



# Public Services

128 North Second Street • Fourth Floor Courthouse • Yakima, Washington 98901  
(509) 574-2300 • 1-800-572-7354 • FAX (509) 574-2301 • [www.co.yakima.wa.us](http://www.co.yakima.wa.us)

VERN M. REDIFER, PE. - Director

DATE: | March 13, 2018 |

TO: Katie Sue Harshfield, CPM Development Corporation and Parties of Record

FROM: Yakima County Public Services Department: Planning Division

SUBJ: CUP2017-00116 – Type 2 Body Repair Shop  
Notice of Decision

This notice is issued pursuant to Yakima County Code Chapter 16B.07 and RCW 36.70B.130

**Decision made on project permits:** The Yakima County Zoning Administrator hereby **Approves** the requested Body Repair Shop subject to conditions. The Findings and Decision can be viewed online go to: [www.yakimap.com/permits/](http://www.yakimap.com/permits/) or you can view a copy of the application materials at the Planning Division on the 4th floor of the Courthouse.

### Appeal procedures:

In accordance with Title 16B, Chapter 16B.09 of the Yakima County Code, any person of standing pursuant to 16B.09.020 may appeal the Administrative Official's decision to the Yakima County Hearing Examiner. A notice of such appeal must be filed in writing and delivered to the Planning Division on the 4<sup>th</sup> Floor of the Yakima County Courthouse, Yakima, Washington **on or before 4:00 p.m., March 27, 2018**. The filing of an appeal does not stay the effectiveness or effective date of any enforcement action or decision of violation including cancellations and revocations of permits or approvals. The appeal must be in writing, using the appropriate forms, accompanied by the appeal fee, and contain the following information:

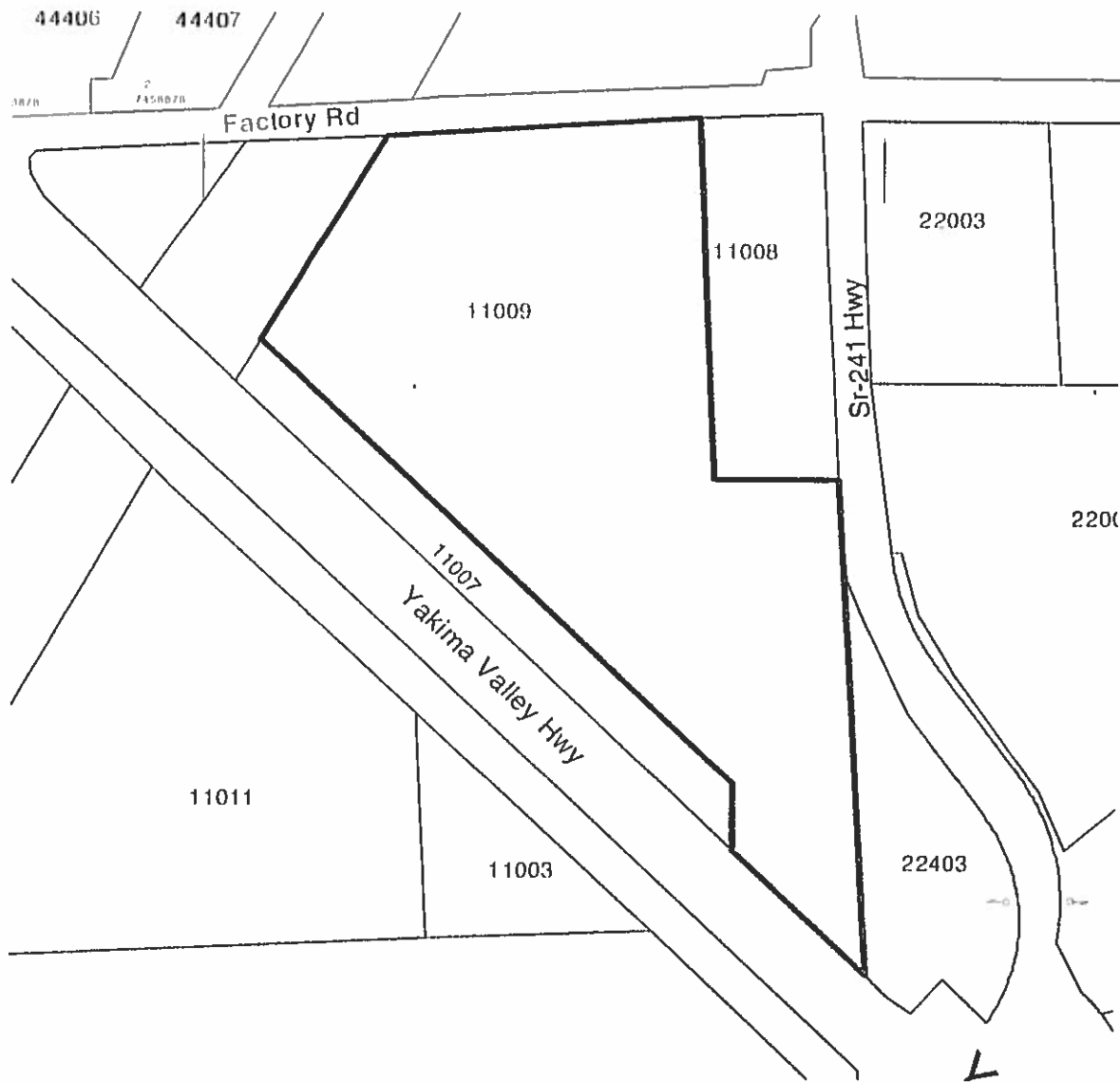
- A. The appellant's name, address, and telephone number.
- B. Appellant's statement establishing standing to initiate the appeal under Section 16B.09.020 of this Chapter;
- C. An identification of the specific proposal and specific actions, omissions, conditions or determinations for which appeal is sought;
- D. Appellant's statement of the particular grounds for the appeal, setting forth the principal points of appeal and addressing why the appellant believes the decision to be wrong; and
- E. The desired outcome or relief sought by the appellant.

If you have any questions on this proposal, please call **Jacob Clay, Planner**, at (509) 574-2300 or 1-800-572-7354 ext. 2300.

If you are a person with a disability who needs any accommodation in order to participate in this program, hearing or service, you may be entitled to receive certain assistance at no cost to you. Please contact the ADA Coordinator at Yakima County no later than five (5) working days prior to the date service is needed.

Yakima County ADA Coordinator  
128 N. 2nd Street, Room B27  
Yakima, WA 98901  
(509) 574-2210

7-1-1 or 1-800-833-6384 (Washington Relay Services for deaf and hard of hearing)



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VERN M. REDIFER, P.E. - Director

## YAKIMA COUNTY PLANNING DIVISION

### Type 2 Application

- FINAL DECISION -

**PROJECT NAME:** Bella's Collision Center Body Repair Shop

**REVIEW PROCESS:** Type 2

**FILE NUMBER:** CUP2017-00116/PRJ2017-01191

**ZONING DISTRICT:** Light Industrial (M-1)


**COMPREHENSIVE LAND USE:** Urban Industrial

**PARCEL NUMBER:** 231031-11009

**PROPOSAL:** Establish a Body Repair Shop in an existing 2,480 square foot building. Work will be conducted Monday through Friday, 9:00AM to 5:00PM.

**OWNER:** CPM Development Corporation  
5111 East Broadway  
Spokane, WA 99212

**AGENT:** Katie Sue Harshfield  
Bella's Collision Center  
110 Factory Road  
Sunnyside, WA 98944

**PREPARED BY:**  Jacob Clay, Planner

**DECISION:** Approved with the following conditions:

The following conditions must be obtained within three years of the date of this decision. Please note that this decision and time limit pertains to conditional authorization for the subject land use only and failure to comply with all conditions will result in the revocation of this permit. This Final Decision includes the following conditions and the findings as described.

1. The applicant shall provide landscaping Standard "B" Partial Buffer along the street frontage of Factory Road as required by YCC 19.21.
2. Provide evidence to Yakima County Planning from the City of Sunnyside that the parcel has legal access onto Factory Road

3. The applicant shall obtain all necessary Yakima County Public Services: Building & Fire Safety Division permits. The applicant will need a change of occupancy for the existing structure. Please contact the Building & Fire Safety Division at (509) 574-2300.

**The following are ongoing conditions that apply to the project for the life of the permitted use. Failure at any time to comply with these conditions can result in the revocation of this permit.**

4. The project shall be completed in substantial conformance with the project description and site plan submitted with the application referenced as file number CUP2017-00116. Any changes may require a modification to this authorization. If changes are planned in the future, please contact the Yakima County Public Services Department: Planning Division at (509) 574-2300 for assistance with the permitting process.
5. The applicant shall ensure that waste generated from operations at this site are designated and managed in accordance with the Dangerous Waste Regulations, Chapter 173-303 WAC.
6. Stormwater must be retained on site and upland drainage, if any, must be conveyed through the property in accordance with criteria found at YCC 12.10.130.
7. Exterior lighting shall be directed downward and otherwise arranged, shaded, screened, shielded, and of a design that results in the light being directed onto the site and of an intensity or brightness that does not reflect or cause glare into any adjacent or nearby residential use or interfere with the safe operation of motor vehicles.
8. No building permit is required at this time. In the future if more structures are proposed a building permit may be necessary.
9. The applicant shall comply with the performance standards as described in YCC 19.13.030(5).
10. The applicant shall ensure that water runoff does not enter Sunnyside Valley Irrigation District's piped drain that runs approximately 80 feet south of the subject building.
11. The owners, their grantees and assignees in interest will abide by the terms of the Compliance, Extension, Expiration and Reinstatement requirements as outlined in YCC 16B.07.050. The applicant shall complete all required conditions, submit documentation that all conditions were met and request County inspection or review to determine that the requirements have been fulfilled within the timeframe specified in the decision and any authorized extensions.

Based upon information supplied by the applicant, a review of the Yakima County Comprehensive Plan – *Horizon 2040* and the Yakima County Zoning Ordinance, the Administrator enters the following:

### **FINDINGS AND ANALYSIS**

#### **Location**

1. 110 Factory Road. Located on the south side of Factory Road, approximately 600 feet east of the intersection of Factory Road and Yakima Valley Highway, directly southeast of the city limits of the City of Sunnyside.

**Project Description**

2. The applicant is proposing to establish a body repair shop in the M-1 zoning district on the subject parcel, 231031-11009. The body repair shop will be located on the north side of the parcel in an existing 2,480 square foot structure. The site plan contains approximately 23,000 square feet of outdoor vehicle storage which will be used to store vehicles prior to being repaired inside the shop. Business hours will be Monday through Friday 9AM to 5PM. The property is currently served by an individual well and individual septic system. Access is via Factory Road.

**Zoning and Land Use**

3. Pursuant to the Yakima County Unified Land Development Code, the subject parcel is within the Light Industrial (M-1) zoning district. The M-1 Zoning District is intended to "establish and preserve areas near designated truck routes, freeways and the railroad for light industrial uses, which should not generate noise levels, light, odor or fumes that would constitute a hazard" (YCC 19.13.030(1)(a)(i)).

The 12.69 acre subject parcel currently contains an office building and two warehouse structures. The property has an existing use that was permitted in 2007 under CUP2007-00001. Surrounding parcels are within the M-1 zoning district. Parcels to the west and southwest are vacant. The parcels to the north are within the City of Sunnyside. The parcel to the northeast has a light industrial use on it and the parcel to the southeast is currently vacant. Surrounding parcels range in size from 1.80 acres to 15.91 acres.

**Jurisdiction and Process**

4. The proposal is being reviewed as a "Paint and Body Repair Shop" and under Table 19.14-1 Allowable Land Uses is a Type 2 in the M-1 zoning district. Type 2 Administrative Uses shown on the Allowable Land Use Table are generally allowed in the zoning district. The compatibility between a Type 2 Administrative Use and the surrounding environment cannot always be determined in advance. Therefore, a Type 2 use may be conditioned to ensure compatibility and compliance with the provisions of the zoning district and the goals, objectives and policies of the Comprehensive Plan.

"Paint and Body Repair Shop" does not have a definition in YCC 19.01 however it is most closely related to "Automobile Body Shop" and is defined as "a facility which provides collision repair services, including body frame straightening, replacement of damaged parts and painting." The applicant's site plan shows vehicle storage outside of the subject building where the body repair will be taking place.

**Environmental Review**

5. The proposal was determined to be categorically exempt from State Environmental Policy Act (SEPA) environmental review. There were no identified designated critical areas that would be affected by this proposal.

**Notice of Application**

6. After the application was submitted, an internal notice of project review was emailed to representatives of the Transportation Division, the Building and Fire Safety Division, the Environmental and Natural Resources Planning Section, the Water Resources Division, the Utilities Division, and the Yakima Health District. Internal comments were received from the Transportation Division, the Building Division, Environmental Division, and the Water Resources Division. A comment was received from the Transportation Division (Finding 8c) and the Water Resources Division (Finding 8k). Comments are attached to this decision for further review.

A combined Notice of Application and Notice of Completeness were mailed to property owners within 300 feet of the property and to agencies having jurisdiction or interest in the proposal on January 22,

2018, with the comment period ending February 5, 2018. Two external comments were received and are addressed below.

Sunnyside Valley Irrigation District (SVID) letter dated January 25, 2018: SVID's comment letter stated there is a piped drain that runs approximately 80 feet south of the building where the body repair shop is located. No parking lot runoff will be allowed to inlet into the drain.

Staff Finding: *This decision conditions the applicant to retain all water runoff in the immediate area and not allow for runoff to enter SVID's drain pipe.*

Washington State Department of Ecology (DOE) letter dated February 5, 2018: DOE's comment letter stated all waste generated from operations at this site are designated and managed in accordance with the Dangerous Waste Regulations, Chapter 173-303 WAC.

Staff Finding: *This decision conditions the applicant to familiarize themselves with the Dangerous Waste Regulations, Chapter 173-303 WAC, and ensure that all waste is disposed of properly. Contact Ryan Murphy, DOE, at (509) 249-6327 or email to [ryan.murphy@ecy.wa.gov](mailto:ryan.murphy@ecy.wa.gov) for more information.*

#### **Review Criteria for Conditional Use Permits**

7. According to YCC 19.30.100, "The Reviewing Official is authorized by development standards of Title 19 and other applicable Titles of County code to require conditions for approval of Type 2 Administrative uses or actions."

Staff finding: *As proposed by the applicant, the body repair shop will comply if the development standards of YCC 19.10.040 and conditions are met.*

#### **Development Standards**

8. The development standards that generally apply for the type of project being proposed are as follows:

- a) **Conformity with All Regulations Required:** (YCC 19.10.040(1)) "Any development, structure, or part shall conform to all of the regulations specified in this Title for the situation and zoning district in which they are located in order to be authorized, erected, constructed, reconstructed, moved or structurally altered."

Staff finding: *The proposed new use of the body repair shop will comply with the standards of the M-1 zoning district and the development standards of YCC 19.10.040, provided the conditions of this Decision are met.*

- b) **Yards, Lots, Open Space and Off-Street Parking and Loading Spaces:** (YCC 19.10.040(2)(b)) "No part of a yard, other open space, off-street parking or loading space required in connection with any development for the purpose of complying with this Title, shall be included as part of a yard, open space, off-street parking or loading space similarly required for any other development..."

Staff Finding: *The applicant is not proposing to share yard, open space, or parking and will therefore meet this provision.*

- c) **Access Required:** (YCC 19.10.040(3)) When a proposed use requires access to a County roadway, the approach location shall be reviewed by the County Engineer. The Transportation Division had the following comment: "Parcel does not access the County Roads System; no requirements".

*Staff Finding: The applicant shall provide evidence from the City of Sunnyside that they have legal access to Factory Road.*

- d) **Land Uses:** (YCC 19.10.040(4)) “Uses allowed within a zoning district are listed as permitted, administrative or conditional uses in the Allowable Land Uses Table 19.14-1 within Chapter 19.14.”

*Staff Finding: “Paint and Body Repair Shop” is classified as Type 2 use in the M-1 zoning district according to the Allowable Land Use Table 19.14-1.*

- e) **Building Permits Required:** (YCC 19.10.040(5)) “No building or other structure shall be erected, moved, added to or structurally altered without a permit issued by the Building Official under RCW 19.27 and YCC Title 13. No building permit shall be issued except in conformity with this Title.”

*Staff Finding: No comment was received from the Building and Fire Safety Division. The applicant will need to apply to have the certificate of occupancy changed to an auto body repair shop with the Building and Fire Safety Division. If any structures are proposed in the future a building permit may be necessary.*

- f) **Setbacks, Easements and Right-of-Way:** (YCC 19.10.040(6)) Chapter 19.13 lists the standard minimum setbacks of buildings or other structures and uses in the M-1 zoning district in Table 19.13.030-1. When a M-1 zoned lot is adjacent to another M-1 zoned lot, the interior side setbacks for primary structures can be as close as zero (0) feet from the property line as well as rear setbacks from M-1 adjoining lots. As Factory Road is not within the County Road System YCC 19.13 setbacks do not apply to it.

*Staff Finding: No new structures are being proposed for this project and all existing structures meet setback standards. In the future, if more buildings are proposed they must meet the setbacks of the zoning district and the City of Sunnyside.*

- g) **Vision Clearance Triangles at Intersections and Driveways:** YCC 19.10.040(7)) “A vision clearance triangle shall be maintained at all driveways and curbeuts, and the intersection of an alley with a public street for vision and safety purposes. The vision clearance triangle shall measure 15 feet along the perpendicular street curb lines or pavement edge, or travel lane of the public street and 15 feet along the driveway or alley. The third side of the triangle shall be a straight line connecting the 15 foot sides described above. No sign or associated landscaping shall be placed within this triangle so as to impede vision between the heights of two and one-half and ten feet above the centerline grade of the streets.”

*Staff Finding: The site plan that was provided does not have any signs, landscaping, or structures that will impede the vision clearance triangle.*

- h) **Maximum Lot Coverage and Building Height:** (YCC 19.10.040(8)) Lot coverage is defined as “the percentage of the area of a lot covered by buildings, accessory structures, or other impervious surfaces” (YCC 19.01.070(12)). Building height is defined as “the vertical distance from grade plane to the average height of the highest roof surface” (YCC 19.01.070(2)).

*Staff Finding: According to Table 19.13.030-1, maximum lot coverage is 100% in the M-1 zoning district. Table 19.13.020-1 states that building height in the M-1 zoning district is a maximum of 60 feet. New structures in the future must meet these standards or any new standards at the time of application.*

- i) **Fences, Walls and Recreational Screens:** (YCC 19.10.040(9)) The provisions of YCC 19.10.040(9) “shall govern the location and height of fences and walls, to allow access to properties by utility employees and emergency response personnel and to maintain good appearance of residential areas and visual access along residential streets and between lots.”

*Staff Finding: The applicant is not proposing new fences. If fences are proposed in the future they would need to comply with YCC 19.10.040(9).*

- j) **Exterior Lighting:** (YCC 19.10.040(10)) “Exterior lighting is regulated to minimize light pollution to neighboring properties and encourage true-color, full-spectrum light rendition in projects. Exterior lighting for all uses and signs shall be directed downward and otherwise arranged, fully shaded, screened, shielded, and of a design that results in the light being directed onto the site and of an intensity or brightness that does not reflect or cause glare or light intrusion into any adjacent or nearby residential use or interfere with the safe operation of motor vehicles.”

*Staff Finding: Any outdoor lighting that is installed shall comply with the standards set forth in YCC 19.10.040(10).*

- k) **Stormwater Development:** (YCC 19.10.040(11)) “A pre-application meeting and a Flood Hazard Permit application is required for all new development in floodplains in order to minimize and mitigate potential adverse impacts to property and infrastructure while reducing risks to public health and safety.”

*Staff Finding: The parcel on which the body shop repair is established is not within a floodplain. Therefore, a pre-application meeting is not required.*

- l) **Stormwater Requirements:** (YCC 19.10.040(12)) YCC 19.10.040(12) “is intended to ensure public and private development projects comply with the National Pollution Discharge Elimination System (NPDES) permit requirements under the Federal Clean Water Act (CWA) where applicable.” The Water Resources Division had the following comment “Graveled surfaces are considered to be semi-pervious so future increases in hard, impervious surfaces may require a Stormwater Plan. Stormwater must be retained on site.”

*Staff Finding: This decision conditions that all stormwater generated on the subject parcel be retained on site and upland drainage, if any, must be conveyed through the property in accordance with criteria found at YCC 12.10.250. Please contact the Yakima County Water Resources Division for questions regarding soils and stormwater at (509) 574-2300.*

### **Signs**

9. (YCC 19.20.030(1)) “All on-premises signs are accessory uses and shall be subject to the same procedural and review requirements as the principal use, except that new signs accessory to existing or approved uses may be reviewed as modifications to existing or approved uses under Section 19.35.030.” All proposed signs are subject to the review procedures of Title 19 and the standards of Chapter 19.20, which include Table 19.20-1 Type of Signs Permitted, Table 19.20-2 Number of Signs Permitted, Table 19.20-3 Maximum Area per Sign Face, and Table 19.20-4 Sign Height and Setbacks.

*Staff finding: Signage is not proposed with this application.*



**Parking**

10. The parking standards in Table 19.22-2 Off-Street Parking Standards are established as the parking standards for the uses indicated. These parking requirements are based on gross floor area. The required off-street parking for service or repair shops shall be calculated at the rate of one space per 750 square feet of floor area.

*Staff finding: The application indicates that there are 8 existing asphalt parking spaces. The body repair shop is 2,480 square feet therefore requiring 4 parking spaces. The applicant will meet the parking standards.*

**Landscaping**

11. YCC 19.21.030(1) indicates that "any proposed new use, including any outdoor storage area, shall provide maintained landscape planting and sitescreening..." YCC 19.21.030(2)(b)(i)(B) indicated property perimeters along street frontages must provide a Standard B Partial Buffer. According to YCC 19.21.030(2)(a)(ii), sitescreening Standard B plantings "are intended to provide a continuous three- to four-foot tall screen, while maintaining buffered views into and out of the site. Shrubs of a species that will achieve a minimum height of three feet shall be included for the entire length of the planting area, and shall be maintained at a height between three and four feet. Groundcovers shall be included as necessary to fill in the planting area. If used as an alternative site screen, trees should cover the length of the planting area and be spaced no more than 30 feet apart on center."

*Staff finding: The applicant is not proposing to install landscaping in the application that was provided. However, YCC 19.21 has standards for the M-1 zoning district along the properties street frontage. A Standard B Partial Buffer along Factory Road will be a condition of approval.*

**Performance Standards**

12. According to YCC 19.13.030(5), no land or structure shall be used or occupied within the M-1 and M-2 zoning districts unless there is continuing compliance with the following minimum performance standards:

- (1) "Noise. Maximum permissible noise levels shall be as determined by chapter 173-60 WAC, as amended and applicable provisions of Subtitle 19.3 (Procedures)
- (2) Emissions and Venting.
  - a) The emission of any gases, fumes or vapors dangerous to human health, animal life, vegetation or property are prohibited.
  - b) The venting of odors, vapors, smoke, cinders, dust, gas, and fumes shall be directed away from residential uses within 50 feet of the vent.
- (3) Heat. No use shall produce heat significantly perceptible beyond its lot lines.
- (4) Glare.
  - a) No use shall produce a reflection of a strong light, beyond its lot lines.
  - b) Except for exterior lighting, operations producing glare shall be conducted entirely within an enclosed building.
- (5) Electromagnetic Interference. Electric fields and magnetic fields shall not be created that adversely affect the normal operation of equipment or instruments or normal radio, telephone, or television reception from off the premises where the activity is conducted. This section does not apply to telecommunication facilities regulated by the Federal Communications Commission under the Federal Telecommunication Act of 1996 or its successor.

*Staff Findings: This decision conditions the applicant to comply with the performance standards of the M-1 zoning district as described above and in YCC 19.13.030(5).*

**DECISION**


Based upon the above findings, the Yakima County Administrative Official hereby Conditionally Approves the Type 1 Application for the establishment of an office for a truck terminal subject to the conditions listed above.

**DECISION**

Based upon the findings above, the Yakima County Administrative Official hereby **CONDITIONALLY APPROVES** the requested Type 2 review for a Paint and Body Repair Shop, subject to the conditions listed above.

**Administrative Official:** LYNN DETRICK, AICP

**Designee:**

  
Jason Earles  
Planning Section Manager / Zoning and Subdivision

**Date:**

03/13/18

**NOTICE OF APPEAL**

In accordance with Section 16B.09 of the Yakima County Code, any person of standing may appeal the Administrative Official's decision to the Yakima County Hearing Examiner. A notice of such appeal shall be filed in writing and delivered to the Planning Division on the 4th Floor of the Yakima County Courthouse, Yakima, Washington on or before 4:00 p.m., 03/27/18. The appeal shall be in writing, shall be accompanied by the filing fee, and shall include:

- A. The appellant's name, address, and telephone number.
- B. Appellant's statement establishing standing to initiate the appeal under Section 16B.09.020 of this Chapter;
- C. An identification of the specific proposal and specific actions, omissions, conditions or determinations for which appeal is sought;
- D. Appellant's statement of the particular grounds for the appeal, setting forth the principal points of appeal and addressing why the appellant believes the decision to be wrong; and
- E. The desired outcome or relief sought by the appellant.

If you have any questions regarding this decision or the appeal process, please contact Jacob Clay, Planner, of our staff at (509) 574-2300.

**Attachments:**

- A. YCC 16B.07.050 – Compliance, Extension, Expiration and Reinstatement
- B. Conditional Use Permit Application
- C. Narrative
- D. Site Plan
- E. Washington State Department of Ecology letter dated February 5, 2018
- F. Sunnyside Valley Irrigation District letter dated January 25, 2018
- G. Internal Comments

[file:///G:/Development/20Services/Projects/2017/CUP/Type/202/CUP17-116/20CPM/20Development/20M1/20Mod/20to/20Existing/20Bldg/CUP2017-00116\\_M-1\\_Body/20Repair\\_jcc\(1\)\\_jwe\(1\)\\_FINAL.docx](file:///G:/Development/20Services/Projects/2017/CUP/Type/202/CUP17-116/20CPM/20Development/20M1/20Mod/20to/20Existing/20Bldg/CUP2017-00116_M-1_Body/20Repair_jcc(1)_jwe(1)_FINAL.docx)

*Yakima County ensures full compliance with Title VI of the Civil Rights Act of 1964 by prohibiting discrimination against any person on the basis of race, color, nation origin, or sex in the provision of benefits and services resulting from its federally assisted programs and activities. For questions regarding Yakima County's Title VI Program, you may contact the Title VI Coordinator at 509-574-2300. If this letter pertains to a meeting and you need special accommodations, please call us at 509-574-2300 by 10:00 a.m. three days prior to the meeting. For TDD users, please use the State's toll free relay service 1-800-833-6388 and ask the operator to dial 509-574-2300.*



## Compliance, Extension, Expiration and Reinstatement (YCC 16B.07.050)

- (1) **Compliance with Conditions and Safeguards of Project Permit.** It is the affirmative duty of a project permit holder and the land owner (as applicant) to comply with any conditions made a part of the terms under which the approval of a project permit was granted as authorized by Yakima County Code. The applicant shall complete all required conditions, submit documentation that all conditions were met and request County inspection or review to determine that the requirements have been fulfilled within the timeframe specified in the decision and any authorized extensions. When the conditions of the project permit have been met within the timeframe specified by the decision and any subsequent extension authorized by the applicable code, the applicant shall provide a letter certifying that the conditions were met to the Administrative Official to document compliance.
- (2) **Extension of Any Approved Project Permit.** A valid project permit, other than a preliminary plat, may be extended one time only for up to one additional year by action of the Administrative Official.
  - (a) Requests for extensions shall be made in writing, shall be submitted to the Planning Division prior to the expiration date and shall be accompanied by the final approved site plan showing the location and size of any development or work already completed on the project. Such extension request shall present a timeline that identifies when each of the conditions of the decision has or will be completed and shall detail unique and special circumstances that prohibited the commencement or completion, or both, of the use authorized.
  - (b) The Administrative Official shall review the request without public notice or hearing and issue the decision within fourteen days from the receipt of the completed request. The Administrative Official may:
    - (i) Approve the extension based on a work schedule provided by the applicant to assure the work will be completed according to a modified schedule, or
    - (ii) Disapprove the extension.
  - (c) The Administrative Official shall mail the decision to the applicant and shall specify the decision as final unless appealed to the Hearing Examiner under the provisions of Chapter 16B.09 of this Title. Conditions of approval listed previously in the Notice of Decision issued pursuant to 16B.07.010 through 16B.07.030 of this Chapter may be appealed only according to the procedures and time periods specified in YCC 16B.09.010 and are not subject to appeal again following any decision or determination of the Administrative Official made under this Section 16B.07.050.

Attachment:   A

- (A) Failure to Complete Approved Permit Conditions within Specified timeframe and Failure to Comply with Permit Decisions or Conditions.
- (a) Expiration. If compliance with the terms of the project permit approval has not occurred within the timeframe specified by the decision and any subsequent extension authorized by the applicable code, the project shall be considered expired by time limitation and the land use approval shall be null and void. Expiration of a project permit granted pursuant to Yakima County Code shall not be subject to appeal.
  - (b) Violations. A project permit issued or processed pursuant to any applicable title listed in YCC 16B.01.020 will be deemed in violation of this Code if it is ascertained that the application included any false information material to the project permit approval, or if it develops that the conditions and safeguards made a part of the terms under which the approval was granted are not being maintained. Such violations of project permit approval shall be subject to Chapter 16B.11 and other remedies available to Yakima County under any applicable law to enforce conditions of permit approvals, remedy land use and code violations or abate those violations including without limitation YCC Title 13.
  - (c) Compliance agreement. The applicant and the County may enter into a compliance agreement to complete the required conditions subject to appropriate fees to compensate the County in preparing, recording and implementing the compliance agreement. On terms acceptable to the Administrative Official, in his or her sole discretion, the County may offer an extension of time to complete the required conditions of approval subject to appropriate fees to compensate the County in preparing, recording and implementing any such compliance agreement; provided, however, that no compliance agreement may be used in lieu of the permit process to remove or negotiate conditions of approval.
- (4) Reinstatement. Where a project permit has expired, the applicant may apply to have the permit reinstated and the work authorized by the original permit can be recommenced, provided the following are met:
- (a) The applicant submits a written request not more than sixty days after the original permit or authorized extension expired.
  - (b) The applicant provides a timeline for successful achievement of all conditions upon which the Administrative Official can agree.
  - (c) The codes under which the original permit was issued and other laws which are enforced by Yakima County have not been amended in any manner which affects the work authorized by the original permit.
  - (d) No changes have been made or will be made in the original plans and specifications for such work.
  - (e) The applicant submits a reinstatement fee. The fee for a reinstated permit shall be seventy percent of the amount required for a new project permit pursuant to YCC Title 20.
  - (f) Where the request for reinstatement does not comply with all of the preceding criteria in this Subsection, a new project permit application must be submitted and processed as a new project, at full permit fees.



# CONDITIONAL USE PERMIT FORM

FINAL  
Revised 10/1/15

Yakima County Public Services  
128 North Second Street · Fourth Floor Courthouse · Yakima, Washington 98901  
(509) 574-2300 · 1-800 572-7354 · FAX (509) 574-2301 · www.co.yakima.wa.us

Please Answer the Following Questions (Please attach a separate sheet if needed):

1. Are you applying for a:  Type 1  Type 2  Type 3  Type 4
2. What is the proposed use, as listed in YCC Table 19.14-1? Body repair shop
3. What is the size of the subject property? (Amount of acreage or square feet): 12.69 acres
4. What is the size and use of structures currently located on the property? 62' x 40'
5. What is the size, height and use of structures proposed to be placed or constructed? 8' - 0 -
6. List other permits and approvals that will be required. BLD / COD / FIRE

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7. Will the project be conducted entirely within a structure?  Yes  No  
If no, explain what outdoor activities would occur: \_\_\_\_\_
8. Total number of employees? 0
9. How many parking spaces are you proposing? Existing: 8 Proposed: \_\_\_\_\_ Surface Type: HARD SURFACE
10. Will you have a sign?  Yes (if yes, please answer the following questions.)  No
  - a. How many signs are proposed? \_\_\_\_\_
  - b. What is the square footage of the sign? \_\_\_\_\_
  - c. What is the height of the sign? \_\_\_\_\_
  - d. Will the sign be illuminated?  Yes  No
  - e. If the sign is illuminated, how will it be illuminated?  Internally  Externally
  - f. Where will it be located? \_\_\_\_\_
11. What is the name of the road that the proposed/existing access is located on? 110 Factory RD
  - a. Is the road a:  County Road  State Highway  Private Road  
If the road is a private road, is there an existing Road Maintenance Agreement?  Yes  No  
(If yes, please provide a copy)
  - b. Is the road constructed out of:  Pavement  Gravel  Dirt
  - c. How wide is the Right-of-Way/Easement? 60'
  - d. How wide is the surface of the road? (City of Sunnyside maintained)
12. How will you manage storm water runoff? Seeps into ground

Attachment: B

13. Fencing (If applicable check both)?  New  Existing CHAIN LINK

a. Fence Material: \_\_\_\_\_

b. Will the fence be view obscuring fence?  Yes  No

c. Will you be placing barbed wire on the top of the fence?  Yes  No

d. What is the total height of the fence (including the barbed wire if proposed)? EXISTING

14. Are you proposing any site screening or landscaping?  Yes  No

If yes, what type and what is the location? \_\_\_\_\_

15. What is the proposed source of irrigation water? N/A

16. What are the days & hours of operation? Days: M-F Hours: 9-5

17. Will the operation be seasonal? If so list months of operation: NOT SEASONAL

18. Is any outdoor lighting proposed?  Yes  No

If yes, what is the proposed location(s)? \_\_\_\_\_

19. What is the proposed source of domestic water?

a.  Public Water: Name of provider: \_\_\_\_\_

b.  Community Well: What is the well number: \_\_\_\_\_

i. Where is the well located? ?

ii. Is there an existing Well Maintenance Agreement?  Yes  No

*(If yes, please provide a copy)*

c.  Individual Well

20. What is the proposed method of sewage disposal?

a.  Public Sewer: Name of provider: \_\_\_\_\_

b.  Community Septic System: Where is the septic system located? \_\_\_\_\_

c.  Individual Septic System

d.  Other explain: \_\_\_\_\_



## NARRATIVE FORM

FINAL  
Revised 10/01/15

Yakima County Public Services  
128 North Second Street · Fourth Floor Courthouse · Yakima, Washington 98901  
(509) 574-2300 · 1-800 572-7354 · FAX (509) 574-2301 · [www.co.yakima.wa.us](http://www.co.yakima.wa.us)

The Narrative Form is designed to help you, the application review, interested agencies, and adjacent property owners to the proposal understand the scope of your project and how your project meets the legal requirements in the Yakima County Codes. You should refer to the appropriate sections of the ordinance when describing your proposal if applicable. You can obtain a copy of the ordinance in our office or access it on the internet at:

<http://codepublishing.com/wa/yakimacounty/>

**Narrative Content:** Please tell us the “who”, “what”, “where”, and “why” of your proposal. A list of typical content is provided below. **Please do not limit your project’s description to just these items.** In order for us to conduct a timely review of your project please **be as detailed as possible.** Any missing/confusing information could result in the delay of our review.

Note: Not all content listed below will be pertinent to your proposal. These items are suggestions in order to help you draft your narrative.

### **Suggested Content:**

- Describe the current use of the site including all existing structures with their dimensions, square footage and usage.
- Describe the proposed use in detail (including but not limited to the type of business and/or use, hours and days of operation, number of employees, number of people living on-site, maximum number of customers and/or guests, changes or additions to the driveways or other access points, the type of mitigation or adjustment requested).
- Describe which standards are proposed to be adjusted and justify why the standard needs to be adjusted.
- Describe any new or existing structures to be used as part of this proposal.
- Describe how the proposed use will be pertinent to the proposed/existing structures.
- Describe any parking facilities (number of spaces and surface type), landscaping, signage, and lighting that will be associated with your proposal.
- Describe your access to the property and the route of travel to the site.
- For commercial operations describe the travel ways that will be located onsite.
- Describe the timelines for completion of your proposal.

**Please remember that your narrative must explain in detail the specifics of your proposal and any missing information may result in the need for future reviews.** Your narrative can be typed and printed on a separate sheet of paper with “See Attached” written below, or you may print out legibly your narrative on the lines provided.

- New renter for an auto body repair in  
existing building

1

Attachment: C



N

Factory Rd

160'

231031-11009

457

Vehicle Storage

CUPI7-116  
Public Services (SC)

JAN 1 2 2010

Vern Gary Don Lynn  
Harold Lisa Carmen

377

55

Auto Shop

595

253

333

Office CPM

Warehouse CPM

324

324

671

SR 241 Hwy

462

Parcel 11005  
Call 1005  
William Valley Hwy

811

100

107

288

CPM Development

PO Box 3366

Spokane WA. 99220

1" = 160'

112 Factory Rd. Sunnyside WA. 98944

Attachment: D

1



CUP17-116  
Public Services (x)

FEB 05 2018

STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

Vern \_\_\_ Gary \_\_\_ Don \_\_\_ Lynn \_\_\_  
Harold \_\_\_ Lisa \_\_\_ Carmen \_\_\_

1250 W Alder St • Union Gap, WA 98903-0009 • (509) 575-2490

February 5, 2018

Jacob Clay  
Yakima County Planning Division  
128 North 2nd Street  
4<sup>th</sup> Floor Courthouse  
Yakima, WA 98901

Re: CUP2017-00116

Dear Mr. Clay:

Thank you for the opportunity to comment on the notice of application for the establishment of a automotive body repair shop, proposed by Katie Sue Harshfield. We have reviewed the application and have the following comment.

**HAZARDOUS WASTE & TOXIC REDUCTION**

The applicant must ensure that all waste generated from operations at this site are designated and managed in accordance with the Dangerous Waste Regulations, Chapter 173-303 WAC.

If you have any questions or would like to respond to the Hazardous Waste & Toxic Reduction comments, please contact Ryan Murphy at (509) 249-6327 or email to [ryan.murphy@ecy.wa.gov](mailto:ryan.murphy@ecy.wa.gov).

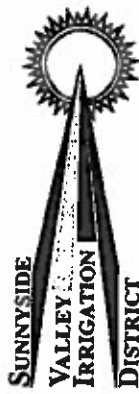
Sincerely,

Gwen Clear  
Environmental Review Coordinator  
Central Regional Office  
(509) 575-2012  
[crosepacoordinator@ecy.wa.gov](mailto:crosepacoordinator@ecy.wa.gov)

7268

Attachment:   E  





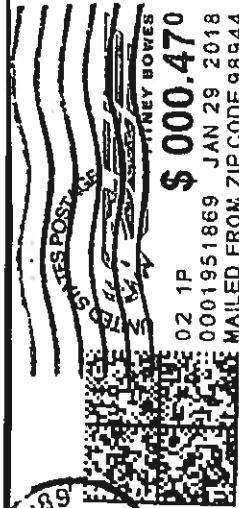
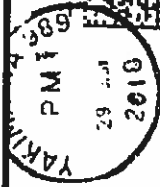
P.O. Box 239  
Sunnyside, Washington 98944

RETURN SERVICE REQUESTED

Public Services (GF)

JAN 31 2018

Vern Gary Don Lynn  
Harold Lisa Carmen



YAKIMA COUNTY PLANNING DIVISION  
128 N 2ND STREET  
4TH FLOOR COURTHOUSE  
YAKIMA WA 98901

Attachment: F

January 25, 2018

Yakima County Planning Division  
128 North 2<sup>nd</sup> Street  
4<sup>th</sup> Floor Courthouse  
Yakima, WA 98901

RE: Case No.           **CUP17-00116**  
Applicant:           **Katie Sue Harshfield (Bella's Collision Center)**  
Parcel:               **231031-11009**

To whom it may concern:

This office has reviewed the proposed project. Sunnyside Valley Irrigation District (SVID) has the following comment:

- SVID has a piped drain that runs across the above referenced parcel at an angle from the northeast corner to the west parcel boundary, approximately 80' south of the building. The proposed project will not impact this facility. This is an irrigation drain which returns flow to the Yakima River. No parking lot runoff will be allowed to inlet into the drain.

Thank you for the opportunity to comment on this proposed project. If you have any questions please contact Diane Weber at (509) 837-6980 or [weberd@SVID.org](mailto:weberd@SVID.org).

Sincerely,



Ron C. Cowin, P.E.  
Assistant Manager – Engineering

**Actions on Case CUP2017-00116 Parcel Number: 23103111009**

M-1 Auto Body Repair type 2- See attached COD Case

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<b>Completeness Review Period</b> Submittal received 11/14/2017	<b>Assigned To:</b> Review due 12/12/2017	<b>Done By:</b> Review Completed
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<b>File Prep For Comp. Review</b> Submittal received 11/14/2017	<b>Assigned To:</b> File Due 11/21/2017	<b>Done By:</b> File Completed
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<b>Notice of Application Sent</b> Notice Due	<b>Assigned To:</b> Comment Ends	<b>Done By:</b> Notice sent
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<b>Legal Notice</b>	<b>Assigned To:</b>	<b>Done By:</b> JEP Notice sent
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<b>Incomp./Req. for Addtl. Info.</b> Sent on 11/29/2017	<b>Assigned To:</b> Due - 90 days 1/12/2018	<b>Done By:</b> Info. received
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<b>Case Created</b>	<b>Assigned To:</b>	<b>Done By:</b> JEP Date Created 11/14/2017
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<b>No Submittal Received</b>	<b>Assigned To:</b>	<b>Done By:</b> JEP Date Created 11/14/2017
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<b>Utilities Issues</b> Date Routed 11/17/2017 No concerns.	<b>Assigned To:</b> Comment Required By 11/19/2017	<b>Done By:</b> JES Response Date 11/17/2017
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<b>Trans. Completeness Notes</b> Date Routed 11/27/2017 Parcel does not access the County Road System; No Requirements.	<b>Assigned To:</b> Comment Required By 11/29/2017	<b>Done By:</b> JDW Response Date 11/27/2017
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<b>PC Tracking</b> Date Created 11/28/2017 Application is incomplete. NOI sent 11-29-17	<b>Assigned To:</b> Date Due	<b>Done By:</b> JXC Finished 11/28/2017
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Attachment:

**Surface Water Issues**

**Assigned To:**

**Done By:** DLW

Date Routed 12/4/2017

Comment Required By 12/6/2017

Response Date 12/4/2017

Graveled surfaces are considered to be semi-pervious so future increases in hard, impervious surfaces may require a Stormwater Plan. Stormwater must be retained on site.

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