
**SWINE**

Sections:

- ~~8.16.010—Operating or maintaining pig sty or swine.~~
- ~~8.16.020—Penalty Nuisance abatement.~~

~~8.16.010—Operating or maintaining pig sty or swine.~~

~~It is unlawful for any person to operate or maintain a pig sty or swine of any number or age, within the city limits.~~

~~8.16.020—Penalty Nuisance abatement.~~

~~Any person violating this chapter is guilty of a misdemeanor and upon conviction thereof, shall be punished as provided in Section 1.04.010; and if the swine is removed from the city limits, said pig sty or place where the swine was located shall be adjudged a nuisance and abatement proceedings instituted.~~

## Chapter 8.20 LIVESTOCK

Sections:

~~8.20.010—Enclosure—Permission from council.~~

~~8.20.020—Notification to remove from residence area.~~

~~8.20.030—Penalty—Nuisance abatement.~~

8.20.010 Definitions.

8.20.020 Livestock prohibited.

~~8.20.010—Enclosure—Permission from council.~~

~~It is unlawful for any person to have, build or maintain cow pens or cow barns within the city limits or to maintain any kind of a place where any kind of cattle, horses, mules or any kind of livestock are kept without first securing written permission from the city council.~~

~~8.20.020—Notification to remove from residence area.~~

~~Any person in the business of keeping cows, horses, mules or any other livestock within five hundred feet of any residence in the city shall upon written notice from the city council within fifteen days proceed to remove same from the restricted area.~~

~~8.20.030—Penalty—Nuisance abatement.~~

~~Any person violating this chapter is guilty of a misdemeanor and upon conviction shall be punished as provided in Section 1.04.010, and if said livestock is not removed and said corrals, pens or barns are not removed from restricted area, the said barns or pens shall be adjudged a nuisance and abatement proceedings instituted.~~

8.20.010 Definitions.

“Livestock” is defined as cattle, horses, swine, mules, donkeys, sheep, lambs, goats, or other hoofed animal.

8.20.020 Livestock prohibited.

No person shall own, possess, keep, raise, harbor or allow livestock on his/her premises or property anywhere within the city limits, except as expressly allowed under the provisions of Title 17 Zoning. Violation of this section shall be a misdemeanor and upon conviction shall be punished as provided in Section 1.04.010.

## Title 17 ZONING

### Chapters:

- 17.01 General Provisions**
- 17.02 Definitions**
- 17.02A Illegal Uses**
- 17.03 Districts Established**
- 17.04 Amendments to Zoning Map or Text**
- 17.05 A (Agricultural) District**
- ~~**17.06 RR (Residential, Rural) District**~~
- 17.07 RL (Residential, Low Density) District**
- 17.08 RMD (Residential, Mixed Dwelling) District**
- 17.09 RM (Residential, Medium Density) District**
- 17.10 RH (Residential, High Density) District**
- 17.11 RMP (Residential, Mobile Home Park) District**
- 17.12 CD (Commercial, Downtown) District**
- 17.13 CG (Commercial, General) District**
- 17.14 CH (Commercial, Highway) District**
- 17.15 IL (Industrial, Light) District**
- 17.16 IH (Industrial, Heavy) District**
- 17.17 PF (Public Facility) District**
- 17.18 Planned Unit Development (PUD)**
- 17.19 Specific Uses—Regulations**
- 17.20 Off-Street Parking**
- 17.21 Special Provisions and Exceptions**
- 17.22 Accessory Buildings, Structures and Uses**
- 17.22A Signs and Billboards**

**17.23 Permits, Conditional Uses and Similar Uses**

**17.24 Overlay Districts**

**17.25 Variances**

**17.26 Zoning of Annexed Areas**

**17.27 Transportation Concurrency**

**17.28 Wireless Communication Facilities (WCF)**

**17.02.010 Definitions.**

In Connell Municipal Code, Chapter 17.02, Section 17.02.010 is hereby amended to add in alphabetical order to the existing definitions as follows:

["Livestock" is defined as cattle, horses, swine, mules, donkeys, sheep, lambs, goats, or other hoofed animal.](#)

["Poultry" is defined as chickens, turkey, waterfowl, game birds, pigeons, peacocks, doves and other domestic fowl.](#)

**17.03.010 Districts created.**

The following zoning districts are established:

A (Agriculture)

~~RR (Residential, Rural Density)~~

RL (Residential, Low Density)

RM (Residential, Medium Density)

RMD (Residential, Mixed Dwelling)

RH (Residential, High Density)

RMP (Residential, Mobile Home Park)

CD (Commercial, Downtown)

CG (Commercial, General)

CH (Commercial, Highway)

IL (Industrial, Light)

IH (Industrial, Heavy)

PF (Public Facility)

### 17.05.020 Permitted uses.

The following are the only uses permitted in A districts. All uses are further subject to the restrictions set forth in Title 8 Animals.

- (1) Agriculture, floriculture, horticulture; fruit and vegetable stands for products grown on the premises in accord with Section 17.19.080, retail and wholesale nurseries;
- (2) General farming, ~~dairying, poultry raising, livestock,~~ and labor camps located on the property requiring migrant laborers and their families. Dairying, poultry raising and livestock will be permitted only upon issuance of a conditional use permit issued pursuant to CMC 17.23, and only upon a showing that the use will not result in offensive views, odors, smells, or other adverse impacts that would interfere with the use and enjoyment of any property zoned residential within the city. No dairying, poultry or livestock meeting these conditions shall be located within 500 feet of any property located within a residential zone. Raising livestock or showing livestock as part of a youth program will be allowed without a conditional use permit. No more than three animals per youth will be permitted under this exception, and shall not be located within 300 feet of any property located within a residential zone. Notwithstanding the above, no animal feed establishments for cattle or swine will be permitted.
- (3) Single-family buildings, child day care in accord with Section 17.19.150; rooming and boarding of not more than two persons in accord with Section 17.19.110;
- (4) Accessory uses and structures related to a permitted use in accord with Chapter 17.22;
- (5) Manufactured homes in accord with Section 17.19.180;
- (6) Riding academies and stables, public and private golf courses;
- (7) ~~Animal feed establishments, kennels,~~ and veterinarians;
- (8) Agricultural processing plants, warehouses and cooling houses;
- (9) Wholesale or retail sale of farm implements;
- (10) Family home, adult;
- (11) Group housing for handicapped persons (six or fewer clients) in accord with Section 17.19.160; and
- (12) ADU (attached) in accord with Section 17.19.130.

### 17.16.020 Permitted uses.

The following uses are the only uses permitted in IH districts:

- (1) Uses allowed in Chapter 17.15;

- (2) Meat and poultry slaughterhouses and packing, but not stockyards; and shall not be located within 500 feet of any property located within a residential zone;
- (3) Wood processing plants, but not pulp and paper manufacturing plants;
- (4) Asphalt and concrete product manufacturing plants;
- (5) Accessory uses and structures related to a permitted use in accord with Chapter 17.22;
- (6) Automobile and metal appliance manufacturing and assembly, structural steel fabricating shops; and
- (7) Auto salvage, storage and junkyards.

#### **17.19.020 Animal keeping.**

In R districts, dogs and cats of the age of ten weeks or older, rabbits, guinea pigs, ~~pigeons~~ and similar small animals may be kept so long as there are not more than three of each kind and not more than a combined total of six. All cages, pens and runs must be maintained in a clean and sanitary condition and meet setbacks. Animals and birds must not roam or fly to adjacent properties. Animals and their surroundings must be maintained to prevent a nuisance due to noise or smell.

An increase in the allowable number and types of animals may be permitted upon approval of a conditional use permit in accord with Section 17.23.020.

#### **17.19.070 Stables, corrals, riding academies.**

Public and private stables, corrals and riding academies must be located on a parcel of at least five acres. ~~Stables and barns may be no closer than seventy-five feet to the property line or to a dwelling unit on abutting property.~~ No stables or barns shall be located within 500 feet of any property located within a residential zone. Corrals, exercise yards and riding rings, and open air storage of hay, straw, shavings and other such material must be at least thirty-five feet from the property line or forty-five feet from a dwelling unit on abutting property.

#### **17.19.180 Manufactured homes.**

Manufactured homes that comply with the International Building Code, or requirements of the Department of Housing and Urban Development, may be located in A and all R districts upon compliance with the following criteria:

- (1) The unit must not have been previously occupied—Zones A, ~~RR~~, RL, and RM.

- (2) The width of the entire unit must not be less than twenty feet wide, and contain not less than one thousand square feet of floor area—Zones A, ~~RR~~, RMD, RM and RH.
- (3) The width of the entire unit must not be less than thirty feet wide, and contain not less than twelve hundred square feet of floor area—Zone RL.
- (4) The roof must be constructed or appear to be constructed of composition or wood shake or shingle, coated metal, or similar roof of not less than 3:12 pitch—Zones A, ~~RR~~, RMD and RM.
- (5) The roof must be constructed or appear to be constructed of composition or wood shake or shingle, coated metal, or similar roof of not less than 3:12 pitch—Zone RL.
- (6) The minimum width of the eaves and gables, on all sides of the roof, must be eight inches—Zones ~~RR~~ and RM.
- (7) The minimum width of the eaves and gables, on all sides of the roof, must be twelve inches, excluding bay windows—Zone RL.
- (8) The exterior siding must be similar in appearance to siding materials commonly used on conventional site-built residences (i.e., wood clad siding or other hardwood siding material of equal or better grade, standard and appearance)—Zones A, ~~RR~~, RL, RMD and RM.
- (9) Title elimination must occur within one year of installation—Zones A, ~~RR~~, RL, RMD, RM and RH.
- (10) The residential unit and its placement, in accord with Chapter 18.08, must conform with all other applicable regulations of the city, including zoning regulations not in direct conflict with this section—Zones A, ~~RR~~, RL, RMD, RM and RH.
- (11) If one-half-inch sheet rock has not been installed on the interior of all exterior walls, there must be no less than fifteen feet between the unit and any other residential structure, and ten feet between the unit and any accessory structure or fence—Zones A, ~~RR~~, RL, RMD, RM and RH.
- (12) The installation of the unit must meet or exceed the installation requirements of all other applicable rules and regulations of the city or any other governmental body, in accord with Chapter 18.08—Zones A, ~~RR~~, RL, RMD, RM and RH.
- (13) The unit must be skirted with concrete, concrete block, or some other comparable material and be provided with required crawl spaces and have noncloseable vents unless a radon vent is installed—Zones RL and RM.
- (14) The minimum skirting requirement for the unit must be a concrete or comparable material and must be provided with required crawl spaces—Zones A, ~~RR~~, RMD and RH.
- (15) Permit fees will be in accord with the adopted fee schedule for manufactured homes—Zones A, ~~RR~~, RL, RMD, RM and RH.

(16) Any addition or accessory structure must conform with city building code and International Building Code standards, as applicable—Zones A, ~~RR~~, RL, RMD, RM and RH.

(17) The wheels and tongue of the unit must be removed—Zones A, ~~RR~~, RL, RMD, RM, and RH.

#### **17.19.190(6) Home occupation.**

6) Within R districts, if the administrator finds that the applicant cannot substantially meet each and every one of the above-described criteria, ~~he~~ the administrator will treat the application as an application for a conditional use in accord with this chapter.

#### **17.20.070(2) Development and maintenance of parking areas.**

(2) Surfacing. All parking areas and access thereto must be improved to the following minimum standards as indicated for the applicable zoning district. All gravel surfacing must be to a minimum depth of three inches of five-eighths-inch to zero-inch crushed gravel. In addition, any parking area or access which abuts a paved street or sidewalk must be improved by the installation of a paved driveway approach to current city standard specifications.

A (Agricultural) district—gravel

~~RR (Residential, rural) district—gravel~~

RL (Residential, low density) district—asphalt

RM (Residential, medium density) district—asphalt

RH (Residential, high density) district—asphalt

RMP (Residential, mobile home park) district—asphalt per Chapter 16.48

CD (Commercial, downtown) district—asphalt

CG (Commercial, general) district—asphalt

CH (Commercial, highway) district—asphalt

IL (Industrial, light) district—gravel

IH (Industrial, heavy) district—gravel

PF (Public facility) district—gravel

#### **17.21.080 Setbacks—Corner lots.**

The setback requirements on corner lots in all residential zones, ~~residential-rural-density (RR)~~, residential-low density (RL), residential-medium density (RM), residential-mixed dwelling (RMD), residential-high density (RHD), except the residential mobile home park (RMP), shall be as follows: twenty feet on both sides of the residence adjacent to a street, and ten feet for the back yard and the off street side.

In the case of irregular lots or regular lots, created prior to the adoption of the ordinance codified in this chapter, that would be unable to be built on given their size or shape, a sight triangle will be utilized to determine the setback for a corner lot. This sight triangle area will be established by the public works director or city building official.

#### **17.22.040 Accessory buildings—Setbacks—Dimensions.**

Accessory buildings must comply with applicable setback dimensions. Except in A, ~~RR~~, C, I and PF districts, the accessory building shall not exceed twenty-one feet in height. In all R districts, no accessory building may be closer than ten feet from any building on the same lot unless the accessory structure is constructed in accord with the International Building Code, in which case the separation can be reduced to four feet. In addition, no accessory structure may be within a radius of ten feet from the vertical center line of a window in a dwelling on the same or an adjacent lot. It may not be within five feet of a side or rear property line but it may abut a rear property line adjacent to an alley, canal right-of-way or railroad right-of-way.

#### **17.23.020 Conditional uses.**

~~Conditional uses are reviewed in accord with this section.~~ The conditional use permit procedure is to establish criteria for determining the conditions under which a use(s) is permitted within a zoning district. Certain uses because of their size, infrequent occurrence, special requirements, possible safety hazards or detrimental effects on surrounding properties and other similar reasons are classified as conditional uses. A conditional use is subject to specific review during which additional conditions may be imposed to assure compatibility of the use with other uses in the vicinity. A request for a conditional use permit may be denied where it cannot be clearly demonstrated that the requested use will be compatible with other permitted uses in the vicinity of the proposed conditional use.

~~(4)~~(a) Site review is required in accord with Section 16A.06.030.

~~(2)(b)~~ Action—Hearing Examiner. Applications will be made on forms provided by the city clerk and will be accompanied by a fee as established by resolution and a site plan of the conditional use requested. A public hearing on the application will be held by the hearing examiner.

~~(3)(c)~~ ~~Depending on public comment, a conditional use permit will be approved if, and only if:~~Decision Criteria. The City may approve with conditions only if the applicant demonstrates that:

~~(a)—The use will not be materially detrimental to the public welfare or injurious to property or improvement in the vicinity;~~

~~(b)—Public ways serving the site are properly designed, improved and of sufficient condition to carry the type and quantity of traffic which can or will be generated by the proposed project; and~~

~~(c)—The site is adequate in size and shape to accommodate the use in harmony with its surroundings.~~

1. The size of the site is adequate for the proposed use, including all facilities and amenities that are required by this title or desired by the applicant;

2. The proposed use will not be detrimental to the public health, safety, and general welfare of the community and will not introduce hazardous conditions at the site that cannot be mitigated to protect adjacent properties;

3. The topography, soils, and other physical characteristics of the site are appropriate for the use and potential problems due to weak foundations soils can be eliminated or reduced to the extent necessary to avoid hazardous situations;

4. The proposed use will not be injurious to, or adversely affect the uses, property, or improvements adjacent to, or in the vicinity of the site upon which the proposed use is to be located;

5. The proposed use is compatible with adjacent land uses and consistent with the character of the surrounding area;

6. The proposed use will be supported by adequate water, sewer, storm drainage, schools, electrical, police, fire protection facilities and services. The use will not overburden or adversely affect said public facilities and services;

7. The traffic generated by the proposed use will not unduly burden the traffic circulation system in the vicinity;

8. An adequate site layout is proposed for on-site circulation and transportation activities, considering the potential impacts of the proposed use on traffic flow and control, emergency vehicle movements and safety associated with the suitability of access points, on-site drives, parking, loading and unloading areas, refuse collection and disposal points, sidewalks, bike paths, or other transportation facilities required by this title or desired by the applicant;

9. The proposal will cause no unreasonably adverse effects to wetlands, shorelands, wildlife habitat, and other critical areas;

10. Buffering devices such as fencing, landscaping or topographic characteristics adequately protect adjacent properties from adverse effects of the proposed use, including adverse visual or auditory effects;

11. The granting of the conditional use is consistent and compatible with the intent of the goals, objectives and policies of the comprehensive plan;

12. The proposed use complies with the appropriate development and performance and all other applicable provisions of the city of Ellensburg development standards; and

13. All conditions necessary to lessen any impacts of the proposed use have been included in the project design or will be required as conditions of approval

#### **17.23.030 (a & b) Similar uses.**

(a) Where stated in this chapter, the administrator may include an unlisted use as a similar use in a zone if ~~he~~ the administrator finds:

- (1) The use is consistent with the purpose of the applicable zoning district;
- (2) The use is similar with other uses in the district;
- (3) The use will conform with the regulations applicable to other permitted uses within the district;
- (4) The use can be permitted without additional conditions, except as may be required by other codes and ordinances of the city; and
- (5) The use will have no adverse affect on other permitted uses in the district.

(b) If the administrator finds the use to be a similar use, ~~he~~ the administrator will notify the planning commission and city council and publish notice thereof. Approval of a request to include a similar use will have the effect of amending the zoning ordinance to add the similar use to the permitted use section of the applicable district.



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**MEMORANDUM**

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**DATE:** JANUARY 3, 2017  
**TO:** MAYOR AND COUNCILMEMBERS  
**FROM:** MARIA PEÑA, CITY ADMINISTRATOR  
**RE:** **ORDINANCE NO. 969-2017 – TEXT AMENDMENT TITLE 8 ANIMALS**

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Attached you will find Ordinance No. 969-2017 which provides for the changes to Title 8 as recommended by the Planning Commission.

**RECOMMENDATION:** Move to adopt Ordinance No. 969-2017 amending Title 8 Animals of the Connell Municipal Code.

**CITY OF CONNELL, WASHINGTON  
ORDINANCE NO. 969-2017**

**AN ORDINANCE OF THE CITY OF CONNELL, WASHINGTON AMENDING  
TEXT TO TITLE 8 ANIMALS OF THE CONNELL MUNICIPAL CODE**

**WHEREAS** revisions are needed to add clarity and consistency regarding animals; and

**WHEREAS** code revisions have been developed for this purpose; and

**WHEREAS** pertinent Comprehensive Plan Provisions are as follows:

Land Use Goals and Policies:

Goal 1, Policy 4 states: Permit agricultural production on properties suitable for agricultural uses within the Urban Growth Area while such use is viable.

Goal 4, Policy 3 states: Gradually transition from one type of use to another through zoning and/or the use of development and design standards, and

Goal 4, Policy 4 states: Ensure adequate buffering between land use types to assure compatibility.

See also Strategy 1: Develop landscaping buffering and setback requirements for land use types to ensure adequate buffering between land use types.

Housing Goals and Policies:

Goal 2 states: Ensure compatibility of residential development with established and projected land use patterns; and

**WHEREAS** a SEPA (State Environmental Policy Act) review was completed, DNS (Determination of non-significance) issued, and expedited review notice was provided to Department of Commerce on December 14, 2016; and

**WHEREAS**, the Planning Commission, at an Open Record Public Hearing held on December 12, 2016, voted to recommend approval of the following amendment to Connell Municipal Code of the City of Connell; and

**WHEREAS**, after considering the recommendation of the Connell Planning Commission on January 3, 2017 and after further consideration of said amendment, and the Council being otherwise fully informed;

**NOW, THEREFORE**, the City Council of the City of Connell, Washington, do ordain as follows:

**Section 1.** Connell Municipal Code, Chapter 8.04 is hereby amended as set forth below:

**Chapter 8.04  
RUNNING AT LARGE**

Sections:

**8.04.010 Prohibited.**

**ORDINANCE NO. 969-2017**

**Text Amendment - Animals**

**Page 2**

**8.04.010 Prohibited.**

It is unlawful for the owner thereof to permit any livestock to run at large within the City limits. Violation of this section shall be a misdemeanor and upon conviction shall be punished as provided in Section 1.04.010.

**Section 2.** Connell Municipal Code, Chapter 8.12 is hereby amended as set forth below:

**Chapter 8.12  
POULTRY**

Sections:

**8.12.010 Definitions.**

**8.12.015 Poultry prohibited.**

**8.12.010 Definitions.**

"Poultry" is defined as chickens, turkey, waterfowl, game birds, pigeons, peacocks, doves and other domestic fowl.

**8.12.015 Poultry prohibited.**

No person shall own, possess, keep, raise, or harbor poultry on his/her premises or property anywhere within the city limits except as expressly allowed under provisions of Title 17 Zoning. Violation of this section shall be a misdemeanor and upon conviction shall be punished as provided in Section 1.04.10.

**Section 4.** Connell Municipal Code, Chapter 8.16 is hereby repealed.

**Section 5.** Connell Municipal Code, Chapter 8.20 is hereby replaced as set forth below:

**Chapter 8.20  
LIVESTOCK**

Sections:

**8.20.010 Definitions.**

**8.20.020 Livestock prohibited.**

**8.20.010 Definitions.**

"Livestock" is defined as cattle, horses, swine, mules, donkeys, sheep, lambs, goats, or other hoofed animal.

**8.20.020 Livestock prohibited.**

No person shall own, possess, keep, raise, harbor or allow livestock on his/her premises or property anywhere within the city limits, except as expressly allowed under the provisions of Title 17 Zoning. Violation of this section shall be a misdemeanor and upon conviction shall be punished as provided in Section 1.04.010.

**Section 5.** This ordinance shall be in full force and effect five days after its passage and publication as required by law in the official newspaper of the City.

PASSED BY THE CITY COUNCIL OF THE CITY OF CONNELL, WASHINGTON, this  
\_\_\_\_ day of \_\_\_\_\_, 2017, and APPROVED by the Mayor on this \_\_\_\_ day of  
\_\_\_\_\_, 2017.

ATTEST:

\_\_\_\_\_  
Bruce Blackwell, Mayor

\_\_\_\_\_  
Rose Courneya, City Clerk/Treasurer

APPROVED AS TO FORM:

\_\_\_\_\_  
Dan Hultgrenn, City Attorney

INTRODUCED: \_\_\_\_\_

ADOPTED: \_\_\_\_\_

APPROVED: \_\_\_\_\_

PUBLISHED: \_\_\_\_\_ in the Franklin County Graphic.



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**MEMORANDUM**

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**DATE:** JANUARY 3, 2017  
**TO:** MAYOR AND COUNCILMEMBERS  
**FROM:** MARIA PEÑA, CITY ADMINISTRATOR  
**RE:** **ORDINANCE NO. 970-2017 – TEXT AMENDMENT TITLE 17 ZONING**

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Attached you will find Ordinance No. 970-2017 which provides for the changes to Title 17 as recommended by the Planning Commission,

**RECOMMENDATION:** Move to adopt Ordinance No. 970-2017 amending Title 17 Zoning of the Connell Municipal Code.

**CITY OF CONNELL, WASHINGTON**

**ORDINANCE NO. 970-2017**

**AN ORDINANCE OF THE CITY OF CONNELL, WASHINGTON AMENDING  
TEXT TO CHAPTER 17 ZONING OF THE CONNELL MUNICIPAL CODE  
REPEALING RESIDENTIAL, RURAL DENSITY ZONE AND CLARIFYING  
ZONING AND CONDITIONAL USE REGULATIONS**

**WHEREAS** revisions are needed to add clarity and consistency regarding zoning and conditional use regulations; and

**WHEREAS** code revisions have been developed for this purpose; and

**WHEREAS** pertinent Comprehensive Plan Provisions are as follows:

Land Use Goals and Policies:

Goal 1, Policy 4 states: Permit agricultural production on properties suitable for agricultural uses within the Urban Growth Area while such use is viable.

Goal 4, Policy 3 states: Gradually transition from one type of use to another through zoning and/or the use of development and design standards, and

Goal 4, Policy 4 states: Ensure adequate buffering between land use types to assure compatibility.

See also Strategy 1: Develop landscaping buffering and setback requirements for land use types to ensure adequate buffering between land use types.

Housing Goals and Policies:

Goal 2 states: Ensure compatibility of residential development with established and projected land use patterns; and

**WHEREAS** the Comprehensive Plan recognizes that there is no land zoned Residential, Rural Density (RR) which is consistent with the removal of the RR zone:

**WHEREAS** a SEPA (State Environmental Policy Act) review was completed, DNS (Determination of non-significance) issued, and expedited review notice was provided to Department of Commerce on December 14, 2016; and

**WHEREAS**, the Planning Commission, at an Open Record Public Hearing held on December 12, 2016, voted to recommend approval of the following amendment to Connell Municipal Code of the City of Connell; and

**WHEREAS**, after considering the recommendation of the Connell Planning Commission on January 3, 2017 and after further consideration of said amendment, and the Council being otherwise fully informed;

**NOW, THEREFORE**, the City Council of the City of Connell, Washington, do ordain as follows:

**ORDINANCE NO. 970-2017**

**Text Amendment - Zoning**

**Page 2**

**Section 1.** Connell Municipal Code, Chapter 17.02, Section 17.02.010 is hereby amended to add in alphabetical order to the existing definitions as follows:

“Livestock” is defined as cattle, horses, swine, mules, donkeys, sheep, lambs, goats, or other hoofed animal.

“Poultry” is defined as chickens, turkey, waterfowl, game birds, pigeons, peacocks, doves and other domestic fowl.

**Section 2.** Connell Municipal Code, Chapter 17.03, Section 17.03.010 is hereby amended as set forth below:

**17.03.010 Districts created.**

The following zoning districts are established:

A (Agriculture)

RL (Residential, Low Density)

RM (Residential, Medium Density)

RMD (Residential, Mixed Dwelling)

RH (Residential, High Density)

RMP (Residential, Mobile Home Park)

CD (Commercial, Downtown)

CG (Commercial, General)

CH (Commercial, Highway)

IL (Industrial, Light)

IH (Industrial, Heavy)

PF (Public Facility)

**Section 3.** Connell Municipal Code, Chapter 17.05.20 is hereby amended as set forth below:

**17.05.020 Permitted uses.**

The following are the only uses permitted in A districts. All uses are further subject to the restrictions set forth in Title 8 Animals.

(1) Agriculture, floriculture, horticulture; fruit and vegetable stands for products grown on the premises in accord with Section 17.19.080, retail and wholesale nurseries;

(2) General farming, and labor camps located on the property requiring migrant laborers and their families. Dairying, poultry raising and livestock will be permitted only upon issuance of a conditional use permit issued pursuant to CMC 17.23, and only upon a showing that the use will not result in offensive views, odors, smells, or other adverse impacts that would interfere with the use and enjoyment of any property zoned residential within the city. No dairying, poultry or livestock meeting these conditions shall be located within 500 feet any property located within a residential zone. Raising livestock or showing livestock as part of a youth program will be allowed without a conditional use permit. No more than three animals per youth will be permitted under this exception, and shall not be located within 300 feet of any property located within a residential zone. Notwithstanding the above, no animal feed establishments for cattle or swine will be permitted.

**ORDINANCE NO. 970-2017**

**Text Amendment - Zoning**

**Page 3**

- (3) Single-family buildings, child day care in accord with Section 17.19.150; rooming and boarding of not more than two persons in accord with Section 17.19.110;
- (4) Accessory uses and structures related to a permitted use in accord with Chapter 17.22;
- (5) Manufactured homes in accord with Section 17.19.180;
- (6) Riding academies and stables, public and private golf courses;
- (7) Kennels and veterinarians;
- (8) Agricultural processing plants, warehouses and cooling houses;
- (9) Wholesale or retail sale of farm implements;
- (10) Family home, adult;
- (11) Group housing for handicapped persons (six or fewer clients) in accord with Section 17.19.160; and
- (12) ADU (attached) in accord with Section 17.19.130.

**Section 4.** Chapter 17.06, RR (Residential, Rural) is hereby repealed:

**Section 5.** Connell Municipal Code, Chapter 17.16.020 is hereby amended as set forth below:

**17.16.020 Permitted uses.**

The following uses are the only uses permitted in IH districts:

- (1) Uses allowed in Chapter 17.15;
- (2) Meat and poultry slaughterhouses and packing, but not stockyards; and shall not be located within 500 feet any property located within a residential zone;
- (3) Wood processing plants, but not pulp and paper manufacturing plants;
- (4) Asphalt and concrete product manufacturing plants;
- (5) Accessory uses and structures related to a permitted use in accord with Chapter 17.22;
- (6) Automobile and metal appliance manufacturing and assembly, structural steel fabricating shops; and
- (7) Auto salvage, storage and junkyards

**Section 6.** Connell Municipal Code, Chapter 17.19.020 is hereby amended as set forth below:

**17.19.020 Animal keeping.**

In R districts, dogs and cats of the age of ten weeks or older, rabbits, guinea pigs, and similar small animals may be kept so long as there are not more than three of each kind and not more than a combined total of six. All cages, pens and runs must be maintained in a clean and sanitary condition and meet setbacks. Animals and birds must not roam or fly to adjacent properties. Animals and their surroundings must be maintained to prevent a nuisance due to noise or smell.

An increase in the allowable number and types of animals may be permitted upon approval of a conditional use permit in accord with Section 17.23.020.

**ORDINANCE NO. 970-2017**

**Text Amendment - Zoning**

**Page 4**

**Section 7.** Connell Municipal Code, Chapter 17.19.070 is hereby amended as set forth below:

**17.19.070 Stables, corrals, riding academies.**

Public and private stables, corrals and riding academies must be located on a parcel of at least five acres. No stables or barns shall be located within 500 feet of any property located within a residential zone. Corrals, exercise yards and riding rings, and open air storage of hay, straw, shavings and other such material must be at least thirty-five feet from the property line or forty-five feet from a dwelling unit on abutting property.

**Section 8.** Connell Municipal Code, Chapter 17.19.180 is hereby amended as set forth below:

**17.19.180 Manufactured homes.**

Manufactured homes that comply with the International Building Code, or requirements of the Department of Housing and Urban Development, may be located in A and all R districts upon compliance with the following criteria:

- (1) The unit must not have been previously occupied—Zones A, RL, and RM.
- (2) The width of the entire unit must not be less than twenty feet wide, and contain not less than one thousand square feet of floor area—Zones A, RMD, RM and RH.
- (3) The width of the entire unit must not be less than thirty feet wide, and contain not less than twelve hundred square feet of floor area—Zone RL.
- (4) The roof must be constructed or appear to be constructed of composition or wood shake or shingle, coated metal, or similar roof of not less than 3:12 pitch—Zones A, RMD and RM.
- (5) The roof must be constructed or appear to be constructed of composition or wood shake or shingle, coated metal, or similar roof of not less than 3:12 pitch—Zone RL.
- (6) The minimum width of the eaves and gables, on all sides of the roof, must be eight inches—Zone RM.
- (7) The minimum width of the eaves and gables, on all sides of the roof, must be twelve inches, excluding bay windows—Zone RL.
- (8) The exterior siding must be similar in appearance to siding materials commonly used on conventional site-built residences (i.e., wood clad siding or other hardwood siding material of equal or better grade, standard and appearance)—Zones A, RL, RMD and RM.
- (9) Title elimination must occur within one year of installation—Zones A, RL, RMD, RM and RH.
- (10) The residential unit and its placement, in accord with Chapter 18.08, must conform with all other applicable regulations of the city, including zoning regulations not in direct conflict with this section—Zones A, RL, RMD, RM and RH.
- (11) If one-half-inch sheet rock has not been installed on the interior of all exterior walls, there must be no less than fifteen feet between the unit and any other residential structure, and ten feet between the unit and any accessory structure or fence—Zones A, RL, RMD, RM and RH.

**ORDINANCE NO. 970-2017**

**Text Amendment - Zoning**

**Page 5**

(12) The installation of the unit must meet or exceed the installation requirements of all other applicable rules and regulations of the city or any other governmental body, in accord with Chapter 18.08—Zones A, RL, RMD, RM and RH.

(13) The unit must be skirted with concrete, concrete block, or some other comparable material and be provided with required crawl spaces and have noncloseable vents unless a radon vent is installed—Zones RL and RM.

(14) The minimum skirting requirement for the unit must be a concrete or comparable material and must be provided with required crawl spaces—Zones A, RMD and RH.

(15) Permit fees will be in accord with the adopted fee schedule for manufactured homes—Zones A, RL, RMD, RM and RH.

(16) Any addition or accessory structure must conform with city building code and International Building Code standards, as applicable—Zones A, RL, RMD, RM and RH.

(17) The wheels and tongue of the unit must be removed—Zones A, RL, RMD, RM, and RH

**Section 9.** Connell Municipal Code, Chapter 17.19.190(6) is hereby amended as set forth below:

(6) Within R districts, if the administrator finds that the applicant cannot substantially meet each and every one of the above-described criteria, the administrator will treat the application as an application for a conditional use in accord with this chapter.

**Section 10.** Connell Municipal Code, Chapter 17.20.070(2) is hereby amended as set forth below:

(2) Surfacing. All parking areas and access thereto must be improved to the following minimum standards as indicated for the applicable zoning district. All gravel surfacing must be to a minimum depth of three inches of five-eighths-inch to zero-inch crushed gravel. In addition, any parking area or access which abuts a paved street or sidewalk must be improved by the installation of a paved driveway approach to current city standard specifications.

A (Agricultural) district—gravel

RL (Residential, low density) district—asphalt

RM (Residential, medium density) district—asphalt

RH (Residential, high density) district—asphalt

RMP (Residential, mobile home park) district—asphalt per Chapter 16.48

CD (Commercial, downtown) district—asphalt

CG (Commercial, general) district—asphalt

CH (Commercial, highway) district—asphalt

IL (Industrial, light) district—gravel

IH (Industrial, heavy) district—gravel

PF (Public facility) district—gravel

**ORDINANCE NO. 970-2017**  
**Text Amendment - Zoning**  
**Page 6**

**Section 11.** Connell Municipal Code, Chapter 17.21.080 is hereby amended as set forth below:

**17.21.080 Setbacks—Corner lots.**

The setback requirements on corner lots in all residential zones, residential-low density (RL), residential-medium density (RM), residential-mixed dwelling (RMD), residential-high density (RHD), except the residential mobile home park (RMP), shall be as follows: twenty feet on both sides of the residence adjacent to a street, and ten feet for the back yard and the off street side.

In the case of irregular lots or regular lots, created prior to the adoption of the ordinance codified in this chapter, that would be unable to be built on given their size or shape, a sight triangle will be utilized to determine the setback for a corner lot. This sight triangle area will be established by the public works director or city building official.

**Section 12.** Connell Municipal Code, Chapter 17.22.040 is hereby amended as set forth below:

**17.22.040 Accessory buildings—Setbacks—Dimensions.**

Accessory buildings must comply with applicable setback dimensions. Except in A, C, I and PF districts, the accessory building shall not exceed twenty-one feet in height. In all R districts, no accessory building may be closer than ten feet from any building on the same lot unless the accessory structure is constructed in accord with the International Building Code, in which case the separation can be reduced to four feet. In addition, no accessory structure may be within a radius of ten feet from the vertical center line of a window in a dwelling on the same or an adjacent lot. It may not be within five feet of a side or rear property line but it may abut a rear property line adjacent to an alley, canal right-of-way or railroad right-of-way.

**Section 13.** Connell Municipal Code, Chapter 17.23.020 is hereby amended as set forth below:

**17.23.020 Conditional uses.**

The conditional use permit procedure is to establish criteria for determining the conditions under which a use(s) is permitted within a zoning district. Certain uses because of their size, infrequent occurrence, special requirements, possible safety hazards or detrimental effects on surrounding properties and other similar reasons are classified as conditional uses. A conditional use is subject to specific review during which additional conditions may be imposed to assure compatibility of the use with other uses in the vicinity. *A request for a conditional use permit may be denied where it cannot be clearly demonstrated that the requested use will be compatible with other permitted uses in the vicinity of the proposed conditional use.*

(a) Site review is required in accord with Section 16A.06.030.

(b) Action – Hearing Examiner. Applications will be made on forms provided by the city clerk and will be accompanied by a fee established by resolution and a site plan of the conditional use requested. A public hearing on the application will be held by the hearing examiner.

(c) Decision Criteria. The City may approve with conditions only if the applicant demonstrates that:

1. The size of the site is adequate for the proposed use, including all facilities and amenities that are required by this title or desired by the applicant;
2. The proposed use will not be detrimental to the public health, safety, and general welfare of the community and will not introduce hazardous conditions at the site that cannot be mitigated to protect adjacent properties;

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3. The topography, soils, and other physical characteristics of the site are appropriate for the use and potential problems due to weak foundations soils can be eliminated or reduced to the extent necessary to avoid hazardous situations;
4. The proposed use will not be injurious to, or adversely affect the uses, property, or improvements adjacent to, or in the vicinity of the site upon which the proposed use is to be located;
5. The proposed use is compatible with adjacent land uses and consistent with the character of the surrounding area;
6. The proposed use will be supported by adequate water, sewer, storm drainage, schools, electrical, police, fire protection facilities and services. The use will not overburden or adversely affect said public facilities and services;
7. The traffic generated by the proposed use will not unduly burden the traffic circulation system in the vicinity;
8. An adequate site layout is proposed for on-site circulation and transportation activities, considering the potential impacts of the proposed use on traffic flow and control, emergency vehicle movements and safety associated with the suitability of access points, on-site drives, parking, loading and unloading areas, refuse collection and disposal points, sidewalks, bike paths, or other transportation facilities required by this title or desired by the applicant;
9. The proposal will cause no unreasonably adverse effects to wetlands, shorelands, wildlife habitat, and other critical areas;
10. Buffering devices such as fencing, landscaping or topographic characteristics adequately protect adjacent properties from adverse effects of the proposed use, including adverse visual or auditory effects;
11. The granting of the conditional use is consistent and compatible with the intent of the goals, objectives and policies of the comprehensive plan;
12. The proposed use complies with the appropriate development and performance and all other applicable provisions of the city of Ellensburg development standards; and
13. All conditions necessary to lessen any impacts of the proposed use have been included in the project design or will be required as conditions of approval.

**Section 14.** Connell Municipal Code, Chapter 17.23.030(a) and (b) are hereby amended as set forth below:

(a) Where stated in this chapter, the administrator may include an unlisted use as a similar use in a zone if the administrator finds:

- (1) The use is consistent with the purpose of the applicable zoning district;
- (2) The use is similar with other uses in the district;
- (3) The use will conform with the regulations applicable to other permitted uses within the district;
- (4) The use can be permitted without additional conditions, except as may be required by other codes and ordinances of the city; and
- (5) The use will have no adverse affect on other permitted uses in the district.

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(b) If the administrator finds the use to be a similar use, the administrator will notify the planning commission and city council and publish notice thereof. Approval of a request to include a similar use will have the effect of amending the zoning ordinance to add the similar use to the permitted use section of the applicable district.

**Section 15.** This ordinance shall be in full force and effect five days after its passage and publication as required by law in the official newspaper of the City.

PASSED BY THE CITY COUNCIL OF THE CITY OF CONNELL, WASHINGTON, this \_\_\_\_\_ day of \_\_\_\_\_, 2017, and APPROVED by the Mayor on this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

ATTEST:

\_\_\_\_\_  
Bruce Blackwell, Mayor

\_\_\_\_\_  
Rose Courneya, City Clerk/Treasurer

APPROVED AS TO FORM:

\_\_\_\_\_  
Dan Hultgrenn, City Attorney

INTRODUCED: \_\_\_\_\_

ADOPTED: \_\_\_\_\_

APPROVED: \_\_\_\_\_

PUBLISHED: \_\_\_\_\_ in the Franklin County Graphic.