

ORDINANCE 759

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT FOR ST. MARTIN DUPLEX IN THE R-1 RESIDENTIAL ZONING DISTRICT

WHEREAS, Duane St. Martin applied for a Conditional Use Permit to establish a duplex dwelling unit at 10242 Old Naches Highway, Naches, Washington, 98937, on parcel no. 171404-13478 which is owned by Schmelzer Family Trust and zoned R-1 Residential, and;

WHEREAS, the Naches Planning Commission, at their regular meeting on December 7, 2020, 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 Silvestri on December 8, 2020; and

WHEREAS, the Naches Town Council, held a Closed Record Public Hearing on December 14, 2020 and after consideration of the Planning Commission's written findings and recommendations, approved the Conditional Use Permit for property at 10242 Old Naches Highway 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 St. Martin conditional use permit request:

SPECIFIC FINDINGS APPLICABLE TO THE CONDITIONAL USE PERMIT

1. An error was found in the staff report on Page 5, under the heading **Environmental Review (SEPA)** and the Planning Commission would like that statement corrected. The statement left out the word "not" and should read: ***"The proposal is not subject to the State Environmental Policy Act (SEPA) because it does not exceed the threshold for parking spaces or housing unit."***
2. The Planning Commission considered the letter of opposition from John Zabell, the adjacent property owner to the south. After substantial discussion regarding the possible need for a vegetative buffer and/or view obscuring fence along the south line of the project, the Planning Commission could not come to a consensus and decided not to require any vegetative buffer and/or view obscuring fencing. The Planning Commission indicated that the issue may come up at the Closed Record Hearing and felt the issue was best left for the Town Council to decide.

CONCLUSIONS

Based upon consideration of the above factors and specific findings listed above that are applicable to the project and conditional use, the proposal is **CONSISTENT** with the criteria, purpose and intent of the Town of Naches Comprehensive Plan, Town of Naches Zoning Ordinance and Conditional Use Criteria.

REASONS FOR RECOMMENDATION OF APPROVAL OR DENIAL: Based on the findings of fact, it is in the Town's interest to **APPROVE** of the conditional use.

RECOMMENDATION

Consistent with the findings and conclusions, the Town of Naches Planning Commission recommends **APPROVAL** of the Conditional Use Permit by Duane & Angela St. Martin (applicant) on property owned by Schmelzer Family Trust to establish a duplex in the R-1 Residential Zoning District as described in this application, subject to the following conditions of approval:

1. The project must be constructed in substantial compliance with the submitted site plan.
2. Curb-cuts must be constructed as necessary, and to the specifications of the Town Engineer, to accommodate proposed driveway locations. Unused curb-cuts must be closed to the specifications of the Town Engineer.
3. The driveway and parking spaces must be constructed of asphalt concrete pavement (ACP) or concrete or a combination of both.
4. Building permits must be obtained from the Town of Naches, as determined by the Town Building Official.
5. If necessary for the construction of the duplex, DID Number #28 must be relocated, per conditions of the Drainage Irrigation District Operator.


PASSED BY THE TOWN COUNCIL OF THE TOWN OF NACHES, WASHINGTON, this 14th day of December, 2020.


Paul Williams, Mayor

ATTEST:


Elvira Birrueta, Clerk/Treasurer

APPROVED AS TO FORM:


Michael F. Shinn, Town Attorney