



Public Services

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VERN M. REDIFER, P.E. - Director

YAKIMA COUNTY PLANNING DIVISION
Preliminary Short Subdivision Application
- FINAL DECISION -

PROJECT NAME: Darnall Short Plat **FILE NUMBER:** SUB2017-00036/PRJ2017-01111

REVIEW PROCESS: Type 2

PROPERTY OWNER: David Darnall **MAILING ADDRESS:** 360 Hancock Road
Cowiche, WA 98923

APPLICANT/AGENT: Bill Hordan **MAILING ADDRESS:** 410 N. 2nd Street
Yakima, WA 98901

ZONING DISTRICT: Rural – 10/5 (R-10/5)

FUTURE LAND USE DESIGNATION: Rural Self Sufficient

SUBJECT PARCEL NUMBER(S): 171434-21001

PROPERTY LOCATION: 360 Hancock Road. Located on the west side of Hancock Road, approximately 900 feet north of the intersection of Thompson Road and Hancock Road, and approximately 1.2 miles southeast of the community of Cowiche, WA.

ASSIGNED PLANNER: Jacob Clay 

DECISION: Preliminary Short Subdivision Approval with the following conditions:

A. CONDITIONS (NEXT STEPS):

The following conditions must be completed within Five years of the date of this decision prior to the finalization of the subject short subdivision. Please note that this decision, including the following conditions, findings, 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.

Building:

1. The applicant shall submit for and obtain final approvals on all necessary Building & Fire Safety Division permits prior to recording of the final short plat. Contact the Yakima County Public Services Department: Building & Fire Safety Division at (509) 574-2300.

Roads:

2. Prior to the recording of the final short plat a private shared driveway easement shall be established to provide Lot 1 access to Hancock 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. A covenant meeting the recording requirements of the Yakima County Auditor's Office shall be provided for the perpetual maintenance of the private shared driveway shall be submitted to the Yakima County Planning Division prior to finalization of the short subdivision. These covenants shall bind the owners within the development to financially participate in perpetual maintenance of the private shared driveway.
4. Prior to the recording of the final short plat the applicant shall obtain a Road Approach Permit (RAP) from the Yakima County Transportation Division for access from Hancock Road. Please contact the Transportation Division at (509) 574-2300.
5. All prior dedications of right-of-way, deeds, and grants shall be shown on the face of the final short plat.
6. The applicants shall dedicate an additional 10 feet of public right-of-way along the west side of Lot 2 for a total of 30 feet of public right-of-way on the west side of the current Hancock Road alignment.
7. An approved fire apparatus turnaround shall be constructed at the end of the private shared driveway and depicted on the final short plat. Contact the Building and Fire Safety Division at (509)574-2300 for further information on turnarounds.

Sewage:

8. Lots 1 and 2 will be greater than 2.5 acres in size, therefore a Yakima Health District septic review is not required prior to final plat approval. (YCC 19.34.060(5))

Water:

9. Lot 1 is currently served by a community well and may continue to be served by a community well.
10. An individual well has been allowed for Lot 2, the applicant shall demonstrate the following, at the time of development on Lot 2: (YCC19.25.040(2)(d))
 - 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.

Irrigation:

11. Irrigation easements and distribution facilities shall be provided as required under RCW 58.17.310 and YCC 19.34.070(2)(d)). 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. If the irrigation district serves as its own treasurer, a certificate in accordance with YCC 19.34.070(2)(d)(iv) is required. The following irrigation district acknowledgement shall also be placed on the face of the short plat (YCC 19.34.070(2)(d)(iii)):

The property described hereon is wholly or in part within the boundaries of the Yakima-Tieton Irrigation District. The irrigation easements and rights-of-way on this plat as required by Yakima County Code Title 19 (either currently existing irrigation easements or rights-of-way or newly created ones) are adequate to serve all lots located within this plat which are otherwise entitled to irrigation water under the operating rules and regulations of the district. The irrigation easements and rights-of-way are adequate to transmit irrigation water under the operating rules and regulations of the district. Lots 1 and 2, in whole or in part, are not entitled to irrigation water under the operating rules and regulations of the district.

12. Irrigation easements and distribution facilities must be provided as specified by the Yakima – Tieton Irrigation District. Confirmation of the irrigation district's approval shall be in the form of a signature on the face of the final short plat with the required irrigation district statement (YCC 19.34.070(2)(d) and RCW 58.17.310).

Misc:

13. Utility easements in accordance with YCC 19.25.050 must be reserved for and granted to all utilities (and to their respective successors and assigns) and shall be shown on the face of the short plat.
14. A stormwater site plan is not required if this short subdivision disturbs less than one acre of ground, provided natural drainage easements are identified and recorded on the short plat. Otherwise, a stormwater site plan shall be submitted to the Planning Division and approved by the Water Resources Division, prior to recording the final survey.
15. At the time the final short plat is to be recorded all property taxes and special assessments must be paid for the full year (RCW 84.56.345)
16. Please be aware that all parties with an ownership interest in the property must sign the final short plat. All required signatures shall be in permanent black ink (YCC 19.34.070(2)(c)). 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 final short plat.

17. The Final Short Subdivision Application shall consist of:
 - a. A survey of the final short plat meeting the requirements of YCC 19.34.070 and consisting of the original Mylar (or equivalent material, paper or other form acceptable to the County Auditor) and five paper copies (YCC19.34.070(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)).
18. The owners, their grantees and assignees in interest will abide by 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 short subdivided property will be subject to the following notes, which must be placed on the final short plat by the surveyor:

19. This short plat has created the maximum number of lots permitted for this property while located in the Rural – 10/5 zoning district.
20. In accordance with YCC 19.18.205(2)(a) Lots 1 and 2 border a rural zoning district containing commercial agriculture. New residences and other “Especially Sensitive Land Uses” are subject to a 60-foot setback from adjoining rural zoning districts containing commercial agriculture, unless reduced as provided by the Yakima County Code.

Roads:

21. Yakima County has no responsibility to build, improve, maintain or otherwise service any private shared driveway for this short plat. Any right-of-way dedicated to the public by this short plat shall not be opened as a County road until such time as it is improved to County road standards and accepted as part of the County road system.
22. The owner(s) of Lot(s) 1 and 2 shown hereon, their grantees and assignees in interest, are obligated to participate in the maintenance of the private shared driveway serving this short plat as prescribed under the road maintenance agreement recorded under Yakima County Auditors File Number _____ providing for its perpetual maintenance.

Water:

23. Purchaser(s) and lessee(s) are hereby notified that Lot(s) 2 within this short plat is subject to the individual well requirements of YCC 19.25.040(2)(d) for installation of domestic water supply systems. Prior to the issuance of building permits, the applicant(s) shall submit an authorization for a groundwater withdrawal, a water quality analysis report, a water quantity report, and documentation showing that the well has been designed in accordance with well siting and contamination standards. In accordance with YCC 19.34.070(2)(c)(xiv), it is the responsibility of future

owners to provide the intended source of potable water, consistent with the type of water system intended in this approval and in compliance with all laws governing its installation and operation.

24. Lot(s) 1 of this short plat have been required to use a community well for domestic water; no individual wells may be installed on any of these lots. The owners shown hereon, their grantees and assignees in interest, hereby covenant and agree to participate in the maintenance of the public well serving their respective lot(s) and to join in an owners or well maintenance association designed to provide for its perpetual maintenance.
25. Purchaser(s) and lessee(s) are hereby notified that Lot(s) 2 has not been furnished with a source of potable (domestic) water at the time of approval of this plat. It is the responsibility of the owner(s) and/or purchaser(s) to provide the intended source of potable water.
26. The development of this land limits the owner(s) of Lots 1 and 2, as well as future divisions of these lots, to not exceed withdrawing more than 5,000 gallons per day from any existing and future wells. If the cumulative total of groundwater used for domestic use exceeds 5,000 gallons a day, a water right permit is required.

Sewer:

27. Purchaser(s) and lessee(s) are hereby notified that Lot(s) 1 and 2 within this short plat are subject to Yakima Health District (YHD) standards for installation of on-site sewage disposal and domestic water supply systems. The lots were not evaluated by YHD prior to plat approval. Permits or approvals from YHD must be obtained before sewage or water system development is begun.

Irrigation Districts:

28. The property described hereon is wholly or in part within the boundaries of the Yakima-Tieton Irrigation District. The irrigation easements and rights-of-way on this plat as required by Yakima County Code Title 19 (either currently existing irrigation easements or rights-of-way or newly created ones) are adequate to serve all lots located within this plat which are otherwise entitled to irrigation water under the operating rules and regulations of the district. The irrigation easements and rights-of-way are adequate to transmit irrigation water under the operating rules and regulations of the district. Lots 1 and 2 in whole or in part, are not entitled to irrigation water under the operating rules and regulations of the district.

Misc:

29. The maximum grades for individual driveways that are 50 feet in length or less shall be 12%. The maximum grades for driveways 51 feet or greater shall be as identified for fire apparatus access roads in YCC Title 13. The grade shall be measured from the edge of road right-of-way or private access easement at the center of the driveway to the garage slab. If there is no garage then it shall be measured to the grade of the building as defined in the residential code of YCC Title 13.

30. 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.

31. Yakima County has in place an urban and rural addressing system per YCC Chapter 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 Comprehensive Plan – *Horizon 2040* and Yakima County Code Title 19 (the Unified Land Development Code), the Subdivision Administrator enters the following:

B. FINDINGS AND ANALYSIS:

1. Project Description: The applicant is proposing to divide the 19.31-acre subject parcel into two lots. Lot 1 is proposed to be approximately five acres in size and be served by an existing community well and individual on-site septic system. Lot 2 is proposed to be approximately 15 acres and is currently vacant with an orchard on it. Lot 2 is proposed to be served by an individual well and individual septic system at the time of development. Access to Lot 1 will be via a private shared driveway over Lot 2 that connects to Hancock Road.

Lot #	Lot Size	Land Use
1	5 acres	Existing residence, shop, drain field and septic reserve
2	15 acres	Vacant land containing orchard and community well

2. Zoning and Land Use: The subject property is located within the Rural-10/5 (R-10/5) zoning district. The minimum lot area is 10 acres when the parcel does not meet all three of the following criteria as stated in YCC 19.11.030(3)(a): the parcel is within a fire district, the parcel is within 5 road miles of a year-round responding fire station, the parcel is served by a county-maintained hard-surfaced road. As per the Lot Area Calculations as set forth in YCC 19.10.030(3)(b), “outside Urban Growth Areas, lot area includes on-site road easements, and one-half the width, or 30 feet, whichever is less, of abutting public rights-of-way for perimeter streets, excluding limited access state or interstate highways.”

Staff Finding: When calculating lot area for the subject parcel one-half the width of abutting public rights-of-way was included to give the subject parcel 20.19 acres (1,525 feet of frontage abutting public rights-of-way multiplied by 25 feet and then added to the original lot area 19.31 acres). According to the application material, the lots will have access onto Hancock Road which is a County maintained gravel road. Based on Yakima County Public Services records, the subject parcels are within Fire District #1 and is within 5 road miles of a year-round responding fire station. Therefore, the subject parcels does not meet the requirements to allow for a density of one unit per 5 acres as set forth in YCC 19.11.030(4)(a)(ii). However, a minimum lot area of five acres is allowed for one or more lots on a site, provided the overall maximum density of the site is one dwelling per ten acres per Note 3 of YCC Table 19.11.030-1.

3. Jurisdiction and Process: The proposal is being reviewed as a Preliminary Short Subdivision application, a Type 2 application under YCC 19.30.020(2)(b). YCC 19.30.100(1) allows the Reviewing Official to require conditions for approval of Type 2 Administrative Uses. YCC 16B.03.030(1)(b) states Type 2 applications are administrative actions which may generate public interest. Public notice will be provided for Type 2 actions.
4. Environmental Review: The proposal was determined to be categorically exempt from State Environmental Policy Act (SEPA) environmental review. There were no identified designated critical areas that would be affected by this proposal.
5. Notice of Application: After the application was submitted, an internal notice of project review was emailed to representatives of the Transportation Division, the Building and Fire Safety Division, the Environmental and Natural Resources Planning Section, the Water Resources Division, the Utilities Division, and the Yakima Health District. Internal comments were received from the Transportation Division, the Building Division, Environmental Division, and the Water Resources Division. Comments were received from the Transportation Division, and the Water Resources Division. Internal comments are addressed in Section 8 and 10 respectively. Comments are attached to this decision for further review.

A combined Notice of Application, Notice of Completeness, and Notice of Environmental Review were mailed to property owners within 300 feet of the property and to agencies having jurisdiction or interest in the proposal on December 15, 2017, with the comment period ending December 29, 2017. External comments were received from the Department of Ecology and an adjacent property owner. Comment letters are summarized below and attached for further review.

Washington State Department of Ecology letter dated December 22, 2017: The Department of Ecology recommends that 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 then potential buyers should be notified of their occurrence.

Staff finding: If there are plans for future development that include substantial disturbance of the soils on the subject parcel, it is recommended that the applicant contact the Department of Ecology regarding soil testing.

Adjacent Property Owner (APO) letter dated December 20, 2017: The APO letter has concerns regarding road improvements and requests for a traffic study to be conducted to determine the effects a subdivision may have to Hancock Road. Another concern is how this property has the ability to be subdivided when others along Hancock Road may not be.

Staff finding: As Hancock Road is a gravel Rural Local Access road there are no requirements to improve the roads surface (YCC 19.23.040(2)(d)(i)(B)). For further comments regarding road improvements and traffic studies please contact the Transportation Division at (509) 574-2300. The current review for this short subdivision is only for the subject parcel. Other parcels along Hancock Road would need to be looked at on an individual basis as the size of the parcel may change the ability to subdivide it.

6. Processing Timeframe:
Application Submitted: November 20, 2017

Application Determined Complete: December 12, 2017

Notice of Application: December 15, 2017

Close of Public Comment Period: December 29, 2017

7. Decision Criteria and Review: The Administrative Official shall approve a preliminary short plat if the applicant has demonstrated the application complies with the approval criteria in Subsection 19.34.050(5)(a) or that the application can meet those criteria by complying with conditions of approval.

8. Streets and Roads: The applicant has proposed to access Lot 1 and Lot 2 from Hancock Road via a private shared driveway. The proposed access and utility easement will be 30 feet wide and will serve three parcels. Hancock Road is a County maintained gravel roadway classified as a Rural Local Access road. County Right-of-Way is currently 50 feet along the front of the subject parcel. The Yakima County Transportation Division had the following comment:
 - a) Per YCC 19.10.040 Access and a permitted Road Approach are required. All development shall require 20 feet of frontage or an access easement that meets the standards of YCC 19.23. Approach location shall be reviewed by the Yakima County engineer. As proposed, an access easement shall be recorded prior to the final plat with the AFN # listed on the face of the plat, or be shown as herein dedicated.
 - b) The proposed development does not allow for the potential of servicing more than 4 lots, therefore the access will be classified as a private shared driveway. Per YCC19.23.060 (d) a shared used maintenance agreement shall be recorded for the driveway and (2) the driveway must meet the minimum design standards as determined by YCC Title 13 Fire Code.
 - c) Yakima County Transportation Department has no record of a Permitted Road Approach for this parcel. 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 building permits can be issued without the completion and approval of a Road Approach Permit.
 - d) Per YCC 19.11.030(3)(a)(i) Development Standards in the R10/5 Zone allows for developments which are not serviced by a hard-surfaced road as long as the average lot size is greater than 10 Acres. As proposed, no hard surfacing of the County Roadway is required.
 - e) Hancock Road is a functional class 09 roadway (Rural Local Access), which requires 60 total feet of Right-of-Way (30/30). Currently, there is only 20 feet of R/W via R/W Deed 1221. Applicant Shall Dedicate an additional 10 feet of R/W along the entire frontage of parcel.

Staff finding: The private shared driveway will not have the potential to serve more than 4 lots therefore it may remain as a private shared driveway. The applicant shall apply for a Road Approach permit for access to the county maintained roadway. The applicant shall enter an agreement that bind owners within the development to financially participate in perpetual maintenance of the private shared driveway. The applicant shall provide 10 feet of right-of-way along the entire frontage of the parcel. If you have further questions please contact the Transportation Division at (509) 574-2300.

9. Open Spaces: No open space areas are proposed for this short subdivision.

Staff finding: As this development is outside of the Urban Growth Area and not within a Rural Settlement zoning district, recreational areas will not be required to be designated during this development.

10. Drainage Ways and Critical Areas: No critical areas were found on the subject parcel. The Yakima County Water Resources Division had the following comment:

- a) Stormwater must be retained on site. Any natural drainageways must not be altered or impeded. Upland drainage, if any, must be conveyed through the property in accordance with criteria found at YCC 12.10.250.

Staff finding: This decision conditions that all stormwater be retained on site. Please contact the Water Resources Division with any additional questions at (509) 574-2300.

11. Potable Water Supplies: An individual well is to serve Lot 2 and a Group B Water System is to serve Lot 1.

Staff finding: According to YCC Table 19.25-1, short subdivision in the R-10/5 zoning district are to connect to an existing public water system or a new public water system. However, if all lots are five acres or greater in the R-10/5 zoning district and outside the service area of a County water system an individual well will be allowed. Since Lot 2 is greater than five acres it will be allowed to have an individual well. A letter from the Yakima Health District states that the existing public water system currently has two connections to it and no other connections will be allowed. Lot 1 will continue to use the public water system.

12. Sanitary Disposal: The applicants are proposing to use individual, on-site septic systems for Lot 1 and Lot 2.

Staff finding: According to YCC Table 19.25-2, short subdivision in the R-10/5 zoning district are to connect to either a County sewer system or individual on-site septic systems. Connection to a County system is required if the lots are located within the service area of a County sewer system. According to Yakima County Public Services information, a County sewer system is not available in this area. Therefore, the Reviewing Official has determined that individual on-site septic systems may be allowed for this subdivision. As long as Lot 1 and Lot 2 are 2.5 acres in size or greater, a Yakima Health District septic review is not required prior to final short plat approval (YCC 19.34.060(5)).

13. Schools & Schoolgrounds/Safe Walking Conditions: The property is located in the Highland School District. The applicants are 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.

C. DECISION:

Based upon the above findings, the Yakima County Subdivision Administrator hereby **APPROVES** the requested preliminary short subdivision, subject to the conditions listed above.

Administrative Official: LYNN DEITRICK, AICP

Designee:



Jason Earles
Planning Section Manager / Current Planning

Date:

1/25/18

D. 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., 2/8/18. The appeal shall be in writing, shall be accompanied by the filing fee, and shall include:

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

Attachments:

- A. YCC 16B.07.050 – Compliance, Extension, Expiration and Reinstatement
- B. Application
- C. Narrative
- D. Site Plan
- E. Yakima Health District letter dated November 16, 2017
- F. Department of Ecology letter dated December 22, 2017
- G. Adjacent Property Owner letter dated December 20, 2017
- H. Internal Comments

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

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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? 19.31 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 = 5.4 AC LOT 2 = 15 AC

C. Has the property been divided in the last 5 years? Yes No

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? 2.6 Miles

b. In which fire district are you located? COWICHE FIRE DEPT

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



NARRATIVE FORM

FINAL
Revised 10/01/15

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

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

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

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

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

Suggested Content:

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

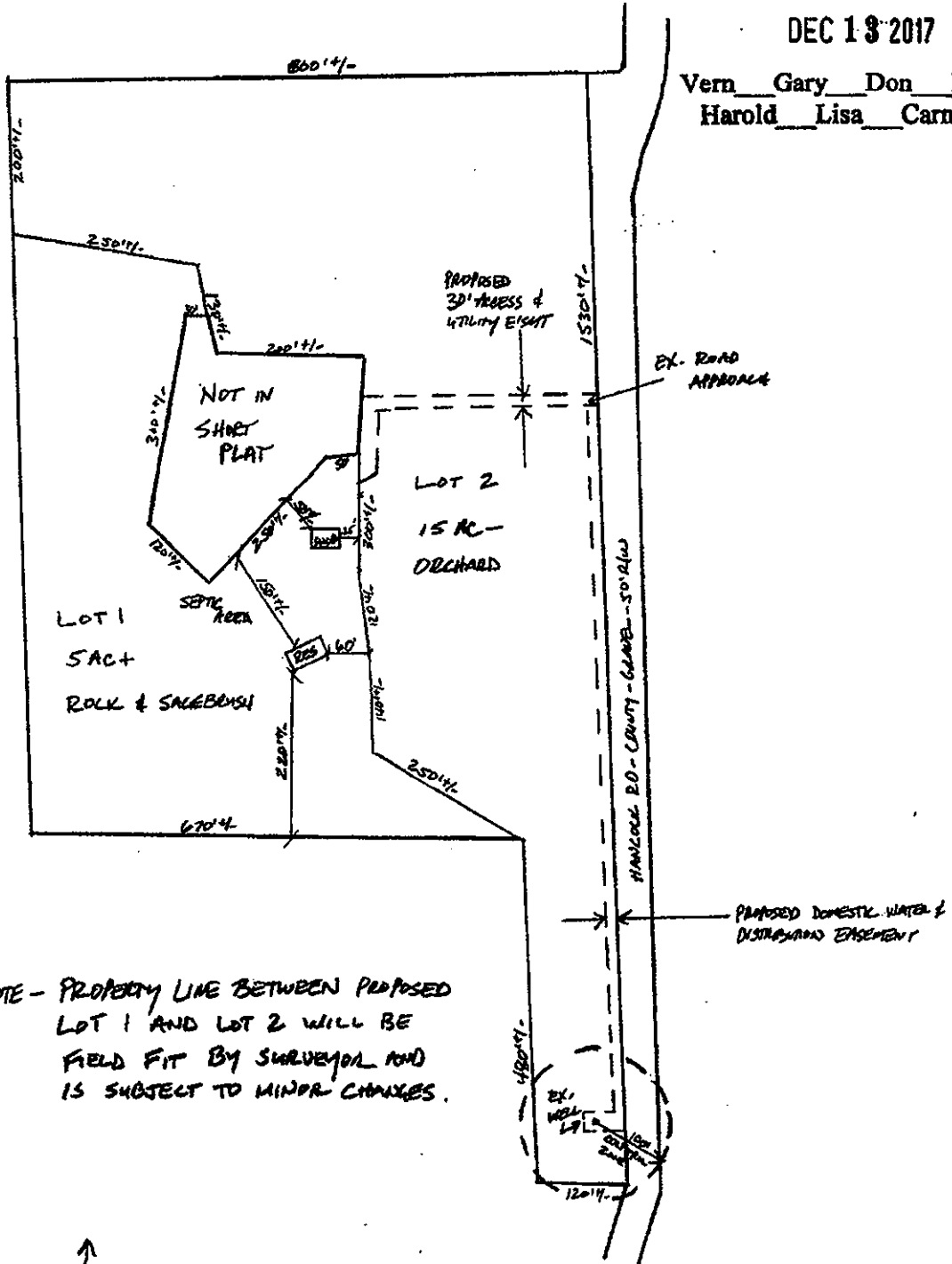
Please remember that your narrative must explain in detail the specifics of your proposal and any missing information may result in the need for future reviews. Your narrative can be typed and printed on a separate sheet of paper with “See Attached” written below, or you may print out legibly your narrative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

SEE ATTACHED WRITTEN NARRATIVE

Attachment: C

DEC 13 2017

Vern Gary Don Lynn
Harold Lisa Carmen



* NOTE - PROPERTY LINE BETWEEN PROPOSED LOT 1 AND LOT 2 WILL BE FIELD FIT BY SURVEYOR AND IS SUBJECT TO MINOR CHANGES.

NORTH ↑
1" = 200'

DAVID DARNALL - OWNER
HORDAN PLANNING SERVICES - REP.
410 N. 2ND ST. YAKIMA, WA 98901
509-249-1919
171434 21001
10-27-17

Attachment: D



Yakima Health District
1210 Ahtanum Ridge Drive
Union Gap, Washington 98903
Phone (509) 575-4040

November 16, 2017

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

RE: Wells and water systems for a future subdivision, located at 360 Hancock Road, Cowiche (parcel number 171434-21001).

Mr. Hordan:

The Yakima Health District has reviewed the above referenced application regarding water systems that may be associated with this project according to the requirements in YCC 19.25.040. A site visit was not done as a part of this review. Our findings are presented below:

Group A Water Systems

We checked our files and the Washington State Department of Health community water system database (SENTRY). We did not find any existing Group A water systems within 200 feet of this development.

Group B Water Systems

We checked our files and the Washington State Department of Health community water system database (SENTRY). We did find the Darnall Water System (ID# 00081 K) an existing group B water supply approved for two connections on this property. The well serving this system is currently producing approximately 10 gallons per minute (gpm). Replacing the pump is not an option due to the casing being bent. As such, expanding this system is not an option unless a new source (well) is installed and approved.

2-Party Shared Wells

There are no shared wells in this project except for the Darnall Water System well. (See group B water systems above.)

Individual Well(s)

If a new source is not installed for the existing group B water system, an individual well serving the new lot is acceptable to the Yakima Health District.

No review of water quantity or availability was done by the Yakima Health District. Our review of your water system does not confer or guarantee any right for you to withdraw or divert

Attachment: E



SUB17-036
Public Services (x)

DEC 23 2017

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

Vern Gary Don Lynn
Harold Lisa Carmen

December 22, 2017

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

Re: SUB2017-00036

Dear Mr. Clay:

Thank you for the opportunity to comment on the short subdivision of 19.32 acres into 2 lots, proposed by David Damall. 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

7183



Attachment: F

Casey Roland

151 Hancock Rd Cowiche, WA 98923
509-654-9652 casey.roland@gmail.com

12/20/2017

Yakima County Planning Division

Case Number - SUB2017-00036

128 N. 2nd St., 4th Floor Courthouse, Yakima, WA 98901

Public Services (*GR*)

DEC 28 2017

Vern Gary Don Lynn
Harold Lisa Carnice

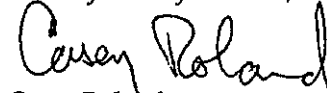
Yakima County Planning Division,

I am writing in regards to a planned short subdivision that has been proposed in case no. SUB2017-00036. I have been a resident of 151 Hancock Rd for the last 5 years. During that time, I have seen traffic increase exponentially on Hancock Rd. My concern with this short subdivision is the additional increase in traffic it may cause due to recent housing developments at the end of Hancock Rd (Parcel #'s 17142734401, 17142734402, 17142734002, 17142734001, 17142731001). The unimproved road has become increasingly hazardous to the residents who reside along it because of the added wear and tear of additional residential traffic. I would like to see a traffic study performed before this short subdivision takes place to determine if the added impacts to the roadway would require an upgrade to the road. If the proposal is accepted, the road upgrade should be added as a condition of acceptance.

Also, in talking with my neighbors it appears that at one time a neighbor (Parcel # 17143424011) was interested in performing a similar action and was told by Yakima County that a requirement for him to proceed would be to pave the road from Thompson to the end of Hancock. After this was brought to my attention, it would seem reasonable to have this requirement added, especially since the housing developments at the end of Hancock Rd have exasperated the wearing of Hancock Rd.

I support the development and improvement of property, as long as the impacts to existing residents and property owners are mitigated in ways that result in an improvement to the overall community. There are already somewhat hazardous conditions due to an increase in traffic and I feel the addition of more traffic would only cause an existing problem to worsen. My drive way and the drive way for parcel #17143424011 sit above and below a blind turn that sits on a hill, adding more traffic to Hancock could cause this blind turn to become exceptionally dangerous for my neighbor and myself as well as for anyone driving up and/or down the road.

Thank you for your time,



Casey Roland

Attachment: *G*

Actions on Case SUB2017-00036 Parcel Number: 17143421001

(Darnhall) 19.31 acres 2-lot short plat in R-10/5 zoning district

Address Creation/Verification**Assigned To:****Done By:**

Date Received 11/20/2017

Date Due 11/23/2017

Date Done

Case Created**Assigned To:****Done By:** JXC

Date Created 11/20/2017

No Submittal Received**Assigned To:****Done By:** JXC

Date Created 11/20/2017

Trans. Completeness Notes**Assigned To:****Done By:** JDW

Date Routed 11/28/2017

Comment Required By 11/30/2017

Response Date 11/28/2017

Per YCC 19.10.040 Access and a permitted Road Approach are required. All development shall require 20 feet of frontage or an access easement that meets the standards of YCC 19.23. Approach location shall be reviewed by the Yakima County engineer. As proposed, an access easement shall be recorded prior to the final plat with the AFN # listed on the face of the plat, or be shown as herein dedicated. The proposed development does not allow for the potential of servicing more than 4 lots, therefore the access will be classified as a private shared driveway. Per YCC 19.23.060 (d) a shared used maintenance agreement shall be recorded for the driveway and (2) the driveway must meet the minimum design standards as determined by YCC Title 13 Fire Code. Yakima County Transportation Department has no record of a Permitted Road Approach for this parcel. 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 building permits can be issued without the completion and approval of a Road Approach Permit.

Per YCC 19.11.030 (4) (a)(i) Development Standards in the R10/5 Zone allows for developments which are not serviced by a hard-surfaced road as long as the average lot size is greater than 10 Acres. As proposed, no hard surfacing of the County Roadway is required. Hancock Road is a functional class 09 roadway(Rural Local Access), which requires 60 total feet of Right-of-Way (30/30). Currently, there is only 20 feet of R/W via R/W Deed 1221. Applicant Shall Dedicate an additional 10 feet of R/W along the entire frontage of parcel.

Utilities Issues**Assigned To:****Done By:** JES

Date Routed 11/28/2017

Comment Required By 11/30/2017

Response Date 11/28/2017

No concerns.

Building Completeness Notes**Assigned To:****Done By:** GG

Date Routed 11/29/2017

Comment Required By 12/1/2017

Response Date 11/29/2017

11-29-17 no comments (GG)

Surface Water Issues**Assigned To:****Done By:** DLW

Date Routed 12/5/2017

Comment Required By 12/7/2017

Response Date 12/5/2017

Stormwater must be retained on site. Any natural drainageways must not be altered or impeded. Upland drainage, if any, must be conveyed through the property in accordance with criteria found at YCC 12.10.250.

Completeness Review Period**Assigned To:****Done By:** JXC

Appl. received 11/20/2017

Review due 12/18/2017

Notice Sent 12/12/2017

Attachment: <u> H </u>

PC Tracking**Assigned To:****Done By:** JXC

Date Created 12/12/2017

Date Due

Finished

12/12/2017

NOI sent 12-12-17. Applicant needs to put the property line 60' from the residence on Lot 1 or apply for an Administrative Adjustment

PC Tracking**Assigned To:****Done By:** JXC

Date Created 12/12/2017

Date Due

Finished

12/12/2017

Received revised site plan from applicant, fwd to scanning

PC Notification**Assigned To:****Done By:** B P

Date PC Notified 12/12/2017

Date Action Due

Date Done by PC

12/12/2017

12/12/17 - Sent Request to Printing for 22 Postcards, Due 12/15/17 - BP

Notice of Application Sent**Assigned To:****Done By:** JEP

Notice Due

Comment Ends 12/29/2017

Notice sent

12/15/2017

Information received**Assigned To:** JXC**Done By:** GF

Date received

12/28/2017

12/28/17 - Rec'd Comment Letter - Casey Roland. Forwarded to Scanning. em