

YAKIMA COUNTY PLANNING DIVISION
**Findings and Recommendation
Of the Administrative Official**

PROJECT NAME: Sajaca, LLC/Bio-Gro, Inc. Fertilizer Manufacturing Plant

REVIEW PROCESS: Type 3

FILE NUMBER: PRJ2016-00800 / CUP2016-00080 / SEP2016-00030

ZONING: Agriculture

**COMPREHENSIVE
PLAN DESIGNATION:** Agricultural Resource

PARCEL NUMBER(s): 220812-11004

PROPOSAL: The proposal is to request a conditional use permit for an existing Fertilizer processing plant that has been in place since 1996.

OWNERS: Sajaca, LLC
Peter Aleman, Manager
5232 Outlet Drive
Pasco, WA 99301

APPLICANT: Bio-Gro, Inc.
Peter Aleman, Manager
5232 Outlet Drive
Pasco, WA 99301

PREPARED BY: Dinah Reed, Senior Project Planner, Zoning and Subdivision

RECOMMENDATION: **Approval** with conditions:

RECOMMENDATION

Based on the findings and analysis, staff recommends APPROVAL of the Type 3 Conditional Use Permit to an existing Fertilizer processing plant (Bio-Gro, Inc.) as described in application CUP2016-00080/SEP2016-00030, subject to the following conditions:

1. The applicant shall obtain building and fire permits for the triple-wide commercial coach, a 4,800 square foot storage tent, 40' x 40' concrete mixing pit, and 20' x 20' concrete pad, as a condition of approval.

2. The applicant must obtain any necessary construction permits from the Yakima County Building and Fire Safety Services Division for any future structures. Please contact the Yakima County Public Services Department Building & Fire Safety Division at (509) 574-2300.
3. The applicant shall obtain a Road Approach Permit (RAP) from the Yakima County Transportation Division for both access points on Glade Road prior to issuance of building permits, and as a condition of approval.
4. All setbacks outlined in YCC 19.10.040(6) shall be adhered to, or be adjusted through the administrative adjustment process.
5. The applicant shall provide a “Fire/Chemical Release” Response Plan as a condition of approval.
6. As conditions of approval, the applicant is required to comply with the comments of SVI.
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 any 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 on nearby roads.
8. Stormwater shall 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.
9. The owners, their grantees and assignees in interest shall meet the terms of Compliance, Extensions, Expiration, and Reinstatement requirements per 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.
10. The project shall not extend beyond that described in this application and associated site plan submitted with the application referenced as file number CUP2016-00080 and SEP2016-00030. Any future modification(s) to this project shall be submitted to the Yakima County Planning Division for review and a decision based on County code.
11. **Time Limit:** The conditions of approval for this Conditional Use Permit must be completed within three (3) years of the date of the Hearing Examiner’s decision. Extension of time for cause may be granted pursuant to Subsection 19.30.100(4)(c) of the Yakima County Zoning Ordinance.

Based upon information supplied by the applicant, review of Yakima County Zoning Ordinance and review of the Yakima County Comprehensive Plan (*Plan 2015*), the Administrator enters the following:

FINDINGS STATEMENT

Location

1. The subject property is located at 681 Glade Road, on the east side of Glade Road and approximately 960 feet west of Allison Road, and ½ mile south of the city limits of Mabton, WA.

Project Description

2. Bio-Gro, Inc. is seeking a conditional use permit for an existing fertilizer manufacturing plant that has existed since 1996, and to rectify COD2013-00102 for placement of a triple-wide commercial coach used as the administrative offices for the business and its related septic system. The applicant also will need permits for all structures constructed after 1974; a 4,800 square foot storage tent, 40' x 40' concrete mixing pit, and 20' x 20' concrete pad.

Bio-Gro, Inc. operates a fertilizer manufacturing plant on parcel #220812-11004, 23.23 acres in size, and within the AG zoning district. The parcel is owned by Sajaca, LLC and leased to Bio-Gro, Inc. The applicant's narrative explicitly states "Bio-Gro does not manufacture any pesticides, herbicides, insecticides, fungicides or rodenticides. It only manufactures fertilizers. The risks that are inherent in the production of pesticides, herbicides, insecticides, fungicides or rodenticides are not present in the manufacture of fertilizers. Therefore, consideration should be taken on the compatibility of Bio-Gro's proposed use based on fertilizer production and not on the manufacture of any other type of product." Bio-Go produces 80+ different types of fertilizer products, sold in numerous states.

The applicant's narrative provides an historical background of the existing operation. Bio-Gro's facility is located on the old Yakima Chief Ranch hop processing site. Almost all of the buildings used by Bio-Gro are buildings that were constructed more than 75 years ago by Yakima Chief Ranch for its processing operations. In the 1930s the facility consisted of a kiln, a processing plant, packing buildings, storage buildings, a labor camp, and a company restaurant. Sometime between 1977 and 1992 the labor camp was taken out and some of the hop buildings were removed. Bio-Gro began operating on the site in 1996 using the existing remaining buildings from the hop processing plant, with the exceptions of the triple-wide commercial coach and tent structure which were constructed by Bio-Gro, and are as follows:

- 1) 396 sq ft storage shed
- 2) 4,800 sq ft maintenance shop
- 3) 858 sq ft storage shed
- 4) 4,500 sq ft warehouse
- 5) 2,772 sq ft triple-wide commercial coach office
- 6) 7,448 sq ft warehouse
- 7) 600 sq ft laboratory
- 8) 4,800 sq ft tent storage tent

In addition to the above listed structures, there are 115 above ground tanks used for manufacturing, blending, fermenting, and storing fertilizer products. Bio-Gro has also installed a 40' x 40' cement mixing pit, and 20' x 20' cement pad.

The business is highly seasonal with heavy production running from February through June. Bio-Gro employs approximately 15 full-time employees and an additional 10-15 seasonal

employees at the site. Manufacturing hours are generally from 7:00 am to 3:30 pm, five days a week with hours extending to 5:30 pm during high-demand times.

Raw materials are brought to the site by truck and finished goods are shipped from the site by truck. During off-season the truck traffic average is one truck each day – during the heavy season truck traffic will be between one and four trucks per day. Very few customers or vendors visit the site, fewer than once per week.

Parking is provided for the most number of employees during the busy season, which is as many as 25-30 employees, therefore there are thirty designated parking areas, and numerous graveled areas for additional parking, as shown on the site plan submitted with the application. Access to the site is via Glade Road (Mabton-Bickleton Road) a designated County road. There are two accesses that have been in use, one located at the northeast corner of Bio-Gro's site, and the second is located about 110 feet south of the first driveway.

Exterior lighting on the property is similar to farm-yard security lighting. There is an existing sign that is 3' x 2' in size and located 17 feet from Glade Road. The top of the sign is 5 feet from the ground, and the structure holding the sign is seven feet in width and six feet tall. There is an existing six-foot chain link fence along the Glade Road frontage, located 45 feet from Glade Road. According to the Assessors website, the property is served by well and septic.

The Bio-Gro site is adjacent to the Urban Growth Area of the City of Mabton on the east which is a large 70 acre site owned by Northwest Horticulture LLC. Surrounding parcels to the north and west are in agriculture production, with house sites ranging from 51 acres up to 117 acres in size. There are several smaller house site lots to the south across the Mabton West Lateral that are two acres in size.

Zoning and Land Use

3. The subject property is zoned Agriculture (AG). The AG zoning district is intended to preserve and maintain areas for the continued practice of agriculture and to permit only those new uses that are compatible with agricultural activities.

The intent of Yakima County's Agricultural Resource land use category is to implement the Growth Management Act planning goals related to maintaining and enhancing natural resource-based industries, which includes productive agricultural industries. The project has been reviewed for consistency with the following goals and policies of the Yakima County Comprehensive Plan (Plan 2015).

- GOAL ED 4: Preserve and enhance the County's resource-based economy.
 - POLICY ED 4.1: Encourage resource-based industries which are consistent with resource lands goals and policies.
- GOAL LU-ER-AG 1: Maintain and enhance productive agricultural lands and discourage uses that are incompatible with farming activities.

Hearing Examiner Jurisdiction

4. The proposal is subject to Yakima County Unified Land Development Code (Title19). The definition of the proposal is "Fertilizer, chemical" which is considered a Type 3 review in the AG zoning district.

According to Title 16B.03.030 Project Permit Procedures-Defined, "Type 3 applications are quasi-judicial actions and require an open record hearing by the Hearing Examiner. The

Examiner's written decision constitutes the final decision... Public notice will be provided on Type 3 actions."

A Notice of Application, Notice of Completeness, Notice of Environmental Review, and Notice of Future Hearing was mailed to adjoining property owners on October 28, 2016 with the comment period ending on November 11, 2016. A notice of SEPA Threshold Determination and Notice of Hearing scheduled for March 2, 2017 was published in the Yakima-Herald on December 2, 2016.

The Yakama Nation responded that they require a Storm Water Pollution Prevention Plan be submitted to the SEPA Responsible Official before a Conditional Use Permit be granted, and that in the case of a fire or other chemical release to the environment that they require a Response Plan be created and submitted as a condition of the permit. The Department of Ecology also responded asking for more information regarding stormwater drainage and the stormwater swale, the cement pit's characteristics, and the volume of wastewater associated with cleaning fertilizer transportation totes and where the wastewater is disposed. The March 2, 2017 Hearing was postponed so that the applicant would have time to respond to the Request for More Information mailed on Dec. 27, 2016 which allows a 45-day response window. The applicant provided more information on February 17, 2017 and on February 21, 2017.

The Final Notice of SEPA Threshold Determination and new date for Notice of Hearing was sent on May 8, 2017 with a comment period ending May 22, 2017, and new Hearing date of June 1, 2017.

To re-cap, notice was provided in accordance with the applicable ordinance requirements in the following ways:

Mailing of hearing notice to property owners w/in 300 feet	October 28, 2016
1 st SEPA Threshold issued	December 2, 2016
Final Threshold published in Yakima Herald-Republic	May 8, 2017
Publishing of open record hearing in Yakima Herald-Republic	May 8, 2017
Posting of hearing notice on the property	May 17, 2017

Comments

5. Comments were received from four notified agencies, as follows:

Sunnyside Valley Irrigation District – letters dated Nov. 1 and Dec. 12, 2016 --

- 1) Items 1 & 12 of the Site Plan Notes state that only public utility easements within or adjacent to the site as the power line easements running along the west side of the property and into the property. SVID also has the following facilities within or adjacent to parcel 220812-11004. Piped lateral MB 11.29 runs north/south within the west parcel boundary. An irrigation easement 30 feet in width is centered on the pipeline. The Mabton West Lateral's right of way from the south parcel boundary. The right of way in this area is 60 feet in width centered on the canal. These facilities may be impacted by improvements on the above referenced parcel. Please contact the District prior to any construction for the location of these facilities.
- 2) The Mabton West Lateral is an open waterway. Runoff or discharge into the Mabton West Lateral will not be allowed.

- 3) Buildings or other permanent improvements will not be allowed within SVID easement or right-of-way.
- 4) Obstructions including fences, signs, roadways, gravel, asphalt, etc. will not be allowed with SVID easement or right-of-way unless approved through the permitting process.
- 5) Service lines including domestic water, power, sewer, gas, etc. will not be allowed within SVID easement or right-of-way unless approved through the permitting process.

Staff Finding: As a condition of approval, the applicant is required to comply with the comments of SVID (see attached comment letters). For more information, you may contact Diane Weber at (509) 837-6980.

State of Washington Department of Ecology (DOE) and Confederated Tribes and Bands of the Yakama Nation –

- The DOE provided comment requesting more information on the two storm drains and the swale, as well as the cement retention pit, and volumes of wastewater.
- The Yakama Nation provided comment requesting more information on a Stormwater Pollution Prevention Plan, and requests a fire/chemical release Response Plan be created and submitted as a condition of the permit. The Yakama Nation also requested the applicant provide the Material Safety Sheets of hazardous chemicals on list, as well as Tier Two reporting – which the applicant responded and provided those materials on 10/17/2016.

The applicant provided a response to the Request for More Information with letters dated February 17 and 21, 2017.

Staff Finding:

Letter Feb. 17th - The response letter explained that a Stormwater Pollution Prevention Plan (SWPPP) is developed in accordance with the terms of a specific permit, such as: Construction Stormwater Permit, Industrial Stormwater Permit, Municipal Stormwater Permit, Boatyard General Permit, Sand and Gravel General Permit, or WSDOT Permit. None of these permits apply to the subject parcel or proposal. Construction, clearing, grading, excavating or stockpiling of fill material is not proposed. Industrial Stormwater Permits only apply if the stormwater from the facility is discharged into a surface waterbody or into a storm sewer system. Less than 10% of Bio Gro's site is covered with impervious surfaces, and the stormwater will infiltrate on site into the ground, except a portion on the stormwater will be collected into three drains which discharge into a swale. The closest surface waterbody to the site is the SVID Mabton West Lateral which is 750 feet away from the manufacturing portion of the site and therefore, stormwater will infiltrate into the ground before reaching this waterbody.

Letter Feb. 21st – The cement pit is used to mix stinging nettle and water. The pit has eight-inch thick sides and bottom and the height of the pit walls are approximately 18 to 22 inches above the soil surface. There are sealed seams between the walls and between the walls and the bottom of the pit, which are inspected annually before use, and resealed as needed. The materials in the pit are mixed using a recirculation pump, and also by manual agitation from the top. The materials are removed from the pit via pump and put into holding tanks. Any remaining materials in the pit are pumped out with a vac truck and sent to a composting facility off-site. The sides and bottom of the pit are pressure washed. The

rinse water is pumped out and spread on a 7-acre field planted in agricultural crops. Wastewater used to clean the fertilizer transportation totes averages about 1,600 gallons per day. The wastewater drains into a sump, where it is pumped into two 10,000 gallon holding tanks. When the tanks are full the wastewater is sampled and the results are logged. The wastewater is then pumped to a weir box where it is mixed with irrigation water. The water is then pumped to a wheel line and spread on a 7-acre field planted in agricultural crops, or sometimes applied to an adjacent 18.6 acre field owned by Sajaca. (see attached comment letters for all details of comments)

Yakima County Water Resources Division email --

“SWPPPs (<https://www.epa.gov/npdes/developing-stormwater-pollution-prevention-plan-swppp>) or an erosivity waiver are required for construction entailing an acre or more of disturbed land. Since the parcel contains existing buildings, not new construction, a SWPPP isn’t applicable. Also, because there is no new construction proposed that totals an acre or more, a stormwater site plan is not required.

However the following requirement is applicable with or without a stormwater site plan: 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. A Washington State Department of Ecology Industrial Stormwater Permit may be required. This project is within the Lower Yakima Valley Groundwater Management Area.” For more information go to this web site, <http://www.yakimacounty.us/541/Groundwater-Management-Area>.

Staff Finding: The applicant shall retain all stormwater on site and upland drainage, if any, must be conveyed through the property in accordance with criteria found at YCC 12.10.130. Please contact Dianna Woods with the Yakima County Water Resources Division for more information at (509) 574-2300.

Environmental Review

6. The proposal is subject to review under the State Environmental Policy Act (SEPA) because it is an action that is not categorically exempt from the environmental review process. Yakima County is Lead Agency under SEPA and performed environmental review under file number SEP2016-00030. Yakima County issued a Final Determination of Non-Significance (DNS) on May 8, 2017.

Development Standards

7. The development standards that apply for all proposed projects 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 buildings shall comply with the standards of the AG zoning district and the development standards of YCC 19.10.040, provided the above conditions 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.”

Staff Finding: The applicant is proposing access from Mabton-Bickleton Road (Glade Road). The Yakima County Transportation Division provided the following comment:

- 1) “Per title 10.08.020 the applicant shall obtain a Road Approach Permit (RAP) from the Yakima County Transportation Division for both existing accesses to the county roadway system and if necessary, reconstruct those accesses to meet the Counties DR-3 standard plan requirements for a commercial access. The fact that the road approach application is in conjunction with a CUP must be disclosed by the applicant at the time of application. No future build permits cannot be issued without the completion and approval of a Road Approach Permit.
- 2) Only the two access points shown on the site plan will be approved. The third existing access will need to be removed or properly blocked to avoid use.”

The applicant shall obtain a Road Approach Permit (RAP) from the Yakima County Transportation Division for both access points on Glade Road prior to the issuance of the building permits.

- 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: Manufacturing of ‘Fertilizer, Chemical’ as listed in the Allowable Land Use Table 19.14-1, is a Type 3 review process in the AG zoning district.

- 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: The applicant is not proposing to build or construct any structures with this proposal. Change of Use permits may be applicable for the existing buildings. For more information, please contact the Yakima County Building and Fire Safety Division at (509) 574-2300.

- f) **Setbacks, Easements and Right-of-Way:** (YCC 19.10.040(6)) “Chapter 19.11 lists the standard minimum setbacks of buildings or other structures and uses in the AG zoning district in Table 19.11.010-2.

Staff Finding: According to aerial photos, the location of the existing buildings meets the required setbacks.

- g) **Vision Clearance Triangles at Intersections and Driveways:** (YCC 19.10.040(7)) “All corner lots at controlled or uncontrolled public or private street intersections or railroads shall maintain for safety vision purposes a triangular area; one angle of the triangle shall be formed by the planned right-of-way edges adjacent to the street or railroad, under the planned right-of-way width required for the functional classification of the road, listed in Chapter 19.23. The sides of such triangle forming the corner angle shall be 30 feet in length measured along the sides of the aforementioned angle. The third side of the triangle shall be a straight line connecting the last two mentioned points. Within the area comprising the triangle nothing shall be erected, placed, planted or allowed to grow in such a manner as to materially impede vision between the heights of two and one-half and ten feet above the centerline grades of intersecting streets and/or railroads.”

Staff Finding: According to aerial photos the Vision Clearance Triangles at Intersections and Driveways meets this standard.

- h) **Maximum Lot Coverage and Building Height:** (YCC 19.11.040) 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 19.11.040-2, maximum lot coverage and building height is not specified in the AG zoning district.

- 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: There is an existing six foot chain link fence that, according to aerial photos appears to run approximately 500 feet north/south, setback from the property line along Glade Road, which meets these standards.

- 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: The applicant stated in their narrative that there is existing outdoor security lighting placed to provide coverage of buildings and tanks. The applicant shall comply

with the standards of YCC 19.10.040(10) for existing outdoor lighting and any future outdoor lighting.

- k) **Floodplain 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 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 Yakima County Water Resources Division provided the following comments regarding stormwater:

“Site is Outside the Stormwater Utility Boundary. Depending on the size of work, may require a stormwater site plan or SEPA. There is a drainage way boarding the southern section of this site. They must not discharge runoff from the site or construction into it.”

Staff Finding: Please contact Dianna Woods, with the Water Resources Division, at (509) 574-2300 for questions regarding soils and stormwater.

Domestic Water (YCC 19.25)

8. Provide specific standards consistent with RCW 58.17.110 and 19.27.097 that will ensure that an adequate source of potable water will be provided prior to development approval.

Staff finding: The applicant stated in the application narrative that potable water to the subject parcel is provided by community well number AFQ602 and is located on parcel number 220812-41001 which is an 18+ acre parcel owned by Sajaca LLC and is located southeast of the subject parcel across the Mabton West Lateral.

Sanitary Disposal (YCC 19.25.040(1)(c))

An individual on-site septic system shall be approved by the Yakima Health District. The Yakima Health District commented on the subject septic system via email sent to the Yakima County Planning Division dated May 15, 2017 –

“A septic system was installed and approved by the Yakima Health District on this property on August 2016 for an office. The capacity of this septic system is for 26 office workers, not for showers.”

Staff finding: The applicant meets the Yakima Health District requirements for a septic system.

Calculation of Parking Standards (YCC 19.22.050 (D)(1.))

9. The parking standards in Table 19.22-2, Table of Off-Street Parking Standards are established as the parking standards for the uses indicated. The parking standards for this proposal are based on “Manufacturing and Wholesale Trade – Agriculturally related industries and wholesale trade warehouses” which require 1 space for each employee based on the maximum working at any given shift...

Staff finding: The applicant provides in the narrative that there are 15 permanent employees and an additional 10-15 employees that are seasonal. The site plan shows they have thirty (30) existing parking spaces on site. Based on the standards of YCC 19.22.060, the applicant meets the required parking space standards.

Location and Design of Parking and Loading Facilities (YCC 19.22.060)

10. Off-street loading and unloading spaces and parking for truck queuing shall be required for any commercial, industrial...and any similar use requiring loading or unloading from trucks or other large vehicles. Required off-street loading and related maneuvering space shall be located only on the property served. No parking of any vehicle using the loading space shall project into the right-of-way of any public or private road.

Staff finding: The applicant provides in their narrative that “very few customers or suppliers visit the site. Raw materials are brought to the site by truck and finished goods are shipped from the site by truck. During the off season, the truck traffic averages about one truck each day. During the heavy season the truck traffic will be between one and four trucks per day. All truck and employee traffic enter and leave the site by two established gravel driveways from Glade Road. The aerial photo shows that the circulation of maneuvering space is located only on the property served, and meets this standard.

Construction and Maintenance of Parking Areas (YCC 19.22.070)

11. Parking facilities within rural zones shall be surfaced with a minimum of screened gravel or crushed rock, or better, except that the Reviewing Official may require paving and/or landscaping of the parking facility when necessary to protect the public health safety.

Staff finding: The applicant shall comply with all requirements of YCC 19.22.070 as it pertains to construction and maintenance of the parking area.

CONCLUSION AND RECOMMENDATION

Based on the findings and analysis, staff recommends APPROVAL of the Type 3 Conditional Use Permit for the Bio-Gro, Inc. fertilizer manufacturing plant. Please see the Conditions as they are listed on Pages 1-2 of this report.

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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.