



Public Services

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VERNA REDIFER, PE - Director

YAKIMA COUNTY PLANNING DIVISION

Type 2 Application

- FINAL DECISION -

PROJECT NAME:	Simmons Bed and Breakfast
REVIEW PROCESS:	Type 2
FILE NUMBER:	CUP2018-00040
PARCEL NUMBER:	191327-43405
ZONING:	Agriculture (AG)
FUTURE LAND USE DESIGNATION:	Agricultural Resource
PROPOSAL:	Type 2 application to expand an existing Bed and Breakfast with event venue approved under CUP2004-00077. The expansion includes adding: a new bedroom; expanding an existing bedroom on the first floor; constructing a 2,336-square foot banquet room and bathrooms for events; roofing the existing circular patios pads in the back yard; and installing an externally illuminated sign as a free-standing on premises sign for the business.
OWNER:	Bradley Simmons Bradley House 1711 Birchfield Road Yakima, WA 98901
Applicant/Agent:	Ron Pelson Traditional Designs Inc. 106 S. 4 th Avenue Yakima, WA 98902
PREPARED BY:	Dinah Reed, Senior Project 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 obtain and finalize all necessary Building permits and fire permits for the expansion of the Bed and Breakfast from the Yakima County Building and Fire Safety Division prior to commencement of use. Please contact the Building & Fire Safety Division at (509) 574-2300.
2. The applicant shall provide verification from the Yakima Health District that the septic system is sized to handle the expansion of the Bed and Breakfast. Documentation shall be submitted to the Yakima County Planning Division prior to the issuance of building permits.
3. The applicant shall provide verification from the Yakima Health District that the existing water system (The Bradley House, ID# AB755 D) is in compliance. Documentation shall be submitted to the Yakima County Planning Division prior to the issuance of building permits.
4. The applicant shall provide verification from the Yakima Health District that a food license has been obtained to operate a kitchen. Documentation shall be submitted to the Yakima County Planning Division prior to the issuance of building permits.
5. The owners, their grantees and assignees in interest will abide by the terms of YCC 16B.07.050 – Compliance, Extension, Expiration and Reinstatement attached to this decision. 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.

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.

6. The project shall be completed in conformance with the project description and site plan submitted with the application referenced as file number CUP2018-00040 and shall comply with all conditions of approval as required under CUP2004-00077. 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.
7. 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. A Washington State Department of Ecology Construction Stormwater Permit may be required for new buildings.
8. 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 residential use or interfere with the safe operation of motor vehicles.

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. The property is located at 1711 Birchfield Road at the northeast intersection of Birchfield Road and Micras Road, approximately 50 feet north of the City of Moxee, WA.

Project Description

2. The applicant is proposing to expand an existing Bed and Breakfast originally approved under CUP2004-00077. The expansion includes adding: a new bedroom; expanding an existing bedroom on the first floor; constructing a 2,336-square foot banquet room and bathrooms for events; roofing the existing circular patio pads in the back yard; and installing an externally illuminated sign as a free-standing on premises sign for the business. The property is served domestic water from an existing community well registered under AB755D, and individual septic system. Access is from Birchfield Road.

Background information of the subject parcel includes that the facility was inspected on August 11, 2008 by the Yakima Health District for food service specifically for the Bed and Breakfast component, and Application for the Transient Accommodations Permit was made on August 28, 2007 and inspections were made soon thereafter. Under CUP2004-00077, the facility was deemed having met all Conditions of Compliance and obtained a certificate of occupancy from the Yakima County Building Fire and Safety Division on July 28, 2009.

The applicant applied for a Conditional Use Permit (CUP2008-00071) to allow for a cargo container for storage and use as a commercial kitchen. The application expired on March 18, 2009 stating that the original application (CUP2004-00077) was still out of compliance, therefore the applicant could not obtain permits for a cargo container as an accessory use to the Bed and Breakfast until a certificate of occupancy was obtained, which was obtained on July 28, 2009 as mentioned above.

The applicant submitted an application again (CUP2014-00077), to use a cargo container on the site for storage and eventual conversion to a commercial kitchen. The applicant also submitted an application for a new sign under CUP2014-00020. The applicant requested an extension for the sign on April 16, 2015 and removed the cargo container from the property. The applicant never installed the sign, therefore has included adding the new sign under this current application (CUP2018-00040).

Zoning and Land Use

3. Pursuant to the Yakima County Unified Land Development Code, Title 19, the subject parcel is within the Agriculture (AG) zoning district. In accordance with the Yakima County Comprehensive Plan – Horizon 2040, the property is designated Agricultural Resource.

Horizon 2040 LU-ER-AG 1.5 states "Allow for accessory uses, including non-agricultural accessory uses that support, promote, or sustain agricultural operations and production. Such accessory uses may include bed & breakfasts, boarding houses, restaurants, event facilities and other amenities that are determined to support agriculturally related entrepreneurial efforts."

The subject parcel is 1.42 acres in size. Parcels to the north and east are in the AG zoning district and range in size from 0.75 acres with house sites to 18+ acres in agriculture production. Parcels to the west are within the Light Industrial (M-1) zoning district and range in size from 0.69 acres with a house site and 16.5 acres in agriculture production. Parcels to the south are within the jurisdiction of the City of Moxee.

Jurisdiction and Process

4. This proposal is being reviewed as an expansion to a bed and breakfast. A Bed and Breakfast is defined as "a structure designed for and occupied as a single-family residence with not more than five guestrooms used to provide temporary traveler's accommodations and meals for a fee for not more than 30 days. Bed and breakfast inns with three or more guest rooms are licensed under the Department of Health's transient accommodation license (YCC 19.01.070).

According to YCC Table 19.14-1, "Bed and Breakfast inn with a maximum of five guest bedrooms and/or receptions, group meetings and/or special gatherings" are a Type 2 use in the AG zoning district. Type 2 uses are generally allowed uses that must be reviewed by the Administrative Official and may be conditioned to ensure compatibility and compliance with the zoning district and the comprehensive plan, *Horizon 2040* (YCC 19.30.030(2)).

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 (Finding #9(1)), the Fire and Life Safety Division and the Yakima Health District listed below.

The Yakima Health District commented:

"SEPTIC: A preliminary review shows the septic system may be sized to handle this project, but the design capacity is increasing with the addition of a bedroom and a kitchen. A more thorough review will need to be done to determine if this system is adequate. No construction can occur on or over the septic system. A grease trap may be required for the kitchen.

WATER: There is an existing water system serving this property (The Bradley House, ID# AB755 D). This system may be out of compliance because there is no record of samples being submitted to the state since 2013. This water system will need to be brought back into compliance with the state.

FOOD: A food license will be required from the Yakima Health District to operate a kitchen."

Staff Finding: *The applicant shall comply with the requirements of the Yakima Health District as a Condition of Approval and prior to the issuance of building permits. For questions regarding their comments, please contact Ted Silvestri at (509) 575-4040.*

The Fire and Life Safety Division commented:

"Fire code permit required for proposed structures in addition to building and supplemental permits as needed."

Staff Finding: *The applicant shall apply for a Fire Code Permit as a Condition of Approval, and prior to the issuance of building permits. Please contact Chris Pedersen with the Yakima County Fire and Life Safety Division regarding this comment at (509) 574-2300.*

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 April 12, 2018, with the comment period ending April 27, 2018. No comments were received from outside agencies or adjoining property owners.

Review Criteria for Conditional Use Permits

7. "Type 2 Administrative Uses shown on the Allowable Land Use Table 19.14-1 in Chapter 19.14 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 Administrative 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" (YCC 19.30.030(2)(b)(iv)).

*Staff Finding: The expansion of the Bed and Breakfast is compatible with the character of the immediate surrounding area and is in accordance with Rural Land Use policies of **Horizon 2040**. Policy LU-R 6.1 "allow a mix of commercial, industrial, residential, public and economic resource-related uses that serve the needs of local residents." The subject parcel is adjacent to the city limits of Moxee and adjacent to the west of the subject parcel, a large tract of land is within the Light Industrial zoning district. The subject parcel is a cluster of small residential lots within the AG zoning district adjacent to the large tracts of AG land to the north and east. The proposed expansion of the existing Bed and Breakfast should not have an adverse impact on the surrounding land uses.*

Additionally, Horizon 2040 LU-ER-AG 1.5 states "Allow for accessory uses, including non-agricultural accessory uses that support, promote, or sustain agricultural operations and production. Such accessory uses may include bed & breakfasts, boarding houses, restaurants, event facilities and other amenities that are determined to support agriculturally related entrepreneurial efforts."

Review Criteria for Bed and Breakfast Inns (19.18.110)

8. Bed and breakfast inns, as defined in Section 19.01.070, shall be subject to the following requirements:

- a) Located within Residence. Bed and breakfast inns may only be permitted within the zoning districts when established within an existing single-family residence.

Staff Finding: The expansion of the Bed and Breakfast is within the existing house that was established as a Bed and Breakfast under CUP2004-00077.

- b) Outside Appearance. Bed and breakfast inns shall be operated so as not to give the appearance of being a business. The inn shall not infringe upon the rights of neighboring residents to have peaceful occupancy of their homes. Minimal outward modifications of the structure or grounds may be made only if such changes are compatible with the character of the area or the neighborhood.

Staff Finding: The subject parcel uses arborvitae around the perimeter to minimize outward appearances of a business.

- c) Owner/Manager Occupied. Bed and breakfast inns may be occupied and operated by the owner or by a hired manager. No additional dwelling shall be placed on the same lot as the bed and breakfast inn.

Staff Finding: The Bed and Breakfast is owner occupied, according to the Assessor's website and application materials.

- d) Meals. Meals shall only be served to guests taking lodging in the inn. Restaurants may be allowed where specified by the zoning district.

Staff Finding: The Bed and Breakfast does not include a restaurant open to the public.

- e) Number of Guest Rooms. The number of guest rooms shall not exceed five or the number specified in the Allowable Land Use Table 19.14-1 in Chapter 19.14, whichever is less.

Staff Finding: According to the applicant's narrative and site plan, there are currently four (4) bedrooms associated with the Bed and Breakfast and one private bedroom for the owner. This proposal includes in its expansion one more bedroom associated with the business for five rental bedrooms and one bedroom for the owner totaling six (6) bedrooms.

- f) Parking. One off-street parking space per guest room shall be provided. The front yard area shall not be used for off-street parking for bed and breakfast guests unless the parking area is screened and found to be compatible with the neighborhood.

Staff Finding: The applicant has 37 existing parking spaces which are located to the north (side of the lot) and screened with arborvitae from the adjacent residence to the north. YCC 19.22-1 requires 1 space/each guest room, plus 2 for the facility totaling seven (7). For meeting rooms, the applicant shall provide 1 space/4 seats. The banquet hall will hold 120 seats requiring 30 parking spaces. The total required parking is 37 spaces, and the applicant states in their narrative that they have 37 parking spaces, meeting the parking space requirements for the facility.

- g) Signs. One non-illuminated or externally illuminated sign not to exceed the maximum size allowed within the zoning district in which located and bearing only the name of the inn and/or the operator shall be permitted.

Staff Finding: The applicant proposes a 32 square foot sign, five feet in height, and externally illuminated as an on-premise sign for the business. A sign was proposed under CUP2014-00020 but was never installed.

- h) Special Events. The Reviewing Official may authorize use of the bed and breakfast inn for special events such as receptions and group meetings based upon:
- i. The maximum capacity of the indoor meeting facilities within the inn as established in YCC Title 13;
 - ii. Access and availability of adequate off-street parking facilities;
 - iii. Public health considerations;
 - iv. Compatibility with the surrounding neighborhood; and
 - v. In residential zones (RS, RT, R-1, R-2, R-3), the number of such events shall not exceed 12 per year. The Reviewing Official may consider additional events subject to the approval of an administrative adjustment under Section 19.35.020.

Staff Finding: The expansion includes a 2,300-square foot event space with banquet space that will accommodate 120 seats, which will require that it be sprinklered. The applicant shall apply for a Fire Code Permit as a Condition of Approval, and prior to the issuance of building permits. Please contact Chris Pedersen with the Yakima County Fire and Life Safety Division regarding this comment at (509) 574-2300.

- i) Retail Sales. Sales of items promoting the inn may be allowed as an accessory use. Other commercial uses, such as gift stores, art galleries or the like, may be allowed under separate application only.

Staff Finding: The applicant does not mention retail sales in the narrative. If they choose to include a gift store, art gallery, or the like in the future, the applicant will need to submit a new Conditional Use Permit.

Development Standards

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

- j) **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 expansion of the Bed and Breakfast will comply with the AG zoning district and the development standards of YCC 19.10.040, provided the above conditions are met.

- k) **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 standard.

- l) **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 Yakima County Transportation Division had the following comment:

"Birchfield Road is an adequate roadway. Access approved under RAP 2008-00099. No issues.

Staff Finding: The applicant complies with requirements of the Transportation Division.

- m) **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: Bed and Breakfast businesses are allowed as Type 2 uses in the AG zoning district according to the Allowable Land Use Table 19.14-1.

- n) **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 new banquet room will require a sprinkler system. The applicant shall obtain and finalize all necessary permits for the expansion of the Bed and Breakfast from the Yakima County Building and Fire Safety Division. For more information, please contact the Yakima County Building and Fire Safety Division at (509) 574-2300.

- o) **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. The subject parcel fronts a Minor Arterial (Birchfield Road) and structures shall meet a setback of 25 feet from the planned edge of right-of-way. The interior setback to the north shall meet a 5-foot setback for accessory structures and, 50 feet from the centerline of the private road (Mieras Road) to the south/side setback. The rear setback is 10 feet from the property line of the adjoining lot.

Staff Finding: Based on the provided site plan the new banquet room is to the rear of house and meets the rear setback. The new bedroom is to the front of the house and meets the front setback, according to the site plan submitted with the application.

- p) **Vision Clearance Triangles at Intersections and Driveways:** (YCC 19.10.040(7)) “A vision clearance triangle shall be maintained at all driveways and curbscuts, 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 materially impede vision between the heights of two and one-half and ten feet above the centerline grade of the streets.”

Staff Finding: The applicant does not propose to place any structures in the Vision Clearance Triangle, therefore meeting this standard.

- q) **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 19.11.010-2, the maximum lot coverage and building height is not specified in the AG zoning district.

- r) **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 has a fence and has planted arborvitae on north, south, east and west property lines that is now 8-12 feet in height. The north property line that is adjacent to a residence has a six-foot high block wall. In the future if fences, walls or recreational screens are proposed they shall comply with the standards set forth in YCC 19.10.040(9) above.

- s) **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 is not proposing any exterior lighting with this project. However, in the future if exterior lighting is proposed it shall comply with the standards set forth in YCC 19.10.040(10) above.

- t) **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 located in a floodplain, therefore a pre-application meeting was not required for this development.

- u) **Stormwater Requirements:** (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."


Staff Finding: This Decision conditions that all stormwater generated on the subject parcel be retained on site. Please contact the Water Resources Division, at (509) 574-2300 for questions regarding soils and stormwater.

DECISION

Based upon the above findings, the Yakima County Administrative Official hereby Conditionally Approves the application of Bradley Simmons, for an expansion to the existing Bed and Breakfast, subject to the conditions listed above.

Administrative Official: LYNN DEITRICK, AICP

Designee:



Jason Earles
Planning Section Manager, Subdivision/Zoning

Date:

06/13/18

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., 06/27/18. 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 Dinah Reed, Senior Project Planner, of our staff at (509) 574-2300.

Attachments:

- A. YCC 16B.07.050 – Compliance, Extension, Expiration and Reinstatement
- B. Application
- C. Narrative
- D. Site Plan
- E. Internal comments

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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.



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

- (3) 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
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Please Answer the Following Questions (Please attach a separate sheet if needed):

- Are you applying for a: Type 1 Type 2 Type 3 Type 4
- What is the proposed use, as listed in YCC Table 19.14-1? Bed & Breakfast
- What is the size of the subject property? (Amount of acreage or square feet): 60,848 Sq. Ft.
- What is the size and use of structures currently located on the property? 2892 Bed & Breakfast
- What is the size, height and use of structures proposed to be placed or constructed? 3200 Sq. Ft. includes 900-1 bedroom 2300 EVENT SPACE
- List other permits and approvals that will be required. Building PERMIT, Plumbing, Electrical, FIRE
- Will the project be conducted entirely within a structure? Yes No
If no, explain what outdoor activities would occur: Wedding & Like Events
- Total number of employees? 2
- How many parking spaces are you proposing? Existing: 37 Proposed: 0 Surface Type: Asphalt & gravel
- Will you have a sign? Yes (if yes, please answer the following questions.) No
 - How many signs are proposed? 1
 - What is the square footage of the sign? 32
 - What is the height of the sign? 5'
 - Will the sign be illuminated? Yes No
 - If the sign is illuminated, how will it be illuminated? Internally Externally
 - Where will it be located? ON ANGLE AT CORNER of Birchfield & MIERAS
- What is the name of the road that the proposed/existing access is located on? Birchfield
 - 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)
 - Is the road constructed out of: Pavement Gravel Dirt
 - How wide is the Right-of-Way/Easement? 60
 - How wide is the surface of the road? ASPHALT
- How will you manage storm water runoff? IN the LANDSCAPING ON SITE

Attachment: B

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

a. Fence Material: with Arborvitae SEE SITE

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)? Arborvitae 8-12 Tall
SEE SITE PLAN

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

If yes, what type and what is the location? Arborvitae on property line

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

16. What are the days & hours of operation? Days: 7 Hours: 24

17. Will the operation be seasonal? If so list months of operation: NO

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: AB755D

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

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.

Attachment: C



TRADITIONAL DESIGNS, INC.

TRADITIONAL DESIGNS INC

COMMERCIAL AND RESIDENTIAL DESIGN
RON PELSON AND BRAD KESSINGER, OWNERS/DESIGNERS
104 S. 4TH AVE. YAKIMA WA 98902 (509) 452-7604

The current use is a Bed & Breakfast, air B&B, plus wedding venue. There are three bedrooms for rent plus the owner space is about 3884 sq. ft. plus or minus according to the assessors report and an existing 30' x 24' banquet room.

The proposed plan is to add (1) bedroom and a 2336 sq. ft. new banquet room for wedding space in case of rain. A bathroom for events is also proposed so the event guest does not need to rent all the Bed & Breakfast rooms for use of restrooms.

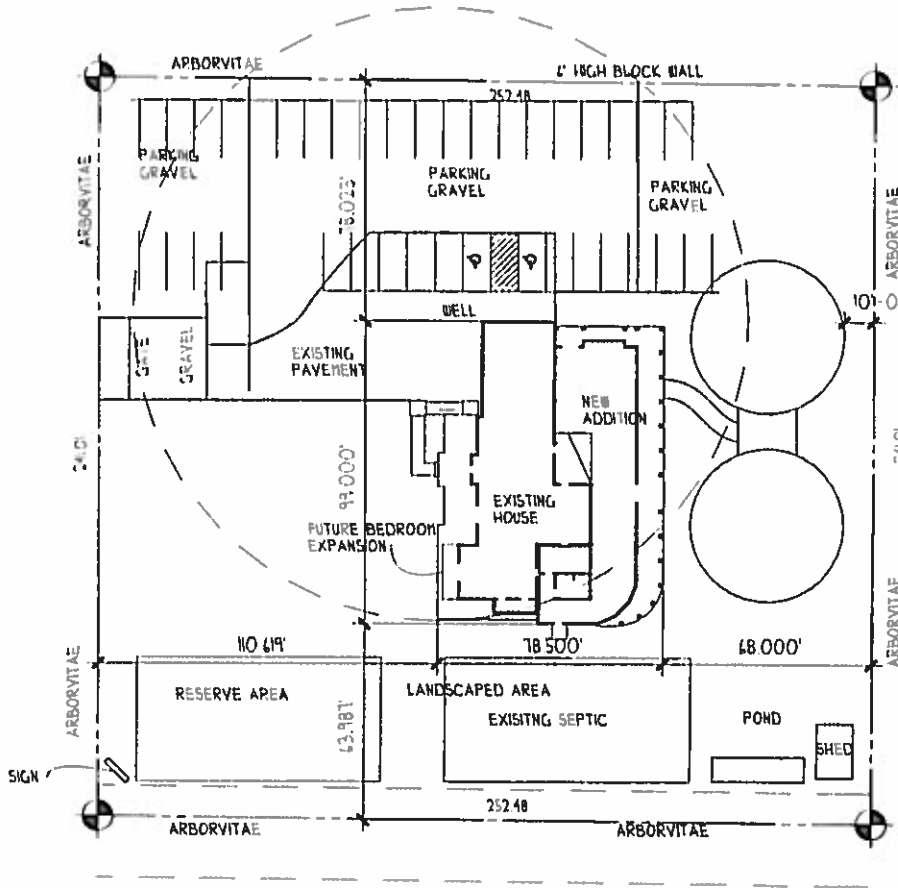
The paved and gravel parking was put in with the original approval for the Bed & Breakfast and outside events. The property is accessed off Birchfield Road. The plan would be to start construction in June and be done January or February of 2019. Earlier if possible.

I would also like to get approval to put a roof on the concrete circular pads in the back yard within the next 3 years, as well as get approval to expand the bedroom on the first floor out under the existing covered patio. The building permits at the time of construction will be obtained.

I would like to request reapprove of the sign that was approved under CUP2014-00020 as it was not installed.

Attachment: C

BIRCHFIELD ROAD



MIERAS ROAD

LOT COVERAGE CA

PARCEL # 1437143405
ADDRESS 171 BIRCHFIELD RD, YAKIM

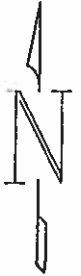
60,848 - TOTAL LOT AREA
9,547 - ASPHALT AREA
7,142 - BUILDING & COVERED

(27.4%) 16,600 - TOTAL COVE
(72.5%) 44,159 - TOTAL LAND

PARKING CALCULATION

B&B 5 ROOM 11/ROOM = (6) SPAC
EXHIBITION HALL 2500/100 = (25) SPA

(31) TOTAL NUMBER SPACES REQ.
(37) TOTAL NUMBER OF SPACES PRO



SITE PLAN

SCALE : 1" = 20'

Attachment: D

Internal Comments

Building Division:

3/27/2018 No flood plains located on parcel. Building permit required for proposed structures in addition to fire code and supplemental permits as needed. No other issues or concerns. MLB

Fire & Life Safety:

Fire code permit required for proposed structures in addition to building and supplemental permits as needed.

Yakima Health District:

SEPTIC: A preliminary review shows the septic system may be sized to handle this project, but the design capacity is increasing with the addition of a bedroom and a kitchen. A more thorough review will need to be done to determine if this system is adequate. No construction can occur on or over the septic system. A grease trap may be required for the kitchen.

WATER: There is an existing water system serving this property (The Bradley House, ID# AB755 D). This system may be out of compliance because there is no record of samples being submitted to the state since 2013. This water system will need to be brought back into compliance with the state.

FOOD: A food license will be required from the Yakima Health District to operate a kitchen.

Transportation Division:

Birchfield Road is an adequate roadway. Access approved under RAP 2008-00099. No issues.

Attachment: E