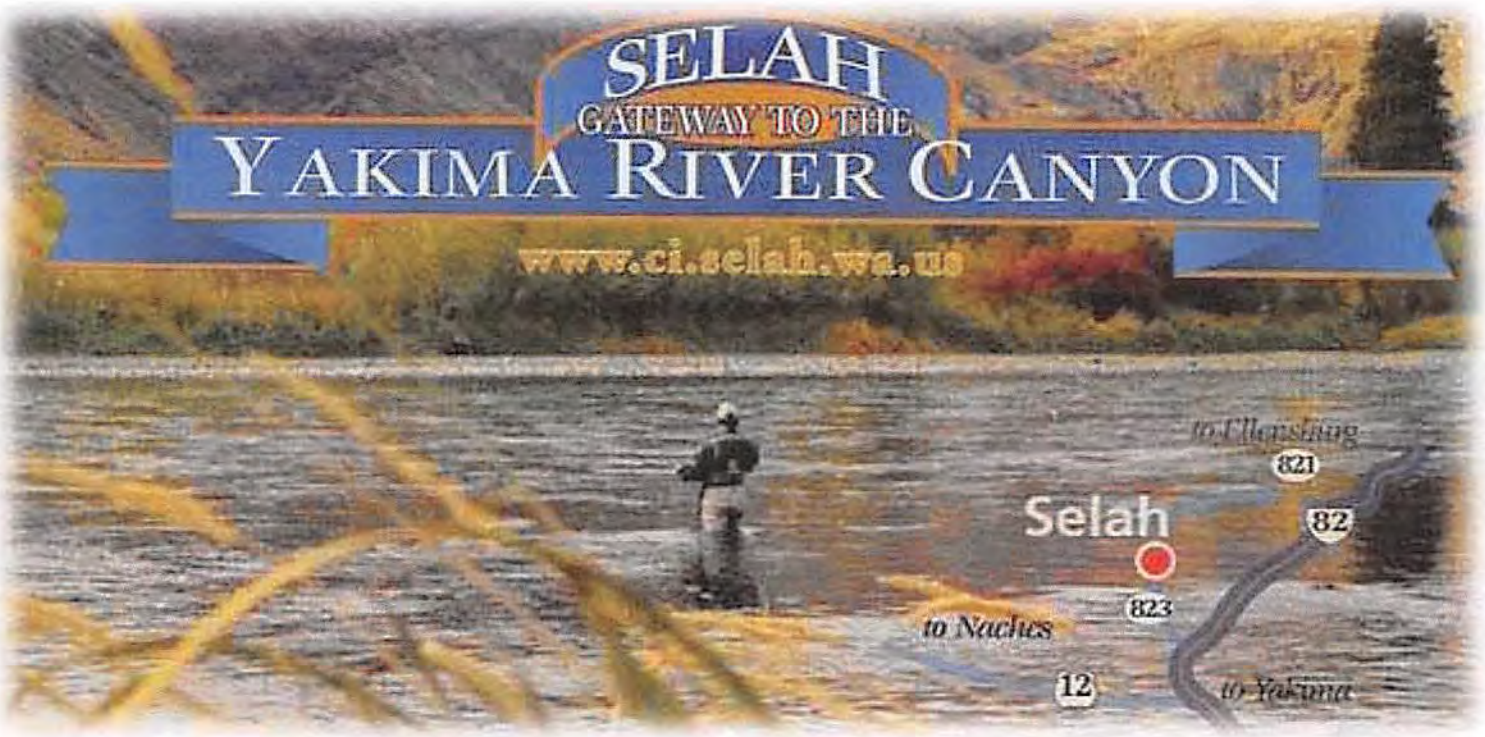

SELAH CITY COUNCIL

4:00pm January 12, 2016

Selah City Council
Regular Meeting
Tuesday, January 12, 2016
4:00pm
City Council Chambers

Mayor:	Sherry Raymond
Mayor Pro Tem:	Paul Overby
Council Members:	John Tierney
	Roy Sample
	Laura Ritchie
	Roger Bell
	Diane Underwood
	Russell Carlson

CITY OF SELAH
115 West Naches Avenue
Selah, Washington 98942

City Administrator:	Don Wayman
City Attorney:	Bob Noe
Clerk/Treasurer:	Dale Novobielski

AGENDA

A. Call to Order –Mayor Raymond

B. Roll Call

C. Pledge of Allegiance

D. Agenda Changes **None**

E. Public Appearances/Introductions/Presentations **None**

F. Getting To Know Our Businesses **None**

G. Communications

1. Oral

This is a public meeting. If you wish to address the Council concerning any matter that is not on the agenda, you may do so now. Please come forward to the podium, stating your name for the record. The Mayor reserves the right to place a time limit on each person asking to be heard.

2. Written

Monica Lake a. Selah Downtown Association Monthly Report
Monica Lake b.

H. Proclamations/Announcements **None**

I. Consent Agenda

All items listed with an asterisk (*) are considered routine by the City Council and will be enacted by one motion, without discussion. Should any Council Member request that any item of the Consent Agenda be considered separately, that item will be removed from the Consent Agenda and become a part of the regular Agenda.

Monica Lake * 1. Approval of Minutes: December 8, 2015 Council Meeting
Dale N. * 2. Approval of Claims & Payroll

J. Public Hearings **None**

K. New Business

Mayor Raymond 1. Selection of a Mayor Pro Tempore for Calendar Year 2016
Mayor Raymond 2. Board & Committee Assignments for 2015
Tammy Allen, Selah Downtown Association 3. Main Street Tax Incentive Program for the Public Utility Tax Credit for 2017

L. Old Business **None**

M. Resolutions

Gary Hanna	1.	Resolution Declaring Fire Department Property as Surplus and Authorizing Its Disposal
Tom Durant	2.	Resolution Approving the Preliminary Plat of "Valhalla Heights Subdivision Phases 3 and 4" (912.38.14-02) and Adopting Findings and Conditions of Preliminary Plat Approval
Joe Henne *	3.	Resolution Authorizing the Mayor to sign Task Order 2016-1 between the City of Selah and Huibregtse, Louman Associates, Inc. for the Goodlander Road Grind & Overlay As-Builts
Joe Henne	4.	Resolution authorizing staff to proceed with a proposal from Mountain States Construction for the Replacement of Existing Check and Plug Valves at the Main Waste Water Treatment and Pre-Treatment Pump Stations
Charlie Brown	5.	Resolution Authorizing the Mayor to Sign a Professional Service Agreement with the Yakima Valley Sports Commission
Andrew Potter	6.	Resolution Authorizing the Mayor to sign an Interagency Agreement with the Washington State Patrol for $11,900 in grant funds for electronic fingerprinting equipment

N. Ordinances

Charlie Brown	1.	Ordinance Amending the 2016 Budget for Recreation Department Overtime Pay

P. Reports/Announcements

1. Mayor
2. Council Members
3. Departmental
4. Boards

Caprise Groo a. Planning Commission Minutes for November 17, 2015

Q. Executive Session

1. 20 Minute Session – Real Estate RCW 42.30.110(1)(b)

R. Adjournment

Next Study Session January 26, 2016
Next Regular Meeting January 26, 2016

Each item on the Council Agenda is covered by an Agenda Item Sheet (AIS)

A yellow AIS indicates an action item.

A blue AIS indicates an information/discussion item.

CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY

COUNCIL MEETING **INFORMATIONAL ITEM**

1/12/2016 **G – 2A**

Title: Selah Downtown Association Monthly Report

Thru: Donald Wayman, City Administrator

From: Monica Lake, Executive Assistant

Action Requested: Informational - No action

Board/Commission Recommendation: Not applicable

Fiscal Impact: N/A

Funding Source: N/A

Staff Recommendation:

Informational Only

Background / Findings & Facts:

Attached is the Treasurer's report for December 2015

Recommended Motion:

N/A

Selah Downtown Association
Treasurer Report
12/14/15

INCOME	
Beg. Balance	$15923.25
Lodging Tax deposit	$3000.00
Shirt reimbursement	$20.00
Correction from 8/11/15 expense	$3.08
Total Income	**$18946.33**
EXPENSES	
Harper Signs	$105.50
Facebook Boost 9/30 & 9/1	$10.00
Total Expenses	**$115.50**
CURRENT BALANCE ON HAND	**$18830.83**

Tammy E. Allan, Treasurer SDA

12/14/15
Date

CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY

COUNCIL MEETING **INFORMATIONAL ITEM**

1/12/2016 **G – 2B**

Title: December 2015 Monthly Report for Building Permits and Inspections, Animal Control and Code Enforcement.

Thru: Donald Wayman, City Administrator

From: Joe Henne, Public Works Director

Action Requested: Informational - No action

Board/Commission Recommendation: Not applicable

Fiscal Impact: N/A

Funding Source: N/A

Staff Recommendation:

Informational Only

Background / Findings & Facts:

Attached are the Building Permits and Inspections, Code Enforcement and Animal Control reports for December 2015.

Recommended Motion:

Informational only.

December 2015 Building Permits and Inspections Report

No.	Issue Date	Name/Project	Address	Type	Fees
6569	12/23/2015	Viking Investors 1 LLC	410 S. First Street	New Building	$987.60
6584	12/3/2015	Donald & Lisa Johnson	1413 W. Cherry Ave.	New Patio/Deck	$162.35
6585	12/7/2015	BBS Selah LLC	502 S. First Street #A	New Commercial	$508.92
6586	12/7/2015	BBS Selah LLC	502 S. First Street #A	Plumbing Commercial	$52.65
6587	12/9/2015	Columbia Ridge Homes LLC	1407 W. Naches Ave.	New Building	$7,320.91
6588	12/9/2015	Columbia Ridge Homes LLC	1407 W. Naches Ave.	New Plumbing	$224.16
6589	12/9/2015	Columbia Ridge Homes LLC	1407 W. Naches Ave.	New Mechanical	$149.20
6590	12/9/2015	Columbia Ridge Homes LLC	1407 W. Naches Ave.	UG Sprinklers	$40.18
6591	12/9/2015	Columbia Ridge Homes LLC	1406 W. First Ave.	New Building	6,859.16
6592	12/9/2015	Columbia Ridge Homes LLC	1406 W. First Ave.	New Plumbing	$213.28
6593	12/9/2015	Columbia Ridge Homes LLC	1406 W. First Ave.	New Mechanical	$139.17
6594	12/9/2015	Columbia Ridge Homes LLC	1406 W. First Ave.	UG Sprinklers	$40.18
6595	12/8/2015	Hogback, Selah	405 N. Wenas Rd.	New Commercial	$18,694.16
6596	12/8/2015	Hogback, Selah	405 N. Wenas Rd.	Commercial Plumbing	$60.96
6597	12/8/2015	Hogback, Selah	405 N. Wenas Rd.	Commercial Mechanical	$274.62
6598	12/11/2015	Carey Ferguson	910 Ridgeview Rd.	Mechanical	$113.07
6599	12/11/2015	Brad Kuhlmann	6 Viking Dr.	Mechanical	$44.92
6602	12/29/2015	Jeff Short	304 N. 9th Street	Remodel	$685.70
6603	12/29/2015	Jeff Short	304 N. 9th Street	Plumbing	$74.41
6604	12/29/2015	Jeff Short	304 N. 9th Street	Mechanical	$47.18
6605	12/18/2015	Tree Top Inc.	209 E. 5th Ave.	Sign	$62.83
6606	12/21/2015	BBS Selah LLC	502 S. First Street #A	Sign	$227.16
TOTAL:					$36,982.77

Total Building Inspections for December 2015: 128

CODE ENFORCEMENT

DECEMBER 2015

DATE	LOCATION	PROBLEM/CONCERN	ACTION TAKEN	RESULT
9-Dec	200 BLK N 7TH	DEBRIS	VERBAL	CLEANED UP
10-Dec	300 BLK SELAH AVE	VEHICLES	CONTACTED OWNERS SON	SAID WILL MOVE
11-Dec	600 BLK W FREMONT	DEBRIS	VERBAL	CLEANED UP
14-Dec	700 BLK S 5TH	DEBRIS	VERBAL	CLEANED UP
16-Dec	600 BLK S 3RD	LIVING IN CAMP TRAILER	VERBAL	MOVED INTO HOUSE
18-Dec	100 BLK LYLE LP	PARKING PROBLEM	CONTACTED P.D.	
18-Dec	500 BLK S 1ST	TRACK OUT ONTO STREET	CONTACTED OWNER	CLEANED UP
18-Dec	400 BLK N WENAS	TRACK OUT ONTO STREET	CONTACTED OWNER	CLEANED UP
21-Dec	600 BLK SOUTHERN AVE	PARKING PROBLEM	CONTACTED P.D.	
23-Dec	ALLIGANCE PROPERTIES	QUESTIONS ABOUT TREES	ANSWERED QUESTIONS	
30-Dec	100 BLK LYLE LP	SHOVELING SNOW INTO ROADWAY	NO SNOW IN ROAD ON ARIVAL	

ANIMAL CONTROL

DECEMBER 2015

DATE	LOCATION	PROBLEM/CONCERN	ACTION TAKEN	RESULT
7-Dec	100 BLK W FREMONT AVE	LOST DOG	SEARCH FOR DOG	UNABLE TO LOCATE
9-Dec	900 BLK SPEYERS	DEAD CAT	PICKED UP	
9-Dec	500 BLK W CHERRY	BARKING DOG	CONTACTED OWNER	TOOK DOG INSIDE
10-Dec	300 BLK S 5TH	FOUND DOG	TAKEN TO SHELTER	
10-Dec	SELAH INTERMEDIATE	FOUND DOG	TRACKED OWNER	RETURNED DOG
10-Dec	100 BLK W FREMONT AVE	LOST DOG	FOUND DOG	RETURNED DOG
11-Dec	900 BLK CRESTVIEW	2 LOOSE DOGS	CONTACTED OWNER	PUT DOG IN FENCED YARD
11-Dec	400 BLK JAMIE DR	BARKING DOG	NOT BARKING ON ARIVAL 10 MIN	
14-Dec	1600 BLK W YAKIMA AVE	LOST DOG	FOUND DOG	RETURNED DOG
14-Dec	500 BLK S 1ST	DEAD DOG	PICKED UP	
14-Dec	200 BLK E HOME	LOST DOG	UNABLE TO LOCATE	
14-Dec	500 BLK HARRIS	LOST DOG	UNABLE TO LOCATE	
14-Dec	400 BLK RIVERVIEW	BARKING DOG	CONTACTED OWNER	TOOK DOG INSIDE
16-Dec	1700 BLK W YAKIMA AVE	BARKING DOG	NOT BARKING ON ARIVAL 15 MIN	
18-Dec	500 BLK LACEY	FOUND DOG	TRACKED OWNER	RETURNED DOG
18-Dec	1000 BLK HILLCREST	LOOSE DOG	DOG INSIDE FENCE ON ARIVAL	
21-Dec	500 BLK SUNRISE	BARKING DOG	CONTACTED OWNER	TOOK DOG INSIDE
21-Dec	400 BLK N 13TH	BARKING DOG	NO DOGS OUTSIDE ON ARIVAL	
22-Dec	SELAH ACADEMY	FOUND DOG	TRACKED OWNER	RETURNED DOG
23-Dec	800 BLK W 6TH	LOST DOG	FOUND DOG	RETURNED DOG
30-Dec	400 BLK SOUTHERN	FOUND CAT	TAKEN TO SHELTER	
30-Dec	800 BLK JAMIE DR	BARKING DOG	CONTACTED OWNER	TOOK DOG INSIDE

CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY

COUNCIL MEETING **ACTION ITEM**

1/12/2016 **I – 1**

Title: Approval of Minutes: December 8, 2015 Council Meeting

Thru: Donald Wayman, City Administrator

From: Monica Lake, Executive Assistant

Action Requested: Approval

Board/Commission Recommendation: Not applicable

Fiscal Impact: N/A

Funding Source: N/A

Staff Recommendation:

Approval of Minutes

Background / Findings & Facts:

See Minutes for details

Recommended Motion:

Motion to approve the Consent Agenda as read. (This item is part of the Consent Agenda)

City of Selah
Council Minutes
December 8, 2015

Regular Meeting
Selah Council Chambers
115 West Naches Avenue
Selah, WA 98942

A. Call to Order — Mayor Gawlik called the meeting to order at 4:00pm.

B. Roll Call

Members Present: John Tierney; Roy Sample; Jane Williams; Laura Ritchie

Members Excused: Paul Overby; Dave Smeback

Staff Present: Don Wayman, City Administrator; Bob Noe, City Attorney; Gary Hanna, Fire Chief; Rick Hayes, Police Chief; Joe Henne, Public Works Director; Dale Novobielski, Clerk/Treasurer; Charles Brown, Recreation Manager; Tom Durant, Community Planner; Bree Tait, Administrative & Marketing Specialist; Andrew Potter, Assistant to the City Administrator; Monica Lake, Executive Assistant

C. Pledge of Allegiance

A moment of silence was held for Karl Graf. Mayor Gawlik led the Pledge of Allegiance. Police Chief Hayes gave the prayer.

D. Agenda Changes — **None**

E. Public Appearances/Introductions/ Presentations

1. Presentation to Pam Schmid

Mayor Gawlik invited Pam Schmid to join him in front. He spoke about Council Member Allen Schmid, who had passed away a couple months earlier, saying that he left his fingerprint both on this government and on something he truly loved, baseball. He said that, anytime there was work to be done at McGonagle Park or Carlon Park, you would find Allen there to help or point out what needed to be done to someone else, and that he was always there when the kids were playing ball. He went on to say that Allen was also a part of the Selah community, and was instrumental in bringing a lot of tournaments to Selah; the City is going to remember him by putting up a plaque for him beside the existing one at Carlon Park, and a new tournament that was added will now be known as the Allen Schmid Memorial Tournament. He unveiled the plaque and read it aloud, noting that field number four will be renamed

Allen Schmid Field. He remarked that one of the things he has had the honor and pleasure of doing during his four years was to recognize the sons and daughters of Selah who answered the call and served their country. Allen Schmid served eight years in the United States Air Force, and as a token of that, he wished to present Ms. Schmid with an American flag that was flying over Selah on 9/11, along with a certificate of authenticity and Allen's council nameplate. He also presented her with a marble apple, engraved with the City logo, reading from the plaque on the base. He told those in attendance that the large plaque for Carlon Park would be moved to the back of the room when Council takes a recess, to allow those attending an opportunity to view it.

2. Presentation to outgoing Council Members

Mayor Gawlik said that they have several Council Members, and a Mayor, who will be leaving the service of the City at the end of year. He presented Council Member Williams with a marble apple for her service, noting that Council Member Smeback will also be receiving one, but is out of town at present.

F. Getting To Know Our Businesses **None**

G. Communications

1. Oral

Mayor Gawlik opened the meeting. Seeing no one rise to speak, he then closed the meeting.

2. Written

a. November 2015 Monthly Report for Building Permits and Inspections and Code Enforcement

H. Proclamations/Announcements **None**

I. Consent Agenda

Council Member Tierney moved, and Council Member Williams seconded, to remove M – 7 from the Consent Agenda. By voice vote, approval was unanimous.

Executive Assistant Lake read the Consent Agenda.

All items listed with an asterisk (*) were considered as part of the Consent Agenda.

* 1. Approval of Minutes: November 10, 2015 Council Meeting

* 2. Approval of Claims & Payroll:

Payroll Checks Nos. 79196 – 79222 for a total of $231,764.00
Claim Checks Nos. 66792 – 66879 for a total of $707,032.26

* 3. Resolution M – 1: Resolution Authorizing the Mayor to Sign a Legal Advertising Contract with the Yakima Herald-Republic for the 2015 Calendar Year

* 4. Resolution M – 6: Resolution Revising Rates For 2016 Water Utility Services

* 5. Resolution M – 8: Resolution Authorizing the Mayor to Sign An Updated Section 125 Cafeteria Plan

* 6. Resolution M – 9: Resolution Authorizing the Mayor to sign a Law Enforcement Assistance Agreement relating to Communications between the City of Selah and Yakima County

* 7. Resolution M – 10: Resolution Authorizing the Mayor to Sign a Contract with Yakima Valley Conference of Governments for Technical Assistance for the Year 2016

Council Member Tierney moved, and Council Member Williams seconded, to approve the Consent Agenda as read. By voice vote, approval of the Consent Agenda was unanimous.

J. Public Hearings **None**

K. New Business **None**

L. Old Business

1. Law Enforcement Services at the Civic Center *add-on*

Council Member Tierney addressed L – 1. He said that there was a discussion at the last meeting about using law enforcement services at the Civic Center and wondered about the outcome.

Police Chief Hayes responded that the decision was that the Civic Center would give a list of qualified security services to those who wish to rent the facility, and they can go to the Yakima Police or Yakima County Sheriff's guild.

Council Member Tierney observed that the first option is private security.

Police Chief Hayes replied that they would be given all four options, with the Selah Police Department continuing to provide security for charitable organization; it just won't be solely their job to provide security.

Council Member Tierney reiterated his concern from the last meeting about law enforcement officers versus rent-a-cops, saying that he would much rather see uniformed law enforcement.

Police Chief Hayes remarked that it is up to City Administrator Wayman and the Civic Center.

Mayor Gawlik expressed his concern that people wanting to hold activities at the Civic Center may be turned down if Council remains firm regarding police officers only and none are available.

Police Chief Hayes commented that the Ordinance requires security be hired if alcohol is being served, saying that he agreed with the Mayor about officers not always being available. He suggested having law enforcement officers as the first option than the security firms.

Administrative & Marketing Specialist Tait said that the biggest problem has been a lack of available officers, especially when there is only a two week notice, She felt that it was a disservice to both the Civic Center and the Police Department, adding that it is a lot of stress for her to call and police everyone, to make sure people are keeping her informed on what's going on. She noted that many people are adamant about going with the rent-a-cops.

Police Chief Hayes remarked that they could give out contact numbers for the Yakima County Sheriff's guild.

City Administrator Wayman stated that they are hoping to fill the gap with the guild; they have contacted them in past, and this may be the answer to filling the need with uniformed officers who have badges. He added that they also want to reserve the ability to seek out certain security firms that can handle an event, as he cannot imagine going through a full year without a problem with law enforcement availability, and that if they prohibit events with alcohol, it would harm operation of the Civic Center.

Council Member Tierney said that he preferred they ask law enforcement officers first, and if they are turned down then go to the security firms.

Mayor Gawlik observed that he worked for a private security agency for several years, and having been a law enforcement officer himself, he was selective as to who he worked for, going with an agency that had a certain amount of regulations for all their security people. He added that, while there agencies that are there only to collect an hourly wage, there are others with trained certified officers working for their company.

Council Member Williams asked if they leave it up to the person renting facility to find someone.

Administrative & Marketing Specialist Tait replied in the affirmative, adding that she recommends providing a list. She noted that whoever provides the security works with her; if the person renting the facility doesn't get her the information they cannot hold the event.

City Administrator Wayman noted that the City will provide the list in the order they prefer, encouraging them to go with uniformed officers first.

Council Member Williams asked if the list could be given with a preferred order.

City Administrator Wayman responded in the affirmative.

M. Resolutions

* 1. Resolution Authorizing the Mayor to Sign a Legal Advertising Contract with the Yakima Herald-Republic for the 2016 Calendar Year

2. Resolution authorizing the Public Works Director to sign a Water Quality Stormwater Capacity Agreement with the Washington Department of Ecology (DOE) for $50,000 in grant funds for the City's Stormwater Management plan

Public Works Director Henne addressed M – 2. He said that a couple months ago, the City did an application to the DOE for grant monies, and they were selected to receive a grant. He noted that he will be the project manager for it and sign the agreement, and that he's asking for Council's permission to sign and proceed.

Mayor Gawlik inquired if there were matching funds.

Public Works Director Henne responded in the negative, saying that it was a straight up grant.

Council Member Tierney requested that he explain what the money will be sued for, aside from five thousand for administrative costs.

Public Works Director Henne replied that it could be used for training, to haul off street sweeping material, and for public outreach; there are numerous phase two permit requirements that it can also be utilized for.

Council Member Tierney moved, and Council Member Williams seconded, to approve the Resolution authorizing the Public Works Director to sign a Water Quality Stormwater Capacity Agreement with the Washington Department of Ecology for $50,000 in grant funds for the City's Stormwater Management plan. Roll was called: Council Member Tierney – yes; Council Member Sample – yes; Council Member Williams – yes; Council Member Ritchie – yes. By voice vote, approval was unanimous.

3. Resolution Authorizing the Mayor to Sign a Memorandum of Understanding with the Selah School District regarding the Use of Maintenance of Ballfields during Tournaments

Recreation Manager Brown addressed M – 3. He said that, because GYGSA has expanded their tournament base to include the use of two fields at the high school, this agreement would allow the City to maintain those fields to tournament standards, adding that any damage incurred by the City would be fixed at our expense.

Council Member Ritchie moved, and Council Member Sample seconded, to approve the Resolution Authorizing the Mayor to Sign a Memorandum of Understanding with the Selah School District regarding the Use of Maintenance of Ballfields during Tournaments. Roll was called: Council Member Tierney – yes; Council Member Sample – yes; Council Member Williams – yes; Council Member Ritchie – yes. By voice vote, approval was unanimous.

4. Resolution Authorizing the Mayor to Sign a Facility Use Agreement between the City of Selah and the Greater Yakima Girls Softball Association (GYGSA)

Recreation Manager Brown addressed M – 4. He said that the City's fifteen-year contract with GYGSA expires on December 31st, and the new contract, a five-year one, adds in a fifth field that belongs to the City. He stated that it is simply an update to the current contract.

Council Member Williams asked if the three thousand dollar price for the concession stand lease was the same for the last fifteen years.

Recreation Manager Brown responded in the affirmative, adding that he sees no reason to increase it.

Council Member Williams wondered if the City was auditing the concession stand on a yearly basis.

Clerk/Treasurer Novobielski replied in the negative, saying that they do a financial statement that shows the total sales and a breakdown of expenditure items.

Council Member Williams expressed concern that the City is receiving nothing aside from the concession stand fee plus twenty-five dollars to mow the fields.

Recreation Manager Brown clarified that it's twenty-five dollars per field per game, which increases by an additional ten dollars if they go to the high school to do their fields. He added that the do collect maintenance fees and charge for league fees and lights; there are staff on site during tournaments who keep track of what they do, as well as light hours, and after each tournament an invoice is sent.

Council Member Williams asked if the amount charged was only for field prep, not for staff time to be there.

Recreation Manager Brown responded that it is just for field prep, which takes approximately fifteen minutes per field.

Mayor Gawlik commented that he sat down with GYGSA and the other entities that contract with the City for use of the ballfields, and that GYGSA does a lot more work than the City expects of them and still pays the fees agreed upon. He felt that the City comes out much better than anticipated in the arrangement, and that the agreement is beneficial for both parties.

Recreation Manager Brown noted that the scoreboxes put in were primarily paid for by GYGSA.

Council Member Tierney felt that the contract is a good one, and wondered if they were current on their annual concession stand fees.

Recreation Manager Brown responded that he has sent an invoice but received no payment as of yet. He will ask Bill Harris when he meets with him tomorrow.

Council Member Williams asked if used of the parking lot for trailers and RVs should be included.

Mayor Gawlik told her that the parking lot in question belongs to the Selah School District.

Council Member Sample remarked that all the people coming to town for tournaments also help generate revenue for the businesses of Selah.

City Administrator Wayman commented that it was not a one-way situation, as the City asked them to adjust their schedules to start their last games at eight pm instead of later in the evening.

Council Member Williams moved, and Council Member Ritchie seconded, to approve the Resolution Authorizing the Mayor to Sign a Facility Use Agreement between the City of Selah and the Greater Yakima Girls Softball Association (GYGSA). Roll was called: Council Member Tierney – yes; Council Member Sample – yes; Council Member Williams – yes; Council Member Ritchie – yes. By voice vote, approval was unanimous.

5. Resolution Authorizing the Mayor to sign Master Interlocal Agreement (ILA) with Yakima County for Growth Management Act Implementation

Community Planner Durant addressed M – 5. He said that the master ILA has to do with the County and City agreeing on how to deal with land use in the urban growth area under County jurisdiction, and that it's called a master agreement because the County enters into it with every city located within the County. He explained that it deals with the process they follow in adjusting the urban growth boundary and how to deal with land use and transition when property is annexed; this particular agreement has more clearly stated responsibilities, and replaces the one done in the 90s.

Council Member Williams moved, and Council Member Tierney seconded, to approve the Resolution Authorizing the Mayor to sign Master Interlocal Agreement with Yakima County for Growth Management Act Implementation. Roll was called: Council Member Tierney – yes; Council Member Sample – yes; Council Member Williams – yes; Council Member Ritchie – yes. By voice vote, approval was unanimous.

* 6. Resolution Revising Rates For 2016 Water Utility Services

7. Resolution Revising Rates For 2016 Sewer Utility Services

Clerk/Treasurer Novobielski addressed M – 7. He said that the rates are a result of the 2016 budget process, which provides for a three percent increase in sewer rates, or an increase of a dollar and eleven cents for the average household, sixty-eight cents for low income seniors and low income disability, seventy-four cents for multi residential, and an increase to the commercial base rate of one dollar and a penny plus eight cents more per cubic foot.

Council Member Tierney expressed his dissatisfaction with the difference in rates for single family residential versus multi-family.

Clerk/Treasurer Novobielski responded that those rates were in place when he came on board. His understanding is that the disparity is due to the high-density housing and smaller units, which result in a smaller on average and the property owners argued that they were being unfairly charged for the amount of discharge.

Council Member Tierney commented that there is not much difference between a two-bedroom four-unit structure and an apartment complex.

Clerk/Treasurer Novobielski thought that the larger complex owners felt the pinch more than those with smaller complexes did.

Council Member Tierney felt that it needs to be revisited.

Public Works Director Henne suggested that he take those concerns and review all the sewer rates, as he also has additional thoughts on how to charge for some things.

Mayor Gawlik asked if the landlords paid whether the units were occupied or not.

Public Works Director Henne responded in the affirmative, adding that it is based on a ninety-five percent occupancy rate.

City Administrator Wayman asked for ninety days to come up with a report on where staff thinks it ought to be adjusted.

Council Member Tierney strongly recommended that they get input from not only staff, but also from large industrial users and those who own apartments.

Public Works Director Henne stated that he would look at all rates throughout sewer.

Council Member Tierney moved, and Council Member Ritchie seconded, to approve the Resolution Revising Rates For 2016 Sewer Utility Services. Roll was called: Council Member Tierney – yes; Council Member Sample – yes; Council Member Williams – yes; Council Member Ritchie – yes. By voice vote, approval was unanimous.

* 8. Resolution Authorizing the Mayor to Sign An Updated Section 125 Cafeteria Plan

* 9. Resolution Authorizing the Mayor to sign a Law Enforcement Assistance Agreement relating to Communications between the City of Selah and Yakima County

* 10. Resolution Authorizing the Mayor to Sign a Contract with Yakima Valley Conference of Governments for Technical Assistance for the Year 2016

11. Resolution Approving the Final Plat of "Speyers Court Estates" (912.61.14-03) and Authorizing the Mayor to sign the Final Plat

Community Planner Durant addressed M – 11. He said that this Resolution authorizes the Mayor to sign the final plat of Speyers Court Estates, which has a different name as required. He noted that the plat has been completed, and reviewed by himself and the Public Works Department, the title report was received, as well as the covenants, and that he recommends approval of the Resolution and final plat.

Council Member Williams wondered if the covenant errors were corrected.

Community Planner Durant responded that he believes they were, but he will make sure. He said that Mr. Torkelson wouldn't receive the documents for recording until everything is ready to go.

Council Member Williams remarked that she would appreciate it if the planning department would provide them with the conditions, covenants, and restrictions exactly as they would be recorded.

Mayor Gawlik asked about the verbiage being cut and pasted from other documents.

Community Planner Durant replied that the covenants are fairly standard from one development to the next for the most part, and that sometimes names and places fail to be changed in the process.

Council Member Tierney moved, and Council Member Sample seconded, to approve the Resolution Approving the Final Plat of "Speyers Court Estates" (912.61.14-03) and Authorizing the Mayor to sign the Final Plat. Roll was called: Council Member Tierney – yes; Council Member Sample – yes; Council Member Williams – no; Council Member Ritchie – yes. Motion passed with three yes votes and one no vote.

N. Ordinances

1. Ordinance Amending the 2015 Budget for Miscellaneous Adjustments

Clerk/Treasurer Novobielski addressed N – 1. He said that there are various items requiring a final budget adjustment for 2015, to ensure that none of the funds exceed their total authorized appropriation. He proceeded to review the document, line by line.

City Administrator Wayman remarked that the legal department would likely increase five to ten percent in the next year, as the City will be negotiating with the public defender for a new contract.

Clerk/Treasurer Novobielski continued his review of the Ordinance, noting that the one in the packet had an error that was corrected prior to the meeting, and that the Mayor will sign the amended copy.

City Administrator Wayman commented that the new Council would be presented with a complete brief on the Civic Center, from its history to options for the future.

Council Member Williams asked about the lack of sales tax for Civic Center rentals.

Clerk/Treasurer Novobielski responded that no sales tax is collected when the facility is rented out. He finished his review of the document.

Council Member Williams moved, and Council Member Ritchie seconded, to approve the Ordinance Amending the 2015 Budget for Miscellaneous Adjustments. Roll was called: Council Member Tierney – yes; Council Member Sample – yes; Council Member Williams – yes; Council Member Ritchie – yes. By voice vote, approval was unanimous.

O. Reports/Announcements

1. Mayor

Mayor Gawlik expressed his thanks to the citizens for giving him the honor of being Mayor for the last four years. He commented that the first years of his working relationship with Council were rocky, but they began to work in unison for the betterment of the community. He thanked the department heads, saying that he has truly enjoyed working with them, and that his trust in their expertise and knowledge has never been misplaced; the City employees, adding that he's received numerous phone calls from citizens commending him for their courtesy, dedication and professionalism; his Administrative Assistant, who was always there with the right information and answers to keep him out of trouble; City Attorney Noe for being there from the beginning; and City Administrator Wayman for the six months they've worked together. He told Mayor elect Raymond that he's handing over a City in better shape than when he took office, and that he believes the staff is waiting and eager to work with her to make Selah the best place to live and play in Yakima County.

2. Council Members

Council Member Ritchie extended her appreciation to Mayor Gawlik and Council Member Williams, saying that they were the most influential people to her occupying her seat. She noted that Council Member Williams has been a big help to her as a resource and someone to bounce ideas off.

Council Member Sample said that it has been an honor to work with everyone who is leaving.

Council Member Tierney thanked Council Member Williams for her service on the Council and to community, saying that she brought a refreshing perspective to Council and asked some very important questions. He remarked that he and the Mayor go back a long ways, to their days in law enforcement, and that it has been an honor and a privilege to serve with him.

Council Member Williams thanked the citizens for support she has received. She commented that she understands that, when Mr. Weller and Mr. Worby came to pick up a public disclosure request, they were not treated fairly, and that she would like to see citizens who come to pick up documentation able to sit in the conference room to review said documents. She would like to see the Planning Department undergo a lean review through the State Auditor's office, to get things running as efficiently as possible. She felt that, in her opinion, there is a lack of code enforcement within the community, and that she feels the City needs to continue to work on that. She expressed her thanks to the staff for being patient with her, and to the Mayor for being one of the first ones to push her to run for Council, and for not letting personal matters get in the way of doing what was best for the community.

3. Department

Public Works Director Henne said that everything is going well, and thanked the Council for their support of Public Works this year, especially Council Member Williams and Mayor Gawlik. He commented that he has never worked with a Council Member before who was not afraid to say what she thought and ask a lot of questions, and that the Mayor has allowed him to call whenever he needed something.

Council Member Ritchie asked when the light change would be complete.

Public Works Director Henne responded that the ones belonging to the City have been done.

City Administrator Wayman observed that the brighter lights are theirs.

Council Member Tierney inquired if the City pays for the dimmer ones.

Public Works Director Henne replied that they are under contract. He noted that he has not seen the bills with the new LED streetlight rate yet.

Council Member Tierney extended his compliments to the crew for the Christmas decorations, saying that the city looks really nice with them on the streets.

Mayor Gawlik remarked that Public Works Director Henne is a bloodhound when it comes to finding money for City projects.

Clerk/Treasurer Novobielski said that 2015 was a great year, and he is optimistic that 2016 will be even better. He stated that it was a pleasure working with the Mayor and Council Member Williams.

Administrative & Marketing Specialist Tait thanked the Council for being respectful and courteous to her, and embracing her in the position she has taken over.

Mayor Gawlik remarked that the possibility of renovation versus replacement has been discussed since the topic was first broached, and that he was told it would be well over a million dollars just to bring the current building up to code.

Recreation Manager Brown thanked the Mayor and Council Member Williams for the opportunity and chance to work with them.

Mayor Gawlik expressed his appreciation for all his efforts on Volunteer Park.

Council Member Williams requested a status report on the park.

Public Works Director Henne replied that they would receive a start work notice as soon as SEPA is done.

Council Member Williams wondered if the problems with the neighbors had been worked out.

City Administrator Wayman responded that they will come to a legal agreement eventually, and are still working on the details.

Council Member Ritchie inquired as to how much property was affected.

Public Works Director Henne replied that it varies; one is around twenty-two feet of encroachment.

City Administrator Wayman noted that there are some extenuating circumstances with that.

Council Member Tierney asked if it could go eminent domain.

Public Works Director Henne responded in the negative. He commented that they couldn't do anything at the park now due to weather conditions.

Assistant to the City Administrator Potter said that the AWC elected officials training he attended on Saturday was very informational, and that himself and Executive Assistant Lake would be meeting with the incoming Council Members and Mayor Elect to get them up to speed with paperwork and other matters. He gave a brief update on the entry-level officer process and the one for planner.

Council Member Williams asked about a start date for the new planner.

City Administrator Wayman responded that it is open until filled; they want to get the right person, and it will be dependent on how well they do in the interviews.

Assistant to the City Administrator Potter added that, if they find the right planner when doing interviews, the transition would start to happen sometime in the second quarter of the year.

Fire Chief Hanna said that all projects they have been working on are proceeding well. He extended his thanks to Council Members Williams and Smeback, and Mayor Gawlik, as well as the others, for their support to the Fire Department this year. He noted that the departments have never worked together as well as they currently do.

Police Chief Hayes thanked the Council for their support. He agreed with Fire Chief Hanna that the departments are working well together and that if they continue to do so they will be a shining star in Yakima County.

Community Planner Durant said that they need a site plan for Volunteer Park, and that he anticipates getting through the SEPA zoning review by the end of January. He noted that it is a class 2 review, which can either be done internally or go to the Planning Commission for review. He remarked that the planning portion of the City website has been revamped, with the two current elements of the Comprehensive Plan being reviewed by the Planning Commission available there for those who wish to view it.

City Attorney Noe said that it has been an honor to have worked with Mayor Gawlik. He thanked Council Member Williams for doing great things for the community.

City Administrator Wayman gave a brief update on the Selah Parks and Recreation Service Area Board agreement, which is still under negotiation regarding insurance of the new pool. He thanked the staff for all work they have done; Mayor Gawlik for having the wisdom to hire him and for his leadership and guidance; and stated that he is looking forward to working with the Mayor elect and incoming Council.

4. Boards
   a. Parks Board Minutes – September 14, 2015

Council took a fifteen minute recess.

P. Executive Session

1. 20 Minute Session – Real Estate RCW 42.30.110(1)(b)

Council went into Executive Session at 6:12m. At 6:32pm, Council went back on the record. Mayor Gawlik stated that they would be extending the Executive Session for an additional 15 minutes.

Council went back into Executive Session at 6:32pm. At 6:47pm, Council went back on the record. Mayor Gawlik stated that no action was taken during the Executive Session.

Council Member Williams moved, and Council Member Tierney seconded, to approve the sale of the old Youth Center building, located at 111 West Naches Avenue, to Atrium Investments, LLC for $90,000, with a lease to won agreement for $500 for five months, or until they receive financing. Roll was called: Council Member Tierney – yes; Council Member Sample – yes; Council Member Williams – yes; Council Member Ritchie –yes. By voice vote, approval was unanimous.

Q. Adjournment

Council Member Ritchie moved, and Council Member Sample seconded, that the meeting be adjourned. Motion carried with three yes votes and one no vote.

The meeting adjourned at 6:50 pm.

John Gawlik, Mayor

EXCUSED
Paul Overby, Council Member

John Tierney, Council Member

EXCUSED
Dave Smeback, Council Member

Roy Sample, Council Member

Jane Williams, Council Member

Laura Ritchie, Council Member

ATTEST:

Dale E. Novobielski, Clerk/Treasurer

CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY

COUNCIL MEETING **ACTION ITEM**

1/12/2016 **I – 2**

Title: Claims & Payroll

Thru: Donald Wayman, City Administrator

From: Monica Lake, Executive Assistant

Action Requested: Informational - No action

Board/Commission Recommendation: Not applicable

Fiscal Impact: See Check Registers

Funding Source: Various. See Check Registers.

Staff Recommendation:

Approval of Claims & Payroll as listed on Check Registers.

Background / Findings & Facts:

See Check Registers.

Recommended Motion:

Motion to Approve the Consent Agenda as read. (This item is part of the Consent Agenda)

CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY

COUNCIL MEETING **ACTION ITEM**

1/12/2016 **K – 1**

Title: Selection of a Mayor Pro Tempore for Calendar Year 2016

Thru: Donald Wayman, City Administrator

From: Mayor Raymond

Action Requested: Approval

Board/Commission Recommendation: Not applicable

Fiscal Impact: N/A

Funding Source: N/A

Staff Recommendation:

To select a 2016 Mayor Pro Tempore in accordance with Selah Municipal Code Chapter 1.06 § 100

Background / Findings & Facts:

Council is required to select a Mayor Pro Tempore each calendar year during the month of January per Selah Municipal Code

Recommended Motion:

To select a Mayor Pro Tempore for Calendar year 2016

CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY

COUNCIL MEETING **ACTION ITEM**

1/13/2016 **K - 2**

Title: Board & Committee Assignments for 2016

Thru: Donald Wayman, City Administrator

From: Mayor Raymond

Action Requested: Approval

Board/Commission Recommendation: Not applicable

Fiscal Impact: N/A

Funding Source: N/A

Staff Recommendation:

Select Council Members for various boards and committees

Background / Findings & Facts:

Each year the Council Members are assigned to represent the City on various boards and committees

Recommended Motion:

Select Council Members for all boards and committees and approve the final list for 2016

City of Selah
Boards and Committees 2016 Assignments

1. Finance Committee
    -
    -
    -
2. Parks & Recreation Board
    -
3. Lodging Tax Advisory Committee (LTAC) (same committee as TPA)
    -
4. Selah Tourism Promotion Area (TPA) (Same committee as LTAC)
    -
5. Yakima Valley Conference of Governments (YVCOG)
    -
    -
6. Yakima Valley Visitors & Convention Bureau (YVVCB)
    -
7. Selah Parks & Recreation Service Area Board (SPRSA)
    -
    -
8. Yakima Transit
    -
9. Fire Commissioners Board and Volunteer Firefighters Board
    - Mayor Raymond
    -
10. Selah Chamber of Commerce
    -

11. Selah School District
    -
    -
12. Gang Commission
    -
13. Naches-Selah Irrigation District Voting Member
    - Mayor Raymond
14. Facilities Committee
    -
    -
    -
15. Selah Parks Foundation

16. Selah Downtown Association

CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY

COUNCIL MEETING ACTION ITEM

1/12/2016 K – 3

Title: Main Street Tax Incentive Program for the Public Utility Tax Credit for 2017

Thru: Donald Wayman, City Administrator

From: Tammy Allen, Selah Downtown Association

Action Requested: Approval

Board/Commission Recommendation: Approval

Fiscal Impact: $20,000

Funding Source: Fund 001

Staff Recommendation:

Discuss the matter with the representative from the Selah Downtown Assocation

Background / Findings & Facts:

Last month the City's Clerk-Treasurer, Dale Novobielski, received information from the State Auditor that the City of Selah is approved to use this credit in the future. I'd like to ask the Council to approve a budget item for 2017 in the amount of $20,000 donation, therefore taking advantage of the Public Utilities Tax Incentive Credit for next year, as the $1.5 million in 2016 cap was filled in 4 days!

CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY

COUNCIL MEETING **ACTION ITEM**

1/12/2016 **M – 1**

Title: Resolution Declaring Fire Department Property as Surplus and Authorizing Its Disposal

Thru: Donald Wayman, City Administrator

From: Gary Hanna, Fire Chief

Action Requested: Approval

Board/Commission Recommendation: Not applicable

Fiscal Impact: None

Funding Source: Not applicable

Staff Recommendation:

Approval

Background / Findings & Facts:

This equipment is being replaced with two 2016 Brush/Rescue vehicles and has no further purpose for the Selah Fire Department, but equipment may have usable years in public or private sector.

Recommended Motion:

Move to approve the Resolution declaring one 1984 Chevrolet 1 ton brush truck and one 1984 Chevrolet 1 ton Cab and Chassis as surplus.

RESOLUTION NO _____

RESOLUTION DECLARING FIRE DEPARTMENT PROPERTY AS SURPLUS AND AUTHORIZING ITS DISPOSAL

WHEREAS, the Selah Fire Department has re-evaluated potential uses for equipment owned by the Fire Department; and,

WHEREAS, the equipment identified as follows;

1984 Chevrolet one ton brush truck, vehicle identification number 1GBJK34W8EV135594, and

1984 Chevrolet one ton cab and chassis, vehicle identification number 1GBJK34W2EV109444

Appears to have no further purposes for the Selah Fire Department, but equipment may have usable years in public or private sector;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, that the identified equipment be surplused and its disposal authorized.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, this 12th day of January, 2016.

_____
Sherry Raymond, Mayor

ATTEST:

_____
Dale E. Novobielski, Clerk/Treasurer

APPROVED AS TO FORM

_____
Robert Noe, City Attorney

RESOLUTION NO. _____

CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY

COUNCIL MEETING **ACTION ITEM**

1/12/2016 **M – 2**

Title: Resolution Approving the Preliminary Plat of "Valhalla Heights Subdivision Phases 3 and 4" (912.38.14-02) and Adopting Findings and Conditions of Preliminary Plat Approval

Thru: Donald Wayman, City Administrator

From: Thomas R Durant, Community Planner

Action Requested: Approval

Board/Commission Recommendation: Approval

Fiscal Impact: N/A

Funding Source: N/A

Staff Recommendation:

Approval

Background / Findings & Facts:

Hearing Examiner conducted open record public hearing October 29, 2014 continued to December 8, 2014. Prepared Findings and Conclusions recommending Approval of the Preliminary Plat of Valhalla Heights Subdivision Phases 3 and 4 on December 23, 2014.

Recommended Motion:

I move the Council approve Preliminary Plat No. 912.38.14-02 designated as Valhalla Heights Subdivision Phases 3 and 4 with 29 specific conditions as recommended by the Hearing Examiner.

CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY

Record of all prior actions taken by the City Council and/or a City Board, City Committee, Planning Commission, or the Hearing Examiner (where applicable)

Date:	Action Taken:
10/29/2014	Hearing Examiner Open Record Public Hearing
12/8/2014	Continued Hearing Examiner Open Record Hearing
Click here to enter a date.	Click here to enter text.
Click here to enter a date.	Click here to enter text.
Click here to enter a date.	Click here to enter text.
Click here to enter a date.	Click here to enter text.

RESOLUTION NO. _____

RESOLUTION APPROVING THE PRELIMINARY PLAT OF "VALHALLA HEIGHTS SUBDIVISION PHASES 3 AND 4" (912.38.14-02) AND ADOPTING FINDINGS AND CONDITIONS OF PRELIMINARY PLAT APPROVAL

WHEREAS, on January 12, 2016 the City of Selah City Council considered Preliminary Plat No. 912.38.14-02 known as "VALHALLA HEIGHTS SUBDIVISION PHASES 3 AND 4" located at the West end of W. Goodlander Road. Yakima County Taxation Parcel Numbers: 181427-14426, 41404, 44401, 181426-33409, 33413 and 33400; and,

WHEREAS, The Hearing Examiner recommended approval of the Preliminary Plat; and,

WHEREAS, a portion of the property, consisting of 1.67 acre, lies outside of the Selah City Limits and Urban Growth Area and is under the jurisdiction of Yakima County. It was determined that this property should be shown on the preliminary plat as a single tract or lot under County standards, but which would not be served by City sewer or water service; and,

WHEREAS, by letter dated October 23, 2014, Yakima County extended review authority to the City over the 1.67 acres located outside of the City Limits but retained the right to comment on the plat and the authority to sign off on the Final Plat with review limited to the portion of the property that is outside of the City Limits; and,

WHEREAS, the City of Selah Council has considered the Hearing Examiner's findings of fact and conclusions and the City staff report and the Council is satisfied that the matter has been sufficiently considered; and,

WHEREAS, The City Council adopts the Findings and Conclusions of the Hearing Examiner's Recommendation dated December 23, 2014; and,

WHEREAS, the City Council considered the elements of public use and interest to be served by such platting, and

WHEREAS, the City Council considered the elements of public health, safety, and general welfare pertaining to the preliminary plat;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON that Preliminary Plat No. 912.38.14-02 designated as "Valhalla Heights Subdivision Phases 3 and 4" be approved; that the Hearing Examiner's Findings and Conclusions be adopted with the twenty nine (29) specific conditions contained in said Findings and Conclusions, a copy of which is attached hereto.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON this 12th day of January, 2016.

Sherry Raymond, Mayor

ATTEST:

Dale E. Novobielski, Clerk/Treasurer

APPROVED AS TO FORM:

Robert Noe, City Attorney

CONDITIONS OF PRELIMINARY PLAT APPROVAL

1. All design and/or improvement notations indicated on the preliminary plat are included herein as conditions of preliminary plat approval. (Including, but not limited to, dedicated right-of-way width, easement widths and locations, lot size and configuration).

2. The part of the subject property that is located outside of the City Limits and Urban Growth Area shall be subdivided into a lot or a tract with the boundary coterminous to the City limits in accordance with approval of record of such a division by Yakima County. This shall be done by including the lot or tract on the final plat, which shall require Yakima County approval.

3. Any merger of the lot or tract created by approval of Yakima County into any adjoining property inside of Selah city limits shall be prohibited until such time as the County-approved lot or tract is annexed by the City. Development of the lot or tract for residential use shall be subject to the requirements of the Yakima County Zoning and Subdivision Ordinances (or any succeeding Code adopted by Yakima County). The City of Selah shall have no obligation to provide sewer or water service to the Yakima County-approved lot or tract in accordance with this plat approval, except in accordance with an effective annexation ordinance or by other lawful agreement.

4. A preliminary engineering report and/or plan, prepared by a Licensed Professional Engineer, demonstrating the feasibility of construction of all public improvements required by Selah Municipal Code, Chapter 10.50 must be submitted to the Public Works Director for approval. This preliminary report and/or plan shall include documentation of a second legal access to the public road/street system based on one of the alternatives in Condition 13 herein.

5. All final plans and specifications for improvements must be prepared by a Licensed Professional Engineer and reviewed and approved by the Public Works Director prior to construction. Specifications for improvements shown on the preliminary plat are minimum specifications that may be superseded by conditions contained herein or by specific conditions as approved by the Public Works Director. Upon completion of construction and prior to final plan approval, final 'as-built' construction plans and a written certification by a Licensed Professional Engineer that said improvements were completed in accordance with the approved construction plans must be submitted to the Public Works Director for approval.

6. All public street improvements within the City limits shall be constructed to City standards in accordance with final plans and specifications as approved by the Public Works Director, including 50 foot wide right-of-way dedicated to the City, concrete rolled (or better) curb and gutter, five (5) foot wide sidewalk on one street side and street illumination. Utility improvements shall be extended beyond street pavement edge to facilitate future extension where appropriate. Street grade shall not exceed 10%. West Goodlander Road shall be improved with 34 foot wide asphalt pavement and the sidewalk shall be installed on the same side of the street as it is on the existing completed portion of

West Goodlander Road. The other public interior streets shall be improved with 31 foot wide asphalt pavement.

7. Street illumination shall be installed by the developer at locations and to the specifications of the Public Works Director (typically at 300 foot intervals or as otherwise determined by the Director of Public Works in order to maximize street illumination). Street lights shall be installed on metal poles.

8. All lots within the City limits must be served with a full range of public and private services and utilities including public water and sewer, power, natural gas and telephone. All utilities shall be underground and installed prior to the surfacing of streets. All utilities placed beneath streets, curbs or sidewalks shall be extended beyond these features to avoid them being disrupted by future extensions.

9. The lot or tract located outside of the City limits shall be connected to a public (community) water system unless this requirement is reduced or waived by Yakima County. Separate application to the County is required.

10. Ten foot wide public utility easements shall be provided adjacent to all public rights-of-way as shown on the preliminary plat, and as specified by the utility providers.

11. There shall be a moratorium on public street cuts for a period of five (5) years from the date of plat recording.

12. Fire hydrants shall be provided and installed by the developer at locations approved by the City of Selah Fire Chief and Public Works Director to the specifications of Selah Municipal Code, Chapter 11.30.

13. At the time of submission of plans and specifications for Public Works approval, the proponent shall submit documentation of legal authority for the location and construction of a second connection to a public street or road as required by SMC 10.50.041(c)(12), using one of the following alternatives:

    a. Improve Marissa Hill Drive to Yakima County standards as a private road in accordance with applicable Yakima County project permit review requirements, provided that documentation is provided to the satisfaction of the City Attorney that the public has the right to use the access easements, in their entirety from the end of West Goodlander Road as shown on the preliminary plat to McGonagle Road. This includes not only the right of traffic generated by the entire Valhalla subdivision, Phases 1 through 4 to use the easements, but all other public traffic that would use this part of West Goodlander Road.

    b. Obtain dedication of Marissa Hill Drive and additional right of way to Yakima County and improve it in accordance with applicable Yakima County project permit requirements to County public road standards from the end of West Goodlander Road as shown on the

preliminary plat to McGonagle Road. Consultation with and possibly separate application to the County should occur before pursuing this alternative.

c. Provide right-of-way and construct an alternate road from the subject property to Katie Lane. Any portion of the new street that is within the City Limits must be improved as a public street to the same standards as required herein for West Goodlander Road. Any part of the road that is outside of the City Limits shall be improved to Yakima County standards as determined by the County in accordance with applicable Yakima County project permit review requirements. Documentation shall be provided for any part of this road that is to remain private in the same manner as described by 'a' above (excluding Katie Lane, which is in dedicated County right-of-way). Dedication and improvement of any portion of this street to Yakima County shall be to the same requirements and with the same caveats as described in 'b' above.

d. Improve a combination of Marissa Hill Drive and a new street connection to Katie Lane, subject to the same development regulations and standards applicable to the road as determined by the reviewing and approving jurisdiction as set out in 'a' 'b' and 'c' above.

e. Improve and dedicate a new street across adjacent property to the east from the project site to McGonagle Road. Since this property in in the City limits, development of a City Street to city standards will be required. If any part of this street is outside of the City Limits, construction to Yakima County standards shall be required.

f. Other alternatives for providing a second connection to the public street transportation system that meet the requirements of reviewing agencies as described this Condition 13, and which do not present potential adverse impacts in addition to those disclosed in the environmental checklist may be employed, subject to the submission of documentation demonstrating appropriate legal authority and regulatory approvals for review and approval by the City Public Works Director, and by Yakima County for road segments within its jurisdiction.

14. A circular turnaround with a minimum radius of 52.5 feet shall be provided at the north end of West Goodlander Road as it is shown on the preliminary plat (between proposed lots 25 and 26) unless a public street is extended beyond this point. If any extended public street terminates at the City Limits or boundary of the subdivision, a turnaround to the same standards shall be provided in that location. The street right-of-way at the north end of West Goodlander Road as shown on the preliminary plat (between proposed lots 25 and 26) shall have at least 50 feet of frontage on the west property line to allow for future extension of the right-of-way into the neighboring property.

15. If Marissa Hill Drive is not used for access to the subdivision (including emergency vehicle access) because another alternative route is provided, the lot or tract located outside of the City limits may obtain access from its frontage on the city street (West Goodlander Road). This may be used as

justification for Yakima County to reduce or waive required improvements of Marissa Hill Drive. Separate application to the County would be required.

16. Final lot dimensions and lot area must substantially conform to the preliminary plat unless otherwise amended during the public hearing process.

17. Storm Water drainage facilities to accommodate runoff generated in the plat shall be developed and must comply with a drainage facilities plan prepared by a licensed professional engineer and approved by the Public Works Director.

18. A NPDES construction stormwater general permit shall be obtained from the Department of Ecology and Stormwater Pollution Prevention Plan prepared as required.

19. A dust control plan shall be prepared and implemented during construction as required by the Yakima Regional Clean Air Agency.

20. Prior to final plat recording, all required plat improvements (utilities, streets, drainage facilities, etc.) must be installed and accepted by the City or a surety bond pledged to the City to ensure installation of the plat improvements within two years of final plat recording.

21. Site development shall conform to all mitigation measures in the Mitigated Determination of Nonsignificance (File No. 971.38.14-02) issued by the Selah SEPA Responsible Official on October 14, 2014 and finalized on October 31, 2014. Such mitigation measures include the recommendations in the Geologic Hazards Assessment, Valhalla Heights Addition Phases 3 & 4, prepared by GN Northern, Inc., July 2014, (pp. 14 – 18 and including Appendix VI, as applicable). Implementation of the mitigation measures is subject to the following:

    a. Implementation of the GN Northern, Inc. recommendations can employ any competent person or entities. The City will not require the proponent to use any particular firm, engineer or landscape architect to perform the recommendations as presented in this report.

    b. A licensed professional engineer, or if and as appropriate, geologist or landscape architect, shall be responsible for determining the best management practices (BMP's) to be used to implement the recommendations, except as otherwise required by the October 13, 2014 MDNS, the conditions of preliminary plat approval and to the extent that certain practices may be required by law as administered by the City or other agencies.

    c. Measures to control drainage and erosion shall be taken as recommended by the report and cuts and slopes shall not be constructed to exceed the recommended maximum heights and slopes.

22. Prior to any site disturbance, a grading plan or plans, prepared by a licensed professional engineer shall be submitted and approved by the Public Works Director. This requirement also applies to the development of individual lots of the subdivision, although it is not intended to require homesite permitting or development as a condition of recording the final plat. The City shall incorporate Geologic Hazards Assessment recommendations/mitigation into the review of all grading permits required by this condition.

23. All buildings shall be set back from critical slopes as that term is defined in Appendix 'A' to Chapters 10.02 through 10.48, Selah Municipal Code. It refers specifically to slopes that are 25% or greater with the determination of slope made on any 40 foot horizontal run plus an additional 10 feet from the top and toe of the slope. The additional 10 feet comprises the required setback. This condition is not intended to preclude the development of building pads in critical slope areas provided they are done in a manner consistent with Geologic Hazards Assessment recommendations and this decision.

24. All required street signs, posts and appurtenances must be supplied by the developer and will be installed by the City.

25. The following note shall be placed on any final plat map:

    "The owners shown here on, their grantees and assignees in interest, hereby covenant and agree to retain all surface water generated within the plat on-site."

    "Grading permits and grading plans, prepared by a licensed professional engineer are required for any improvements within this plat"

    "Any portion of this property located outside of the Selah City Limits shall not be merged into property located within the City Limits"

26. Prior to final plat recording, a surety bond, or such other secure financial method acceptable to the City, in the amount of 15% of the cost of the public improvements as determined by the Public Works Director (streets, sidewalks, street lights, drainage facilities, sewage collection and water distribution facilities, etc.) must be remitted to the City and will be held for a period of two years from the date of final plat recording to guarantee against defects in materials and workmanship.

27. Final plat approval shall be required in the manner provided for by Selah Municipal Code, including provision of a current title report. Yakima County has retained the authority to sign off on the final plat, with review limited to the portion of the property that is located outside of the City limits.

28. The following conditions are required for the development of the lot or tract located outside of the City Limits or for any improvements within Yakima County jurisdiction only to the extent required by County development standards and project permit review requirements: 4, 5, 7, 10, 11, 12, 17, 20, 21, 22, 23, 24, and 26, herein.

29. Improvements required for the subdivision or for satisfying conditions of approval must be completed and the final plat must be submitted within the maximum time period required by SMC 10.50.033, as it may be amended by RCW 58.17.140. A one-time, one-year extension may be authorized in accordance with SMC 10.50.033(c) but the request must be made before the maximum time period ends.

NCW Development, LLC
Valhalla Heights Subdivision, Phases 3 & 4
912.38.14-02 Preliminary Plat
971.38.14-02 Environmental Review

List of Exhibits

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December 23, 2014

Mr. Joe Henne, City Administrator (Interim)
City of Selah
115 West Naches Avenue
Selah, WA 98942

RE: Hearing Examiner Recommendation on Valhalla Heights Subdivision, Phases 3 & 4 (File No. 912.38.14-02)

Dear Mr. Henne:

Enclosed is the referenced recommendation to the City Council. Please note that this recommendation was facilitated by the thoroughness of the staff report and analysis of alternatives for street access prepared by Mr. Davison and Mr. Durant. Do not hesitate to call me in regard to this recommendation.

Sincerely,

Patrick D. Spurgin, Hearing Examiner

cc. Dennis Davison

City of Selah, Washington
Office of the Hearing Examiner

In the matter of the Review for the 61-Lot "Valhalla Heights Subdivision, Phases 3 & 4" at the West End of West Goodlander Road	)	**Selah File No. 912.38.14-02**
	)	**HEARING EXAMINER RECOMMENDATION**
Submitted by NCW Development, LLC	)	

I. INTRODUCTION.

NCW Development, LLC ("NCW" or "the Applicant") seeks to subdivide six tax parcels of property at the west end of Goodlander Road. An open record hearing on the preliminary plat proposal was initially conducted February 26, 2014. The hearing was continued due to the unavailability of the Applicant's representative, though the Community Planner and the City's planning consultant made a summary presentation on the application, and public comment was provided by some persons in attendance. The hearing was continued again to December 8, 2014. At that time, the Community Planner and planning consultant provided updated hearing exhibits and again made a presentation of the staff report on the proposed preliminary plat. The Applicant's representative provided a response to the staff report, and additional public comment was received. Additional materials provided with the staff report included a package of documents related to the subdivision history of the property, and correspondence documenting Yakima County approval of the City's subdivision review including a portion of the subject property adjacent to but outside of city limits. Geologic Hazard Assessment prepared by GN Northern, Inc., a consulting geotechnical engineering firm, and a Mitigated Determination of Nonsignificance containing conditions related to protection of the public from geologic hazards (erosion and slope-related setbacks) and to providing an additional access route other than West Goodlander Road, among other mitigation measures. The public comment regarded concerns about adequacy of access to the subject property, the unsuitability of Marissa Hill Drive as the potential second access point, and the challenges presented by potential erosion from construction, given the topography of the site. The Hearing Examiner viewed the site on December 2, 2014.

II. SUMMARY OF RECOMMENDATION.

This preliminary plat should be approved, subject to conditions to assure compliance with subdivision design and zoning standards, including the provision of points of connection of the subdivision street system with the public street transportation system.

Based on the staff report and exhibits, the viewing of the site, comments received at the open record hearing and in writing, and a review of pertinent development regulations and the *2005 Selah Urban Area Comprehensive Plan* ("*2005 Comprehensive Plan*") provisions, the Hearing Examiner makes the following

III. FINDINGS.

1. APPLICANT AND PROPERTY OWNER.

The preliminary plat application was filed by NCW Development, LLC, P.O. Box 119, Wenatchee, WA, 98807. The property owners of record based on information in the Yakima County GIS portal are Goodlander Holdings, LLC, and NCW Development, LLC.

2. LOCATION AND PARCEL NUMBERS.

The subject property lies at the west end of West Goodlander Road approximately one mile west of the intersection with North First Street/Selah Loop Road. A 1.67 acre portion of the property lies outside of the City Limits and is accessible from Marissa Hill Drive, a private road entirely outside of the City limits, which in turn intersects McGonagle Road at the intersection with Baker Road (both County roads). The Yakima County Assessors Tax Parcel Numbers for the subject properties are 181427-14426, 41404, 44401, 181426-33409, 33413 and 33400.

3. APPLICATION.

The application is for the review of the Preliminary Plat of "Valhalla Heights, Phases 3 & 4" subdividing 25.11 acres of property into 61 single family residential lots served by a full range of public utilities, with the designation of an additional three tracts for the following purposes:

- Tract 'A' (4,460 square feet): Water Booster Station;
- Tract 'B' (7,672 square feet): Non-buildable recreational open space; and
- Tract 'C' (4,371 square feet): Water Reservoir.

In addition to the above-described lots and tracts, the preliminary plat shows a 1.67 acre portion of a parcel on the north end of the subject property that was included in the parent parcel at least as of the approval of a short subdivision exemption in 2007. That portion of the parent parcel extends outside of the Selah city limits and Urban Growth Area. This area was shown as two lots in the initially submitted preliminary plat, based on the creation of lots in an earlier short plat (SP85-274). In response to a request for additional information from City staff, the proponent modified the preliminary plat to exclude this area, but did not identify the means by which to legally segregate it from the parent parcel. Based on further staff review in consultation with Yakima County, staff and the applicant determined that 1.67 acres should be shown on the preliminary plat as a single tract or lot under County standards, but which would not served by City sewer or water service.

The following plat characteristics are based on the County property being included in the subdivision:

Acreage:	25.11 acres (23.44 acres in the City, 1.67 acre outside of the City limits)
Number of lots:	61 lots within the City Limits receiving full urban services, 1 lot or tract outside of the City Limits (subject to Yakima County jurisdiction), and 3 non-residential tracts.
Average lot size:	14,000 square feet (0.32 acre) within the City Limits.

Gross density:	2.6 dwelling units per acre within the City Limits
Phases:	Two proposed phases (designated 3 and 4 after the phases in the completed Valhalla subdivision). Phase 3 is primarily served by the continuation of West Goodlander Road up to the north property line and consists of 38 lots. Phase 4 consists of the west part of the site, comprised of 23 lots and is served by two interior streets. The three proposed tracts are in Phase 1.

Utility-related provisions of the application include:

- Extension of the existing 8-inch sewer line into all of the proposed streets necessary to serve new development, but only within the City limits;
- Connection to the existing municipal water system (except outside of the City limits) with the development served by eight (8) inch lines. A booster station must be built to serve areas of the site that are above 1,560 feet in elevation (city-designated Pressure Zone 6). Tract 'A' is the proposed location of the booster station.
- Yakima County standards require the connection of the property outside of the City limits to an approved public water system, which could be a community well. An exception to this requirement may be made by the County administrative official or County Commissioners under limited circumstances that include special conditions that work a special hardship.
- Proposed hydrant locations are not indicated. Typically hydrants are located 250 to 300 feet apart and at street intersections.

West Goodlander Road will be extended into Phase 3. A street shown as Vinland Court by the earlier-approved "Valhalla Phase I" plat will be extended into Phase 4 and will loop back to connect with a newly constructed segment of West Goodlander Road. The existing temporary turnaround in Phase I will be eliminated, and the plat proposes 30' by 120' T-turnarounds (or "hammerheads") at dead end streets.

4. CURRENT SITE CONDITION AND ZONING

A portion of the subject property consists of Lots 9 and 13 and part of Tract 'B' of previously approved and recorded Valhalla Heights, Phase 1. The property is vacant, including the portion within these previously platted lots, except for the Valhalla Heights Reservoirs that were constructed for Phase 1 and 2 development. They straddle the east property line of the site. The one reservoir on the site would be located on proposed Tract 'C'. A gravel surfaced access road serves the reservoirs from the end of West Goodlander Road.

Zoning of the subject property within the City Limits is One-Family Residential (R-1) in Section 26 and Low Density Single Family (LDSF) in Section 27. Three of the proposed lots straddle the section line and would have split zoning as a result. The primary difference between the requirements of the two zoning districts is in minimum lot size standards. Also, a limited number of two-family dwellings may be authorized in the R-1 zone and a few land uses listed in Table 10.28A are allowed in one zone but not the other, or with different levels of review. None of these distinctions should affect this proposal because all of the split zoned lots meet the minimum lot size requirements of both zones, and no two-family lots are being proposed.

The portion of the property that is under County jurisdiction is zoned Rural Transitional (R-T) by the Yakima County Zoning Ordinance (YCC Title 15). This property is vacant.

Existing utility infrastructure: A reservoir is located at the east property line, consisting of two tanks having a combined capacity of 317,226 gallons, an overflow elevation of 1,666 feet and can serve properties up to an elevation of 1,560 feet. A 12 inch mainline extends south in a 25 foot wide public utility easement along the east property line to West Goodlander Road. A gravel access road to the reservoir is also located in this easement.

An eight (8) inch sewer line is located in West Goodlander Road, providing service to Valhalla Estates Phase I.

There are existing hydrants at the temporary turnaround for West Goodlander Road (near proposed Lots 9 and 10) and at the existing intersection of West Goodlander Road and the street that will provide access to Phase IV (identified as Vinland Court by the Phase I Plat). There is also a hydrant on West Goodlander Road about 360 feet farther to the southeast. According to information provided with the application, the hydrant at West Goodlander Road and Vinland Court was flow tested at 750 gallons per minute and the hydrant to the southeast exceeds 1,000 gallons per minute.

Existing transportation infrastructure: The property is located at the current terminus of West Goodlander , a designated Local Access street that is 36-foot wide asphalt pavement with concrete rolled curb and gutter, 5-foot wide sidewalk on the north/east side and illumination in a 50 foot wide right-of-way. Marissa Hill Drive is a privately owned and maintained paved road in 30- to 90-foot wide access easements serving a portion of the subject property north of the existing Valhalla development. There are no curbs, gutters, sidewalk or illumination on the private street, which approaches the property off of McGonagle Road. The pavement ends prior to reaching the portion of the property within city limits.

There is a partially vacated street right-of-way for Shannon Road that borders the site in part and crosses it in one location. The south half of the right-of-way was vacated including most of the portion on the subject property, but the north half was not. Part of this right-of-way crosses proposed Tract 'B' and the remainder of the portion that crosses the site will become part of the proposed right-of-way for West Goodlander Road.

Drainage: There is no existing municipal system available in this location. There is some history of soil instability associated with past construction activities in the area, as was pointed out in public comment.

5. NEIGHBORING ZONING AND LAND USE.

Adjacent properties to the east and to the south in Section 26 are zoned One-Family Residential (R-1). To the west and to the south in Section 27, the zoning is Low Density Single Family (LDSF). Adjacent properties to the north outside of the City Limits and surrounding the part of the site in County jurisdiction are zoned Rural Transitional (R-T) by Yakima County. Neighboring land use is as follows:

- North (outside the City Limits) Single family residential on large lots (1.0 To 5.27 acres) and similarly sized vacant lands.
- South Vacant undeveloped land
- East Vacant land
- West Vacant land

- East Vacant land; To the southeast, partially developed Valhalla Phase I & 2 consisting of single-family homes on lots generally ranging from 10,000 to 30,000 square feet.

6. PUBLIC NOTICE

The record indicates that notice of the hearing and continuance dates were issued in accordance with applicable requirements of the Selah Municipal Code.

7. ENVIRONMENTAL REVIEW

A Mitigated Determination of Nonsignificance (MDNS) was issued October 13, 2014 in accordance with State Environmental Policy Act requirements. The Geologic Hazards Assessment was incorporated into the MDNS by reference (WAC 197-11-365) and was posted on the City website. The MDNS identified two impacts:

A. Geologic hazards: The project site was determined to be in an erosion hazard area, the primary hazards being surface erosion and potential for slope failures.

B. Relation to Existing Land Use Plans/Transportation/Water/Sewer: A portion of the subject property extends outside of both the City Limits and Urban Growth Area (UGA). Annexation is not an alternative as a result of the property location outside of the UGA, and it cannot be served with City sewer or water service. There are no public streets or rights-of-way to connect the property to the north, although some access is possible based on the existing private road use agreement. Connecting this road to the proposed public streets in the subdivision have potential impacts on the residents who use it, but having no access to public roads is inconsistent with Comprehensive Plan policy, standards of the Selah Subdivision Code and the International Fire Code.

The SEPA determination also listed four mitigation measures that are required in order to avoid requirements for the preparation of an environmental impact statement, and are summarized as follows:

1. Conformance to the recommendations of the Geologic Hazards Assessment (including drainage-related provisions).

2. Ten foot building setbacks from critical slopes based on the definition from the City development code.

3. Construction of, at minimum, a fire apparatus road from the subdivision to McGonagle Road or other public street or road.

4. Subdivision of the property at the City limits into a separate lot or tract which may be developed for residential use if it conforms to Yakima County standards.

8. 2005 SELAH URBAN AREA COMPREHENSIVE PLAN DESIGNATION.

The subject property and surrounding areas are designated as Low Density Residential authorizing a maximum density of five (5) dwelling units per acre. Designated Low Density Residential by the Future Land Use Map, adopted 2006. A portion of the site (proposed Lot 44, also small parts of Lots 43 and 45) is designated Steep Slopes by the Future Land Use Map.

9. PROJECT ANALYSIS

a. Review Criteria.

A hearing examiner recommendation is to be based on a determination of whether the proposed plat complies with the standards set forth in Chapter 10.50 SMC and those adopted by reference, including but not limited to, appropriate provisions for drainage, roads, alleys and other public ways, water supply, sanitary sewerage disposal, parks, playgrounds, fire protection facilities, minimum lot size and other public and private facilities and improvements and provisions contained in any of the city's adopted comprehensive plans (i.e., land use, sewage, storm drainage, transportation, water, etc.) and the zoning ordinance. SMC 10.50.025. Subdivision design standards are set out in SMC 10.50.041 through SMC 10.50.046. As described in SMC 10.50.000, the purpose of the standards generally are to "to lessen congestion in the streets and highways, to provide for adequate light and air, to facilitate adequate provisions for water, sewerage, parks and recreation areas, sites for schools and school grounds and other public requirements, [and] to provide for proper ingress and egress," all in furtherance of public health, safety, and general welfare. The hearing examiner may, at the examiner's discretion, recommend higher standards than those set forth in the subdivision and zoning provisions of the Title 10 SMC if the examiner determines it is necessary to protect the health, safety, welfare and public interest of the city. SMC 10.50.026.

Because a portion of the property lies outside of city limits, but may still be integral to the compliance of the subdivision with city development standards and regulations, review in this case also requires consideration of the consistency of the proposed subdivision with County development standards. The County has provided a letter authorizing review by the city of the division of the portion of the property within the County and associated road development requirements, but retaining both a role in the preliminary plat review and authority for final plat approval.

b. Application of the Review Criteria

(1) Conformance to the *2005 Selah Urban Growth Area Comprehensive Plan:*

The Low Density Residential designation for the subject property on the adopted 2005 Future Land Use Map provides for a maximum density of 5 dwellings per acre. The proposed density of the plat is 2.6 dwellings per gross acre (excluding the Yakima County property).

Steep slopes: The steep slope designation recognizes areas with slopes greater than 25% to regulate their development for public safety. Recommendations for avoiding steep slope hazards have been provided in the GN Northern, Inc. Geologic Hazard assessment, and those

recommendations are included as SEPA MNDS mitigation measures. The recommendations include setbacks from top of the slopes for those lots dominated by steeply sloped hillside.

Transportation: Policy TRAN 2.4 in the 2005 *Comprehensive Plan* encourages the connection of streets when considering subdivision proposals, unless topographic or environmental constraints prevent it. Policy TRAN 4.4 provides that road grades and other design features should accommodate emergency and other service vehicles. Policy TRAN 6.2 provides that major land use changes only be allowed "when those proposals accompany specific documentation or plans [*sic*] showing how the transportation system can adequately support existing and proposed development needs." Finally, Policy TRAN 4.1 provides for coordinating development with Yakima County to improve access to undeveloped areas in the Selah Urban Growth Area. Transportation system connectivity has both traffic and fire safety aspects. A principal issue presented by the proposed subdivision is the means by which appropriate connectivity with the public road system can be accomplished. Public comment raised concerns about the number of lots already served solely by West Goodlander Road and the need to enhance connectivity for public safety reasons, particularly given the current inadequacy of Marissa Hill Drive as an access. Public comment also noted the potential for additional development on neighboring properties. The MDNS mitigation measures require, at a minimum, the installation of a fire code-compliant fire apparatus access road from the terminus of the proposed West Goodlander Road extension in the preliminary plat.

Based on the County's comments on the application, it has no plans to bring Marissa Hill Drive into the County public road system. For the 1.67 acre portion of the parcel to be divided off from the parent parcel, it would have to be served by a private road access meeting County standards or by direct access from West Goodlander Road. County comments indicate that, even as a fire apparatus access road for purposes of the subject plat, Marissa Hill Drive would still need to be improved to County standards for a private road serving 20 lots, which would entail a 50-foot right of way with a 30-foot paved width. It appears that connection from proposed extension of West Goodlander Road in the plat to Marissa Hill Drive is possible, although right-of-way would have to be acquired in order for it to meet County standards and it does not appear that Marissa Hill Drive could meet maximum slope limits for County public roads (12% maximum grade). If a second subdivision access is provided by other means, and the 1.67 acre parcel is served directly from West Goodlander Road, Marissa Hill Drive improvements would not be required.

At the hearing, the Applicant representative indicated its view that the fire apparatus road is an adequate means of achieving connectivity requirements, presumably using Marissa Hill Drive as the fire apparatus road without any change from its private ownership status. The applicant submitted a copy of an amended road maintenance agreement pertaining to Marissa Hill Drive (filed under AFN 7185783). This 2000 agreement amendment added several lots to the property that may be served by the private road. The additional lots include two of the parcels that are in the proposed preliminary plat (Lots 3 and 4, Short Plat 96-57) as well as the part of the site (the 1.67 acres) that extends outside of the City limits to the north. The agreement essentially includes all of the part of the Valhalla project site that is in Section 27, but not in Section 26. It is also not clear if it allows access to the private road from other traffic that would be expected to

use West Goodlander Road when it is built and extended across the subdivision. A portion of Marissa Hill Drive is shown on the short plat filed under AFN 7185782 to be in a "public, non-exclusive" access easement. This portion of the easement is 60 feet wide, exceeding the standards described by Yakima County in its comment letter, although it is not clear if the maximum grade requirement is met by the path of the easement. The public portion of this easement does not extend to the project site and it also does not appear to extend the last approximately 160 feet from the north line of the short plat to McGonagle Road.

(2) West Goodlander Traffic Capacity:

The built-out subdivision would contribute 620 vehicle trip ends per day based on a calculation for single-family residential development of 10 daily vehicle trip ends per dwelling. Average daily traffic counts (2003) on West Goodlander Road, immediately east of Terry Lane, averaged 988 vehicle trips per day while traffic counts on West Goodlander Road immediately west of N. First Street were almost 2,000 vehicle trips per day. Updating these counts by considering additional lots created since that time and adding the traffic generated by the proposed project would result in an additional 1,020 trip ends for totals of 2,008 and 3,020 trips respectively at the two locations. This is less than the existing capacity of West Goodlander Road of approximately 6,000 vehicle trips per day. If a street open to the public were to be extended through to McGonagle Road, the estimated traffic volumes on West Goodlander Road would likely be different.

(3) Adequacy of compliance with design standards:

The application does not seek relief from the design standards in SMC 10.50.041 through SMC 10.50.046, nor has any application for a variance been made in accordance with SMC 10.50.070.

SMC 10.50.041(b) Connectivity for Future Development: Proposed street rights-of-way front on adjacent parcels in three locations in the subdivision: On adjacent property to the east, a parcel to the west at the north end of the site and property to the north that is outside of the City limits and Urban Growth Area. Future access for development of the property to the east is possible from West Goodlander Road frontage. Access should also be possible to the property to the west, although it appears that additional frontage would be necessary to allow for the extension of a 50 foot right-of-way in this direction. The street design provides for future extension of streets to serve properties to the west of the plat boundary.

The development will require extensions of existing water and sewer lines, but nothing in the record indicates that the necessary extensions cannot be made. The preliminary plat shows West Goodlander Road terminating at the City Limits line without a turnaround.

SMC 10.50.41(c) Street Design: The preliminary plat does not contain typical street sections. The following street construction standards are required: Thirty-eight foot wide (34 foot pavement width) within 50' right-of-way. Rolled (or barrier) curb and gutter with five foot wide sidewalk continuing along the east street side. Street illumination must be provided as directed by the Director of Public Works.

Yakima County private road standards would require construction of Marissa Hill Drive (or other alternative road through County jurisdiction) to a 30 foot wide hard surfaced standard with at minimum, 50 foot wide right-of-way. Reduction of these standards could be considered

by the County based on special circumstances through applicable County project permit review procedures.

Two points of public street access: SMC 10.50.041(c)(12) requires subdivisions to have two points of access to the public street system. Upgrades to Marissa Hill Drive could satisfy SMC 10.50.041(c)(12) if the road were open public use. Another route that could potentially satisfy the subdivision requirement is one (a private road in an open County right-of-way) through adjacent property to the west to Katie Lane. An additional possibility is access McGonagle Road across adjoining property to the east of the subject property. No analysis of the actual practicability of these latter two routes has been included in the record. In neither of these latter cases has the County endorsed city review or any particular approach to road standard compliance.

SMC 10.50.41(d) and (e) Block and Lot Design: Except as noted, the preliminary plat complies with these design requirements. A single tier of lots for block design may be approved where topographical conditions or the size of the property prevent blocks wide enough for two tiers at least 85 feet deep (SMC 10.50.041(d)(1)). In this case, the topography in combination with lot size requirements supports the single tier block design included in the preliminary plat. The same topographic considerations make mid-block crosswalks unnecessary.

(4) Adequacy of compliance with the zoning ordinance:

Development on slopes is regulated by the Zoning Ordinance under provisions that were in effect at the time of application submittal. In the LDSF zone, the minimum lot size increases from 10,000 square feet to 5 acres for lots served by municipal sewer and water when the slope exceeds 25% (SMC 10.10.030). In the R-1 zone, the minimum lot size is 8,000 square feet for lots served by municipal sewer and water with slopes less than 10%. It increases to 10,000 square feet for similarly served lots with slopes up to 15%, ½ acre for slopes up to 20%, 1 acre for slopes up to 25% and 5 acres for lots with slopes greater than 25% (SMC 10.12.030). These lot size provisions do not specify how slopes on these lots are to be measured. However, under the definition of "Critical Slope", Appendix 'A' to Chapters 10.02 through 10.48, which applies specifically to slopes that are 25% or greater, the measurement is made on any 40 foot horizontal run. The critical slope is then considered to extend 10 feet beyond the top and/or toe of the slope. Two proposed lots, Lots 44 and 52 were found to exceed the slope required for these lot size standards when the slopes were determined by averaging them over the entire lot. However, based on the Critical Slope definition, there is a buildable area on each of these lots with a slope consistent to their lot size as required by the zoning standards. This is summarized as follows:

Lot No.	Average Slope	Distance from Lot Line to Critical Slope	Average Slope from Lot Line to Critical Slope
44	30.2%	98 feet	14%
52	23.8%	44 to 50 feet	6.25%

Notes:

a. Distance from front lot line to the top of slopes greater than 25% was reduced by 10 feet as required under the definition of Critical Slope.

Lot 44 is zoned LDSF and its proposed lot size of 61,051 square feet is consistent with the minimum lot size based on 14% slope of the buildable area. Lot 52 is zoned R-1 and its proposed lot size of 14,182 square feet is consistent with the minimum lot size based on the 6.25% slope of the buildable area.

(5) Drainage:

The application and preliminary plat states that street drainage is to be accommodated by the City's storm drainage system. Since there is no existing municipal system available in this location, the development of an on-site system will be required.

(6) Provisions for schools:

No school district comments or comments from any other party indicate that the school system will not be able to adequately absorb increase in student population.

From the foregoing findings, the Hearing Examiner makes the following

IV. CONCLUSIONS.

1. The Hearing Examiner has jurisdiction to conduct an open record hearing on the application for a preliminary plat review, and make a recommendation to the Selah City Council. Recommendation authority is limited to the subdivision of property within the Selah city limits unless there is some legal authority for the city to take actions on property outside of city limits. No such legal authority for approval by the city of the subdivision of property outside of the city. Yakima County retains authority to review and approve developments within its jurisdiction.

2. The proposed preliminary plat is consistent with the *2005 Comprehensive Plan* future land use designation and transportation policies.

3. The proposed preliminary plat, if properly conditioned to address access requirements and other standards in the Selah Zoning Ordinance, complies with subdivision and zoning standards, and is consistent with public health, safety and welfare.

V. RECOMMENDATION.

The application for preliminary plat review by NCW Development, LLC for "Valhalla Heights Subdivision, Phases 3 and 4" as specified in the application materials (File No. 912.38.14-02) should be APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

1. All design and/or improvement notations indicated on the preliminary plat are included herein as conditions of preliminary plat approval. (Including, but not limited to, dedicated right-of-way width, easement widths and locations, lot size and configuration).

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2. The part of the subject property that is located outside of the City Limits and Urban Growth Area shall be subdivided into a lot or a tract with the boundary coterminous to the City limits in accordance with approval of record of such a division by Yakima County. This shall be done by including the lot or tract on the final plat, which shall require Yakima County approval.

3. Any merger of the lot or tract created by approval of Yakima County into any adjoining property inside of Selah city limits shall be prohibited until such time as the County-approved lot or tract is annexed by the City. Development of the lot or tract for residential use shall be subject to the requirements of the Yakima County Zoning and Subdivision Ordinances (or any succeeding Code adopted by Yakima County). The City of Selah shall have no obligation to provide sewer or water service to the Yakima County-approved lot or tract in accordance with this plat approval, except in accordance with an effective annexation ordinance or by other lawful agreement.

4. A preliminary engineering report and/or plan, prepared by a Licensed Professional Engineer, demonstrating the feasibility of construction of all public improvements required by Selah Municipal Code, Chapter 10.50 must be submitted to the Public Works Director for approval. This preliminary report and/or plan shall include documentation of a second legal access to the public road/street system based on one of the alternatives in Condition 13 herein.

5. All final plans and specifications for improvements must be prepared by a Licensed Professional Engineer and reviewed and approved by the Public Works Director prior to construction. Specifications for improvements shown on the preliminary plat are minimum specifications that may be superseded by conditions contained herein or by specific conditions as approved by the Public Works Director. Upon completion of construction and prior to final plan approval, final 'as-built' construction plans and a written certification by a Licensed Professional Engineer that said improvements were completed in accordance with the approved construction plans must be submitted to the Public Works Director for approval.

6. All public street improvements within the City limits shall be constructed to City standards in accordance with final plans and specifications as approved by the Public Works Director, including 50 foot wide right-of-way dedicated to the City, concrete rolled (or better) curb and gutter, five (5) foot wide sidewalk on one street side and street illumination. Utility improvements shall be extended beyond street pavement edge to facilitate future extension where appropriate. Street grade shall not exceed 10%. West Goodlander Road shall be improved with 34 foot wide asphalt pavement and the sidewalk shall be installed on the same side of the street as it is on the existing completed portion of West Goodlander Road. The other public interior streets shall be improved with 31 foot wide asphalt pavement.

7. Street illumination shall be installed by the developer at locations and to the specifications of the Public Works Director (typically at 300 foot intervals or as otherwise determined by the Director of Public Works in order to maximize street illumination). Street lights shall be installed on metal poles.

8. All lots within the City limits must be served with a full range of public and private services and utilities including public water and sewer, power, natural gas and telephone. All utilities shall be underground and installed prior to the surfacing of streets. All utilities placed beneath streets, curbs or sidewalks shall be extended beyond these features to avoid them being disrupted by future extensions.

9. The lot or tract located outside of the City limits shall be connected to a public (community) water system unless this requirement is reduced or waived by Yakima County. Separate application to the County is required.

10. Ten foot wide public utility easements shall be provided adjacent to all public rights-of-way as shown on the preliminary plat, and as specified by the utility providers.

11. There shall be a moratorium on public street cuts for a period of five (5) years from the date of plat recording.

12. Fire hydrants shall be provided and installed by the developer at locations approved by the City of Selah Fire Chief and Public Works Director to the specifications of Selah Municipal Code, Chapter 11.30.

13. At the time of submission of plans and specifications for Public Works approval, the proponent shall submit documentation of legal authority for the location and construction of a second connection to a public street or road as required by SMC 10.50.041(c)(12), using one of the following alternatives:

a. Improve Marissa Hill Drive to Yakima County standards as a private road in accordance with applicable Yakima County project permit review requirements, provided that documentation is provided to the satisfaction of the City Attorney that the public has the right to use the access easements, in their entirety from the end of West Goodlander Road as shown on the preliminary plat to McGonagle Road. This includes not only the right of traffic generated by the entire Valhalla subdivision, Phases 1 through 4 to use the easements, but all other public traffic that would use this part of West Goodlander Road.

b. Obtain dedication of Marissa Hill Drive and additional right of way to Yakima County and improve it in accordance with applicable Yakima County project permit requirements to County public road standards from the end of West Goodlander Road as shown on the preliminary plat to McGonagle Road. Consultation with and possibly separate application to the County should occur before pursuing this alternative.

c. Provide right-of-way and construct an alternate road from the subject property to Katie Lane. Any portion of the new street that is within the City Limits must be improved as a public street to the same standards as required herein for West Goodlander Road. Any part of the road that is outside of the City Limits shall be improved to Yakima County standards as determined by the County in accordance with applicable Yakima County project permit review requirements. Documentation shall be provided for any part of this road that is to remain private in the same manner as described by 'a' above (excluding Katie Lane, which is in dedicated County right-of-way). Dedication and improvement of any portion of this street to Yakima County shall be to the same requirements and with the same caveats as described in 'b' above.

d. Improve a combination of Marissa Hill Drive and a new street connection to Katie Lane, subject to the same development regulations and standards applicable to the road as determined by the reviewing and approving jurisdiction as set out in 'a' 'b' and 'c' above.

e. Improve and dedicate a new street across adjacent property to the east from the project site to McGonagle Road. Since this property is in the City limits, development of a City Street to

city standards will be required. If any part of this street is outside of the City Limits, construction to Yakima County standards shall be required.

f. Other alternatives for providing a second connection to the public street transportation system that meet the requirements of reviewing agencies as described this Condition 13, and which do not present potential adverse impacts in addition to those disclosed in the environmental checklist may be employed, subject to the submission of documentation demonstrating appropriate legal authority and regulatory approvals for review and approval by the City Public Works Director, and by Yakima County for road segments within its jurisdiction.

14. A circular turnaround with a minimum radius of 52.5 feet shall be provided at the north end of West Goodlander Road as it is shown on the preliminary plat (between proposed lots 25 and 26) unless a public street is extended beyond this point. If any extended public street terminates at the City Limits or boundary of the subdivision, a turnaround to the same standards shall be provided in that location. The street right-of-way at the north end of West Goodlander Road as shown on the preliminary plat (between proposed Lots 25 and 26) shall have at least 50 feet of frontage on the west property line to allow for future extension of right-of-way into the neighboring property.

15. If Marissa Hill Drive is not used for access to the subdivision (including emergency vehicle access) because another alternative route is provided, the lot or tract located outside of the City limits may obtain access from its frontage on the city street (West Goodlander Road). This may be used as justification for Yakima County to reduce or waive required improvements of Marissa Hill Drive. Separate application to the County would be required.

16. Final lot dimensions and lot area must substantially conform to the preliminary plat unless otherwise amended during the public hearing process.

17. Storm Water drainage facilities to accommodate runoff generated in the plat shall be developed and must comply with a drainage facilities plan prepared by a licensed professional engineer and approved by the Public Works Director.

18. A NPDES construction stormwater general permit shall be obtained from the Department of Ecology and Stormwater Pollution Prevention Plan prepared as required.

19. A dust control plan shall be prepared and implemented during construction as required by the Yakima Regional Clean Air Agency.

20. Prior to final plat recording, all required plat improvements (utilities, streets, drainage facilities, etc.) must be installed and accepted by the City or a surety bond pledged to the City to ensure installation of the plat improvements within two years of final plat recording.

21. Site development shall conform to all mitigation measures in included in the Mitigated Determination of Nonsignificance (File No. 971.38.14-02) issued by the Selah SEPA Responsible Official on October 14, 2014 and finalized on October 31, 2014. Such mitigation measures include the recommendations in the Geologic Hazards Assessment, Valhalla Heights Addition Phases 3 & 4, prepared by GN Northern, Inc., July 2014, (pp. 14 – 18 and including Appendix VI, as applicable). Implementation of the mitigation measures is subject to the following:

a. Implementation of the GN Northern, Inc. recommendations can employ any competent persons or entities. The City will not require the proponent to use any particular firm, engineer or landscape architect to perform the recommendations as presented in the report.

b. A licensed professional engineer, or if and as appropriate, geologist or landscape architect, shall be responsible for determining the best management practices (BMP's) to be used to implement the recommendations, except as otherwise required by the October 13, 2014 MDNS, the conditions of preliminary plat approval and to the extent that certain practices may be required by law as administered by the City or other agencies.

c. Measures to control drainage and erosion shall be taken as recommended by the report and cuts and slopes shall not be constructed to exceed the recommended maximum heights and slopes.

22. Prior to any site disturbance, a grading plan or plans, prepared by a licensed professional engineer shall be submitted and approved by the Public Works Director. This requirement also applies to the development of individual lots of the subdivision, although it is not intended to require homesite permitting or development as a condition of recording the final plat. The City shall incorporate Geologic Hazards Assessment recommendations/mitigation into the review of all grading permits required by this condition.

23. All buildings shall be set back from critical slopes as that term is defined in Appendix 'A' to Chapters 10.02 through 10.48, Selah Municipal Code. It refers specifically to slopes that are 25% or greater with the determination of slope made on any 40 foot horizontal run plus an additional 10 feet from the top and toe of the slope. The additional 10 feet comprises the required setback. This condition is not intended to preclude the development of building pads in critical slope areas provided they are done in a manner consistent with Geologic Hazards Assessment recommendations and this decision.

24. All required street signs, posts and appurtenances must be supplied by the developer and will be installed by the City.

25. The following note shall be placed on any final plat map:

"The owners shown here on, their grantees and assignees in interest, hereby covenant and agree to retain all surface water generated within the plat on-site."
"Grading permits and grading plans, prepared by a licensed professional engineer are required for any improvements within this plat."
"Any portion of this property located outside of the Selah City Limits shall not be merged into property located within the City Limits."

26. Prior to final plat recording, a surety bond, or such other secure financial method acceptable to the City, in the amount of 15% of the cost of the public improvements as determined by the Public Works Director (streets, sidewalks, street lights, drainage facilities, sewage collection and water distribution facilities, etc.) must be remitted to the City and will be held for a period of two years from the date of final plat recording to guarantee against defects in materials and workmanship.

27. Final plat approval shall be required in the manner provided for by Selah Municipal Code, including provision of a current title report. Yakima County has retained the authority to sign off

on the final plat, with review limited to the portion of the property that is located outside of the City limits.

28. The following conditions are required for the development of the lot or tract located outside of the City Limits or for any improvements within Yakima County jurisdiction only to the extent required by County development standards and project permit review requirements: Conditions 4, 5, 7, 10, 11, 12, 17, 20, 21, 22, 23, 24, and 26, herein.

29. Improvements required for this subdivision or for satisfying conditions of approval must be completed and the final plat must be submitted within the maximum time period required by SMC 10.50.033, as it may be amended by RCW 58.17.140. A one-time, one-year extension may be authorized in accordance with SMC 10.50.033(c) but the request must be made before the maximum time period ends.

DATED THIS 23rd DAY OF DECEMBER, 2014.

PATRICK D. SPURGIN
HEARING EXAMINER

CITY OF SELAH
PRELIMINARY PLAT
APPLICATION FORM

FILE NO. 912.38.14-02 SEPA: 971.38.14-02
DATE FEE PAID: 2/26/2014 RECV'D BY:

INSTRUCTIONS --- PLEASE READ PRIOR TO COMPLETING APPLICATION

- **Application and preliminary plat must be accompanied by:**
- Filing fee of $400 plus $40 per lot.
- Completed environmental checklist plus $275 fee.
- Title report (must be current and reflect the undersigned signatures)
- One 11 x 17 reduced copy of the preliminary plat
- Complete and full legal description of the property
- Answer all questions completely. If you have questions about this form or the application process, call the Selah Planning Department at (509) 698-736
- Remember to bring all necessary attachments and the required filing fee when the application is submitted.
- The City will not accept an application for processing unless it is complete and the filing fees paid. Filing fees are non-refundable

NAME OF SUBDIVISION:	VALHALLA HEIGHTS – PHASES III & IV
NUMBER OF LOTS: 63	AVERAGE LOT SIZE IN S.F.: 14,010
TYPE OF BUILDINGS TO BE CONSTRUCTED:	SINGLE FAMILY, WOOD FRAME

PROPERTY OWNERS AUTHORIZATION: VALHALLA HEIGHTS – PHASES III & IV

I hereby authorize the submittal of the preliminary plat _____ to the City of Selah for approval.

I understand that conditions of approval, such as dedication of right-of-way and easements, restrictions on the type of buildings that may be constructed, and access restrictions from public streets, may be imposed as a part of preliminary plat approval and that failure to meet these conditions may result in denial of the final plat.

Signature of Property Owner(s): _____ 2/21/14

BRADLEY F. SELLAND, MANAGING MEMBER DATE

NCW DEVELOPMENT, LLC

ADDRESS: P.O. BOX 119, WENATCHEE, WA 98807

TELEPPHONE: WORK: (509)662-7119 CELL ~~HOME~~: (509)670-2726

Signature of Contract Purchaser(s)/Developer(s)

_____

GARY D. BATES

ADDRESS: P. O. BOX 119, WENATCHEE, WA 98807

TELEPPHONE: WORK: (509)662-7119 CELL ~~HOME~~: (509)669-0712

ZONING CLASSIFICATION: R-1 & LDSF

COMPREHENSIVE PLAN DESIGNATION: R-1 & LDSF

YAKIMA COUNTY ASSESSOR'S TAX PARCEL NO.: 181427 14426; 181427 41404; 181427 44401; 181427 33409; 181427 33413; 181427 33400

EXHIBIT 1

Revised 09/24/13

CITY OF SELAH

Planning Department
113 South Second Street
Selah, Washington 98942

Phone 509-698-7365
Fax 509-698-7372

REGULAR SUBDIVISION PROCEDURES

A regular subdivision is the division or redivision of land into five (5) or more lots, tracts, or parcels, any one of which is less than twenty (20) acres in size, for the purpose of sale, lease or transfer of ownership. The division of any land which has been divided under the Short Subdivision procedures within five (5) years shall also require a regular subdivision.

PROCEDURES IN THE REGULAR SUBDIVISON PROCESS

The general procedure for processing an application for a regular subdivision consists of five separate steps:

1) Preparation and submission to the Planning Department of a tentative map of the proposed subdivision;

2) Submission of Preliminary Plat for public hearing before the Hearing Examiner and City Council;

3) Installation or bonding of improvements according to the approved Preliminary Plat;

4) Submission of Final Plat to the City Council for approval;

5) Recording of plat in Yakima County Auditor's Office.

Step 1: Request information.

1) Contact the City Planner for information about fees, required plans and application forms.

2) Contact the Public Works Department for information regarding the engineering requirements for a subdivision.

3) A meeting may be arranged between the City Administrator, Public Works Director and City Planner to review the tentative map of the proposed subdivision

Step 2: Preliminary Plat Submittal.

1) Applicant will be given Preliminary Plat application forms at the tentative plat meeting...

2) File the application with the City Planner and pay the appropriate fees...

3) If required by law, the subdivider shall file an environmental checklist. Applicant and owner will be notified of the exact time and place.

4) The City Planner will prepare a staff report.

5) The Hearing Examiner will hold a public hearing.

(a) Applicant and owner will be notified of time and place of hearing.

(b) The hearing will be conducted in the formal manner. The City Planner will present the application, staff report and staff recommendations. Everyone who wishes to testify for or against the request will have a chance to do so,.

(c) The Hearing Examiner will issue a written recommendation within ten (10) working days from the date of the hearing.

(d) The Hearing Examiner recommendation will be forwarded to City Council.

6) City Council will hold a public meeting.

(a) At its first meeting after receiving the Hearing Examiner's recommendation the City Council will set a date for a public meeting to consider adoption or rejection of the recommendation.

(b) At the public meeting the City Council will either adopt or reject the Hearing Examiner's recommendation; if the Coty Council wants to make a change in the recommendation, a public hearing must be scheduled for the Council to adopt its own recommendation for approval or disapproval.

Step 3: Final Plat Submittal,

1) The original and two copies of the proposed final plat for all or a portion of the property shall be filed with the City Clerk within eighteen (18) months. If the final plat is not filed within eighteen months, preliminary plat approval will expire.

2) After approval of the preliminary plat, the applicant should work with the Public Works Department to accomplish installation or bonding of improvements.

3) Final plat application, forms and instruction are available in the Planning Department.

4) File the final plat with the City Clerk Filing fee is not taken at this time

5) When Public Works has approved final plat, the City Clerk will collect filing fees from applicant and "officially" accept final plat application.

6) After receipt of the final plat the City Administrator shall set a public meeting time before the City Council and notify the Hearing Examiner of the meeting date.

7) At the public meeting the City Council will either approve, disapprove or return the final plat to the applicant for modification or correction.

8) If the final plat is approved, the Planning Department will obtain the Mayor's and City Clerk's signatures on the Mylar,.

Step 4: The Recording process

1) The final plat must be recorded in the Yakima County Auditor's office within six (6) months after approval by the City Council; if not recorded within this time, the plat approval is null and void.

2) The plat does not become official until it is recorded.

3) It is the applicant's responsibility to have the plat recorded with the County Auditor. The short subdivision is kept on file with the Planning Department, Public Works Department, and the City Clerk's office The original map Mylar is kept on file in the Public Works Department.

PRELIMINARY PLAT OF: PHASE 3 AND 4

VALHALLA HEIGHTS ADDITION

PART OF THE SW 1/4 SW 1/4 SECTION 26
AND THE E 1/2 SECTION 27
T14N R18E W.M.

YAKIMA COUNTY, WASHINGTON

CITY OF SELAH

INDEX MAP

T14N R18E

SCALE 1" = 80'

0 20 40 80 120 160

5 FT. CONTOUR INTERVALS
CONTOURS PER PLSA SURVEYING
DATUM UNKNOWN

BASIS OF BEARING
WASHINGTON STATE PLANE
SOUTH ZONE NAD 83/98 CORS
WA STATE REFERENCE NETWORK
LOCALIZED TO GROUND DISTANCES

SUBDIVISION PROSPECTUS

PROPONENT:
NCW DEVELOPMENT LLC
P.O. BOX 119
WENATCHEE, WA. 98807
(509) 662-7119

SURVEYOR:
SCOTT VOLLRATH P.L.S.
LANDLINE SURVEYORS
P.O. BOX 123
LEAVENWORTH, WA 98826
(509) 548-5290

ENGINEER:

CURRENT ZONING: R-1 AND LDSF

TOTAL AREA:	23.44 AC.
PUBLIC STREET DEDICATION:	4.47 AC.
TRACTS:	0.58 AC.
REMAINING FOR LOTS:	18.58 AC.

81 SINGLE FAMILY LOTS TOTAL = 809754 S.F.
SMALLEST = 10015 S.F.
LARGEST = 81051 S.F.
AVERAGE = 14010 S.F.

UTILITIES:
WATER: CITY OF SELAH
SEWER: CITY OF SELAH
POWER: PACIFIC POWER
GAS: CASCADE NATURAL GAS
TELEPHONE: FRONTIER

LEGEND

- ● = SET 5/8" X 24" REBAR & CAP L.S. 34259
- ⊙ = FOUND CONTROL MONUMENT AS NOTED
- □ = FOUND MONUMENT AS NOTED
- ○ = COMPUTED POSITION--NOT FOUND OR SET
- ( ) = RECORD DATA

TRACT 'A'
WATER BOOSTER STATION TRACT TO BE DEDICATED TO THE CITY OF SELAH

TRACT 'B'
A NON-BUILDABLE TRACT FOR RECREATIONAL OPEN SPACE

TRACT 'C'
WATER RESERVOIR TRACT TO BE DEDICATED TO THE CITY OF SELAH

VALHALLA HEIGHTS ADDITION DESCRIPTION

THOSE LANDS EMBRACED BY THE FOLLOWING DESCRIBED PARCELS WITHIN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 26 AND THE EAST HALF OF SECTION 27, ALL IN TOWNSHIP 14 NORTH, RANGE 18 EAST OF THE WILLAMETTE MERIDIAN, YAKIMA COUNTY, WASHINGTON

PARCEL A: TPN 181427 14485

ALL OF LOT 3 AND THE EAST 141.63 FEET OF LOT 4 OF SHORT PLAT RECORDED IN BOOK 65 OF SHORT PLATS, PAGE 274 UNDER AUDITOR'S FILE NUMBER 2747192, RECORDS OF YAKIMA COUNTY, WASHINGTON.

PARCEL B: TPN 181427 41404

THE EAST 638.68 FEET, AS MEASURED ALONG THE NORTH LINE, OF LOT 4 OF SHORT PLAT RECORDED IN BOOK 65 OF SHORT PLATS, PAGE 57 UNDER AUDITOR'S FILE NUMBER 2133441, RECORDS OF YAKIMA COUNTY, WASHINGTON,
TOGETHER WITH THAT PORTION OF VACATED SHANNON ROAD THAT WOULD ATTACH BY OPERATION OF LAW

PARCEL C: TPN 181427 44401

LOT 3 OF SHORT PLAT RECORDED IN BOOK 65 OF SHORT PLATS, PAGE 57 UNDER AUDITOR'S FILE NUMBER 2133441, RECORDS OF YAKIMA COUNTY, WASHINGTON,
TOGETHER WITH THAT PORTION OF VACATED SHANNON ROAD THAT WOULD ATTACH BY OPERATION OF LAW

PARCEL D: TPN 181428 33403

LOT 8, VALHALLA HEIGHTS PHASE 1, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 4, 2008 UNDER AUDITOR'S FILE NUMBER 3914483, RECORDS OF YAKIMA COUNTY, WASHINGTON.

PARCEL E: TPN 181428 33412

LOT 13, VALHALLA HEIGHTS PHASE 1, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 4, 2008 UNDER AUDITOR'S FILE NUMBER 3914488, RECORDS OF YAKIMA COUNTY, WASHINGTON.

PARCEL F: TPN 181428 33400

THAT PORTION OF TRACT 'B', VALHALLA HEIGHTS PHASE 1, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 4, 2008 UNDER AUDITOR'S FILE NUMBER 3914488, RECORDS OF YAKIMA COUNTY, WASHINGTON, LYING SOUTHERLY AND WESTERLY OF THE FOLLOWING DESCRIBED LINE:
BEGINNING AT THE MOST NORTHERLY CORNER OF LOT 17 OF SAID VALHALLA HEIGHTS PHASE 1; THENCE EXTENDING THE NORTHEASTERLY LINE OF SAID LOT IN A NORTHWESTERLY DIRECTION 53.86 FEET TO THE NORTH LINE OF SAID TRACT 'B' AND THE END OF THIS DESCRIBED LINE.

SURVEYED FOR:
NCW DEVELOPMENT LLC

LANDLINE SURVEYORS
PO BOX 123, LEAVENWORTH, WA. 98826
(509) 548-5290

DATE: 6/03/14 SHEET: 1 OF 1 FILE: 12D00.DWG

THIS MAP IS BASED ON AN ACTUAL SURVEY PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION.

SCOTT VOLLRATH
STATE OF WASHINGTON
REGISTERED LAND SURVEYOR

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tabbies
EXHIBIT
2

CITY OF SELAH HEARING EXAMINER
STAFF REPORT
December 4, 2014

FILE NO.: 912.38.14-02 "Valhalla Heights Phases III & IV" – Preliminary Plat
912.38.14-02 "Valhalla Heights Phases III & IV" – Preliminary Plat Environmental Review

PROPOSAL: Preliminary Plat of "Valhalla heights, Phases III & IV" subdividing 25.11 acres of property into 61 single family residential lots served by a full range of public utilities and three tracts for the following purposes:

Tract 'A' (4,460 square feet): Water Booster Station

Tract 'B' (7,672 square feet): Non-buildable recreational open space

Tract 'C' (4,371 square feet): Water Reservoir

In addition to the above-described lots and tracts, part of the parent parcel, containing 1.67 acres extends outside of the City Limits and Urban Growth Area. This area was shown as two lots by the preliminary plat submitted initially. Responding to a request for additional information from City staff, the proponent modified the preliminary plat to exclude this area, but did not provide a mechanism to legally segregate it from the parent parcel. Based on further staff review in consultation with Yakima County it was determined that this property should be shown on the preliminary plat as a single tract or lot that could be buildable, but not served by City sewer or water service.

The following plat characteristics are based on the County property being included in the subdivision:

Acreage:	25.11 acres (23.44 acres in the City, 1.67 acre outside of the City limits)
Number of lots:	61 lots within the City Limits receiving full urban services, 1 developable lot or tract outside of the City Limits. 3 non-residential tracts
Average lot size:	14,000 square feet (0.32 acre) within the City Limits.
Gross density:	2.6 dwelling units per acre within the City Limits
Phases:	Two proposed phases (designated 3 and 4 after the phases in the completed Valhalla subdivision). Phase 3 is primarily served by the continuation of W. Goodlander Road up to the north property line and consists of 38 lots. Phase 4 consists of the west part of the site, comprised of 23 lots and is served by two interior streets. The three proposed tracts are in Phase 1.

PROPONENT: NCW Development, LLC

APPLICATION AUTHORITY AND JURISDICTION: Due to the split jurisdiction, the authority of the Selah Municipal Code is over the entire project except for the property that is outside of the City Limits. For

that lot or tract, Yakima County code applies. Yakima County has extended review authority to the City, but has reserved the right to comment on the portions of the site within its jurisdiction. Subsequent review and permitting for development on the property will be by the County.

Selah Municipal Code, Chapter 10 (zoning) and 10.50 (subdivision)

Yakima County Code, Chapter 14 (subdivision) and 15 (zoning)

LOCATION: Site lies at the west end of W. Goodlander Road (City street) approximately one mile west of the intersection with North First Street/Selah Loop Road. The 1.67 acre portion of the property that lies outside of the City Limits gains access from Marissa Hill Drive, a private road entirely outside of the City limits, which in turn intersects McGonagle Road at the intersection with Baker Road (both County roads). (Tax Parcel Numbers: 181427-14426, 41404, 44401, 181426-33409, 33413 and 33400).

LAND USE AND ZONING: A portion of the subject property consists of Lots 9 and 13 and part of Tract 'B' of previously approved and recorded Valhalla Heights, Phase 1. The property is vacant, including the portion within these previously platted lots, except for the Valhalla Heights Reservoirs that were constructed for Phase 1 and 2 development. They straddle the east property line of the site. The one reservoir on the site would be located on proposed Tract 'C'. A gravel surfaced access road serves the reservoirs from the end of W. Goodlander Road.

Zoning of the subject property within the City Limits is One-Family Residential (R-1) in Section 26 and Low Density Single Family (LDSF) in Section 27. Three of the proposed lots straddle the section line and would have split zoning as a result. The primary difference between the requirements of the two zoning districts is in minimum lot size standards. Also, a limited number of two-family dwellings may be authorized in the R-1 zone and a few land uses listed in Table 10.28A are allowed in one zone but not the other, or with different levels of review. None of these distinctions should affect this proposal because all of the split zoned lots meet the minimum lot size requirements of both zones, no two-family lots are being proposed and the likelihood of the other land uses on these residential lots is low.

The portion of the property that is under County jurisdiction is zoned Rural Transitional (R-T) by the Yakima County Zoning Ordinance (YCC Title 15). This property is vacant.

SURROUNDING ZONING: Adjacent properties to the east and to the south in Section 26 are zoned One-Family Residential (R-1). To the west and to the south in Section 27, the zoning is Low Density Single Family (LDSF). Adjacent properties to the north outside of the City Limits and surrounding the part of the site in County jurisdiction are zoned Rural Transitional (R-T) by Yakima County.

SURROUNDING LAND USE:

North (outside the City Limits) Single family residential on large lots (1.0 To 5.27 acres) and similarly sized vacant lands.

South Vacant undeveloped land

East Vacant land

West Vacant land

East Vacant land; To the southeast, partially developed Valhalla Phase I & 2 consisting of single-family homes on lots generally ranging from 10,000 to 30,000 square feet.

COMPREHENSIVE PLAN:

City of Selah Urban Growth Area Comprehensive Plan Designated Low Density Residential by the Future Land Use Map, adopted 2006. This designation provides for a maximum density of five (5) dwelling units per acre. The proposed density of the plat is 2.6 dwellings per gross acre (excluding the Yakima County property). Density in the adjacent recorded Valhalla Heights Phase I is 1.25 dwellings per gross acre; in the nearby fully developed subdivision "Goodlander Heights", the density is 1.1 dwelling units per gross acre.

A portion of the site (proposed Lot 44, also small parts of Lots 43 and 45) is designated Steep Slopes by the Future Land Use Map. This designation recognizes areas with slopes greater than 25% to regulate their development for public safety.

Yakima County Comprehensive Plan (Plan 2015) The portion of the subject property that is located outside of the City Limits is designated Rural Transitional by the Yakima County Plan, adopted in 1997. The stated purpose of the RT designation is to focus most expected rural development into existing areas which are nearing suburban levels in order to reduce growth pressures on farmlands and less populated rural areas. It is also intended to minimize public service expenditures by encouraging infill and redevelopment of individual lots.

The proposed density of the property located outside of the City Limits, assuming that it will have one dwelling unit is one dwelling per 1.67 acre. Under the RT zoning district, the maximum density is one unit per 2.5 acres with a minimum lot size of 1/3 acre. (There is also an allowable density bonus for clustering that would allow a density of one unit per two acres). In order to subdivide within the RT zoning district a minimum of 5 acres is needed for a one-time division. The portion of the property located in Yakima County is less than 5 acres in size and is therefore too small to be further divided. However, Yakima County does not object to the 1.67 acres becoming a single lot within County jurisdiction provided that it meets the development requirements of YCC Title 14 – the Subdivision Ordinance.

ENVIRONMENTAL REVIEW: A Mitigated Determination of Nonsignificance (MDNS) was issued October 13, 2014. The Environmental Checklist and proposed subdivision map was circulated to 13 agencies for review and comment. The Geologic Hazards Assessment was incorporated into the MDNS by reference (WAC 197-11-365) and was posted on the City website.

The MDNS identified two impacts:

A. Geologic hazards: The project site was determined to be in an erosion hazard area, the primary hazards being surface erosion and potential for slope failures.

B. Relation to Existing Land Use Plans/Transportation/Water/Sewer: A portion of the subject property extends outside of both the City Limits and Urban Growth Area. Annexation is not an alternative and it cannot be served with City sewer or water service. There are no public streets or rights-of-way to connect the property to the north, although access is possible using an existing private road. Connecting this road to the proposed public streets in the subdivision have potential impacts on the residents who use it, but having no access to public roads is inconsistent with Comprehensive Plan policy, standards of the Selah Subdivision Code and the International Fire Code.

The SEPA determination also listed four mitigation measures that are incorporated into the recommended conditions of approval and summarized as follows:

1. Conformance to the recommendations of the Geologic Hazards Assessment.

2. Ten foot building setbacks from critical slopes based on the definition from the City development code.

3. Construction of, at minimum, a fire apparatus road from the subdivision to McGonagle Road or other public street or road.

4. Subdivision of the property at the City limits into a separate lot or tract which may be developed for residential use if it conforms to Yakima County standards.

UTILITIES: Public utilities will need to be constructed and extended to most of the proposed subdivision, although a water line is now in place extending from the existing reservoir on proposed Tract 'C'.

WATER (existing): The new reservoir, consisting of two tanks and located at the east property line in Phase 3 have a combined capacity of 317,226 gallons, an overflow elevation of 1,666 feet and can serve properties up to an elevation of 1,560 feet. A 12 inch mainline extends south in a 25 foot wide public utility easement along the east property line to W. Goodlander Road. A gravel access road to the reservoir is also located in this easement.

WATER (proposed): Connection to the existing municipal water system will be required (except outside of the City limits) with the development served by eight (8) inch lines. A booster station needs to be built to serve areas of the site that are above 1,560 feet in elevation (Pressure Zone 6). Tract 'A' is the proposed location of the booster station.

Yakima County standards require the connection of the property outside of the City limits to an approved public water system, which could be a community well. An exception to this requirement may be made by the (County) administrative official or County Commissioners under limited circumstances that include special conditions that work a special hardship.

SEWER (existing): An eight (8) inch line is located in W. Goodlander Road providing service to Valhalla Estates Phase I. Extension of this line into all of the proposed streets will be necessary to serve new development, but only within the City limits.

FIRE HYDRANTS (existing): There are existing hydrants at the temporary turnaround for W. Goodlander Road (near proposed Lots 9 and 10) and at the existing intersection of W. Goodlander Road and the street that will provide access to Phase IV (identified as Vinland Court by the Phase I Plat). There is also a hydrant on W. Goodlander Road about 360 feet farther to the southeast. According to information provided with the application, the hydrant at W. Goodlander Road and Vinland Court was flow tested at 750 gallons per minute and the hydrant to the southeast exceeds 1,000 gallons per minute.

FIRE HYDRANTS (proposed): Proposed hydrant locations are not indicated. Typically hydrants are located 250 to 300 feet apart and at street intersections.

TRANSPORTATION: (Existing conditions)

W. Goodlander Road – (designated Local Access) -- 36 foot wide asphalt pavement with concrete rolled curb and gutter, 5 foot wide sidewalk on the north/east side and illumination in a 50 foot wide right-of-way.

Vinland Court – The existing street segment extending from W. Goodlander was proposed by the Phase 1 application to have a 31 foot pavement width, concrete rolled curb and gutter, and 5 foot sidewalk in a 50 foot wide right-of-way. It has not yet been constructed.

Marissa Hill Drive (Yakima County) – a privately owned and maintained paved road in 30 ***to 90*** foot wide access easements. There are no curbs, gutters, sidewalk or illumination on the private street.

There is a partially vacated street right-of-way for Shannon Road that borders the site in part and crosses it in one location. The south half of the right-of-way was vacated including most of the portion on the subject property, but the north half was not. Part of this right-of-way crosses Tract 'B' and the remainder of the portion that crosses the site will become part of the proposed right-of-way for West Goodlander Road.

TRANSPORTATION: (Planned improvements):

W. Goodlander Road will be extended into Phase III. The street shown as Vinland Court by the Phase I Plat will be extended into Phase IV and will loop back to connect with a newly constructed segment of W. Goodlander Road. The existing temporary turnaround in Phase I will be eliminated, and the plat proposes 30' by 120' T-turnarounds (or "hammerheads") at dead end streets. The preliminary plat shows West Goodlander Road terminating at the City Limits line without a turnaround.

Interior Streets:

Required street construction to City standards: Thirty-eight foot wide (34 foot pavement width) within 50' right-of-way. Rolled (or barrier) curb and gutter with five foot wide sidewalk continuing along the east street side. Street illumination provided as directed by the Director of Public Works.

Yakima County private road standards would require construction of Marissa Hill Drive (or other alternative road through County jurisdiction) to a 30 foot wide hard surfaced standard with at minimum, 50 foot wide right-of-way. Reduction of these standards could be considered by the County based on special circumstances.

Connectivity:

Proposed street rights-of-way front on adjacent parcels in three locations in the subdivision: On adjacent property to the east, a parcel to the west at the north end of the site and property to the north that is outside of the City limits and Urban Growth Area. Future access for development of the property to the east is possible from W. Goodlander Road frontage. Access should also be possible to the property to the west, although it appears that additional frontage would be necessary to allow for the extension of a 50 foot right-of-way in this direction.

A connection from proposed W. Goodlander Road in the plat to Marissa Hill Drive is possible, although right-of-way would have to be acquired in order for it to become a public road and Yakima County has stated in its SEPA comments that it has no plans to bring it into the County road system. SMC 10.50.041(c)(12) requires subdivisions to have two points of access to the public street system and this road would satisfy that requirement if it were open to the public. The MDNS requires at minimum, that emergency access be provided to a public street providing a second way out of the development. Provided that Marissa Hill Drive meets (or is improved to) minimum construction standards, this would satisfy the Fire Code. Other routes that could satisfy the subdivision requirement is to Katie Lane (a private road in an open County right-of-way) through adjacent property to the west and across adjoining property to the east from the site to McGonagle Road.

The applicant submitted a copy of an amended road maintenance agreement pertaining to Marissa Hill Drive (filed under AFN 7185783). This 2000 agreement added several lots to the property that may be served by the private street. It includes two of the parcels that are in the proposed preliminary plat (Lots 3 and 4, Short Plat 96-57) as well as the part of the site that extends outside of the City limits to the north. It essentially includes all of the part of the Valhalla project site that is in Section 27, but not in Section 26. It is also not clear if it allows access to the private road from other traffic that would be expected to use W. Goodlander Road when it is built and extended across the subdivision.

A portion of Marissa Hill Drive is shown on the short plat filed under AFN 7185782 to be in a "public, non-exclusive" access easement. This portion of the easement is 60 feet wide, exceeding the standards described by Yakima County in its comment letter, although it is not clear if the maximum slope requirement is met. The public portion of this easement does not extend to the project site and it

also does not appear to extend the last approximately 160 feet from the north line of the short plat to McGonagle Road.

DRAINAGE:

The application and preliminary plat indicate that construction storm drainage will be handled as required by a construction stormwater general permit (issued by the Department of Ecology) and states that street drainage is to be accommodated by the City's storm drainage system. Since there is no existing municipal system available in this location, the development of an on-site system will be required. The recommendations of the Geologic Hazards Assessment also address drainage.

CRITICAL AREAS & CRITICAL SLOPES:

Most of the site is in a designated geologically hazardous area of known or suspected risk. Since application submittal pre-dated the April 22, 2014 effective date of the Selah Critical Areas Ordinance, no application for Critical Areas authorization was required. SEPA is being used to address identified impacts and to conform to Comprehensive Plan policies that deal with steep slopes. The applicant has prepared and submitted a geologic hazards assessment.

Based on the findings of the geologic hazards assessment, the site has been determined to contain erosion hazard areas as defined by the critical areas ordinance and that contain all three of the characteristics specified by SMC 17.07.150(A)(2)(a). None of the site has landslide hazard areas containing the characteristics of SMC 17.07.150(A)(2)(b).

In addition to the Critical Areas Ordinance, development on slopes is regulated by the Zoning Ordinance under provisions that were in effect at the time of application submittal. They include:

1. In the LDSF zone, the minimum lot size increases from 10,000 square feet to 5 acres for lots served by municipal sewer and water when the slope exceeds 25% (SMC 10.10.030).

2. In the R-1 zone, the minimum lot size is 8,000 square feet for lots served by municipal sewer and water with slopes less than 10%. It increases to 10,000 square feet for similarly served lots with slopes up to 15%, ½ acre for slopes up to 20%, 1 acre for slopes up to 25% and 5 acres for lots with slopes greater than 25% (SMC 10.12.030).

3. These lot size provisions do not specify how slopes on these lots are to be measured. However, under the definition of "Critical Slope", Appendix 'A' to Chapters 10.02 through 10.48, which applies specifically to slopes that are 25% or greater, the measurement is made on any 40 foot horizontal run. The critical slope is then considered to extend 10 feet beyond the top and/or toe of the slope.

4. Two proposed lots, Lots 44 and 52 were found to exceed the slope required for these lot size standards when the slopes were determined by averaging them over the entire lot. Using the Critical Slope definition, it can be shown that there is a buildable area on each of these lots with

a slope consistent to their lot size as required by the zoning standards. This is summarized as follows:

Lot	Average Slope	Distance from Lot Line to Critical Slope	Average Slope from Lot Line to Critical Slope
44	30.2%	98 feet	14%
52	23.8%	44 to 50 feet	6.25%

Notes:

a. Distance from front lot line to the top of slopes greater than 25% was reduced by 10 feet as required under the definition of Critical Slope.

Lot 44 is zoned LDSF and its proposed lot size of 61,051 square feet is consistent with the minimum lot size based on 14% slope of the buildable area. Lot 52 is zoned R-1 and its proposed lot size of 14,182 square feet is consistent with the minimum lot size based on the 6.25% slope of the buildable area.

The MDNS requires a 10-foot building setback from any slope greater than 25%. It should be clarified that this was not intended to prevent the construction of building pads in these sloped areas provided that it is done according to the recommendations of the geologic hazards assessment. The setback would then be measured from the top of any slope greater than 25%, presumably at the edge of the pad.

OTHER FINDINGS:

1. The built-out subdivision will contribute 620 vehicle trip ends per day based on a calculation for single-family residential development of 10 daily vehicle trip ends per dwelling. Average daily traffic counts (2003) on W. Goodlander Road, immediately east of Terry Lane, averaged 988 vehicle trips per day while traffic counts on W. Goodlander Road immediately west of N. First Street were almost 2,000 vehicle trips per day. Updating these counts by considering additional lots created since that time and adding the traffic generated by the proposed project would result in an additional 1,020 trip ends for totals of 2,008 and 3,020 trips respectively at the two locations. This is less than the existing capacity of West Goodlander Road of approximately 6,000 vehicle trips per day. ***(If a street open to the public were to be extended through to McGonagle Road, the estimated traffic volumes on W. Goodlander Road would likely be different).***

2. Naches-Selah Irrigation District water is not available to this property.

3. Applicable design standards include:

    a. When land is subdivided, such parcels shall be arranged to allow for the opening of future streets and logical future subdivision **unless doing so is impractical for reasons of property size or topography.** (SMC 10.50.041(b) – emphasis added)

b. Cul-de-sacs are permitted provided that they do not exceed 600 feet measured from the centerline of the turnaround to the nearest connecting street intersection. Minimum street right-of-way width is 50 feet and minimum cul-de-sac (turnaround) right-of-way radius is 52.5 feet (SMC 10.50.041(c)(8)). Subdivisions must have at least two points of connection with the public street system unless the only dedicated street is a cul-de-sac (SMC 10.50.041(c)(12)).

c. The administering authority may approve a single tier of lots for block design where topographical conditions or the size of the property prevent blocks wide enough for two tiers at least 85 feet deep (SMC 10.50.041(d)(1)).

d. Maximum block length is 1,320 feet. The administrative official may require public crosswalks on blocks over 660 feet in length (SMC 10.50.041(d)(2)). The street segment between Lots 11/12 and Lots 22/23 is 1,186.32 feet in length. The street segment in Phase 4 between Lots 11/12 and 50/54 is 1,041.3 feet in length. All other street segments are less than 660 feet in length.

4. Selah Municipal Code, Chapter 10.50.033(c) provides the developer five (5) years from the date of preliminary plat approval to complete all required improvements and record the final plat. However, following the economic downturn of 2007-2009, the State Legislature amended RCW 58.17 (Subdivision Act) to allow seven (7) years from preliminary plat approval if the approval is made prior to December 31, 2014, after which the time period reverts back to five years (RCW 58.17.140(3)). SMC 10.50.033(c) allows the developer to, prior to this completion date, request a one-time, one-year extension to complete the improvements and record the plat.

STAFF ANALYSIS:

Due primarily to the topography, the site has constraints that pose challenges to its development. While much of the site has steep slopes and it has been determined to be in an erosion hazard area, project layout takes advantage of the relatively flatter parts of the property. The Geologic Hazards Assessment conducted by the applicant offers measures to address potential slope and erosion impacts and verified that there are no significant landslide risks.

In addition to topographical issues, are the matters of split jurisdiction with Yakima County and connectivity. As to the former, it appears that the only solution is to subdivide the property at the City Limits, and allow both sides to be developed consistent with their respective jurisdictional requirements. As to the latter issue, the ability to provide for connectivity is limited by the split jurisdiction and topography. As proposed, project layout generally allows for the opening of future streets and logical future subdivision as required by the Subdivision Ordinance, although it is impractical to do in some locations for reasons of topography. ***There are single tiers of lots but they are justified under SMC 10.050.041(d)(1) due to topographic characteristics preventing two tiers of lots.***

Providing two points of access to the public street system is difficult for the same reasons although requiring at minimum emergency access, and if possible, limited access to areas north of the site address this concern to the extent possible. Alternatively, the developer could be required to construct a public road from the north end of W. Goodlander. Under Yakima County ***private road*** standards, a 30 foot wide paved road in a 50 foot wide right-of-way would be required, ***public road standards would likely be higher***. If constructed across property to the west that is in the Selah City limits, the road would have to be constructed to City street standards. Since it appears that a portion of Marissa Hill Drive is too steep to meet road standards of either jurisdiction, the construction of a new street farther west to Katie Lane (private road in unopened Yakima County right-of-way) may be required. Any of these alternatives require the developer to obtain additional right-of-way. Constructing a street across property (in the City limits) to the east may also be possible.

RECOMMENDATION: APPROVAL of the preliminary plat of Valhalla Heights, Phases III & IV subject to the following conditions:

1. All design and/or improvement notations indicated on the preliminary plat are included herein as conditions of preliminary plat approval. (Including, but not limited to, dedicated right-of-way width, easement widths and locations, lot size and configuration).

2. The part of the subject property that is located outside of the City Limits and Urban Growth Area shall be subdivided into a lot or a tract with the boundary coterminous to the City limits. This shall be done by including the lot or tract on the final plat.

3. Merger of this lot or tract into any adjoining property inside of the City limits shall be prohibited until such time as it is annexed by the City. The lot or tract that is created may be developed for residential use subject to the requirements of the Yakima County Zoning and Subdivision Ordinances (or any succeeding Code adopted by Yakima County). It shall not be entitled to City sewer or water service until such time as it is annexed into the City.

4. A preliminary engineering report and/or plan, prepared by a Licensed Professional Engineer, demonstrating the feasibility of construction of all public improvements required by Selah Municipal Code, Chapter 10.50 must be submitted to the Public Works Director for approval.

5. All final plans and specifications for improvements must be prepared by a Licensed Professional Engineer and reviewed and approved by the Public Works Director prior to construction. Specifications for improvements shown on the preliminary plat are minimum specifications that may be superseded by conditions contained herein or by specific conditions as approved by the Public Works Director. Upon completion of construction and prior to final plan approval, final 'as-built' construction plans and a written certification by a Licensed Professional Engineer that said improvements where completed in accordance with the approved construction plans must be submitted to the Public Works Director for approval.

6. All public street improvements within the City limits shall be constructed to City standards as approved by the Public Works Director including 50 foot wide right-of-way dedicated to the City, concrete rolled (or better) curb and gutter, five (5) foot wide sidewalk on one street side and street illumination. Utility improvements shall be extended beyond street pavement edge to facilitate future extension where appropriate. Street grade shall not exceed 10%. W. Goodlander Road shall be improved with 34 foot wide asphalt pavement and the sidewalk shall be installed on the same side of the street as it is on the existing completed portion of W. Goodlander Road. The other public interior streets shall be improved with 31 foot wide asphalt pavement.

7. Street illumination shall be installed by the developer at locations and to the specifications of the Public Works Director (typically at 300 foot intervals or as otherwise determined by the Director of Public Works in order to maximize illumination). Street lights shall be installed on metal poles.

8. All lots within the City limits must be served with a full range of public and private services and utilities including public water and sewer, power, natural gas and telephone. All utilities shall be underground and installed prior to the surfacing of streets. All utilities placed beneath streets, curbs or sidewalks shall be extended beyond these features to avoid them being disrupted by future extensions.

9. The lot or tract located outside of the City limits shall be connected to a public (community) water system unless this requirement is reduced or waived by Yakima County. Separate application to the County is required.

10. Ten foot wide public utility easements shall be provided adjacent to all public rights-of-way as shown on the preliminary plat, and as specified by the utility providers.

11. There shall be a moratorium on public street cuts for a period of five (5) years from the date of plat recording.

12. Fire hydrants shall be provided and installed by the developer at locations approved by the City of Selah Fire Chief and Public Works Director to the specifications of Selah Municipal Code, Chapter 11.30.

13. The proponent shall provide a second connection to a public street or road as required by SMC 10.50.041(c)(12) using one of the following alternatives:

   a. Improve Marissa Hill Drive to Yakima County standards as a private road (which may be reduced by the County – separate application required) provided that documentation is provided to the satisfaction of the City Attorney that the public has the right to use the access easements, in their entirety from the end of W. Goodlander Road as shown on the preliminary plat to McGonagle Road. This includes not only the

right of traffic generated by the entire Valhalla subdivision, Phases 1 through 4 to use the easements, but all other public traffic that would use this part of W. Goodlander Road. It should be noted that as of the date of this staff report, the documentation that has been provided is not sufficient to satisfy this requirement.

b. *Dedicate Marissa Hill Drive to Yakima County and improve it to County public road standards from the end of W. Goodlander Road as shown on the preliminary plat to McGonagle Road. This would be subject to the willingness of all involved property owners to dedicate sufficient right-of-way to meet Yakima County standards and acceptance of the improved road by the County. The County may require higher construction and right-of-way standards than stated in their SEPA comments. Consultation with and possibly separate application to the County should occur before pursuing this alternative.*

c. *Provide right-of-way and construct an alternate road from the site to Katie Lane. Any portion of the new street that is within the City Limits must be improved as a public street to the same standards as required herein for W. Goodlander Road. Any part of the road that is outside of the City Limits shall be improved to Yakima County standards as determined by the County (separate application may be required). Documentation shall be provided for any part of this road that is to remain private in the same manner as described by 'a' above (excluding Katie Lane, which is in dedicated County right-of-way). Dedication and improvement of any portion of this street to Yakima County shall be to the same requirements and with the same caveats as described in 'b' above.*

d. *Improve a combination of Marissa Hill Drive and a new street connection to Katie Lane subject to the same requirements and caveats as in 'a' 'b' and 'c' above.*

e. *Improve and dedicate a new street across adjacent property to the east from the project site to McGonagle Road. Since this property is in the City limits, development of a City Street to city standards will be required. If any part of this street is outside of the City Limits, construction to Yakima County standards shall be required.*

f. *Any other alternative that meets the requirements of this condition '13' subject to approval by the City Public Works Director, Yakima County if within its jurisdiction, and subject to the requirements and caveats of 'a' through 'e' above.*

14. A circular turnaround with a minimum radius of 52.5 feet shall be provided at the north end of W. Goodlander Road *as it is shown on the preliminary plat (between proposed lots 25 and 26) unless a public street is extended beyond this point. If any extended public street terminates at the City Limits or boundary of the subdivision, a turnaround to the same standards shall be provided in that location.* The street right-of-way *at the north end of W. Goodlander Road as*

shown on the preliminary plat (between proposed Lots 25 and 26) shall have at least 50 feet of frontage on the ***west*** property line to allow for future extension of ***right***-of-way into the neighboring ***property***.

15. ***If Marissa Hill Drive is not used for access to the subdivision (including emergency vehicle access) because another alternative route is provided, the lot or tract located outside of the City limits may obtain access from its frontage on the city street (W. Goodlander Road). This may be used as justification for Yakima County to reduce or waive required improvements of Marissa Hill Drive. Separate application to the County would be required.***

16. Final lot dimensions and lot area must substantially conform to the preliminary plat unless otherwise amended during the public hearing process.

17. Storm Water drainage facilities to accommodate runoff generated in the plat shall be developed and must comply with a drainage facilities plan prepared by a licensed professional engineer and approved by the Public Works Director.

18. A NPDES construction stormwater general permit shall be obtained from the Department of Ecology and Stormwater Pollution Prevention Plan prepared as required.

19. A dust control plan shall be prepared and implemented during construction as required by the Yakima Regional Clean Air Agency.

20. Prior to final plat recording, all required plat improvements (utilities, streets, drainage facilities, etc.) must be installed and accepted by the City or a surety bond pledged to the City to ensure installation of the plat improvements within two years of final plat recording.

21. Site development shall conform to the recommendations of Geologic Hazards Assessment, Valhalla Heights Addition Phases 3 & 4; GN Northern, Inc., July 2014, pp. 14 – 18 and including Appendix VI, as applicable. The City will make the following considerations in the administration and enforcement of this condition:

    a. The City will not require any particular firm, engineer or landscape architect to perform the recommendations as presented in this report.

    b. A licensed professional engineer, or if and as appropriate, geologist or landscape architect, shall be responsible for determining the best management practices (BMP's) to be used to implement the recommendations, except as otherwise required by the October 13, 2014 MDNS, the conditions of preliminary plat approval and to the extent that certain practices may be required by law as administered by the City or other agencies.

c. Measures to control drainage and erosion shall be taken as recommended by the report and cuts and slopes shall not be constructed to exceed the recommended maximum heights and slopes.

22. Prior to any site disturbance, a grading plan or plans, prepared by a licensed professional engineer shall be submitted and approved by the Public Works Director. This requirement also applies to the development of individual lots of the subdivision, although it is not intended to require homesite permitting or development as a condition of recording the final plat. The City shall incorporate Geologic Hazards Assessment recommendations/mitigation into the review of all grading permits required by this condition.

23. All buildings shall be set back from critical slopes as that term is defined in Appendix 'A' to Chapters 10.02 through 10.48, Selah Municipal Code. It refers specifically to slopes that are 25% or greater with the determination of slope made on any 40 foot horizontal run plus an additional 10 feet from the top and toe of the slope. The additional 10 feet comprises the required setback. This condition is not intended to preclude the development of building pads in critical slope areas provided they are done in a manner consistent with Geologic Hazards Assessment recommendations and this decision.

24. All required street signs, posts and appurtenances must be supplied by the developer and will be installed by the City.

25. The following note shall be placed on any final plat map:

    "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."

    "Grading permits and grading plans, prepared by a licensed professional engineer are required for any improvements within this plat"

    "Any portion of this property located outside of the Selah City Limits shall not be merged into property located within the City Limits"

26. Prior to final plat recording, a surety bond, or such other secure financial method acceptable to the City, in the amount of 15% of the cost of the public improvements as determined by the Public Works Director (streets, sidewalks, street lights, drainage facilities, sewage collection and water distribution facilities, etc.) must be remitted to the City and will be held for a period of two years from the date of final plat recording to guarantee against defects in materials and workmanship.

27. Final plat approval shall be required in the manner provided for by Selah Municipal Code, including provision of a current title report. Yakima County has retained the authority to sign off

on the final plat, with review limited to the portion of the property that is located outside of the City limits.

28. ***The following conditions may not be required for the development of the lot or tract located outside of the City Limits or for any improvements within Yakima County jurisdiction, at the County's discretion, or the County may impose different standards or requirements. County officials may assume the authority of City officials cited in these conditions: 4, 5, 7, 10, 11, 12, 17, 20, 21, 22, 23, 24, 26.***

29. Improvements required for the subdivision must be completed and the final plat must be submitted within the maximum time period required by RCW 58.17.140. If this decision is issued on or before December 31, 2014 that time period is 7 years. Otherwise it is 5 years. A one-time, one-year extension may be authorized in accordance with SMC 10.50.033(c) but the request must be made before the maximum time period ends.

Davison, Dennis

From: SpeechAndListening <don@speechandlistening.com>
Sent: Sunday, October 26, 2014 6:26 PM
To: Davison, Dennis; Henne, Joe
Subject: Valhalla Heights Addition

Hi Dennis

My name is Don Harris and my wife Laurie and I live at 1212 McGonagle Road. Unfortunately we will not be able to attend the hearing this Wednesday but we do have a few questions concerning the Valhalla Heights Addition.

1. How close to the northern edge of the addition will the home owners be allowed to build?

2. Will there be a height restriction for the homes?

3. What plans are in place to ensure safe management of rain and snow run off? We have had flooding in the past with no homes present so the addition of concrete/asphalt concerns us greatly.

We look forward to hearing back from you soon.

My Best
Don

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Don Harris, MS, CCC-SLP
www.SpeakingSuccessfully.com

don@speechandlistening.com
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EXHIBIT 4

Davison, Dennis

From: SpeechAndListening <don@speechandlistening.com>
Sent: Monday, October 27, 2014 6:31 PM
To: Davison, Dennis
Subject: RE: Valhalla Heights Addition

Hi Dennis

One other question. Does the city require prior approval of plans that manage 'individual lot storm water is required to be retained on-site '. Like I said, we've had past flooding even when concrete/asphalt weren't in play.

Thanks
Don

From: Davison, Dennis [mailto:ddavison@ci.selah.wa.us]
Sent: Monday, October 27, 2014 12:08 PM
To: 'SpeechAndListening'
Subject: RE: Valhalla Heights Addition

(1) Dependent of how the home is arranged on the property it could be as near as 8 feet.
(2) Standard height restriction is 35 feet similar to the height restriction in Yakima County
(3) Street drainage will be collected and retained in a professionally designed storm water retention system—individual lot storm water is required to be retained on-site

From: SpeechAndListening [mailto:don@speechandlistening.com]
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Davison, Dennis

From: SpeechAndListening <don@speechandlistening.com>
Sent: Sunday, November 30, 2014 5:15 PM
To: Davison, Dennis
Subject: RE: Valhalla Heights Addition

We just received a notice for another Valhalla meeting. I understand that they needed to add a secondary entrance/exit. Where will that be located? Will it be an emergency only entrance/exit or will it be standard road and always available for use?

From: Davison, Dennis [mailto:ddavison@ci.selah.wa.us]
Sent: Tuesday, October 28, 2014 10:59 AM
To: 'SpeechAndListening'
Subject: RE: Valhalla Heights Addition

Based on land contours approximately eight (8) of the northerly most lots of the proposed subdivision have the potential to drain northerly towards McGonagle Road. Applications for construction of individual homes currently require a drainage and storm water retention plan.

From: SpeechAndListening [mailto:don@speechandlistening.com]
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To: Davison, Dennis
Subject: RE: Valhalla Heights Addition

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From: SpeechAndListening [mailto:don@speechandlistening.com]
Sent: Sunday, October 26, 2014 6:26 PM
To: Davison, Dennis; Henne, Joe
Subject: Valhalla Heights Addition

Hi Dennis

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Davison, Dennis

From: SpeechAndListening <don@speechandlistening.com>
Sent: Wednesday, December 03, 2014 2:14 PM
To: Davison, Dennis
Subject: RE: Valhalla Heights Addition

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Don

From: Davison, Dennis [mailto:ddavison@ci.selah.wa.us]
Sent: Monday, October 27, 2014 12:08 PM
To: 'SpeechAndListening'
Subject: RE: Valhalla Heights Addition

(1) Dependent of how the home is arranged on the property it could be as near as 8 feet.
(2) Standard height restriction is 35 feet similar to the height restriction in Yakima County
(3) Street drainage will be collected and retained in a professionally designed storm water retention system—individual lot storm water is required to be retained on-site

From: SpeechAndListening [mailto:don@speechandlistening.com]
Sent: Sunday, October 26, 2014 6:26 PM
To: Davison, Dennis; Henne, Joe
Subject: Valhalla Heights Addition

40

Hi Dennis

My name is Don Harris and my wife Laurie and I live at 1212 McGonagle Road. Unfortunately we will not be able to attend the hearing this Wednesday but we do have a few questions concerning the Valhalla Heights Addition.

1. How close to the northern edge of the addition will the home owners be allowed to build?

2. Will there be a height restriction for the homes?

3. What plans are in place to ensure safe management of rain and snow run off? We have had flooding in the past with no homes present so the addition of concrete/asphalt concerns us greatly.

We look forward to hearing back from you soon.

My Best
Don

~~~~~~
Don Harris, MS, CCC-SLP
www.SpeakingSuccessfully.com

don@speechandlistening.com
~~~~~~

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41

Davison, Dennis

From: SpeechAndListening <don@speechandlistening.com>
Sent: Wednesday, December 03, 2014 6:18 PM
To: Davison, Dennis
Subject: RE: Valhalla Heights Addition

Thank You. We would want it to be an emergency entrance/exit...if we get to vote. It also would seem to make more sense going to Katie Lane. Marissa Drive is awfully steep.

From: Davison, Dennis [mailto:ddavison@ci.selah.wa.us]
Sent: Wednesday, December 3, 2014 3:37 PM
To: 'SpeechAndListening'
Subject: RE: Valhalla Heights Addition

Yes, the Hearing Examiner, will conduct another meeting on the 8th. If you remember the original scheduled meeting was continued at the last minute [at the applicant's request](at least not enough time to mail out notices of a continuance) The Examiner took comments from those present who would not be able to return for the continued hearing. The continued hearing was scheduled, notice mailed out and at the last moment there was a Jury Trial scheduled and held in the City Council hearing room (Examiner, Planning Commission, City Council, Municipal Court and others all use the same hearing room) Unfortunately the Municipal Court and City Council has precedence.

City Municipal Code requires that most subdivisions (but not all) provide a second means of access to the subdivision (typically an emergency access issue).

In the instant case the proponents have proposed to upgrade (I don't know to what standard but Yakima County is providing comments and standards) Marissa Drive as the secondary access. Staff has suggested Katie Lane and there may be other reasonable alternatives.

Your last question is hard to answer. Some people on the your hill have indicated they want it always open to get into town easier. Others want it only as an emergency access, with a locked gate or barricade that only the police or fire department have a key to open. One wants it both ways, accessible to folks residing in the County but not open to city residents who may desire to go to Gleed or Naches. (City can't afford a 24 hour per day hall monitor to check who wants to goes through, northbound or southbound.)

From: SpeechAndListening [mailto:don@speechandlistening.com]
Sent: Wednesday, December 03, 2014 2:14 PM
To: Davison, Dennis
Subject: RE: Valhalla Heights Addition

We just received a notice for another Valhalla meeting. I understand that they needed to add a secondary entrance/exit. Where will that be located? Will it be an emergency only entrance/exit or will it be standard road and always available for use?

From: Davison, Dennis [mailto:ddavison@ci.selah.wa.us]
Sent: Tuesday, October 28, 2014 10:59 AM
To: 'SpeechAndListening'
Subject: RE: Valhalla Heights Addition

42

Based on land contours approximately eight (8) of the northerly most lots of the proposed subdivision have the potential to drain northerly towards McGonagle Road. Applications for construction of individual homes currently require a drainage and storm water retention plan.

From: SpeechAndListening [mailto:don@speechandlistening.com]
Sent: Monday, October 27, 2014 6:31 PM
To: Davison, Dennis
Subject: RE: Valhalla Heights Addition

Hi Dennis

One other question. Does the city require prior approval of plans that manage 'individual lot storm water is required to be retained on-site '. Like I said, we've had past flooding even when concrete/asphalt weren't in play.

Thanks
Don

From: Davison, Dennis [mailto:ddavison@ci.selah.wa.us]
Sent: Monday, October 27, 2014 12:08 PM
To: 'SpeechAndListening'
Subject: RE: Valhalla Heights Addition

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Subject: Valhalla Heights Addition

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We look forward to hearing back from you soon.

My Best
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~~~~~~

Don Harris, MS, CCC-SLP
www.SpeakingSuccessfully.com
~~~~~~

don@speechandlistening.com
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~~~~~~

513 North Front Street, Suite Q
Yakima, Washington 98901
P.O. Box 1723 (98907)

(509) 248-4156
Fax: (509) 249-2883

DURANT DEVELOPMENT SERVICES, INC.

December 5, 2014

Dennis Davison
Community Planner
Selah Public Works Department
222 S. Rushmore Road
Selah, WA 98942

RE: Valhalla Estates Exhibits

Dear Dennis:

The enclosures are documents I have for inclusion in the exhibits for Monday's hearing on the Valhalla Estates long plat. I am sure that some of these are duplicates of what you already have in the file but I am including them to make sure it is complete

1. Before and after screen shots depicting boundary line adjustments that involve the part of the site that is outside of the City limits. Obtained from the Yakima County Assessment website. 2003 and 2007 actions, respectively.
2. Map depicting existing City water facilities in the vicinity of the site.
3. City of Selah Water System Plan Update Static Pressure Zone Map
4. Amended road maintenance agreement for Marissa Hill Drive – submitted by the applicant.
5. Map I prepared showing the parcels involved in the amended road maintenance agreement based on the legal descriptions from the agreement.
6. Short Plat recorded under AFN 7185782. Includes "public, non-exclusive" access easement.
7. October 23, 2014 letter from Yakima County extending review authority to City.
8. SEPA comment letter from Yakima County (attachment to October 23, 2014 letter)
9. SEPA comment letter from Yakima Clean Air Agency
10. November 18, 2014 email from Yakima County (Jason Earles) clarifying County review of subdivision and access including Katie Lane.

In addition to these items that I am submitting, I have the following. I am not certain that we need to put them in the record, but will have them with me at the hearing.

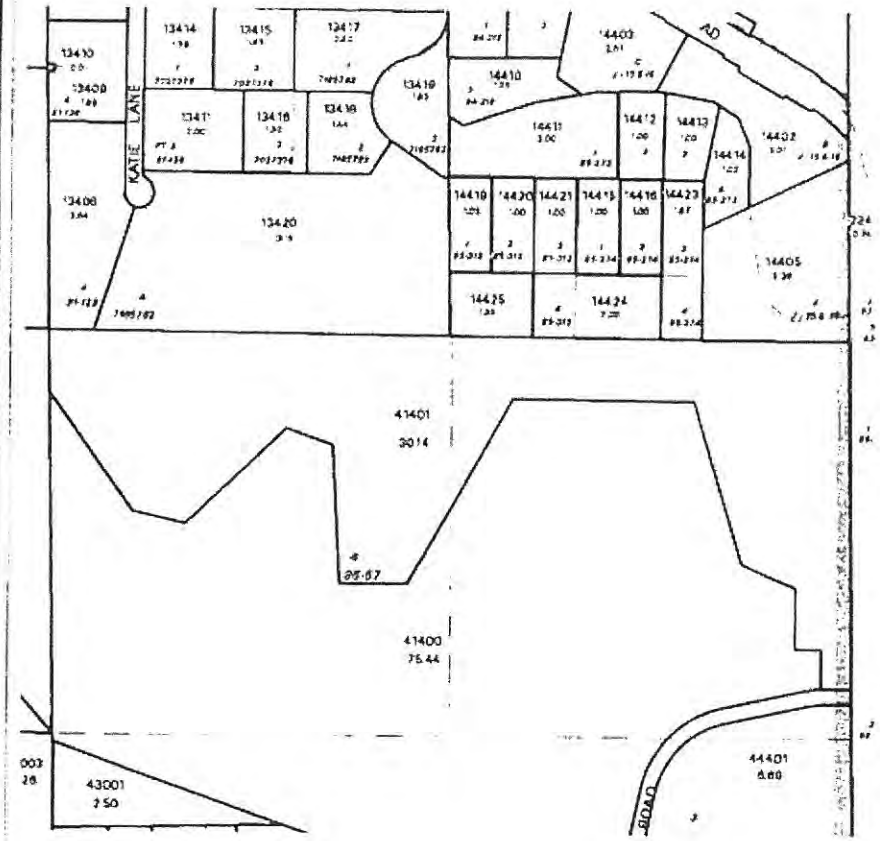
1. Cross section of water reservoir on project site.
2. June 2, 2014 email from applicant (Adam Brizendine) concerning lot line adjustment application.
3. Erosion Hazards and Geologic Hazards maps of Selah area, obtained from Yakima County
4. Additional documentation obtained from Yakima County Assessment staff about the boundary line adjustments of this property.

Let me know if you have any questions.

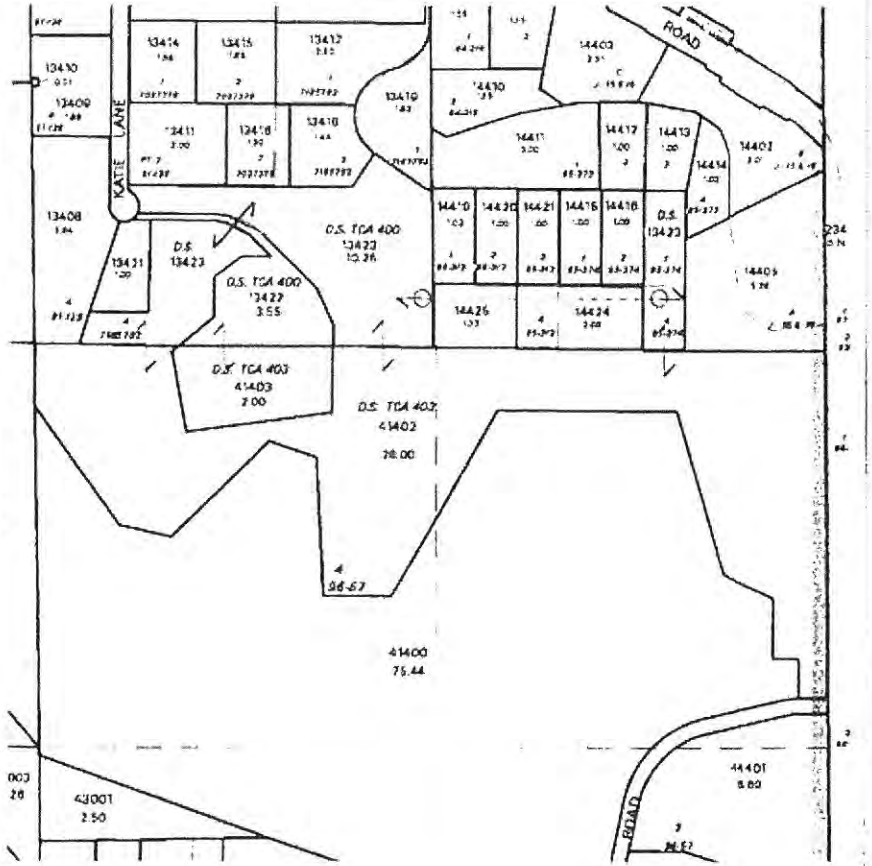
Sincerely,

Thomas R. Durant
President

BEFORE



AFTER



Seg Type: 'SSE 03-201 DIST SEG'

Scale: 1" = 600 feet

Scale: 1" = 600 feet

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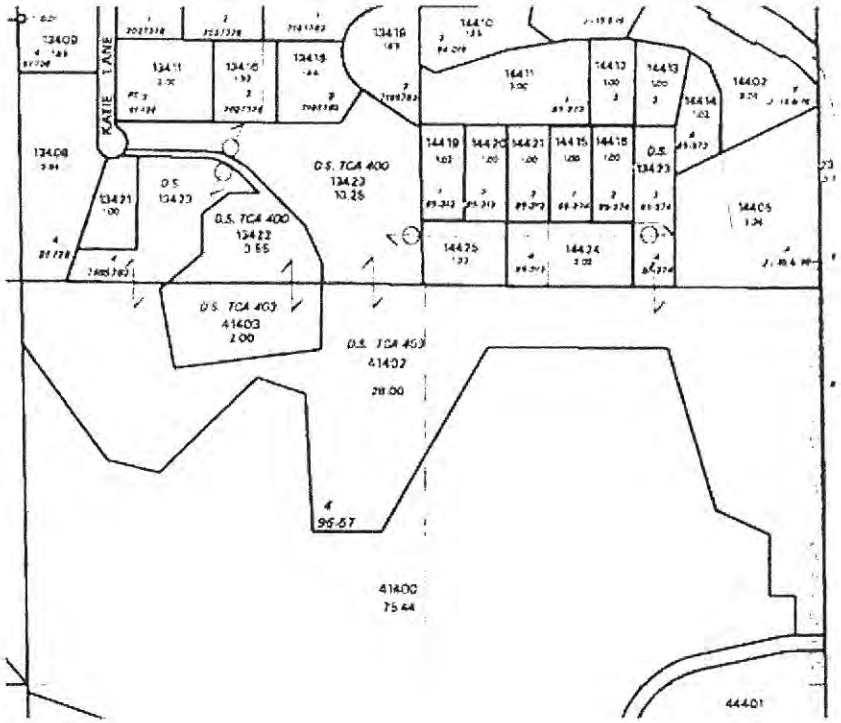
Yakima County Geographic Information Services
128 N 2nd Street, Courthouse Room 421
Yakima, WA 98901
(509)574-2990
March 15, 2004

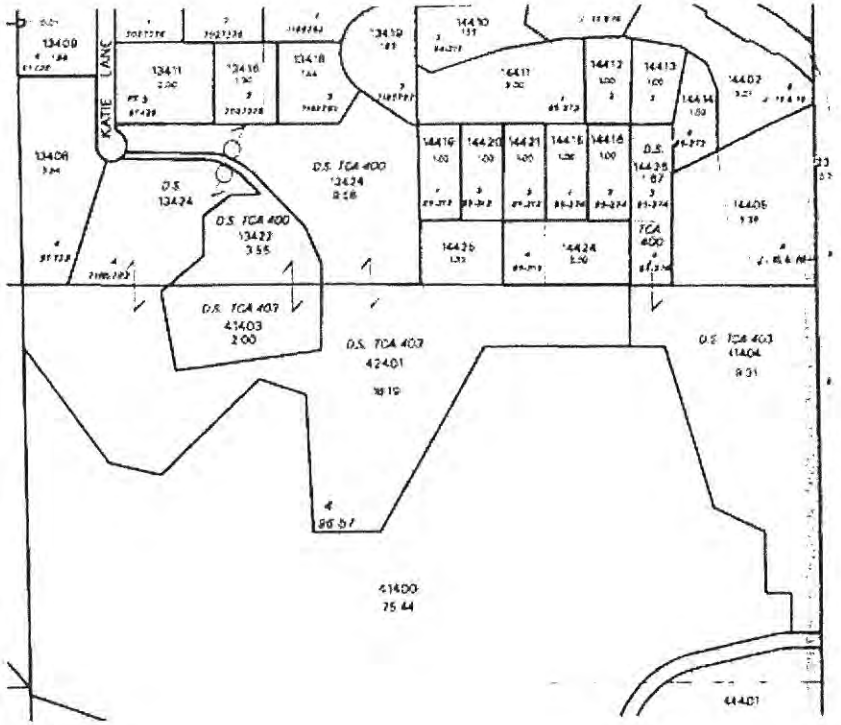
SM040497

Range 18 Township 14 Section 27

BEFORE



AFTER



Seg Type: 'SSE 2007-092 AND SELAH APPROVAL'

Scale: 1" = 600 feet

Scale: 1" = 600 feet

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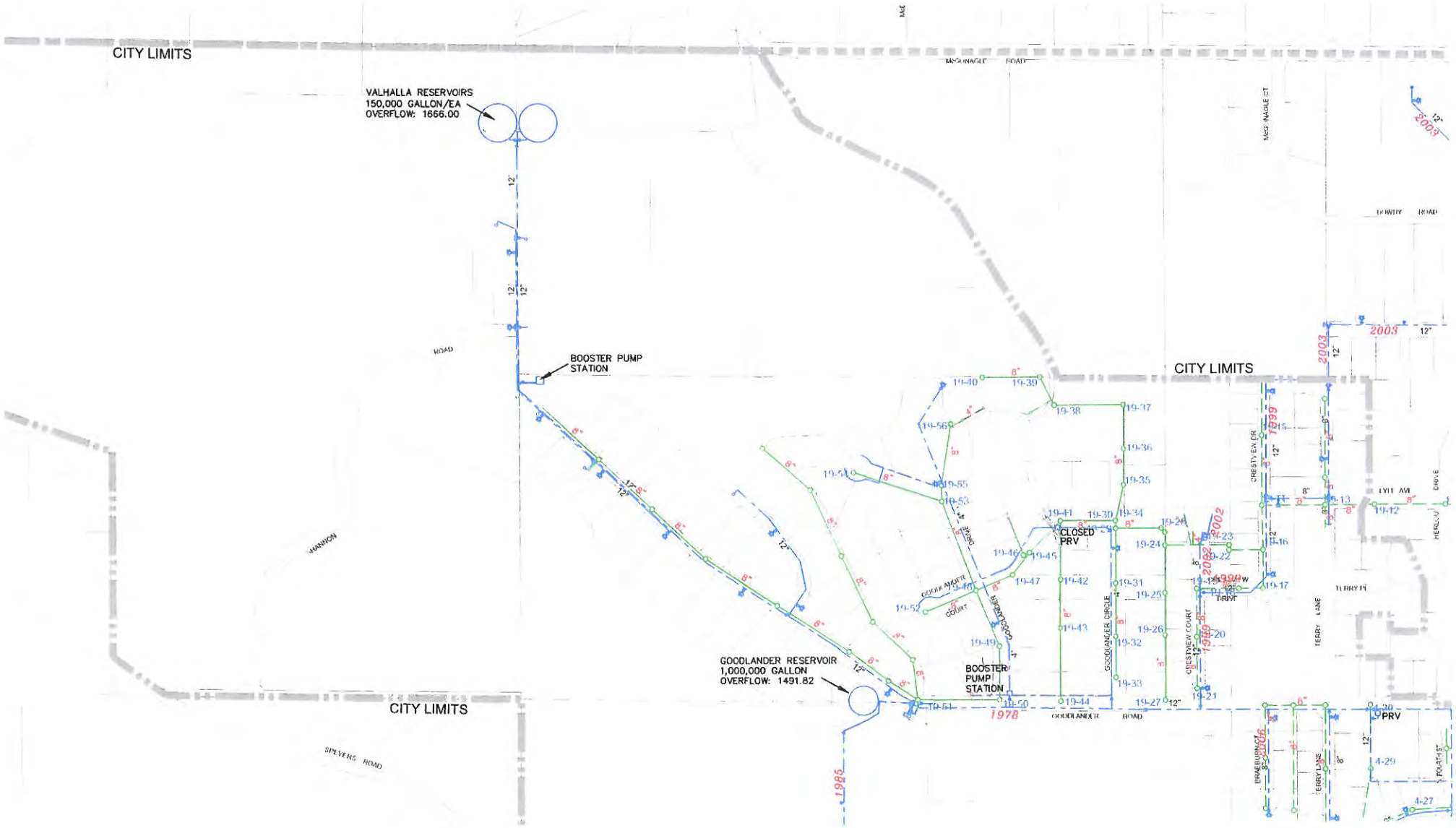
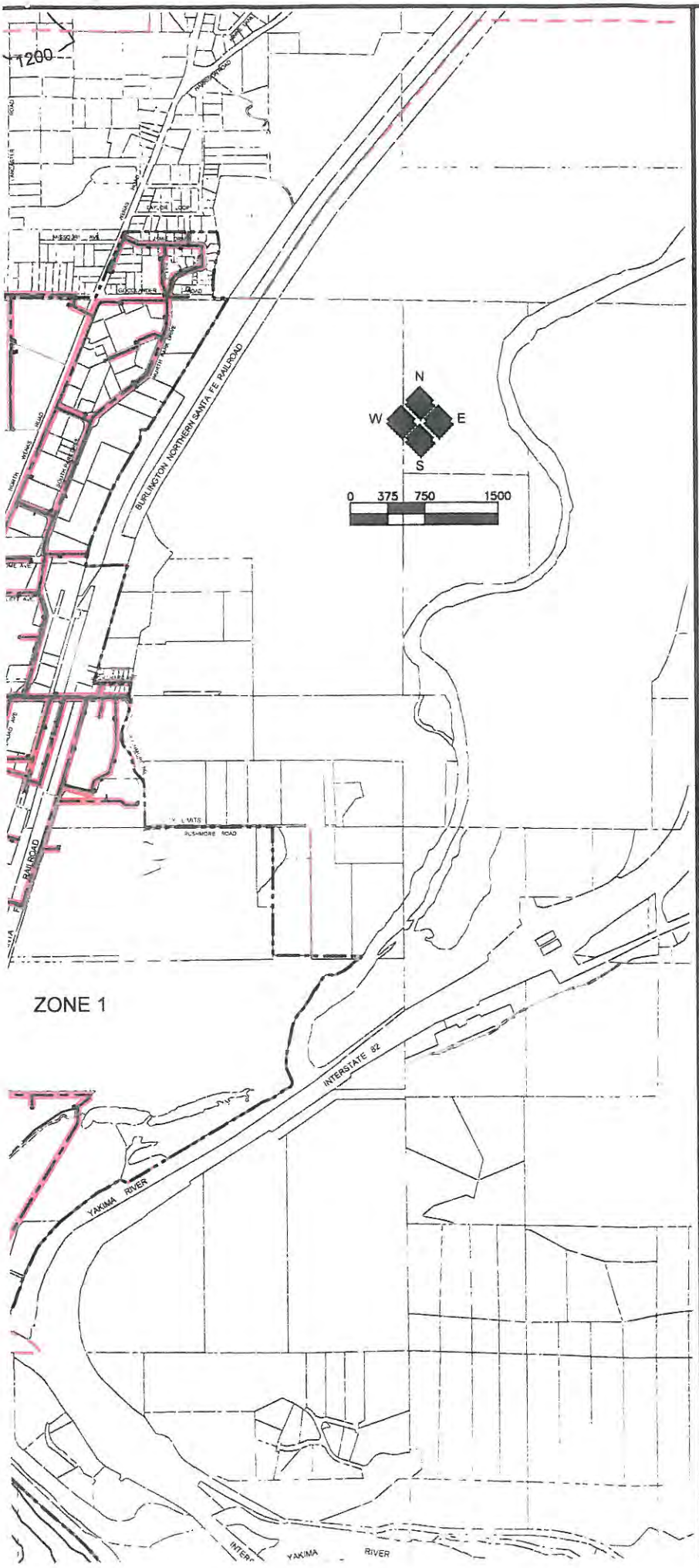
128 N 2nd Street, Courthouse Room 421
Yakima, WA 98901
(509)574-2992
March 21, 2008

SM080036

Range 18 Township 14 Section 27

N


CITY LIMITS
VALHALLA RESERVOIRS
150,000 GALLON/EA
OVERFLOW: 1666.00
BOOSTER PUMP
STATION
CITY LIMITS
GOODLANDER RESERVOIR
1,000,000 GALLON
OVERFLOW: 1491.82
BOOSTER
PUMP
STATION
CLOSED
PRV
PRV
CITY LIMITS
SPEYERS ROAD
GOODLANDER ROAD
GOODLANDER CIRCLE
CRESTVIEW COURT
CRESTVIEW DR
TERRY LANE
LYLE AVE
HERLOU DRIVE
DOWDY ROAD
McGONAGLE ROAD
McGONAGLE CT
BRAEBURN CT
1978
1985
1999
2002
2003



CITY OF SELAH

Water System Plan Update

STATIC PRESSURE ZONE MAP

LEGEND

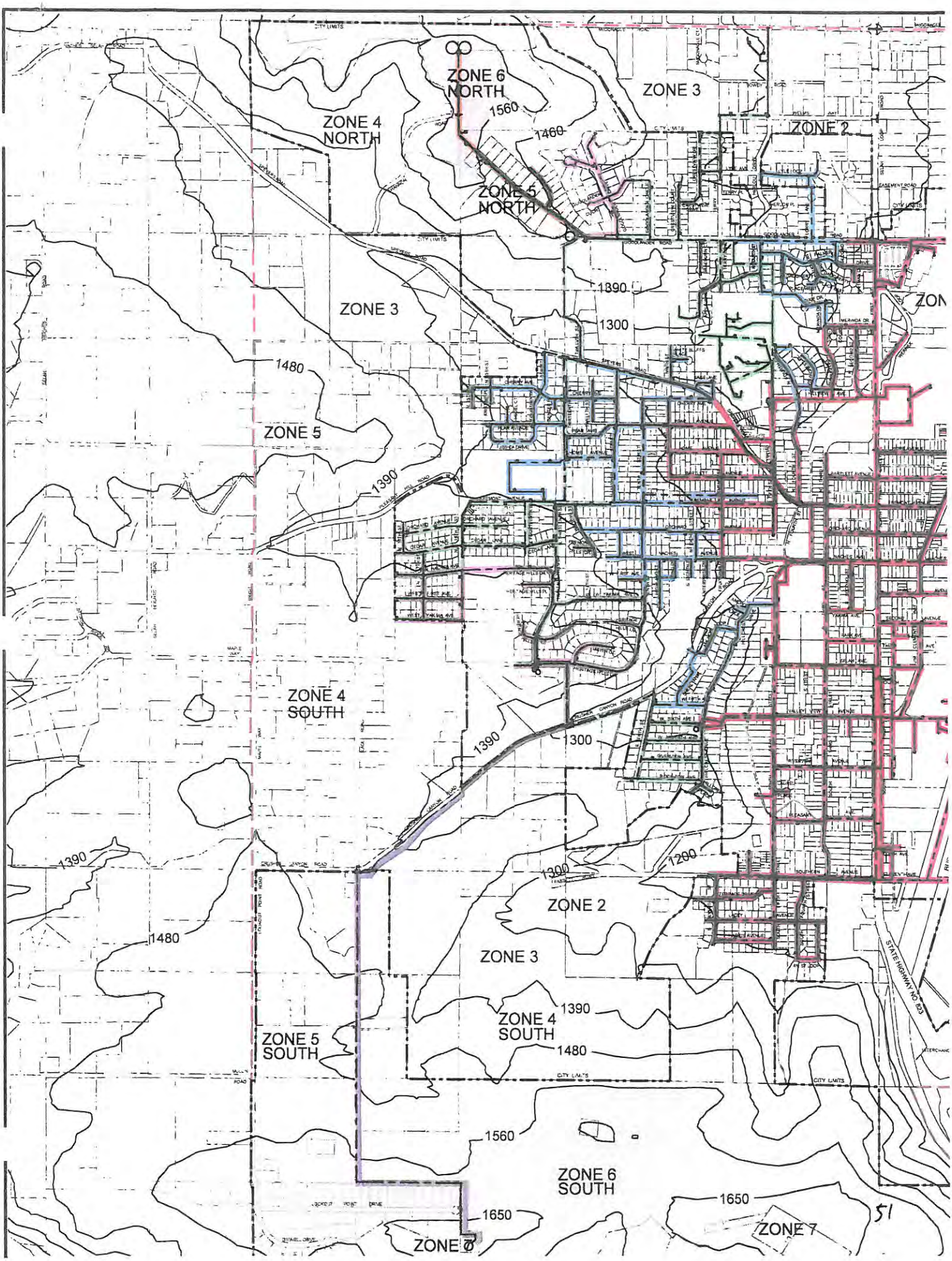
- SELAH CITY LIMITS
- SELAH UGA BOUNDARY
- ZONE 1 (1,100-1,200 FT)
- ZONE 2 (1,200-1,300 FT)
- ZONE 3 (1,300-1,390 FT)
- ZONE 4 (1,390-1,480 FT)
- ZONE 5 (1,480-1,560 FT)
- ZONE 6 (1,560-1,650 FT)
- ZONE 7 (1,650-1,750 FT)
- ZONE 1 PIPE
- ZONE 2 PIPE
- ZONE 3 PIPE
- ZONE 4 PIPE
- ZONE 5 PIPE
- ZONE 6 PIPE

NOTE: ZONE 4 NORTH ELEVATION RANGE 1,390 FT TO 1,460 FT, ZONE 5 NORTH ELEVATION RANGE 1,460 FT TO 1,560 FT AND ZONE 6 NORTH ELEVATION RANGE 1,560 FT TO 1,660 FT.

HLA
Huibregtse, Louman Associates, Inc.
Civil Engineering • Land Surveying • Planning
2803 River Road
Yakima, WA 98902
509.966.7000
Fax 509.965.3800
www.hlacivil.com

05-20-14
P:\Projects\2013\13046\WSP-Figures.dwg

FIGURE 3-1


ZONE 6 NORTH
ZONE 3
ZONE 4 NORTH
1560
1460
ZONE 2
ZONE 5 NORTH
1890
ZONE 3
1300
1480
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1390
ZONE 4 SOUTH
1390
1300
1390
1200
1300
ZONE 2
1480
ZONE 3
1390
ZONE 4 SOUTH
ZONE 5 SOUTH
1480
1560
ZONE 6 SOUTH
1650
1650
ZONE 7
ZONE 8
STATE HIGHWAY NO 823

Return To: Yakima County Planning
Rm 417, County Courthouse
Yakima, WA 98901

AMENDMENT TO THE
AGREEMENT FOR MAINTENANCE OF ROADWAYS
RECORDED 10/6/93 RECORDING N. 3020085

18 14 27-13403 & 13412

IN LIGHT OF THE NEW PAVED ACCESS ROAD WE HAVE SERVING OUR DEVELOPMENT, THE ROAD MAINTENANCE AGREEMENT IS HEREBY AMENDED TO INCLUDE ADDITIONAL LOTS THAT WILL ALSO BE SERVED AND RESPONSIBLE FOR THE MAINTENANCE OF MARISA HILL DRIVE AS IT NOW EXISTS. THE HOMEOWNERS ASSOCIATION IS DESIROUS OF REDUCING TO WRITING THE CHANGES AS FOLLOWS:

1. ORIGINAL PARCELS INCLUDED IN THE MAINTENANCE AGREEMENT: LOTS 1, 2, 3, AND 4 OF SHORT PLAT 85-273, AND LOTS 1, 2, 3, AND 4 OF SHORT PLAT 85-274, AND LOTS 1, 2, 3, AND 4 OF SHORT PLAT 85-312, RECORDS OF YAKIMA COUNTY, WA.

2. PARCELS NOW ADDED TO AGREEMENT: LOTS 3 AND 4 OF SHORT PLAT 96-57, AND LOTS 1,2,3,4, OF SHORT PLAT RECORDING NUMBER AF# 7185782, AS DESIGNED UNDER PREAPPLICATION NUMBER 228-96) RECORDS OF YAKIMA COUNTY, WA.

3. IN THE EVENT OF FUTURE DIVISION OF ANY OF THE ABOVE PARCELS, EACH NEW PARCEL CREATED SHALL AUTOMATICALLY BE EQUALLY OBLIGATED UNDER THE ORIGINAL AGREEMENT FOR MAINTENANCE OF ROADWAYS COVENANT AND AGREEMENT, AND ANY MODIFICATIONS THEREOF.

4. THE ABOVE 12 ORIGINAL PARCEL OWNERS, AND THE FOUR LOTS CREATED BY PREAPPLICATION NUMBER 228-96, SHALL NOT BE OBLIGATED IN ANY WAY FOR THE FUTURE RECONSTRUCTION OR EXTENSION OF THE ROADWAY TO SERVE LOTS 3 AND 4 OF SHORT PLAT 96-57, RECORDS OF YAKIMA COUNTY, WA. ANY RECONSTRUCTION OF THE EXISTING ROADWAY OR EXTENSION THEREOF SHALL BE AT THE SOLE EXPENSE OF THE OWNER OF SAID LOTS 3 AND 4 OF SHORT PLAT 96-57.

7185783
Page: 1 of 3
09/21/2000 10:38A
Yakima Co, WA

5. IN THE EVENT THE ROADWAY HAS BEEN EXTENDED OR RECONSTRUCTED, AND PAID FOR BY THE DEVELOPER OF LOTS 3 AND 4 OF SHORT PLAT 96-57, THERE AFTER, THE OWNERS OF THE LOTS SERVED BY THE EXTENSION OF THE ROADWAY SHALL MAINTAIN THAT EXTENDED PORTION OF THE ROAD UNDER THEIR OWN AGREEMENT, AND SHALL CONTINUE TO BE OBLIGATED FOR THEIR EQUAL SHARE OF MAINTAINING THE NOW EXISTING ROAD.

6. THIS AMENDMENT SUPERSEDES ANY CONFLICTING TERMS IN THE ORIGINAL AGREEMENT, AND ALL OTHER TERMS AND CONDITIONS OF THE AGREEMENT WHICH HAVE NOT BEEN MODIFIED OR HEREBY SUPERSEDED ARE RATIFIED AND SHALL REMAIN IN FULL FORCE AND EFFECT.

7. THE INVALIDATION BY JUDGMENT OR COURT OF ONE OR MORE OF THE RESTRICTIONS, CONDITIONS AND AGREEMENTS HEREIN CONTAINED, OR ANY PART OF PARTS THEREOF, SHALL IN NO WAY AFFECT ANY OF THE OTHER PROVISIONS THEREOF, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

EXECUTED THIS 25 DAY OF AUGUST, 2000.

J. B. Kassner

J. B. KASSNER, PRESIDENT OF M. K. K. I., INC., ASSOCIATION MANAGER

STATE OF WASHINGTON]
COUNTY OF] SS.

ON THIS 25th DAY OF August, 2000, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED J. B. KASSNER TO ME KNOWN TO BE THE PRESIDENT OF M. K. K. I., INC. THE CORPORATION THAT EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED THE SAID INSTRUMENT TO BE THE FREE AND VOLUNTARY ACT AND DEED OF SAID CORPORATION, FOR THE USES AND PURPOSES THEREIN MENTIONED.
WITNESS MAY HAND AND OFFICIAL SEAL HERETO AFFIXED THE DAY AND YEAR FIRST ABOVE WRITTEN.

Catherine W. DeGrood

NOTARY PUBLIC in and for the State of Washington, residing at Selah, WA
My appointment expires 2-10-03

CATHERINE W. DEGROOD NOTARY PUBLIC COMMISSION EXPIRES 2-10-03 STATE OF WASHINGTON

YAKIMA COUNTY PLANNING DE AGR $19.00
7185783
Page: 2 of 3
09/21/2000 10:38A
Yakima Co, WA

EXECUTED THIS 25 DAY OF August, 2000.

C. R. JOHNSON, PRESIDENT OF C. R. JOHNSON COMPANY, INC.

STATE OF WASHINGTON]
COUNTY OF] SS.

ON THIS 25th DAY OF August, 2000, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED C. R. JOHNSON TO ME KNOWN TO BE THE PRESIDENT C. R. JOHNSON COMPANY, INC. THE CORPORATION THAT EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED THE SAID INSTRUMENT TO BE THE FREE AND VOLUNTARY ACT AND DEED OF SAID CORPORATION, FOR THE USES AND PURPOSES THEREIN MENTIONED.
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NOTARY PUBLIC in and for the State of Washington, residing at Selah WA
My appointment expires 2-10-03

CATHERINE W. DEGROOD NOTARY PUBLIC STATE OF WASHINGTON COMMISSION EXPIRES 2-10-03

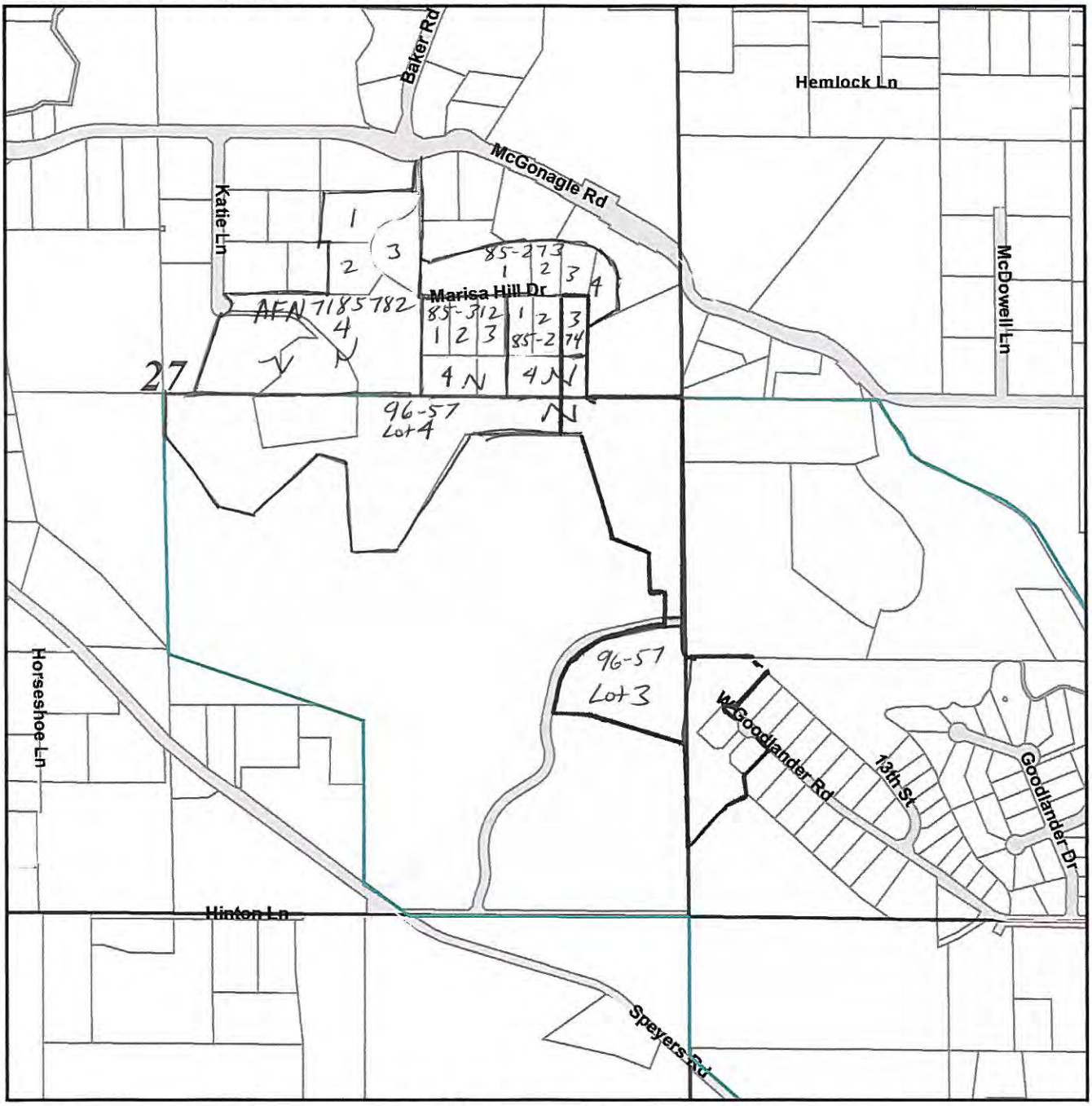
YAKIMA COUNTY PLANNING DE AGR $18.00
7185783
Page: 3 of 3
09/21/2000 10:38A
Yakima Co, WA

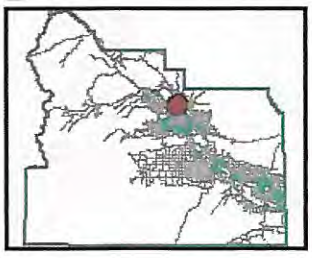
Yakima County GIS - Washington

Land Information Portal

[Print Map]
[Close Map]

Yakimap.com





Map Center: **Range:18 Township:14 Section:27**

City Limits
Sections

WWW.YAKIMAP.COM
Yakima County GIS
128 N 2nd Street
Yakima, WA 98901
(509)574-2992

N W E S

One Inch = 800 Feet
Feet 500 1000

MAP AND PARCEL DATA ARE BELIEVED TO BE ACCURATE, BUT ACCURACY IS NOT GUARANTEED; THIS IS NOT A LEGAL DOCUMENT AND SHOULD NOT BE SUBSTITUTED FOR A TITLE SEARCH, APPRAISAL, SURVEY, FLOODPLAIN OR ZONING VERIFICATION

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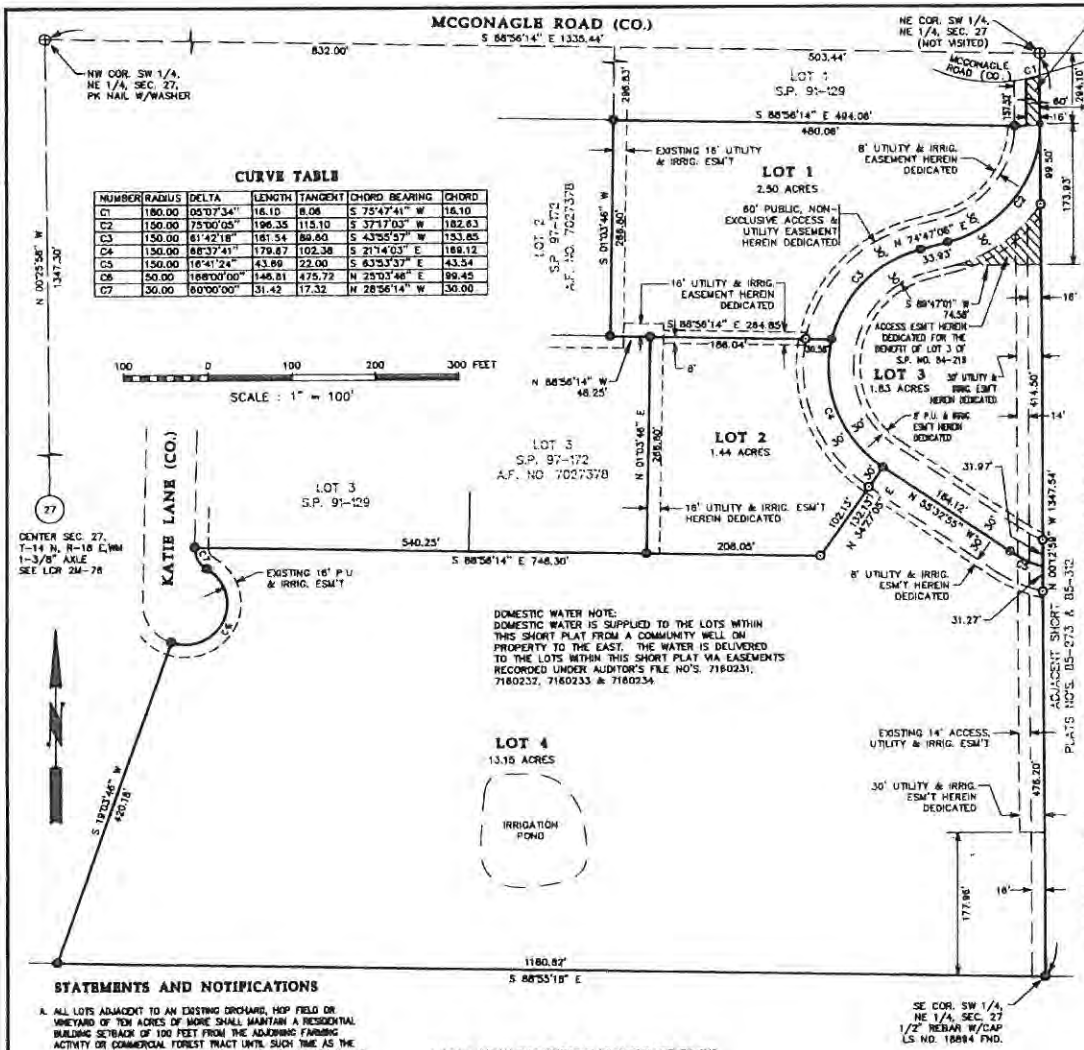
Printed On: 5/13/2014 8:31:21 PM

SPM 7185782

SUB 98-111



CURVE TABLE

NUMBER	RADIUS	DELTA	LENGTH	TANGENT	CHORD BEARING	CHORD
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C2	150.00	75°00'05"	196.35	115.10	S 37°17'03" W	182.63
C3	150.00	61°42'18"	161.54	89.60	S 43°55'57" W	153.85
C4	150.00	68°37'41"	179.67	102.38	S 21°14'03" E	169.12
C5	150.00	16°41'24"	43.69	22.00	S 63°53'37" E	43.54
C6	50.00	168°00'00"	146.81	475.72	N 25°03'46" E	99.45
C7	30.00	90°00'00"	31.42	17.32	N 28°56'14" W	30.00

NOTES

1. ○ — DENOTES 1/2" REBAR WITH CAP SET.
2. ● — DENOTES 1/2" IRON PIN WITH CAP NO. 18233/18929 FND.
3. Ⓢ — DENOTES 5/8" REBAR WITH 2" ALUM. CAP SET.
4. BEARINGS SHOWN ARE ON ASSUMED DATUM, RELATIVE TO THE WEST LINE OF THE NORTHEAST QUARTER BEING NORTH 0°25'56" WEST.
5. SECTION SUBDIVISION INFORMATION TAKEN FROM SHORT PLAT RECORDED IN BOOK 4, PAGES 15 AND 16.
6. G.L.O. SECTION SUBDIVISION CORNERS SHOWN HEREON AS FOUND WERE VISITED IN JULY 1997.
7. SURVEY PERFORMED WITH TWO SECOND ELECTRONIC TOTAL STATION AND CALIBRATED CHAIN USING FIELD TRAVERSE PROCEDURES.

IRRIGATION APPROVAL

THE PROPERTY DESCRIBED HEREON IS LOCATED WHOLLY OR IN PART WITHIN THE BOUNDARIES OF THE NACHES-SELAH IRRIGATION DISTRICT. I HEREBY CERTIFY THAT THE IRRIGATION EASEMENTS AND RIGHTS-OF-WAY SHOWN ON THIS SHORT PLAT, ARE ADEQUATE TO SERVE ALL LOTS LOCATED WITHIN THIS SHORT PLAT WHICH ARE OTHERWISE ENTITLED TO IRRIGATION WATER UNDER THE OPERATING RULES AND REGULATIONS OF THE DISTRICT. I ALSO CERTIFY THAT THE IRRIGATION EASEMENTS AND RIGHTS-OF-WAY, ARE ADEQUATE TO TRANSMIT IRRIGATION WATER THROUGH THIS SHORT PLAT TO OTHER ADJACENT LAND ENTITLED TO IRRIGATION WATER UNDER THE OPERATING RULES AND REGULATIONS OF THE DISTRICT. I FURTHER CERTIFY THAT:

___ THIS SHORT PLAT CONTAINS COMPLETE IRRIGATION DISTRIBUTION FACILITIES IN ACCORDANCE WITH THIS DISTRICT'S STANDARDS, OR

✓ PROVISIONS ACCEPTABLE TO THE DISTRICT HAVE BEEN MADE FOR COMPLETED IRRIGATION DISTRIBUTION FACILITIES, OR

✓ THE EXISTING IRRIGATION DISTRIBUTION FACILITY IS ADEQUATE TO MEET THIS REQUIREMENT.

___ LOTS ___ ARE NOT CLASSIFIED AS "IRRIGABLE LAND" BY THIS DISTRICT AND/OR ARE NOT ENTITLED TO IRRIGATION WATER UNDER THE OPERATING RULES AND REGULATIONS OF THIS DISTRICT.

BY H Roy Howard
SECRETARY (OR DESIGNEE)
NACHES-SELAH IRRIGATION DISTRICT

STATE OF WASHINGTON)SS
COUNTY OF YAKIMA)

I CERTIFY THAT I KNOW ROY HOWARD IS THE PERSON WHO APPEARED BEFORE ME, SAID PERSON ACKNOWLEDGED THAT HE SIGNED THIS INSTRUMENT, ON OATH AND STATED THAT HE WAS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS THE SUPERINTENDENT OF THE NACHES-SELAH IRRIGATION DISTRICT TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

SUBSCRIBED AND SWORN TO ME THIS 13TH DAY OF July 2000

Teresa Barnett
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, RESIDING AT SELAH. MY COMMISSION EXPIRES 4-30-04

LEGAL DESCRIPTION

LOT 2 OF SHORT PLAT NO. 91-129, RECORDED UNDER AUDITOR'S FILE NUMBER 2938530, RECORDS OF YAKIMA COUNTY, WASHINGTON;

EXCEPT THE WEST 48.25 FEET OF THE SOUTH 266.80 FEET OF THE NORTH 533.60 FEET THEREOF;

AND THE EAST 16 FEET OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 14 NORTH, RANGE 18 EAST, W.M., LYING SOUTH OF MCGONAGLE ROAD

OWNER'S CERTIFICATE

KNOW ALL PERSONS BY THESE PRESENTS THAT C.R. JOHNSON CO. INC., A WASHINGTON CORPORATION, ARE THE PARTIES HAVING OWNERSHIP INTEREST OF THE LAND HEREON DESCRIBED; HAVE WITH THEIR FREE CONSENT AND IN ACCORDANCE WITH THEIR DESIRES CAUSED THE SAME TO BE SURVEYED AND SHORT PLATTED AS SHOWN HEREON; AND DO HEREBY DEDICATE THE EASEMENTS AS SHOWN HEREON FOR THE USES INDICATED HEREON.

Charles R Johnson
C.R. JOHNSON CO., INC.

ACKNOWLEDGMENT

STATE OF WASHINGTON)
COUNTY OF YAKIMA) SS

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT CHARLES R. JOHNSON IS THE PERSON WHO APPEARED BEFORE ME AND SAID PERSON ACKNOWLEDGED THAT HE SIGNED THIS INSTRUMENT, ON OATH STATED THAT HE WAS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS THE PRESIDENT OF C.R. JOHNSON CO., INC. TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT

DATED 7-26-00

Kaylynn J Bafus
NOTARY PUBLIC IN AND FOR THE STATE OF WA
RESIDING AT SELAH
MY APPOINTMENT EXPIRES 4-9-04

TREASURER'S CERTIFICATE

I HEREBY CERTIFY THAT ALL CHARGEABLE REGULAR AND SPECIAL ASSESSMENTS COLLECTIBLE BY THIS OFFICE THAT ARE DUE AND OWING ON THE PROPERTY DESCRIBED HEREON ON DATE OF THIS CERTIFICATION HAVE BEEN PAID. DATED THIS 26 DAY OF July, 2000

BY: Terri Ann Mullen
YAKIMA COUNTY TREASURER'S OFFICE

APPROVALS

APPROVED BY THE YAKIMA COUNTY DIRECTOR OF PUBLIC WORKS
Kent L McElroy DATE 9/20/00

APPROVED BY THE YAKIMA COUNTY ADMINISTRATOR
Carol L Smith DATE 9-21-00

AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS 21ST DAY OF September, 2000, AT 10:58 AM., UNDER A.F. NO. 7185782, RECORDS OF YAKIMA COUNTY, WASHINGTON.

Dan Olsen, auditor
COUNTY AUDITOR

Annie Ross
BY DEPUTY

STATEMENTS AND NOTIFICATIONS

A. ALL LOTS ADJACENT TO AN EXISTING ORCHARD, HOP FIELD OR VINEYARD OF TEN ACRES OR MORE SHALL MAINTAIN A RESIDENTIAL BUILDING SETBACK OF 100 FEET FROM THE ADJOINING FARMING ACTIVITY OR COMMERCIAL FOREST TRACT UNTIL SUCH TIME AS THE FARMING ACTIVITY CEASES TO EXIST FOR A PERIOD OF ONE YEAR OR MORE.

B. YAKIMA COUNTY HAS NO RESPONSIBILITY TO BUILD, IMPROVE, MAINTAIN, OR OTHERWISE SERVICE ANY PRIVATE ROAD FOR THIS SHORT PLAT.

C. 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 APPLICATIONS OF CHEMICALS RESULTING FROM USUAL AND NORMAL PRACTICES ASSOCIATED WITH NEARBY AGRICULTURAL USES.

D. 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.

E. YAKIMA COUNTY HAS IN PLACE AN URBAN AND RURAL ADDRESSING SYSTEM. STREET NAMES AND NUMBERS FOR LOT WITHIN THIS PLAT ARE ISSUED BY THE YAKIMA COUNTY PUBLIC WORKS DEPARTMENT UPON ISSUANCE OF AN APPROVED BUILDING PERMIT.

F. THE LOTS OF THIS SHORT PLAT HAVE BEEN PROVIDED WITH DOMESTIC WATER VIA AN APPROVED COMMUNITY WELL OR PUBLIC WATER SUPPLY NO INDIVIDUAL DOMESTIC WELLS WILL BE PERMITTED ON ANY OF THE LOTS.

G. LOT 4 WITHIN THIS SHORT PLAT IS SUBJECT TO THE YAKIMA CRITICAL AREAS ORDINANCE. A 75 FOOT BUILDING SETBACK AND VEGETATIVE BUFFER MUST BE MAINTAINED BETWEEN NON WATER-DEPENDENT STRUCTURES AND THE OUTER EDGES OF THE TYPE III WETLAND/POND ON LOT 4B. OTHER SPECIAL DEVELOPMENT STANDARDS MAY APPLY, AND PERMITS MAY BE REQUIRED FOR CERTAIN TYPES OF DEVELOPMENT. INFORMATION MAY BE OBTAINED FROM THE YAKIMA COUNTY PLANNING DEPARTMENT.

SURVEYOR'S CERTIFICATE

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF CHUCK JOHNSON IN JULY, 1997.

RICHARD L. WEHR, CERTIFICATE NO. 18929

RICHARD L. WEHR — STATE OF WASHINGTON — REGISTERED PROFESSIONAL LAND SURVEYOR — EXPIRES 6/18/2000

3-21-00

PLSA
ENGINEERING—SURVEYING—PLANNING
YAKIMA, WASHINGTON
(509) 575-6990

SHORT PLAT
A PORTION OF PARCEL NO'S. 181427 - 13403 & 13412
—PREPARED FOR—
CHARLES R. JOHNSON
SW 1/4, NE 1/4, SEC. 27, T-14 N, R-18 E,WM

DRAWN BY: T.S.K.
DATE: 1/14/98
JOB NO. 96342
SHEET NO. 1 OF 1

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*

VERN M. REDIFER, P.E. - Director

October 23, 2014

Dennis Davison
Community Planner
City of Selah Planning Department
222 S. Rushmore Rd
Selah, WA 98942

RE: Valhalla Estates Phases III & IV jurisdiction – Parcel No. 181427-14426

Dear Mr. Davison:

This letter formalizes our agreement to extend review authority to the City over a preliminary plat involving property that lies partially outside of the Selah City Limits and Urban Growth Area.

However, as we have stated previously, Yakima County reserves the right to comment on the long plat and in particular to the proposed secondary access road that will extend across that portion of the property located within County jurisdiction to McGonagle Road via Marissa Hill Drive (a private access road). The County will also retain the authority to sign off on the final plat, although our review will be limited to the portion of the property that is outside of the City Limits.

For your convenience, I have attached our comments for the proposal at it pertains to that portion that lies within Yakima County jurisdiction. Please feel free to contact me if you have any questions.

Sincerely,

Jason Earles
Planning Section Manager, Zoning/Subdivision

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, national 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.

Public Services

128 North Second Street • Fourth Floor Courthouse • Yakima, Washington 98901
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VERN M. REDIFER, P.E. - Director

City of Selah
Attn: David Kelly
115 West Naches Ave
Selah, WA 98942

Re: Environmental Review File—971.38.14-02 Valhalla Heights Subdivision

To David Kelly;

Thank you for providing Yakima County Public Services the opportunity to comment on the SEPA checklist for phases 3 and 4 of Valhalla Heights Subdivision. Yakima County Public Services has the following comments based on the information provided:

Planning Division:

The majority of the proposed property is located within the Selah city limits, however approximately 1.67 acres of the property is located within Yakima County and has been zoned Rural Transitional (RT). Under the RT zoning district the minimum density is 2.5 acres with a minimum lot size of 1/3 of an acre. In order to divide within the RT zoning district a minimum of 5 acres is needed for a one time division. The portion of the property that is located in Yakima County is less than 5 acres in size and is therefore too small to be further divided, however Yakima County does not object to the 1.67 acres becoming a single lot within County jurisdiction provided it meets the development requirements as outlined in Yakima County Code (YCC) Title 14 – the Subdivision Ordinance.

YCC 14.52.130 establishes the development requirements pertaining to domestic water. Specifically, YCC 14.52.130(3) states:

> "In all other zoning districts, a public water system will be required for all short plats and long subdivisions which create two or more vacant lots ..."

Based upon this requirement, the proposed lot within County jurisdiction will need to be provided domestic water via an approved public water system, which can be either a municipal public water system or an approved community well. YCC 15.52.130(4) provides the following general exceptions which may be made by the Administrative Official or the Board of Yakima County Commissioners:

(a) Where there is one or more existing well(s) on the parcel(s) being created and said well(s) were installed prior to July 1, 1992, those existing well(s) may be allowed to remain and the public water system requirements set forth above may be waived subject to the approval of those existing well(s) by the Yakima Health District and/or any other agency having jurisdiction over said well(s); or

(b) When such exception and/or adjustment will not be contrary to the public interest and, owing to special conditions, a literal enforcement of the provisions of the terms of this section will work a special hardship upon the individual.

YCC 14.52.050 establishes the development requirements for private access roads that will serve a proposed subdivision within Yakima County. These standards are based upon the number of lots that are currently/potentially served by the proposed access road. Under the current proposal, the developer has indicated that they would like to utilize Marissa Hill Drive (an existing private road) as the secondary fire access road unto McGonagle Road, a county maintained paved road. Marissa Hill Drive currently serves approximately 20 existing lots. YCC 14.52.050 states that any road that serves more than 16 lots will be required to be improved to a total of 50' of right-of-way and a 30' wide engineered paved road way constructed to "D" or "C" Stage 3 standards (standards enclosed).

YCC 14.52.080 states that these standards are minimum standards and exceptions and/or adjustments to those minimum access road development standards may be made by the Administrative Official, Hearing Examiner, or Board of Yakima County Commissioners when:

(2) In all land use zones:

(a) When such exception and/or adjustment will not be contrary to the public interest, and
(b) Owing to special conditions, a literal enforcement of the provisions of the terms of this chapter will work a special hardship upon an individual.

Additionally, YCC 14.48.080 (2) states "The maximum permitted grade for all private roads shall be twelve percent." Therefore, Marissa Hill Drive will need to meet this road grade requirement.

Based upon the above referenced provisions, if the applicant would like to request a reduction to these road development standards and/or domestic water standards then they will need to submit a request in writing to the Yakima County Public Services Department—Planning Division outlining those reasons and special circumstances that exist that would justify a reduction to the standards and meeting the above referenced requirements. Please contact Jason Earles, Planning Section Manager, for more information.

In addition, Yakima County Planning Division has procedural concerns regarding the hearing. Yakima County Public Services Department did not receive notice of the hearing, as specified in Selah Municipal Code 21.07.030. The hearing, on October 29 2014, is scheduled prior to the November 5, 2014, SEPA appeal deadline. WAC 197-11-680(3) requires SEPA appeal hearings to be held in conjunction with the hearing for the underlying governmental action; the timing does not allow for the SEPA appeal to be consolidated with the land use decision.

Transportation Division:

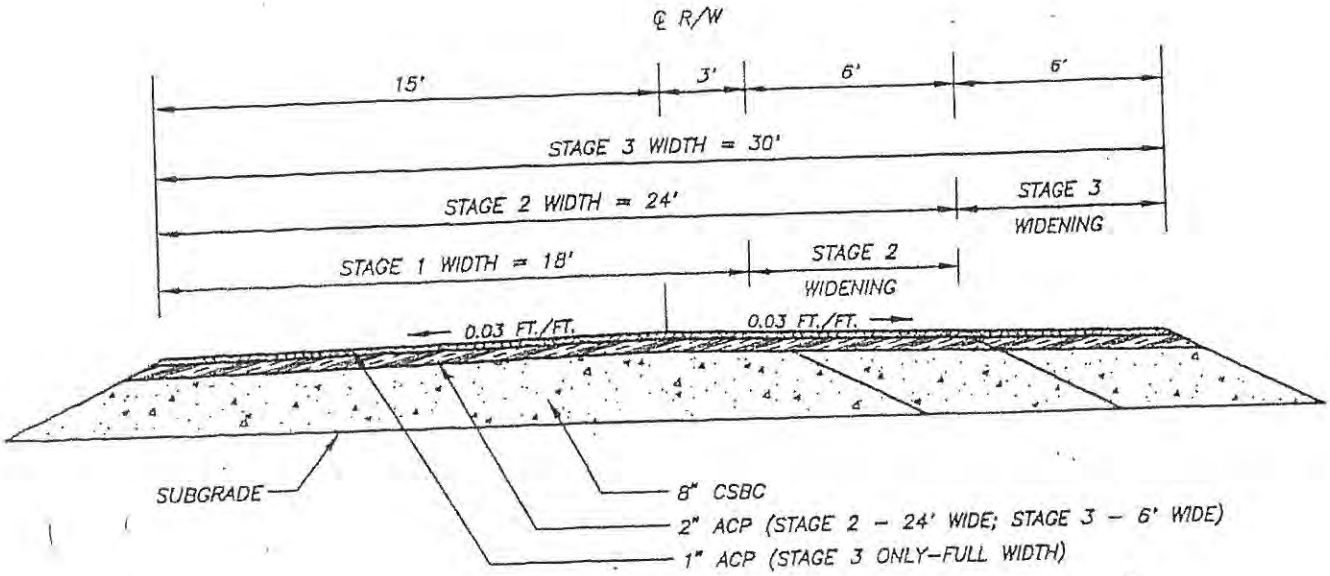
The proposed secondary access road is private and Yakima County has no plans to bring the road into the County maintained road system. The developer would need written permission from every property owner on Marissa Hill Drive in order to gain access. For more information, please contact Joe McWalters, Development Review Engineer, at (509) 574-2300.

Thank you for considering these comments.

Sincerely,

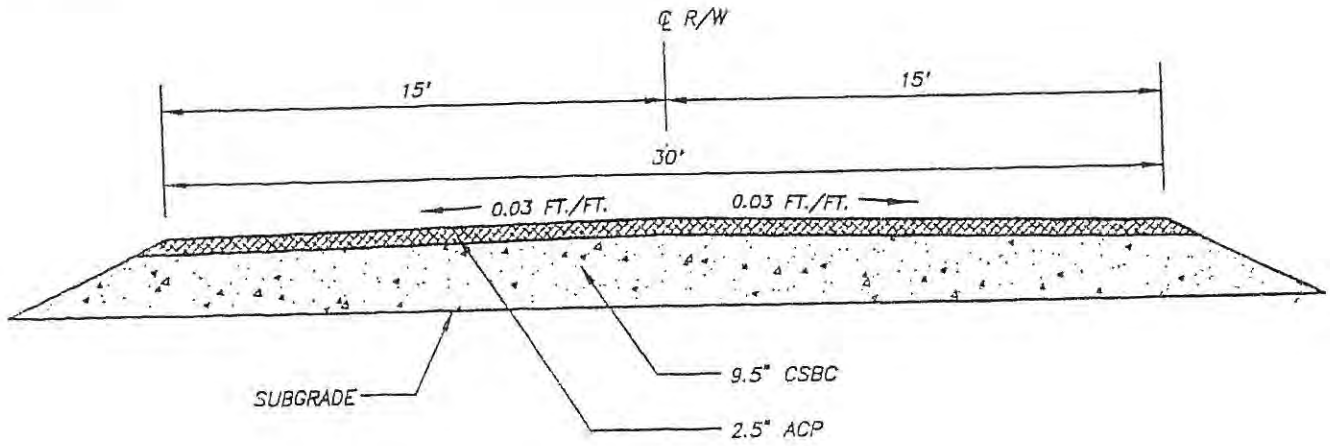
Jason Earles
Subdivision and Zoning Section Manager

Encl.: Agreement Letter
County Road Standards



RURAL ROADWAY SECTION 'C'

NOTE: A roadway section consisting of 9" of CSBC, 3" of CSTC, and a Class "A" BST may be used in lieu of the above surfacing depths. If used, the second BST application for the Stage 2 and Stage 3 widenings shall be constructed full width of the roadway.



RURAL ROADWAY SECTION 'D'

NOTE: A roadway section consisting of 9" of CSBC, 3" of CSTC, and a Class "A" BST may be used in lieu of the above surfacing depths.

YAKIMA REGIONAL
CLEAN AIR
AGENCY

329 North First Street, Yakima WA 98901
Phone: (509) 834-2050 Fax: (509) 834-2060
Website: http://www.yakimacleanair.org

October 20, 2014

David Kelly, City Administrator/ SEPA Official
115 West Naches Avenue
Selah, WA 98942

RE: 971.38.14-02-Valhalla Heights Subdivision, Phases 3 & 4

Dear Mr. Kelly:

Thank you for providing the Yakima Regional Clean Air Agency (YRCAA) the opportunity to review and comment on phases III and IV of the Valhalla Heights Subdivision, located on the west end of West Goodlander Road in Selah, WA.

Following review YRCAA has the following comment(s):

1. Prior to any project construction, demolition, excavation, clearing or landscaping work, contactors must file a Dust Control Plan with YRCAA and get approval; and
2. The proponent/developer must address the air emission impact, in particular $PM_{2.5}$ prior to any SEPA approval. Air emission from such a large development (61 residences), if using solid fuel devices (i.e., fireplaces, woodstoves) during the winter season at one time, may violate the National Ambient Air Quality Standards (NAAQS) for the 24 hours average.

Thank you for the opportunity to connect with the county's continued support in protecting the air quality in Yakima County.

Best regards,

Hasan M. Tahat, Ph.D.
Engineering and Planning Division Supervisor

Cc: Proponent and File

62

From: "Jason Earles" <jason.earles@co.yakima.wa.us>
To: "'Tom Durant (durantdevelopment@charter.net)'" <durantdevelopment@charter.net>
Cc: "Lynn Deitrick" <Lynn.Deitrick@co.yakima.wa.us>
Date: 11/18/2014 07:18:47 EST
Subject: Valhalla Long Plat in Selah
Attachments: image001.png (12KB), image002.png (9KB)

Good Afternoon Tom,

I just wanted to let you know I talked with Lynn concerning the questions you had for the Valhalla long plat in Selah.

1) Concerning the signing of the Mylar what we would like is a place for the Yakima County Subdivision Administrator to sign with the note that Yakima County has only reviewed that portion of the plat that is located within Yakima County jurisdiction.

2) If the lot that is located in the county has it's legal access onto the city road through the plat then we would support a reduction to the road standards for Marisa Hill Road because legally the traffic onto Marisa Hill Road will not be increasing as a result of this plat.

3) I also double checked and if the applicant's access is via Kaity Lane then the applicants would need to obtain permission from the adjoining property owners because Kaity Lane is a private road within unopened county right-of-way.

I hope that answers all of your questions. If you have any other please let me know.

Thanks,

Jason Earles

Planning Section Manager

128 N. 2nd Street

Fourth Floor, County Courthouse

Yakima, WA 98901

Ph: 509.574.2300 Fx: 509.574.2301

NOTICE: This communication may contain privileged or other confidential information. If you are not the intended recipient, or believe that you have received this communication in error, please do not print, copy, retransmit, disseminate or otherwise

Mitigated Determination of Nonsignificance

1. **Description of Proposal:** "*Valhalla Heights Subdivision, Phases III & IV*" Subdivide 23.44 acres+/- into 61 single-family residential lots in two separate phases and three tracts: A. water booster station site, B. recreational open space and C. domestic water reservoir. The parent parcel includes an additional 1.67 acres that extend outside of the City Limits.

2. **Proponent:** NCW Development, LLC
   PO Box 119
   Wenatchee, WA 98807

3. **Location of Proposal including street address, if any:** West end of West Goodlander Road approximately one (1) mile west of the intersection of West Goodlander and North First Street-Selah Loop Road. (Yakima County Parcel Numbers: 181427-14426, 41404, 44401, 181426-33409, 33413 and 33400).

4. **Lead Agency:** City of Selah

5. The lead agency for this proposal has determined that it will not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c), provided the measures listed below are taken to mitigate potential adverse impacts. This decision was made after review of a completed environmental checklist and other information on file with the lead agency including a geologic hazards assessment submitted by the applicant and being incorporated by reference in accordance with WAC 197-11-365. This information is available to the public on request.

6. **Identified Environmental Impacts and Mitigation Measures:** Substantive authority to require mitigation is derived from WAC 197-11-660, Selah Municipal Code, Chapter 11.40.410 and by reference, policies and regulations contained in the City of Selah Urban Growth Area Comprehensive Plan and the Selah Zoning, Platting and Subdivision Code (SMC 10).

   A. Geologic Hazards:
   A geologic hazards assessment was submitted by the applicant due to the site location having the characteristics of a geologic hazard area as indicated by the Selah Critical Areas Ordinance (SMC 17.07). The title of the report is:

   Geologic Hazards Assessment
   Valhalla Heights Addition Phases 3 & 4
   Northwest Terminus of W. Goodlander Road
   Selah, Yakima County, Washington
   GN Northern Inc., Consulting Geotechnical Engineers, Yakima, WA.
   July 2014

The subdivision application was made before the April 22, 2014 effective date of the Critical Areas Ordinance, so an application for Critical Areas Authorization was not required at the time of submittal. The Geologic Hazards Assessment is being incorporated by reference to ensure compliance with critical areas requirements.

Findings

a. The project site is an erosion hazard area of known risk, based on NRCS soils classifications on the site and as documented in the Geologic Hazards Assessment. The site contains all three characteristics of erosion hazard areas specified by SMC 17.07.150(A)(2)(a). The site is not in a landslide area, having none of the characteristics of SMC 17.07.150(A)(2)(b).

b. The primary hazards are surface erosion and potential for slope failures. The Geologic Hazards Assessment concludes that the existing native slope conditions are relatively stable, however cut and fill slopes will require mitigation measures to increase safety factors of the reconfigured slopes. Dust control is also recommended due to the susceptibility of soils to wind erosion.

c. The Lead Agency believes that the project can be conditioned to conform to the required standards for geological hazardous areas (SMC 17.07.150 (C)) and that the mitigation measures recommended by the Geologic Hazards Assessment are reasonable and within the capability of the applicant to accomplish.

d. In addition to the mitigation measures recommended by the Geologic Hazards Assessment, site development and home construction will be required to conform to other State and local requirements including the International Building Code as required by SMC 17.07.150(C)(2). These requirements and their enforcement should mitigate any potential impacts. Existing regulatory requirements include grading and building permits and the implementation of best management practices (BMPs) during construction under required NPDES Construction Stormwater General permit.

B. Relation to Existing Land Use Plans/Transportation/Water/Sewer
A portion of the parent parcel consisting of 1.67 acres extends outside of the City Limits and the Selah Urban Growth Area (UGA). This is an existing configuration of the parcel and it has been determined that it cannot be segregated from the part of the property within the UGA by any other means than subdivision.

Since it is outside of the UGA, annexation is not an alternative, and City sewer and water service cannot be extended into this area. There are also no public streets or rights-of-way available to connect to the north end of the proposed

development, although access is possible using an existing private road known as Marissa Hill Drive. The applicant does not own most of the property underlying the access easement and acquisition of right-of-way is probably infeasible. Connecting Marissa Hill Drive to the proposed public streets in the subdivision potentially imposes impacts on the residents who have the right to use it, however having no access to existing public roads to the north is inconsistent with Comprehensive Plan policy, standards of the Selah Subdivision Code and the International Fire Code.

Policies and Regulations

A. Assure that land use policies and patterns adequately protect and preserve resource lands, critical areas, water supplies, water bodies and other significant areas (Urban Area Plan Objective LUGM 4).

B. Ensure that land use practices in geologically hazardous areas do not cause or exacerbate natural processes which may endanger lives, property or resources (Urban Area Plan Policy LUGM 4.5).

C. [The Steep Slopes] use category is established recognizing those areas having steep slopes greater than 25 percent and regulating their development for public safety (Urban Area Plan "Future Land Use" categories, p. 35).

D. Land divisions shall ensure that adequate setbacks, buffering of adjoining uses and sensitivity to physical features are achieved (SMC 10.10.030(c)). Subdivision designs shall ensure that adequate setbacks, buffering of adjoining land uses and sensitivity to physical features are achieved (SMC 10.12.030(2)).

E. "Critical slope" means area(s) of land where the slope is twenty-five percent or greater. This slope is calculated as a percentage by measuring the vertical rise over any forty foot horizontal run for a specific area that results in a percentage of twenty-five percent or more. The critical slope hazard area includes the area of land that extends for ten feet beyond the top and/or toe of the slope. (Appendix A to Chapters 10.02 through 10.48 SMC).

F. Projects developed with municipal services should occur within the incorporated area. (Urban Area Plan Policy LUGM 5.3).

G. Consider annexation only for property located in the City's UGA (Urban Area Plan Policy LUGM 5.5).

H. Provide a safe and efficient transportation network within the City of Selah UGA (Urban Area Plan Objective TRAN 1).

I. Street and highway improvements should be located and designed to respect the residential character of the community and its quality living environment (Urban Area Plan Policy TRAN 1.2).

J. Improve circulation within the City of Selah UGA (Urban Area Plan Objective TRAN 2).

K. Encourage the connection of streets when considering subdivisions or street improvement proposals ***unless topographic or environmental constraints would prevent it.*** Limit the use of cul-de-sacs, dead-end streets, loops and other designs that form barriers in the community. Recognize that increasing connections can reduce traffic congestion and increase neighborhood unity (Urban Area Plan Policy TRAN 2.4 – ***emphasis added***).

L. Improve access to undeveloped areas within the Selah UGA. 1. Coordinate development and transportation planning with Yakima County and other regional agencies. (Urban Area Plan Policy TRAN 4.1(1)).

M. Ensure that roads are designed to allow emergency vehicle passage 24-hours a day. Dead-end street lengths and turnarounds, travel lane widths, maximum road grades, parking location, and other road design features should accommodate emergency and service vehicles (Urban Area Plan Policy TRAN 4.4).

N. Each subdivision shall have at least two points of connection with the public street system, except for those subdivisions in which the only dedicated street is a cul-de-sac (SMC 10.50.041(c)(12)).

Mitigation Measures

1. Site development shall conform to the recommendations of Geologic Hazards Assessment, Valhalla Heights Addition Phases 3 & 4; GN Northern Inc. July 2014 pp 14 – 18 and including Appendix VI, as applicable. Provided that the City will make the following considerations in the administration and enforcement of this condition:

    a. The City will not require any particular firm, engineer or landscape architect to perform the recommendations as presented in this report.

    b. A licensed professional engineer, or if and as appropriate, geologist or landscape architect, shall be responsible for determining the best management practices (BMP's) to be used to implement the recommendations, except as otherwise required by this determination, the conditions of preliminary plat approval and to the extent that certain practices may be required by law as administered by the City or other agencies.

c. Measures to control drainage and erosion shall be taken as recommended by the report and cuts and slopes shall not be constructed to exceed the recommended maximum heights and slopes.

d. A dust control plan shall be prepared and implemented during construction as required by the Yakima Regional Clean Air Agency and a NPDES construction general permit shall be obtained and Stormwater Pollution Prevention Plan prepared as required.

2. All buildings shall be set back from ***critical slopes*** as that term is defined in Appendix 'A' to Chapters 10.02 through 10.48, Selah Municipal Code. It refers specifically to slopes that are 25% or greater with the determination of slope made on any 40 foot horizontal run plus an additional 10 feet from the top and toe of the slope. The additional 10 feet comprises the required setback.

3. The proponent shall construct a road to, at minimum, fire apparatus road standards of the International Fire Code from the north end of West Goodlander Road where it terminates at the City Limits to McGonagle Road or any other existing open public street or road. This is a minimum requirement, and a road improved to a higher standard, including a public street shall be considered to be consistent. The required road may be a gated private road, and regular access may be limited to, for example, property owners who have a right of access on the private road, provided that access is available to emergency service providers at all times.

4. The part of the subject property that is located outside of the City Limits and Urban Growth Area shall be subdivided into a lot or a tract with the boundary coterminous to the City limits. Merger of this lot or tract into any adjoining property inside of the City limits shall be prohibited until such time as it is annexed by the City. The lot or tract that is created may be developed for residential use subject to the requirements of the Yakima County Zoning and Subdivision Ordinances (or any succeeding Code adopted by Yakima County).

This MDNS is issued under WAC 197-11-340(2); the lead agency will not act on the proposal for 14 days from the date below. Comments must be submitted by 10:00 AM, October 29, 2014.

7. **Appeals:** You may appeal this determination to the Selah City Council by filing a written appeal with the required $300.00 filing fee at the Selah Public Works Department, 222 S. Rushmore Road no later than 5:00 p.m. on November 5, 2014. You should be prepared to make specific factual objections. Contact the Public Works Department at 698-7365 to read or ask about the procedures for SEPA appeals.

8. **Responsible Official: David Kelly**

9. **Position / Title:** City Administrator/SEPA Official

10. **Address:** 115 West Naches Avenue, Selah, WA. 98942

11. **Date:** October 14, 2014

12. **Signature**

Final Mitigated Determination of Nonsignificance

1. **Description of Proposal:** "*Valhalla Heights Subdivision, Phases III & IV*" Subdivide 23.44 acres+/- into 61 single-family residential lots in two separate phases and three tracts: A. water booster station site, B. recreational open space and C. domestic water reservoir. The parent parcel includes an additional 1.67 acres that extend outside of the City Limits.

2. **Proponent:** NCW Development, LLC
   PO Box 119
   Wenatchee, WA 98807

3. **Location of Proposal including street address, if any:** West end of West Goodlander Road approximately one (1) mile west of the intersection of West Goodlander and North First Street-Selah Loop Road. (Yakima County Parcel Numbers: 181427-14426, 41404, 44401, 181426-33409, 33413 and 33400).

4. **Lead Agency:** City of Selah **File Number**: 971.38.14-02

5. An initial Mitigated Determination of Nonsignificance (MDNS) was issued under WAC 197.11 and the lead agency did not act on this proposal for 14 days from the issue date.

Final Determination: The SEPA Responsible Official, after a review of all timely responses received on this proposal has determined that it will not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c), provided the mitigation measures listed in the initial MDNS are taken to mitigate potential adverse impacts. This decision was made after review of a completed environmental checklist and other information on file with the lead agency including a geologic hazards assessment submitted by the applicant, incorporated by reference, in accordance with WAC 197-11-365. This information is available to the public on request.

Final MDNS issue date: October 31, 2014

Appeals: You may appeal this determination to the Selah City Council by filing a written appeal with the required $300.00 filing fee at the Selah Public Works Department, 222 S. Rushmore Road no later than 5:00 p.m. on November 10, 2014. You should be prepared to make specific factual objections. Contact the Public Works Department at 698-7365 to read or ask about the procedures for SEPA appeals.

Responsible Official: David Kelly

Position / Title: City Administrator/SEPA Official

Address: 115 West Naches Avenue, Selah, WA. 98942

Date: October 31, 2014

Signature

Northern, Inc.
Consulting Engineers Environmental Scientists Geologists
Construction Materials Testing Geophysical Services

GEOLOGIC HAZARDS ASSESSMENT

VALHALLA HEIGHTS ADDITION PHASES 3 & 4
NORTHWEST TERMINUS OF W. GOODLANDER ROAD
SELAH, YAKIMA COUNTY, WASHINGTON

GNN PROJECT NO. 214-498

JULY 2014

Prepared for

NCW DEVELOPMENT, LLC
P.O. BOX 119
WENATCHEE, WA 98807

Prepared by

GN NORTHERN, INC
CONSULTING GEOTECHNICAL ENGINEERS
YAKIMA, WASHINGTON
(509) 248-9798

EXHIBIT
tabbies
12

EXECUTIVE SUMMARY

GN Northern, Inc. has prepared this executive summary solely to provide a general overview of the report. The report itself should be relied upon for information about the findings, conclusions, recommendations, and other concerns. The intent of this geologic hazards assessment report is to assess various geologic hazards that may impact the proposed development and provide recommendations for mitigation, as necessary.

The proposed Valhalla Height, Phases 3 & 4, residential subdivision project site is located at the northwest terminus of W. Goodlander Road in the City of Selah, Yakima County, Washington. The project site currently consists of approximately 24.6 acres of undeveloped hillside terrain with a moderate growth of native grasses and brush. Portions of the project site are relatively steep and surface soils are considered to be potentially erodible.

Our site assessment was performed to identify common geotechnical and geologic conditions in the project region, including general and site specific soil and bedrock conditions, groundwater, slopes, drainage, erosion, and geologic hazards. A review of selected information pertaining to the project site and surrounding region was performed that included published technical literature, published geologic maps, available aerial photographs, and previous geotechnical/geologic studies prepared for this and other sites in the vicinity. Site specific geologic and geotechnical data was obtained from our field exploration program consisting of eleven test-pit excavations to observe the subsurface soil conditions and obtain samples for laboratory testing.

Development on sloping ground poses an inherent risk related to global and local stability of site slopes. The proposed project site development will require careful design and construction including slope stabilization and drainage/erosion control measures to mitigate the observed geotechnical and geologic site constraints.

In our professional opinion, the proposed project may be constructed as planned, provided that the recommendations in this report are incorporated in the final design and construction. Based on our site evaluation and analysis, the existing native slope conditions are relatively stable however proposed cut and fill slopes for the planned development will require mitigation measures as recommended within this report to increase safety factors of the reconfigured slopes. In our professional opinion, proper development of the proposed project will not pose a threat to public health and safety.

INTRODUCTION

Project Description

This geologic hazards assessment has been prepared for the proposed Valhalla Height, Phases 3 & 4, residential subdivision project to be constructed at the northwest terminus of W. Goodlander Road, in the City of Selah, Washington (see Figure 1, Appendix I). We understand that the proposed residential development will include approximately 55 lots for future single-family residences. Roadway access to the development will be provided by the extension of W. Goodlander Road.

Site development will generally include clearing and grubbing of vegetation, site grading, roadway surface preparation, underground utility installation, construction of residential streets and sidewalks. Remedial site grading will be necessary to develop stable cut and fill slopes and provide uniform support for proposed structures, roadways, and infrastructure improvements.

Purpose and Scope of Services

The purpose of our services was to evaluate the surface and subsurface soil and bedrock conditions and potential geologic hazards as they relate to the proposed future residential development and provide professional opinions and recommendations for mitigations of any identified geotechnical and/or geologic constraints. The scope of work included the following:

- A general reconnaissance of the site.
- Subsurface exploration by excavating eleven exploratory test-pits to depths ranging from approximately 2 to 15 feet below existing grade.
- Laboratory testing of selected soil samples obtained from the exploratory test-pits.
- A review of selected published technical literature pertaining to the site and previous geotechnical/geologic reports prepared for similar projects in the vicinity.
- An engineering analysis and evaluation of the acquired data from the exploration and testing programs.
- Stability analysis of existing and proposed slopes.
- A summary of our findings and recommendations in this written report.

This report contains the following:

- Discussions on subsurface soil, bedrock and groundwater conditions.
- Discussions on regional and local geologic conditions.
- Discussions on geologic and seismic hazards.
- Graphic and tabulated results of laboratory tests and field studies.
- Preliminary recommendations regarding:
  - Site development and grading criteria including cut and fill slope construction.
  - Excavation conditions.
  - Seismic design parameters.

Not Contained in This Report: Although available through GN Northern, the current scope of our services does not include:

- Site-specific geotechnical engineering evaluation or recommendations for future proposed residential structures or improvements beyond the proposed subdivision infrastructure.
- An environmental assessment.
- An investigation for the presence or absence of wetlands, hazardous or toxic materials in the soil, surface water, groundwater, or air on, below, or adjacent to the subject property.

METHODS OF EXPLORATION AND TESTING

Technical Literature and Aerial Photo Review

A review of selected information pertaining to the site and surrounding area was performed that included published technical literature, published geologic maps, aerial photographs and previous geotechnical and geologic reports prepared for this and other sites in the vicinity. The review was performed to identify typical geotechnical and geologic constraints that may affect the proposed development, including soil and bedrock conditions, groundwater, slopes, drainage, erosion, and geologic hazards.

Field Reconnaissance

Field reconnaissance of the subject property was performed in conjunction with our subsurface exploration on June 23, 2014 to observe the on-site surficial geologic and geotechnical conditions and to confirm the data obtained from our technical literature review.

Field Exploration

Eleven exploratory test-pits were excavated to depths ranging from approximately 2 to 15 feet below the existing ground surface to observe the soil profile and to obtain samples for laboratory testing. The test-pits were excavated on June 23, 2014, using a track mounted CAT 315C excavator. Approximate test-pit locations are shown on the *Site & Exploration Maps*, Figures 2A & 2B, in Appendix I.

Selected representative samples were obtained from the test-pit spoils. Recovered soil samples were sealed in containers and returned to the laboratory. The final logs of the test-pits represent our interpretation of the contents of the field logs and the results of laboratory testing performed on the samples obtained during the subsurface exploration. The final logs are included in Appendix II of this report. The stratification lines represent the approximate boundaries between soil types, although the transitions may be gradational.

Laboratory Testing

Samples were reviewed along with field logs to select those that would be analyzed further. Those selected for laboratory testing include soils that would likely be exposed and used during grading and those deemed to be within the influence of proposed improvements. Test results are presented in graphic and tabular form in Appendix III of this report. The tests were conducted in general accordance with the procedures of the American Society for Testing and Materials (ASTM) or other standardized methods as referenced below. Our testing program consisted of particle size analysis to classify and evaluate soil composition. The gradation characteristics of selected samples were made by sieve analysis procedures.

DISCUSSION

Site Description

The proposed residential development is to be constructed on an irregular shaped property at the northwest terminus of W. Goodlander Road, in the City of Selah, Washington The project site currently consists of six (6) separate parcels identified as Assessor's Parcel Numbers: 18142714426 (1.67-acre), 18142741404 (9.79-acre), 18142744401 (6.67-acre), 18142633413 (0.6-acre), 18142633409 (0.52-acre) and portion of 18142633400 (12.97). The site location is shown on the *Vicinity Map* (Figure 1, Appendix I).

The project site currently consists of approximately 24.6 acres of undeveloped hillside terrain with a sparse growth of native grass and brush. Un-paved access roads exist at the project site generally from north to south, along with an access road for existing water tanks located in northeastern portion of the site. A minimum of two significant areas of apparent fill were noted during our site visit. An area along the northeastern site boundary was observed as artificial apparently placed during the construction of the water tanks sometime between 2008 and 2009 from our review of selected historic aerial imagery. The fill slope gradient was observed to descend at a slope angle greater than 2:1. Another area of fill north of the cul-de-sac for W. Goodlander Road was noted to be placed sometime between 2006 and 2008.

The subject site is located near the top of an elevated knob/hill in the Selah Heights area. Native slopes across the project site currently descend at gradients ranging from approximately 5 to 55%. Site elevations range from approximately 1,645 to 1,505 feet above MSL, for a total relief within the project boundaries of about 140 feet. Elevations are referenced from the topographic survey provided by Landline Surveying. However, the elevation data on the provided topographic survey pre-dates the construction of the water tanks and the placement of fill in the northern and eastern portions of the site.

The site is generally bounded to the north by Marisa Hill Road, to the northeast and northwest by single-family residences, to the southeast by W. Goodlander Road, and to the west, east and south by native undeveloped hillside property.

Soil/Bedrock Conditions

The field exploration indicates that native site soils consist primarily of Well-Graded Gravel with Silt and Sand (GW-GM), overlying Well-graded Gravel with Sand (GW). The upper 3 to 7 feet was observed to be medium dense to dense, overlying dense to very dense gravels. Slight to moderately cemented gravels were observed in test-pits TP-5, TP-6, TP-7, TP-8, and TP-9. Pockets of hard Clayey Silt were observed in test-pits TP-1 and TP-7. Soils observed in test-pit TP-11 consisted of very dense hardpan and the test-pit was therefore terminated from excavator refusal at 2 feet below ground surface (BGS). Although not encountered in our shallow test-pits, outcrops of sandstone beds were observed on the lower slopes below the project site.

Fill soils were observed in test-pits TP-3 and TP-10. Test-pit TP-3, located north of the cul-de-sac for W. Goodlander Road, consisted of loose Sandy Silt (ML) fill soils to at least 15 feet BGS. The fill soils also included buried organics with some miscellaneous trash and debris. Fill soils in test-pit TP-10, located along the northeastern site boundary, consisted of medium dense, Well-Graded Gravel with Silt and Sand (GW-GM) with organics, overlying medium dense Silty Sand with Gravel (SM) fill soils. Apparent native gravel soils were encountered at approximately 11 feet BGS. Test-pit logs in Appendix II include more detailed descriptions of the soils encountered.

Groundwater

Free groundwater was <u>not</u> encountered in any of the test-pits during exploration. No evidence of onsite surface ponding, springs or seeps was noted during our site reconnaissance. To assist in our evaluation, we have reviewed the Washington State Department of Ecology (DOE) database of nearby well logs to estimated groundwater levels in the vicinity. Based on our review of available data, groundwater levels are believed to be greater than 100 feet deep in the area; the well logs are included in Appendix VII.

Groundwater levels may fluctuate with precipitation, irrigation, drainage, regional pumping from wells, and site grading. Minor localized and seasonal perched groundwater conditions could occur beneath the site above less permeable underlying strata. Groundwater levels may fluctuate with precipitation, irrigation, drainage, and site grading, therefore, the absence of detected groundwater may not represent a permanent condition. Nevertheless, based on the currently available

information, groundwater is not expected to be a significant factor in design or construction at this site.

Geologic Setting

Regional Geology: The project site is located within the Selah Heights region of the Yakima Fold Belts sub-province, formed by north–south compression, within the vast Columbia Basin physiographic province of southeastern Washington. The uplifted Selah Heights are generally situated in the western portion of an east-west trending anticline ridge northwest of the confluence of the Naches and Yakima river valleys. This subject site is underlain by middle to upper Miocene continental sedimentary deposits and rock of the Ellensburg Formation. Overlying sediments include relatively thin surficial deposits consisting of Plio-Pleistocene loess, including silt and fine-grained sands.

Geologic Hazards

Geologic hazards that may affect the development include seismic hazards (ground shaking, surface fault rupture, soil liquefaction, and other secondary earthquake-related hazards), slope instability, flooding, ground subsidence, and erosion. A discussion follows on the specific hazards to this site.

Seismic Hazards

Surface Fault Rupture: For the purposes of this report, an active fault is defined as a fault that has had displacement within the Holocene epoch or last 11,000 years. Due to the lack of known active fault traces in the immediate site vicinity, surface fault rupture is unlikely to occur at the project site. While fault rupture would most likely occur along previously established fault traces, future fault rupture could occur at other locations.

Seismic Conditions: The Yakima region is generally not considered to be located within an area of high seismic activity. There are no confirmed major faults in the region capable of producing strong earthquakes. Anticipated ground motions in the region due to seismic activity along faults in other parts of the Northwest are relatively low.

The two largest crustal earthquakes felt in the state of Washington included the 1872, M 6.8 quake near Lake Chelan and the 1936, M 6.0 Walla Walla earthquake. The following list provides

information regarding historic earthquakes within the past 20 years for epicenters within 100 miles of Selah (city center), Washington (list courtesy of www.city-data.com) listed by magnitude:

Date of Event	Magnitude	Distance from Selah (miles)
April 29, 1965	6.6	96.5
February 14, 1981	5.5	74.0
May 3, 1996	5.5	99.6
October 8, 2006	4.7	52.3
June 18, 1994	4.3	75.4
May 20, 1995	4.2	68.5

While accurate earthquake predictions are not possible, various agencies have conducted statistical risk analyses. The United States Geological Survey [USGS] has completed probabilistic seismic hazard maps. We have used these maps in our evaluation of the seismic risk at the site. Based on limited data obtained during our site evaluation and Table 1613.5.2, Site Class Definitions of the 2012 International Building Code, the sites soil profile is estimated to conservatively classify with a Site Class determinations of "D". Additional geologic studies to obtain data from deeper stratum at the site could result in a reclassification to Site Class "C" due to the likely cemented nature of subsurface sediments.

Spectral response accelerations S_S and S_1 are the short and long period spectral response accelerations used for seismic design expressed in terms of gravity or "*g*". S_S and S_1 are defined as the 5 percent damped, spectral response acceleration at 0.2-second and 1.0-second period respectively, having a 2 percent chance of being exceeded in 50 years, referred to as the Maximum Considered Earthquake [MCE]. Probabilistic ground motions for the site were evaluated using the USGS web site. Based on our evaluation of the site geology and soil conditions encountered (Site Class "D"), we recommend the following IBC (2012) seismic design criteria:

Seismic Design Parameter	Value (units)
S_s	0.522 (g)
S_1	0.215 (g)
F_a	1.383 (unitless)
F_v	1.967 (unitless)
SM_S	0.722 (g)
SM_1	0.423 (g)
SD_S	0.481 (g)
SD_1	0.282 (g)

Secondary Seismic Hazards

Secondary seismic hazards related to ground shaking include soil liquefaction, ground subsidence, tsunamis, and seiches. The site is far inland, so the hazard from tsunamis is non-existent. The existing water storage tanks near the northeast portion of the site were constructed relatively recently (circa 2008-2009) and presumably engineered/constructed to resist seismic hazards. No other elevated water storage reservoirs are located in the immediate vicinity of the site. Therefore, hazards from seiches are considered low.

Soil Liquefaction: Liquefaction is the loss of soil strength from sudden shock (usually earthquake shaking), causing the soil to become a fluid mass. In general, for the effects of liquefaction to be manifested at the surface, groundwater levels must be within 50 feet of the ground surface and the soils within the saturated zone must also be susceptible to liquefaction. The potential for liquefaction to occur at this site is considered negligible because the following factors: relatively shallow sedimentary bedrock is present beneath the site; depth of groundwater beneath the site exceeds 50 feet; and low anticipated seismic accelerations in the region.

Slope Stability

The subject site is located near the top of an elevated knob/hill in the Selah Heights area. Native slopes across the project site currently descend at gradients ranging from approximately 5 to 55%. Site elevations range from approximately 1,645 to 1,505 feet above MSL, for a total relief within the project boundaries of about 140 feet.

A field reconnaissance of the project site was performed to observe site conditions and correlate the information gathered from our preliminary research. During our reconnaissance we looked for common geomorphic features of landslides as well as indications of possible signs demonstrating recent activity and instability of slide masses. Some slopes located below and outside the boundaries of the project site are notably steeper. No evidence of any significant slope instability within the native conditions was noted at the site.

We have performed slope stability analyses of the various slope conditions of the site, both existing and proposed (see Slope Stability Analysis below). Modeling of the slope configurations were based on our investigation and research. Based on our analyses, it appears that the native

slopes with gradients ranging from approximately 5 to 55% are considered grossly stable with relatively high factors of safety against movement. The existing native onsite vegetation serves to provide protection from shallow surficial instability and erosional forces.

Flooding and Erosion

Based on GIS data from the Yakima County website (Yakimap.com) the areas of proposed development at the project site are not mapped within designated FEMA 100 or 500-year flood plains. The project site is situated in an area where sheet flow and erosion may occur. The near surface site soils are known to exhibit a potential for erosion. The need for and design of flood control devices and erosion protection measures is within the purview of the design civil engineer. In general, erosion should be mitigated with best management practices (BMPs) consisting of proper drainage design including collecting and disposal (conveyance) of water to approved points of discharge in a non-erosive manner. Appropriate project design, construction, and maintenance will be necessary to mitigate the potential for site erosion hazards.

Slope Stability Analysis

Slope stability analyses were conducted on the existing slopes to evaluate their present state of stability as well as likely proposed re-graded slope configurations for the project site. The analyses were conducted using a generalized geologic cross section model developed from previously prepared topographic survey prepared by Landline Surveyors and data obtained our subsurface explorations. However, the elevation data on the provided topographic survey pre-dates the construction of the water tanks and the placement of fill in the northern and eastern portions of the site.

The slope stability analyses were conducted by a two-dimensional limit equilibrium stability analysis of selected trial failure surfaces using the computer program *STABL6* (Carpenter, 1986). Potential circular-arc failure surfaces were evaluated using the modified Bishop Method. The computer program searched for critical potential failure surfaces with low computed factors of safety.

The computed factor of safety (FS) against slope failure is simply the ratio of total resisting forces or moments (strength of the slope) to the total driving forces or moments for planar or circular

failure surfaces respectively. A slope with a factor of safety of 1.0 is in equilibrium, indicating that the disturbing forces driving the slope down are equal to its strength to resist failure. Simply put slope-failure result when the strength of the slope is overcome by gravity.

Although earthquakes are generally not a significant concern in the Yakima County region, and anticipated seismic accelerations are expected to be relatively low, the stability of the slopes have been analyzed under both static and seismic conditions. Our analysis used the pseudostatic method which modifies the limit equilibrium method by incorporating a horizontal static seismic force to simulate the potential inertial forces generated from earthquake ground accelerations.

For slope stability analyses under seismic loading, a pseudostatic seismic coefficient, k_h (horizontal component), expressed in terms of acceleration (units of g), is typically calculated as 50% of the horizontal peak ground acceleration (PGA). According to the International Building Code, the PGA may be taken as 2/3*Ss/2.5, this results in a pseudostatic seismic coefficient: k_h value = $0.5*2/3*0.52/2.5 = 0.07_g$.

The selection of unit weight and shear strength parameters for the various earth materials were based on judgment and data obtained during our field investigation, laboratory testing, review of previous studies, research and previous experience with similar materials in similar geotechnical and geologic settings. Engineering and geologic judgment must be applied to soil/rock strength parameters in order to consider lateral and vertical variations in the subsurface conditions, such as degree of cementation, fracturing, planes of weakness, and gradational characteristics. The following geotechnical strength parameters were used in our stability calculations:

Earth Material	Shear Strength Parameters		Unit Weight
	Friction Angle: ϕ	Cohesion: c (psf)	(pcf)
Surface Silty Sand / Sandy Silt (SM/ML)	30	0	110
Sandy Gravels (GM/GW)	40	250	140
Compacted Engineered Fill (derived from the native soils)	36	50	135

The results of the stability analyses, using the shear strength data as described above, are presented on the following table. The factor of safety of against slope failure was computed for existing and

proposed slope configurations (presumed to be a maximum of 2H:1V or 50%) as indicated on the attached table. The results of the slope stability analyses are attached to this report in Appendix VII and summarized below:

Slope Section	Slope Condition	Static Factor of Safety	Seismic Factor of Safety
Section A-A'	Native	3.84	2.95
Section B-B'	Native	2.05	1.72
Section C-C'	Native	2.17	1.82
Section D-D'	Native – Upper	2.20	1.89
Section D-D'	Native – Lower	1.28	1.13
2H:1V	Proposed	1.77	1.51

* the lower portion of cross-section D-D' is located outside of the project boundaries

GN Northern recommends that all site slopes be designed to meet a minimum factor of safety of 1.5 for the static condition and 1.1 under seismic loading. Based on our analysis, the existing site slopes within the proposed project boundaries meet these minimum factors of safety. Our analysis further indicates that the proposed graded slopes can be properly designed and constructed to meet or exceed these minimums.

CONCLUSIONS

The following is a summary of our conclusions and professional opinions based on the data obtained from a review of selected technical literature and the site evaluation.

General

- ***Based on our understanding of the proposed development and subsurface conditions, from a geotechnical and geologic perspective, it is our professional opinion that the site is suitable for the proposed development, provided the recommendations in this report and any subsequent site specific/design-level geotechnical evaluations are followed in the design and construction of this project.***

Geotechnical Constraints and Mitigation:

- The primary geologic hazards and site constraints are surface erosion and the potential for slope failures. However, based on our site evaluation, the potential risk of slope failure and erosion is relatively low. Engineered design and careful construction as recommended within this report can mitigate these geologic constraints and increase safety to allow development of potentially geologically hazardous areas.

- Development on sloping ground poses an inherent risk related to global and local stability of site slopes. The proposed project site development will require careful design and construction including proper re-grading of slopes and installation drainage/erosion control measures to mitigate any geotechnical and geologic site constraints.

- Other common geologic hazards, including fault rupture, liquefaction, and seismic shaking are considered low or negligible on this site.

- Adherence to the grading and structural recommendations in this report and any subsequent design-level geotechnical evaluation should reduce the potential hazard of slope failure, erosion and settlement problems.

- The soils are susceptible to wind and water erosion. Preventative measures to control runoff and reduce erosion should be incorporated into future site grading plans. Dust control should also be implemented during construction.

- Site grading for future development will require mitigation of undocumented fill(s).

- Future development plans should provide for appropriate setbacks from descending slopes.

- Permanent reconfigured slopes should be constructed at a maximum gradient of 2:1 (horizontal:vertical).

- ***In our professional opinion, proper development of the proposed project will not pose a threat to public health and safety.***

RECOMMENDATIONS

The recommendations in this report are indented to address any potential geologic hazards relative to general development of the proposed residential subdivision and infrastructure. Additional structure- and site-specific design-level geotechnical investigation(s) and recommendations will be necessary to address site constraints of future additional structures and improvements.

Site Development – Grading

A representative of GNN should observe site clearing, grading, and the bottoms of excavations before placing fill. Local variations in soil conditions may warrant increasing the depth of recompaction and over-excavation.

Clearing and Grubbing: At the start of site grading, areas of proposed improvements should be cleared of existing vegetation, trees, large roots, non-engineered fill, construction debris, trash, and abandoned underground utilities. The surface should be stripped of organic growth and removed from the construction area. Areas disturbed during clearing should be properly backfilled and compacted as described below.

Removal of existing vegetation should be carefully controlled and limited to only those areas of proposed improvements and associated grading. Native site vegetation and surface conditions should be maintained in their native condition to the greatest extent possible during construction. Areas disturbed during grading and construction should employ appropriate BMPs and be immediately protected and/or re-vegetated to control runoff and erosion.

Engineered (Structural) Fill: The native soil is suitable for use as engineered fill and utility trench backfill, provided it is free of significant organic or deleterious matter. The native soil should be placed in maximum 8-inch lifts (loose) and compacted to at least 95% relative compaction (ASTM D 1557) near its optimum moisture content. Compaction should be verified by testing. Rocks larger than 6 inches in greatest dimension should be removed from fill or backfill material.

Imported fill soils (if needed) should be non-expansive, granular soils meeting the USCS classifications of SM, GM, SP-SM, or SW-SM with a maximum rock size of 3 inches and 5 to 35% passing the No. 200 sieve. The geotechnical engineer should evaluate the import fill soils before hauling to the site. However, because of the potential variations within the borrow

source, import soil will not be prequalified by GNN. The imported fill should be placed in lifts no greater than 8 inches in loose thickness and compacted to at least 95% relative compaction (ASTM D 1557) near optimum moisture content.

Excavations

Excavations at the site should be made in accordance with requirements of Chapter 296-155, Part N of the Washington Administrative Code (WAC). Our site exploration and knowledge of the general area indicates there is a potential for caving of site excavations (utilities, footings, etc.). Excavations within sandy soil should be kept moist, but not saturated, to reduce the potential of caving or sloughing. Where excavations over 4 feet deep are planned, lateral bracing or appropriate cut slopes of 1.5:1 (horizontal:vertical) should be provided. No surcharge loads from stockpiled soils or construction materials should be allowed within a horizontal distance measured from the top of the excavation slope and equal to the depth of the excavation.

In accordance with the standards of WAC Ch. 296-155, Part N and the general soil information obtained during our field exploration, classification of the near surface on-site soils will likely be characterized as Type C. Actual classification of site specific soil type as they pertain to excavating, trenching, and shoring safety should be based on real-time observations and determinations of exposed soils by the Competent Person during grading and trenching operations.

Graded Slope Construction

Development on sloping ground poses an inherent risk related to global and local stability of site slopes. In order to mitigate the potential hazards of erosion and slope instability, site development will require careful design and construction and implementation of proper drainage/erosion control measures to mitigate the observed geotechnical and geologic site constraints.

Based on our slope stability analyses, properly re-constructed cut/fill slopes can be safely developed at gradients as steep as 2H:1V provided the recommendations in this report are followed during design and construction.

Fill slopes should be overfilled and trimmed back to competent material. Back-drains and seepage control measures are not expected to be required because of the relatively free draining nature of the native soils. The project engineering geologist should observe all construction cuts to inspect

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for adverse geologic conditions and make appropriate recommendations based on the exposed conditions. Grading details for proper slope construction are included in Appendix VI attached to this report.

BMPs to control erosion on all graded slopes will be required. Landscaping should take into consideration the engineering characteristics of the slopes, especially with regards to the surficial stability of the slopes.

Fill Slopes (2:1 Maximum Gradient)

Fill slopes should be constructed at a maximum slope of 2H:1V (horizontal to vertical). Fill slopes should be constructed with suitable structural fill soil that has been properly moisture conditioned and compacted as recommended in this report. Fill slopes should be overfilled and trimmed back to uniformly compacted material. The final slope surface should be track-walked or grid rolled to improve the slope's resistance to erosion.

Where fill slopes are to be constructed on natural slopes steeper than 5:1, the fill should be keyed and benched into firm natural soil (see Appendix VI).

Slopes constructed as fill over cut will necessitate specific grading methods to provide bonding of the fill and to help mitigate the possibility of creating a weak plane between fill and cut which could potentially affect slope stability. Refer to Appendix VI for a graphic representation of the recommended fill over cut slope configuration.

Prior to placement of fill in fill over cut slopes, cut slopes should be visually observed by the engineering geologists, or their representatives, to check for adverse geologic features exposed within the slope face. The geotechnical consultant should monitor this remedial grading.

Keys for all slope reconstruction greater than 5 feet in height should be cut into firm natural soil. The minimum key dimensions are 10 feet horizontal and 2 feet vertical from the lowest adjacent soil grade. Before fill is placed, the key should be observed by the geotechnical engineer, or their representative, to observe compliance with the above recommendations and the possible need for bench drains or sub-drains, if required. A protective berm should be constructed and maintained at the top of all fill slopes to divert any runoff away from the slope face. It is recommended that the

project geotechnical engineer, or their representatives, be present during the fill construction to observe compliance with the above recommendations.

Cut Slopes (2:1 Maximum Gradient)

Cut slopes should be constructed at a maximum slope of 2H:1V (horizontal to vertical). Refer to Appendix VI for a graphic representation of the recommended cut slope construction detail. The engineering geologists, or their representatives, should monitor cut slopes during construction, to check for adverse geologic features exposed within the cut face. Although not anticipate, proposed slopes may require finished at a shallower gradient or reconstruction as buttressed slopes if adverse geologic conditions are exposed during construction.

If buttressing for stabilization is required, backcuts should be at an angle of 1:1 or flatter unless local conditions allow a steeper cut, where approved by the project engineering geologist. Localized areas of backcut failure should be anticipated.

Temporary backcuts for keyways and benches may be excavated vertical up to 5 feet in height. Backcut failures may occur during keyway and benching operations. Careful grading operations should be implemented when working adjacent to vertical backcuts. Where unstable conditions may exist, backcut slopes should be laid back to a 1:1 or flatter configuration as recommended by the project geologist or geotechnical engineer.

Slope Protection and Maintenance

Proper slope protection and maintenance should help minimize slope erosion and improve the stability of the project slopes. The project soils are potentially prone to erosion and will require appropriate protection and maintenance.

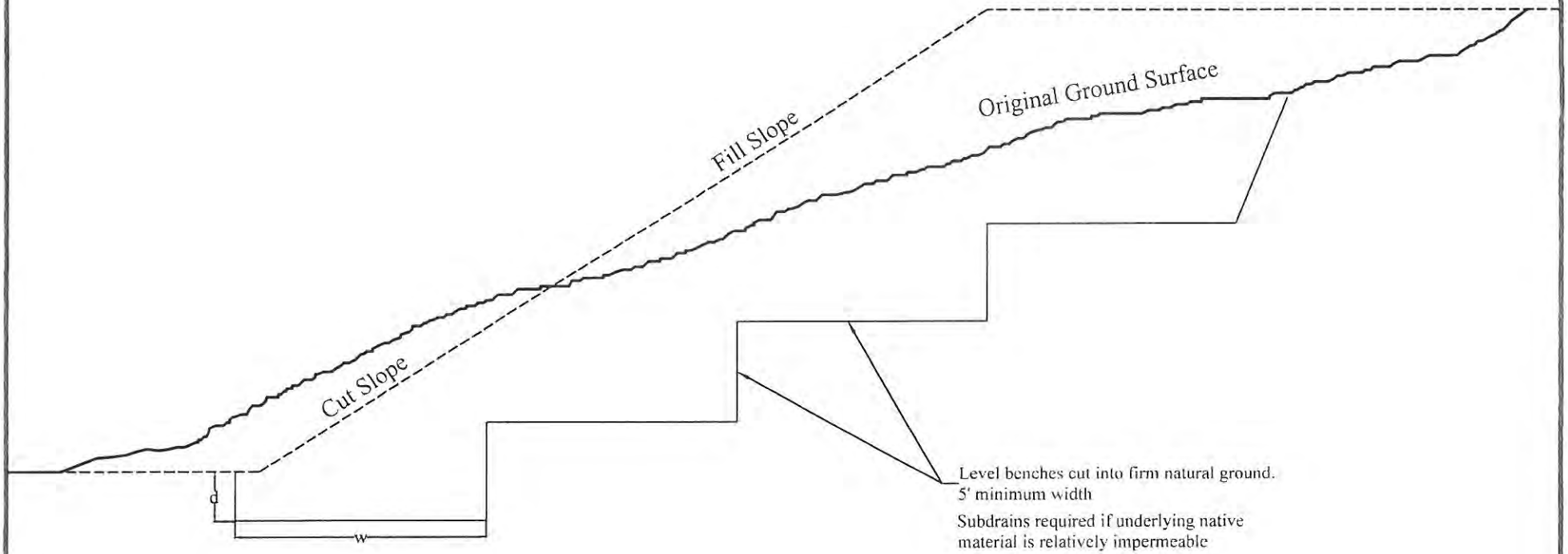
Positive drainage should be provided at the tops of all slopes to divert runoff away from the face. Swales constructed in native soils should be lined with gunite, concrete, or other suitable no-erosive material. Erosion protection should be provided, especially where concentrated runoff is anticipated.

A qualified Landscape Architect should provide recommendations for slope planting. As the exposed site soils are susceptible to erosion, it is required that erosion control measures, such as

planting, erosion control blankets or fabrics, sprayed tackifiers, or some combination of these, be utilized on all slopes within this project. Landscaping should take into consideration the engineering characteristics of the slopes, especially with regards to the surficial stability.

Periodic maintenance and repair of slopes and drainage structures should be performed. Drainage inlets, outlets, and spillways should be periodically inspected and cleaned of soils and debris. Slope plantings and irrigation systems should consider low water tolerant plants with drip irrigation and be well maintained. All slopes should be periodically inspected for evidence of cracking, erosion, and rodent infestation and any observed problems should be repaired.

Appendix VI
Cut-Fill Transition Details (Fig. 3A to 3D)

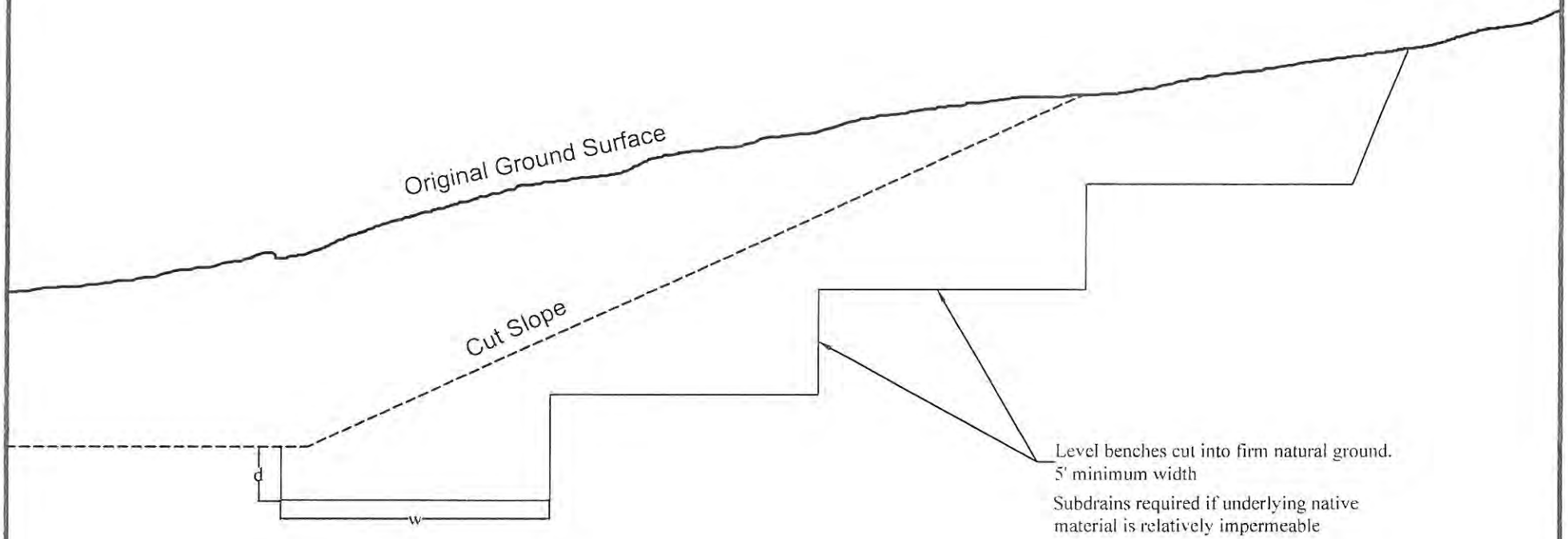


Notes:
d = minimum downslope key depth into dense natural ground approved by the project engineering geologist or geotechnical engineer.

w = Width of keyway: Half the slope height or 10' minimum

N.T.S.

Northern, Inc. * Consulting Engineers * Environmental Scientists * Geologists * Construction Materials Testing	GN Northern, Inc. Project No. 214-498	**Cut/ Fill Detail: Fill Over Cut Condition** Valhalla Heights Addition Selah, Washington			
		Date 6/30/2014	Drawn By YM	Reviewed By KAH	Figure 3A

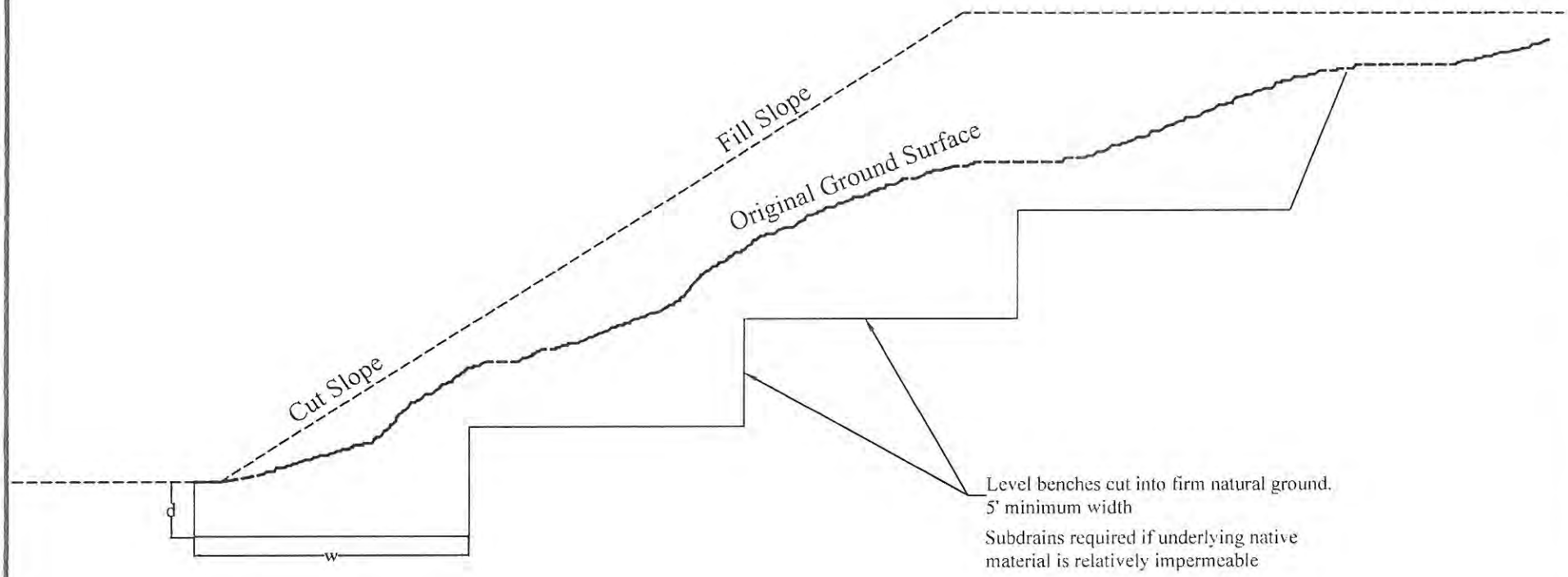


Notes:
d = minimum downslope key depth into dense natural ground approved by the project engineering geologist or geotechnical engineer.

w = Width of keyway: Half the slope height or 10' minimum

N.T.S.

GN Northern, Inc. * Consulting Engineers * Environmental Scientists * Geologists * Construction Materials Testing	GN Northern, Inc. Project No. 214-498	**Cut/ Fill Detail: Reconstructed Cut Slope** Valhalla Heights Addition Selah, Washington			
		Date 6/30/2014	Drawn By YM	Reviewed By KAH	Figure 3B

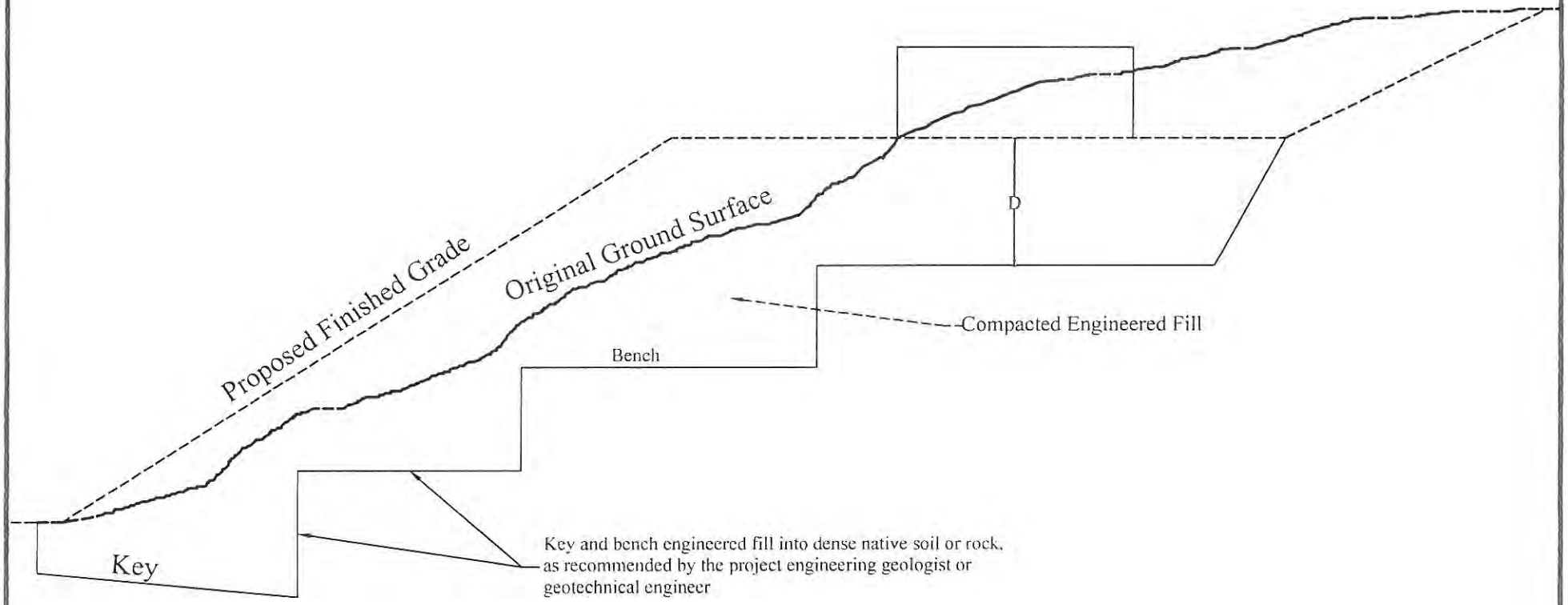


Notes:
d = minimum downslope key depth into dense natural ground approved by the project engineering geologist or geotechnical engineer. 2' Minimum

w = Width of keyway: Half the slope height or 10' minimum

N.T.S.

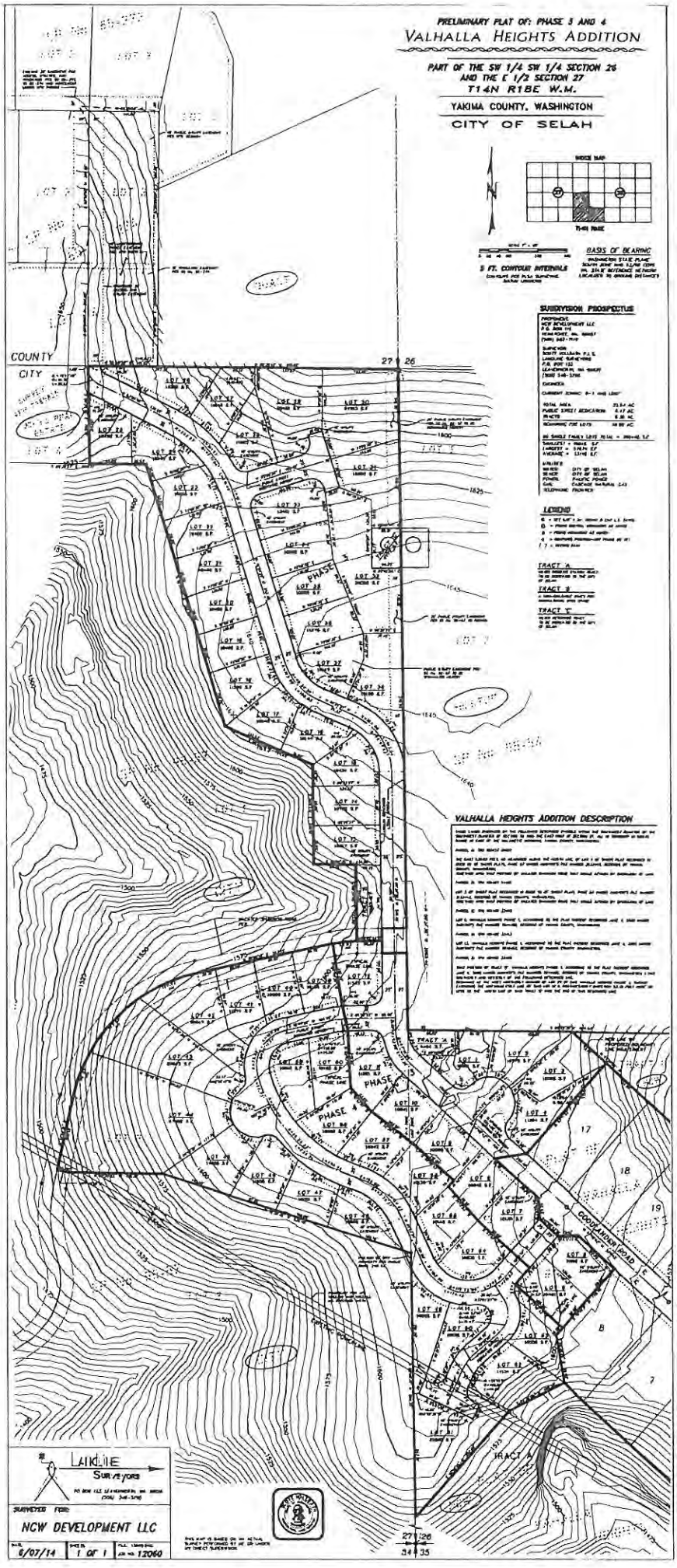
Northern, Inc. * Consulting Engineers * Environmental Scientists * Geologists * Construction Materials Testing	GN Northern, Inc. Project No. 214-498	**Cut/ Fill Detail: Fill Over Native Condition** Valhalla Heights Addition Selah, Washington			
		Date 6/30/2014	Drawn By YM	Reviewed By KAH	Figure 3C



Notes:
D = Depth of over-excavation and re-compaction as recommended in report. Minimum depth of fill under structure is 5'. maximum fill thickness differential ratio under structure is 3:1

N.T.S.

GN Northern, Inc. * Consulting Engineers * Environmental Scientists * Geologists * Construction Materials Testing	GN Northern, Inc. Project No. 214-498	**Over-Excavation Detail: Transition Condition** Valhalla Heights Addition Selah, Washington			
		Date 6/30/2014	Drawn By YM	Reviewed By KAH	Figure 3D


PRELIMINARY PLAT OF: PHASE 3 AND 4
VALHALLA HEIGHTS ADDITION
PART OF THE SW 1/4 SW 1/4 SECTION 26
AND THE E 1/2 SECTION 27
T14N R18E W.M.
YAKIMA COUNTY, WASHINGTON
CITY OF SELAH
BASIS OF BEARING
5 FT. CONTOUR INTERVALS
SUBDIVISION PROSPECTUS
LEGEND
TRACT 'A'
TRACT 'B'
TRACT 'C'
VALHALLA HEIGHTS ADDITION DESCRIPTION
COUNTY
CITY
PHASE 3
PHASE 4
GOODLANDER ROAD
TRACT A
LANDLINE
Surveyors
SURVEYED FOR:
NCW DEVELOPMENT LLC
6/07/14
1 OF 1
12060

CITY OF SELAH

Public Works Department

222 South Rushmore Road
Selah, Washington 98942

Joseph K. Henne,
Public Works Director
Phone 509 698-7328
Fax 509 698-7338

CITY OF SELAH CITY COUNCIL
NOTICE OF PUBLIC HEARING TO CONSIDER HEARING EXAMINER'S RECOMMENDATION
Valhalla Heights Subdivision Phases 3 & 4 Preliminary Plat

NOTICE IS HEREBY GIVEN that the Selah City Council will conduct a closed record public hearing on Tuesday, January 12, 2016 at 4:00 PM, or as soon thereafter as practical, in the City Council Chambers, City Hall, 115 W. Naches Avenue., Selah, WA to consider the City of Selah Hearing Examiner's recommendation on "Valhalla Heights Subdivision Phases 3 & 4", a preliminary plat application submitted by NCW Development, LLC with 61 lots, 1 lot or tract located outside of the City Limits and 3 non-residential tracts. At the conclusion of the hearing, the City Council will consider the matter and vote on final disposition. The site is located at the west end of W. Goodlander Road.

This is a closed record public hearing; no new testimony or information will be taken.

Application information and maps detailing the proposal are available for public inspection during regular business hours at the City of Selah Planning Department, 222 South Rushmore Road Selah, WA.

Dated this 29th day of December, 2015.

/s/
Thomas R Durant, Community Planner

CITY OF SELAH
AFFIDAVIT OF MAILING

STATE OF WASHINGTON
COUNTY OF YAKIMA

I, Caprise Groo, being first duly sworn on oath dispose and says:

I am an employee of the City of Selah, 222 South Rushmore Road, Selah, Washington; that I did on the 31st day of Dec, 2015 caused to be mailed, 12 envelopes, containing a true and correct copy of a Notice of Public Hearing To consider Hearing Examiners recommendation for Valhalla Heights Subdivision Phases 3 & 4 Preliminary Plat. Said envelopes mailed from Selah, WA. With the correct first class postage and addressed to the primary interested parties

A listing of the interested parties to whom notice has been mailed is contained in file 912.38.14-02.

Caprise Groo

Caprise Groo

STATE OF WASHINGTON
COUNTY OF YAKIMA

On this day personally appeared before me Caprise Groo to me known to be the individual referenced herein and who caused to be mailed the Notice of Public Hearing To consider Hearing Examiners recommendation for Valhalla Heights Subdivision Phases 3 & 4 Preliminary Plat 912.38.14-02.

Given under my hand and official seal this 31st day of December, 2015.

Cynthia L. Graziano

Cynthia L Graziano

Notary Public in and for the State of Washington, residing at Yakima, WA. My term expires 7/14/18.

CYNTHIA L GRAZIANO
NOTARY PUBLIC
STATE OF WASHINGTON
COMMISSION EXPIRES
07-14-18

YAKIMA HERALD REPUBLIC

A daily part of your life yakima-herald.com

-Ad Proof-

This is the proof of your ad scheduled to run on the dates indicated below.
Please confirm placement prior to deadline, by contacting your account rep at (509) 577-7740.

Date:	12/29/15
Account #:	110017
Company Name:	CITY OF SELAH
Contact:	Jan Farley.AP
Address:	115 W NACHES AVENUE SELAH, WA 98942
Telephone:	(509) 698-7327
Fax:	

Ad ID:	610761
Start:	12/31/15
Stop:	12/31/15
Total Cost:	$86.25
# of Inserts:	2
Lines:	52.0
Ad Class:	6021
Ad Class Name:	Public Legal Notices
Account Rep:	Simon Sizer
Phone #	(509) 577-7740
Email:	ssizer@yakimaherald.com

Run Dates:

Yakima Herald-Republic	12/31/15
YakimaHerald.com	12/31/15

Ad Proof

CITY OF SELAH CITY COUNCIL NOTICE OF PUBLIC HEARING TO CONSIDER HEARING EXAMINER'S RECOMMENDATION Valhalla Heights Subdivision Phases 3 & 4 Preliminary Plat

NOTICE IS HEREBY GIVEN that the Selah City Council will conduct a closed record public hearing on Tuesday, January 12, 2016 at 4:00 PM, or as soon thereafter as practical, in the City Council Chambers, City Hall, 115 W. Naches Avenue., Selah, WA to consider the City of Selah Hearing Examiner's recommendation on "Valhalla Heights Subdivision Phases 3 & 4", a preliminary plat application submitted by NCW Development, LLC with 61 lots, 1 lot or tract located outside of the City Limits and 3 non-residential tracts. At the conclusion of the hearing, the City Council will consider the matter and vote on final disposition. The site is located at the west end of W. Goodlander Road.

This is a closed record public hearing; no new testimony or information will be taken.

Application information and maps detailing the proposal are available for public inspection during regular business hours at the City of Selah Planning Department, 222 South Rushmore Road Selah, WA.

Dated this 29th day of December, 2015.

/s/ Thomas R Durant, Community Planner

(610761) December 31, 2015

NCW DEVELOPMENT LLC
P.O. BOX 119
WENATCHEE, WA 98807

Wayne Worby
200 Weems Way
Selah, WA 98942

Younie
1210 McGonagle Rd.
Selah, WA 98942

Laura McDonald
1310 W Goodlander
Selah, WA 98942

Don Harris
1212 McGonagle Rd.
Selah, WA 98942

Gary Bates
1285 S Wenatchee Ave
Wenatchee, WA 98807

Lance Sorensen
330 Marisa Hill Dr.
Selah. WA 98942

Resident
401 Marisa Hill Rd.
Selah, WA 98942

Bill Douglas
148 Selah Heights Rd
Selah, WA 98942

John Broadfoot
332 Marisa Hills Dr.
Selah. WA 98942

Paulson
700 ½ Goodlander Rd
Selah, WA 98942

Jim Kassen
P.O. Box 695
Selah, WA 98942

100

CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY

COUNCIL MEETING **ACTION ITEM**

1/12/2016 **M – 3**

Title: Resolution Authorizing the Mayor to sign Task Order 2016-1 between the City of Selah and Huibregtse, Louman Associates, Inc. for the Goodlander Road Grind & Overlay As-Builts.

Thru: Donald Wayman, City Administrator

From: Joe Henne, Public Works Director

Action Requested: Approval

Board/Commission Recommendation: Not applicable

Fiscal Impact: $6,000.00

Funding Source: Street Fund 111.595.30.63.24

Staff Recommendation:

Staff is requesting the City Council approve Task Order 2016-1 for the Goodlander Road Design Updates.

Background / Findings & Facts:

The City approved the Transportation Improvement Board (TIB) funded 2015 Grind and Overlay on East Goodlander Road.

The City needs to create As-Builts and submit them to WSDOT to complete the right-of-way portion of the Surface Transportation Project (STP). HLA will now provide professional engineering services for the Goodlander Road Design Updates to include:

CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY

1. Perform a topographic survey of the recently completed TIB pavement project improvements, and the new City-installed ecology block wall.

2. Provide City with updated project plans and cost estimate incorporating the new improvements. All work performed is to be completed in 30 days and for the lump sum of $6,000.00

Recommended Motion:

Approve Task Order 2016-1.

CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY

Record of all prior actions taken by the City Council and/or a City Board, City Committee, Planning Commission, or the Hearing Examiner (where applicable)

Date:	Action Taken:
4/14/2015	Resolution Authorizing the Mayor to Award the Construction Contract for the East Goodlander Transportation Improvements Board (TIB) Project.
Click here to enter a date.	Click here to enter text.
Click here to enter a date.	Click here to enter text.
Click here to enter a date.	Click here to enter text.
Click here to enter a date.	Click here to enter text.
Click here to enter a date.	Click here to enter text.

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE MAYOR TO SIGN TASK ORDER 2016-1 BETWEEN THE CITY OF SELAH AND HUIBREGTSE, LOUMAN ASSOCIATES, INC. FOR THE GOODLANDER ROAD DESIGN UPDATES

WHEREAS, the City of Selah desires to upgrade the Goodlander Road Improvements design to include recent roadway improvements between North 1st Street and Wenas Road; and

WHEREAS, the City of Selah currently uses Huibregtse, Louman Associates, Inc. (HLA) for professional civil engineering and consulting work; and

WHEREAS, the City of Selah wishes to engage HLA via task order for Goodlander Road Design Updates; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, the Mayor be authorized to sign Task Order No 2016-1 for Goodlander Road Design Updates.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, this 12th day of January, 2016.

_____
Sherry Raymond, Mayor

ATTEST:

_____
Dale E. Novobielski, Clerk/Treasurer

APPROVED AS TO FORM:

_____
Robert F. Noe, City Attorney

RESOLUTION NO. _____

TASK ORDER NO. 2016-01

REGARDING GENERAL AGREEMENT BETWEEN CITY OF SELAH

AND

HLA ENGINEERING & LAND SURVEYING, INC.

PROJECT DESCRIPTION:

Goodlander Road Design Updates
HLA Project No. 16021E

The City of Selah (CITY) desires to update the Goodlander Road Improvements design plans to include recent roadway improvements between North 1st Street and Wenas Road.

SCOPE OF SERVICES:

At the direction of the CITY, HLA Engineering & Land Surveying, Inc. (HLA) shall provide professional engineering services for the Goodlander Road Design Updates project. HLA services shall include the following:

Goodlander Road Design Updates

A. Perform a topographic survey of the recently completed TIB pavement preservation project improvements, and the new City-installed ecology block wall.

B. Provide City with updated project plans and cost estimate incorporating the new improvements.

TIME OF PERFORMANCE:

Following authorization to proceed, HLA will diligently pursue completion of this project within 30 calendar days.

FEE FOR SERVICE:

For the services furnished by HLA as described under this Agreement, the CITY agrees to pay HLA the fees as set forth herein. The amounts listed below may be revised only by written agreement of both parties.

Goodlander Road Design Updates

All work shall be performed for the lump sum amount of $6,000.00.

Proposed: _____ 12/24/2015

HLA Engineering & Land Surveying, Inc. — Date
Michael T. Battle, PE, Vice President

Approved: _____ _____

City of Selah — Date
Sherry Raymond, Mayor

CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY

COUNCIL MEETING **ACTION ITEM**

1/12/2016 **M – 4**

Title: Resolution authorizing staff to proceed with a proposal from Mountain States Construction for the Replacement of Existing Check and Plug Valves at the Main Waste Water Treatment and Pre-Treatment Pump Stations.

Thru: Donald Wayman, City Administrator

From: Joe Henne, Public Works Director

Action Requested: Approval

Board/Commission Recommendation: Not applicable

Fiscal Impact: $50,000.00

Funding Source: Sewer Fund Reserve 465

Staff Recommendation:

Staff is requesting approval to proceed with a quote from Mountain States Construction Company to replace (4) Check Valves and (8) Plug Valves at the Main Waste Water Treatment and Pre-Treament Pump Stations.

Background / Findings & Facts:

Currently Mountain States Construction Company is performing work as a subcontractor with Ameresco on the City's Energy Efficiency Project. Mountain States has provided the City with a bid (contract) to perform valve replacement and the pump stations.

Important to note that the price is contingent on preforming the work at the same time the contract work for Ameresco is performed which will be a cost

savings of $9,750.00. If the contract is approved staff will request treasurer to make a budget adjustment:

Replacement Cost: $44,800 plus $3,673.60 tax for a total of $48,473.60. Staff is also requesting a contingency of $1,526.40 for a total budge adjustment of $50,000 for the completion of the valve replacement. See the attached proposal from Mountain States Construction that outlines the scope of work.

Recommended Motion:

Authorization to proceed with a proposal from Mountain States Construction for Valve Replacement at the Pre-Treatment and Main Treatment Plants in conjuction with the Energy Efficiency Project with Ameresco.

CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY

Record of all prior actions taken by the City Council and/or a City Board, City Committee, Planning Commission, or the Hearing Examiner (where applicable)

Date:	Action Taken:
4/14/2015	Resolution Authorizing the Mayor to Sign Contract Number 15-93209-067 Between the Department of Commerce and the City of Selah for the Energy Efficiency Project.
Click here to enter a date.	Click here to enter text.
Click here to enter a date.	Click here to enter text.
Click here to enter a date.	Click here to enter text.
Click here to enter a date.	Click here to enter text.
Click here to enter a date.	Click here to enter text.

RESOLUTION NO. _____

RESOLUTION AUTHORIZING TO PROCEED WITH A PROPOSAL FROM MOUNTAIN STATES CONSTRUCTION COMPANY FOR THE REPLACEMENT OF THE EXISTING CHECK AND PLUG VALVES AT THE MAIN WASTE WATER TREATMENT AND PRE-TREATMENT PUMP STATIONS

WHEREAS, the City of Selah desires to replace the existing Check and Plug Valves at the Main Waste Water and Pre-Treatment Pump Station; and

WHEREAS, the City of Selah wishes to accept the quote from Mountain States Construction Company who is currently preforming work at the Treatment Plants as a sub-contractor under Ameresco in conjunction with the City's Energy Efficiency Project and by doing so will be a cost saving of $9,750.00; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, Authorization to Proceed with a Proposal from Mountain States Construction Company for the Replacement of Check and Plug Valves at the Main Waste Water Treatment and Pre-Treatment Pump Stations.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, this 12th day of January, 2016.

_____
Sherry Raymond, Mayor

ATTEST:

_____
Dale E. Novobielski, Clerk/Treasurer

APPROVED AS TO FORM:

_____
Robert F. Noe, City Attorney

RESOLUTION NO. _____

Mountain States Const. Co.

P.O. Box 918, Sunnyside, WA 98944

Tel – 509.837.6822 fax – 509.837.6801

www.mtstates.com

Joe Henne,

Date: 1/4/2015

Thank you for the opportunity to provide the City of Selah with a price to replace the existing Check and Plug Valves in the Main Treatment and Pre-Treatment Pump Stations. Important to note that the price below is contingent on preforming the work at the same time the contract work for Ameresco is performed. In a line item (3) I list the estimated cost savings by completing this work at the same time the Ameresco contract work is completed.

Included in our scope:

1) Replace 4 Each Check Valves:
   - 4 each Check Valves
   - Labor to disassemble old valves and install new valves
   - 6" Dia. 30" Flange x Plain End Spool per each valve
   - 6" RFCA per each valve
   - New Gaskets and Bolts for each new valve and new spool
   - Valve Freight
   - Insurance
   - Overhead and Margin

   Total for 4 each Check Valve.....$16,800.00

2) Replace 8 Each Plug Valves:
   - 8 each Plug Valves
   - Labor to disassemble old valves and install new valves
   - 6" Dia. 24" Flange x Plain End Spool per each valve
   - 6" RFCA per each valve
   - New Gaskets and Bolts for each new valve and new spool
   - Valve Freight
   - Insurance
   - Overhead and Margin

   Total for 8 Plug Valves.....$28,000.00

Total Cost for 4 each Check Valves and 8 each Plug Valves.....$44,800.00

Mountain States Const. Co.
P.O. Box 918, Sunnyside, WA 98944
Tel – 509.837.6822 fax – 509.837.6801
www.mtstates.com

3) Estimated Cost Savings by Completing This Work During the Ameresco Contract Work:
   - Bypass pump rental
   - Electrical to hook up and disconnect bypass pump
   - Extra labor to break down fitting that would already be apart
   - Mobilization and demobilization

   Total Cost Savings would be in addition to the total price above if completed at a later date

   Total Cost Savings.....$9,750.00

Exclusions:
- Washington State Sales Tax
- Any Required Permits
- Removal of Hazardous Waste and/or Asbestos
- Disposal or Trucking of removed equipment (Equipment to remain on site)
- Any components not specifically called out in this proposal

Thank you for the opportunity to price the valve replacement. If you have any questions please give Luke Schilperoort a call at 509-837-6822.

Thank you.

Luke Schilperoort
Mountain States Const. Co.

CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY

COUNCIL MEETING ACTION ITEM

1/12/2016 M – 5

Title: Resolution Authorizing the Mayor to Sign a Professional Service Agreement with the Yakima Valley Sports Commission

Thru: Donald Wayman, City Administrator

From: Charles Brown, Recreation Manager

Action Requested: Approval

Board/Commission Recommendation: Approval

Fiscal Impact: $0.00

Funding Source: N/A

Staff Recommendation:

I recommend that we partner with the Yakima Sports Commission to advertise our event in exchange for the use of our timing equipment at their event.

Background / Findings & Facts:

The Yakima Sports Commission has a well-developed 3-on-3 basketball tournament. The Army Base Race would be part of all of their promotion items, on radio on print and we would be the sponsor of a court in exchange for the use of our timing system at their Pirate Plunder in October. Their event has over 450 teams from across the state as well as beyond the state lines. This is an inexpensive way for us to get some event promotion and recognition.

CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY

Recommended Motion:

I move to approve the partnership with the Yakima Sports Commission for advertising, in exchange for the use of the Parks and Recreation Timing System.

CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY

Record of all prior actions taken by the City Council and/or a City Board, City Committee, Planning Commission, or the Hearing Examiner (where applicable)

Date:	Action Taken:
Click here to enter a date.	Click here to enter text.
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Click here to enter a date.	Click here to enter text.
Click here to enter a date.	Click here to enter text.
Click here to enter a date.	Click here to enter text.
Click here to enter a date.	Click here to enter text.

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A PROFESSIONAL SERVICE AGREEMENT WITH THE YAKIMA VALLEY SPORTS COMMISSION

WHEREAS, The City of Selah referred to as the "City" and the Yakima Valley Sports Commission referred to as the "Commission", wish to enter into a contract to formalize their partnership; and

WHEREAS, the City belives it to be beneficial to trade the use of their timing equipment for advertising services; and

WHEREAS, the City shall provide timing equipment and a staff member to the Commission in return for advertising services at the Hot Shots Tournament described in 2016 Partnership Proposal; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, that the Mayor is authorized to sign a Professional Service Agreement with the Yakima Valley Sports Commission.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON this 12th day of January, 2016.

_____
Sherry Raymond, Mayor

ATTEST:

_____
Dale E. Novobielski, Clerk/Treasurer

APPROVED AS TO FORM:

_____
Robert Noe, City Attorney

RESOLUTION NO. _____

2016 PARTNERSHIP PROPOSAL

Prepared For:

City of Selah will serve as a **Court Partner** for the **2016 Yakima Hot Shots 3-On-3 Basketball Tourney** on August 27-28. Over 480 teams and 1,900 players participated in the 13th Annual Hot Shots 3-On-3 Basketball Tourney in 2015, bringing over 12,000 people to the streets of downtown Yakima.

As a Court Partner, **City of Selah** will receive the following partnership elements:

- Backboard Signage
- Logo Mention on all Court Maps
- Logo Mention on the **City of Selah** Bracket Sheet
- Logo Mention as a Court Partner in the Event Guide
- Two (2) Pirate Plunder Race Entries (can be donated on Partner's behalf)
- One (1) Public Address Announcement per Day
- One (1) Public Address Announcement as a Court Partner per Day

The Yakima Valley Sports Commission will receive the following from **City of Selah**:

- The use of their Chip Timing system, a staff member to run the system, and 200 chip timers for the Pirate Plunder Adventure Race on July 23, 2016.

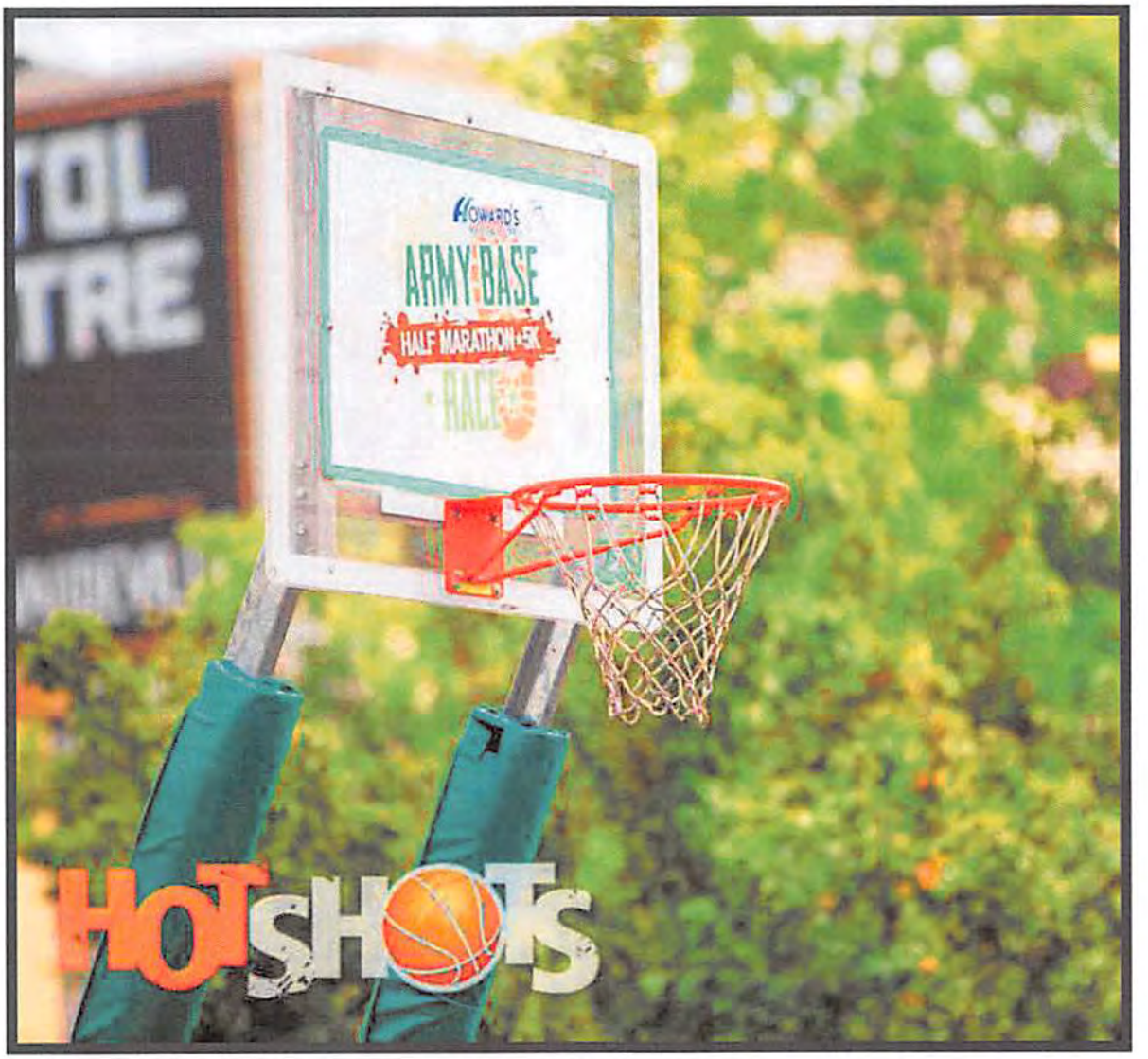
Agreed:

_____ _____

City of Selah Parks and Recreation **Date**
Mayor Sherry Raymond
115 W. Naches Ave #1
Selah, WA 98942
509.698.7300

_____ _____

Yakima Valley Sports Commission **Date**
Rich Austin
10 N 8th Street
Yakima, WA 98901
509-573-3090 Phone
509-575-6252 Fax
rich@yakimasports.org



2015 Hot Shots 3-On-3 Tourney

CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY

COUNCIL MEETING **ACTION ITEM**

1/12/2016 **M – 6**

Title: Resolution Authorizing the Mayor to sign an Interagency Agreement with the Washington State Patrol $11,900 in grant funds for electronic fingerprinting equipment.

Thru: Donald Wayman, City Administrator

From: Andrew Potter, Human Resource Manager

Action Requested: Approval

Board/Commission Recommendation: Not applicable

Fiscal Impact: $1,500

Funding Source: Police Department

Staff Recommendation:

Approve the Agreement

Background / Findings & Facts:

The new equipment with serve a dual purpose. 1. It will speed up the fingerprinting and permiting process for conceal carry permits of which we process more than 100 annually. 2. It will connect us digitally to the federal fingerprint database.

Recommended Motion:

Move to approve the Resolution Authorizing the Mayor to sign an Interagency Agreement with the Washington State Patrol $11,900 in grant funds for electronic fingerprinting equipment.

RESOLUTION NO._____

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN INTERAGENCY AGREEMENT WITH THE WASHINGTON STATE PATROL FOR $11,900 IN GRANT FUNDS FOR ELECTRONIC FINGERPRINTING EQUIPMENT

WHEREAS, Washington State Patrol has awarded the City of Selah a grant of $11,900, requiring a ten percent match, through the National Criminal History Improvement Program (NCHIP) for electronic fingerprinting equipment;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, that the Mayor be authorized to sign an Interagency Agreement with the Washington State Patrol for grant funds not to exceed $11,900 to purchase electronic fingerprinting equipment per the requirements of NCHIP. A copy of said requirements is attached.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, this 12th day of January, 2016.

_____
Sherry Raymond, Mayor

ATTEST:

_____
Dale Novobielski, Clerk/ Treasurer

APPROVED AS TO FORM:

_____
Robert F. Noe, City Attorney

RESOLUTION NO. _____

WASHINGTON STATE PATROL INTERAGENCY AGREEMENT National Criminal History Improvement Program (NCHIP) Grant Fiscal Year 2015	WSP Contract No. K11485 Other Contract No.

This Agreement is between the State of Washington, Washington State Patrol and the Public Agency identified below, and is issued pursuant to the Interlocal Cooperation Act, chapter 39.34 RCW.

PUBLIC AGENCY NAME	Statewide Vendor Registration Number
City of Selah Police Department	SWV007717-00

Public Agency Location Address	Public Agency Mailing Address (if different from location address)
617 South 1st Street, Selah, WA 98942	
Public Agency Contact Name Chief Richard Hayes	Public Agency Data Universal Numbering System (DUNS) unique identifier 60-670-14722
Public Agency Contact Telephone (509) 698-7353	Public Agency Contact E-mail Address rhayes@ci.selah.wa.us

WSP Contact Information

WSP Project Manager Name and Title	WSP Project Manager Address
Ms. Deborah Collinsworth	WSP Criminal Records Division 3000 Pacific Avenue, SE Ste 204 Olympia, WA 98504-2633

Telephone	Fax	E-mail Address
(360) 534-2102	(360) 534-2070	Deborah.Collinsworth@wsp.wa.gov

WSP Administrative Contact Name and Title	WSP Administrative Contact Address
Mr. Simon Tee Grants and Contracts Manager	WSP Budget and Fiscal Services PO Box 42602, Olympia WA 98504-2602

Telephone	Fax	E-mail Address
(360) 596-4052	(360) 596-4078	Simon.Tee@wsp.wa.gov

Federal Assistance Information

Is the Public Agency a subrecipient of federal assistance for the purposes of this agreement? ☒ Yes ☐ No	CFDA Number(s) 16.554
Federal Grant Award Name National Criminal History Improvement Program (NCHIP) Grant	Federal Grant Award Number 2015-RU-BX-K014
Is this agreement funded by a federal award for research and development? ☐ Yes ☒ No	Federal Award Year 2015

Agreement Start Date	Agreement End Date	Maximum Agreement Amount
October 1, 2015	September 30, 2016	$ 13,400 (Includes 10% Match)

This Agreement, including the attached Terms and Conditions and any other documents incorporated by reference, contains all of the terms and conditions agreed upon by the parties. No other understandings or representations, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or bind the parties. The parties signing below warrant that they have read and understand this Agreement and have the authority to enter into this Agreement.

FOR THE WASHINGTON STATE PATROL:	FOR THE PUBLIC AGENCY:
WSP Signature Date	Public Agency Signature Date
Printed Name and Title John R. Batiste, Chief	Printed Name and Title

APPROVED AS TO FORM BY THE OFFICE OF THE ATTORNEY GENERAL 12/9/10

1. **Definitions.**

"Agreement" means this Interagency Agreement, including all documents attached or incorporated by reference.

"Equipment" means an article of nonexpendable, tangible personal property having a useful life of more than one year and an acquisition cost which equals the lesser of (a) the capitalization level established by the governmental unit for financial statement purposes, or (b) $5,000.

"NIJ" means the National Institute of Justice of the U.S. Department of Justice, the grantor of National Criminal History Improvement Program (NCHIP) Grant funds.

"Public Agency" means the entity performing services to this Agreement and includes the Public Agency's officers, directors, trustees, employees and/or agents unless otherwise stated in this Agreement. For the purposes of this agreement, the Public Agency shall not be considered an employee or agent of WSP.

"WSP" means the State of Washington, Washington State Patrol, and its officers, directors, trustees, employees and/or agents.

2. **Statement of Work.** The Public Agency shall perform the services as set forth in Exhibit A, Statement of Work, which is attached hereto and incorporated herein.

3. **Special Terms and Conditions.** In addition to the terms contained in this Agreement, the Public Agency shall comply with the terms and conditions contained in Exhibit B, Special Terms and Conditions, which is attached hereto and incorporated herein.

4. **Payment.** WSP shall pay the Public Agency an amount not to exceed the Maximum Agreement Amount specified on Page 1 of this Agreement, minus any matching requirements held by the Public Agency as specified in this Agreement.

5. **Billing Procedure.** WSP shall reimburse the Public Agency according to Exhibit A, Statement of Work, for work performed to the satisfaction of the WSP Project Manager. Compensation for services rendered shall be payable upon receipt of properly completed invoices, which shall be submitted not more often than monthly to the WSP Project Manager. The invoices shall describe and document to WSP's satisfaction a description of the work performed, activities accomplished, the progress of the project, and fees and expenses. ***Each invoice must show match amount as well as amount requested for reimbursement.*** All invoices submitted for payment by the Public Agency shall reference WSP's agreement number. The Public Agency shall submit the final invoice not later than forty-five (45) calendar days from the Agreement End Date.

6. **Agreement Alterations and Amendments.** WSP and the Public Agency may mutually amend this Agreement. Such amendments shall not be binding unless they are in writing and signed by personnel authorized to bind WSP and the Public Agency.

7. **Assignment.** The work to be provided under this Agreement, and any claim arising thereunder, is not assignable or delegable by either party in whole or in part, without the express written consent of the other party.

8. **Certification regarding Debarment, Suspension or Ineligibility**. If federal funds are the basis for this Agreement, the Public Agency certifies that neither the Public Agency nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in this Agreement by any federal department or agency. If requested by WSP, the Public Agency shall complete and sign a Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion form. Any such form completed by the Public Agency for this Agreement shall be incorporated into this Agreement by reference. Further, the

Public Agency agrees not to enter into any arrangements or contracts related to this Agreement with any party that is on the "General Service Administration List of Parties Excluded from Federal Procurement or Non-procurement Programs" which can be found at www.sam.gov.

9. **Compliance with Civil Rights Laws.** During the period of performance for this Agreement, both parties shall comply with all federal and state nondiscrimination laws.

10. **Disputes.** In the event that a dispute arises under this Agreement, it shall be determined by a Dispute Board in the following manner: The Chief of WSP shall appoint a member to the Dispute Board. The Public Agency shall appoint a member to the Dispute Board. The Chief of WSP and the Public Agency shall jointly appoint a member to the Dispute Board. The Dispute Board shall evaluate the dispute and make a determination of the dispute. The determination of the Dispute Board shall be final and binding to all parties to this Agreement.

11. **Federal Funding Accountability and Transparency Act.** In order to comply with the Federal Funding Accountability and Transparency Act, the Public Agency shall provide to WSP the following information:

    a. The Public Agency's Data Universal Numbering System (DUNS) unique identifier;

    b. The names and total compensation of the five most highly compensated officers of the Public Agency if the Public Agency in the preceding fiscal year received (i) 80 percent or more of its annual gross revenues in Federal awards; and (ii) $25,000,000 or more in annual gross revenues from Federal awards; and (iii) the public does not have access to information about the compensation of the senior executives of the entity through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986; and

    c. Other relevant information specified by the U.S. Office of Management and Budget in subsequent guidance or regulation.

12. **Indemnification.** The Public Agency shall be responsible for and shall indemnify and hold WSP harmless for all claims resulting from the acts or omissions of the Public Agency and its subcontractors. WSP shall be responsible for and shall indemnify and hold the Public Agency harmless for all claims resulting from the acts or omissions of WSP and its subcontractors.

13. **Independent Capacity.** The employees or agents of each party who are engaged in the performance of this Agreement shall continue to be employees or agents of that party and shall not be considered for any purpose to be employees or agents of the other party.

14. **Inspection; Maintenance of Records.** During the term of this Agreement and for one year following termination or expiration of this Agreement, the Public Agency shall give reasonable access to the Public Agency's place of business and records to WSP and any other employee or agent of the State of Washington or the United States of America for the purpose of inspecting the Public Agency's place of business and its records, and monitoring, auditing and evaluating the Public Agency's performance and compliance with applicable laws, regulations, rules and this Agreement.

    During the term of this Agreement and for six years following termination or expiration of this Agreement, the Public Agency shall maintain records sufficient to document (i) performance of all acts required by statute, regulation, rule, or this Agreement; (ii) substantiate the Public Agency's statement of its organization's structure, tax status, capabilities and performance; and (iii) demonstrate accounting procedures, practices and records which sufficiently and properly document the Public Agency's invoices to WSP and all expenditures made by the Public Agency to perform as required by this Agreement.

15. **Order of Precedence.** In the event of any inconsistency in the terms of this Agreement, or between its terms and any applicable statute or rule the inconsistency shall be resolved by giving precedence in the following order to:

Applicable federal and state law, regulations and rules;
This Agreement;
Exhibit A, Statement of Work;
Exhibit B, Special Terms and Conditions
Any other provision of this Agreement; and
Any document incorporated by reference.

16. **Personnel.** WSP officers performing work under the terms of this Agreement shall be under the direct command and control of the Chief of WSP or designee, and shall perform duties required under this Agreement in a manner consistent with WSP policy and regulations, and applicable federal, state and local laws. The assignment of WSP personnel under this Agreement shall be at the discretion of the Chief of WSP or designee.

17. **Savings.** In the event that funds WSP relied upon to establish this Agreement are withdrawn, reduced or limited, or if additional or modified conditions are placed on such funding, WSP may immediately terminate this Agreement by providing written notice to the Public Agency. This termination shall be effective on the date specified in the notice of termination.

18. **Severability.** If any provision of this Agreement or any provision of any document incorporated by reference shall be held invalid, such invalidity shall not affect the other provisions of this Agreement which can be given effect without the invalid provision, if such remainder conforms to the requirements of applicable law and the fundamental purpose of this Agreement, and to this end the provisions of this Agreement are declared to be severable.

19. **Single Audit Act Compliance.** If the Public Agency is a subrecipient and expends $750,000 or more in federal awards from any and/or all sources in any fiscal year, the Public Agency shall procure and pay for a single audit or a program-specific audit for that fiscal year. Upon completion of each audit, the Public Agency shall:

(1) Submit to the WSP contact person the data collection form and reporting package specified in 2 CFR Part 200, Subpart F, reports required by the program-specific audit guide (if applicable), and a copy of any management letters issued by the auditor;

(2) Follow-up and develop corrective action for all audit findings; in accordance with 2 CFR Part 200, Subpart F; prepare a "Summary Schedule of Prior Audit Findings" reporting the status of all audit findings included in the prior audit's schedule of findings and questioned costs..

20. **Statewide Payee Registration.** The Public Agency is required to be registered as a Statewide Payee prior to submitting a request for payment under this Agreement. The Washington State Department of Enterprise Services (DES) maintains the Statewide Payee Registration System; to obtain registration materials go to:
http://www.des.wa.gov/services/ContractingPurchasing/Business/VendorPay/Pages/default.aspx.

21. **Subcontracting.** Except as otherwise provided in this Agreement, the Public Agency may subcontract for any of the services provided under this Agreement with the prior, written approval of WSP. The Public Agency shall be responsible for the acts and omissions of any subcontractor.

22. **Termination.** Except as otherwise provided in this Agreement, either party may terminate this Agreement upon thirty (30) calendar days written notification. If this Agreement is so terminated, the terminating party shall be liable only for performance in accordance with the terms of this Agreement for performance rendered prior to the effective date of termination

23. **Waiver.** A failure by either party to exercise its rights under this Agreement shall not preclude that party from subsequent exercise of such rights and shall not constitute a waiver of any other rights under this Agreement unless stated to be such in writing and signed by an authorized representative of the party and attached to the original Agreement.

Exhibit A

STATEMENT OF WORK

1. **Introduction.** The purpose of this Agreement is to provide National Criminal History Improvement Program (NCHIP) grant funds for Fiscal Year 2015 to the Public Agency in order to increase the number of fingerprint submissions sent to and received by the state repository.

2. **Scope of Work.** The Public Agency shall purchase and install one Livescan device along with associated equipment and other costs as described in the Project Budget section. The new equipment and associated software will increase the number of fingerprints submitted to the state repository.

3. **Project Budget.** WSP shall reimburse the Public Agency according to the following budget:

CATEGORY	ITEM		COST
Equipment	CMT Guardian LSMA		$ 5,505.00
	CMT FBI Printer		$ 1,400.00
	CMT Guardian LSMA w/ DTcomputer		$ 1,245.00
	CMT 17in Monitor		$ 255.00
Other	shipping		$ 50.00
	CMT WA eSubmission		$ 1,350.00
	CMT Enhanced Warranty		$ 1,345.00
	CMT onsite install & training		$ 2,250.00
Total Cost		**Total Cost**	$ 13,400.00
		Federal	$ 11,900.00
		10 Percent Match	$ 1,500.00

Expenditures may only occur within the categories listed above. However, changes of up to 10% can be made without prior approval from WSP. Changes that exceed 10% will require the Public Agency to submit a budget change request to WSP for approval.

4. **Equipment Management.**

   a. Title to Equipment. Upon successful completion of the terms of this Agreement, all equipment purchased by the Public Agency with Agreement funds will be owned by the Public Agency, or a recognized subrecipient for which a contract, subgrant agreement, or other means of legal transfer or ownership is in place.

   b. Use of Equipment. The Public Agency, or a recognized subrecipient, shall be responsible for any and all operation, maintenance, replacement, and for the safe operation of the equipment, including all questions of liability.

   c. Equipment Records. The Public Agency shall maintain Equipment records that include: a description of the Equipment; the manufacturer's serial number, model number, or other identification number; the source of the Equipment, including the Catalog of Federal Domestic Assistance (CFDA) number; who holds title; the acquisition date; the cost of the Equipment and the percentage of federal participation in the cost; the location, use and condition of the Equipment at the date the information was reported; and disposition data including the date of disposal and sale price of the Equipment. Equipment records shall be retained by the Public Agency for a period of six (6) years from the date of the disposition, replacement or transfer. If any litigation, claim, or audit is started before the expiration of the six year period, the records shall be retained by the Public Agency until all litigations, claims, or audit findings involving the records have been resolved.

d. Inventories. The Public Agency shall take a physical inventory of the Equipment and reconcile the results with the property records at least once every two years. Any differences between quantities determined by the physical inspection and those shown in the records shall be investigated by the Public Agency to determine the cause of the difference. The Public Agency shall, in connection with the inventory, verify the existence, current utilization, and continued need for the Equipment. The Public Agency shall develop a control system to ensure adequate safeguards to prevent loss, damage, and theft of the property. Any loss, damage or theft shall be investigated and a report generated. The Public Agency will develop adequate maintenance procedures to keep the property in good condition.

e. Disposition of Equipment. If the Public Agency is authorized or required to sell the property, proper sales procedures must be established to ensure the highest possible return. When original or replacement equipment is no longer needed for the original project or program or for other activities currently or previously supported by a federal agency, disposition of the equipment will be made as follows:

- Items of equipment with a current per-unit fair market value of less than $5,000 may be retained, sold or otherwise disposed of by the Public Agency with no further obligation to the awarding agency.

- Items of equipment with a current per-unit fair market value of more than $5,000 may be retained or sold and the Public Agency shall compensate the U.S. Department of Justice for its share.

5. Progress Reports.

a. Semi-Annual Reports. The Public Agency shall submit to the WSP Project Manager semi-annual progress reports within 20 calendar days after the end of the reporting periods, which are June 30 and December 31, for the life of this Agreement.

b. Final Report. The Public Agency shall submit a final report to the WSP Project Manager at the end of this Agreement documenting all relevant project activities during the entire period of support under this Agreement. This report will include a summary and assessment of the program carried out with this Agreement. The final report is due no later than 30 days following the close of the Agreement.

Exhibit B

SPECIAL TERMS AND CONDITIONS

1. **Financial Guide.** The Public Agency agrees to comply with the financial and administrative requirements set forth in the current edition of the Office of Justice Programs (OJP) Financial Guide.

2. **Equal Employment Opportunity Plan.** The Public Agency acknowledges that failure to submit an acceptable Equal Employment Opportunity Plan (if Public Agency is required to submit one pursuant to 28 C.F.R. Section 42.302) that is approved by the Office for Civil Rights, U.S. Department of Justice, may result in suspension or termination of funding, until such time as the Public Agency is in compliance.

3. **Lobbying.** The Public Agency understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government.

4. **Federal False Claims Act.** The Public Agency must promptly notify WSP of any credible evidence that a principal, employee, agent, contractor, subgrantee, subcontractor, or other person has either 1) submitted a false claim for Agreement funds under the False Claims Act; or 2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving Agreement funds.

5. **Performance Measures.** The Public Agency agrees to provide performance related data, as outlined in the program announcement to be used to measure the results of the project.

6. **Withholding Funds.** The Public Agency understands and agrees that funds may be withheld (including funds under future awards), or other related requirements may be imposed, if the required information is not submitted on a timely basis.

7. **Consultant Rates.** Approval of this Agreement does not indicate approval of any consultant rate in excess of $650 per day. A detailed justification must be submitted to and approved by WSP prior to obligation or expenditure of such funds.

8. **Environmental Laws and Regulations.** The Public Agency agrees to comply with all federal, state, and local environmental laws and regulations applicable to the development and implementation of the activities to be funded under this Agreement.

9. **Text Messaging While Driving.** Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), NIJ encourages recipients and sub recipients of Agreement funds to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this Agreement, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

10. **SUBRECIPIENTS.**

    A. General. If the Public Agency is a subrecipient of federal awards as defined by 2 CFR Part 200 and this Agreement, the Public Agency shall:

    (1) Maintain records that identify, in its accounts, all federal awards received and expended and the federal programs under which they were received, by Catalog of Federal. Domestic Assistance (CFDA) title and number, award number and year, name of the federal agency, and name of the pass-through entity;

(2) Maintain internal controls that provide reasonable assurance that the Public Agency is managing federal awards in compliance with laws, regulations, and provisions of contracts or grant agreements that could have a material effect on each of its federal programs;

(3) Prepare appropriate financial statements, including a schedule of expenditures of federal awards;

(4) Incorporate 2 CFR Part 200, Subpart F audit requirements into all agreements between the Public Agency and its Subcontractors who are subrecipients;

(5) Comply with the applicable requirements of 2 CFR Part 200, including any future amendments to 2 CFR Part 200, and any successor or replacement Office of Management and Budget (OMB) Circular or regulation; and

(6) Comply with the Omnibus Crime Control and Safe streets Act of 1968, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, Title IX of the Education Amendments of 1972, The Age DiscriminationAct of 1975, and The Department of Justice Non-Discrimination Regulations, 28 C.F.R. Part 42, Subparts C.D.E. and G, and 28 C.F.R. Part 35 and 39. (Go to www.ojp.usdoj.gov/ocr/ for additional information and access to the aforementioned Federal laws and regulations.)

B. Overpayments. If it is determined by WSP, or during the course of a required audit, that the Public Agency has been paid unallowable costs under this or any Program Agreement, WSP may require the Public Agency to reimburse WSP in accordance with 2 CFR Part 200.

CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY

COUNCIL MEETING **ACTION ITEM**

1/12/2016 **N – 1**

Title: Ordinance Amending the 2016 Budget for Recreation Department Overtime Pay

Thru: Donald Wayman, City Administrator

From: Charles Brown, Recreation Manager

Action Requested: Approval

Board/Commission Recommendation: Not applicable

Fiscal Impact: $1516.00

Funding Source: Fund 001

Staff Recommendation:

I recommend we adjust the recreation department's overtime budget to allow for proper office coverage as well as supervision at events.

Background / Findings & Facts:

Our overtime budget is $250 for the year, but we have lost a member of the staff who would normally cover the office when the recreation coordinator has the day off or when he has flexed hours for trainings or games.

Recommended Motion:

Move to approve the Budget Adjustment for the Recreation Department.

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE 2016 BUDGET FOR RECREATION DEPARTMENT OVERTIME PAY

WHEREAS, the City desires to approve an adjustments to the 2016 Budget for Recreation department overtime pay;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, does ordain as follows: that the Clerk-Treasurer be authorized to amend the 2016 Budget as follows:

001 General

Recreation Services		
001.000.071.571.20.12.00	Overtime Pay	1,268
001.000.071.571.20.21.00	Personnel Benefits	248
Non-Departmental		
001.000.098.308.80.00.00	New Ending Unreserved Fund Balance	407,482

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON this 12th day of January 2016.

_____
Sherry Raymond, Mayor

ATTEST:

_____
Dale E. Novobielski, Clerk-Treasurer

APPROVED AS TO FORM:

_____
Robert Noe, City Attorney

ORDINANCE NO. _____

CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY

COUNCIL MEETING **INFORMATIONAL ITEM**

1/12/2016 **P – 4A**

Title: Planning Commission Minutes for November 17, 2015

Thru: Donald Wayman, City Administrator

From: Caprise Groo, Department Assistant

Action Requested: Informational - No action

Board/Commission Recommendation: Not applicable

Fiscal Impact: N/A

Funding Source: N/A

Staff Recommendation:

Information Only

Background / Findings & Facts:

Information Only

Recommended Motion:

Information Only

City of Selah
Planning Commission Minutes
Of
November 17, 2015

Selah Council Chambers
115 W. Naches Ave.
Selah, Washington 98942

A. Call to Order – Vice Chairman Smith called the meeting to order at 5:31 pm.

B. Roll Call

Members Present: Commissioners Smith, Pendleton and Miller.
Members Absent: Commissioner Quinnell and Commissioner Torkelson.
Staff Present: Tom Durant, Consultant, Caprise Groo, Secretary.
Guest Shaw Conrad Senior Planner, Yakima Valley Conference of Governments.

C. Agenda Changes
None

D. Communications
1. Oral-

Mr. Wayne Worby approached the podium. He stated his address as 200 Weems Way, Selah WA. He stated that a year ago he had a proposal for impact fees for school construction. He stated that he was bringing it forth again and asked what information he would need.

Vice Chairman Smith suggested that Mr. Worby speak with Shane at the school district.

Discussion ensued about time limits, uses and demographics.

Conclusion: the Commission would be willing to look at information concerning time limits, uses and demographics.

Vice Chairman Smith asked if anyone else would like to speak.

Ms. Shirley Johnson Hoy approached the podium. She stated that her address was 3 N 10th St, Selah, WA. She asked if there was any way that the ADA section could be put back into 10.24.

Vice Chairman Smith explained that with her experience at New Vision that it was unrealistic to require developers to abide by the ADA requirements for private homes. She stated that the market would drive that but for a small community to require that of a development.

Commissioner Miller stated that they were talking about spec houses spec house. He stated that if someone wanted to contract a house with those requirements they are able to do so.

Vice Chairman Smith stated she did not know of any municipality that required that.

Commissioner Miller stated that he didn't think it could be required.

Ms. Johnson Hoy stated that she worked for the department of mentally disable and that was where her heart was.

Discussion: ADA and housing demand.

Conclusion: There is demand.

Mr. Worby approached the podium. He asked it Mr. Durant had seen required ADA Housing.

Durant has not seen in land use.

Discussion: ADA requirements for public housing.

Conclusion: Possible incentives for public housing developments.

Vice Chairman Smith asked if anyone else would like to comment.

2. Written - None

E. Approval of Minutes
1. November 3, 2015

Commissioner Miller motioned to approve the minutes.

Commissioner Pendleton seconded the motion.

Vice Chairman Smith asked for a voice vote and the minutes were approved with a vote of 3-0.

F. Public Hearings

1. Old Business –None
2 New Business-None

G. General Business
1. Old Business – None
2. New Business- Urban Growth Area Comprehensive Plan Update: Chapter 1 Plan Administration, Chapter 6 Natural Environment

Mr. Durant stated that what they had was the first two chapters that were being updated. He stated that they had Chapter 1 Plan Administration, Chapter 6 Natural Environment that would be presented by Shaw Conrad Senior Planner, Yakima Valley Conference of Governments. He also stated that the City Council had adopted a public participation plan and how that worked. He told the audience that if they were interested leave their emails and he would send those notices for the amendments. He explained that this was a study session for Chapter 1 and Chapter 6. He stated that there would be a Public Hearing on the whole document.

Discussion ensued on ways to notify the public of what was happening with the amendments.

Conclusion: newspaper adds, email, and direct notice to key organizations.

Shawn Conrad, Senior Community Planner, Yakima Valley Conference of Governments stated she had been with YCOG for 6 1/2yrs and this was the first time working with the Selah Planning Commission. . She stated that she wanted to go over the Growth Management Act process and what was required to be updated. (Handout 1) attached. She went over the handout. She explained that she was contracted to help with the updates and there were limited meetings. She stated the target to finish was the fall of 2016. She went on to explain how she would proceed.

Commissioner Miller asked if the Commissioner could give feedback at the meetings.

Ms. Conrad answered yes. She stated the procedure she needed to follow.

Commissioner Miller commented on when it needed to be submitted to commerce.

Mr. Durant stated that Ms. Conrad would present it the first time and then the Planning Commission would go over it.

Ms. Conrad agreed. She moved on to reading the Staff Report. (Attached) She then moved on to the Draft of Chapter One. (Attached)

Commissioner Miller asked if a property could be annexed if it was not in the Urban Growth Area. (Page 5, Planning Area, Chapter 1)

Ms. Conrad answered no.

Mr. Durant explained the process that the County used to determine the Urban Grown Area.

Commissioner Miller questioned if the infrastructure needed to be in place

Mr. Durant replied that a plan at least needed to be in place.

Discussion ensued about projected population and how it is calculated and by whom.

Ms. Conrad proceeded to the next section Comprehensive Plan Amendments on page 6 of Chapter 1.

Discussion ensued about dates of annual amendments.

Ms. Conrad moved on with the rest of the document. She asked if anyone had questions.

Mr. Durant referred to Mr. Worby.

Mr. Worby referred to the GMA and asked if the county was trying to reduce the area.

Mr. Durant stated that the cities had to prove they needed the land.

Discussion: Urban Growth Area and how it works.

Ms. Conrad moved on to the next Chapter 6 Natural Environment Element. She stated that the maps were based on the best available science. Enlarged Maps attached.

Heater interruption.

Ms. Conrad continued on to the Soil Classification.

Mr. Durant pointed out that the green line on the maps was the Urban Growth Area.

Ms. Conrad moved back and forth thru the document. She used the maps to coordinate with the chapter categories. She stated that the maps were a guide.

Mr. Durant stated that he wanted to check the Zone "A" flood areas.

Ms. Conrad continued with the chapter at the water recharge section and continued thru Geological Hazards.

Mr. Durant asked about Mineral resource areas listed in Yakima County and stated he would like to recheck that.

Ms. Conrad agreed and moved on to the Fish and Wildlife Section. She stated that she was trying to get more information on sensitive habitats. She continued on.

Mr. Durant pointed out the priority habitat on the south slope of the hill.

Ms. Conrad stated she would check that out. She then moved on to the Agricultural Land Use map and Page 13 of

chapter 6. She then moved on.

Discussion ensued about the Agricultural section.

Ms. Conrad stated that this was a lot of information.

Mr. Durant directed everyone's attention to the proposed goals and policies and suggested everyone review the chapters and the policies and make note of anything that jumped out at them. He made suggestions about Ag land.

Discussion ensued about Ag policy.

Vice Chairman Smith asked Mr. Durant about the next meeting.

Discussion: Meetings.

H. Reports/Announcements

1. Chairman-None
2. Commissioners- None
3. Staff-None

. Adjournment

Commissioner Miller motioned to adjourn the meeting, Commissioner Pendleton seconded the motion. Vice Chairman Smith adjourned the meeting at 6:54 pm with a voice vote of 3-0.

Chairman

GMA Periodic Update Endgame

What's required?

- Review and Update:
  1. Comprehensive Plan
  2. Development Regulations, *including*
  3. Critical Areas Ordinance
- Public Process
- Council adoption with findings by **June 30, 2017**
- Submittal to Commerce within 10 days
- *Even if no changes, must still review, document, and submit*

ho 1

Required Comp Plan Elements

Opening of the Naches-Tieton Road Improvement Project, Yakima County

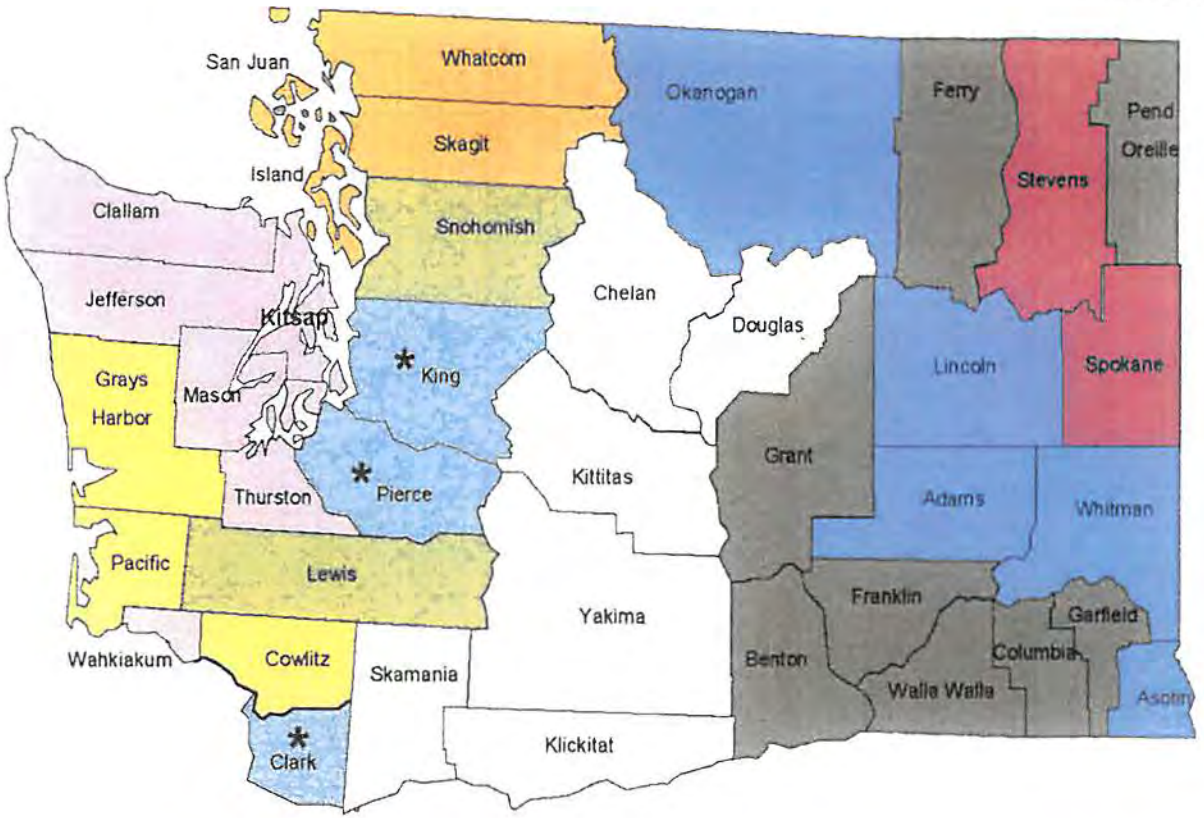
- **Land Use**
- **Transportation**
- **Housing**
- **Utilities**
- **Capital Facilities**
- **Rural** (counties only)
- Requirements for each element at RCW 36.70A.070 Comprehensive plans — Mandatory elements.

Department of Commerce

Innovation is in our nature.

Growth Management Services
Technical Assistance Regions
www.commerce.wa.gov/growth

January 2015



* *Counties with stars contain multiple staff assignments.*

See page 2 for a complete list for King, Pierce, and Clark counties GMS staff assignments.

Anthony Boscolo * 360.725.3062	**Dave Andersen** 509.434.4491	**Scott Kuhta** 509.795.6884	**Dee Caputo** 509.389.1291	**William Simpson** 509.280.3602
Matt Ojennus * 360.725.4047	**Paul Johnson** 360.725.3048	**Joyce Phillips** * 360.725.3045	**Anne Fritzel** * 360.725.3064	**Ike Nwankwo** * 360.725.3056

STAFF REPORT

TO: Planning Commission, City of Selah

FROM: Shawn Conrad, Senior Planner, Yakima Valley Conference of Governments

DATE: November 17, 2015

SUBJECT: Comprehensive Plan Update: draft Summary and Plan Administration Chapter, and draft Natural Environment Element

ACTION REQUESTED: None; review and discussion only.

Background

The Growth Management Act (GMA) requires fully planning jurisdictions to review and update their comprehensive plans, development regulations, and critical areas ordinance, every eight years as established by RCW 36.70A.130(5)(c). Selah's next GMA periodic update is due June 30, 2017. After this date, without a completed update, Selah will be unable to access Washington State road and water/wastewater infrastructure grants and loans.

To start this GMA periodic update process, staff is reviewing and updating the current Selah Comprehensive Plan. Once the Comprehensive Plan review is completed, staff will begin review of the development regulations and the critical areas ordinance for updates. Once those reviews are completed, staff will request a recommendation from Planning Commission to City Council on all of the elements of the GMA periodic update, combined.

The updated Comprehensive Plan will consist of seven chapters:

- Summary and Plan Administration
- Community Goals, Objectives & Policies
- Land Use Element
- Housing Element
- Natural Environment Element
- Transportation Element
- Capital Facilities and Utilities Element

Staff is beginning this process with review of the draft Summary and Plan Administration and Natural Environment Element chapters. City Council adopted a Public Participation Plan for the GMA update process on October 13, 2015.

Summary and Plan Administration Chapter

The Summary and Plan Administration chapter addresses the purpose of the Comprehensive Plan, the planning process, the County-wide Planning Policy, public involvement, amendment processes, and maintaining consistency with development regulations, in accordance with the requirements of the Washington State Growth Management Act, including RCW 36.70A.106, 36.70A.120, 36.70A.130 and 36.70A.140.

Proposed updates to the current chapter include adding a process for Comprehensive Plan amendments, including timing, procedures, and public participation; consistency with other City fiscal and regulatory processes and State review of amendments; and criteria for approval of Future Land Use Map amendments.

Natural Environment Element

The Natural Environment Element describes the natural physical and biological environment in terms of the opportunities and limitations it presents for growth and development. It incorporates those aspects of the Growth Management Act relating to the natural environment, identifies the area's resource lands and critical areas, and explains how they will be protected. The Natural Environment Element includes an inventory of the natural environment to use in designations of critical areas required by the GMA and included in the City's Critical Areas Ordinance (CAO).

RCW 36.70A.070 outlines the required components of the Comprehensive Plan which have been included in the Natural Environment Element, including:

- Critical areas, including the following: (a) Wetlands; (b) areas with a critical recharging effect on aquifers used for potable water; (c) fish and wildlife habitat conservation areas; (d) frequently flooded areas; and (e) geologically hazardous areas.
- Agricultural lands that are not already characterized by urban growth and that have long-term significance for the commercial production of food or other agricultural products;
- Forest lands that are not already characterized by urban growth and that have long-term significance for the commercial production of timber;
- Mineral resource lands that are not already characterized by urban growth and that have long-term significance for the extraction of minerals; and
- Inventory based on best available science, to protect the functions and values of critical areas.

The Natural Environment Element describes the natural, physical and biological environment in terms of the opportunities and limitations it presents for growth and development. Existing as well as proposed goals and policies are included for discussion.

Critical areas identified within the Selah Urban Growth Area (UGA) through the Natural Environment Element inventory include wetlands, critical aquifer recharge areas, fish and wildlife conservation areas, frequently flooded areas, and geologically hazardous areas. These critical areas are currently protected by the Selah Critical Areas Ordinance, SMC 11.50. No agricultural lands, forest lands, or mineral resources lands are identified that require protection.

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CHAPTER ONE

Summary and Plan Administration

PURPOSE OF THE COMPREHENSIVE PLAN

The Selah Urban Growth Area (UGA) is composed of the area within the current incorporated city and potential future growth area for the City of Selah. This area contains a variety of physical, environmental and economic elements. The Selah Urban Growth Area Comprehensive Plan (Plan) identifies many of these elements and their relationship to the overall UGA. The Plan begins by reviewing existing conditions and continues by attempting to forecast anticipated changes within the Selah UGA. Understanding these changes and their impacts establishes a framework within which to coordinate these changes in the best interests of the residents within the Selah UGA.

The Plan, then, is a guidebook to aid the City of Selah and Yakima County in reviewing or initiating change. It attempts to give an overall perspective of the Selah UGA. It establishes the necessary principals, criteria, and policies with which to make logical land use decisions. It is important to emphasize that the Plan is not an end but a means. It is a reference document of facts, relationships, projections and attitudes to help in the decision-making process. The Plan is not a dictation of what must be or an answer book for complicated questions. It is merely a manual and information source to help the City of Selah and Yakima County derive its own answers.

To this purpose, the Plan establishes a process through which the Selah UGA can grow in a coordinated manner. The Plan allows for an understanding of existing conditions and accepted planning principals. It then provides for an evaluation of these conditions and principals with respect to the attitudes of the community (in terms of local goals, objectives and policies). Support facilities and limits to providing these facilities are then explored. Local attitudes, existing conditions and the configuration of future services are incorporated into the elements of the Plan.

When changes to the existing environment are proposed, it should be carried through this review process:

- What is the relationship of this change to existing conditions?
- Would the change conform to established principals or current community policies?
- Is the change in general agreement with the growth objectives as graphically represented on the Future Land Use Map?
- What will be the implications of the change on the transportation system, support facilities, and the natural environment?

With the aid of the Plan, the City of Selah and Yakima County Planning Commissions, the Selah City Council and the Board of Yakima County Commissioners will either approve, approve with modifications, or deny adoption of these incremental changes. Individual decisions may result in new conditions or changes in objectives or policies. The Plan must be amended to reflect these changes so that a current document will again be available for the evaluation of future change. Step by step, then, the

Selah UGA can continue to develop, addressing both the problems of today and opportunities of tomorrow.

PLANNING PROCESS

In 1990, the State of Washington passed the Growth Management Act (GMA). The GMA is a framework that encourages each community to respond to growth in a realistic way. The GMA outlines a planning approach that gives each community a mechanism to respond to growth issues in a way that is consistent with its unique situation.

The GMA requires that each community create a comprehensive plan based on thirteen basic goals. Those are as follows:

- **Urban growth.** Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.

- **Reduce sprawl.** Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.

- **Transportation.** Encourage efficient multimodal transportation systems that are based on regional priorities and coordinated with county and city comprehensive plans.

- **Housing.** Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.

- **Economic development.** Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of the state, especially for unemployed and for disadvantaged persons, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.

- **Property rights.** Private property shall not be taken for public use without just compensation having been made. The property rights of landowners shall be protected from arbitrary and discriminatory actions.

- **Permits.** Applications for both state and local government permits should be processed in a timely and fair manner to insure predictability.

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

- **Open space and recreation.** Encourage the retention of open space and development of recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks.

- **Environment.** Protect the environment and enhance the state's high quality of life, including air

and water quality, and the availability of water.

- **Citizen participation and coordination.** Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts.

- **Public facilities and services.** Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time development is available for occupancy and use without decreasing current service levels below locally established minimum standards.

- **Historic preservation.** Identify and encourage the preservation of lands, sites, and structures that have historical or archaeological significance.

The County-wide Planning Policy

The GMA requires that each county and its incorporated communities agree on a set of policies that will ensure coordinated planning across jurisdictional lines. Yakima County, in conjunction with the City of Selah and other communities, adopted the County-wide Planning Policy (CWPP) in 1993; the policy was updated in 2003. The CWPP provide a framework for planning that includes designation of an UGA, provision of urban services in the UGA concurrent with growth, coordinated transportation systems, coordinated policies for housing, creation of joint planning within the UGA, and consistent economic development policies. The CWPP also directly address the GMA's goals that: a) private property rights be considered, b) development permits be processed in a fair and timely manner, c) citizen participation be the foundation of all planning efforts.

The Selah UGA Comprehensive Plan is generally and specifically consistent with the CWPP. In general, as described in the Guiding Principles section of the CWPP, the Selah UGA Comprehensive Plan supports the principals of seeking solutions locally, using a common database for planning and consistent terms for comprehensive land use categories. Land use data in the Selah Comprehensive Plan is based on Yakima County Assessor's data and local knowledge of City staff, and the transportation analysis is based on data from the Yakima Valley Conference of Governments.

Specific elements of the CWPP are addressed in corresponding elements of the Selah Comprehensive Plan. These are summarized below:

Yakima County-wide Planning Policy	Selah UGA Comprehensive Plan
Urban Growth Area Policies	The Selah UGA is consistent with the Urban Growth Area policies of the CWPP. Chapter 3 provides a capacity analysis for the UGA.
Contiguous and Orderly Development Policies	The Land Use Element of the Comprehensive Plan provides for growth first in areas with available services, followed by UGA areas where future services are planned. Refer to policy LUGM 3.2.
Siting Public Facilities Policies	Objective LUGM 5 and Policy 5 in the Land Use policies support the cooperative siting of public facilities, consistent with the CWPP.
County-wide Transportation Facilities Policies	The transportation policies and Chapter 7 of the Comprehensive Plan are consistent with this element of the CWPP.
Affordable Housing Policies	Refer to the housing policies and Chapter 4 of the Selah

	Comprehensive Plan for affordable housing policies in support of this element of the CWPP
Joint Planning Policies	The Selah Comprehensive Plan supports the concept of joint cooperative planning with surrounding jurisdictions. Policies that address inter-local cooperation with the County and other agencies include Policy LUGM 4.2 Objective LUGM 5, Policy LUGM 5.1, Policy CFU 2.1 and Policy CFU 3.3.
Economic Development Policies	The Land Use and Economic Development elements of the Comprehensive Plan include policies to ensure that economic development is consistent with the capacity of the region's natural resources and with the City's land use and capital facilities plan. Refer to goals and policies in the Land Use and Economic Development elements.
Fiscal Impact Analysis Policies	The City's Capital facilities element provides a capital facilities plan consistent with the CWPP and includes consideration of coordination needs with other agencies. Please refer to the Capital facilities and Utilities policies and background information in Chapter 8. The Comprehensive Plan does not include consideration of an impact fee process (CWPP H 3.3).
Coordination with Special Purpose Districts, Adjacent Counties and State, Tribal and Federal Governments Policies	The Comprehensive Plan supports coordination with special purpose districts and adjacent governmental agencies. Policies that address inter-agency coordination include Policy LUGM 4.2 Objective LUGM 5, Policy LUGM 5.1, Policy CFU 2.1 and Policy CFU 3.3.

Public Involvement

On {insert date}, the Selah City Council adopted the City of Selah Comprehensive Plan Update Public Participation Plan (PPP). The PPP establishes the following for public involvement during the Plan update:

- Planning Commission public meetings – discuss draft and final sections of Plan elements at regularly scheduled planning commission meetings or appropriately advertised special meetings.
- Public Comment – the draft will be available for review during a public comment period.
- Final Public Hearing – the draft will be modified based upon comments received during the public meetings and during the public comment period. The City Council will hold a public hearing on the final draft prior to adoption.

The objectives of the PPP include:

- Provide for "early and continuous" public participation
- Build community trust in the planning process
- Seek public input and ideas concerning the future of Selah
- Encourage participation of individuals, community groups and organizations that may not normally participate in the planning process
- Explain the laws by which the City is obligated to conduct the Update process

Roles

The day-to-day work of implementing the Selah UGA Comprehensive Plan requires support from the City and community as a whole. Key actors and their respective roles are described below:

The City of Selah and Yakima County Planning Commissions. The role of the Planning Commission is one of advisory to the legislative body. The Commission is responsible for informing the legislative body about the consequences of potential development decisions. A well-functioning Commission can help the legislative body weigh the advantages and disadvantages of alternative courses of action. The Commission should keep the public informed and seek to include their input.

The Selah City Council and Board of County Commissioners. These elected officials have the responsibility for enacting and amending land use regulations after considering the recommendations of the Commission. The Selah City Council is responsible for decision-making with the Selah City limits, while the Board of County Commissioners (BOCC) is responsible for decision-making within the unincorporated portion of Selah's UGA. Both boards' responsibilities include amending zoning regulations and the zoning district maps. The City Council and BOCC also play a part in the comprehensive planning process by reviewing the plans that pertain to their jurisdictions, and making recommendations. The role of the City Council and BOCC in the subdivision process includes accepting or rejecting dedications of easements, right-of-way and other public lands, approving financial guarantees or financing mechanisms to ensure construction of all public improvements, approving engineering drawings, and approving subdivisions prior to their being recorded.

The Citizens. Formalizing citizen input through public meetings and required public hearings is one of the most vital aspects of the planning process. Citizens can become involved in the process by contributing to the meaningful dialogue surrounding particular issues or the process in general.

Planning Area

The Selah UGA is approximately 7.2 square miles, and includes the land within the City limits in addition to land dedicated outside and adjacent to City limits that is identified as land needed for future development during a 20-year planning period. Land cannot be annexed to the City of Selah unless it is contained within the UGA and is adjacent to the existing City limits, except that parcels not contiguous with existing City limits may be annexed for municipal purposes. The UGA boundary is illustrated in Figure xx, page xx. The UGA represents the potential annexation boundaries of the City of Selah.

Future Land Use Map

The City's Planning Commission developed the Future Land Use Map for the Selah UGA after consideration of the following factors: a projected population of 9,163 in the year 2040, and the resultant residential, commercial, industrial and public land use requirements to accommodate the projected population; existing land use patterns and environmental constraints; and public input received through the public hearing process (see Land Use Element, Figure x page x).

The Future Land Use Map continues the land use designations established in 1997, and revisited in the 2005 Plan update, anticipating an expanded downtown commercial core, continued industrial development adjacent to the Burlington Northern-Santa Fe Railroad, and a moderate density increase near the City center and a continuation of low density residential development south and west of the existing City center.

Comprehensive Plan Amendments

Annual Amendments

Community Planning is an iterative process, meaning that the Plan is a living document that will be amended on a regular basis as conditions change, better information becomes available, and/or community values evolve. Under the Growth Management Act, comprehensive plan amendments may only occur once per year. The City of Selah sets {insert month} as its anniversary date of Comprehensive Plan adoption. {Insert month} will also serve as the month of any given annual amendment cycle by which amendments to the Comprehensive Plan must be submitted for consideration during that cycle. Amendments submitted after {insert month} will be held over until the next annual amendment cycle. Amendment proposals may be submitted at any time during the year by members of the public by filing an application using forms available from the City, or by motion by the City Council. Non-governmental amendment proposals are subject to an application fee as per SMC § 20.22.020.

After the applications are processed by City staff, they will be considered by the Planning Commission, which will forward a recommendation to the City Council. Public comment is invited during the Planning Commission review process, including at a public hearing on the proposed amendments. After receiving the Planning Commission recommendation, the amendments will be submitted to the Washington State Department of Commerce for the required 60-day State review. After the State review period has expired, the City Council will make the final decision on all Comprehensive Plan amendments. If approved, the amendments will be adopted by ordinance.

Within 10 days following adoption, the City will submit the adopted amendments to the Department of Commerce. The City will then also publish a notice of adoption and availability of the amendment in its newspaper of record. A final 60-day State review and comment period will commence from the date of publication. Appeals of the adopted amendments to the Growth Management Hearings Board can be filed during this final 60-day review period.

The City shall establish and broadly disseminate to the public a public participation program consistent with RCW 36.70A.035 and 36.70A.140 that identifies procedures and schedules whereby updates, proposed amendments, or revisions of the Comprehensive Plan are considered by the governing body of the City no more frequently than once every year. "Update" means to review and revise, if needed.

Emergency Amendments

This Plan may be revised or amended outside of the normal schedule if findings are adopted to show that the amendment was necessary due to an emergency situation of a neighborhood or community-wide significance. Examples of emergency situations include those which would present an imminent threat to public health and safety, an imminent danger to public or private property, or an imminent threat of serious environmental degradation. A personal emergency on the part of a particular applicant or property owner is not considered an emergency situation. Plan and zoning amendments related to annexations may be considered during the normal annexation process and need not be coordinated with the annual Plan amendment schedule. The nature of any emergency and proposed amendment shall be explained to the City Council. The Council will decide whether or not to allow the proposal to proceed ahead of the

normal amendment schedule.

In addition to emergencies, amendments may be considered more frequently than once per year under the following circumstances:

1) The proposed amendment concerns the initial adoption of a sub-area plan that does not modify the Comprehensive Plan policies and designations applicable to the sub-area;
2) The proposed amendment concerns the adoption or amendment of a shoreline master program under the procedures set forth in chapter 90.58 RCW;
3) The proposed amendment concerns the amendment of the Capital Facilities Element of a Comprehensive Plan that occurs concurrently with the adoption or amendment of a Yakima County or City budget;
4) The proposed amendment concerns the adoption of Comprehensive Plan amendments necessary to enact a planned action under RCW 43.21C.031(2) (State environmental policy - Significant impacts), provided that amendments are considered in accordance with the public participation program established by the City and all persons who have requested notice of a Comprehensive Plan update are given notice of the amendments and an opportunity to comment.
5) All proposals shall be considered by the governing body concurrently so the cumulative effect of the various proposals can be ascertained. However, after appropriate public participation, the City may adopt amendments or revisions to its Comprehensive Plan to resolve an appeal of a Comprehensive Plan filed with a growth management hearings board or with the court.

Criteria for Approving a Change to the Future Land Use Map

Changes in the Future Land Use Map contained in the Land Use Element will only be granted after the City Council has reviewed the proposed change to determine if it complies with the standards and criteria listed below. A change in the Future Land Use Map shall only be granted if such written findings are made:

1) The proposal is consistent with the provisions of the GMA and other applicable State planning requirements;
2) The proposal is consistent with, and will help implement the goals, policies and objectives of this Comprehensive Plan;
3) Required changes to implementing regulations are identified prior to adoption of the proposed change, and are scheduled for revision, so that these implementing regulations remain consistent with the Comprehensive Plan;
4) The proposal will increase the development or use potential of a site or area without creating significant adverse impacts on existing critical areas, or on other uses legally existing or permitted in the area;
5) The proposal is an extension of similar adjacent use or is of sufficient size to make the proposal logical;
6) The traffic generated by the proposal will not unduly burden the traffic circulation systems in the vicinity. The collector and arterial system currently serves or can concurrently be extended to serve the proposal, as needed;
7) Adequate public facilities and services exist or can concurrently be developed to serve the

proposal;

8) The other characteristics of the proposal are compatible with those of other uses in the vicinity;
9) The other uses in the vicinity of the proposal are such as to permit the proposal to function properly;
10) If the proposal has impacts beyond the City limits, the proposal has been jointly reviewed by Yakima County; and
11) Any other similar considerations that may be appropriate to the particular case.

How Will the Plan Be Implemented?

The GMA contains requirements that communities take real steps to assure that the goals and policies are not ignored as decisions occur and are, in fact, implemented by day-to-day decisions. In order to make goals and policies actually affect what happens in the real world, several things must happen. To assure that all government decisions made after its adoption are consistent with the Comprehensive Plan, the City codes, procedures and regulations must be amended to be consistent with the Plan. Primary implementation tools include the City Zoning Code and other development regulations, the Six-Year Transportation Improvement Program (TIP), State Environmental Policy Act (SEPA), utility plans, the critical areas ordinance, and many other city codes and programs. The implementation phase of the planning process calls for codes and programs to be amended to implement the goals and policies of the Comprehensive Plan as needed. Any proposed change to a program or ordinance will be discussed in a public hearing and must be based on citizen involvement. In this way, it can be assured that the specific steps taken are as consistent with community desires as the initial goals and policies.

Organization of this Comprehensive Plan

The GMA requires that a comprehensive plan contain a Land Use Element, Housing Element, Transportation Element, Capital Facilities Element and Utilities Element. In addition, recent changes to the GMA require a Park Element and Economic Development Element. The requirement for these latter two elements, however, is not effective until funds sufficient to cover applicable costs to local government are appropriated by the State. The Selah Comprehensive Plan contains all required elements, as well as a Parks and Recreation Element. In addition to these required elements, the City of Selah has elected to include a Natural Environment Element. Goals and Policies for each of these elements are found in the front of the Plan, followed by background information, including an analysis of existing conditions, discussion of potential future conditions, and establishment of standards for future development and service provisions, as appropriate.

A community profile, glossary of terms and statement of state planning goals are included as appendices to this Plan.

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CHAPTER SIX

Natural Environment Element

Introduction

The Washington Growth Management Act (GMA) does not require a Natural Environment Element in the comprehensive plan, but does set a number of requirements with regard to natural systems:

- Conservation of resource lands and fish and wildlife habitat
- Protection of the environment and critical areas
- Designation of resource lands and critical areas
- Provisions for the protection of the quality and quantity of groundwater used for public water supplies
- Where applicable, a review of drainage, flooding, and storm water run-off in the area covered by the plan and nearby jurisdictions, and guidance for corrective actions to mitigate or cleanse those discharges that pollute the waters of the state.

The latter two requirements will be addressed in the Land Use Element.

Applicable Countywide Planning Policies

The Yakima Countywide Planning Policies are not specifically required by the GMA to address the physical character of the land or natural resource and critical areas. Nonetheless, several of the Countywide Planning Policies do specifically address natural resource issues. The following Countywide Planning Policies apply to discussion of the Natural Environment Element.

1. When determining land requirements for urban growth areas (UGAs), allowances will be made for greenbelt and open space areas and for protection of wildlife habitat and other environmentally sensitive areas [RCW 36.70A.110(2)] (Countywide Planning Policy: A.3.7.).
    a. Encourage economic growth within the capacities of the region's natural resources, public services and public facilities.
    b. Identify current and potential physical and fiscal capacities for municipal and private water systems, wastewater treatment plants, roadways and other infrastructure systems.
2. Identify economic opportunities that strengthen and diversify the county's economy while maintaining the integrity of our natural environment (G.3.1.).
3. Special districts, adjacent counties, state agencies, the tribal government and federal agencies will be invited to participate in comprehensive planning and development

activities that may affect them, including the establishment and revision of UGAs; allocation of forecasted population; regional transportation, capital facility, housing and utility plans; and policies that may affect natural resources (1.3.).

Relationship to Other Elements or Land Uses

Natural environments are closely tied to both economic development and land use. In an area where the economy is based on the productive use of land for agriculture, the land resource must be protected to assure continued economic viability of the area. At the same time, land is needed for housing and economic development, including sites suitable for industries related to agriculture. Prevailing winds, flood potential, and soil types make some areas more suitable than others for various land uses. Land use planning needs to allow for protection of critical areas such as wetlands and wildlife habitat.

Critical Areas

The GMA requires cities and counties to identify and protect critical areas including the following areas or ecosystems:

1. Wetlands
2. Areas with a critical recharging effect on aquifers used for potable water
3. Fish and wildlife habitat conservation areas
4. Frequently flooded areas
5. Geologically hazardous areas

This section inventories the type and potential location of critical areas in the Selah UGA. The purpose is to identify critical areas that require protection and areas that may be either hazardous to development, or may impose limitations which can only be overcome with costly engineering and building techniques. This analysis allows the City to identify where development would be less efficient and economical, as opposed to areas where development could occur that would be more compatible with the natural environment.

Maps are based on the best data currently available. Because no on-the-ground field inventories of critical areas were conducted in Selah, the maps should be considered as a guide for the City and permit seekers when applying the CAO during development review processes. When needed, experts at the appropriate State agencies may be consulted. The exception is the flood hazard data, which is provided by the Federal Emergency Management Agency (FEMA) and is considered legally binding.

Best Available Science

Selah adopted a Critical Areas Ordinance (CAO) on April 8, 2014 and adopted an update to the CAO on {insert date}. The Selah CAO includes standards and procedures for the protection of critical areas identified in this Natural Environment Element as falling within the City of Selah UGA.

As required by the GMA (RCW 36.70A.172), protection of critical areas is based on the best available science (BAS), according to the criteria set forth in WAC 365-195-905. The City of Selah will weigh the most current scientific information from agencies, scientific consultants and published sources to

determine the values and functions of natural systems existing in or near the City. The City will base protection of critical areas upon evaluation of the BAS along with scientific studies made available by proponents and opponents of projects in determining how best to protect natural and critical areas. The City of Selah adopts Yakima County's *Review of Best Available Science for Inclusion in Critical Areas Ordinance*, October 2006, as amended, as a basis for decisions to support protections required by the Critical Area Ordinance and the Shoreline Master Program.

Soils

Soil information is an important tool in both the design and evaluation of different types of development proposals and can aid in the identification of critical areas. Soil types react differently to different types of development. Consequently, proper soil information can save developers both time and money in the design stages of their proposals. For example, certain soils make septic tank design extremely costly because of poor drainage qualities.

Additionally, soil types may vary greatly over short distances. To know what the actual soil conditions are on a given property, it may be helpful to consult a Natural Resources Conservation Service (NRCS) soil survey, or have an on-site analysis performed by a soil scientist. Inclusion of soil information in development proposals can help public officials to evaluate whether the developer has considered soil conditions.

Major Soil Types in the Selah UGA

Soil maps and information are developed by the NRCS. The NRCS maintains detailed descriptions of soils types, including agricultural rating and limitations for agriculture, septic, and buildings.

There are a great variety of soil types in the Selah UGA, as illustrated in Figure 1, page 14. Some of the most predominant soils types include Selah silt loam, Esquatzel silt loam, Roza clay loam, Kiona stony silt loam, and Starbuck-Rock outcrop complex.

Table 1 summarizes the characteristics of the predominant soils types discussed above.

Table 1. Characteristics of Predominant Soils Types, Selah UGA

SOIL CLASSIFICATION		**LIMITATIONS**		
Soil Type No.	**Name**	**Farmland Class**	**Septic Tank**	**Buildings (Dwellings without Basements)**

SOIL CLASSIFICATION		LIMITATIONS		
Soil Type No.	**Name**	**Farmland Class**	**Septic Tank**	**Buildings (Dwellings without Basements)**
68897	Roza clay loam	5-8% slope: Farmland of statewide importance 8-30% slope: Farmland of unique importance	5-30% slope: Very limited	5-60% slope: Very limited
68912	Selah silt loam	2-5% slope: Prime farmland if irrigated 5-30% slope: Farmland of unique importance	2-30% slope: Very limited	2-15% slope: Somewhat limited 15-30% slope: Very limited
68999	Esquatzel silt loam	0-5% slope: Prime farmland if irrigated	0-5% slope: Somewhat limited	0-8% slope: Not limited
69035	Kiona stony silt loam	15-45% slope: Not prime farmland	15-45% slope: Very limited	15-45% slope: Very limited
68929	Starbuck-rock outcrop complex	0-45% slope: Not prime farmland 45-60% slope: Not prime farmland	0-45% slope: Very limited	0-60% slope: Very limited

Preservation of productive agricultural land is a high priority in Yakima County. As a result, non-farm use of this resource should be kept to a minimum in areas not already experiencing high-density urban development, and where the combination of past trends and future population projections do not indicate a need for urban expansion in the near future. Farmland preservation is less of a priority in UGAs, which are meant to reserve an appropriate amount and type of serviceable land for urban development within a 20-year timeframe.

Wetlands

Wetlands provide a broad spectrum of natural and physical functions. Freshwater wetlands have flood storage capacity, serve as groundwater recharge areas, and tend to moderate flow regimes of associated drainages. Wetlands also work to remove suspended solids from water, absorb and recycle mineral and organic constituents, and otherwise contribute to improved water quality. Biological functions include food chain production, general habitat, nesting, spawning, rearing, and resting sites for aquatic and land species.

In the Selah CAO adopted in 2014 and updated in {insert year}, wetlands are rated according to the Washington State Department of Ecology wetland rating system found in the Washington State Wetland Rating System documents Washington State Wetland Rating System for Eastern Washington – Revised (Publication No. 04-06-015, Hruby, T., 2004) or as revised. These documents contain the definitions and methods for determining if the criteria below are met.

1. Category I.
   a. Characteristics of Category I wetlands are as follows:
      (i) Represent a unique or rare wetland type; or
      (ii) Are more sensitive to disturbance than most wetlands; or
      (iii) Are relatively undisturbed and contain ecological attributes that are impossible to replace within a human lifetime; and
      (iv) Provide a high level of function.
   b. Category I wetlands are:
      (i) Alkali wetlands; or
      (ii) Wetlands that are identified by scientists of the Washington Natural Heritage Program/DNS as high quality wetlands; or
      (iii) Bogs; or
      (iv) Mature and old-growth forested wetlands over ¼ acre with slow-growing trees; or
      (v) Forests with stands of aspen; and
      (vi) Wetlands that perform many functions very well (scores of 70 points or more).
2. Category II.
   a. Characteristics. These wetlands are difficult, though not impossible to replace, and provide high levels of some functions.
   b. Category II wetlands are:
      (i) Forested wetlands in the floodplains of rivers; or
      (ii) Mature and old-growth forested wetlands over ¼ acre with fast-growing trees; or
      (iii) Vernal pools; and
      (iv) Wetlands that perform functions well (scores between 51 and 69 points)
3. Category III.

a. Characteristics. Wetlands having a moderate level of function which do not satisfy Category I, II, or IV criteria.
b. Category III wetlands are:
    (i) Vernal pools that are isolated; and
    (ii) Wetlands with a moderate level of functions (scores between 30-50-points).

4. Category IV.
    a. Characteristics. These are wetlands with the lowest level of function but still provide functions that warrant protection. Often the low function is because they have been heavily disturbed. Replacement of these wetlands can sometimes provide improved function.
    b. Category IV wetlands have a function score of less than 30.

Figure 2, page 15 illustrates wetland data for the Selah vicinity, which were mapped using the wetlands data set developed for the Yakima County Critical Areas Ordinance (CAO). The map includes information from the National Wetlands Inventory produced by the U.S. Fish and Wildlife Service and soil maps produced by the NRCS, which are useful in helping to identify potential wetland areas.

The wetland map is used as a guide for the City, project applicants and/or property owners, and may be continuously updated as wetlands are more accurately identified, located and delineated. Figure 2 illustrates the presence of Category 1 and 2 wetlands within the Selah City limits or unincorporated UGA, primarily along the City's southern and southeastern boundaries that border the Naches River and Yakima River. There is also a small Category 3 wetland identified inside the southwest portion of the City limits.

The Selah CAO provides standards and procedures for protection of wetlands.

Frequently Flooded Areas

Flooding is one of the most significant natural occurrences limiting development. Floodplains are legally delineated by the Federal Emergency Management Agency (FEMA) on Flood Insurance Rate Maps (FIRMs). A "regulatory floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. Communities must regulate development in these floodways to ensure that there are no increases in upstream flood elevations. "Special flood hazard areas," or floodplains, are high-risk flood areas that have special flood, mudflow, or flood-related erosion hazards.

Figure 3, page 16 illustrates Selah's flood hazard areas. As indicated by the Federal Emergency Management Agency FIRM, Community Panel No. 53077C0719D for the City of Selah (effective 11/18/2009), a Zone A floodway occurs within the northeastern portion of the City along the Yakima River and, to a lesser degree, within the southern portion of the City along the Naches River. FEMA defines Zone A floodway as "areas subject to inundation by the 1-percent-annual-chance flood event, generally determined using approximate methodologies." In other words, there is a 1% chance of these areas flooding annually. The 1-percent-annual-chance flood is also referred to as the base flood or 100-year flood.

Yakima County and the City of Selah regulate building in floodplain areas. These permits require all

development to be floodproofed. For residential development, the first inhabited floor must be one foot above the 100-year floodplain. In addition, the City of Selah and Yakima County also regulate shoreline management along the Yakima River.

Critical Aquifer Recharge Areas

Areas of growing concern are the critical aquifer recharge areas (CARA), which store and recharge critical groundwater supplies, and where groundwater stands the greatest risk of contamination. The GMA requires that cities and counties identify and protect "areas with a critical recharging effect on aquifers used for potable water." Land uses and density of development in these areas can affect the quality of groundwater.

"Aquifers" are geologic materials that are able to store and transmit groundwater. In the lower Yakima Basin, aquifers are the main source of groundwater for residences using individual wells. The depth of wells using aquifers ranges from approximately 10 to 200 feet below ground surface.

Groundwater systems are replenished (recharged) by the addition of water to the aquifer through precipitation, runoff and infiltration from surface water bodies. A "recharge area" is an area in which water reaches an aquifer by surface infiltration, and where there is a downward component of hydraulic head (pressure head). "Recharge potential" is the likelihood that water will infiltrate and pass through the surface materials to recharge the underlying aquifer system. Recharge potential is dependent on a number of relatively static physical conditions, including soil permeability, geological materials at or near the Earth's surface, depth to water, and topography.

Potential for groundwater contamination in these shallow aquifers is high, especially near ditches, canals and the Yakima River. Care must be taken to avoid contamination of groundwater when shallow wells are used in conjunction with septic tanks, as it is possible for septic effluent to seep into the well water supply. This condition typically occurs during peak irrigation periods in areas with high water tables.

In general, the aquifers in the Yakima River Basin are recharged by precipitation, infiltration of surface water, irrigation water, seepage losses from ditches, canals and rivers, and upward migration of water from lower aquifers. Groundwater discharges into rivers, lakes and streams, or through evapotranspiration, pumping, and upward flow of water into the shallower aquifers.

Figure 4, page 17 shows the CARA in the City of Selah UGA, with estimated areas of moderate, high and extreme susceptibility to contamination, in addition to wellhead protection areas. The CARA data was developed by Yakima County.

Geologically Hazardous Areas

Figure 5, page 18 shows geologically hazardous areas within the Selah UGA. Identified geologically hazardous areas in Selah and unincorporated UGA include Oversteepened Slopes, Landslide Risk, and Alluvial Fan/Flash Flooding, as defined below. These definitions are taken from the January 1991 "*Yakima County Mineral Resources and Geologic Hazards Report*" by Newell Campbell, who mapped geologic hazards for Yakima County. This identification of geologic hazards was not based on actual site inventories conducted in the study area, but on general published sources of information and maps;

therefore, these sites can only be considered potential geologic hazard areas.

- Landslide Hazard Areas (LS). These include places where landslides, debris flows, or slumps have already occurred. Where sliding is presumed to have occurred within ten thousand years or less is shown as High Risk (LS3) on the map. Slides thought to be older than ten thousand years but still capable of movement are shown as Intermediate Risk (LS2). Areas where slides are absent are unlabeled and combined with other Low Risk areas.

- Oversteepened Slope Hazard Areas (OS). These include areas with slopes steep enough to create potential problems. High Risk areas (OS3) have a high potential to fail, and include slopes greater than forty percent, and consist of areas of rock fall, creep, and places underlain with unstable materials. Intermediate Risk areas (OS2) are less likely to fail but are still potentially hazardous. This category also includes some slopes between fifteen and forty percent. Low Risk areas, unlikely to fail, are unlabeled and combined with other Low Risk categories.

- Alluvial Fan/Flash Flooding Hazard Areas (AF). These are areas where flash flooding can occur, and are often associated with inundation by debris from flooding. They include alluvial fans, canyons, gullies, and small streams where catastrophic flooding can occur. They do not include all areas where flash flooding may occur. Flooding may also occur in larger streams and rivers, but these are depicted in the "Flood Insurance Study for the Unincorporated Areas of Yakima County," dated March 2, 1998, with accompanying flood insurance rate maps (FIRMs) and flood boundary and floodway maps, and any amendments which may thereafter be made by the Federal Emergency Management Agency, rather than on the geologically hazardous areas map.

Steep slopes can limit development. Topography of an area limits development when the slope becomes too steep to safely accommodate structures. Generally, areas with slopes exceeding 15% should be avoided to reduce the likelihood of property damage due to soil slippage or erosion. Designations of steep sloped areas were based upon data from the NRCS soil maps. Limitations to development in the Selah UGA are predominately in the northwestern and southern portions of the UGA. These areas contain high-risk slopes (see Figure 5, page 18).

Fish and Wildlife Habitat Conservation Areas

WAC 365-190-130 defines fish and wildlife habitat conservation areas as:

- Areas where endangered, threatened, and sensitive species have a primary association;
- Habitats and species of local importance, as determined locally;
- Commercial and recreational shellfish areas;
- Kelp and eelgrass beds; herring, smelt, and other forage fish spawning areas;
- Naturally occurring ponds under twenty acres and their submerged aquatic beds that provide fish or wildlife habitat;
- Waters of the state;
- Lakes, ponds, streams, and rivers planted with game fish by a governmental or tribal entity; and
- State natural area preserves, natural resource conservation areas, and state wildlife areas.

"Fish and wildlife habitat conservation areas" does not include such artificial features or constructs as irrigation delivery systems, irrigation infrastructure, irrigation canals, or drainage ditches that lie within the boundaries of and are maintained by a port district or an irrigation district or company (RCW

36.70a.030).

The below inventory of flora, fauna, and habitats is used to identify fish and wildlife species and habitats that may require protection in Selah. The Selah CAO provides standards and procedures for protection of fish and wildlife habitat conservation areas.

Plants

The Selah area lies within the shrub-steppe region ("high desert") of the Columbia Basin Province of the Pacific Northwest. The shrub-steppe region encompasses the basins in the rain shadow east of the Cascade Mountain range, and is characterized by sagebrush and bunch grasses. Farming practices such as cultivation, grazing of livestock, and introduction of exotic plant species have resulted in the alteration of the vegetation in the Selah area. The most arable lands are now under cultivation, and the less arable, formerly cultivated lands have been abandoned. In areas where arable lands lack sufficient moisture, irrigation has occurred through federal irrigation projects. Most of the remaining lands have been used for grazing by domestic and native livestock. Many of these lands have been overgrazed, resulting in environmental and soil degradation. Human-caused range fires have also contributed to the alteration of the shrub-steppe vegetation as invasive species have displaced native species after fire events.

The native vegetation found in the Selah area consists mainly of grasses, narrow-leaved forbs and shrubs. In addition to these plants, the following native vegetation may also be found as they are characteristic of the specific types of soils found within the City of Selah UGA.

- Grasses and Forbs: Basin wildrye grass, big bluegrass, bluebunch wheatgrass (*Agropyron spicatum*, a preferred forage plant), Carey balsamroot, needle and thread grass, Sandberg bluegrass (*Poa sandberii*) and Thurber needlegrass.

- Shrubs and Trees: Big sagebrush (*Artemesia tridentata*), Rabbitbrush (*Chrysothamnus nauseosus*), both of the latter plants are found in areas where overgrazing has occurred, and are considered to be less desirable forage plants. Trees include: willow (*Salix exigua spp. Exigua*), western sumac, red elderberry, hard hack spirea, and Russian olive (*Elaiagnus angustifolia*), with elm (*Ulnus sp.*), alder, or in some areas black cottonwood (*Populus trichocarpa*).

Emergent marsh vegetation within wetlands or on the banks of the Naches River and the Yakima River may also include the following:

- American bulrush, curly dock, canadian bull thistle, cattail (*Typha latifolia*), vield mustard, hardstem bulrush, jointed rushes, manna grass, marshelder (*Iva xanthifolia*), medic, orchard grass (*Dactylis glomerata*), Quackgrass (*Agrpyron repens*), Reed canarygrass (*Phalaris arundiances*), sedges, smartweeds (*Polygonum spp.*), spikerush (*Eleocharis spp.*), tall fescue, watercress (*Rorripa nasturtium-aquaticum*), water foxtail, and willowweed.

The wetland vegetation provides habitat for food, cover, and breeding as well as a movement corridor for birds and mammals. Amphibians may find limited breeding sites within the streams and wetlands within the Selah UGA, though the runoff of agricultural chemicals may affect habitat quality.

(Discussion pending response from agency): Information on rare plants was requested from the Washington State Department of Natural Resources (DNR) Natural Heritage Program.

Wildlife

Bird species that may be present in the Selah area are those species common in grasslands and open areas. Species frequenting these areas include: the American kestrel; western meadowlark; mourning dove; ruffed grouse; black-billed magpie; common snipe; California quail; killdeer, starlings; western kingbird; Brewer's blackbird; and ring-necked pheasant. Additionally, in the scrub/shrub habitat associated with the return flow ditches, yellow warblers and song sparrows can be found. Golden eagles, bald eagles, ferruginous hawks, and great blue herons have also been observed in the area.

Amphibians or reptiles may be present within the irrigation canals, supported on the food, cover, water, and marginal breeding habitat these areas provide. Small mammals such as mice and voles are abundant throughout the area. Ground squirrels may also occasionally be seen. Larger mammals make use of the canals and ditches, particularly the more vegetated edges, as a corridor leading to the more sheltered habitat found elsewhere. Signs of deer, coyote, and raccoons are found throughout the more rural portions of the area. Portions of the area are particularly valuable as a foraging area for raptors. Red-tailed hawks can be seen circling agricultural properties and other raptors including golden eagles may make use of the habitat.

Information was requested from the Washington State Department of Fish and Wildlife (WDFW) Priority Habitat and Species Program concerning species of concern in the Selah vicinity. Table 2 lists threatened, candidate, species of concern, and monitored species that were identified in the Selah UGA.

Table 2. Threatened, candidate, species of concern, and monitored species in the Selah UGA.

Species or Habitat	Status	Type of Occurrence Identified
Bald Eagle	Federal Species of Concern	Regular concentration in the Naches River floodplain
Ferruginous Hawk	State Threatened	Breeding area – nest
Golden Eagle	State Candidate	Breeding area – nest
Great Blue Heron	State Monitored	Breeding area – breeding occurrence; colony
Greater Sage Grouse	Federal Candidate; State Threatened	Biotic detection
Townsend's Ground Squirrel	State Candidate	Regular concentration – colony

(Map pending response from agency): Species habitat mapping data was requested from WDFW to identify the approximate locations of sensitive habitats.

Fish

Fish have different habitat needs based in part on their life history stages. "Anadromous fish" are fish that are born in fresh water, spends most of their life in the sea, and then return to fresh water to spawn. Anadromous fish migrate and have unique needs throughout the aquatic system which may be frustrated by the presence of dams or other barriers, low stream flow, and high temperatures during times of passage. Resident fish have year round requirements as well as specific habitat needs during critical times such as spawning. Salmonids need colder temperatures than many non-game fish and require higher dissolved oxygen concentrations particularly over spawning gravels. Successful salmonid reproduction requires channel and substrate stability and adequate winter water flow to prevent freezing. Channels to accommodate fish moving between safe wintering areas and summer foraging areas are also necessary.

The WDFW maintains a database of the presence, spawning, and rearing locations of salmon species and other fish species of concern. Table 3 summarizes the salmon species, their location, and the type of presence identified by WDFW in the vicinity of the Selah UGA.

Table 3. Location and Presence of Fish Species of Concern, Selah UGA Vicinity

Species	Type of Presence	Water Body
Fall Chinook	Documented presence and spawning	Yakima River Naches River Cowiche Creek
Bull Trout	Documented presence	Yakima River Naches River
Coho	Documented presence	Yakima River Naches River
Coho	Documented spawning	Cowiche Creek
Summer Steelhead	Documented rearing	Yakima River
Summer Steelhead	Documented presence and spawning	Yakima River Naches River

Surface Water

The Yakima River Basin occupies approximately 6,150 square miles. Its headwaters are situated along the crest of the Cascade Range. The mainstream Yakima River is joined by a number of tributaries and flows generally southeast until it joins the Columbia River.

Streams are an important source of prime wildlife habitat. WAC 222-16-031 establishes an "interim"

water typing system to be used until a permanent typing system is established. Water typing is established based on the structure and function of waterways. Selah has no typed stream identified in the UGA. There are several canals and one unclassified stream occurring in Selah (See Figure 2, page 15).

The Yakima and Naches Rivers which border the Selah UGA are classified as Type 1 Streams and are designated as "Shorelines of the State," falling under the purview of the Washington State Shoreline Management Act (SMA). In compliance with the SMA, the Yakima County Regional Shoreline Master Program (SMP) was adopted December 18, 2007 and effective on February 25, 2010.

Priority Habitats

Priority habitats, such as those that provide breeding, roosting, foraging, or migration opportunities have been identified and mapped by the WDFW Priority Habitat and Species program. All of the priority habitats identified in the Selah UGA are wetlands, which are discussed in the Wetlands section above.

Natural Resource Lands

The GMA requires cities and counties to designate natural resource lands, including agricultural, forest, and mineral lands that have long-term commercial significance, and are not characterized by urban growth. This section inventories resource lands in the Selah UGA.

Agricultural Lands

Agricultural lands were identified through the County Assessor's database of existing land use. There are 16 agricultural parcels (either fallow or in current agricultural use) totaling approximately 650 acres in the Selah City limits (Figure 1, page 14). Most of this agricultural land is located in the southern end of the City limits, and much of it is characterized by the Starbuck-rock outcrop complex soil and Kiona stony silt loam soil types, which are not considered prime farmland. For the most part, they are also near or adjacent to residential, commercial, light industrial/manufacturing, and other urban development. They are also near various types of infrastructure, including water and sewer lines, and/or have access to I-82 and the Burlington Northern Santa Fe Railroad line.

Existing agricultural lands in the Selah UGA are allowed to continue and have some protections. However, for the reasons stated as follows, the City has determined that it is not appropriate to designate these parcels of land as agricultural lands of long-term commercial significance.

1) A majority of the City's area is already built-up; and
2) These parcels are near the built-up area, are zoned for a more intensive land use, or are near infrastructure with the capacity to serve additional growth on these parcels. These parcels represent the next logical areas for residential, commercial, or light industrial/manufacturing urban growth; and
3) These parcels are within the City limits and as such are part of the UGA. State law does not allow agricultural lands within a UGA to be designated as "agricultural lands of long-term commercial significance," unless the governing jurisdiction already has in place a program for purchase or transfer of development rights.

Forest Lands

In the City of Selah, there are no lands (commercial or noncommercial) that are used to grow trees, including Christmas trees subject to the state excise tax that is imposed on harvesters of timber. Thus, no forest lands of long-term commercial significance have been designated within the City.

Mineral Lands

Mineral resources are the only identified natural economic resource within the Selah UGA. This resource is primarily found in the form of gravel deposits. Concrete grade gravel is found along the floodplain of the Yakima River. This type of gravel is round, clean and free from fractures and surface coatings. The gravel in the Selah UGA is good to fair concrete-grade gravel.

No mineral resource lands of long-term commercial significance have been identified within the City of Selah; therefore, no designation is necessary.

One existing mineral resource site is located adjacent to the southeast side of the UGA (see Figure 5, page 18). The 500-foot buffer on this site falls within the City limits and the unincorporated UGA. According to 36.70A.060 of the GMA, counties and cities must require that all plats, short plats, development permits, and building permits issued for development activities on, or within 500 feet of, lands designated as mineral resource lands contain a notice that the subject property is within or near the mineral resource lands, on which a variety of commercial activities may occur that are not compatible with residential development for certain periods of limited duration. The notice for mineral resource lands must also inform that an application might be made for mining-related activities, including mining, extraction, washing, crushing, stockpiling, blasting, transporting, and recycling of minerals. Responsibility for enforcement of this provision for the portion of the 500-foot buffer falling within the City falls to Selah, while the portion falling within the unincorporated UGA is the responsibility of the County. If Selah annexes additional land that falls in the buffer in the future, the City will be required to adopt and enforce this provision.

Figure 1. Major Soils Types, Selah UGA

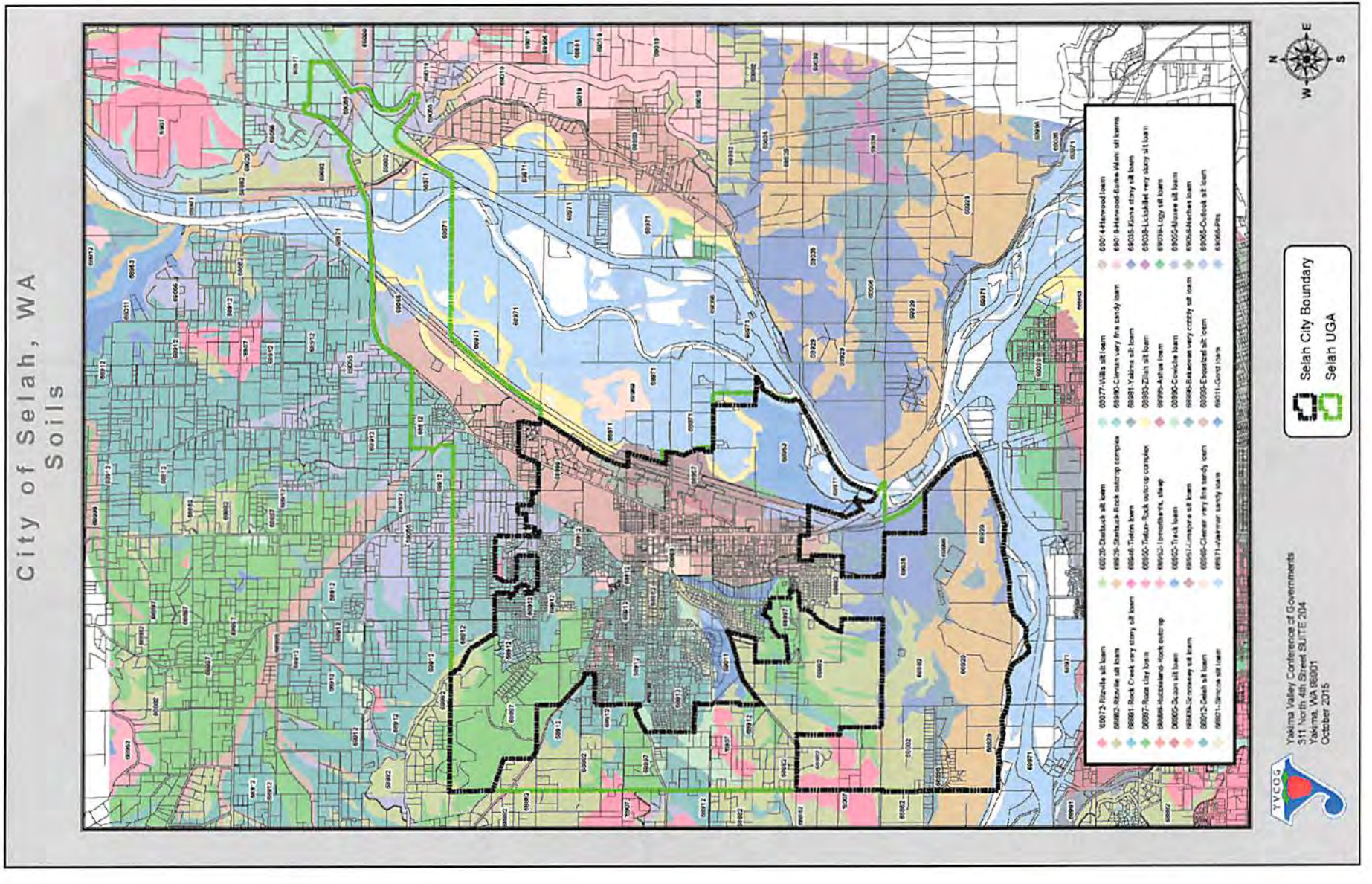


Figure 2. Wetlands and Waterways, Selah UGA

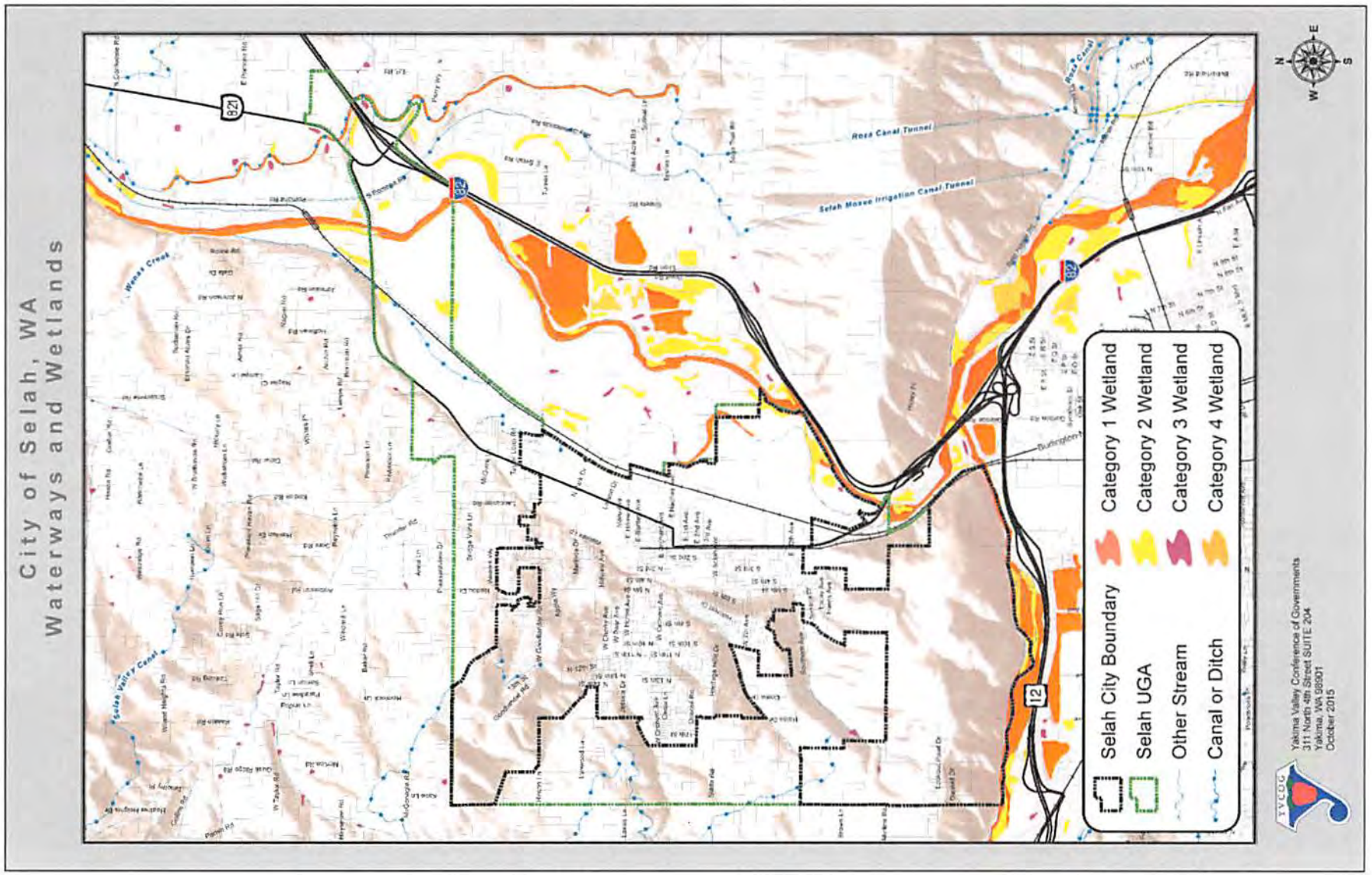


Figure 3. Flood Hazard Areas, Selah UGA

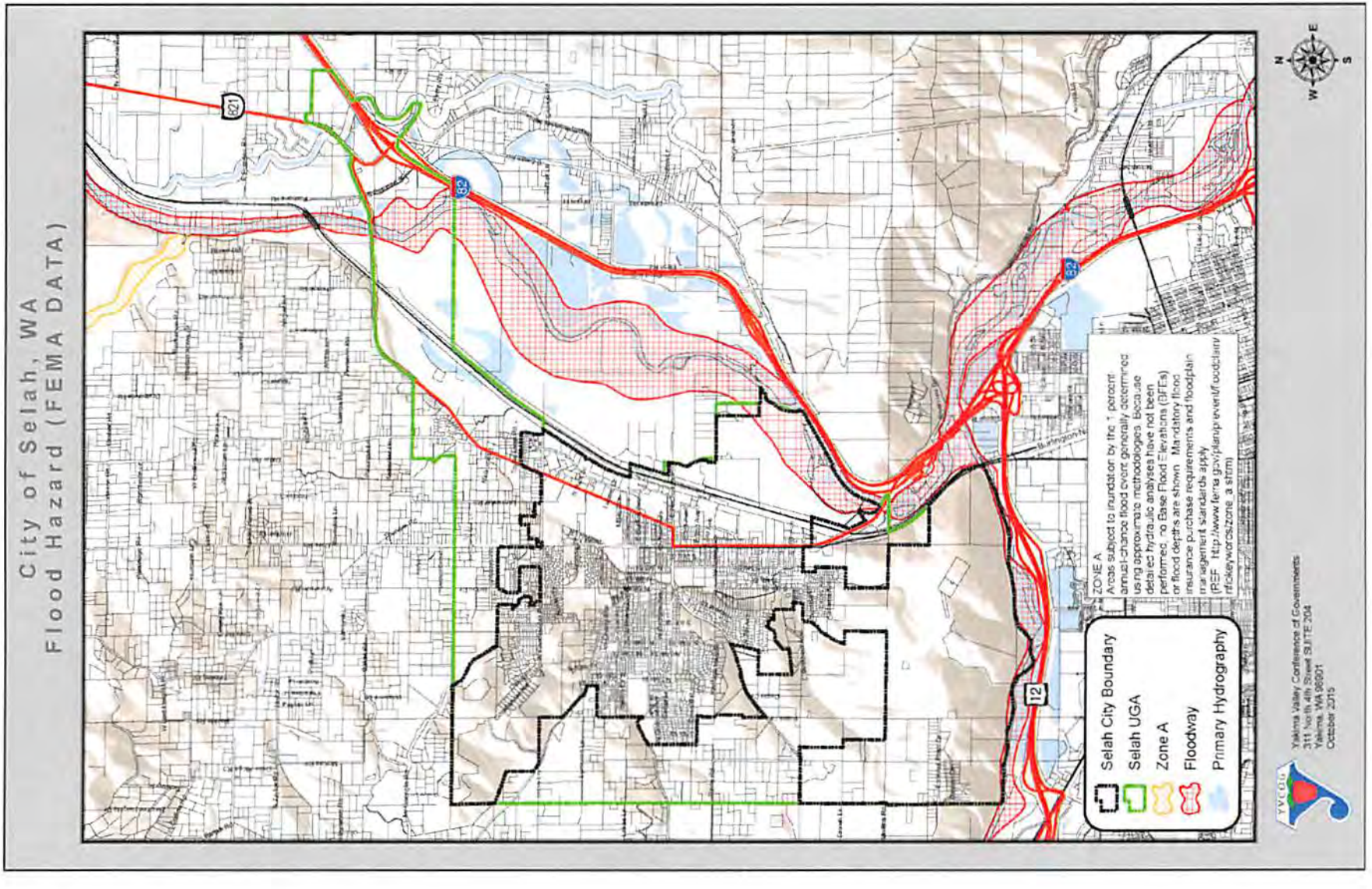
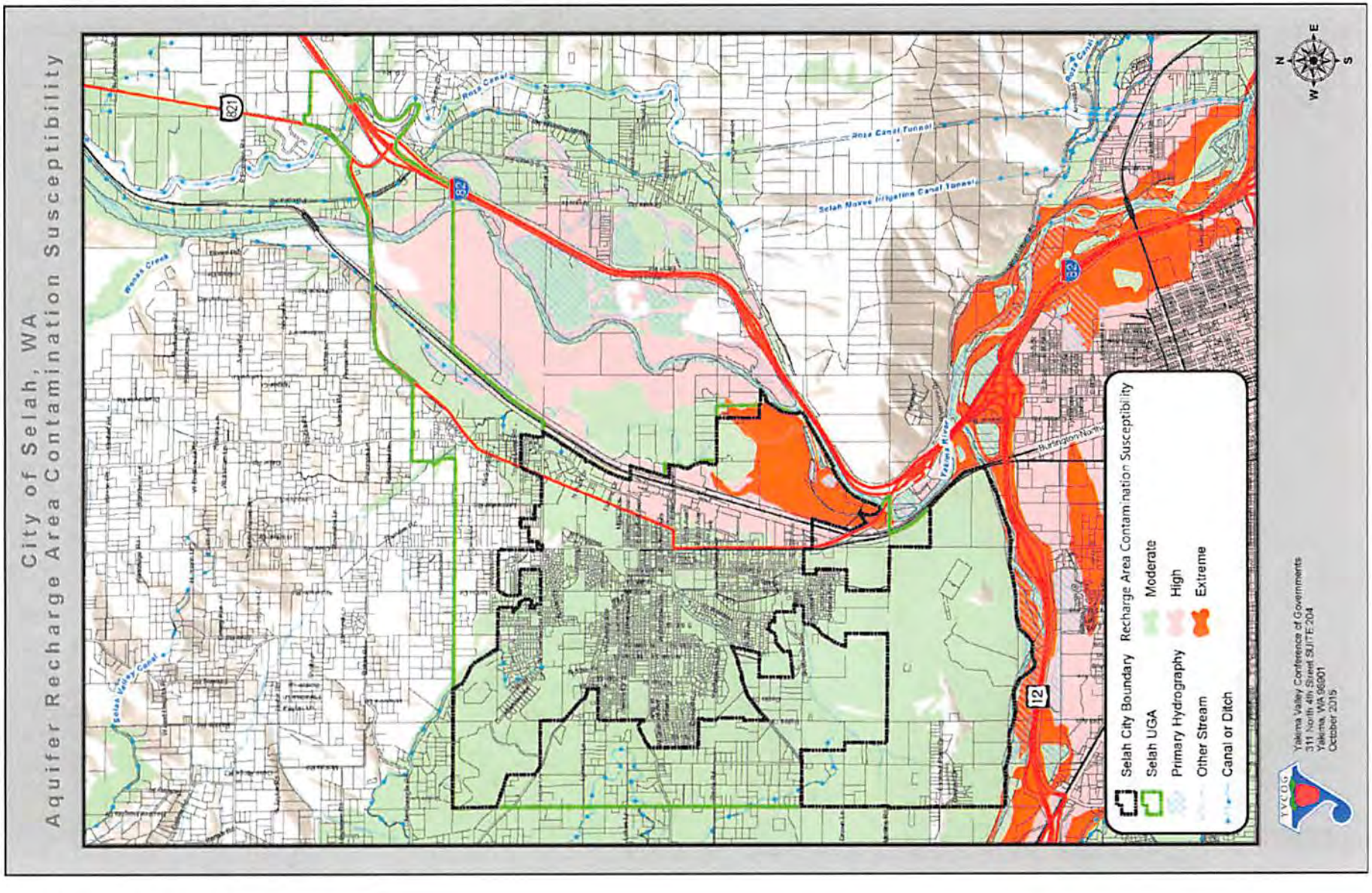


Figure 4. Critical Aquifer Recharge Areas, Selah UGA



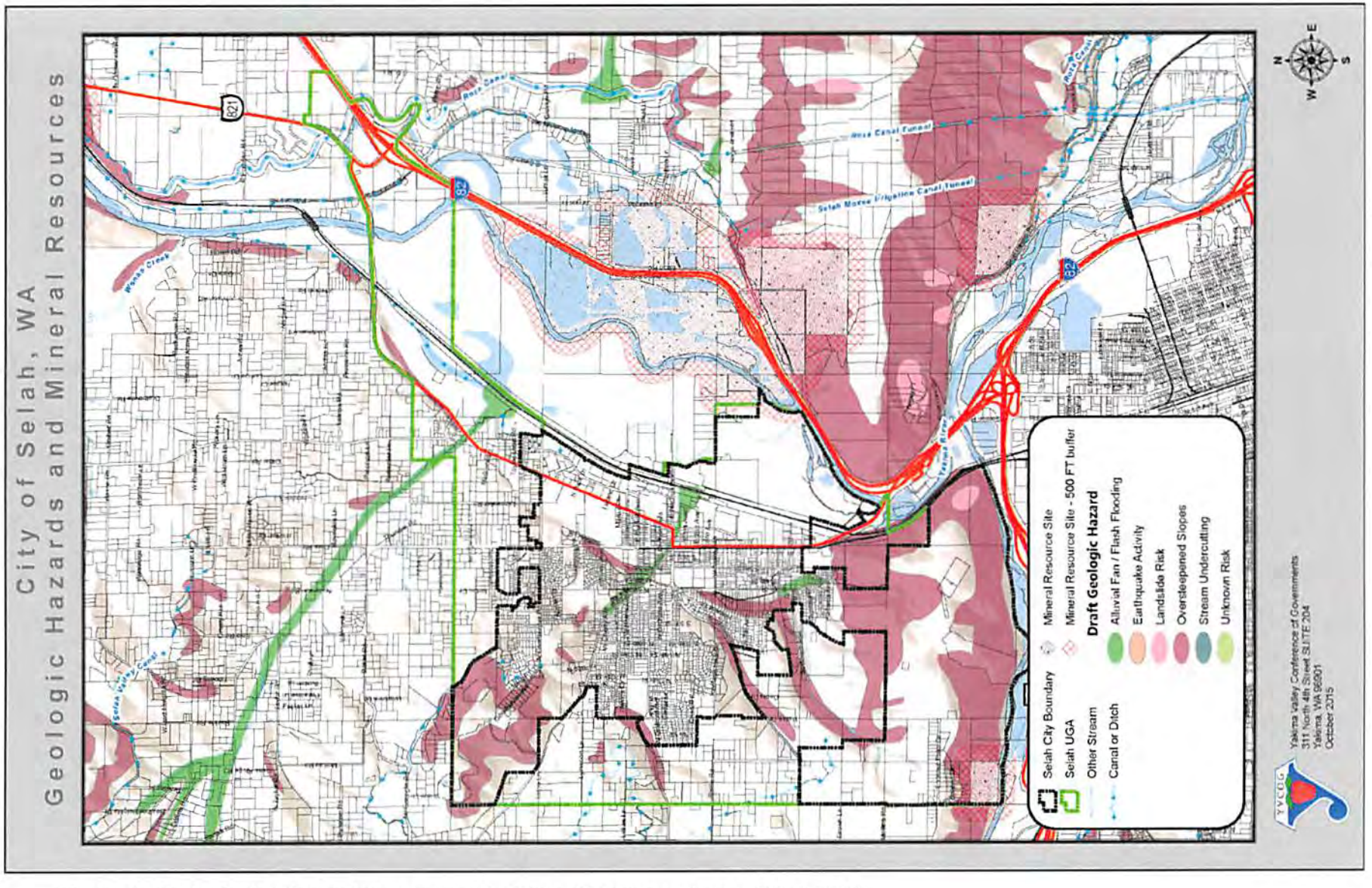


Figure 5. Geologically Hazardous Areas and Mineral Resource Areas, Selah UGA

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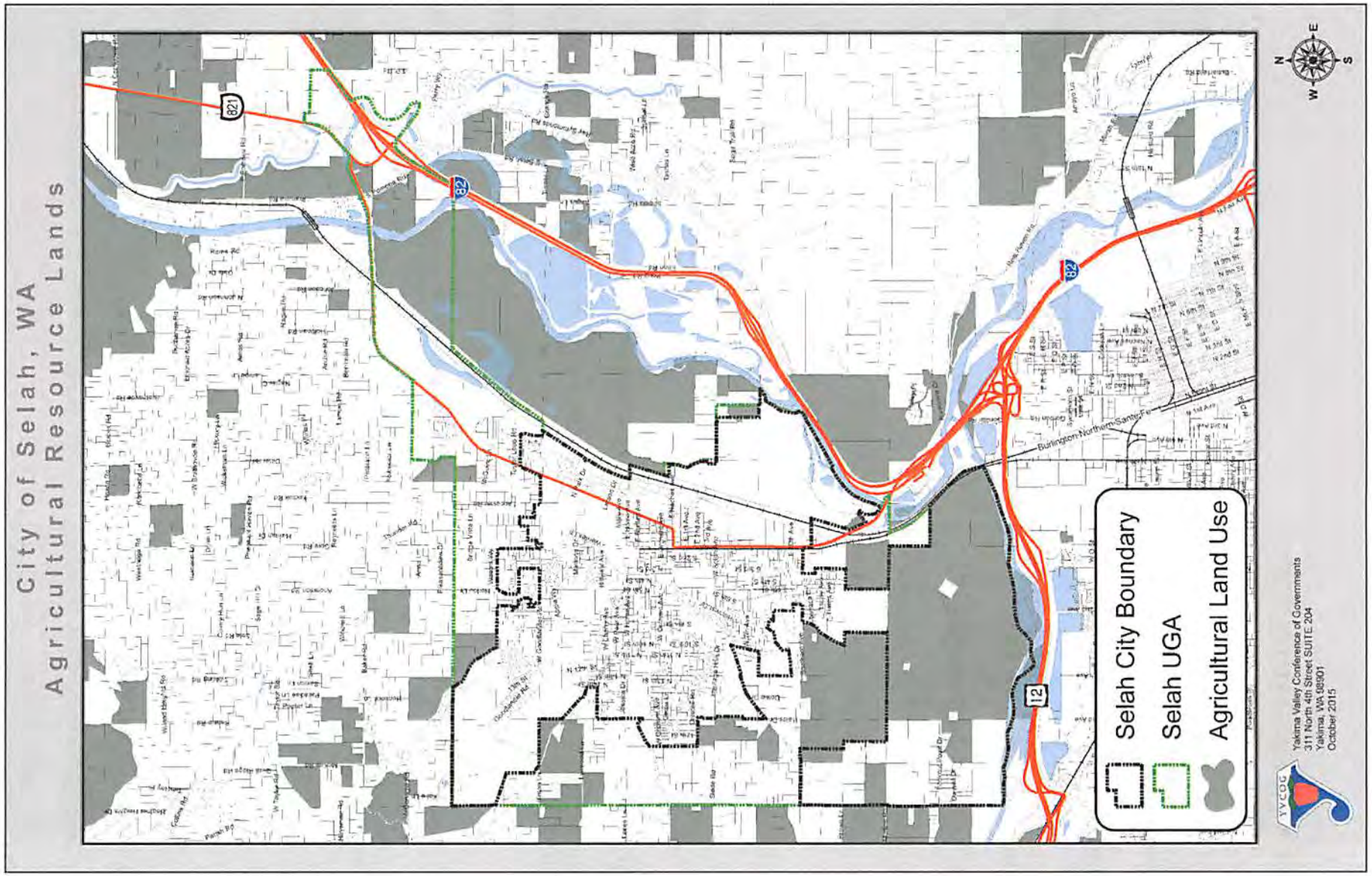
Figure 6. Agricultural Lands, Selah UGA



EXISTING GOALS AND POLICIES

The City of Selah recognizes the value of the large expanse of floodplain bordering the City. The floodplain is an important habitat and wetland area, location of scenic value, floodwater storage area, and plays an important water quality role in the Valley. As a result of its importance to the region, the floodplain should be protected from incompatible encroachment.

The City of Selah also recognizes the importance of working cooperatively with adjoining local governments and agencies in protecting valuable natural resources. Many of the policies below parallel Yakima County policies and support regional consistency in future development of critical area regulations as required by GMA.

GOAL: Respect the floodplain.

Objective ENV 1: Respect habitat and wetland areas within the 100-year floodplain.

Policy ENV 1.1: Map important habitat and wetland areas within the 100-year floodplain.

Policy ENV 1.2: Adopt wildlife and wetland habitat overlay zones within the zoning ordinance.

Policy ENV 1.3: Require appropriate studies for projects in the 100-year floodplain, as identified on Federal Emergency Management Agency (FEMA) flood maps.

Policy ENV 1.4: Only developments which respect the floodplain and meet appropriate local, state and federal requirements will be allowed in the 100-year floodplain.

GOAL: Preserve the natural stormwater storage capacity of the floodplain.

Objective ENV 2: Adopt land use policies that reduce or eliminate negative impacts of development on stormwater drainage capacities and systems.

Policy ENV 2.1: Encourage the retention of native vegetation or the creation of vegetative buffers near drainage courses to preserve water quality, and to aid in bio-filtration of stormwater.

Policy ENV 2.2: Minimize adverse stormwater impacts generated by the removal of vegetation and alteration of landforms.

Policy ENV 2.3: Require the utilization of on-site detention and/or infiltration facilities as a part of new developments which demonstrate the capacity to accommodate such facilities and/or would significantly burden the City's stormwater infrastructure facilities if not utilized.

Policy ENV 2.4: Insure that new development will not increase peak stormwater runoff.

Policy ENV 2.5: Control stormwater in a manner that has positive or neutral impacts on the quality of surface and groundwater and does not sacrifice one for the other.

GOAL: Promote and enhance surface and groundwater quality.

Objective ENV 3: Maintain and manage the quality of surface and groundwater resources as near as possible to their natural

condition and in compliance with state water quality standards.

Policy ENV 3.1: Develop performance standards and regulate uses for activities which adversely impact water quantity and quality in aquifers, watersheds and surface waters.

Policy ENV 3.2: Evaluate the potential impact of development proposals on groundwater quality, and require alternative site designs to reduce contaminant loading where site conditions indicate that the proposed action will measurably degrade groundwater quality.

Policy ENV 3.3: Encourage the retention of natural open spaces in development proposals overlying areas highly susceptible for contaminating groundwater resources.

Policy ENV 3.4: Support regional educational efforts which inform citizens of measures they can take to reduce contaminant loading of groundwater systems.

Policy ENV 3.5: Protect water quality from the adverse impacts associated with erosion and sedimentation.

Policy ENV 3.6: Encourage the use of drainage, erosion, and sediment control practices for all construction or development activities.

Policy ENV 3.7: Make use of local and regional data sources to monitor and assess surface and groundwater quality.

Policy ENV 3.8: Participate in water quality improvement planning and implementation efforts by local, regional, state, federal and tribal agencies.

GOAL: Provide appropriate protection for recognized habitat and critical areas.

Objective ENV 4: Establish specific, science-based criteria for identification and protection of environmentally sensitive resources.

Policy ENV 4.1: Monitor designated environmental critical areas to ensure continue viability and protection.

Policy ENV 4.2: Integrate environmental considerations into all planning efforts and comply with all state and federally mandated environmental legislation.

Policy ENV 4.3: Support regional efforts for the protection of fish and wildlife habitat consistent with science-based criteria to protect the natural values and functions of those habitats. Fish and wildlife habitat protection considerations should include:

1. The physical and hydrological connections between different habitat types to prevent isolation of those habitats;

2. Diversity of habitat types both on a local and regional scale;

3. Large tracts of fish and wildlife habitat;

4. Areas of high species diversity;

5. Locally or regionally unique or rare habitats;

6. Winter range and migratory bird habitat of seasonal importance.

Policy ENV 4.4: Direct development away from area containing significant fish and wildlife habitat areas, especially areas that are currently undeveloped or are primarily dominated by low intensity land uses.

Policy ENV 4.5: Limit development projects or require mitigation measures in areas adjacent to public lands containing significant fish and wildlife habitat.

Policy ENV 4.6: Protect the habitat of *Washington State Listed Species of Concern and Priority Habitats and Species* in order to maintain their populations.

Policy ENV 4.7: Cooperate with resource agencies to prioritize habitats and provide appropriate measures to protect them according to their respective values.

Objective ENV 5: Provide for long-term protection of wetlands.

Policy ENV 5.1: Preserve, protect, manage and regulate wetlands for purposes of public health, safety and general welfare by:

1. Conserving fish, wildlife, and other natural resources;

2. Regulating property use and development to maintain the natural and economic benefits provided by wetlands, consistent with the general welfare of the City;

3. Protecting private property rights consistent with the public interest;

4. Requiring wetland buffers and building setbacks around regulated wetlands to preserve vital wetland functions and values.

Policy ENV 5.2: Adopt a clear definition of a regulated wetland and a method for delineating regulated wetland boundaries.

Policy ENV 5.3: Manage and mitigate human activities or actions that would have a probable adverse impact on the existing conditions or regulated wetlands or their buffers.

Policy ENV 5.4: Require mitigation for any regulated activity which alters regulated wetlands and their buffers.

PROPOSED GOALS AND POLICIES

Goal 1: ***Manage development according to the severity of natural constraints in order to reduce risks and minimize damage to life and property.***

Policy 1.1 The City will continue to amend and adopt land development regulations which ensure the protection of the attributes, functions and amenities of the natural environment under all projected growth scenarios.

Policy 1.2 Support the preservation and enhancement of natural resource lands and support occupations associated with agriculture, farming and tourism within agricultural areas adjacent to the City and its UGA.

Policy 1.3 Support the protection of agricultural and other resource lands within the Selah area from incompatible development, keeping them available for recreational use and economic purposes.

Policy 1.4 Encourage new developments to locate in areas that are relatively free of environmental problems relating to soil, slope, bedrock, and the water table. Proposed developments should be reviewed by the appropriate City staff or consultants to identify site-specific environmental problems.

Policy 1.5 Development shall take adequate measures to minimize significant erosion and flash flooding conditions by:

1) Limiting the total amount of impervious surface to be created;
2) Planting sufficient vegetation to offset the effects of the impervious surfaces created; and/or
3) Providing sufficient drainage facilities to control storm runoff.

Goal 2: ***Maintain high ground water quality.***

Policy 2.1 Coordinate with Yakima County to limit development outside the projected service area to a density where cumulative groundwater degradation for Selah area residents will be prevented.

1) Ensure that lot sizes in areas lacking public sewer service are large enough to accommodate individual septic systems without cumulative degradation of water quality by continuing Yakima County Health District's requirement of on-site tests as a prerequisite for building permits; and
2) Require development to include provisions which ensure that increased runoff from impervious surfaces does not damage the natural drainage system or deteriorate water quality.

Policy 2.2 Conduct and support educational efforts which inform citizens of measures they can take to reduce contaminant loading of groundwater systems.

Policy 2.3 The City shall consider the impacts of new development on water quality as part of its review process and will require any appropriate mitigating measures.

Policy 2.4 Ensure that abandoned wells are closed properly.

Goal 3: **Protect surface waters from degradation.**

Policy 3.1 Identify those natural conditions, land uses and practices that together could result in loss of water quality if not properly managed.

Policy 3.2 Evaluate the measures that are already in place to prevent degradation, and determine the best, cost effective means for protecting surface water from identified threats to water quality.

Policy 3.3 Adequate on-site disposal of surface water runoff shall be provided by all types of development.

Policy 3.4 Support efforts to encourage improved farming practices which will minimize runoff from farmlands and subsequent degradation of surface water by fertilizers, insecticides, sedimentation, etc.

1) Coordinate with the exiting conservation districts and support their planning and implementation effort by:
   a) Supporting long-range planning efforts which address conservation in a variety of different areas; and
   b) Implementing appropriate methods and techniques for conservation and
   c) Using the Yakima County Extension Service, the Natural Resources and Conservation Service, the Bureau of Reclamation, etc., for more information on related subjects.

Policy 3.5 Review available best management practices which can be used to reduce erosion and sedimentation associated with development within Selah. Investigate the need for additional erosion control measures for construction projects.

Policy 3.6 Maintain local control over water quality planning by: 1) providing guidance to state and federal agencies regarding water quality issues, priorities and needs; and 2) demonstrating progress in accomplishing the goals and objectives of locally developed water quality plans, thereby pre-empting externally-imposed solutions to water quality problems as much as possible.

Policy 3.7 Encourage the implementation of best management practices through information dissemination and cooperation.

Policy 3.8 Investigate the need for additional measures to control storm drainage and improve the storm drainage system.

Policy 3.9 Work cooperatively with other jurisdictions and agencies to educate the public on the proper use and disposal of stored chemicals and hazardous materials.

Policy 3.10 Maintain commercially viable farmland in agricultural production.

Policy 4.11 Discourage urban density development on productive agricultural lands outside of areas needed for future growth and development.

Goal 4: ***Establish critical areas protection measures to protect environmentally sensitive areas, and protect people and property from hazards.***

Policy 4.1: Use the best available science in a reasonable manner to develop regulations to protect the functions and values of critical areas. (WAC 365-195-900)

Policy 4.2: Ensure proposed subdivisions, other development, and associated infrastructure are designed at a density, level of site coverage, and occupancy to preserve the structure, values and functions of the natural environment or to safeguard the public from hazards to health and safety.