

## **Detailed Narrative**

The proposed plan amendment is to change the plan designation and zoning of two parcels consisting of 56 acres from Agricultural Resource / Agricultural to Rural Self Sufficient / Rural 10/5. This property has been in agricultural production in the past but no longer has irrigation.

Although not included in the application, some of the analysis includes four additional parcels that front on Roza Hill Drive north of the subject property. These parcels are non-agricultural lots with the possible exception of 191324-12412. Two of them have homes and one of the parcels has probably never been in agricultural production.

The application is being made due to a substantial change in circumstances. In 2014, the applicant sold the west half (+/-) of the 100+ acre property to Loftus Ranches, a large commercial grower. All of the irrigation water rights associated with the property were included in the sale because they were considered necessary by the buyer and because the water right certificate limited them to the west half of the Northeast quarter section, thereby excluding all of the remaining property that is now the subject of this application. The property has no irrigation rights and is not suitable for non-irrigated agriculture. Without irrigation, the property is more like adjacent lands to the east in character than it is agricultural land to the west and south.

The larger, 53 acre +/- parcel in the application is now vacant/undeveloped. There are no existing wells or septic systems. The smaller three-acre parcel is developed with a single-family residence and it is served by an individual well and septic system. A private gravel road crosses the larger property to serve the residence. There are no known cultural, archaeological or historic resources and the soils have been extensively disturbed on the site due to past farming practices.

The property, including the portion that was recently sold, was subdivided into several short plat lots during the 1970's. The current owner later reconfigured the lots to cluster them around the perimeter of the property using a series of boundary line adjustments to reduce their impact on the agricultural use of the property. Boundary line adjustments and exempt segregation was used to configure the two large parcels now existing, including the property that is the subject of this application.

Access is available to the site by 50 and 60-foot-wide access easements extending south from Roza Hill Drive, a hard-surfaced County road. To our knowledge there are no "public" (Group B) water systems in the vicinity. Other site-specific characteristics of the property, including existing and historical land use, soil types, and its suitability as resource lands are discussed in detail later in this narrative.

- a. **The proposed amendment is consistent with the Growth Management Act and requirements, the Yakima County Comprehensive Plan – Horizon 2040, applicable City comprehensive plans, applicable capital facilities plans and official population growth forecasts and allocations:**

**Growth Management Act**

As shown in this narrative, without irrigation, the property no longer conforms to the mapping criteria for Agricultural Resource from the Comprehensive Plan but does conform to the mapping criteria for the Rural Self-Sufficient plan designation. It is more like RSS designated lands to the east. Through the adoption of comprehensive plan policies and implementing development regulations, the County has established the level of development that is acceptable in RSS designated areas in order to meet Growth Management Act objectives of controlling sprawl, encouraging efficient residential development and encouraging it to occur in urban areas. Rural designated lands are limited to decreasing allowable densities based on the availability of hard-surfaced roads and fire protection service, the severity of slopes and other critical areas. The designation of rural areas was not based on an analysis of expected population growth, but was applied to areas that were not otherwise resource or urban lands, with the decreasing allowable density standards used to control growth within them. De-designation of the property is consistent with the GMA objective of protecting resource lands of Statewide significance, since the property no longer qualifies for that designation. Measures, including those required by the development code, can be used to reduce the potential for compatibility conflicts with adjoining agricultural resource areas.

The proposed plan designation and zoning change would increase the potential number of dwelling units that could be permitted on this property in the planning period up to 2040 by 7 dwelling units based on the presumed size of the larger parcel (53 acres). The property is suitable for this level of development provided that it can be accomplished within limited available domestic water rights. Public services are available, although the need is not substantial since as the name implies, the level of development has an emphasis on self-sufficiency. The 3-acre parcel cannot be further subdivided under either existing or proposed zoning.

Planning goals from the Growth Management Act (RCW 36.70A.020) and the relationship that this application has to them include:

Reduce Sprawl – Reduce the inappropriate conversion of undeveloped land into sprawling low-density development.

*Proposed development of the site would be required to meet the density requirements established under the Comprehensive Plan for Rural Self-Sufficient development. Portions of the property is rolling, has steep slopes and a natural drainageway. These elements can be incorporated into development and as appropriate, protected as open space.*

Housing – Encourage the availability of affordable housing to all economic segments of the population....Promote a variety of residential densities and housing types....

*The request would allow low density residential housing as allowed under the Rural Self-Sufficient plan designation and increase the amount of housing stock in order to keep it affordable. Current market conditions indicate a tight housing supply and this would add to it within the limitations of the Rural Self-Sufficient plan designation.*

Natural Resource Industries – Maintain and enhance natural resource based industries, including productive timber, agricultural and fisheries industries. Encourage the conservation of productive forestlands and productive agricultural lands and discourage incompatible uses.

*As this narrative will show, the subject property is not and should not be considered productive agricultural land. It is more suitable for the proposed plan designation and should be allowed to develop under that designation taking the pressure off of more productive lands. It borders agricultural lands and measures to address compatibility issues would be appropriate.*

### **Yakima County Comprehensive Plan – Horizon 2040**

The plan provides for the protection of economic resource lands including agricultural land of long-term commercial significance. It also includes policies for the development of rural lands, which are outside of urban growth areas and not economic resource lands. Rural areas allow low to moderate densities that can be supported and sustained without urban services. This application intends to show that the subject property better meets the definition of rural areas, that services are available or can be provided to support allowed low densities and that adverse effects on nearby agricultural lands can be addressed.

The following goals and policies are relevant. The request is consistent with them unless stated otherwise in italicized text:

Goal ED 1: Promote economic growth while maintaining environmental quality.

Policy ED 1.1: Coordinate economic development with environmental, resource and other comprehensive plan policies and measures to maximize the community's overall quality of life.

Goal ED 4: Preserve and enhance the County's resource-based economy.

Policy ED 4.4: Discourage incompatible development in resource areas.

*Setbacks, buffers, low density and other measures prescribed by the development code can be used or imposed at the time of development to address compatibility concerns.*

Goal CF 4: Ensure that capital facilities necessary for development are available and adequate to serve the development, based on the County's adopted minimum level of service standards.

Policy CF 4.2: Evaluate each application for development proposal to ensure that it will not cause the adopted minimum level service standards for capital facilities to decline below the standards adopted in Policy 3.2.

Goal LU-R 1: Maintain the Rural character of the County.

Policy LU-R 1.1: Ensure that only rural densities and uses are permitted.

Goal LU-R 5: Provide a variety of residential lifestyles in the Rural area.

Policy LU-R 5.1: Designate a variety of rural residential zones based on carrying capacity of the land, protection of the area's rural qualities, and availability of basic services.

Policy LU-R 5.2: All land within the rural area should be categorized into the following classifications:

- Rural settlement areas;
- Rural Transitional areas;
- Rural Self-Sufficient areas; and
- Remote Rural/Extremely Limited Development Potential areas.

*These areas are defined by the availability of services and severity of development constraints. Rural Settlement and Rural Transitional areas have other characteristics that would not apply to the area in this application.*

Goal LU-R 10: Provide areas where an independent, private lifestyle can be sustained.

*This request is consistent with Policies LU-R 10.1 to 10.6 which are not shown here because they are the basis for the map designation requirements and are discussed later in this narrative.*

Goal H 1: Sufficient housing should be available to meet the needs of the existing and projected population, including a diversity in the type, density and location of housing within the County.

Objective: A variety of housing types, neighborhood settings, price ranges, amenities, natural settings, and proximity to transportation, employment, shopping, and other daily activities, should be available within the framework of established urban-rural land use policies.

Policy H 1.1: Allow for a variety of housing types in appropriate areas of the County.

Policy H 1.2: Encourage development of new housing with the Urban Growth Areas where facilities and services exist or are planned.

*This request is consistent with providing a diversity in the type, density and location of housing. The property offers unique and favorable characteristics in natural settings and relative proximity to employment, shopping, etc. It is not in an urban growth area where development is encouraged, but is otherwise within the framework of established urban-rural land use policies.*

Goal H 5: Minimize conflict between housing developments located within or adjacent to forest, agricultural and mineral extraction sites, and those activities associated with resource use and management.

Policy H 5.1: New residential construction adjacent to designated forest, agricultural or mineral resource lands should be designed and sited to reduce potential conflicts between residents and adjacent resource lands.

Policy H 5.2: Housing in designated agriculture, mineral and forest lands should be considered secondary to the primary use of those areas.

Policy H 5.3: Protect critical areas from development.

*Development of this site is or can be done in such a way that it is consistent with Policies H 5.1 through H 5.3.*

#### **Applicable City Comprehensive Plans**

None applicable.

#### **Applicable Capital Facilities Plans**

No identified effect on the Capital Facilities element of the Yakima County Comprehensive Plan, and no other capital facilities plans are known to be affected. Access is from an existing hard-surfaced County road, and interior access for any development would utilize public or private roads as required by applicable development standards.

It is expected that any new development would either use individual on-site water or sewer systems or shared and community systems, depending on the number of units being proposed and applicable development requirements. If a community water system is established, Yakima County could take over its operation as a Satellite Management Agency (SMA). In such a case, level of service standards described in the Capital Facilities element would be applied, but it is expected that such a system would have to be developed to a level in which the standards are being met in order to be approved and accepted by the SMA. It is not necessary for Yakima County to become the designated SMA, since other organizations are available to fulfill this role.

Other capital facilities and public services such as parks and solid waste collection would be affected minimally given the number of potential dwelling units, low density and distance from facilities.

#### **Official Population Growth Forecasts and Allocations**

For the purposes of this analysis, it is assumed that under the existing plan designation and Agricultural zoning classification, up to three dwelling units are possible on the larger 53 +/- acre property in the application. If the three-acre lot in the application and the four lots with frontage on Roza Hill Drive are included for the sake of analysis, the number of possible dwelling units increases to 10. This would include the three existing residences and three additional residences

on the existing vacant parcels. It assumes that one additional lot could be created on each of the three existing parcels that are greater than three acres in size, recognizing that under the development code it could take from five to fifteen years for this to happen. Finally, the large parcel in the application has enough acreage to allow for a second farm dwelling.

Under Rural 10/5 zoning, the number of permitted dwelling units on the 53 acres in the application is 10 based on one dwelling unit per five acres. This represents a potential increase of seven dwelling units from that which would be allowed under current zoning and plan designation, or 21 additional persons, based on 2.97 persons per dwelling unit<sup>1</sup>.

According to the current comprehensive plan (Horizon 2040), projected population growth for Year 2040 in rural and resource areas of the County is 15,877 residents and vacant acreage in existing rural designated areas would accommodate 27,652 new residents.<sup>2</sup> This is based on a number of assumptions and does not account for the unknown proportion of these residents that would move into Agricultural Resource and other resource zones rather than rural areas.

Based on the above assumptions, the number of new dwelling units in both the property in the application and neighboring lots, including the small lots fronting on Roza Hill Drive, would be 14 (subtracting out the three existing dwellings) for projected 42 new residents. Of these, seven dwelling units (21 residents) are already possible under the current Agricultural Resource plan designation and the remaining seven dwelling units (21 residents) would be added to the projected number of new residents in rural designated areas. Everything else being equal and if all underlying assumptions are correct, the proposed plan amendment would increase the number of new residents in rural areas from 15,877 to 15,898 and the potential number of new residents in Rural Self-Sufficient plan designated areas would increase from 10,586 to 10,607.

An important conclusion is that for the four parcels fronting on Roza Hill Drive and the three-acre lot that is in the application, the number of potential dwelling units and new residents does not change whether these properties keep their Agricultural Resource plan designation as a result of the proposed map change or they eventually themselves are designated Rural Self Sufficient.

**b. The site is more consistent with the criteria for the proposed map designation than it is with the criteria for the existing map designation.**

The site is more consistent with the mapping criteria for Rural Self Sufficient than it is for Agricultural Resource primarily because of the change in circumstances cited above. Without the availability of water for irrigation it does not meet the criteria for agricultural land of long-term commercial significance as defined by State law (Growth Management Act). None of the property included in this application is devoted to the commercial production of horticultural, viticultural, floricultural, dairy, apiary, vegetable, animal products, berries, hay, grain, straw, turf, seed, Christmas trees or livestock (RCW 36.70A.030(2)). Without irrigation, the land is not being used or capable of being use for agricultural production (WAC 365-190-050(3)(b)).

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<sup>1</sup> This is the number of persons per dwelling unit being used in comprehensive plan projections, based on Office of Financial Management counts and projections. We are using it to maintain consistency with the calculations in the plan.

<sup>2</sup> Horizon 2040, Yakima County Comprehensive Plan, 2017 Update; pp 39 – 40.

None of the site has soils that are designated prime farmland by NRCS soil mapping.

None of the property is in agricultural use.

There are no crops or commercial agricultural, high-value or otherwise, on the property.

There is no farm worker housing or family farm dwellings.

There are no packing or cold storage plants on the property and no other improvements related to the production, marketing or distribution of crops.

The property is not in an irrigation district and irrigation water is no longer available for reasons described in this application.

There is no dryland farming, commercial pasture or grazing on the site or in the surrounding area.

The property is not in a current use assessment program. It had a current use designation, but it was removed involuntarily in 2015 for the reasons described in this application – it is no longer being irrigated or in agricultural production.

The property meets two of the seven mapping criteria for Agricultural Resource designation: It is located outside of established urban growth areas. We have not determined if it was previously zoned Exclusive or General Agricultural, but it probably was zoned for one of them. De-designation criteria are addressed below.

The property meets the mapping criteria for Rural Self-Sufficient as follows:

1. For reasons given in this application, the property does not qualify as resource land of long-term commercial significance. It is being assessed as agricultural land for dryland/rangeland, but it is not in open space (current use tax designation).
2. It is outside of established urban growth areas and Rural Settlements.
3. Although there are steep slopes on the property, they are not predominant; there are sufficient locations for building sites that would conform to the density requirements of Rural Self-Sufficient. None of the other development constraints specified in the mapping criteria for Rural/ELDP are present.
4. Soils are generally suitable for on-site potable water supply and septic systems. Severe limitations for drainfields as described by the NRCS Soil Survey are due to slope in steeper parts of the site, depth to rock, hardpan and slow percolation. They do not include flooding, wetness or poor filtration. Steep slopes are limited on the site and can be avoided as described. The other characteristics can be overcome by design. Their impact is in terms of cost and they may require larger sites than would locations with more

suitable soil characteristics. This is consistent with the low density prescribed by the RSS designation.

5. The site is located in Yakima County Fire District 4. The nearest fire stations are 3 road miles away in Terrace Heights and 4½ miles away in Moxee.
6. Access to the property is from Roza Hill Drive, a hard-surfaced County road. Non-exclusive access easements 50 to 60 feet in width extend from Roza Hill to the property and there is a private gravel road. Whether or not this is considered to be “all-weather” access, these circumstances are consistent with YCC 19.11.030(3)(a)(ii) standards for one dwelling unit per five-acre density in the Rural 10/5 zone if the access is improved to YCC 19.23 requirements at the time of property development.



**c. The map amendment or site is suitable for the proposed designation and there is a lack of appropriately designated alternative sites within the vicinity.**

The site is suitable for the proposed designation as already described. While there are alternative sites in the vicinity for low density residential development, there are also better alternative sites in the vicinity for agricultural production based on availability of irrigation water and soil suitability. This property has excellent characteristics for residential view sites and has better access than much of the other view-property located to the east and north in areas that are not served by hard surfaced public roads. It is also relatively close to the urban area with direct access into the city.

**d. Substantial evidence or a special study has been furnished that compels a finding that the proposed designation is more consistent with comprehensive plan policies than the current designation.**

Evidence being provided that the proposed designation is more consistent with comprehensive plan policies than the current designation consists of the following:

- i. Water right certificate that limits the place of use for irrigation rights to the west half of the Northeast section quarter.
- ii. Excerpt from recorded purchase contract (AFN 7838015) that shows all water rights were conveyed to the Loftus Ranches purchase, and references specifically the Certificate of Water Right identified above.
- iii. NRCS soil information and classifications that demonstrate the soils on most of the property are poor farmland with severe limitations, especially when not irrigated. This documentation is being referenced, although copies can be provided if necessary.
- iv. Site map showing NRCS soil designations, obtained from Yakima County Geographic Information System.

**e. The future land use map amendment must be found to do one of the following:**

**Respond to a substantial change in conditions beyond the property owner's control applicable to the area within which the subject property lies.**

In 2014, the property that comprised the western half (more or less) of the Crosier Orchards farm was sold to Loftus Ranches, a large commercial grower. It was necessary for all of the irrigation water rights for the property to be included in the sale in order to provide for water needed by the grower and because the certificate identified the west half of the quarter section (generally corresponding to the area that was sold) as the place of use for the water rights. The well is also located in the purchase area. These circumstances were beyond the property owner's control for the following reasons:

- a. The purchaser required all of the water rights for the property and the well in order to complete the transaction.
- b. The purchaser was not willing to buy the entire property due in part, to the place of use limitation of the water right certificate.
- c. The water rights were not acquired or developed by the applicant, but rather by a previous landowner.

The beneficial owner of the property is at retirement age and this purchase and sale transaction was a realistic opportunity to keep as much of the property as possible in long term agricultural production. The purchaser is a major agricultural concern so the likelihood that the property that was sold would be converted to non-agricultural use is considered to be low. As a result of the sale and removal of the east half (subject to this application) from production, the property was involuntarily removed from current use tax status by the County Assessor.

**Better implement applicable comprehensive plan policies than the current map designation.**

The proposal better implements the following comprehensive plan policies than the current map designation. This is because without irrigation, the property becomes unusable as agricultural resource land and does not support the rural character and economic growth and development as stated in these plan policies.

Goal ED 1: Promote economic growth while maintaining environmental quality.

Policy ED 1.1: Coordinate economic development with environmental, resource and other comprehensive plan policies and measures to maximize the community's overall quality of life.

Goal LU-R 1: Maintain the Rural character of the County.

Goal LU-R 5: Provide a variety of residential lifestyles in the Rural area.

Policy LU-R 5.1: Designate a variety of rural residential zones based on carrying capacity of the land, protection of the area's rural qualities, and availability of basic services.

Goal LU-R 10: Provide areas where an independent, private lifestyle can be sustained.

We also consider the following to support this finding:

In 2010, the Yakima County Commissioners de-designated 71.77 acres of property located southwest across Warrior Road from the site that is the subject of this application and rezoned it from Agricultural to Valley Rural (predecessor to current Rural 10/5 zoning classification)<sup>3</sup>. The change was approved following the failure by the Planning Commission to make a recommendation to the Board due to a split vote (3-3) on a motion to deny the request<sup>4</sup>. The findings made by the County Commissioners in approving the application were:

1. Bittner and Warrior Roads provide for a logical boundary for the RSS Plan and Valley Rural zoning in this area.
2. The property is no longer suitable for farming based on soils, slopes and testimony of the applicant and agent that orchardists in the area would not accept the property, even at minimal or no cost.<sup>5</sup>

The property that was the subject of that application has generally better soils than the subject property, including some prime soils. It has comparable slopes and is located in an Irrigation District<sup>6</sup>. The boundary of this request is logical as well, since it is bordered on the east by RSS designated land and without irrigation is more like those lands than agricultural lands to the west and south. The RSS designated property to the east is almost identical in terms of size (51.77 acres) and the Assessor has assigned it the same Agricultural – Not in Current Use tax designation as the subject property.

While not including the small lots fronting on Roza Hill Drive that border the property on the north is not as ideal from a zoning boundary standpoint, as already documented, this proposal has no effect on them because they are not agricultural parcels and the allowable residential density on those lots does not change under either plan and zoning designations.

**Correct an obvious mapping error.**

We are not asserting a mapping error. The original designation of the property was probably made due to previous Exclusive or General Agricultural zoning, its being part of a larger agricultural parcel and in production at the time. The basis of this request is that those circumstances have changed.

**Address an identified deficiency in the plan.**

The application does not address identified deficiencies.

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<sup>3</sup> Board of Yakima County Commissioners Ordinance No. 12-2010, adopted December 14, 2010; p. 2.

<sup>4</sup> Yakima County Planning Commission Findings of Fact and Recommendation, July 29, 2010; p.5.

<sup>5</sup> Ordinance 12-2010; p.2.

<sup>6</sup> Yakima County Planning Division Preliminary Staff Report ZON2010-08, April 2, 2010; pp. 9 & 17.

**De-designation criteria from the mapping portion of Chapter 5 – Land Use Element of Horizon 2040.**

1. Soils

The analysis must consider not only soil suitability and whether or not soils are considered to be prime farmland, but also slope, based on the premise that soil types may be less than prime due to slope, but may still be suitable to the production of tree fruits, and grapes. Suitability is based on NRCS soil classification and yield per acre for tree fruit or other crops.

The six soil types being analyzed are also on the small lots fronting on Roza Hill Drive and the property to the west that was sold in 2014. However, the relatively better soil types are more prevalent on those properties and much less so on the site that is part of the application. This supports a finding that based on the de-designation criterion for soils, the site is not suitable for any agriculture, irrigated or non-irrigated. But the level of unsuitability for non-irrigated agriculture is worse. The soils are analyzed as follows:

**Kiona stony silty loam, 15 to 45% slopes:**

**Soil suitability:** VI<sub>s</sub> non-irrigated, not designated prime farmland.

**Soil suitability of related soil type with lower slopes:** N/A

**Suitable for dryland and/or rangeland:** Yes

**Yield per acre:** None given

**Moxee silt loam, 2 – 15% slopes:**

**Soil suitability:** IV<sub>e</sub> irrigated, VI<sub>e</sub> non-irrigated, not designated prime farmland

**Soil suitability of related soil types with lower slopes:** N/A

**Suitable for dryland and/or rangeland:** Yes

**Yield per acre:** None for tree fruits, 6 tons per acre for alfalfa; 2 points on rating

**Moxee cobbly silt loam, 0 – 30% slopes:**

**Soil suitability:** VI<sub>e</sub> irrigated and non-irrigated, not designated prime farmland

**Soil suitability of related soil types with lower slopes:** N/A.

**Suitable for dryland and/or rangeland:** Yes

**Yield per acre:** None for tree fruits, 4 tons per acre for alfalfa; 0 points on rating.

**Selah silt loam, 5 – 8% slopes<sup>7</sup>:**

**Soil suitability:** III<sub>e</sub> irrigated, not designated prime farmland.

**Soil suitability of related soil types with lower slopes:** Selah silt loam, 2 – 5%, II<sub>e</sub> irrigated, designated prime farmland.

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<sup>7</sup> None of this soil type actually occurs on the property that is the subject of this application. It is found just to the west and in some of the small parcels to the north.

**Suitable for dryland and/or rangeland: No.**  
**Yield per acre: 770 bushels per acre, 3 points on rating.**

**Selah silt loam, 8 – 15% slopes:**

**Soil suitability: IVe irrigated, IIIe non-irrigated, not designated prime farmland.**  
**Soil suitability of related soil types with lower slopes: Selah silt loam, 2 – 5%, IIe, designated prime farmland.**  
**Suitable for dryland and/or rangeland: Yes**  
**Yield per acre: 750 bushels per acre, 3 points on rating.**

**Starbuck—Rock Outcrop complex, 0 – 45% slopes:**

**Soil suitability: VIIs, non-irrigated, not designated prime farmland.**  
**Soil suitability of related soil types with lower slopes: Starbuck silt loam, 2 – 15% slopes. IVe irrigated, is not designated prime farmland.**  
**Suitable for dryland and/or rangeland: Yes**  
**Yield per acre: None given**

**Source: NRCS Soil Survey of Yakima County, Washington; Yakima County Comprehensive Plan Horizon 2040, Agricultural Resource de-designation criteria.**

As described in the NRCS soil survey, soils on the site have higher suitability ratings for irrigated than for non-irrigated agriculture. Even then, most of the site (approximately 82 percent) has a capability classification of Six (VI) and Seven (VII) soils<sup>8</sup>. Class VI soils are described as having severe limitations that make them generally unsuitable for cultivation. Class VII soils have very severe limitations<sup>9</sup>. The subclass designations of 'e' and 's' are respectively, that the main limitation is risk of erosion and the soil being shallow, droughty or stony<sup>10</sup>. None of the soil classifications of the site are designated "Prime Farmland" by the NRCS, and only the Selah soil classification would have such a designation if the slopes were less steep.

When irrigated, the relatively better soils according to the Soil Survey are the Moxee and Selah soils located mostly along the north and west edges of the site. The best soil types are the Selah soils that cover a minimal (<1%) of the site and are more prevalent on the surrounding properties to the north and west. The Moxee and Selah soil areas have capability classifications of Three (III) and Four (IV), described as soils that respectively, have severe or very severe limitations that reduce the choice of plants. Class III soils require special conservation practices; and for Class IV soils, very careful management is required<sup>11</sup>. The Moxee soils can produce 4 to 6 tons of alfalfa per acre, according to the NRCS, and the Selah soils can produce 750 to 770 bushels of tree fruit per acre. Approximately 33 percent of the property (17.5 acres) has these soil types; about 9 acres

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<sup>8</sup> The Kiona stony silty loam is not rated for irrigated farmland.

<sup>9</sup> NRCS Soil Survey of Yakima County, Washington, p. 146

<sup>10</sup> Ibid.

<sup>11</sup> Ibid.

(17%) with 2 points under the County's suitability scoring scheme and 0.4 acre (<1%) with 3 points. The remainder (43.4 acres, 82%) earns no points.

It is these circumstances, along with the property having been in production in the past that may have led to its initial designation of agricultural land of long term commercial significance. Without irrigation, the analysis turns to site suitability as non-irrigated farmland.

For non-irrigated agricultural practices of dryland farming and rangeland, the capability classifications for all of the soils except for those with the Selah classification are Six (VI) and Seven (VII). The Selah silt loam – 8 – 15% slopes soil has a capability classification of IIIe, which is actually higher (more suitable) than its irrigated capability classification. But this soil classification, comprises 0.4 acre; less than 1% of the property. The suitability of the site for non-irrigated agriculture is limited mostly to rangeland because, according to the NRCS, the Moxee and Starbuck soil types that make up most of the property are not suited to dryland cultivation<sup>12</sup>. Also, dryland farming, pasture and grazing outside of irrigation districts is not predominant in the surrounding area; it is non-existent.

## 2. Proximity to the Urban Growth Area

The site is located from ¾ of a mile to 1 mile from the Yakima (Terrace Heights) urban growth area boundary.

## 3. Predominant Parcel Size

The larger parcel of the subject property is shown by Yakima County Assessor records to be 58.38 acres in size. However, surveying done at the time of the purchase and sale show it to have an area of 52.95 acres. We are using 56 acres, based on the survey plus the three acre smaller parcel, for the purposes of this application.

## 4. Availability of Public Facilities

According to the Comprehensive Plan, the typical facilities that would put development pressure on agricultural land are sewer, water and improved roads. Usually municipal sewer and water service is not available outside of urban growth areas, and that is the case here. Roza Hill Drive serves the property and is available to it by non-exclusive access easement that can be improved to appropriate standards at the time of development. Roza Hill was improved to hard surface in 2002.

Roza Hill Drive is designated a local access road along the frontage of the lots to the north; pavement ends at the end of the lots to the east. West of Warrior Road, Roza Hill Drive becomes a designated minor collector to Wendt Road, then a major collector from that point to where it merges with Terrace Heights Drive, which continues as a principal arterial into Yakima. As such, it is a direct transportation corridor to the City putting the

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<sup>12</sup> NRCS Soil Survey of Yakima County, Washington, p. 145

property in relative close proximity to the City and public services. Properties with direct access to this part of Roza Hill Drive would be more desirable and suitable for development than, for example, designated RSS lands to the north and east that are served only by unpaved private roads.

## 5. Tax Status

The subject property does not have current use tax status. It was in current use (Open Space) until the remaining property was sold in 2014 after which it was removed involuntarily because as a result of its not being farmed with no irrigation, it no longer qualified.

The property is assessed under Tax Code 81, Agricultural—Not in Current Use. This designation was assigned when the current use status was removed, based on the presumption that the property is or can be used for dryland farming or rangeland. Parcels of similar size in currently designated Rural Self-Sufficient and Rural/ELDP areas to the east have also been assigned this tax code classification by the Assessor although they are not in agricultural production.

The small parcels to the east and to the north on Roza Hill Drive are designated with Tax Code 11, Single Unit or Tax Code 91, Undeveloped Land. The property to the west is designated under Tax Code 83, Agricultural – Current Use.

## 6. Availability of Public Services

The public facilities that have level of service standards according to the current Yakima County Comprehensive Plan (“Horizon 2040”) are streets and roads, public sewer and public water service, parks and solid waste. All of these services are available, except for public sewer and water service, although parks are at some distance from the site and may be in less demand than would be the case in other areas. Law enforcement, fire protection service and public schools are all available.

The assumption that any new development decreases level of service may be true, but this should only be significant if the level of service is reduced below adopted standards. The effect of any service on development pressure should be based on its availability and its quality as perceived by home buyers to the extent that they are being considered in the home-buying decision.

There is no indication that the possible number of dwelling units would generate traffic levels that would lower level of service on Roza Hill Drive to below LOS C, the standard adopted for rural areas by the Transportation Element. The Condition Level of Service for Roza Hill Drive has not been determined, although based on its recent improvement (hard surfaced in 2002) and low traffic levels, it would seem that it should be acceptable.

Public sewer and water service is not available to the site, and any development would be of low enough density that it could be accommodated by on-site systems. The



comprehensive plan provides for level of service and considers Group B water systems to be capital facilities, when operated by the County as a Satellite Management Agency (SMA). However, operation or ownership of these systems by the County is not necessarily required and any new systems would be required to meet minimum adopted LOS standards as part of their development. Only if later expanded does level of service become a potential issue. It should be possible to develop these systems, if they are needed, in accordance with level of service parameters.

The Parks and Open Space Element of the Plan establishes a level of service standard of 12.9 acres of park per 1,000 residents. It then shows that neither the County, nor the Cities within the County meet the standard. Therefore, parks are no more or less available than they are to other locations in the County with population growth having no greater effect on them in one location versus the other. It could arguably be less here since distance from the site and large lot size may reduce the need by residents to use public parks relative to other areas.

LOS standards for solid waste management facilities and services given by the plan are on a County-wide basis and the limited number of homes that are possible on this site would have minimal effect on them. Proximity of the site to an urban area and to the Terrace Heights Landfill would suggest that waste collection services are more available to this site than to others that are more remote and distant. To the extent that this would place development pressure on any property, it should be expected to be the case here. However, this does not appear to be reflected in the LOS standards given in the plan.

Law enforcement is provided by the Yakima County Sheriff. The site is in Yakima County Fire Protection District #4 and the East Valley School District. Although the language given for this criterion by the comprehensive plan indicates that level of service standards have been adopted for police and fire departments, they are not found in the current or most recently adopted version of the comprehensive plan. In the originally adopted comprehensive plan, Plan 2015, LOS standards of 50 square feet per 1,000 population<sup>13</sup> was established for law enforcement and within 5 road miles of a year-round responding fire station in rural areas for fire protection.<sup>14</sup>

It is not clear what the law enforcement standard refers to or if it has or has not already been exceeded. Seven potential new dwelling units would reduce level of service by a very small amount.

The property would meet a level of service standard of being within 5 miles of year-round responding fire stations. From the standpoint of both law enforcement and fire / emergency service protection, the already referenced characteristics of this site, being in relative proximity to an urban area, proximity to fire stations and access to a hard-surfaced road, particularly one that has a high level of traffic capacity going directly into the City, may be considered to be preferable to other sites that are more remote or otherwise don't have these characteristics. The same may also be said about public

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<sup>13</sup> Not specific as what the 50 square feet refers to.

<sup>14</sup> Yakima County Comprehensive Plan 2015 (as amended December 1998), pp I-126 – I-127.

schools, although according to the current comprehensive plan there are no adopted level of service standards because schools were determined to not be necessary for development<sup>15</sup>.

#### 7. Land Use Settlement Patterns and their Compatibility with Agricultural Practices and Intensity of Nearby Uses

While there is always some potential for conflicts with the residential development to the north along Roza Hill Drive and to the east, they are not considered by the applicant to pose significant constraints on the ability to farm this property.

Properties west of Warrior Road and beyond become increasingly more developed and populated as one approaches the urban growth area. It is this level of development that should be considered to be placing some pressure on the site and surrounding area although these properties are far enough away from the site to not be directly incompatible with it.

While an argument could be made that changing the designation of this property would shift the potential for incompatibility to the agricultural lands to the south and west, this is not by itself supported by adopted land use policy – that a property owner is required to maintain a property that does not otherwise meet agricultural land designation criteria as a buffer from property that does. Agricultural setbacks and other measures have been established by the comprehensive plan and development code to address potential impacts along with maximum allowable density requirements.

#### 8. History of Land Development Permits Issued Nearby

Although we do not have access to the County's permit history database, 17 short subdivisions were identified within a one-half mile radius of the site. This does not include other qualifying types of land development permits that may have been issued or subdivisions that have been approved but not completed or applications that are still pending.

#### 9. Land Values under Alternative Uses

The property in this application is being assessed for agriculture at a rate of \$440 per acre. This is less than the market values shown by the Assessor for nearby agricultural parcels whether in current use or not, which have assessments ranging from \$1,400 to \$5,000 per acre (land only). It is also less than the agricultural properties in the RSS and R/ELDP designated areas to the east that have values between \$500 and \$1,400 per acre. These properties differ from the agricultural lands to the west and south in that most of them are shown to have soils for dryland and rangeland, just as the subject property has since it was removed from current use in 2015.

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<sup>15</sup> Horizon 2040, Yakima County Comprehensive Plan Update, Policy CF 3.2; p.28.

The 51.77-acre property to the east is designated Rural Self-Sufficient and zoned Rural 10/5. That property is valued by the Assessor at a rate of \$1,400 per acre, compared with \$440 per acre of the subject property. This indicates that while the property is not under pressure to be converted to non-agricultural use as result of higher than typical property taxes, it is not considered to have a very high value for agricultural use without irrigation. It is also more like the adjacent property to the east than it is to adjacent properties to the west and south. This request is to have this recognized with the designation of a comparable map designation and zoning.

- f. **A full range of necessary public facilities and services can be adequately provided in an efficient and timely manner to serve the proposed designation. Such services may include water, sewage, storm drainage, transportation, fire protection and schools.**

#### **Water**

Water service appropriate to the permitted number of dwelling units would either be an individual well, Group B community water system or systems, shared well or some combination of these. This can be accomplished in an efficient and timely manner as lots are created and developed.

#### **Sewage**

Sewage disposal would be accommodated using individual or shared systems depending on development code standards. While the soils on the site have limitations for septic systems, the large lots required under the proposed zoning should allow for feasible installation of systems that will function and are appropriate for the area.

#### **Storm Drainage**

In rural areas, storm drainage that is generated on-site must be accommodated on-site and the lot size allowed by the proposed zoning along with open space areas that may be provided should be sufficient to accommodate this. The natural drainageway that passes through the property can also be accommodated through site design and development code requirements that would prevent it from being obstructed.

#### **Transportation**

The property gains access from hard-surfaced Roza Hill Drive across 550 feet of access easements that are 50 to 60 feet wide, entering the property from the north and with 50 feet of frontage on the subject property, enough to allow full width roads to be constructed into and serve the entire property.

#### **Fire Protection**

The site is in the boundaries of Yakima County Fire Protection District #4 and within five road miles of year-round responding fire stations in Terrace Heights and Moxee. This is the required standard to allow for five-acre average development in the R 10/5 zone and is consistent with comprehensive plan mapping criteria.

#### **Schools**

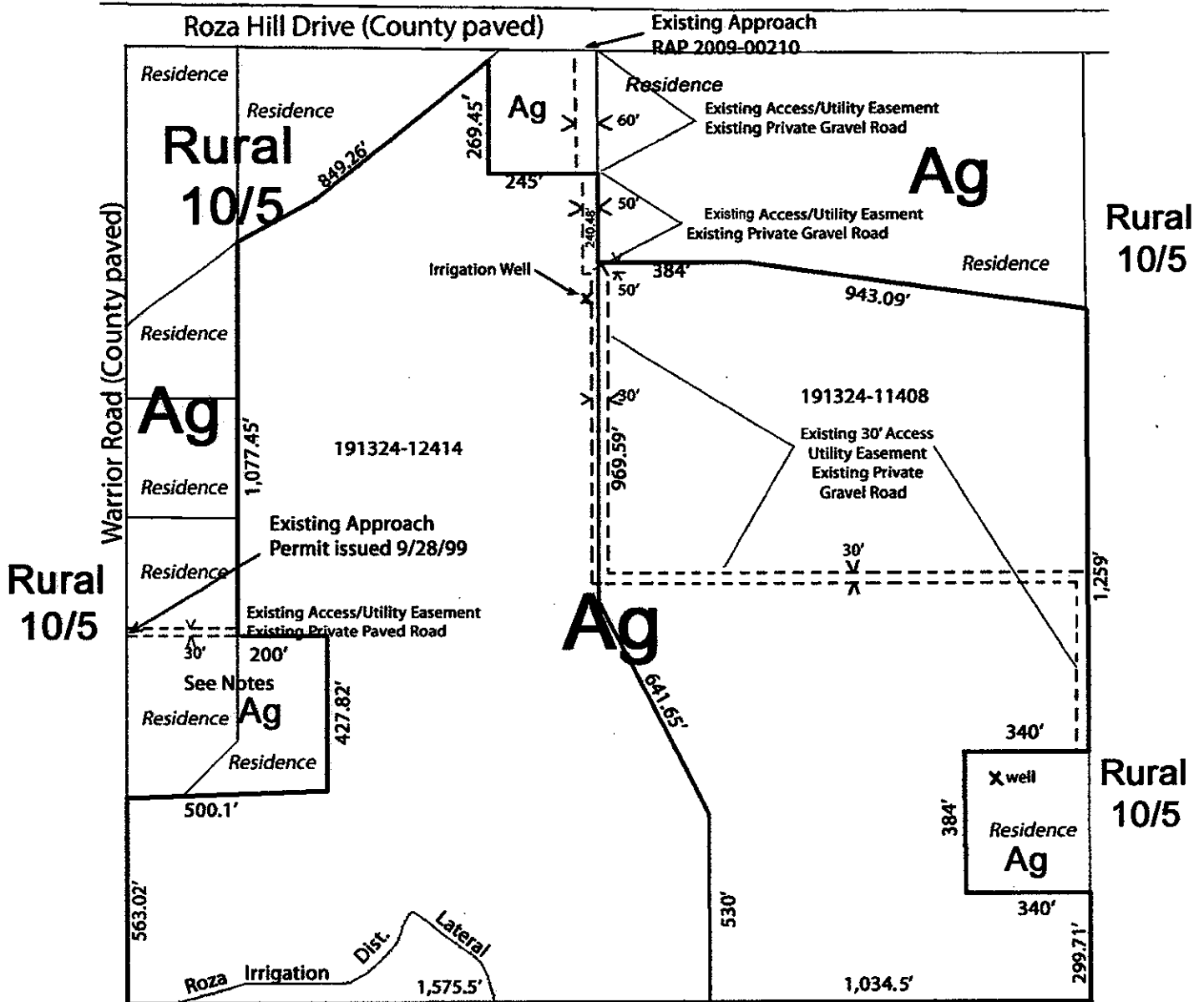
The site is in the boundaries of the East Valley School District. It is three to five road miles from all three elementary schools and a little more than three miles from the Middle School and High School. Access is by hard-surfaced roads and improvements necessary for students to reach bus stops can be provided through the development review process.

**g. The proposed future land use map amendment will not prematurely cause the need for nor increase the pressure for additional plan map amendments in the surrounding area.**

The small lots bordering the site on the north fronting on Roza Hill Drive will undoubtedly be under some pressure for future map amendment to Rural Self-Sufficient. However, this should not be considered to be premature because, with the exception of one existing lot located in the west half of the quarter section, these parcels are not agricultural. They are too small, they are now or will in the future become homesites and some of the property has not been farmed. Also, as already discussed, the number of allowable lots would not change in this area if it were to be re-designated Rural Self Sufficient, although the time limitations of the Agricultural zoning district would no longer apply. The key conclusion is that the potential use of this property is not likely to be any different under one zoning or plan designation than it would be under the other.

The potential for pressure on the agricultural property to the west is not considered significant due to the recent purchase and the size and resources of the corporate agricultural land owner. This is supported by the investment that has already been put into reconditioning the soil since the property was purchased. The agricultural properties to the south would be affected less because they are accessed from roads other than Roza Hill Drive that are not the same roads accessed by the subject property. Setbacks and other design requirements of the Development Code to protect agricultural lands from incompatible land uses would be required, and the low maximum allowable density means fewer dwelling units in close proximity.

# Rural 10/5



**CROSIER ORCHARDS, INC.**  
 Plan prepared by:  
 Durant Development Services, Inc.  
 513 N. Front Street, Suite Q  
 Yakima, Washington 98901  
 (509) 248-4156



Scale 1" = 400'  
 0' 200' 400'

## NOTES

Residences shown are assumed to have individual wells, but their locations were not determined.

Existing zoning, as shown is consistent with existing plan designations

Ag => AR  
 Rural 10/5 => RSS



# SITE SPECIFIC PLAN MAP AMENDMENT

## SUBMITTAL FORM and CHECKLIST

Yakima County Public Services

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

JAN 09 2018

Filed  
 Revised 10/23/17

Vern Gary Don Lynn

Harold Lisa Carmen

**Horizon 2040**

(For Staff Use Only)

DATE: 1-9-17

REVIEWED BY: PRP

PROJECT #: NA

CASE #: LRN 2018-01, SEP18-02

APPLICANT: Crosier Orchards, Inc

1. The city/property owner(s) request that the subject property be re-designated from:

Agricultural Resource to Rural Self Sufficient

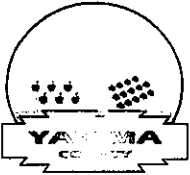
2. The city/property owner(s) request that the subject property be rezoned from:

Agricultural to Rural 10/5

**Required Attachments Checklist:** Include the following information with your application. Applications without the required information will not be accepted.

(Please Check the Boxes and Sign Below)

3.  Pre-Application Form (if required)
4.  Fee per adopted schedule YCC Title 20, Table 20.01.070-5.
5.  Map(s) of the subject parcel(s) including the following information clearly indicated:  
 (Maps are to be 8.5x11 or 11x17 landscape, color, legend with applicant name and parcel number, features properly labeled, to scale, North arrow. Yakima County GIS can provide you with all the required maps.)
- Features such as: roads, existing structures and infrastructure (i.e. driveway, wells, septic drain fields, etc.)
  - Vegetation (include general types and areas)
  - Known critical areas (wetlands, streams, rivers, lakes, drainages, steep slopes, wildlife habitat areas, floodplains)
  - Land use/Zoning of adjacent properties.
6.  **WRITTEN NARRATIVE (Site Specific)** to include the following:
- Existing and historic land use
  - Soil types (general description)
  - Current sewage disposal and water supply
  - Suitability of the site as resource lands (if currently designated as such)
  - Any known cultural, archaeological or historic resources
  - Any previous land use permit activity (under current ownership)
  - The availability of public facilities, such as roads, sewer, water and other required public services



# SITE SPECIFIC PLAN MAP AMENDMENT SUBMITTAL FORM and CHECKLIST

Final  
Revised 10/23/17

Yakima County Public Services  
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7.  WRITTEN NARRATIVE indicating the reason for the proposed plan amendment and addressing the plan amendment (16B.10.095) approval criteria indicated below:

Amendments to Comprehensive Future Land Use Map may only be approved after all of the following criteria are considered:

- a. The proposed amendment is consistent with the Growth Management Act and requirements, the Yakima County Comprehensive Plan - **Horizon 2040**, applicable city comprehensive plans, applicable capital facilities plans and official population growth forecasts and allocations;
- b. The site is more consistent with the criteria for the proposed map designation than it is with the criteria for the existing map designation;
- c. The map amendment or site is suitable for the proposed designation and there is a lack of appropriately designated alternative sites within the vicinity;
- d. For map amendment, substantial evidence or a special study has been furnished that compels a finding that the proposed designation is more consistent with comprehensive plan policies than the current designation;
- e. To change a resource designation, the plan map amendment must be found to do one of the following:
  - (i) Respond to a substantial change in conditions beyond the property owner's control applicable to the area within which the subject property lies; or
  - (ii) Better implement applicable comprehensive plan policies than the current map designation; or
  - (iii) Correct an obvious mapping error; or
  - (iv) Address an identified deficiency in the plan. In the case of resource lands, the applicable de-designation criteria in the mapping criteria portion of the Chapter 5 - Land Use Element of **Horizon 2040**, shall be followed. If the result of the analysis shows that the applicable de-designation criteria have been met, then it will be considered conclusive evidence that one of the four criteria in paragraph (e) has been met. The de-designation criteria are not intended for and shall not be applicable when resource lands are proposed for re-designation to another Economic Resource land use designation;
- f. A full range of necessary public facilities and services can be adequately provided in an efficient and timely manner to serve the proposed designation. Such services may include water, sewage, storm drainage, transportation, fire protection and schools;
- g. The proposed future land use map amendment will not prematurely cause the need for nor increase the pressure for additional plan map amendments in the surrounding area.

8.  Completed and signed SEPA ENVIRONMENTAL CHECKLIST, including Supplemental Sheet for Non-project Actions (including required fee):

By signing this form, you are certifying that the above information is attached and accurate.

Applicant Signature Edward Crozier Date: Dec 18, 2017