



Public Services

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VERN M. REDIFER, P.E. - Director

YAKIMA COUNTY PLANNING DIVISION Preliminary Short Subdivision Application - DECISION -

PROJECT NAME: Roth Preliminary Short Subdivision

REVIEW PROCESS: Type 2

FILE NUMBER: PRJ2017-00267 / SUB2017-00008

PARCEL NUMBERS: 191211-34001

CURRENT ZONING: Agriculture (AG)

**COMPREHENSIVE
PLAN LAND USE:** Agricultural Resource

PROPOSAL: The request is for a two lot short subdivision within the Agriculture (AG) zoning district using the Small Lot Provision.

OWNER: Tony Roth
P.O. Box 429
Moxee, WA 98936

AGENT: Bill Hordan
Hordan Planning Services
410 North 2nd Street
Yakima, WA 98901

PREPARED BY: Byron Gumz, Senior Project Planner

DECISION: Preliminary Plat Approval with the following conditions:

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

1. Prior to final short plat approval, the applicant shall obtain a Road Approach Permit from the Yakima County Transportation Division for the existing shared access from the Lots of the subdivision onto the County roadway system. The fact that the road approach application is in conjunction with a subdivision must be disclosed by the applicant at the time of application.

2. A private shared driveway easement shall be established to provide Lot 1 and Lot 2 access to Robillard Road. This easement shall be improved to meet the minimum travel surface and standards as required by the Building and Fire Safety Division. Drainage facilities shall be sufficient to prevent discharge onto any public roadway.
3. The applicants shall provide a road agreement that binds the owners within the development to financially participate in the perpetual maintenance of the private shared driveway. This agreement must meet the requirements for being recorded with the Yakima County Auditor and it must be submitted to the Yakima County Planning Division prior to finalization of the short subdivision.
4. At the time the short plat is to be recorded all property taxes and special assessments must be paid for the full year. RCW 84.56.345
5. Please be aware that all parties with an ownership interest in the property must sign the final short plat. If there are other owners (including contract sellers or purchasers, etc.) the applicant should first verify that they will also be willing to sign the short plat.
6. The Final Short Subdivision Application shall consist of:
 - a. Survey of final short plat consisting of the Mylar (or equivalent material, paper or other form acceptable to the County Auditor) and five paper copies (YCC 19.34.070(4));
 - b. A current Subdivision Guarantee (title report), which cannot be more than 60 days old (YCC 19.30.060(8)); and
 - c. The final short plat recording fee (YCC 19.34.040(7)).
7. The owners, their grantees and assignees in interest will abide by the terms of the Compliance, Extension, Expiration and Reinstatement requirements as outlined in YCC 16B.07.050. The applicant shall complete all required conditions, submit documentation that all conditions were met and request County inspection or review to determine that the requirements have been fulfilled within the timeframe specified in the decision and any authorized extensions.

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.

8. Lot 1 is currently served with an individual well and may continue to be served by an individual well.
9. An individual well has been allowed for Lot 2, the applicant shall demonstrate the following, at the time of development on Lot 2:
 - a. An authorization for a groundwater withdrawal from the appropriate agency with jurisdiction has been obtained;
 - b. Each individual well will provide an adequate source of potable water for the proposed development including:
 - i. A water quality analysis report from the Yakima Health District or a State of Washington certified laboratory indicating compliance with the State Board of Health and locally adopted standards; and

ii. A water quantity report from a well driller, pump supplier, or other qualified person. The report must be in the form of an industry standard pump test, bailer test or air test for wells or a flow test for springs. The test must assure that a minimum quantity of 350 gallons per day is available for each dwelling unit.

c. The individual well has or will be designed in accordance with well siting and contamination standards as determined by the appropriate agency with jurisdiction.

10. If Lot 1 is less than 2.5 acres in size, it shall be reviewed by the Yakima Health District (YHD) prior to final short plat approval to verify that the proposed lot is adequate to accommodate an on-site sewage system and reserve area outside of any water supply protection zone. Proper certification to that fact shall be submitted to the Yakima County Planning Division. If the Yakima Health District waives this requirement for written verification, the following notice shall be placed on the Mylar:

Notice to Public: The Yakima Health District has waived the requirement to provide written verification that lots herein can accommodate an on-site sewage system.

11. As long as Lot 2 is greater than 2.5 acres in size, a Yakima Health District septic review is not required prior to final plat approval. (YCC 19.34.060(5))
12. Irrigation easements and distribution facilities shall be provided as required under RCW 58.17.310 and YCC 19.34.070(2)(d)). All conditions required by the Roza Irrigation District shall be met, with the Roza Irrigation District signing the face of the final plat.
13. A statement shall be placed on the face of the short plat evidencing that the subdivision lies within the boundaries of an irrigation district and that irrigation water rights-of-way may be imposed by said irrigation district under RCW 58.17.310.
14. Stormwater must be retained on site and upland drainage, if any, must be conveyed through the property in accordance with criteria found at YCC 12.10.130.

The short platted property will be subject to the following notes, which must be placed on the short plat Mylar by the surveyor:

15. This property is within, or borders on the Agriculture zoning district. New residences and other "Especially Sensitive Land Uses" on Lot 2 are subject to a 150-foot setback from the adjoining Agriculture zoned lot(s), unless reduced as provided by the County zoning ordinance.
16. Purchaser(s) and lessee(s) are hereby notified that this short plat is situated in an agricultural area, and the lots are therefore subject to noise, dust, smoke, odors and the application of chemicals resulting from usual and normal practices associated with nearby agricultural uses.
17. Yakima County has no responsibility to build, improve, maintain or otherwise service any private shared driveway for this short plat.
18. Purchaser(s) and lessee(s) are hereby notified that Lot 2 within this short plat is subject to Yakima Health District (YHD) standards for installation of domestic water supply systems.

The lot was not evaluated by YHD prior to plat approval. Permits or approvals from YHD must be obtained before water systems development is begun.

19. Purchaser(s) and lessee(s) are hereby notified that Lot 2 within this short plat is subject to Yakima Health District (YHD) standards for installation of on-site sewage disposal. The lot was not evaluated by YHD prior to plat approval. Permits or approvals from YHD must be obtained before sewage system development is begun.
20. The owners shown hereon, their grantees and assignees in interest hereby covenant and agree to retain all surface water generated within the plat on-site. Any natural drainage ways must not be altered or impeded.
21. Yakima County has in place an urban and rural addressing system per YCC 13.26. Determination of street names and address numbers for developed residential and commercial lots within this plat are at the discretion of the Yakima County Public Services Department upon issuance of an eligible building permit.

Based upon information supplied by the applicant, comments from public agencies and a review of the Yakima County Unified Land Development Code, the Subdivision Administrator enters the following:

FINDINGS AND ANALYSIS

Location:

1. The subject property is located on the north side of Robilard Road, approximately ½ mile west of the intersection of Robilard Road and La Framboise Road, approximately 2 miles southwest of the City of Moxee, WA.

Project Description:

2. The applicant is proposing to divide a 16.89 acre parcel into 2 lots using the small lot provision. The parent parcel is currently in agricultural production and contains a single-family residence. The existing individual well on Lot 1 is proposed to remain an individual well. Lot 2 is proposed to be served domestic water by a new individual well. Sanitary disposal for Lots 1 and 2 is to be served by individual on-site septic systems. Lots 1 and 2 will access Robilard Road via a private shared driveway.

Lot #	Lot Size	Land Use
1	2-3 acres	Single-family dwelling, accessory buildings
2	13-14 acres	Agricultural production

Zoning and Land Use:

3. The subject property is located within the Agricultural (AG) zoning district. As it has been at least 15 years since the property was last divided, and there has been a lawfully existing residence on this property for the last five years, the owners may be entitled to a small (1-3 acre) lot around an existing residence (YCC 19.11.010(4)).

Staff Finding: Information from the Yakima County Assessor's office shows that the residence on the subject parcel was constructed in 2007. The subject parcel has not been divided in the last 15 years, so the Subdivision Administrator may approve a small (1-3 acre) lot around an existing residence under YCC 19.11.010(4)(a).

Notice of Application:

4. 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 on January 17, 2017. Two internal comments were received from the Water Resources Division and the Transportation Division and are addressed under Findings 4(a) and Section 7 of this staff report. Copies of the comments are attached for further detail.

a. Yakima County Water Resources Division: The Yakima County Water Resources Division provided the following comments:

Stormwater must be retained on site and upland drainage, if any, must be conveyed through the property in accordance with criteria found at YCC 12.10.130. Stormwater may not be directed to the adjacent ditch without written permission from the irrigation district.

This short plat is exempt from the requirement to submit a stormwater site plan if it disturbs "less than one acre of ground, provided natural drainage easements are identified on the short plat site plan and are recorded on the plat", YCC 12.10.120(3)(e). If no natural drainage ways are apparent, contact Water Resources Division for more information and possible exemption from the easement requirement.

Plat note required:

The owners shown hereon, their grantees and assignees in interest hereby covenant and agree to retain all surface water generated within the plat on-site. Any natural drainage ways must not be altered or impeded.

Staff Finding: This decision conditions that stormwater on the subject parcel be retained on site as per YCC 12.10.130. This decision also conditions that the above plat note be shown on the face of the plat. If you have any questions or would like to respond to these comments, please contact the Yakima County Water Resources Division at (509) 574-2300.

Once the application was determined to be complete, 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 26, 2017 with the comment period ending May 10, 2016. Two comments were received; one from the Washington State Department of Ecology and one comment from the Roza Irrigation District.

a. The Washington State Department of Ecology identified the potential for residual pesticides due to historic agricultural use.

Staff Finding: Yakima County does not require private property owners to perform soil sampling. However, if the applicant wants more information, they are encouraged to contact

the Washington State Department of Ecology's Toxics Clean-Up Section at (509)454-7886 for additional information.

- b. The Roza Irrigation District provided the conditions they require to be met prior to their signing of the final plat.

Staff Finding: This decision requires the applicant to meet all of the conditions required by Roza Irrigation District. Their letter is attached to this decision.

Open Spaces:

5. The applicants are not proposing to dedicate open space.

Staff Finding: YCC 19.34.060(7) gives Yakima County authority to require subdivisions to designate a portion of their land area exclusive of streets as parks or recreation areas. However, this provision does not apply to short subdivisions in rural zoning districts. As such, open space is not required for this proposal.

Drainage Ways:

6. No drainage ways are apparent on the parcel.

Staff Finding: All stormwater generated within the plat shall be retained on site (or contain the 25 year 24 hour rain event). All drainage ways must not be altered or impeded. (YCC 19.34.060(8))

Streets & Roads:

7. The applicant is proposing for Lots 1 and 2 to access onto Robillard Road, a county maintained public road via a shared driveway. The Yakima County Transportation Division provided the following comments:
 - a. Per Titles 10.08.020 and 19.10.040(3), the applicant shall obtain a Road Approach Permit (RAP) from the Yakima County Transportation Division for the existing shared access to the County roadway system. The fact that the road approach application is in conjunction with a subdivision must be disclosed by the applicant at the time of application. No future building permits shall be issued without the completion and approval of a Road Approach Permit.
 - b. Address will remain with existing residence at this time.

Staff Finding: YCC 19.10.040(3) states that when a proposed use requires access to a County roadway, the approach location shall be reviewed by the County Engineer. This decision conditions that the applicant obtain a Road Approach Permit for the existing shared access onto Robillard Road.

The Transportation Division did not indicate that there would be an issue with the shared access point for Lots 1 and 2. As proposed, it would utilize an existing approved approach and minimizes the number of access points to the public road. YCC 19.23.060(1)(a) states that a "...private, shared driveway will not serve more than four lots or units, or, due to topographical or other physical constraints as determined by the reviewing official, have the possibility based on zoning of: (i) being extended to serve more than four lots or units,..."

The current proposal is for the short subdivision into a total of two lots within the Agricultural (AG) zoning district. As for the number of lots served, the proposed driveway is not likely to serve more than four lots due to the restrictions of the small lot and special exception lot provisions. Based on these factors, the Reviewing Official has determined that the access for Lots 1 and 2 will be considered a private shared driveway.

The applicants will be required to provide a road agreement that binds the owners within the development to financially participate in the perpetual maintenance of the private shared driveway. This agreement must meet the requirements for being recorded with the Yakima County Auditor. In accordance with YCC 19.23.060(2), the driveway easement itself must be improved to meet the minimum travel surface and standards as required by the Building and Fire Safety Division and any drainage facilities must be sufficient to prevent discharge onto any public roadway.

For questions regarding access, please contact the Yakima County Transportation Division at (509) 574-2300.

Potable Water Supplies:

8. The applicant proposes individual wells for Lots 1 and 2.

Staff Finding: YCC 19.25.040(2)(d) states that "an individual well is required when Group A or B public water systems or two-party shared water systems are not "available" or otherwise required." A public water system is considered to be available if it "is located within any point 200 feet or less from the boundaries of the subject property, measured along the shortest route of the proposed distribution line between the boundary and the public water system. Individual wells are permitted, provided the following provisions are met:

YCC 19.25.040(2)(d)(i) requires that "the applicant shall demonstrate prior to final development approval that:

- (A) An authorization for a groundwater withdrawal from the appropriate agency with jurisdiction has been obtained;*
- (B) Each individual well will provide an adequate source of potable water for the proposed development including:*
- 1. A water quality analysis report from the Yakima Health District or a State of Washington certified laboratory indicating compliance with the State Board of Health and locally adopted standards; and*
 - 2. A water quantity report from a well driller, pump supplier, or other qualified person. The report must be in the form of an industry standard pump test, bailer test or air test for wells or a flow test for springs. The test must assure that a minimum quantity of 350 gallons per day is available for each dwelling unit.*
- (C) The individual well has or will be designed in accordance with well siting and contamination standards by the appropriate agency with jurisdiction."*

The applicant shall comply with the above standards of YCC 19.25.040(2)(d) and provide both a water quality analysis from the Yakima Health District or State of Washington certified

laboratory, and a water quantity report from a well driller, pump supplier, or qualified person to Yakima County Public Services prior to the issuance of building permits.

Sanitary Disposal:

9. Lots 1 and 2 are proposed to be served with an individual, on-site septic systems.

Staff Finding: Individual on-site septic systems are allowed within the Agriculture zoning district, subject to approval by the Yakima Health District before construction begins. Each individual system shall be entirely contained on the same lot as a proposed dwelling that it is intended to serve or on another parcel on which the owner possesses an easement interest for that purpose (YCC 19.25.040(1)(c)).

Schools & School grounds/Safe Walking Conditions:

10. The property is located in the East Valley School District. The applicant is not proposing sidewalks or walking paths for students who may want to walk to school.

Staff Finding: This area is served by the school bus route system. Children only have to walk from the house to the county road and the school bus either picks them up or drops them off.

DECISION

Based upon the above findings, the Yakima County Subdivision Administrator hereby finds that the proposed short subdivision will make the appropriate provisions for the public health, safety and general welfare, as well as for (as applicable) open spaces, drainage ways, streets and roads, public ways, potable water supplies, sanitary disposal, schools and school grounds, and safe walking conditions for students who walk to and from school. RCW 58.17.110.

The preliminary short plat application by Tony Roth is hereby **APPROVED**, subject to the conditions listed above.

Administrative Official: LYNN DEITRICK, AICP

Designee:



Jason Earles
Planning Section Manager

Date:

6/15/17

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., 6/29/17. 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.

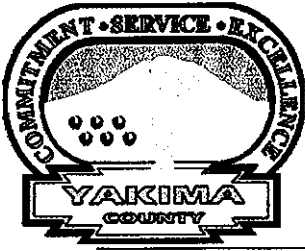
Attachments:

- A. YCC 16B.07.050 – Compliance, Extension, Expiration and Reinstatement
- B. Short Subdivision (Rural) Form
- C. Narrative
- D. Site Plan
- E. Notice of Application & Completeness
- F. Internal Comments
- G. Agency Comments
- H. Covenant Instructions

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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.



SHORT SUBDIVISION (RURAL) FORM

FINAL
Revised 2/18/2016

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

INDICATE THE TYPE OF APPLICATION:

NEW SHORT SUBDIVISION

SHORT SUBDIVISION AMENDMENT

PLEASE COMPLETE THE FOLLOWING QUESTIONS:

(if not applicable, explain why)

A. What is the total acreage of the subject parcel? 16.89 AC

B. How many lots are you proposing to create as part of this Short Subdivision Application? 2

What are the proposed acreages for each proposed lot? LOT 1 = 2 to 3 AC

C. Has the property been divided in the last 5 years? Yes No
LOT 2 = 13 to 14 AC

D. In which zoning district is the property located?
(Please check the appropriate zone and answer the pertinent questions.)

Agriculture (AG) - If the property is located within the AG zoning district please answer the following questions:

Which provision are you applying under?

Agriculturally Related Industry Lot

(Please show on your site plan the location of all structures associated with the Agriculturally Related Industry in order to justify the proposed lot size.)

Small Lot Provision; has it been at least 15 years since it was last subdivided? Yes No

Special Exception Lot; has it been at least 10 years since it was last subdivided? Yes No

Forest Watershed (FW)

Remote/Extremely Limited Development Potential (R/ELDP)

R 10/5 - If the property is located within the R 10/5 zoning district please answer the following questions:

a. How many road miles is the nearest year-round responding fire station? _____ Miles

b. In which fire district are you located? _____

c. Is the public road you access onto: Paved Gravel Dirt

d. Are you proposing to cluster? Yes No

e. Was your lot created prior to May 21, 1997? Yes No

If yes, are you proposing to use the 1.15 multiplication factor? Yes No

Rural Transitional (RT) - If the property is located within the RT zoning district please answer the following questions:

a. Which provision are you applying under:

Clustering

Attachment: B

Non-Clustering

b. Was your lot created prior to May 27, 1997? Yes No

If yes, are you proposing to use the 1.15 multiplication factor? Yes No

Rural Settlement (RS) – If the property is located within the RS zoning district please answer the following questions:

Which community is the property located in: _____

Highway/Tourist Commercial (HC)

Mining (MIN)

E. Do any of the lots have irrigation rights? Yes No District Name: ROZA IRR DIST

F. Is this subdivision contiguous with another proposed subdivision? Yes No

G. Are there any of the following man made/natural features located on your property:
(Check all that apply and depict on site plan)

Ponds

Lakes

Streams/Rivers

Wetlands

Floodplain

Floodway

Steep Slopes (exceeds 10% grade)

Irrigation ditches/Canals

H. i. Will any of the lots be served by a: County public road Private Road Shared Driveway (4 or fewer lots)

(If served by a County public road or a private road please contact the Transportation Division for a Pre-Application meeting at (509) 574-2300 before proceeding)

What is the file number of the Pre-Application meeting? EAC _____

ii. If any of your lots will be served by an existing private road, is there a homeowner's or maintenance association that takes care of the road? Yes (please provide) No

I. What will be the source of domestic water for these lots? *(When individual wells are proposed the applicant shall provide documentation from the Yakima Health District verifying that neither an existing public water system and/or a new public water system is available for the subdivision. The documentation must be submitted with this application.)*

i. Public water supply (water system operated by a city, county, Nob Hill, etc.).

This water system will Serve Lots (Check all that apply): 1 2 3 4

Name of water provider: _____

ii. Expand the use of an existing community well to serve Lot(s): 1 2 3 4

Name or State ID# of the existing community water system: _____

The well is located on Parcel Number: _____

How many connections is the community well currently approved for? _____

iii. New community well, (3+ connections) certify an existing well or construct a new well.

The well is: Existing Proposed on Lot/Parcel Number: _____

The well will serve Lots: 1 2 3 4

Will the proposed community well serve any lots outside of the proposed short subdivision? Yes No

If Yes, which parcel number(s)? _____

iv. Shared, (2 party) well to serve lot(s) 1 and 2

The well is: Existing Proposed on Lot/Parcel Number: 1

Please Note: Individual wells can be proposed in the AG, FW, and MIN zoning districts. If in the R/ELDP or R-10/5 zoning districts then individual wells can only be proposed if all lots are 5 acres or greater in size and outside the service area of a County water system (YCC Table 19.25-1).

v. Existing individual wells will continue to service Lot(s): 1 2 3 4

vi. Proposed individual wells will serve Lot(s): 1 2 3 4

J. Which of the following methods of sewage disposal do you propose? (When individual septic systems are proposed the applicant shall verify that a County sewer system is not available for the subdivision.)

Public sewer for lots: 1 2 3 4

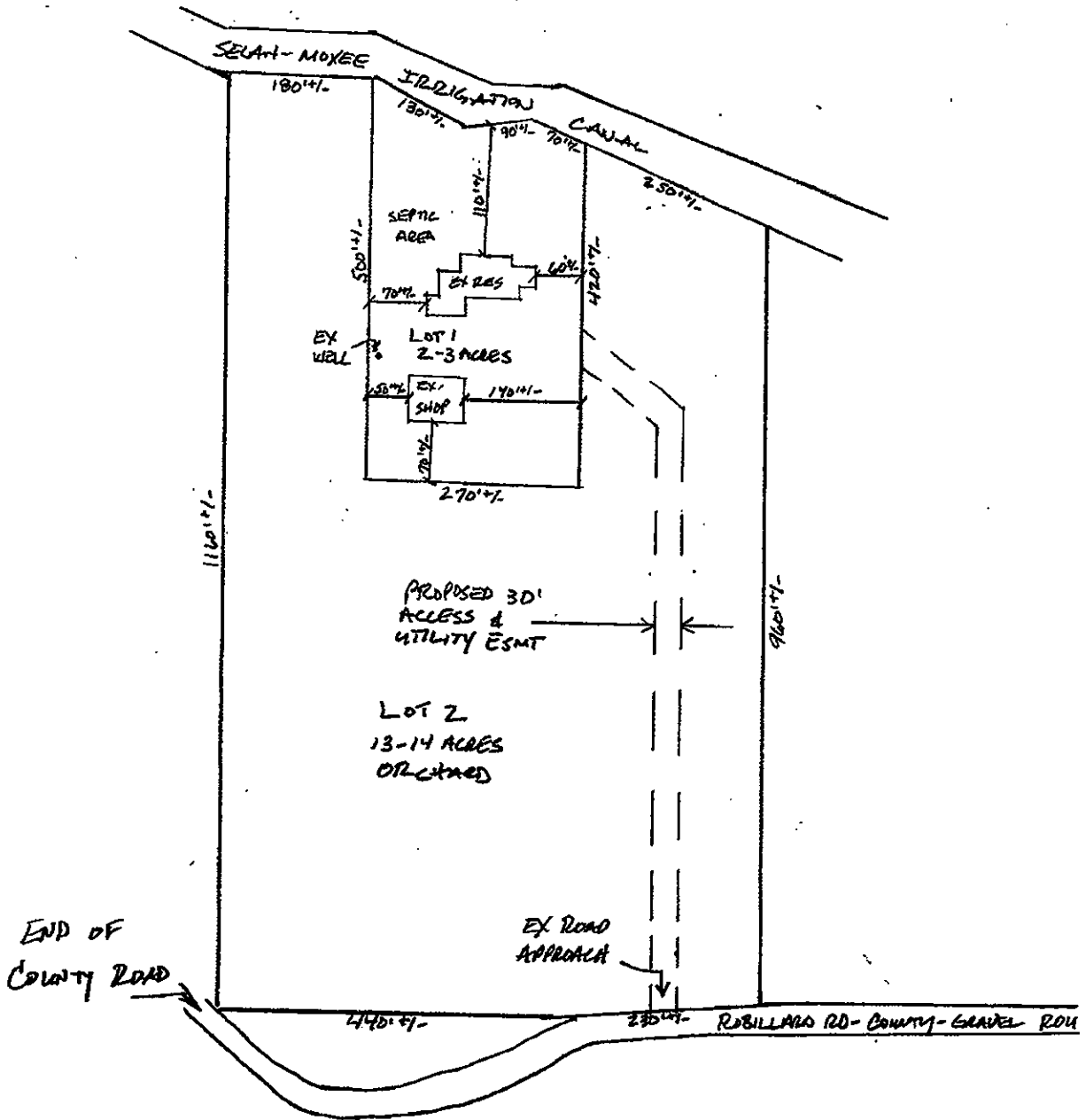
Existing individual, on-site septic systems for lots: 1 2 3 4

Proposed individual, on-site septic systems for lots: 1 2 3 4

WRITTEN NARRATIVE

The proposal is to subdivide a 16.89 acre parcel into two lots. Lot 1 is proposed to be approximately 2 to 3 acres in size and contains a single-family residence, shop, an individual well and an on-site septic system. In compliance with the zoning and subdivision code, the application indicates that a two-party well is proposed. If the two-party well is not approved, the applicant proposes that individual wells be proposed for this project. Lot 2 is proposed to be approximately 13 to 14 acres in size and is planted in orchard.

Attachment: C



NORTH ↑
1" = 200'

TONY ROTH - OWNER
HORDAN PLANNING SERVICES
410 N. 2ND ST. YAKIMA, WA 98901
509-249-1919
191211-34001
3-23-17

Attachment: D



Notice of Application Notice of Completeness

Applicant: Hordan Planning Services on behalf of Tony Roth

Location: 7090 Robillard Road. Approximately 2 miles south of the City of Moxee.

Tax Parcel No.: 191 211-34001

Proposal: A two-lot subdivision to separate an existing home from a larger agricultural parcel.

A subdivision application has been submitted near your property. To view the application materials online go to: www.yakimap.com/permits/ or you can view a copy of application materials at the Planning Division on the 4th floor of the Courthouse. Your views on the proposal are welcome, and any person may provide written comments on issues related to the proposal. All written comments received **by 4:00 p.m., May 10, 2017** will be considered prior to making the final decision. **Mail your comments on this project to Yakima County Planning Division, 128 N. 2nd St., 4th Floor Courthouse, Yakima, WA 98901. Be sure to reference the above case number in your correspondence.** Notice of the final decision will be sent to those who comment or may be obtained upon request. The final decision will contain specific appeal information and may be appealed within 14 days of the date of issuance. If you have any questions on this proposal, please call Byron Gumz, at (509) 574-2300 or 1-800-572-7354 ext. 2300.

Attachment: 

FILE NO.: SUB2017-00008
Notice of Application and Notice of Completeness

AFFIDAVIT OF MAILING

STATE OF WASHINGTON)
) ss.
COUNTY OF YAKIMA)

I, Patty A. LeBlanc, being first duly sworn, and as an employee of the Yakima County Public Services, Planning Division, dispatched through the United States Mails, a Notice of Application and Notice of Completeness, a true and correct copy of which is enclosed here-with; that Notice of Application and Notice of Completeness was addressed to property owners, adjoining property owners, and agencies, that said parties are individually listed on the Mailing List retained by the Planning Division and that said notice was mailed by me on the 26th day of April, 2017.

That I mailed said notices in the manner herein set forth and that all of the statements are made herein are just and true. Dated this 26th day of April, 2017.


Patty A. LeBlanc
Office Specialist

Donald Gatchalian Jason Earles
Joe Stump
Kent McHenry Jase Testerman
Michele Pescador Terry Keenhan
Dianna Woods David Haws

WA. State Dept. of Ecology
Attn: Gwen Clear
crosepacoordinator@ecy.wa.gov

Yakama Nation
Cultural Resources
jessica@Yakama.com AND
ccamuso@Yakama.com

Cialita Keys
YN Environmental Coordinator
ckeyes@yakama.com

13
5

18

Superintendent
Bureau of Indian Affairs
P.O. Box 632
Toppenish, WA 98948

Clean Air Agency
329 N. First Street
Yakima, WA 98901

Yakima Health District

Jim Zokan
U.S. EPA, Region 10
1200 Sixth Ave, Suite 900
Seattle, WA 98101

Bill Hordan
Hordan Planning Service
410 N. 2nd Street
Yakima, WA 98901

Naches-Selah Irrigation District
104 W. Naches Ave Suite H
Selah, WA 98942-2001

Fire Chief
Fire District # 2
206 W. Fremont Avenue
Selah, WA 98942

Selah School District #119
Attn: Shane Backlund
316 W. Naches Ave.
Selah, WA 98942-1117

Cascade Natural Gas
701 S. 1st Avenue
Yakima, WA 98902

Pacific Power & Light
ATTN: Clarke Satre
500 N. Keys Road
Yakima, WA 98901

WA State Dept. of Health
Office of Drinking Water
16201 E. Indiana Ave - Ste 1500
Spokane Valley, WA 99216

WA State Dept of Health
Office of Wastewater & Shellfish
16201 E. Indiana Ave - Ste 1500
Spokane Valley, WA 99216

AGENCY MAILING LIST

SUB17-008

4/26/17

HIGHLIGHTED = EMAILED

13 LABELS

* 19121134001
ANTHONY & LINDA ROTH
PO BOX 429
MOXEE WA 98936

19121143002
B & T GAMACHE FARMS INC
1209 MORRIER LANE
YAKIMA WA 98901

19121131001
BRUCE & CHRISTINE GAMACHE
PO BOX 881
MOXEE WA 98936

19121142402 **DUP**
BRUCE & CHRISTINE GAMACHE
PO BOX 881
MOXEE WA 98936

19121142401 **DUP**
BRUCE & CHRISTINE GAMACHE LLC
PO BOX 881
MOXEE WA 98936

19121131002
RG RANCH LLC
401 WALTERS RD
MOXEE WA 98936

19121133001
Z & O LLC
PO BOX 70
COWICHE WA 98923

19121421001 **DUP**
Z & O LLC
PO BOX 70
COWICHE WA 98923

19121421002 **DUP**
Z & O LLC
PO BOX 70
COWICHE WA 98923

19121411003 **DUP**
Z & O LLC
PO BOX 70
COWICHE WA 98923

ADJOINING PROPERTY OWNERS
MAILING LIST

HIGHLIGHTED = DUPLICATE

SUB17-008
4/26/17
5 LABELS

Actions on Case SUB2017-00008 Parcel Number: 19121134001

(Roth) Small lot provision short subdivision in AG

Incomplete Submittal

Assigned To: BJB

Done By:

Date set as INC 5/23/2017

Date INC cleared

Rec'd Dept of Ecology comments - FWD to Scanning - 5/23/17 - JDW

Completeness Review Period

Assigned To:

Done By:

Appl. received 3/30/2017

Review due 4/27/2017

Notice Sent

Case Created

Assigned To:

Done By: BJB

Date Created 3/30/2017

No Submittal Received

Assigned To:

Done By: BJB

Date Created 3/30/2017

Address Creation/Verification

Assigned To:

Done By: JKT

Date Received 3/30/2017

Date Due 4/2/2017

Date Done 4/4/2017

Address will remain with existing residents at this time.

Trans. Completeness Notes

Assigned To:

Done By: JKT

Date Routed 4/4/2017

Comment Required By 4/6/2017

Response Date 4/4/2017

As a condition of approval and Per title 10.08.020 and 19.10.040 (3) the applicant shall obtain a Road Approach Permit (RAP) from the Yakima County Transportation Division for the existing accesses to the county roadway system. The fact that the road approach application is in conjunction with a SUB must be disclosed by the applicant at the time of application. No future build permits cannot be issued without the completion and approval of a Road Approach Permit. Based on the rural nature of the location and the very low Average Daily Trips on this section of Robillard Rd. no additional frontage improvements or mitigations requirements (except for the Road Approach Permit) will be conditioned from the County Roads Department.

Utilities Issues

Assigned To:

Done By: JES

Date Routed 4/7/2017

Comment Required By 4/9/2017

Response Date 4/7/2017

No concerns.

Surface Water Issues

Assigned To:

Done By: DLW

Date Routed 4/10/2017

Comment Required By 4/12/2017

Response Date 4/10/2017

Stormwater must be retained on site and upland drainage, if any, must be conveyed through the property in accordance with criteria found at YCC 12.10.130. Stormwater may not be directed to the adjacent ditch without written permission from the irrigation district.

This short plat is exempt from the requirement to submit a stormwater site plan if it disturbs "less than one acre of ground, provided natural drainage easements are identified on the short plat site plan and are recorded on the plat", YCC 12.10.120 (3)(e). If no natural drainageways are apparent, contact Water Resources Division for more information and possible exemption from the easement requirement.

Plat note required:

* The owners shown hereon, their grantees and assignees in interest hereby covenant and agree to retain all surface water generated within the plat on-site. Any natural drainageways must not be altered or impeded.

Attachment: F

MDT meeting scheduled

Assigned To:

Done By: BJB

Applied 3/30/2017

Meeting Date 4/11/2017

Subdivision Completeness Notes

Assigned To:

Done By: BJB

Date Routed 4/13/2017

Comment Required By 4/15/2017

Response Date 4/13/2017

Incomplete. The YHD water availability letter is needed.

Incomp./Req. for Addtl. Info.

Assigned To:

Done By: JJS

Sent on 4/13/2017

Due - 90 days 5/28/2017

Info. received 4/14/2017

INCOMPLETE LETTER SENT ON 4/13/2017, 45-DAY TIME LIMIT IS 5/28/2017

Information received

Assigned To: BJB

Done By: JDW

Date received 4/20/2017

Rec'd YHD Water Availability letter - FWD to Scan -JDW

PC Tracking

Assigned To:

Done By: BJB

Date Created 4/25/2017

Date Due

Finished 4/25/2017

sent postcard to admin 4/25/17

Notice of Application Sent

Assigned To:

Done By: JEP

Notice Due

Comment Ends 5/10/2017

Notice sent 4/26/2017

Information received

Assigned To: BJB

Done By: JDW

Date received 5/23/2017

Rec'd case requirement checklist - FWD to scanning - 5/23/17 - JDW

Roza Irrigation District

Public Services (M)

May 23 17

THE FOLLOWING CHECKED CONDITIONS MUST BE MET PRIOR TO THE SIGNING OF THE ~~MAYORS~~ **SHORT PLAT**

CHECK	CONDITIONS TO BE MET	Vern	Gary	Don	Lynn
X	1. An irrigation pipeline and easement is required to serve each lot.	Harold	Lisa	Carmen	
X	2. An irrigation pipeline and easement is required to serve the following lots: LOT 1				
	3. An irrigation easement is required to provide irrigation access to the following lots which are not included in the short plat: County Parcel #(s)				
X	4. Roza facilities must be shown in the short plat with associated easement.				
X	5. Each lot will require its own flowmeter delivery.				
	6. One or more lots within this short plat will not have full water right.				
X	7. The assessment has been paid: Year 2017				
	8. The assessment has not been paid.				
X	9. A period of 2 working days is required for review prior to the signing of the short plat. No exceptions.				
X	10. Contact Roza Irrigation District engineers as soon as possible for information and details.				

NOTES: *New lot will require its own flowmeter, a pipeline and easement
To new lot will also be required before approval.*

Contact Roza Irrigation District For Further details

Attachment: 6



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

May 5, 2017

Byron Gumz
Planning Division
Yakima County Public Services
128 North 2nd Street
Yakima, WA 98901

Re: SUB2017-00008

Dear Mr. Gumz:

Thank you for the opportunity to comment on the short subdivision of 16.89 acres into 2 lots, proposed by Tony Roth. We have reviewed the application and have the following comments.

TOXICS CLEAN-UP

Based upon the historical agricultural use of this land, there is a possibility the soil contains residual concentrations of pesticides. Ecology recommends that the soils be sampled and analyzed for lead and arsenic, and for organochlorine pesticides. If these contaminants are found at concentrations above the Model Toxics Control Act cleanup levels Ecology recommends that potential buyers be notified of their occurrence.

If you have any questions or would like to respond to these Toxics Clean-up comments, please contact Valerie Bound at (509) 454-7886 or email at valerie.bound@ecy.wa.gov.

Sincerely,

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

6448

Please scan into

Public Services
av

MAY 23 2017

Yen Gary Don Lynn
Frank Lisa Carmen

Byron

Attachment: 6 #2



Covenant Instructions

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

Preliminary or Final Decisions issued by the Yakima County Planning Division may require the applicant to return or submit a covenant that includes a full legal description. The instructions listed below are intended to assist the applicant with this process.

1. Attach on a separate piece of paper the full legal description. Legal descriptions may be obtained from deeds or title reports.
2. Property Owner(s) or in case of a corporation the legal authorized signer must sign the covenant (Black Ink).
3. Covenant must have a witness to the signature; make sure Notary signs and seals (Black Ink).
4. Be sure when you submit the covenant to include the recording fees. This fee will be determined by our administrative staff at our front counter. If you are mailing the covenant with a check, please call prior to sending for the correct recording amounts.

Attachment: 4