

**ORDINANCE 731**

**AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT FOR ALLAN BROS., INC. TO CONSTRUCT ADDITIONAL H2A HOUSING UNITS**

**WHEREAS**, Allan Bros., Inc., through Miles J. Kohl, applied for a Conditional Use Permit to establish and construct additional H2A housing units at 200 Allan Road, Naches, Washington, 98937, on parcel no. 171410-11005 which is zoned General Business, and;

**WHEREAS**, the Town of Naches previously approved a Conditional Use Permit for the construction of H2A housing on the same property in November of 2007 and November of 2013 and now Allan Bros., Inc., wishes to expand that H2A housing on the property to allow for the construction of four, additional 2-story duplex housing units (40' X 44' each) as depicted in a layout diagram submitted by the applicant; and,

**WHEREAS**, the Naches Planning Commission, at their regular meeting on December 4, 2017, held an Open Record Public Hearing to receive evidence and public comment regarding the Conditional Use Permit request, and;

**WHEREAS**, the Naches Planning Commission has determined that the request complies with the Naches Municipal Code Title 17, and recommended approval of the permit with conditions as described in its Findings and Recommendation signed by Chairman Fisk on December 11, 2017; and

**WHEREAS**, the Naches Town Council, after consideration of the Planning Commission's written findings and recommendations, approved the Conditional Use Permit for property at 200 Allan Road in Naches, Washington, with conditions;

**NOW, THEREFORE**

**BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NACHES, WASHINGTON:**

The Naches Town Council hereby makes the following findings and conclusions with regards to the Allan Bros., Inc. conditional use permit request:

A. Findings of Fact.

1. The proposal is to place the additional H2A housing units described above next to existing H2A housing units located on the same parcel. Adequate setbacks and buffering presently exists to protect surrounding uses, provided, that additional site-screening consisting of a mixture of deciduous and evergreen tree plantings are provided along the west and south sides of the new H2A housing units. Conclusion: The proposal is compatible with surrounding uses in the zoning district with this mitigation.

2. The site is approximately 21 acres, it provides adequate room for the residents to have a place to live and recreate on the property.

3. The patrons of the project will be transported to their respective places of employment by the applicant pursuant to H2A regulations. Thus, a natural form of carpooling is built into the project. Access is proposed via Allan Road, which fronts the property along the east property line. Allan Road then connects to U.S. Highway 12 to the south, or northerly to the Old Naches Highway. This allows traffic to enter and leave the project without having to enter adjoining properties or higher density neighborhoods. Even if the patrons of the housing drove themselves, however, according to comments received from the Washington State Department of Transportation the vehicle trips that would have been generated still meet acceptable levels of service for the nearby intersection.

4. The other characteristics of the proposed use(s) are compatible with those for other uses in the neighborhood or vicinity. After review of the project and receiving public testimony, there are a limited number of other characteristics to evaluate. The residents of the facility will be spending the majority of their time working. The workers will work extended hours and a limited number of months—July through October. The use should be compatible because the use is agriculturally related, buffered from adjoining uses to the north by existing orchard, there are substantial distances between uses and it is located in an area where agriculture continues to be a primary land use.

5. Adequate buffering exists provided that the site-screening identified in paragraph 1., above is implemented in connection with construction of the first additional housing unit. Testimony was taken and concerns about visual impacts were expressed, including to the north of the proposed construction. There is currently an adequate buffer with the existence of the orchard north of the project. However, if the orchard buffer is removed the site-screening called for in paragraph 1., above should also be provided north of the new H2A housing units.

6. Surrounding land uses are residential and hundreds of feet away. Many of the surrounding uses are actively associated with agricultural uses, similar to this parcel. The Allan Bros., Inc. corporate offices lie south of the proposed construction and an elementary school has recently been constructed to the west of the subject site. These uses will not adversely impact the project, nor will the project adversely affect those uses.

7. The proposed use complies with Title 17 of the Naches Municipal Code because it is an appropriate land use for the zone and conditions of approval can and have been incorporated with approval of the project to provide for compatibility with surrounding land uses and development standards.

B. Conclusions: The following conclusions correspond with the above-numbered findings.

1. The proposal is compatible with surrounding uses in the zoning district.

2. The size of the site is adequate for the proposed use(s).
3. The traffic generated by the proposed use(s) will not unduly burden the traffic circulation in the vicinity.
4. The other characteristics of the proposed use(s) are compatible with those of the other uses in the neighborhood or vicinity.
5. Adequate buffering exists, provided additional site screening consisting of a mixture of deciduous and evergreen tree plantings are provided along the west and south sides of the new H2A housing units at the time of construction of the first additional housing unit, provided, further that such site screening shall also be implemented north of the new H2A housing units if the current orchard buffer is removed.
6. The other uses in the vicinity of the proposed site are such as to permit the proposed use(s) to function properly.
7. The proposed use(s) comply with the requirements of Title 17 of the Naches Municipal Code.

Based on the above findings and conclusions, the Naches Town Council hereby does grant a Conditional Use Permit to Allan Bros., Inc. to construct four, additional 2-story duplex H2A housing units (40' X 44') as depicted in the layout diagram submitted by the applicant within the General Business zone at 200 Allan Road, Naches, Washington with the following conditions:

1. This decision supplements the previous approvals granted in 2007 and 2013 and adds new conditions of approval listed below.
2. A detailed site plan showing the exact location of the additional four housing units and all other improvements and/or amenities associated with this proposal must be submitted for review and approval to the Town prior to the issuance of building permit(s).
3. Building permits for the construction of the four new housing units must be obtained from the Town of Naches. No more than 4 housing units are approved through this decision.
4. Annual review must be conducted on the proposal every February.
5. A driveway must be extended to the new housing units for general and emergency access. The driveway must be shown on a site plan and the site plan must be submitted to the Town prior to the issuance of a building permit.
6. Site screening shall be provided along the west and south sides of the H2A housing units and north of the new H2A housing units if the current orchard buffer is removed. The site screening shall be a mixture of deciduous and evergreen plantings.

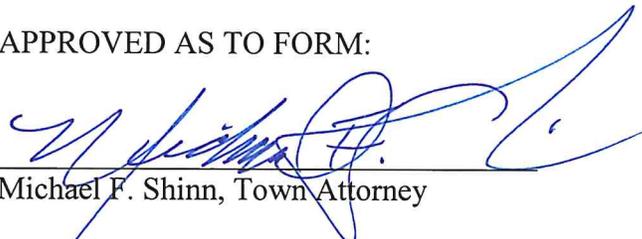
PASSED BY THE TOWN COUNCIL OF THE TOWN OF NACHES,  
WASHINGTON, this 11 th day of December, 2017.

  
Paul Williams, Mayor

ATTEST:

  
Elyira Birrueta, Clerk/Treasurer  
*for Jeff Ranger Designee of*

APPROVED AS TO FORM:

  
Michael F. Shinn, Town Attorney