

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

PROJECT NAME: Plat of “Shields Mapleway Subdivision”

REVIEW PROCESS: Type 4

FILE NUMBER: SUB2019-00013 / SEP2019-00005

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

**FUTURE LAND USE
DESIGNATION:** Rural Transitional and Rural Self-Sufficient

PARCEL NUMBERS: 181433-34416

PROPERTY OWNER: Pat Shields
1803 Presson Pl
Yakima, WA 98901

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

PREPARED BY: Noelle Madera, Senior Project Planner

RECOMMENDATION: Approval, Subject to Conditions:

A. CONDITIONS (NEXT STEPS):

Prior to the finalization of the subject subdivision the following conditions must be completed within Five years of the date of the final decision. Please note that the decision, including the following conditions, findings, and time limit pertains to conditional authorization for the subject subdivision only and failure to comply with all conditions will result in the expiration of the decision.

Roads

1. Prior to the recording of the final plat a private shared driveway easement shall be established to provide Lot 1 access to Mapleway 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. Contact the Building and Fire Safety Division at (509) 574-2300 for specifications of the travel surface standards.

2. 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 and 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.
3. All prior dedications of right-of-way, deeds, and grants shall be shown on the face of the final plat.
4. The attached Private Road Certification (along with the recording fee) must be submitted to the Planning Division prior to the recording of the final plat certifying that the private shared driveway has been constructed and completed. An inspection of the roads will be made by Yakima County Public Services upon submittal of the certification.

Sewage

5. Lots 1 and 2 are 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

6. Lot 1 of the subdivision shall be served domestic water via an existing community well (State ID# 5669). The additional connection to the well must be approved prior to the recording of the final plat. Verification of approval must be submitted to the Planning Division verifying that this water system for the proposed development has been approved for the additional connection.
7. The applicant shall form Water Users Associations that are responsible for the monitoring and maintenance of the approved water systems for the community well. The documentation for the establishment of the Water Users Associations shall be submitted with the final plat and must meet the Yakima County Auditor's recording requirements. The documents must be submitted to the Yakima County Planning Division prior to the finalization of the subdivision with the appropriate recording fees. If documentation already exists, the applicant must provide a copy of it to the Planning Division prior to the short plat finalization.
8. Community well easements must be established in accordance with YCC 19.25.050. The applicant will need to coordinate easement placement with their surveyor, the Yakima Health District, and any other agency with jurisdiction.
9. Lot 2 of this subdivision shall be served by a two-party shared well. The applicant shall comply with the conditions of the Yakima Health District regarding the approval of the two-party shared well. This requires a well covenant and a water user's agreement to be

filed with the plat. The documents must be submitted to the Yakima County Planning Division prior to the finalization of the short subdivision. If the existing individual well cannot be approved as a two-party well, Lot 2 must be five acres in size or greater.

10. Shared well easements must be established in accordance with YCC 19.25.050. The applicant will need to coordinate easement placement with their surveyor, the Yakima Health District, and any other agency with jurisdiction.
11. The applicant shall form a Water Users Association that is responsible for the monitoring and maintenance of the approved water system. The documentation for the establishment of the Water Users Association shall be submitted with the final plat and must meet the Yakima County Auditor's recording requirements. The documents must be submitted to the Yakima County Planning Division prior to the finalization of the subdivision with the appropriate recording fees.
12. 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. Any ground water withdrawals in excess of 5,000 gallons per day or for the irrigation of more than ½ acre of lawn or noncommercial garden will require a permit from the Department of Ecology (RCW 90.44.050).

Irrigation

13. Irrigation easements must be provided as specified by the Glead Canal Company.

Misc.

14. 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.
15. A stormwater site plan is not required if this subdivision disturbs less than one acres of ground, provided natural drainage easements are identified and recorded on the 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.
16. At the time the final plat is to be recorded all property taxes and special assessments must be paid for the full year (RCW 84.56.345).
17. Please be aware that all parties with an ownership interest in the property must sign the final 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 plat.
18. The Final Subdivision Application shall consist of:
 - a. A survey of the final 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 (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 plat record fee (YCC 19.34.040(7)).

19. The owners, their grantees and assignees in interest will abide by the Compliance, Extension, Expiration and Reinstatement requirements as outline 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 subdivided property will be subject to the following notes, which must be placed on the final short plat by the surveyor:

20. This plat has created the maximum number of lots permitted for this property while located in the R-10/5 zoning district.

Roads:

21. Yakima County has no responsibility to build, improve, maintain or otherwise service any private shared driveway for this plat. Any right-of-way dedicated to the public by this 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 1 shown hereon, their grantees and assignees in interest, hereby covenant and agree to participate in the maintenance of the private shared driveway serving this plat and to join in an owners' or road maintenance association designed to provide for their perpetual maintenance.

Water

23. Lot 1 of this plat has 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.

[This plat note to be included if the well on Lot 2 is approved as a two-party shared well]

24. Lot 2 of this short plat has been required to use a two-party shared well. The owners shown hereon, their grantees and assignees in interest, hereby covenant and agree to participate in the maintenance of the two-party shared well serving their respective lot(s) and to join in an owners or well maintenance association designed to provide for its perpetual maintenance. Individual wells may not be installed on any of these lots.

25. The development of this land limits the owner(s) of Lot(s) 1 and 2, as well as future division 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:

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

Misc.:

27. Yakima County GIS contour information indicates the presence of drainageways on the parcel that may limit the amount and location of future development.

28. 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.

29. 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.

B. FINDINGS AND ANALYSIS

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:

1. Project Location: The subject property is located on the north side of Mapleway Road, and on the northwest corner of the intersection of Mapleway Road and Galloway Road, located approximately one mile west of the City of Selah.
2. Project Description: The applicant is proposing to divide an 11.35-acre parcel into two lots, as indicated on the submitted site plan. Lot 1 is proposed to be 6.98 acres in size would be vacant (future housing location). Lot 2 is proposed to be 4.37 acres in size and contains an existing residence with associated outbuildings.

Lot #	Lot Size	Land Use
1	6.96 acres	Vacant, proposed single-family residence
2	4.37 acres	Existing single-family residence with associated outbuildings

3. Zoning, Land Use, and Comprehensive Plan: The subject property is within the Rural-10/5 (R-10/5) zoning district. The R-10/5 district is intended to “maintain rural character and provide density incentive to encourage development where fire protection services and access to roads with a paved or other hard surface are available (YCC 19.11.030(1)(b)).” All surrounding parcels are in R-10/5 or Rural Transitional (RT) zoning districts and range in size from ½ acres to 40 acres that contain single-family residences or are in agricultural production. The intent

of the RT zoning district is intended to provide for rural development in areas near Urban Growth Area boundaries to encourage clustering, minimize public expenditures, and coordinate land uses with public infrastructure investment.

According to YCC Title 19.11.030(3)(c), lot size and density calculations are based on the size of a lot as it existed since May 21, 1997. When a lot meets the following three criteria of YCC 19.11.030(3)(a)(ii), a maximum density of one unit per 5 acres is permitted:

- a. County maintained hard surfaced roadways are used for access.
- b. New development is within a fire district.
- c. New development is within 5 road miles from a year-round responding fire station.

In accordance with the Yakima County Comprehensive Plan (*Horizon 2040*), the property is designated Urban Growth Area. According to Policy LU-U 1.5 of *Horizon 2040*:

“Development should be located within designated urban growth areas in the following priority:

- (a) Areas already characterized by urban growth that have existing public facilities and service capacities to serve such development; and
- (b) Areas already characterized by urban growth that are not presently served by existing public facilities or services but for which facilities and services will be provided by either public or private sources.”

Staff Finding: The subject parcel is located within the R-10/5 zoning district. To subdivide in the R-10/5 zoning district, the three criteria above must be addressed. The property is accessed by a County maintained hard surfaced roadway (Mapleway Road). The property is located within Fire District #6. The property is approximately 1 road mile away from a fire station (Gleed Fire Station). The projects meets all three of requirements, therefore the minimum lot area is 5 acres (or a density of one unit per five acres).

4. Jurisdiction and Process: YCC 19.01.070(19) defines a subdivision as the “division or re-division of land into five or more lots, tracts, parcels, sites or division for the purpose of sale, lease or transfer of ownership.” Additionally, YCC 19.34.040(9) states that “once property is subdivided under the short subdivision regulations of this Title no further division creating more than nine lots, tracts, parcels, sites or divisions in the Urban Growth Area, or more than four lots, tracts, parcels, sites or divisions outside the Urban Growth Area, shall be made for a period of five years from recording the short plat, unless a final plat has been approved and filed for recording under the subdivision and final plat provisions of Sections 19.34.050 and 19.34.070.” The original short subdivision was finalized in July 2016 under Auditor’s File Number 7914397. This proposed re-subdivision would create the fifth lot from the original plat within the five years of the original short plat; therefore, it is being processed as a subdivision.

This proposal is being reviewed as a Type 4 Preliminary Subdivision application, in accordance with YCC 19.34.050(4). YCC 19.30.100(1) allows the Reviewing Official to impose conditions of approval on any development to ensure the proposal meets the standards and criteria for approval. YCC 16B.03.030(1)(d) states that Type 4 applications are quasi-

judicial actions and require an open record hearing by the Hearing Examiner. The Examiner's written decision constitutes a recommendation to the Board of County Commissioners. The Board shall conduct a closed record hearing to act on the Examiner's recommendation. Public notice is required on Type 4 actions.

5. Environmental Review: This proposal is not exempt under the State Environmental Policy Act (SEPA) through WAC 197-11-800. A SEPA review was submitted in conjunction with this proposal under SEP2019-00005.
6. Critical Areas / Shoreline Review: According to the Yakima County Critical Areas maps, there are no critical areas located on the subject property that would be impacted by this subdivision.
7. Notice of Application: After the application was submitted, an internal notice of project review was accessible via the County database system 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. Comments were received from Building Division, Water Resources, Transportation Division, and Fire & Life Safety Division. Comments are attached to this decision for further review and are addressed in the findings below.

A combined Notice of Application, Notice of Completeness, Notice of Environmental Review, and Notice of Future Public Hearing was mailed to adjoining property owners within 300 feet of the property and to agencies having jurisdiction or interest in the proposal on April 3, 2019 with the comment period ending on April 17, 2019. The Notice of Future Public Hearing was published in the Yakima Herald-Republic on April 3, 2019. Two comment letters were received from the Washington State Department of Ecology and the Naches-Selah Irrigation District.

A Notice of Public Hearing and SEPA Preliminary Threshold Determination was mailed to the same individuals as the previous notice and included any additional parties of record on May 10, 2019, with the comment period ending May 24, 2019. The public hearing was set for June 20, 2019 and was published in the Yakima Herald-Republic on May 10, 2019. The Washington State Department of Ecology commented with the same comment letter and the Glead Canal Company commented.

Notice of the public hearing provided in accordance with the applicable ordinance requirements in the following ways:

Notice and mailing of hearing notice to property owners within 300 feet	May 10, 2019
Publishing of open record hearing in Yakima Herald-Republic	May 10, 2019
Posting of hearing notice on the property	June 5, 2018

Comments were received as follows:

a. Washington State Department of Ecology

“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 the 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.

The facility addressed in this proposal was formerly listed as a known (or suspected) contaminated site on Ecology’s Confirmed and Suspected Contaminant Sites List, Ecology Facility/Site ID #29666; TCP Cleanup Site ID #14890.”

Staff Finding: The applicant shall review the attached letter (Attachments C and D) and contact the Department of Ecology with further questions about toxic clean-up prior to the development of these lots. For questions regarding toxic clean-up, please contact Valerie Bound at (509) 454-7886.

8. Decision Criteria and Review for Subdivisions (YCC 19.34.050(5)): The Reviewing Official shall recommend approval of a preliminary subdivision if the applicant has demonstrated the application complies with the following approval criteria or that the application can meet these criteria by complying with conditions of approval:

a. Streets and Roads: There is an existing house on proposed Lot 2 that currently accesses Mapleway Road. Lot 1 is proposing to access via an existing private access easement that was established under the previous short subdivision (AFN 7914397).

The Yakima County Transportation Division provided the following comments on March 18, 2019:

“Maple Way Road is a FFC 16 (Urban minor arterial). The roadway does not meet urban standards but is sufficient for this proposal. Although the roadway is classified “Urban”, it is not in an urbanized area nor is it in an urban growth boundary. Urban Standards will not be required due to the lack of density or possible connections to pedestrian facilities. Adequate right-of-way (R/W) was dedicated along Maple Way Road during SUB13-20 and recorded under AFN 7914397.

Galloway Drive is a substandard publicly maintained County Roadway, part of which is by usage (across parcel 181304-12002) and a portion of dedicated R/W along the Eastern boundary line of the property. There is currently 40’ of R/W. Applicant will need to dedicate an additional 15’ of R/W along the entire frontage of the parcel. Yakima County Planning will need to identify whether or not this application triggers the need for roadway improvements. If improvements are required please contact Yakima County Roads for specifications and requirements for this classification of roadway.

Access: A private road easement was dedicated for access under SUB13-20; Applicant shall submit a licensed engineer's requirements of YCC 19.23.050. Applicant shall name the roadway by submitting a private roadway application to Yakima County Roads.

The existing access for the residence on "lot 2" creates an unnecessary hazard to the roadway system, as the parcel has frontage along Galloway drive. Galloway drive is a lower roadway classification than Mapleway Road. Applicant shall remove the existing access to Mapleway Road and construct a road approach connecting to Galloway Drive or to the private roadway. The Gleed Ditch presents a topographical constraint to which access to the private travel way may not be possible. It would limit the ability to access the private road easement from the existing residence on "Lot 2". If connecting to the Galloway Drive, applicant shall obtain a Road Approach Permit From Yakima County Roads.

The following additional comments were received in the County's internal system on April 22, 2019, from the Transportation Division:

"In discussion with the Yakima County Engineer on 4/22/19; The proposed re-plot for SUB19-013 will not require the abandonment of the existing access, permitted under RAP2016-00032. Although this is not the safest location for access, the abandoning and relocating is undue at this time as the proposal does not have a significant change in the traffic volume nor is there a record of traffic incidents which show this access has a history of being detrimentally hazardous. Lot 1 of the proposal shall utilize the existing private easement for access, any further development of this land which utilizes the access road will trigger the need for being a named private roadway. Lot 2, will be able to continue utilizing the existing access, however, this access may be revoked at such time that it becomes a known hazard to roadway users."

Staff Finding: To determine if the existing access easement that Lot 1 is proposing to use can be considered a private shared driveway, the Reviewing Official must determine the following: that the driveway will not serve more than four lots (or have the possibility of being extended to serve more than four lots) within the next 20 years; that there is no conflict with an existing public road, the County's road circulation plan, or with connectivity; and that the development minimizes the number of access points to the roadway (YCC 19.23.060).

The Transportation Division did not indicate that there was an issue with the access point of the private access easement onto Mapleway Road (recorded under AFN 7914397). Using the existing access easement minimizes the number of access points to the Mapleway Road. This access easement currently serves three lots, and proposed Lot 1 would be the fourth lot to access it. The subject property outlined in the original subdivision will have reached its maximum density while the property remains in the R-10/5 zoning district. The properties to the north are either already developed and/or have alternative access available to them. Based on these factors, the Reviewing Official has determined that the access for Lot 1 from Mapleway Road is considered a private shared driveway.

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 (YCC 19.23.060(1)(d)). This agreement must meet the requirements for being recorded with the Yakima County Auditor. According to YCC 19.23.060(2)(a), 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.

Based on the comment from the Addressing Section of the Transportation Division, proposed Lot 2 will retain existing addressing. YCC 19.34.070(2)(i) requires the following plat note regarding addressing:

- *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.*

All road grants, deeds, and dedications of right-of-way shall be shown on the final short plat. 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. For more information regarding access or addressing, please contact the Yakima County Transportation Division at (509) 574-2300.

- b. Open Spaces: No open space areas are proposed for this subdivision.

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 subdivisions outside of the Urban Growth Area and Rural Settlement zones. As such, open space is not required for this proposal.

- c. Drainage: The Yakima County Water Resources Division has made the following comments:

“Stormwater must be retained on site. Runoff from buildings, paved and graveled areas must be directed away from the irrigation ditch unless approval to receive stormwater is granted by the irrigation company. This applies to the proposed pond also if the water is used to irrigate other parcels or is returned to the irrigation ditch. As proposed the short plat will not require a stormwater plan. A Washington State Department of Ecology Construction Stormwater Permit may be required.

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. The mapped Type 5 stream that enters the southeast corner of proposed Lot 2 appears to rapidly spread into an alluvial fan after it leaves the hills. As long as a flow path on the north or south side of the existing house remains open a drainage easement will not be required. For questions about these comments contact Dianna Woods at (509) 574-2300.

Required plat notes:

- General drainage. 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.
- Water Resources Plat note B. Yakima County GIS contour information indicates the presence of drainageways on the parcel that may limit the amount and location of future development.”

Staff Finding: All stormwater generated within the plat shall be retained on site. Upland drainage, if any, must be conveyed through the property in accordance with criteria found in YCC 12.10.250. The above plat notes shall appear on the face of the final short plat map. Contact the Water Resources Division at (509) 574-2300 for more information regarding soils and surface water run-off.

- d. Access to Mass Transit: The subject property is located outside of a mass transit service area and is therefore not required to provide access.

Staff Finding: The subject parcel is rural and there is no mass transit.

- e. Potable Water Supplies: An existing community well is proposed to serve Lot 1. Lot 2 is proposed to be served domestic water from an existing individual well to be converted to a two-party well.

Staff Finding: YCC 12.08.050 states that “all applicants for a building permit or other development permit requiring potable water must provide evidence of an adequate water supply to the county prior to the issuance of the permit. Applicants for a building permit to improve, repair, or replace a residential structure permitted prior to January 1, 2018 that is served by an existing permit exempt well are exempt from this requirement.” Additionally, according to YCC Table 19.25-1, subdivisions in the R-10/5 zoning district have three options for domestic water, in order of priority:

- Existing public water system
- New public water system
- Individual wells, subject to Section 19.25.040, if all lots are 5 acres or greater in the R/ELDP or R-10/5 zoning districts and outside the service area of a County water system.

The Yakima Health District did not provide comment on this project.

Lot 1

In accordance with YCC 12.08.390 “an applicant for a building permit or land use permit necessitating an adequate water supply determination where potable water is not available from an approved water purveyor may obtain a YCWRS domestic well permit for a permit exempt well as evidence of the legal availability of water up to 5,000 gallons per day provided the applicants property is an eligible property as defined in 12.08.400 and further

provided that the well is an eligible well as defined in 12.08.410.” The applicant has proposed Lot 1 connect to an existing community well (the community well was established prior to January 1, 2018). Documentation that the lot has been approved to connect to the community well shall be provided to the Yakima County Planning Division prior to finalizing the subdivision. Community well easements must be established in accordance with YCC 19.25.050. The applicants shall be required to form Water Users Associations that are responsible for the monitoring and maintenance of the approved water systems (YCC 19.25.060). The documentation for establishment of the Water Users Associations shall be submitted with the final short plat and must meet the Yakima County Auditor’s recording requirements. If documentation already exists, the applicants must provide a copy of it to the Planning Division prior to plat finalization.

Lot 2

A residence was established on Lot 2 prior to January 1, 2018 and will continue to use the well. In the application, the applicant has proposed converting the existing well on Lot 2 into a shared, two-party well (to meet the lot size requirements). There is no proposed connection to the two-party shared well at this time; however, any future connection (other than the existing house) would be required to apply for and obtain a YCWRS domestic well permit from the Yakima County Utility Division (or some other water right) at the time of building permits. Please contact the Yakima County Utility Division at (509) 574-2300 for the necessary applications.

YCC Table 19.25-1 states that individual wells are only permissible on newly created lots when all lots are 5 acres or greater in the R-10/5 zoning district. Since Lot 2 is under 5 acres in size, it will be required to connect to a public water system. The applicants have proposed to convert the existing well on Lot 2 to a two-party well to meet this requirement. If the existing well cannot be converted into a two-party shared well; then an individual well can continue to be used; however, the lot will need to be reconfigured to be at least five acres in size.

Documentation of approval for two-party shared well must be submitted to the Yakima County Planning Division prior to the finalization of the subdivision. Verification of shared well approval from the Yakima Health District shall also be submitted to the Planning Division prior to finalization.

Any ground water withdrawals in excess of 5,000 gallons per day or for the irrigation of more than ½ acre of lawn or noncommercial garden will require a permit from the Department of Ecology (RCW 90.44.050) for Lot 1 and 2 cumulatively.

- f. **Sanitary Disposal:** The applicant is proposing individual, on-site septic systems for both lots. No comments were received from the Yakima Health District.

Staff Finding: YCC Table 19.25-2 allows for individual, on-site septic systems in the R-10/5 zoning district if a County sewer system is not available. There are no County systems in this location. The applicant will work with the Yakima Health District at the time of developing a new individual septic system for Lot 1.

- g. Schools & Schoolgrounds/Safe Walking Conditions: The property is located in the Naches Valley 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. No comments were received from the School District.

- h. Fire Prevention Services: The Yakima County Fire Marshal's Office provided the following comments:

"All buildings built will need proper building and fire and life safety permits, all driveways will need to meet fire apparatus access requirements including but not limited to width, turnouts, turnarounds and no more than 10% grade."

Staff Finding: All driveways will be required to meet all fire apparatus access requirements. Please contact the Yakima County Fire Marshall for specifications for the private shared driveway at (509) 574-2300.

- i. Irrigation Water Supplies: Based on Yakima County Public Services GIS maps, a very small portion of the subject property is located within the Naches-Selah Irrigation District. Comments received from the Naches-Selah Irrigation District state:

- "Parcel 181433-34416 is outside of the Naches-Selah Irrigation District Boundaries.
- Contact the Glead District for their requirements on the short plat."

The Glead Canal Co. was notified of the proposal and provided the following comments:

"Please add on plat(s) an easement for the Glead Canal Company. We requested 20' each side of center for maintenance and repair. The canal itself is roughly 10' that gives us 15' of flat to accommodate backhoe with down riggers and large dump trucks if the need should arrive."

Staff Finding: YCC 19.34.070(2)(d) has specific requirements for subdivisions located in an irrigation district regarding providing easements and signing plats; however, this property is not located in an irrigation district. Since the Glead Canal Company does have a facility (Glead Ditch) crossing their property, the property owners shall provide easements on the plat as request by the Glead Canal Company. The Glead Canal Company will not be required to sign the plat.

CONCLUSION AND RECOMMENDATION

This application for preliminary plat approval is adequately reviewed by the conditions set forth in this recommendation to reasonably ensure compatibility, compliance, and consistency with the

provisions of the R-10/5 zoning district and the goals, objectives and policies of *Horizon 2040*, in compliance with all applicable Yakima County and State of Washington plat law requirements.

Based upon the above findings, the Yakima County Subdivision Administrator hereby recommends APPROVAL of the requested Type 4 Rural Subdivision, subject to the conditions listed above. In accordance with YCC 19.34.050, the preliminary subdivision approval shall be considered the basis upon which the applicant may proceed with development of the subdivision and preparation of the final long plat subject to all conditions of the preliminary subdivision approval.

Attachments:

- A. YCC 16B.07.050 – Compliance, Extension, Expiration and Reinstatement
- B. Application and plans dated February 20, 2019
- C. WA State department of Ecology letter dated April 12, 2019 and received April 15, 2019
- D. WA State department of Ecology letter dated April 12, 2019 and received May 9, 2019
- E. Naches-Selah Irrigation District Letter dated April 9, 2019
- F. Glead Canal Co. email dated received May 15, 2019
- G. Internal Comments

\\nt2\Planning\Development Services\Projects\2019\SUB\Long Subdivision\SUB19-013 Shields R10-5 5 Lot Long Plat\SUB2019-013_R_10-5_Shields_Subdivision_nm3_jwe_FINAL.docx

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.