

City of Zillah
City Council
Closed Public Hearing
November 3 & 17, 2014
7:00 pm

Exhibits List

File No.: *File No.: ER 2014-19 & CPA 2014-20*, City of Zillah- 2014 Comprehensive Water Plan & Water Use Efficiency Program

As proposed, City of Zillah is updating its Comprehensive Water Plan includes the Water Use Efficiency (WUE) Program in Chapter 4 of the CWP. These documents are being adopted to allow the City of Zillah to comply with state law. The Comprehensive Water System Plan outlines the current and future impacts as well as the future upgrades to the City of Zillah's water system.

Staff Contact: Ardele Steele, AICP
Associate Planner

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B	Res. Adopt 2014 Comprehensive Water Plan		
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ORDINANCE NO.

AN ORDINANCE OF THE CITY OF ZILLAH, WASHINGTON, RELATING TO AN ANNUAL AMENDMENT TO THE CITY'S COMPREHENSIVE PLAN REVISING THE AMENDING THE ADOPTED CAPITAL FACILITIES ELEMENT FOR THE CITY OF ZILLAH.

WHEREAS, the City of Zillah is authorized by WAC 365-196-640 to update the city's comprehensive plan no more than once annually; and

WHEREAS, the city has developed graphics to illustrate certain capital plan projects for public education and to generate further input regarding the design of the projects; and

WHEREAS, the City's SEPA Responsible Official has reviewed this Ordinance and related environmental checklist and has issued a Determination of Non-significance (DNS) threshold determination under the State Environmental Policy Act (SEPA); and

WHEREAS, the city's SEPA responsible official issued a Final Determination of Non-significance (DNS) on October 14, 2014 following review of the proposed comprehensive plan amendment and environmental checklist.

WHEREAS, in accordance with RCW 36.70A.106 the city submitted the comprehensive plan amendments to the Department of Commerce for review on September 15, 2014 in compliance with the required 60 day notice.

WHEREAS, after due and proper notice the Zillah Planning Commission held a public hearing on October 21, 2014 to accept public comments on the proposal; and

WHEREAS, on the Zillah Planning Commission considered the staff report and public comment received prior to issuing findings of fact and a recommendation; and

WHEREAS, on October 21, 2014, the Zillah Planning Commission issued written Findings of Fact and Recommendation ("Recommendation") attached hereto as Exhibit A, in which the Zillah Planning Commission recommended that the City Council adopt the proposed amendment; and

WHEREAS, on November 3, 2014, the City Council in open public meeting held a closed public hearing and reviewed the Recommendation of the Zillah Planning Commission and supports the Recommendation;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF ZILLAH, WASHINGTON, DO HEREBY ORDAIN AS FOLLOWS:

Section 1: Amendment to the City of Zillah Comprehensive Plan consisting of amendments to be adopted by reference to the Capital Facilities Elements as Attached hereto.

Attachments:

A. 2014 Comprehensive Water Plan

Section 2: Severability. If any section, paragraph, subsection, clause or phrase of this ordinance is held invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 3: Effective Date. This ordinance shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

PASSED AND APPROVED BY THE CITY COUNCIL for the City of Zillah this ___ day of _____, 2014.

Gary Clark, Mayor

ATTEST:

Sharon Bounds, City Clerk/Treasurer

APPROVED AS TO FORM:

Jamie Carmody, City Attorney

Date Approved:

Ordinance No.

DRAFT

RESOLUTION 2014-

A RESOLUTION OF THE CITY OF ZILLAH, WASHINGTON, APPROVING THE 2014 COMPREHENSIVE WATER PLAN AS DEVELOPED FOR THE CITY OF ZILLAH, WASHINGTON.

WHEREAS, a 2014 Comprehensive Water Plan has been developed for the City of Zillah, Washington by City staff and City engineers, and;

WHEREAS, a Determination of Non-Significance has been issued and no appeal has been made to it, and;

WHEREAS, the Department of Ecology has provided comment and their input has been incorporated within the plan, and;

WHEREAS, a duly published open record public hearing was held before the Zillah Planning Commission on October 21, 2014, and;

WHEREAS, a duly published closed record public hearing was held before the Zillah City Council on November 3, 2014, and;

NOW THEREFORE BE IT RESOLVED by the City Council for the City of Zillah, Washington as follows:

Section 1. Approval of 2014 Comprehensive Water Plan: The 2014 Comprehensive Water Plan as developed for the City of Zillah, Washington, is hereby approved and adopted and from and after the effective date of this Resolution, shall be the Comprehensive Water Plan for the City of Zillah until such time as the Plan is amended, repealed, or otherwise changed.

Section 2. Effective Date: This Resolution shall be effective from and after its passage and approval and other notice requirements as required by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF ZILLAH, WASHINGTON
this ____ day of _____, 2014.

Gary Clark, Mayor

ATTEST:

Sharon Bounds, City Clerk/Treasurer

APPROVED AS TO FORM:

Jamie Carmody, City Attorney

Date passed by Council:



The City Of Zillah

THE HEART OF WINE COUNTRY

**City of Zillah Planning Commission
Findings & Recommendation
File No.: ER 2014-19 & CPA 2014-20
October 21, 2014**

THIS MATTER having come for public hearing before the *City of Zillah Planning Commission* on October 21, 2014 for the purpose of considering the City of Zillah's Comprehensive Water Plan.

Description of Proposal

City of Zillah is proposing to update its Comprehensive Water Plan includes the Water Use Efficiency (WUE) Program in Chapter 4 of the CWP. These documents are being adopted to allow the City of Zillah to comply with state law. The 2014 Comprehensive Water Plan outlines the current and future consumption rates as well as outlines the future upgrades to the City of Zillah's water system.

Jurisdiction

ZMC 17.06.030 indicates that Comprehensive Plan Amendments are processed as a Class 3 Review. Class 3 Reviews are held before the Zillah City Council with recommendations presented from Zillah Planning Commission. Decisions of City Council are final, unless a request for reconsideration is filed. An appeal of a City Council decision can be filed in Superior Court.

Environmental Review and Determination

The City of Zillah, as lead agency for this proposal, had determined that it will not have a probable significant adverse impact on the environment and an Environmental Impact Statement (EIS) was not required under *RCW 43.21C.030(2)(c)*. The Determination of non-significance (DNS) was issued under WAC 197-11-340(2) on October 14, 2014.

RECOMMENDATION

Upon holding a public hearing on this matter, in which there was opportunity for persons to speak in favor or against the Comprehensive Water Plan, the Planning Commission deliberated on this matter and recommends to the Zillah City Council that the 2014 Comprehensive Water Plan be adopted by the City of Zillah.

MOTION TO RECOMMEND ADOPTION OF CITY OF ZILLAH 2014 COMPREHENSIVE WATER PLAN, WATER USE EFFICIENCY (WUE) PROGRAM- GOALS & POLICIES, AND ADOPT FINDINGS OF FACT BY **Mr. Javier Lopez**, SECONDED BY **Mrs. Carol Wane**: VOTE: 6-0

As Chairman of the City of Zillah Planning Commission, I hereby attest to the Planning Commission Recommendation as stated above:



Jay Spurlock
Zillah Planning Commission Chairman

Date: 10/21/14



The City Of Zillah

THE HEART OF WINE COUNTRY

**CITY OF ZILLAH
PUBLIC HEARING
October 21, 2014
7:00 P.M.**

Findings of Fact

**STAFF REPORT
2014 Comprehensive Water Plan & Water Use Efficiency Program
File No.: ER 2014-19 & CPA 2014-20**

INTRODUCTION

The City of Zillah recognizes the need to improve and expand its water system if it is to meet the demands of its system users and to keep pace with other growth-oriented improvements. Huibregtse, Louman Associates, Inc. was authorized by the City of Zillah to prepare the 2014 Comprehensive Water Plan (CWP), which represents the culmination of planning and data collection efforts.

Description of Proposal

City of Zillah is proposing to update its Comprehensive Water Plan includes the Water Use Efficiency (WUE) Program in Chapter 4 of the CWP. These documents are being adopted to allow the City of Zillah to comply with state law. The Comprehensive Water System Plan outlines the current and future impacts as well as the future upgrades to the City of Zillah's water system. This document is being adopted to allow the City of Zillah to comply with state law. The 2014 Comprehensive Water Plan outlines the current and future consumption rates as well as outlines the future upgrades to the City of Zillah's water system.

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Environmental Review and Determination

The City of Zillah, as lead agency for this proposal, had determined that it will not have a probable significant adverse impact on the environment and an Environmental Impact Statement (EIS) was not required under *RCW 43.21C.030(2)(c)*. The Determination of non-significance (DNS) was issued under WAC 197-11-340(2) on October 14, 2014.

Comments

The comment period on the environmental impacts of this proposal was between September 18th and October 6, 2014. Comments were received by Sunnyside Valley Irrigation and Washington State Department of Ecology.

Sunnyside Valley Irrigation (SVID) expressed the need to seek a permit if runoff and stormwater must enter SVID facilities. They also provided information regarding their existing facilities within the service area. They also stated that buildings will not be allowed in their right-of-way and that plats and/or subdivisions will not be allowed on SVID operation and maintenance roads.

The Washington State Department of Ecology sent a letter granting an extension on the city's requirement to provide Proof of Appropriation of Water. Another letter from the same agency stated that the city's water plan was "not inconsistent" with the approved watershed plan that was adopted under RCW 90.82 or RCW 90.54. The letter also acknowledged the extension to the city's water right.

Staff Recommendation

Based on the above findings of fact, a review of the 2014 Comprehensive Water Plan and comments from affected agencies, staff recommends **approval** of the Comprehensive Water Plan.

APPLICATION FOR SEPA CHECKLIST CITY OF ZILLAH, WASHINGTON

FILE NUMBER: ER 2014-19

Date paid: 9/4/2014

1) FEES:

SEPA Checklist Fee: \$150 plus Staff, consultant & Professional Fee's if over the initial fee.

Staff, Consultant and Professional Fees. Application and processing fees for land use matters are subject to additional costs incurred by City in excess of filing fee related to staff, consultant and professional time and charges related to the review and processing of the land use or permit application. Such charges shall be calculated as follows:

(a) Staff Review and Charges. The fee schedule contemplates routine time requirements for staff review and processing of a land use or permit application. Some applications will require additional staff time and cost. If, in the opinion of the City Clerk, a particular application will require staff time in excess of what the fee anticipates, the City may require payment for staff time at the specified rate.

(b) Consultant and Professional Review. In the event that a project requires professional services beyond that which is included in the base fee, the applicant shall reimburse the City for the actual cost of said professional services. In addition to the application fee (including staff review charges), any applicant for land use or permit approval shall reimburse the City for costs, including but not limited to, professional engineers, mailing fees, advertisement fees and other consultants and/or professionals contracted or retained by the City to review, evaluate and/or inspect applicant's proposal when the City is unable to do so with existing staff resources. By way of illustration and not limitation, these professional services may include engineering and technical review, legal review, planning review, environmental review, critical areas review, financial and accounting review, soils review, and mechanical and structural engineering review.

(c) Deposit. City may require the applicant to deposit an amount determined by City as reasonable estimate for anticipated excess costs and charges related to review and processing of the application. Such estimate may be revised periodically based on the judgment of City staff. Such deposit shall be made as a condition to further processing of the land use or permit application.

2) OWNER INFORMATION:

Owner Name: City of Zillah	Mailing Address: P.O. Box 475
Property Address, if any: City-wide/ Zillah Urban Growth Areas	Phone # 1 509-829-5151
	Phone #2

3) SEPA INFORMATION:

Section N/A	Township N/A	Range N/A	¼ N/A
Zoning: Various	Acres: N/A	Total No. of lots: N/A	
Assessor Parcel Number(s): Various			

4) CONCURRENCY REVIEW: Does your project require other land use permits (Re-zone, variance, conditional-uses, etc.) for approval for your project? If so please identify them in this application. Do you want them processed concurrently? If so please indicate this in this application.

5) PRE-APPLICATION MEETING: To help guide this SEPA, address requirements, and assure completeness of this application a pre-application conference may be scheduled and attended by the applicant with the Planning Department before submitting the application.

6) SEPA CHECKLIST: All sections required of this application.

7) IMPORTANT – Please Read

The application and any attachments shall specify the issues which the Planning Commission or Hearing Examiner, and City Council are being asked to consider. Issues unrelated to the application may not be considered by Planning Commission, Hearing Examiner, and City Council. All provisions of laws and ordinances governing the application will be complied with whether specified herein or not.

8) DECLARATION: I/WE DECLARE UNDER PENALTY OF THE PERJURY LAWS THAT THE INFORMATION I/WE HAVE PROVIDED ON THIS STATE ENVIRONMENTAL POLICY ACT CHECKLIST APPLICATION IS TRUE, CORRECT, AND COMPLETE.

Gary V. Clark
Signature(s)

9/4/2014
Date

Gary V. Clark
Print Name(s)

829-5151
Phone Number, if different than above

Signature(s)

Date

Print Name(s)

Phone Number, if different than above

Application Received by: <u>AS</u>	Date: <u>9/4/2014</u>
Application approved for completeness on: <u>9/9/2014 AS</u>	
Notice of Application sent out: <u>9/15/2014</u>	Public Hearing date set for: <u>10/21/2014</u>
Final Decision date: _____	