



SELAH CITY COUNCIL
Meeting Agenda

5:30pm October 26, 2021

4:30pm-5:15pm Executive Session

Re: Litigation; RCW 42.30.110(1)(i)

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/non-action



*Selah City Council
Regular Meeting
Tuesday, Oct 26, 2021
5:30pm
Via Zoom*

Mayor:
Mayor Pro Tem:
Council Members:

Sherry Raymond
Roger Bell
Russell Carlson
Jacquie Matson
Kevin Wickenhagen
Clifford Peterson
Suzanne Vargas
Michael Costello

CITY OF SELAH
115 West Naches Avenue
Selah, Washington 98942

City Administrator:
City Attorney:
Clerk/Treasurer:

Joe Henne
Rob Case
Dale Novobielski

AGENDA

- A. Call to Order –Mayor Raymond
- B. Roll Call
- C. Councilmember Absence – Motion to Excuse
- D. Pledge of Allegiance
- E. Invocation
- F. Agenda Changes **None**
- G. Public Appearances/Introductions/Presentations
 - 1. Katrina Henkle, Selah Downtown Association – Update
- H. Getting To Know Our Businesses **None**
- I. Communications
 - 1. Oral **None**

The City of Selah is a non-charter code city and we are presently conducting a regular meeting between the Mayor and City Council. A maximum of thirty minutes will be allotted for public comments. Common-sense standards of decorum apply. Comments must be respectful; no profanity or insults are allowed. Comments must pertain to City business and official actions. Constructive criticism of City officials is allowed, but defamation, personal attacks and impertinent assertions are not allowed. Commenters are limited to one comment per meeting and a maximum of two minutes. City staff may disallow or modify any comment that is deemed inappropriate. These standards are subject to revision.

- 2. Written **None**
- J. Proclamations/Announcements **None**
- K. 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.

- Treesa Morales * 1. Approval of Minutes: October 12, 2021 Council Meeting
 Dale N. * 2. Approval of Claims & Payroll

L. Public Hearings/Resolutions/Ordinances

- Jeff Peters L-1 Closed Record Public Hearing to consider the City of Selah Planning
(Public Hearing) Commission's recommendation regarding a Comprehensive Plan Future Land Use and Zoning Map Amendment for property located in the vicinity of Naches Ave. and 4th St. from Semi-Public/Open Space to Commercial, and Residential, Single-Family (R-1) to Business, General (B-2).
- Jeff Peters O-1: (**→Relocated**): Ordinance Amending the Comprehensive Plan Future Land
(Accompanying Ordinance) Use Map and Zoning Map of the City of Selah for Parcel 181435-41454 as Follows: Future Land Use Map from Semi-Public/Open Space to Commercial and Zoning Map from Residential Single-Family (R-1) to Business, General (B-2).
- Jeff Peters L-2: Closed Record Public Hearing to consider the City of Selah Planning
(Public Hearing) Commission's recommendation regarding a Comprehensive Plan Future Land Use and Zoning Map Amendment for property located at 705 & 705 ½ Bartlett Ave. from Low Density Residential to Medium Residential, and Residential, Single-Family (R-1) to Residential, Two-Family (R-2).
- Jeff Peters O-2: (**→Relocated**): Ordinance Amending the Comprehensive Plan Future Land
(Accompanying Ordinance) Use Map and Zoning Map of the City of Selah for Parcel 181435-42005 as Follows: Future Land Use Map from Low Density Residential to Moderate Density Residential and Zoning Map from Residential, Single-Family (R-1) to Residential, Two-Family (R-2).
- Jeff Peters L-3: Closed Record Public Hearing to consider the City of Selah Planning
(Public Hearing) Commission's recommendation regarding a Comprehensive Plan Future Land Use and Zoning Map Amendment for property located at 310 W. Selah Ave. from Moderate Density Residential to High Density Residential, and Residential, Two-Family (R-2) to Residential, Multi-Family (R-3).
- Jeff Peters O-3 (**→Relocated**): Ordinance Amending the Comprehensive Plan Future Land
(Accompanying Ordinance) Use Map and Zoning Map of the City of Selah for Parcels 181302-11436 and 181302-11437 as Follows: Future Land Use Map from Moderate Density Residential to High Density Residential and Zoning Map from Residential, Two-Family (R-2) to Residential, Multi-Family (R-3).
- Rocky Wallace L-4: Open Public Hearing to Consider Potential Adoption of the City's Updated
(Public Hearing) Water System Plan, which is entitled "City of Selah Water System Plan, February 2021."
- Rocky Wallace O-4: (**→Relocated**): Ordinance Adopting the City's Updated Water System Plan
(Accompanying Ordinance) Entitled "City of Selah Water System Plan, February 2021" and Repealing the City's Preexisting Plan Entitled "2014 Comprehensive Water Plan."
- Dale L-5 Open Public Hearing on Revenue Sources for the 2022 Budget.
 Novobielski

- M. General Business
 - 1. New Business
 - 2. Old Business

None
None

N. Resolutions

- Rocky Wallace N-1: Resolution Authorizing the Mayor to Sign “Task Order No. 2021-11” between the City and HLA Engineering and Land Surveying, Inc., for Professional Engineering Services Related to the 2021 Annual Update to the City’s Stormwater Management Plan.
- Rocky Wallace N-2: Resolution Authorizing the Mayor to Sign “Contract Number: PC22-96103-046” between the City and the Washington State Public Works Board, in order for the City to Obtain Financing for the City’s Contemplated Water Service Meter Improvements Project.
- Rocky Wallace N-3: Resolution of the City Council of the City of Selah, Yakima County, Washington, authorizing each of the Mayor and the Clerk Treasurer to Negotiate with Banner Bank the Terms of the City’s Sewer Revenue Bond Anticipation Note, in the Principal Amount of not to Exceed \$2,111,000, to Finance a Portion of the City’s Wastewater Collection System Improvements Project; and Providing for Other Matters Properly Relating thereto.
- Rocky Wallace N-4 Resolution Authorizing the Mayor to sign a Three-Page Letter Agreement dated October 21, 2021, between the City of Selah and the law firm of Foster Garvey P.C., Engaging such law firm to Provide Bond Counsel Services Relative to the City’s Wastewater Collection System Improvements Project.
- Rob Case N-5 Resolution Approving the 2021 Salary and Vacation Leave Accrual for Employee Treesa Morales, with a Retroactive Date of August 1, 2021.

O. Ordinances

- Jeff Peters O-1 →Relocated – see public hearings
- Jeff Peters O-2 →Relocated – see public hearings
- Jeff Peters O-3 →Relocated – see public hearings
- Rocky Wallace O-4 → Relocated – see public hearings
- Dan Christman O-5 Ordinance Amending the 2021 Budget for the Hiring of a Probationary Police Officer.
- Dale Novobielski * O-6* Ordinance Amending the 2021 Budget for an Irrigation Water Rights Changes/Transfer Feasibility Study.

- Dale Novobielski* O-7* Ordinance Amending the 2021 Budget for the Purchase of a 2008 International Dump Truck.
- Dale Novobielski* O-8* Ordinance Amending the 2021 Budget for Architectural Design Services for a Law and Justice Center.
- Rob Case O-9 Ordinance Amending Selah Municipal Code Section 1.10.031.

P. Public Appearances **None**

Q. Reports/Announcements

- 1. Departments
- 2. Council Members
- 3. City Administrator
- 4. Boards

Makenzie Hoff * a. Minutes for August 3, 2021 Planning Commission Meeting.

- 5. Mayor

R. Executive Session **4:30pm-5:15pm**
Regarding: Litigation: RCW 42.30.110(1)(i)

S. Adjournment

Next Regular Meeting November 9, 2021



**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



Council Meeting

Action Item

10/26/2021

K – 1

Title: Approval of Minutes: October 12, 2021 Council Meeting

From: Treesa Morales

Action Requested: Approval

Staff Recommendation: Approval of Minutes

Board/Commission Recommendation: Not Applicable

Fiscal Impact: N/A

Funding Source: N/A

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
October 12, 2021
Study Session Minutes
5:00pm Via Zoom

Introduced by Mayor, presented by Rocky Wallace. Presented information for the 2021 Water System Plan.

Public Works Director, Rocky Wallace introduced Justin Bellamy from HLA – who discussed plan and changes from the last time council saw the plan. Looking to be adopted at future council meetings.

Councilmember Bell asked question about concerns of having enough water in the future and potential need for a water treatment facility.

- Justin Bellamy – clarification for Crusher Canyon area and future UGA areas for services.

Council Member Bell asked if the plan includes the two new developments currently underway

- Justin Bellamy said it does not include those two new developments

Ty Jones explained that there are limited number of ERUs and the plan divides how many water rights we have and how to divide that throughout the projected number of customers.

- City Administrator, Joe Henne explained that the water system plan gives understanding and a plan for available ERUs. There are limited number of water rights and they'll be available on first come first served basis. Henne said they've been meeting with irrigation districts and acquiring additional water rights and extend ERU/water rights.

Council Member Bell stated his base concern is that there is projected 1%, but worried that projected growth might be incorrect and may need to be higher.

- City Administrator, Joe Henne stated we are using current urban area boundaries. Also mentioned that if (within the 10 year document) needed, things can be re-evaluated.

Councilman Carlson discussed about property being annexed into the city with or without water rights, and asked how much of the UGA has property that contains water rights.

- City Administrator, Joe Henne responded, explained how water rights work

Councilwoman Matson asked about decommissioned wells 1 and 2.

- Justin Bellamy clarified – confirmed correct that the rights were moved over to well 6.

City Administrator, Joe Henne reminded council it is a living document and it can change over time as needed.

Study Session end at 5:23pm

City of Selah
October 12, 2021
Regular Meeting
Electronically Via Zoom

- A. Call to Order Mayor Raymond called the meeting to order at 5:30 pm.
- B. Roll Call
- Members Present: Kevin Wickenhagen; Jacquie Matson; Suzanne Vargas; Clifford Peterson; Roger Bell; Michael Costello; Russell Carlson
- Members Absent: None
- Staff Present: Joe Henne, City Administrator; Rob Case, City Attorney; Dan Christman, Police Chief; James Lange, Fire Chief; Mickey Gillie, Deputy Fire Chief; Jeff Peters, Community Development Supervisor; Treesa Morales, Public Records Specialist.

C. Councilmember Absence

Motion to Excuse Council Woman ~~Susan~~ ^{SUZANNE} Vargas
Council Member Peterson motioned, Council Member Bell, seconded
By a show of hands, vote was unanimous.

D. Pledge of Allegiance

Mayor Raymond led the Pledge of Allegiance

E. Invocation

Pastor Katie Hutchinson from Selah Covenant Church gave the Prayer

F. Agenda Changes

Mayor Raymond introduced the need for some notification of typos in the council packet. Public Records Officer Treesa Morales pointed out the following typing errors that would be amended in the Council Packet:

1. On Packet page no. 6, the payroll checks no. 84437-84461 needs to be removed as it will be included on the Oct 26, 2021 council meeting.
2. On packet page no. 12, the Action Item number R-1 needs to be changed to N-1; packet page no. 16, the Action Item number R-2 needs to be changed to N-2; packet page no. 22, the Action Item number R-3 needs to be changed to N-3; packet page no. 25, the Action Item number R-4 needs to be changed to N-4; packet page no. 32, the Action Item number R-5 needs to be changed to N-5
3. On packet page no. 96, the Selah Municipal Code #70.01 needs to be changed to 7.01

G. Public Appearances/Introductions/Presentations

1. Katrina Henkle, Selah Downtown Association – Update

Katrina Henkle, Selah Downtown Association (SDA) Executive Director, gave a report. Noted of the upcoming Halloween celebrations, and information on the B&O taxes received.

H. Getting To Know Our Businesses None

I. Communications

1. Oral None

2. Written None

J. Proclamations/Announcements None

K. Consent Agenda

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

* 1. Approval of Minutes: September 28, 2021 Council Meeting

* 2. Approval of Claims and Payroll:

Payroll Checks Nos. 84437-84461 for a total of \$298,165.41

Claim Checks Nos. 177050-177163 for a total of \$348,192.30

Council Member Bell made motion to add item N-2 to the consent agenda and Council Member Peterson seconded. By show of hands, motion passes unanimously.

****N-2. Resolution Accepting the 2021 Crack Sealing Project as Complete, Authorizing Final Payment to Contractor, and Authorizing the Release of Final Retainage to the Contractor.**

Council Member Carlson moved to approve consent agenda as amended, and Council Member Wickenhagen seconded. By a show of hands, approval was unanimous.

Public Records Specialist, Treesa Morales, read the Consent Agenda.

L. Public Hearings None

M. General Business

1. New Business None

2. Old Business None

N. Resolutions

N-1. Resolution Declaring Vehicles Surplus and Providing for Disposition of the same.

Introduced by Mayor Raymond and presented by Public Works Director, Rocky Wallace. After Discussion,

Council Member Bell moved, and Council Member Wickenhagen seconded, to Resolution Declaring Vehicles Surplus and Providing for Disposition of the same. Roll was called: Council Member Wickenhagen – yes; Council Member Matson – yes; Council Member Vargas – absent; Council Member Peterson – yes; Council Member Bell – yes; Council Member Costello – yes; Council Member Carlson – yes. By voice vote, Resolution passes unanimously.

****N-2. Moved to Consent Agenda**

N-3. Resolution Authorizing the Mayor to Sign a Contract, on Behalf of the City, for the Purchase of a 2008 International 7600 Truck from the Washington State Department of Enterprise Services (DES).

Introduced by Mayor Raymond, presented by Public Works Director, Rocky Wallace. After Discussion:

Council Member Matson moved, and Council Member Peterson seconded, to Resolution Authorizing the Mayor to Sign a Contract, on Behalf of the City, for the Purchase of a 2008 International 7600 Truck from the Washington State Department of Enterprise Services (DES). Roll was called: Council Member Wickenhagen – yes; Council Member Matson – yes; Council Member Vargas – absent; Council Member Peterson – yes; Council Member Bell – yes; Council Member Costello – yes; Council Member Carlson – yes. By voice vote, Resolution passes unanimously.

N-4. Resolution Authorizing the Mayor to Sign Task Order No. 2021-10 Between the City of Selah and HLA Engineering and Land Surveying, Inc. to Provide Engineering Services for the Water Service Meter Improvements Project.

Introduced by Mayor Raymond, presented by Public Works Director, Rocky Wallace. After Discussion:

Council Member Bell moved, and Council Member Matson seconded, to Resolution Authorizing the Mayor to Sign Task Order No. 2021-10 Between the City of Selah and HLA Engineering and Land Surveying, Inc. to Provide Engineering Services for the Water Service Meter Improvements Project. Roll was called: Council Member Wickenhagen – yes; Council Member Matson – yes; Council Member Vargas – absent; Council Member Peterson – yes; Council Member Bell – yes; Council Member Costello – yes; Council Member Carlson – yes. By voice vote, Resolution passes unanimously.

N-5. Resolution authorizing the Mayor to sign an Agreement between the City of Selah (owner) and HLA Engineering and Land Surveying, Inc. (Engineer) to provide Engineering Construction and Post-Construction Phase Services for the Wastewater Collection System Improvements Project.

Introduced by Mayor Raymond, presented by Public Works Director, Rocky Wallace. After Discussion:

Council Member Matson moved, and Council Member Wickenhagen seconded, to Resolution authorizing the Mayor to sign an Agreement between the City of Selah (owner) and HLA Engineering and Land Surveying, Inc. (Engineer) to provide Engineering Construction and Post-Construction Phase Services for the Wastewater Collection System Improvements Project. Roll was called: Council Member Wickenhagen – yes; Council Member Matson – yes; Council Member Vargas – absent; Council Member Peterson – yes; Council Member Bell – yes; Council Member Costello – yes; Council Member Carlson – yes. By voice vote, Resolution passes unanimously.

O. Ordinances

O-1. Ordinance of the City of Selah, Washington, Adopting Chapter 7.01 SMC to Establish a “Complete Streets” Program for the Purpose of Providing Safe Access and Accommodation to All Users Including Bicyclists, Pedestrians, Motorists, and Public Transportation Users.

Introduced by Mayor Raymond and presented by Community Development Supervisor, Jeff Peters. After Discussion:

Council Member Peterson moved, and Council Member Carlson seconded, to Approve the Ordinance of the City of Selah, Washington, Adopting Chapter 7.01 SMC to Establish a “Complete Streets” Program for the Purpose of Providing Safe Access and Accommodation to All Users Including Bicyclists, Pedestrians, Motorists, and Public Transportation Users. Roll was called: Council Member Wickenhagen – yes; Council Member Matson – yes; Council Member Vargas – absent; Council Member Peterson – yes; Council Member Bell – yes; Council Member Costello – yes; Council Member Carlson – yes. By voice vote, approval Ordinance passes unanimously.

O-2. Ordinance amending the 2021 budget for the Replacement of an Animal Control Vehicle.

Introduced by Mayor Raymond, presented by Clerk Treasurer Dale Novobielski. After Discussion,

Council Member Bell moved, and Council Member Costello seconded, to Approve the Ordinance amending the 2021 budget for the Replacement of an Animal Control Vehicle. Roll was called: Council Member Wickenhagen – yes; Council Member Matson – yes; Council

Member Vargas – absent; Council Member Peterson – yes; Council Member Bell – yes; Council Member Costello – yes; Council Member Carlson – ~~yes~~. By voice vote, Ordinance passes with a vote of 5-yes and 1-no.
NO

P. Public Appearances None

Q. Reports/Announcements

1. Departments

- Rocky Wallace: 2021 Selah Water System Plan; gave report regarding current and upcoming projects
- Chief Lange gave report
- Community Development Supervisor Jeff Peters gave report
- Chief Christman gave report
- Clerk/Treasurer gave report – reminder that council meets with department heads regarding the budget in November. Also, a note that the Governor’s moratorium regarding water shut offs ended at the end of September. Discussed what the City is doing to help citizens repay their past-due water bills. Currently there are only 21 accounts subject to shut offs (out of approx. 3000 customers).

2. Council Members

- Council member Carlson gave a report regarding the Selah Downtown Association
- Council member Costello – no report
- Council member Matson - no report
- Council member Wickenhagen – no report
- Council member Peterson – no report
- Council member Bell – gave report – reminder of the meeting on Thursday at 6pm for the SPRSA townhall meeting. Also, 10/28/21 McKenzie architect will be given public presentation regarding the proposed Law and Justice Center, and gaining public input.

3. Mayor Raymond gave report.

4. City Attorney Rob Case: Re: Ordinance #2134 passed on 9-28-2021; and gave a notice of potential executive session(s) at the upcoming Oct 26 council meeting pertaining to litigation.

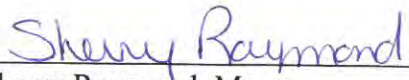
5. City Administrator Henne gave report regarding current and upcoming projects; also discussed revision of City Codes as needed in upcoming meetings; also working with HLA and Bill Harris for the site plan for the new food bank.

R. Executive Session None

S. Adjournment

Council Member Wickenhagen moved, and Council Member Carlson seconded, that the meeting be adjourned. By a show of hands, approval was unanimous.

The meeting adjourned at 6:25pm.




Sherry Raymond, Mayor



Roger Bell, Council Member

Russell Carlson, Council Member


Jacquie Matson, Council Member



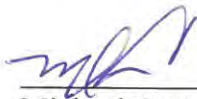
Kevin Wickenhagen, Council Member



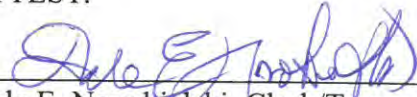
Clifford Peterson, Council Member



Suzanne Vargas, Council Member



Michael Costello, Council Member

ATTEST:


Dale E. Novobielski, Clerk/Treasurer



**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



Council Meeting

Action Item

10/26/2021

K – 2

Title: Approval of Claims and Payroll

From: Treesa Morales

Action Requested: Approval

Staff Recommendation: Approval of Claims & Payroll as listed on Check Registers

Board/Commission Recommendation: Not Applicable

Fiscal Impact: See Check Registers

Funding Source: See 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
10/26/2021	L-1

Title: Closed Record Public Hearing to consider the City of Selah Planning Commission's recommendation regarding a Comprehensive Plan Future Land Use and Zoning Map Amendment for property located in the vicinity of Naches Ave. and 4th St. from Semi Public/Open Space to Commercial, and Residential, Single-Family (R-1) to Business, General (B-2).

From: Jeff Peters: Community Development Supervisor

Action Requested: Approval

Staff Recommendation: Hold the required public hearing, and adopt the accompanying ordinance.

Board/Commission Recommendation: Approval

Fiscal Impact: N/A

Funding Source: N/A

Background / Findings & Facts: On August 3, 2021, the City of Selah, submitted applications for the City of Selah's Annual Comprehensive Plan Future Land Use Map Amendment process which include a Comprehensive Plan Future Land Use Map Amendment, Rezone, and Environmental Review (COMP-2021-001, 914-2021-003, & SEPA-2021-007). The City is requesting to change the Future Land Use Map designation for parcel 181435-41454, from Semi Public/Open Space to Commercial and to concurrently rezone from Residential, Single-Family (R-1) to Business, General (B-2) to support the city's efforts to construct a new police station/future city hall.

Recommended Motion: I move that the City Council adopt the accompanying ordinance approving Comprehensive Plan Future Land Use Map Amendment COMP-2021-001, and Rezone 914-2021-003, and further adopting the Selah Planning Commission's findings, conclusions, and recommendation of October 5, 2021, as its own.



**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:
8/3/2021	Application Submittal
8/27/2021	Notice of Application and Public Hearing and Legal Notice
9/13/2021	SEPA Notice of Determination of Non-Significance
10/5/2021	Planning Commission Public Hearing
10/15/2021	Notice of City Council Public Hearing

City Council Document Index for the City of Selah
Comprehensive Plan Future Land Use Map Amendment: COMP-2021-001,
Rezone: 914-2021-003, and SEPA-2021-007

List of Exhibits

Item:	<u>Exhibit</u>
Planning Commission Findings of Fact, Conclusions, and Recommendation Staff Report	1a 1b
 Applications:	
Comprehensive Plan Future Land Use Map Amendment Rezone	2a
State Environmental Policy Act Review (SEPA)	2b 2c
 Notices:	
Notice of Application, Environmental Review, Public comment and Planning Commission Public Hearing	3a
Notice to Yakima Herald Republic, August 27, 2021	3b
Affidavit of Mailings, August 27, & September 13, 2021	3c
Determination of Nonsignificance, September 13, 2021	3d
Notice to Yakima Herald Republic, October 15, 2021	3e
Affidavit of Publications, August 27 & October 15, 2021	3f
 Public Comments:	
	4a

SELAH PLANNING COMMISSION
RECOMMENDATION TO THE SELAH CITY COUNCIL
FOR
COMPREHENSIVE PLAN AMENDMENT AND REZONE
COMP-2021-001, & 914-2021-003

October 5, 2021

WHEREAS, The City of Selah adopted its 2017 Comprehensive Plan on June 27, 2017;
and

WHEREAS, The Washington Growth Management Act and local ordinances provide a process for the annual review of amendments to the Comprehensive Plan as requested by citizens, property owners and/or local government; and

WHEREAS, Under the provisions of SMC Ch. 10.40.040 the Selah Planning Commission (SPC) is responsible for the review of these applications and for recommending the approval, modification or denial of each request; and

WHEREAS, On August 3, 2021 applications for Comprehensive Plan Amendment and Rezone were submitted by the City of Selah, to amend the Comprehensive Plan Future Land Use Map Designation for Tax Parcel Number: 181435-41454 from Semi Public/Open Space to Commercial, and to concurrently rezone from Residential, Single-Family (R-1) to Business, General (B-2) (City Files: COMP-2021-001, 914-2021-003, & SEPA-2021-007); and

WHEREAS, The applications were considered complete for processing on August 23, 2021 and public notice was provided, in accordance with the provisions of SMC Ch. 21.07, on August 27, 2021; and

WHEREAS, SEPA Environmental Review was completed with a Determination of Nonsignificance issued on September 13, 2021, which was not appealed (City File: SEPA-2021-007); and

WHEREAS, The Selah Planning Commission held an open record public hearing on October 5, 2021 to hear testimony from the public, consider the Amendment and Rezone, and provide a recommendation to the Selah City Council;

Now therefore, the Selah City Planning Commission presents the following findings of fact, conclusions, and recommendation to the Selah City Council:



APPLICATION # COMP-2021-001, 914-2021-003
APPLICANT: City of Selah
APPLICANT ADDRESS: 115 W. Naches Ave. Selah, WA 98942
PROJECT LOCATION: Vicinity of Naches Ave. and 4th St., Selah, WA 98942
PARCEL(S): 181435-41454

FINDINGS OF FACT

1. The City is requesting to amend the subject property's Comprehensive Plan Future Land Use Map designation from Semi Public/Open Space to Commercial and to concurrently rezone from Residential, Single-Family (R-1) to Business, General (B-2).
2. The subject parcel is approximately 2.34 acres in size, and is surrounded by single-family homes to the east and west, and high-density multifamily structures to the north.
3. The City of Selah Planning Division provided a detailed staff report to the Planning Commission for review during their October 5, 2021 public hearing, with the recommendation of APPROVAL of the proposed amendment and rezone.
4. The proposed Comprehensive Plan Amendment is consistent with the applicable approval criteria in SMC § 10.40.050, as follows:
 - a. This application is being processed to change the property's Future Land Use Designation, and Zoning to allow the location of a new police station and future City Hall, which is provided for in the City's Capital Facility Plan.
 - b. The Commercial designation implements several goals and policies of the City's 2017 Comprehensive Plan.
 - c. The amendment does not correct an obvious mapping error, but does address a deficiency of the 2017 Comprehensive Plan, and is consistent with the Growth Management Act and County-wide Planning Policies.
 - d. The impact to the surrounding properties should be minimal because the property under consideration is well suited for the commercial Comprehensive Plan designation and B-2 zoning which supports the police station and City Hall use.
5. The total acreage of this proposal will remove 2.34 acres of Semi Public/Open Space land, and convert it to Commercial of which there is no cumulative impacts from other past or current Comprehensive Plan Amendments, as no other applications have been submitted since the City last adopted its 2017 Comprehensive Plan.
6. The proposed Rezone from Residential, Single-Family (R-1) to Business, General (B-2) is consistent with the applicable approval criteria in SMC § 10.40.050, as follows:
 - a. Testimony at the public hearing was considered.
 - b. The property is suitable for uses within the B-2 zoning district, and will allow the future construction of a police station and City Hall as provided for in the City's Capital Facilities Plan.
 - c. The B-2 zoning district is an implementing zone of the Commercial Future Land Use Designation.
 - d. The property is currently capable of being served by all necessary public utilities and is accessed by public streets.
 - e. The proposed Rezone is considered compatible with the surrounding neighborhood and no mitigation is proposed at this time.
 - f. The public need for this Rezone is to support future development of a police station and City Hall in accordance with the City's Capital Facilities Plan.

CONCLUSIONS

1. The Amendment and Rezone are minor in nature;
2. No adverse impacts have been identified;
3. No written comments or testimony was received in opposition to the request;

4. This proposal underwent Environmental Review;
5. The proposed Comprehensive Plan Future Land Use Map Amendment from Semi Public/Open Space to Commercial and to concurrently rezone from Residential, Single-Family (R-1) to Business, General (B-2) is consistent with the Selah Zoning Ordinance and 2017 Comprehensive Plan.

MOTION

Based on the testimony and evidence presented during the public hearing, it was moved and seconded that the City of Selah Planning Commission draft findings of fact be accepted, made final, and a recommendation of approval forwarded to the Selah City Council. The motion carried unanimously.

RECOMMENDATION TO CITY COUNCIL

The Planning Commission of the City of Selah, having received and considered all evidence and testimony presented at the public hearing, and having received and reviewed the record herein, hereby recommends that the City Council of the City of Selah APPROVE the proposed Comprehensive Plan Amendment from Semi Public/Open Space to Commercial and to concurrently rezone from Residential, Single-Family (R-1) to Business, General (B-2) for files COMP-2021-001 & 914-2021-003.

SIGNED this 5th day of October, 2021.

By: 
Lisa, Smith,
Selah Planning Commission, Chair

CITY OF SELAH

**DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT
2021 COMBINED COMPREHENSIVE PLAN MAP AMENDMENT AND REZONE STAFF
REPORT**

SUMMARY OF RECOMMENDATIONS

Staff recommends to the Selah City Planning Commission that this request be approved due to a change in the subject Property's Future Land Use from Semi Public/Open Space to Commercial, and zoning from Residential, Single-Family (R-1) to Business, General (B-2). This proposal will have no negative impacts on the integrity of either the City's Comprehensive Plan or Zoning Ordinance. Additionally, this site has been considered as the future location for a new City Hall/Police Station for more than ten years, and is identified in the City's Comprehensive Plan.

SUMMARY OF REQUEST

APPLICANT: CITY OF SELAH
LOCATION: Vicinity of Naches Ave. and 4th St., Selah, WA 98942
PARCEL NO(S): 181435-41454
FILE NUMBERS: COMP-2021-001, 914-2021-003, & SEPA-2021-007

COMPREHENSIVE PLAN FUTURE LAND USE MAP REQUEST: Semi Public/Open Space to Commercial

REZONE REQUEST: Residential, Single-Family (R-1) to Business, General, (B-2)

APPLICATION BACKGROUND

The subject property is located north of W. Naches Ave., east of N. 4th St., and west of S. 3rd St. The area has a current Comprehensive Plan Map designation of Semi Public/Open Space with the surrounding properties being designated as predominantly Low Density Residential, and High Density Residential to the north. The area's zoning is R-1 with the exception of the property immediately to the north, which is zoned Planned Development. The subject property is currently developed as soccer fields/dog park/parking lot, and the surrounding uses are single-family homes with an apartment complex to the north.

The City's 1997 Comprehensive Plan established the property's Future Land Use Map designation as Quasi-Public Open Space, and was redesignated as Semi Public/Open Space in the City's 2005 and 2017 Comprehensive Plans. Zoning of the subject property occurred around 1994 with the property being designated R-1. No rezoning of the subject property has occurred since initial designation of the subject property.

The property was originally built as open space/recreation with parking area by the Selah School district. In 2014 the City of Selah purchased the subject property for a future public use. In 2005, the City of Selah identified a future need for a new City Hall, and expanded police services within its Comprehensive Plan Capital Facility Element. In 2017, the City clarified the need for a new City Hall and police station identifying that the City was "...considering alternatives for building a new police station, which would be part of a new City Hall Complex." Construction estimates for the project projected an overall cost of \$16 million.



The subject property is served by all necessary public utilities which include: City of Selah water, sewer, police, fire protection, and public transit.

It is the intent of this application to change the underlying Comprehensive Plan's Future Land designation of Tax Parcel Number: 181435-41454 from Semi Public/Open Space to Commercial and the zoning from R-1 to B-2 to accommodate the future construction of a Police Station/City Hall.

CURRENT ZONING AND LAND USE

The project site is composed of one parcel with a Comprehensive Plan designation of Semi Public/Open Space and a Zoning designation of Residential, Single-Family (R-1).

Adjacent properties have the following characteristics:

<u>Location</u>	<u>Zoning</u>	<u>Comprehensive Plan</u>	<u>Land Use</u>
North	PD	High Density Residential	Apartments
South	R-1	Semi Public/Open Space	Selah School District
East	R-1	Low Density Residential	Single-Family Homes
West*	R-1	Low Density Residential	Single-Family Homes

PUBLIC AND PRIVATE AGENCY COMMENTS

No comments were received from public agencies and private companies with interest in the development herein being reviewed.

PUBLIC COMMENTS RECEIVED

No public comments were received from the members of the public in regard to this application.

ENVIRONMENTAL REVIEW (SEPA)

The Environmental Checklist prepared and circulated by the City of Selah identified that there are no likely direct significant adverse environmental impacts as a result of approval of the non-project Comprehensive Plan and Rezone applications.

On August 27, 2021, the City of Selah issued a Notice of Application, Environmental Review, and Public Hearing indicating that the City was inclined towards the issuance of a Determination of Nonsignificance (DNS) for this application. Following the required 15-day public comment period where all interested parties and agencies had the right to comment, and no public comments were received, a DNS was issued on September 13, 2021. The 5-day appeal period for this environmental determination lapsed on September 20, 2021, with no appeals filed.

PUBLIC NOTICE

Notice of Application and Public Hearing
Legal Ad Publication
Posting of Subject Property
Notice of Determination of Non-Significance

Date Accomplished

August 27, 2021
August 27, 2021
September 31, 2021
September 13, 2021

COMPREHENSIVE PLAN AMENDMENT APPROVAL CRITERIA

In accordance with the provisions of the Selah Municipal Code (SMC), the following criteria must be considered in the review of any proposed amendment to the Selah Comprehensive Plan.

SMC 10.40.050: To alter the Future Land Use Map or other plan policy map, or effect a Comprehensive Plan text amendment, the proposed amendment must meet one or more of the following:

(a) Address circumstances that have changed since the last time the relevant Comprehensive Plan or text was considered:

The City of Selah's Comprehensive Plan was last updated in 2017. At the time of adoption, the City's Comprehensive Plan Capital Facilities Element identified that the City needs to construct a new police station, and City Hall to replace these two aging and inadequate pieces of public infrastructure. However, the location of the new City Hall/Police Station was not fully identified at that time. The subject property proposed for this Comprehensive Plan Map Amendment and Rezone were left with a Semi Public/Open Space Future Land Use designation, and a zoning of Residential, Single-Family, which prohibit the use of a Police Station and City Hall. At present the Selah City Council has identified the property as the location for a new Police Station, with the potential for the addition of a City Hall at a future date that is undetermined.

(b) Better implement applicable Comprehensive Plan policies than the current relevant Comprehensive Plan map or text;

The current proposal will change the property's Future Land Use designation from Semi Public/Open Space to Commercial and Zoning from Residential, Single-Family (R-1) to Business, General (B-2) which will allow the construction of a Police Station/City Hall upon the subject property, and meet the Capital Facility needs of the City of Selah. Additionally, the City has placed a high importance on locating new commercial, office, mixed-use development, and expanding parking in the Central Business District (CBD) (identified in the City's Comprehensive Plan as Goodlander to Southern on First Street and Naches Avenue from 5th Street to Railroad Avenue). By constructing a new Police Station and later City Hall on the Subject property there is increased opportunity to allow new businesses to move in or relocate to the old City Hall, or demolish the structure and construct a new public parking lot to support the existing businesses.

The Comprehensive Plan goals and policies which further support this request are as follows:

- Goal: 2.1 – Strengthen the Central Business District.
- Policies: 2.1.1.2 – Develop cooperative public/private efforts to expand parking in and around the CBD.
- 2.1.1.3 – Place CBD/central urban area improvement projects as high priorities on the City's Capital improvement program.
- 2.1.1.5 – Encourage commercial, office, and mixed-use development within the CBD.

(c) Correct an obvious mapping error;

There is not an obvious mapping error on this property. However, approval of the Comprehensive Plan Map Amendment and Rezone will correct the property's land use designations and all the construction of both a Police Station/City Hall.

(d) Address an identified deficiency in the Comprehensive Plan;

The City's 2017 Comprehensive Plan Capital Facility Element identified the need for a new Police Station and City Hall, but the Comprehensive Plan's Future Land Use Map designation for the subject property was never amended to allow the construction of either facility. This proposal will correct this deficiency providing for a Comprehensive Plan designation and zoning what will allow the construction of a Police Station and City Hall as a permitted use.

(e) Is the proposed Comprehensive Plan Amendment coordinated with, and take into consideration, the comprehensive plans adopted by Yakima County or cities with which the City of Selah has, in part, common borders or related regional issues as may be required by RCW 36.70A.100?

This proposal is consistent with RCW 36.70A.100. This application is part of the annual Comprehensive Plan Amendment process for the City of Selah Comprehensive Plan. In this process the City of Selah coordinates this update with Yakima County for consistency between the jurisdictions.

(f) Proposed Comprehensive Plan amendments must be consistent with the Growth Management Act (GMA), Ch. 36.70A RCW, and the Yakima County Wide Planning Policy (CWPP).

This proposal is consistent with the Growth Management Act and the Yakima County-wide Planning Policy because the proposal directs urban growth to an existing urban area and encourages infill in an area where all urban level services and facilities are currently provided. The proposal will provide for an adequate transportation system, encourages economic development in the urban area. Additionally, this application is consistent with the County Wide Planning Policies adopted within the City of Selah's Comprehensive Plan Land Use Element pages 2-2 thru 2-7.

(g) Cumulative impacts of all Comprehensive Plan amendments, including those approved since the original adoption of the Comprehensive Plan, shall be considered in the evaluation of any proposed amendments.

The cumulative impacts of all comprehensive plan amendments are determined by the jurisdiction processing the proposed amendment. In this situation, there is no cumulative impact from the approval of this application as the proposal is to change one property's Comprehensive Plan Map Designation from Semi Public/Open Space to Commercial, and Zoning R-1 to B-2. All other applications are residential in nature rather than commercial.

(h) For Future Land Use Map changes, please provide descriptive information regarding the property, including the status of existing land use, access to sewer and water, as well as the availability of public facilities such as schools, fire and police services.

The subject property consist of one parcel and the status of the site would be best described as an open space soccer field with a parking lot. The subject property is also served by the

following utilities: public sewer, and water, and private power and gas. Other public services which serve the site are police, fire, and transit.

REZONE APPROVAL CRITERIA

In accordance with the provisions of Selah Municipal Code 10.40.050, recommendations to approve or deny proposed rezones shall include the following considerations:

(1) Testimony at public hearing.

Neighboring property owners within 600 feet of the subject property have been mailed a Notice of Application, Environmental Review, and Public Hearing, and have been invited to submit written and oral comments on the proposed application up to and through the public hearing. Based upon the lack of negative public comments submitted prior to the public hearing, City staff's recommendation for approval is still warranted. However, after consideration of both the written and oral public comments at the public hearing it may be appropriate for the City Planning Commission to modify the staff's recommendation.

(2) The suitability of property in question for uses permitted under the proposed zoning.

The current status of the subject property is that is established as a surface parking lot of approximately 112 stalls, and a open space grass soccer field that is approximately 1.17 acres in size. The City of Selah purchased the property from the school district and maintained this property as an open space area which is not identified within its Parks plan to provide for future development of municipal services or facilities at a future date.

The subject property is well suited for the proposed zoning of Business, General (B-2) as the property's Future Land Use designation is being changed from Semi Public / Open Space to Commercial which directly supports the Business, general zoning district. The City's Zoning Ordinance Title 10 provides that municipal buildings such as fire and police stations, city halls, and other municipal buildings are considered Class (1) permitted uses in this zoning district. Class (1) uses are allowed subject to review by the Administrative Official for compliance with Chapter 10.08 of the Selah Municipal Code (SMC). Furthermore, Class (1) uses have the lowest level of zoning review as they are deemed to be compatible with their surrounding uses and zoning.

The property is generally flat, is served with all necessary infrastructure and public facilities, and can be accessed through Naches Ave.

City of Selah zoning ordinance defines the B-2 zoning district as a district "established to provide for the day-to-day convenience shopping and service needs of persons residing in nearby residential areas. It is intended that all business establishments shall be retail, wholesale or service establishments and where all goods produced on the premises are sold at retail. The B-2 zoning district is located where urban governmental services are either available or can be extended to the property to facilitate the project at no public cost. Urban development standards shall be required for B-2 developments meeting the City's minimum standards."

(3) The recommendations from interested agencies and departments.

No agencies or departments have registered any opposition to this rezone request.

(4) Compliance with the Comprehensive Plan.

This rezone request is in compliance with the City of Selah 2017 Comprehensive Plan because the City is proposing to amend the subject property's Comprehensive Plan Future Land Use designation to Commercial. Provided the Comprehensive Plan Map Amendment is approved, the use of the subject property as a Police Station and B-2 zoning will implement the Comprehensive Plan's definition of the Commercial Future Land Use designation. The Commercial Future Land Use designation is intended to "recognize existing commercial uses, providing for their expansion such as the commercial area at the I-82/Yakima Training Center Interchange." Additionally, this application is in compliance with the Comprehensive Plan as the City's 2017 Comprehensive Plan Capital Facility Element identifies the need for a new Police Station/City Hall. Approval of this application will correct both the Comprehensive Plan designation and zoning of the subject property permitting both uses.

See question 10.40.040 (b) above for a list of supporting Comprehensive Plan Goals and Policies.

(5) The adequacy of public facilities, such as roads, sewer, water, and other required public services.

This property is served by all public utilities necessary to support commercial and municipal land uses.

(6) The compatibility of the proposed zone change and associated uses with neighboring land uses.

The proposed zone change is compatible with the neighboring uses for the following reasons:

1. The property to the north is zoned PD and is occupied by a high-density apartment complex, which buffers the higher intensity uses allowed for the Commercial Future Land Use designation, and B-2 zoning district;
2. The properties to the east are zoned R-1, are occupied by duplexes and single-family homes, and are buffered/separated from the commercial property by a 20 ft. alley;
3. The properties to the west are zoned R-1, are occupied by single-family homes, and are buffered/separated by N. 4th St. which is an approximate 40 ft. road; and
4. The property to the south is occupied by Lince Elementary School, and is separated by Hillcrest Dr./W. Naches Ave.

(7) The Public need for the proposed change.

The public need for the proposed zoning change is to rezone the subject property to Business, General (B-2) to support the future construction of a new Police Station/City Hall, which is an identified need in the City's 2017 Comprehensive Plan Capital Facility Plan Element.

DETERMINATION OF CONSISTENCY

During project review it has been determined that this request is in compliance with SMC for making a Determination of Consistency as follows:

- a) The Police Station/City Hall use will be a permitted Class (1) use in the Business, General zoning district.

- b) The density of the development is not a factor with this application.
- c) Adequate public facilities are available to serve the site.

CONCLUSIONS

1. The amendment and rezone are minor in nature.
2. No adverse impacts have been identified by the approval of this amendment request.
3. The requested comprehensive plan map amendment and rezone would more appropriately support the city's identified need for a new public facility.
4. The property is able to be served by all necessary public utilities.
5. Domestic water and sanitary sewer are provided by City of Selah.
6. All criteria for approval of Comprehensive Plan Map Amendments and Rezones have been satisfied by this application.

RECOMMENDATIONS

The City of Selah Planning Department recommends **APPROVAL** of this map amendment request and rezone from Semi Public/Open Space to Commercial to accommodate a concurrent rezone from Residential, Single-Family (R-1) to Business, General (B-2).



LAND USE APPLICATION

City of Selah Planning Department 222 S Rushmore Road, Selah WA 98942

Phone: (509) 698-7365 Email: jeff.peters@selahwa.gov

INSTRUCTIONS – PLEASE READ FIRST Please type or print your answers clearly.

Answer all questions completely. If you have any questions about this form or the application process, please ask a Planner. Remember to bring all necessary attachments and the required filing fee when the application is submitted. The Planning Division cannot accept an application unless it is complete and the filing fee paid. Filing fees are not refundable.

This application consists of four parts. PART I - GENERAL INFORMATION AND PART IV – CERTIFICATION are on this page. PART II and III contain additional information specific to your proposal and MUST be attached to this page to complete the application.

PART I – GENERAL INFORMATION

1. Applicant's Information:	Name:	City of Selah Public Works						
	Mailing Address:	222 S. Rushmore Rd.						
	City:	Selah	St:	WA	Zip:	98942	Phone:	(509)698-7367
	E-Mail:	jeff.peters@selahwa.gov						
2. Applicant's Interest in Property:	Check One:	<input type="checkbox"/> Owner	<input checked="" type="checkbox"/> Agent	<input type="checkbox"/> Purchaser	<input type="checkbox"/> Other _____			
3. Property Owner's Information (If other than Applicant):	Name:	City of Selah						
	Mailing Address:	115 W. Naches Ave.						
	City:	Selah	St:	WA	Zip:	98942	Phone:	()
	E-Mail:	joe.henne@selahwa.gov						
4. Subject Property's Assessor's Parcel Number(s): 18143541454								
5. Legal Description of Property. (if lengthy, please attach it on a separate document) LIBERTY ADD TRACTS 3 & 4 EX E 10 FT ST R/W								
6. Property Address: NACHES AV/4TH ST								
7. Property's Existing Zoning: <input type="checkbox"/> LDSF <input checked="" type="checkbox"/> R-1 <input type="checkbox"/> R-2 <input type="checkbox"/> R-3 <input type="checkbox"/> B-1 <input type="checkbox"/> B-2 <input type="checkbox"/> M-1								
8. Type Of Application: (Check All That Apply)								
<input checked="" type="checkbox"/> Comprehensive Plan Amendment			<input checked="" type="checkbox"/> Environmental Checklist (SEPA Review)			<input type="checkbox"/> Other: _____		
<input type="checkbox"/> Transportation Concurrency			<input checked="" type="checkbox"/> Rezone			<input type="checkbox"/> Other: _____		

PART II – SUPPLEMENTAL APPLICATION, PART III – REQUIRED ATTACHMENTS, & PART IV – NARRATIVE SEE ATTACHED SHEETS

PART V – CERTIFICATION

I certify that the information on this application and the required attachments are true and correct to the best of my knowledge.

Joe Henne
Property Owner's Signature

8-3-21
Date

Jeffery R. Peters
Applicant's Signature

8-2-21
Date





Supplemental Application For:
**COMPREHENSIVE PLAN
 AMENDMENT**

City of Selah Planning Department 222 S Rushmore Road, Selah WA 98942
 Phone: (509) 698-7365 Email: jeff.peters@selahwa.gov

PART II - APPLICATION INFORMATION

1. TYPE OF APPLICATION: Comprehensive Plan Text Amendment Future Land Use Map Amendment

2. EXISTING ZONING OF SUBJECT PROPERTY:

LDSF R-1 R-2 R-3 B-1 B-2 M-1

3. DESIRED ZONING OF SUBJECT PROPERTY:

LDSF R-1 R-2 R-3 B-1 B-2 M-1

4. EXISTING LAND USE DESIGNATION:

Low Density Residential Moderate Density Residential High Density Residential Commercial
 Industrial Industrial Sprayfield Semi Public/ Open Space Parks

5. DESIRED FUTURE LAND USE DESIGNATION:

Low Density Residential Moderate Density Residential High Density Residential Commercial
 Industrial Industrial Sprayfield Semi Public/ Open Space Parks

6. PUBLIC FACILITIES AND SERVICES AVAILABLE:

Transportation Rights-Of-Way Police And Fire Protection Parks And Trails Schools
 Water Sewer Storm Drainage Electricity Natural Gas Telephone Cable TV

PART III - REQUIRED ATTACHMENTS

1. **MAPS:** Maps of the subject property indicating roads, any area designated as critical areas, the future land use designation of adjacent properties, and current & proposed future land use designations. Maps are to be provided in both an 8-1/2" by 11" and 11" by 17" format and to a standard engineering scale (e.g. 1:20).

2. **SUBMITTAL FOR POLICY/REGULATORY AMENDMENTS:** Identification of the proposed amendment indicating the section and paragraph location for the current Comprehensive Plan provision sought to be changed, if any, and including, for text amendments, the specific text sought to be added or amended. (attach)

3. **WRITTEN NARRATIVE** (required, see attached): (stating the reasons for the request for the amendment and explaining how the proposed amendment meets the criteria in SMC 10.40.050)


4. **TRAFFIC CONCURRENCY** (may be required)

5. **ENVIRONMENTAL CHECKLIST** (required)

6. **SITE PLAN** (see attached)

7. **AUTHORIZATION:**

I hereby authorize the submittal of this Comprehensive Plan Amendment Application to the City of Selah for review.


 Property Owner Signature (required)

8-3-21
 Date

Note: if you have any questions about this process, please contact us City of Selah, Planning Division, 222 S Rushmore Rd. Selah, WA 98942 or (509) 698-7365



Supplemental Application For:
**COMPREHENSIVE PLAN
AMENDMENT**

PART IV – NARRATIVE (SUBMIT ANSWERS ON SEPARATE SHEET OF PAPER IF NEEDED)

1. Does your proposal address circumstances that have changed since the last time the relevant comprehensive plan map or text was considered? If so, how?

Yes, the City of Selah's Comprehensive Plan was last updated in 2017. At the time of adoption the City's Comprehensive Plan Capital Facilities Element identified that the City needs to construct a new police station, and city hall to replace these two aging and inadequate pieces of public infrastructure. However, the location of the new city hall/police station was not fully identified at that time. The subject property proposed for this Comprehensive Plan Map Amendment and Rezone were left with a Semi Public / Open Space Future Land Use designation, and a Zoning of Residential, Single-Family. At present the Selah City Council has identified the property as the location for a new police station, with the potential for the addition of a City Hall at a future date that is undetermined.

2. Does your proposal better implement applicable comprehensive plan policies than the current relevant comprehensive plan map or text? If so, how?

Yes, the current proposal will change the property's Future Land Use designation from Semi Public / Open Space to Commercial and Zoning from R-1, Residential, Single-Family to B-2, Business, General which will allow the construction of a police station/city hall upon the subject property, and meet the Capital Facility needs of the City of Selah.



Supplemental Application For:
**COMPREHENSIVE PLAN
AMENDMENT**

PART IV – NARRATIVE (SUBMIT ANSWERS ON SEPARATE SHEET OF PAPER IF NEEDED)

3. Does your proposal correct an obvious mapping error? If so, what is the error?

No, however it provides for the correct Future Land Use designation and Zoning of the subject property to allow the construction of a police station/city hall.

4. Does your proposal address an identified deficiency in the Comprehensive Plan? If so, what is the deficiency?

Yes. The City's 2017 Comprehensive Plan Capital Facility Element identified the need for a new police station and city hall, but the Comprehensive Plan's Future Land Use Map was not amended to allow the construction of either facility. This proposal provides for the correct Future Land Use designation and Zoning of the subject property to allow the construction of a police station/city hall on the subject property.

5. Is the proposed Comprehensive Plan Amendment coordinated with, and take into consideration, the comprehensive plans adopted by Yakima County or cities with which the City of Selah has, in part, common borders or related regional issues as may be required by RCW 36.70A.100? If so, how?

Yes, all City Comprehensive Plans are reviewed at the same time, undergo Environmental Review, and are circulated to agencies with jurisdiction.

6. Is the proposed Comprehensive Plan Amendment consistent with the Growth Management Act (GMA), RCW Ch. 36.70A, and the Yakima County-Wide Planning Policy (CWPP)? If so, how?

The proposed amendment is consistent with the Growth Management Act, and is also consistent with the County Wide Planning Policies adopted within the City of Selah's 2017 Comprehensive Plan Land Use Element pages 2-2 thru 2-7.



Supplemental Application For:
**COMPREHENSIVE PLAN
AMENDMENT**

PART IV – NARRATIVE (SUBMIT ANSWERS ON SEPARATE SHEET OF PAPER IF NEEDED)

7. Have the cumulative impacts of all comprehensive plan amendments been considered in the evaluation of the proposed amendment? If so, how?

Yes, all City Comprehensive Plans are reviewed at the same time for cumulative impacts, undergo Environmental Review, and are circulated to agencies with jurisdiction.

8. For Future Land Use Map changes please provide descriptive information regarding the property, including the status of existing land use, access to sewer and water, as well as the availability of public facilities such as schools, fire and police services.

The subject property is located on the north side of W. Naches Ave./Hillcrest Dr. and N 4th St. This site is currently occupied by a surface parking lot of approximately 112 stalls, and a open space grass field that is approximately 1.17 acres. Public water and sewer service the sight from W. Naches Ave. Lince Elementry is immeadiatly to the south, with John Campbell located a block to the north. Police and Fire serve the city as well.



Supplemental Application For:
REZONES

PART II - APPLICATION INFORMATION

1. EXISTING ZONING OF SUBJECT PROPERTY:

LDSF R-1 R-2 R-3 B-1 B-2 M-1

2. DESIRED ZONING OF SUBJECT PROPERTY:

LDSF R-1 R-2 R-3 B-1 B-2 M-1

3. ZONING OF ADJOINING PROPERTY (check all that apply):

LDSF R-1 R-2 R-3 B-1 B-2 M-1

4. EXISTING FUTURE LAND USE DESIGNATION:

Low Density Residential Moderate Density Residential High Density Residential Commercial
 Industrial Industrial Sprayfield Semi Public/ Open Spaces Parks

5. PROPOSED FUTURE LAND USE DESIGNATION:

Is there a proposed change to the Future Land Use Map? **Yes**

If so what is the proposed future land use designation?

Low Density Residential Moderate Density Residential High Density Residential Commercial
 Industrial Industrial Sprayfield Semi Public/ Open Spaces Parks

6. PUBLIC FACILITIES AND SERVICES AVAILABLE:

Transportation Rights-Of-Way Police And Fire Protection Parks And Trails Schools Water
 Sewer Storm Drainage Electricity Natural Gas Telephone Cable TV

PART III - REQUIRED ATTACHMENTS

1. **WRITTEN NARRATIVE** (required): (stating the reason for the request for the rezone, explaining how the proposed amendment meets the proposed rezone request)

2. **ENVIRONMENTAL CHECKLIST** (required)

3. **TRAFFIC CONCURRENCY** (may be required)

4. **SITE PLAN** (required if the rezone is associated with land use development)

5. **AUTHORIZATION:**

I hereby authorize the submittal of this Rezone or Text Amendment Application to the City of Selah for review.


Property Owner Signature (required)

8-3-21
Date



Supplemental Application For:
REZONES

PART IV – NARRATIVE (SUBMIT ANSWERS ON SEPARATE SHEET OF PAPER IF NEEDED)

1. How is the subject property suitable for uses permitted under the proposed zoning?

The subject property is well suited for the proposed zoning of Business, General as the property's Future Land Use designation is being changed from Semi Public / Open Space to Commercial which directly supports the Business, General zoning district. The Business General zoning district provides that municipal buildings such as fire and police stations, city halls, and other municipal buildings are Class (1) permitted uses in this zoning district, and Class 1 permitted uses are allowed subject to review by the Administrative Official for compliance with Chapter 10.08 of the Selah Municipal Code. Furthermore, Class (1) uses have the lowest level of zoning review as they are deemed to be compatible with their surrounding uses and zoning.

What is the status of existing land use?

This site is currently occupied by a surface parking lot of approximately 112 stalls, and an open space grass field that is approximately 1.17 acres. The City of Selah has maintained this property as an open space area which is not identified within its Parks plan, to provide for future development of municipal services or facilities at a future date.

2. How is the rezone request in compliance with and/or how does the request deviate from the Selah Urban Area Comprehensive Plan?

This request is in compliance with the City of Selah's Comprehensive Plan as the 2017 Comprehensive Plan Capital Facility Element identifies the need for a new police station and city hall. However, the Comprehensive Plan's Future Land Use Map was not amended at that time to allow the construction of either facility. This proposal will provide for the correct Future Land Use designation and Zoning of the subject property to allow the construction of a police station/city hall on the subject property, and comply with the City of Selah's Capital Facility Plan.

3. Are there adequate public facilities, such as traffic capacity, sewer services, potable water, stormwater drainage, schools, fire and police services, and other public services and infrastructure existing on and around the subject property?

As identified in the question six above, all public facilities are available and adequate to serve the subject property for the identified land use.

Are the existing public facilities capable of supporting the most intensive use of the new (requested) zone? If not, what mitigating measures are going to be implemented to address any short falls in public services that may exist?

The existing public facilities are capable of supporting the police station/city hall use within the Business, General zone. In the event that the subject property is sold and another more intense land use is proposed, the City of Selah's development standards will require Traffic Concurrence, Environmental and Zoning Review of the site and proposed use, which may require additional mitigation in the form of parking, street/traffic revisions, dedication of right-of-way, and sewer and water improvements.

4. How is the proposed zone change compatible with the existing neighboring uses?

The proposed zone change is compatible with the neighboring uses for the following reasons:

1. The property to the north is zoned PD and is a high density apartment complex which buffers the higher intensity uses allowed for the Commercial Future Land Use designation, and Business, General Zoning district;
2. The properties to the east are zoned Residential, Single-Family, are occupied by duplexes and single-family homes, and are buffered/separated from the commercial property by a 20 ft. alley;
3. The properties to the west are zoned Residential, Single-Family, are occupied by single-family homes, and are buffered/separated by N. 4th St. which is an approximate 40 ft. road; and
4. The subject property to the south is occupied by Lince Elementary School, and is separated by Hillcrest Dr./W. Naches Ave.

What mitigating measures are planned to address incompatibility, such as sitescreening, buffering building design, open space traffic flow alteration, etc.?

No mitigation measures are planned at this time as the police station/city hall has not yet been designed, nor land use applications submitted. This Comprehensive Plan and Rezone application are non-project (meaning that no project application/site plans has been submitted with these applications). All Zoning, Environmental Review, and mitigation will be addressed at the time of development of the subject property.

5. What is the public need for the proposed change?

The public need for the proposed zoning change is to rezone the subject property to Business, General to support the future construction of a new police station/city hall, which is an identified need in the City's 2017 Comprehensive Plan Capital Facility Plan Element.



ENVIRONMENTAL CHECKLIST

STATE ENVIRONMENTAL POLICY ACT (SEPA)

(AS TAKEN FROM WAC 197-11-960)

PURPOSE OF CHECKLIST

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

INSTRUCTIONS FOR APPLICANTS

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help you describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

USE OF CHECKLIST FOR NONPROJECT PROPOSALS

For non-project proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project", "applicant", and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B – Environmental Elements – that do not contribute meaningfully to the analysis of the proposal.

A. BACKGROUND INFORMATION (To be completed by the applicant.)

1. Name Of Proposed Project (If Applicable):

City of Selah Future Police Station Comp Plan and Zoning Amendment

2. Applicant's Name & Phone:

Jeff Peters, Community Development Supervisor, City of Selah - 509-698-7367

3. Applicant's Address:

222 S. Rushmore Rd., Selah, WA 98942

4. Contact Person & Phone:

Jeff Peters, Community Development Supervisor, City of Selah - 509-698-7367

5. Agency Requesting Checklist: City of Selah

6. Proposed Timing Or Schedule (Including Phasing, If Applicable):

None.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain:

Not at this time.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal:

No.

A. BACKGROUND INFORMATION (To be completed by the applicant.)

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain:

There are no pending governmental approvals of other proposals that affect the subject property or proposal that the City knows of.

10. List any government approvals or permits that will be needed for your proposal, if known:

State Environmental Policy Act Review Determination
Planning Commission Public Hearing
City Council Public Hearing

11. Give a brief, but complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.):

This application involves the Environmental Review of a Comprehensive Plan Map Amendment from Semi Public / Open Space to Commercial, and Rezone from Residential, Single-Family to Business, General zoning district for a 2.34 acre piece of property located in the vicinity of Naches Ave. and 4th St. to support the construction of a future police station/city hall. This proposal is a Non-Project Comprehensive Plan and Rezone - No project is proposed at this time.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist:

The vicinity of Naches Ave. and 4th St. Tax Parcel Number: 181435-41454 Legal Description: LIBERTY ADD TRACTS 3 & 4 EX E 10 FT ST R/W.

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

EARTH

1. General description of the site (✓ one):

flat rolling hilly steep slopes mountainous other: _____

2. What is the steepest slope on the site (approximate percent slope)?

Less than 1%.

3. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

Silt or Sand with silt observed from the surface down to 9 or more feet below the ground surface. Lightly cemented silt was observed at 9 feet bgs in test pits.

4. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

No

5. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

N/A - Non-Project Application

6. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

N/A - Non-Project Application

7. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

N/A - Non-Project Application

8. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

N/A - Non-Project Application

AIR

1. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

N/A - Non-Project Application

2. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

N/A - Non-

3. Proposed measures to reduce or control emissions or other impacts to air, if any:

N/A - Non-Project Application

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

SURFACE WATER

1. Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

No

2. Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

No

3. Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

N/A - Non-Project Application

4. Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

N/A - Non-Project Application

5. Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

No

6. Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No

GROUND WATER

1. Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

N/A - Non-Project Application

2. Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

N/A - Non-Project Application

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

WATER RUNOFF (INCLUDING STORM WATER)

1. Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

N/A - Non-Project Application

2. Could waste materials enter ground or surface waters? If so, generally describe.

N/A - Non-Project Application

3. Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

N/A - Non-Project Application

4. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

N/A - Non-Project Application

PLANTS

1. Check (✓) types of vegetation found on the site:

Deciduous Trees:

Alder

Maple

Aspen

Other

Evergreen Trees:

Fir

Cedar

Pine

Other

Wet Soil Plants:

Cattail

Buttercup

Bullrush

Skunk Cabbage

Other

Water Plants:

Milfoil

Eelgrass

Water Lily

Other

Other:

Shrubs

Grass

Pasture

Crop Or Grain

Orchards, vineyards, or other permanent crops

Other types of vegetation

2. What kind and amount of vegetation will be removed or altered?

N/A - Non-Project Application

3. List threatened or endangered species known to be on or near the site.

None known.

4. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

N/A - Non-Project Application

5. List all noxious weeds and invasive species known to be on or near the site.

N/A - Non-Project Application

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

ANIMALS

1. List any birds or other animals which have been observed on or near the site or are known to be on or near the site.

Examples include:

birds: hawk, heron, eagle, songbirds, other:

mammals: deer, bear, elk, beaver, other:

fish: bass, salmon, trout, herring, shellfish, other:

Songbirds

2. List any threatened or endangered species known to be on or near the site.

None known.

3. Is the site part of a migration route? If so, explain.

N/A - Non-Project Application

4. Proposed measures to preserve or enhance wildlife, if any:

N/A - Non-Project Application

5. List any invasive animal species known to be on or near the site.

N/A - Non-Project Application

ENERGY AND NATURAL RESOURCES

1. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

N/A - Non-Project Application

2. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

N/A - Non-Project Application

3. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

N/A - Non-Project Application

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

ENVIRONMENTAL HEALTH

1. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, describe.

N/A - Non-Project Application

2. Describe any known or possible contamination at the site from present or past uses.

N/A - Non-Project Application

3. Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

N/A - Non-Project Application

4. Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

N/A - Non-Project Application

5. Describe special emergency services that might be required.

N/A - Non-Project Application

6. Proposed measures to reduce or control environmental health hazards, if any:

N/A - Non-Project Application

NOISE

1. What types of noise exist in the area, which may affect your project (for example: traffic, equipment, operation, other)?

N/A - Non-Project Application

2. What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

N/A - Non-Project Application

3. Proposed measures to reduce or control noise impacts, if any:

N/A - Non-Project Application

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

LAND AND SHORELINE USE

1. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

The current use of the site is open space/parking lot. Surrounding land uses are multi-family apartments, single-family homes, and public school. The current proposal should not affect the surrounding land uses as described in the attached Comp Plan and Rezone applications.

2. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

No.

3. Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

N/A - Non-Project Application

4. Describe any structures on the site.

None present.

5. Will any structures be demolished? If so, what?

No.

6. What is the current zoning classification of the site?

Residential, Single-Family

7. What is the current comprehensive plan designation of the site?

Semi Public / Open Space

8. If applicable, what is the current shoreline master program designation of the site?

N/A

9. Has any part of the site been classified as a critical area by the city or county? If so, specify.

No.

10. Approximately how many people would reside or work in the completed project?

N/A - Non-Project Application

11. Approximately how many people would the completed project displace?

N/A - Non-Project Application

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

LAND AND SHORELINE USE

12. **Proposed measures to avoid or reduce displacement impacts, if any.**

N/A - Non-Project Application

13. **Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:**

See attached Comprehensive Plan Map Amendment and Rezone applications for explanation of compatiability.

14. **Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any:**

N/A - Non-Project Application

HOUSING

1. **Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.**

N/A - Non-Project Application

2. **Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.**

N/A - Non-Project Application

3. **Proposed measures to reduce or control housing impacts, if any:**

N/A - Non-Project Application

AESTHETICS

1. **What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?**

N/A - Non-Project Application

2. **What views in the immediate vicinity would be altered or obstructed?**

N/A - Non-Project Application

3. **Proposed measures to reduce or control aesthetic impacts, if any:**

N/A - Non-Project Application

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

LIGHT AND GLARE

1. **What type of light or glare will the proposal produce? What time of day would it mainly occur?**

N/A - Non-Project Application

2. **Could light or glare from the finished project be a safety hazard or interfere with views?**

N/A - Non-Project Application

3. **What existing off-site sources of light or glare may affect your proposal?**

N/A - Non-Project Application

4. **Proposed measures to reduce or control light and glare impacts, if any:**

N/A - Non-Project Application

RECREATION

1. **What designated and informal recreational opportunities are in the immediate vicinity?**

N/A - Non-Project Application

2. **Would the proposed project displace any existing recreational uses? If so, describe.**

N/A - Non-Project Application

3. **Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:**

N/A - Non-Project Application

HISTORIC AND CULTURAL PRESERVATION

1. **Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe.**

N/A - Non-Project Application

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

HISTORIC AND CULTURAL PRESERVATION

2. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

N/A - Non-Project Application

3. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

N/A - Non-Project Application

TRANSPORTATION

1. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

The subject property is served by N. 4th St. and W. Naches Ave / Hillcrest Dr.

2. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

Yes

3. How many parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

N/A - Non-Project Application

4. Will the proposal require any new or improvements to existing roads, streets, pedestrian bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

N/A - Non-Project Application

5. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

No

6. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and non-passenger vehicles). What data or transportation models were used to make these estimates?

N/A - Non-Project Application

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

TRANSPORTATION

7. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe:

N/A - Non-Project Application

8. Proposed measures to reduce or control transportation impacts, if any:

N/A - Non-Project Application

PUBLIC SERVICES

1. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe:

No

2. Proposed measures to reduce or control direct impacts on public services, if any.

N/A - Non-Project Application

UTILITIES

1. Check (✓) utilities currently available at the site:

electricity natural gas water refuse service telephone

sanitary sewer septic system other _____

2. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

N/A - Non-Project Application

C. SIGNATURE (To be completed by the applicant.)

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Jeffery R. Peters
Property Owner or Agent Signature

8-2-21
Date Submitted

Jeffery R. Peters
Name of Signee

Community Development Supervisor
Position and Agency/Organization

**PLEASE COMPLETE SECTION "D" ON THE NEXT PAGES
IF THERE IS NO PROJECT RELATED TO THIS ENVIRONMENTAL REVIEW**

D. SUPPLEMENTAL SECTION FOR NONPROJECT ACTIONS ONLY (to be completed by the applicant)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment. When answering these questions, be aware of the extent the proposal, or the types of activities that would likely result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

This proposal will not increase discharge to water; emissions to air; production; storage, or release of toxic or hazardous substances as it is a Non-Project Comprehensive Plan Map Amendment and Rezone. No construction is proposed at this time.

Proposed measures to avoid or reduce such increases are:

None at this time.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

This proposal will not affect plants, animals, fish, or marine life as it is a Non-Project Comprehensive Plan Map Amendment and Rezone.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

None.

3. How would the proposal be likely to deplete energy or natural resources?

This proposal will not deplete energy or natural resources as it is a Non-Project Comprehensive Plan Map Amendment and Rezone.

Proposed measures to protect or conserve energy and natural resources are:

None.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

This proposal will not affect environmentally sensitive areas as it is a Non-Project Comprehensive Plan Map Amendment and Rezone.

Proposed measures to protect such resources or to avoid or reduce impacts are:

None.

D. SUPPLEMENTAL SECTION FOR NONPROJECT ACTIONS ONLY (to be completed by the applicant)

- 5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?**

This proposal will not affect land and shoreline uses as it is a Non-Project Comprehensive Plan Map Amenment and Rezone.

Proposed measures to avoid or reduce shoreline and land use impacts are:

None.

- 6. How would the proposal be likely to increase demands on transportation or public services and utilities?**

This proposal will not increase demands on transportation or public services as it is a Non-Project Comprehensive Plan Map Amenment and Rezone.

Proposed measures to reduce or respond to such demand(s) are:

None.

- 7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.**

This proposal will not conflict with local, state or federal laws.



CITY OF SELAH

Planning Department • 222 South Rushmore RD. • Selah, WA 98942 • Ph: (509) 698-7365 •
www.selahwa.gov

CITY OF SELAH NOTICE OF APPLICATION & ENVIRONMENTAL REVIEW OPPORTUNITY TO PROVIDE COMMENT AND NOTICE OF PUBLIC HEARING

Application/Project Description: The City of Selah Planning Department has prepared an application for a Comprehensive Plan Map Amendment, Rezone and Environmental Review for a city owned property to prepare the property for the future construction of a police station/city hall. The City is requesting to change the subject properties Future Land Use Map designation from Semi Public/Open Space to Commercial, as well as requesting a concurrent rezone of the subject properties from Residential, Single-Family (R-1) to Residential, Business, General (B-2) (see attached documents for further details).

Date of Notice: August 27, 2021

Applicant: Same as property owner

Property Owner: City of Selah

Project Address: Vicinity of Naches Ave. and 4th St., Selah, WA 98942

Tax Parcel Number: 181435-41454

File Numbers: COMP-2021-001, 914-2021-003, & SEPA-2021-007

These applications were determined complete for processing on August 23, 2021. The decision on these applications will be made within one-hundred twenty days of the determination of complete application.

Approvals, Actions and Required Studies: Comprehensive Plan Map Amendment, Rezone, and Environmental Review.

Environmental Review: This is to notify all the public and private agencies with jurisdiction and environmental expertise that the City of Selah Planning Department has been established as the lead agency, pursuant to the Washington State Environmental Policy Act (SEPA) for the above stated project:

The City of Selah is presently inclined towards the issuance of a Determination of Non Significance (DNS) on this project. WAC 197-11-355 process is being used. This may be your only opportunity to comment on the environmental impacts of the proposed project.

The following conditions have been identified that may be used to mitigate the adverse environmental impacts of the proposal: None

Required Permits: None

Required Studies: None

Existing Environmental Documents: None

Preliminary determination of the development regulations that will be used for project mitigation and consistency: Zoning Ordinance, Comprehensive Plan, and Sub Area Plan.

Request for Written Comments on the Proposal: Written comments concerning the proposed Comprehensive Plan Amendment, Rezone and Environmental Checklist applications will be accepted during the public comment period that ends at **5:00 p.m., on September 10, 2021.**



You may mail your comments to Selah Planning Department, 222 So. Rushmore Road, Selah, WA 98942, send them by fax to (509) 698-7372 or by e-mail to jeff.peters@selahwa.gov. Reference File Numbers: COMP-2021-001, 914-2021-003, & SEPA-2021-007 or "Catron" in your correspondence.

Open Record Public Hearing: These applications require that the City of Selah Planning Commission conduct an open record public hearing for the applicant's Comprehensive Plan Map Amendment and Rezone. This public hearing has been scheduled for **October 5, 2021**, beginning at 5:30 p.m. in the Council Chambers, City Hall, 115 W. Naches Ave. Any person desiring to express their views on this matter are invited to attend the public hearing or to submit their written comments to the above address. All interested persons may appear and provide testimony on the application. At the conclusion of the public hearing, the Planning Commission will consider the matter and issue a recommendation to the City Council for approval, approval with conditions, or denial of the proposal.

COVID-19 Hearing Notification: Interested parties, please be advised in accordance with the multiple proclamations by the Governor of the State of Washington, (in particular proclamation 20-28) guidance from the State Attorney General on the requirements of the Open Public Meetings Act, directives by the State Health Department and Yakima Health District regarding COVID-19, the above scheduled public hearing may be held by electronic and telephonic means via Zoom. Procedures for attendance of this closed record public hearing will be provided on the City of Selah Planning Commission's website along with the Planning Commission meeting agenda ten days prior to the scheduled meeting (<https://selahwa.gov/planning/planning-commission/>).

Application information including the SEPA environmental checklist and maps detailing the proposal are available during regular business hours at the Planning Department at 222 South Rushmore Road, Selah, Washington 98942, or online at <https://selahwa.gov/planning/sepa/>. The staff report will be available approximately one week before the hearing. Contact the Planning Department with project, procedural or environmental questions.

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Account #:	110017
Company Name:	CITY OF SELAH
Contact:	Angela Dean,AP
Address:	115 W NACHES AVENUE SELAH, WA 98942
Telephone:	(509) 698-7327
Fax:	

Account Rep:	Simon Sizer
Phone #	(509) 577-7740
Email:	ssizer@yakimaherald.com
Ad ID:	984366
Start:	08/27/21
Stop:	08/27/21
Total Cost:	\$370.00
Lines:	200.0
# of Inserts:	1
Ad Class:	6021

Run Dates:
Yakima Herald-Republic 08/27/21

Received

AUG 23 2021

MH



City of Selah Notice of Application, Environmental Review & Public Hearings: The City of Selah is hereby providing Public Notice and Opportunity to Comment, State Environmental Policy Act Review, and Notice of Scheduled Public Hearing for the following Comprehensive Plan Map Amendment, Rezone and Environmental Review applications:

1. Property Owner: 310 Partners, LLC; **Project Address:** 310 W. Selah Ave., Selah, WA 98942; **Tax Parcel Number:** 181302-11436, and 181302-11437; **File Numbers:** COMP-2021-003, 914-2021-002, & SEPA-2021-006; **Application/Request:** Future Land Use Map designation change from Moderate Density Residential to High Density Residential, as well as requesting a concurrent rezone of the subject properties from Residential, Two-Family (R-2) to Residential, Multi-Family (R-3).

2. Property Owner: City of Selah; **Project Address:** Vicinity of Naches Ave. and 4th St., Selah, WA 98942; **Tax Parcel Number:** 181435-41454; **File Numbers:** COMP-2021-001, 914-2021-003, & SEPA-2021-007; **Application/Request:** Future Land Use Map designation change from Semi Public/Open Space to Commercial, as well as requesting a concurrent rezone of the subject properties from Residential, Single-Family (R-1) to Residential, Business, General (B-2) to support the future construction of a police station/city hall.

3. Property Owner: Scott & Victoria Catron; **Project Address:** 705 and 705 ½ Bartlett Ave., Selah, WA 98942; **Tax Parcel Number:** 181435-42005; **File Numbers:** COMP-2021-002, 914-2021-001, & SEPA-2021-005; **Application/Request:** Future Land Use Map designation change from Low Density Residential to Moderate Density Residential, as well as requesting a concurrent rezone of the subject properties from Residential, Single-Family (R-1) to Residential, Two-Family (R-2) to bring the property's Comprehensive Plan and Zoning designation into conformance with the property's current and historic use.

Environmental Review: This is to notify all the public and private agencies with jurisdiction and environmental expertise that the City of Selah Planning Department has been established as the lead agency, pursuant to the Washington State Environmental Policy Act (SEPA) for the above stated projects: The City of Selah is presently inclined towards the issuance of a Determination of Non Significance (DNS) on these projects. WAC 197-11-355 process is being used. This may be your only opportunity to comment on the environmental impacts of these proposed projects. The following conditions have been identified that may be used to mitigate the adverse environmental impacts of the proposal: None; Required Permits: None; Required Studies: None; Existing Environmental Documents: None

Preliminary determination of the development regulations that will be used for project mitigation and consistency: Zoning Ordinance, Comprehensive Plan, and Sub Area Plan; **Request**

for Written Comments on the Proposals: Written comments concerning the above described Comprehensive Plan Amendments, Rezones and Environmental Checklist applications will be accepted during the public comment period that ends at 5:00 p.m. on September 10, 2021. You may mail your comments to Selah Planning Department, 222 So. Rushmore Road, Selah, WA 98942, send them by fax to (509) 698-7372 or by e-mail to jeff.peters@selahwa.gov. Please reference the above file numbers or property owner name in your correspondence. **Open Record Public Hearing:** The above described applications require that the City of Selah Planning Commission conduct an open record public hearing for the applicant's/property owner's Comprehensive Plan Map Amendment and Rezone. These public hearings has been scheduled for October 5, 2021, beginning at 5:30 p.m. in the Council Chambers, City Hall, 115 W. Naches Ave. Any person desiring to express their views on this matter are invited to attend the public hearing or to submit their written comments to the above address.

All interested persons may appear and provide testimony on the application. At the conclusion of the public hearing, the Planning Commission will consider the matter and issue a recommendation to the City Council for approval, approval with conditions, or denial of the proposal. **COVID-19 Hearing Notification:** Interested parties, please be advised in accordance with the multiple proclamations by the Governor of the State of Washington, (in particular proclamation 20-28) guidance from the State Attorney General on the requirements of the Open Public Meetings Act, directives by the State Health Department and Yakima Health District regarding COVID-19, the above scheduled public hearings may be held by electronic and telephonic means via Zoom. Procedures for attendance of these closed record public hearings will be provided on the City of Selah Planning Commission's website along with the Planning Commission meeting agenda ten days prior to the scheduled meeting (<https://selahwa.gov/planning/planning-commission/>): Application information including the SEPA environmental checklist and maps detailing the proposal are available during regular business hours at the Planning Department at 222 South Rushmore Road, Selah, Washington 98942, or online at <https://selahwa.gov/planning/sepa/>. The staff reports will be available approximately one week before the hearing. Contact the Planning Department with project, procedural or environmental questions.

(984366) August 27, 2021

Courtesy of Yakima Herald-Republic



**CITY OF SELAH
AFFIDAVIT OF MAILING**

**STATE OF WASHINGTON
COUNTY OF YAKIMA**

I, Makenzie Hoff, 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 13th day of September, 2021 caused to be mailed, 31 envelopes and 1 email, containing a true and correct copy of the Determination of Nonsignificance for a Comprehensive Plan Map Amendment, Rezone, and Environmental Review for a City owned property to prepare the property for the future construction of a police station/City Hall. Said envelopes and email mailed from Selah, WA with the correct first class postage and addressed to the persons having made written or verbal comment regarding these files.

A listing of the persons to whom notice has been mailed is contained in file COMP-2021-001, 914-2021-003, & SEPA-2021-007.

Makenzie Hoff
Signed

**STATE OF WASHINGTON
COUNTY OF YAKIMA**

On this day personally appeared before me Makenzie Hoff to me known to be the individual referenced herein and who caused to be mailed the Determination of Nonsignificance for a Comprehensive Plan Map Amendment, Rezone, and Environmental Review for a City owned property to prepare the property for the future construction of a police station/City Hall, COMP-2021-001, 914-2021-003, & SEPA-2021-007.

Given under my hand and official seal this 13th day of September 2021.

Caprise E. Groo
Signed



Notary Public in and for the State of Washington, residing at Yakima, WA. My term expires: June 1, 2025.





**CITY OF SELAH
AFFIDAVIT OF MAILING**

**STATE OF WASHINGTON
COUNTY OF YAKIMA**

I, Makenzie Hoff, 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 27th day of August, 2021 caused to be mailed, 145 envelopes and 1 email, containing a true and correct copy of the Notice of Application and Environmental Review, Opportunity to Provide Comment and Notice of Public Hearing for a Comprehensive Plan Map Amendment, Rezone, and Environmental Review for a City owned property to prepare the property for the future construction of a police station/City Hall. Said envelopes mailed from Selah, WA with the correct first class postage and addressed to the persons having made written or verbal comment regarding these files.

A listing of the persons to whom notice has been mailed is contained in file COMP-2021-001, 914-2021-003, & SEPA-2021-007.

Makenzie Hoff
Signed

**STATE OF WASHINGTON
COUNTY OF YAKIMA**

On this day personally appeared before me Makenzie Hoff to me known to be the individual referenced herein and who caused to be mailed the Notice of Application and Environmental Review, Opportunity to Provide Comment and Notice of Public Hearing for a Comprehensive Plan Map Amendment, Rezone, and Environmental Review for a City owned property to prepare the property for the future construction of a police station/City Hall, COMP-2021-001, 914-2021-003, & SEPA-2021-007.

Given under my hand and official seal this 13th day of September 2021.

Caprise E. Groo
Signed



Notary Public in and for the State of Washington, residing at Yakima, WA. My term

expires: June 1, 2025.

18143544455
J & L MAHER LLC
PO BOX 684
SELAH, WA 98942

18143543005
RICK O BAZALDUA
12603 NE 132ND ST #B
KIRKLAND, WA 98034

18143541522
LEOPOLDO JR REYES
202 N 3RD ST
SELAH, WA 98942

18143544491
YAKIMA VALLEY LIBRARIES
115 W NACHES AVE
SELAH, WA 98942

18143544472
JONATHAN M RIPPLINGER
1001 MADISON AVE
YAKIMA, WA 98902

18143542046
ADAM R & AMANDA D ZEDIKER
506 W FREMONT AVE
SELAH, WA 98942

18143541541
DAVID A & CARRIE L LEEPER
13 N 5TH ST
SELAH, WA 98942

18143543459
DONALD J & KARIN K SKONE
99 HILLCREST DR
SELAH, WA 98942

18143541448
JERRY C & MEGAN A NELSON
108 N 3RD ST
SELAH, WA 98942

18143542051
JOHN F & MIRIAM M BORRAMEO
502 W ORCHARD AVE
SELAH, WA 98942

18143543401
OWENS FAMILY LIMITED PARTNERSHIP
PO BOX 129
SELAH, WA 98942

18143541447
CHRISTINA M ZEPP
106 N 3RD ST
SELAH, WA 98942

18143541413
SELAH RENTALS LLC
211 W NACHES AVE
SELAH, WA 98942

18143544463
DLH INVESTMENTS LLC
410 AEROVIEW RD
YAKIMA, WA 98908

18143542047
RYAN E & JULIE M WEEKS
505 W ORCHARD AVE
SELAH, WA 98942

18143542052
LEEPER LIVING TRUST
2 N 5TH ST
SELAH, WA 98942

18143544493
FOCUS PROPERTY MANAGEMENT II LLC
60 NORTHLAKE LN
SELAH, WA 98942

18143541491
MATTHEW P & CARLA L SAVAGE
80 W GUINAN LN
SELAH, WA 98942

18143544488
DOUGLAS & CAROL MATHEWS REVOCABLE TRUST
PO BOX 667
SELAH, WA 98942

18143541461
JAMIE M HASSE
208 N 3RD ST
SELAH, WA 98942

18143541453
GRAF INVESTMENTS INC
410 S 1ST ST
SELAH, WA 98942

18143541405
SELAH CITY
115 W NACHES AVE
SELAH, WA 98942

18143541478
TARA MORRIS
1799 NACHES HEIGHTS RD
YAKIMA, WA 98908

18143541424
BONA TERRA 16 LLC
105 W ORCHARD AVE
SELAH, WA 98942

18143599995

18143541494
WILLIAM J SEEFRIED
203 N 3RD ST
SELAH, WA 98942

18143541460
VIRGINIA E MC CONNELL
1332 N 176TH ST
SHORELINE, WA 98133

43544473
LGM SERVICE CORPORATION DBA LGM REAL ESTATE
107 N ZEUS ST
MOXEE, WA 98936

18143542432
WILLIAM BRADLEY CHANDLER
1004 RIDGEVIEW AVE
SELAH, WA 98942

18143541479
BRUCE & BEVERLY A SKOTLAND
204 N 4TH ST
SELAH, WA 98942

18143541490
KENNETH W PENDLETON
2620 N WENAS RD
SELAH, WA 98942

18143541429
JON DEVERLY & MELANE LEE
207 W ORCHARD AVE
SELAH, WA 98942

18143542069
ANTONIO & ELISA ROSALES
604 W ORCHARD AVE
SELAH, WA 98942

18143541488
LISA M PARKER
201 W FREMONT
SELAH, WA 98942

18143541513
ALLISON K LARSON
103 N 5TH ST
SELAH, WA 98942

18143542476
MARY LEE HULSE
510 W ORCHARD AVE
SELAH, WA 98942

18143541452
OMAN LIVING TRUST
5906 GLACIER WAY
YAKIMA, WA 98908

18143541480
JEFF M & MENDY L BEKSINSKI
270 MAPLEWAY RD
SELAH, WA 98942

18143542054
TABITHA M SOWDER
506 W ORCHARD AVE
SELAH, WA 98942

18143541449
THERESA A DAVIS
110 N 3RD ST
SELAH, WA 98942

18143541481
SELAH CITY
115 W NACHES AVE
SELAH, WA 98942

18143541520
MICHAEL C & JULI A RHOADES
601 W NACHES AVE
SELAH, WA 98942

18143541512
HUGH & SUZANNE K CARNEY
PO BOX 790
MOXEE, WA 98936

18143541469
ERIC SIMONSON
303 W FREMONT AVE
SELAH, WA 98942

18143544456
SELAH SCHOOL # 119
105 W BARTLETT AVE
SELAH, WA 98942

18143541511
SEAN & DENA LECAVALIER
105 N 5TH ST
SELAH, WA 98942

18143541415
HYCO PROPERTIES LLC
2609 RIVER RD
YAKIMA, WA 98902

18143543481
SELAH CITY
115 W NACHES AVE
SELAH, WA 98942

18143541509
DDK INVESTMENTS LLC
PO BOX 100
SELAH, WA 98942

18143543480
HOLLINGBERRY FAMILY INVESTMENTS LLC
PO BOX 665
SELAH, WA 98942

18143543008
SELAH CITY
115 W NACHES AVE
SELAH, WA 98942

18143542040
STEVEN R & GERRI L BUTTREY
604 W FREMONT AVE
SELAH, WA 98942

18143544459
SELAH CREEK HOLDINGS LLC
202 W NACHES AVE
SELAH, WA 98942

18142599999

18143542045
JO ANN JONES
508 W FREMONT AVE
SELAH, WA 98942

18143544453
J & L MAHER LLC
PO BOX 684
SELAH, WA 98942

18143541472
TRAVIS DAVID MONOIAN
207 N 4TH ST
SELAH, WA 98942

18143541446
RICHARD A & KATHLEEN BERGSTROM
104 N 3RD ST
SELAH, WA 98942

18143544450
J & L MAHER LLC
PO BOX 684
SELAH, WA 98942

18143542452
DENNIS L FISCHER
206 N 5TH ST
SELAH, WA 98942

18143542451
SEAN KENNEDY
504 W BARTLETT AVE
SELAH, WA 98942

18143541492
WILLIAM J SEEFRIED
203 N 3RD ST
SELAH, WA 98942

18143541419
YAKIMA COUNTY FIRE PROTECTION DISTRICT NO
206 W FREMONT AVE
SELAH, WA 98942

18143541471
STEVEN KESTER
205 N 4TH ST
SELAH, WA 98942

18143541420
BALD EAGLE INVESTORS LLC
410 S 1ST ST
SELAH, WA 98942

18143541425
CRAIG R & TRACY L SANISLO
280 PLEASANT VALLEY RD
YAKIMA, WA 98908

18143542453
HOWARD J III & WENDY L COMPTON
204 N 5TH ST
SELAH, WA 98942

18143541454
CITY OF SELAH MUNICIPAL CORPORATION
115 W NACHES AVE
SELAH, WA 98942

18143542475
DEREK LARSON
602 W ORCHARD AVE
SELAH, WA 98942

18143542435
JASON WAYNE MOONEY
507 W FREMONT AVE
SELAH, WA 98942

18143541495
BRIAN S SWEETWOOD
207 N 3RD ST
SELAH, WA 98942

18143542055
KENNETH & DEBBIE PENDLETON
2620 N WENAS RD
SELAH, WA 98942

18143541493
MATTHEW P & CARLA L SAVAGE
80 W GUINAN LN
SELAH, WA 98942

18143541489
ROBERT BRIGHTWELL
203A FREMONT AVE
SELAH, WA 98942

18143541443
CALEB A & HEATHER A BROTHERTON
PO BOX 101
SELAH, WA 98942

18143541450
WARREN R & PAMELA P BALL
306 W FREMONT AVE
SELAH, WA 98942

18143542434
KATHERINE PAGE HILL
505 W FREMONT AVE
SELAH, WA 98942

18143541442
JOEL W WHITE & GINA M ANGELELLA
6 N 3RD ST
SELAH, WA 98942

18143541510
KEVIN & LENA WALLACE
107 N 5TH ST
SELAH, WA 98942

18143541451
OMAN LIVING TRUST
5906 GLACIER WAY
YAKIMA, WA 98908

18143542063
KERRIE DRENNEN
605 W NACHES AVE
SELAH, WA 98942

18143542049
CHARLES ESPINOZA
106 N 5TH ST
SELAH, WA 98942

18143542043
JOHN & KATHREN MUIRHEAD
509 W ORCHARD AVE
SELAH, WA 98942

18143541441
PHILIP RYAN & KERRA CALISSA YOUNG
4 N 3RD ST
SELAH, WA 98942

18143541430
MIGUEL A MUNIZ SILVA
209 W ORCHARD AVE
SELAH, WA 98942

18143541445
MIKE S & KIM D EMERSON
102 N 3RD ST
SELAH, WA 98942

18143543438
STACEY M HUNTAMER
6 HOVDE PARK DR
SELAH, WA 98942

43541444
ALEXA B & JULIAN RAY BATTEN
10 N 3RD ST
SELAH, WA 98942

18143541457
WILLIAM B & CLARA C EUSTIS
204 N 3RD ST
SELAH, WA 98942

18143541408
HYCO PROPERTIES LLC
2609 RIVER RD
YAKIMA, WA 98902

18143542048
ESTHER M FLORES
502 W FREMONT AVE
SELAH, WA 98942

18143542041
SUNSHINE ELAINE STERLING
116A 21ST AVE E
SEATTLE, WA 98112

18143543479
JOSH & AMBER CAFFREY
7 HOVDE PARK DR
SELAH, WA 98942

18143541431
YAKIMA COUNTY FIRE PROTECTION DISTRICT NO 2
206 W FREMONT AVE
SELAH, WA 98942

18143542039
RONALD R PENDLETON JR
400 ALPS RD
MOXEE, WA 98936

18143541416
HYCO PROPERTIES LLC
2609 RIVER RD
YAKIMA, WA 98902

18143541427
203 W ORCHARD AVE LLC
PO BOX 3
SELAH, WA 98942

18143542042
JOHN W & MICHELE L PIQUET
601 W ORCHARD AVE
SELAH, WA 98942

18143541530
HYCO PROPERTIES LLC
2609 RIVER RD
YAKIMA, WA 98902

18143541426
ANDREW R FLEMING
201 W ORCHARD AVE
SELAH, WA 98942

18143542044
KEVIN P. & CYNTHIA J WANGLER
507 W ORCHARD AVE
SELAH, WA 98942

18143542053
KATHY KESTER
1601 E SELAH RD
YAKIMA, WA 98901

18143541514
WADE R KENNEDY
101 N 5TH ST
SELAH, WA 98942

18143541428
BRAD & LINDA JESPERSON
205 W ORCHARD AVE
SELAH, WA 98942

18143541412
HOYDAR BUCK CORP
210 W ORCHARD AVE
SELAH, WA 98942

18143542433
WILLIAM BRADLEY CHANDLER
1004 RIDGEVIEW AVE
SELAH, WA 98942

18143542050
CAROL A MOUREY
102 N 5TH ST
SELAH, WA 98942

18143541417
ARLENE HELMS LIVING TRUST
151 TWIN PEAKS RD
SELAH, WA 98942

18143541477
JERRY & LUCINDA KIMES
208 N 4TH ST
SELAH, WA 98942

18143541508
SELAH CITY
115 W NACHES AVE
SELAH, WA 98942

18143541418
ARLENE HELMS LIVING TRUST
151 TWIN PEAKS RD
SELAH, WA 98942

18143541459
WILLIAM B & CLARA C EUSTIS
204 N 3RD ST
SELAH, WA 98942

18143541411
MARIELA MARTINEZ
9 N 3RD ST
SELAH, WA 98942

18143541521
JAMES L & DOROTHY M MILLS
603 W NACHES AVE
SELAH, WA 98942

18143541470
ELIZABETH A CHALUPA
307 W FREMONT AVE
SELAH, WA 98942

18143541414
HYCO PROPERTIES LLC
2609 RIVER RD
YAKIMA, WA 98902

18143541540
LEEPER LIVING TRUST
2 N 5TH ST
SELAH, WA 98942

18143541456
ERIC SIMONSON
303 W FREMONT AVE
SELAH, WA 98942

18143541519
JACKIE & DEBORAH MCLAIN
509 W NACHES AVE
SELAH, WA 98942

18143541410
THOMAS M & LINDA L BEKSINSKI
211 W NACHES AVE
SELAH, WA 98942

18143541409
SELAH RENTALS LLC
211 W NACHES AVE
SELAH, WA 98942

18143544469
LIDIA E GUTIERREZ ESPINOZA
117 S 3RD ST
SELAH, WA 98942

18143544489
ROSA C OLATUNJI
206 1/2 W NACHES AVE
SELAH, WA 98942

18143544462
DLH INVESTMENTS LLC
112 S 2ND ST
SELAH, WA 98942

18143544490
JASON CARLTON
211 LOOKOUT POINT DR
SELAH, WA 98942

18143544483
JAMES & KAREN KREDER
113 S 3RD ST
SELAH, WA 98942

18143541440
D OWENS ENTERPRISES LLC
PO BOX 129
SELAH, WA 98942

18143543478
SELAH CITY
115 W NACHES AVE
SELAH, WA 98942

18143543481
SELAH CITY
115 W NACHES AVE
SELAH, WA 98942

18143543458
DONALD J & KARIN K SKONE
99 HILLCREST DR
SELAH, WA 98942

18143544464
WILLIAM L EAGY
PO BOX 522
SELAH, WA 98942

18143544484
ADA L COOPER
111 S 3RD ST
SELAH, WA 98942

18143544470
MICHAEL & BUTSABA ONEILL
115 S 3RD ST
SELAH, WA 98942

115

Hoff, Makenzie

From: Johnson, Amber (ECY) <AMBJ461@ECY.WA.GOV>
Sent: Tuesday, August 31, 2021 1:35 PM
To: Hoff, Makenzie
Subject: RE: Public Notice and Submittals

Hi Makenzie,

In follow up, these are the three SEPA numbers related to the records you sent on Thursday that Gwen finalized for us. => I was headed into a meeting earlier and didn't have time to look into it further. I hope you enjoyed some much needed time off!

SEPA-2021-007 SEPA-2021-008
SEPA' s 202104682, 20204683, 202104684
SEPA-2021-005

Thank you,

Amber Johnson (she/her)
Administrative Assistant 3
Shorelands & Environmental Assistance Program
Department of Ecology | Central Regional Office
Ph. 509-457-7121 | amber.johnson@ecy.wa.gov

From: Hoff, Makenzie <makenzie.hoff@selahwa.gov>
Sent: Tuesday, August 31, 2021 10:09 AM
To: ECY RE SEPA REGISTER <separegister@ecy.wa.gov>
Cc: Clear, Gwen (ECY) <GCLE461@ECY.WA.GOV>
Subject: RE: Public Notice and Submittals

THIS EMAIL ORIGINATED FROM OUTSIDE THE WASHINGTON STATE EMAIL SYSTEM - Take caution not to open attachments or links unless you know the sender AND were expecting the attachment or the link

Hi Amber,

I completely spaced on the new entry process. I rushed to get these sent out by the end of the day last Thursday, and I was on vacation Friday and yesterday, so I am just now getting your email.

I am resubmitting them now.

Thank you,



Makenzie Hoff
Planning and Building Permit Specialist
City of Selah Public Works
222 S Rushmore Rd.
Selah, WA 98942
(509) 698 - 7365

From: ECY RE SEPA REGISTER [<mailto:separegister@ecy.wa.gov>]
Sent: Thursday, August 26, 2021 5:34 PM
To: Hoff, Makenzie <makenzie.hoff@selahwa.gov>
Cc: Clear, Gwen (ECY) <GCLE461@ECY.WA.GOV>
Subject: RE: Public Notice and Submittals

Hi Makenzie,

I see that we just received 3 entries from you for the SEPA Register. I know when we spoke earlier this month that I mentioned the updated entry process. You can find information on how to create your [SAW Account](#), and access the [User Guide](#) through the links provided. Please resubmit these using the new SRS system and we will be happy to help you along the way.

[SEPA Register - Washington State Department of Ecology](#)

Thank you,

Amber Johnson (she/her)
Administrative Assistant 3
Shorelands & Environmental Assistance Program
Department of Ecology | Central Regional Office
Ph. 509-457-7121 | amber.johnson@ecy.wa.gov
Office Hours: Monday-Thursday 7am-5:30pm

From: Hoff, Makenzie <makenzie.hoff@selahwa.gov>
Sent: Thursday, August 26, 2021 4:54 PM
To: ECY RE SEPA REGISTER <separegister@ecy.wa.gov>
Subject: Public Notice and Submittals

THIS EMAIL ORIGINATED FROM OUTSIDE THE WASHINGTON STATE EMAIL SYSTEM - Take caution not to open attachments or links unless you know the sender AND were expecting the attachment or the link

Hi there,

Attached you will find the Notice of Application and Environmental Review, Opportunity to Provide Comment and Notice of Public Hearing and Submittal and Applications for the following:

310 Partners, LLC Comp Plan Amendment **File Numbers:** COMP-2021-003, 914-2021-002, & SEPA-2021-006

Thank you,



Makenzie Hoff
Planning and Building Permit Specialist
City of Selah Public Works
222 S Rushmore Rd.
Selah, WA 98942
(509) 698 - 7365



CITY OF SELAH

Planning Department • 222 South Rushmore RD. • Selah, WA 98942 • Ph: (509) 698-7365 • www.selahwa.gov

WASHINGTON STATE ENVIRONMENTAL POLICY ACT DETERMINATION OF NONSIGNIFICANCE CITY OF SELAH, WASHINGTON September 13, 2021

PROJECT DESCRIPTION: Comprehensive Plan Map Amendment, Rezone and Environmental Review for a city owned property to prepare the property for the future construction of a police station/city hall. The City is requesting to change the subject properties Future Land Use Map designation from Semi Public/Open Space to Commercial, as well as requesting a concurrent rezone of the subject properties from Residential, Single-Family (R-1) to Residential, Business, General (B-2) (see attached documents for further details).

LOCATION: Vicinity of Naches Ave. and 4th St., Selah, WA 98942

PARCEL NUMBERS: 181435-41454

PROPONENT: City of Selah

PROPERTY OWNERS: City of Selah

LEAD AGENCY: City of Selah

FILE NUMBERS: COMP-2021-001, 914-2021-003, & SEPA-2021-007

DETERMINATION: The lead agency for this proposal has determined that it does 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). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.

Responsible Official: Joe Henne

Position/Title: SEPA Responsible Official

Address: 222 S. Rushmore Rd., Selah, Washington 98942

Date September 13, 2021

Signature

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 Planning Department, 222 S. Rushmore Road no later than 5:00 p.m. on September 20, 2021. You should be prepared to make specific factual objections. Contact the Planning Department at 509-698-7365 to read or ask about the procedures for SEPA appeals.

EXHIBIT

tabbles

3d



El Sol de Yakima

-Ad Proof-

This is the proof of your ad scheduled to run on the dates indicated below.
Please proof read notice carefully to check spelling and run dates,
if you need to make changes

Date:	10/14/21
Account #:	110017
Company Name:	CITY OF SELAH
Contact:	Angela Dean, AP
Address:	115 W NACHES AVENUE SELAH, WA 98942
Telephone:	(509) 698-7327
Fax:	

Account Rep:	Simon Sizer
Phone #	(509) 577-7740
Email:	ssizer@yakimaherald.com
Ad ID:	987906
Start:	10/15/21
Stop:	10/15/21
Total Cost:	\$244.20
Lines:	132.0
# of Inserts:	1
Ad Class:	6021

Run Dates:	
Yakima Herald-Republic	10/15/21



City of Selah Notice of Closed Record Public Hearings:

The City of Selah is hereby providing Notice of Scheduled Public Hearing for the following Comprehensive Plan Map Amendment, Rezone and Environmental Review applications:

1. Property Owner: 310 Partners, LLC; **Project Address:** 310 W. Selah Ave., Selah, WA 98942; **Tax Parcel Number:** 181302-11436, and 181302-11437; **File Numbers:** COMP-2021-003, 914-2021-002, & SEPA-2021-006; **Application/Request:** Future Land Use Map designation change from Moderate Density Residential to High Density Residential, as well as requesting a concurrent rezone of the subject properties from Residential, Two-Family (R-2) to Residential, Multi-Family (R-3).

2. Property Owner: City of Selah; **Project Address:** Vicinity of Naches Ave. and 4th St., Selah, WA 98942; **Tax Parcel Number:** 181435-41454; **File Numbers:** COMP-2021-001, 914-2021-003, & SEPA-2021-007; **Application/Request:** Future Land Use Map designation change from Semi Public/Open Space to Commercial, as well as requesting a concurrent rezone of the subject properties from Residential, Single-Family (R-1) to Residential, Business, General (B-2) to support the future construction of a police station/city hall.

3. Property Owner: Scott & Victoria Catron; **Project Address:** 705 and 705 ½ Bartlett Ave., Selah, WA 98942; **Tax Parcel Number:** 181435-42005; **File Numbers:** COMP-2021-002, 914-2021-001, & SEPA-2021-005; **Application/Request:** Future Land Use Map designation change from Low Density Residential to Moderate Density Residential, as well as requesting a concurrent rezone of the subject properties from Residential, Single-Family (R-1) to Residential, Two-Family (R-2) to bring the property's Comprehensive Plan and Zoning designation into conformance with the property's current and historic use: **Public Notice:** Notice is hereby given by the City of Selah, Washington, that the Selah City Council will conduct three closed record public hearings on **Tuesday, October 26, 2021, commencing at 5:30 p.m.**, or as soon thereafter as practical, in the council chambers, Selah City Hall, 115 W. Naches, Selah, WA.: Copies of the Comprehensive Plan Amendments and Rezone applications are available for public inspection during regular business hours at the City of Selah Planning Department, 222 South Rushmore Road, Selah, WA, and at <https://selahwa.gov/planning/planning-commission/>.

All persons wishing to offer comments for or against any of these proposals are encouraged to attend. All written comments received prior to the day of the public hearings will be considered in the City Council deliberations.: **COVID-19 Hearing Notification:** Interested parties, please be advised in accordance with the multiple proclamations by the Governor of the State of Washington, (in particular Proclamation 20-28) guidance from the state Attorney General on the requirements of the Open Public Meetings Act, directives by the State Health Department and Yakima Health District regarding COVID-19, the above scheduled public hearing may be held by electronic and telephonic means via zoom. Procedures for attendance of this open record public hearing will be provided on the City of Selah's website along with the City Council agenda.: if you have questions please feel free to contact Jeff Peters, Community Development Supervisor in person at 222 South Rushmore Road, Selah, WA or by phone at (509) 698-7365, by fax at (509) 698-7372 or by e-mail at jeff.peters@selahwa.gov. Dated this 6th day of August 2021.

(987906) October 15, 2021

Courtesy of Yakima Herald-Republic

Affidavit of Publication

STATE OF WASHINGTON,)

COUNTY OF YAKIMA)

Jackie Chapman, being first duly sworn on oath deposes and says that she/he is the Accounting clerk of Yakima Herald-Republic, Inc., a daily newspaper. Said newspaper is a legal newspaper approved by the Superior Court of the State of Washington for Yakima County under an order made and entered on the 13th day of February, 1968, and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continually as a daily newspaper in Yakima, Yakima County, Washington. Said newspaper is now and has been during all of said time printed in an office maintained at the aforesaid place of publication of said newspaper.

That the annexed is a true copy of a:
City of Selah Notice of Application,

it was published in regular issues (and not in supplement form) of said newspaper once each day and for a period of 1 times, the first insertion being on 08/27/2021 and the last insertion being on 08/27/2021

Yakima Herald-Republic 08/27/21

and the such newspaper was regularly distributed to its subscribers during all of the said period. That the full amount of the fee charged for the foregoing publication is the sum of \$370.00

Jackie Chapman
Accounting Clerk



Sworn to before me this 30th day of August 2021

Lisa M Driggs
Notary Public in and for the
State of Washington,
residing at Yakima



City of Selah Notice of Application, Environmental Review & Public Hearings: The City of Selah is hereby providing Public Notice and Opportunity to Comment, State Environmental Policy Act Review, and Notice of Scheduled Public Hearing for the following Comprehensive Plan Map Amendment, Rezone and Environmental Review applications:

1. Property Owner: 310 Partners, LLC; **Project Address:** 310 W. Selah Ave., Selah, WA 98942; **Tax Parcel Number:** 181302-11436, and 181302-11437; **File Numbers:** COMP-2021-003, 914-2021-002, & SEPA-2021-006; **Application/Request:** Future Land Use Map designation change from Moderate Density Residential to High Density Residential, as well as requesting a concurrent rezone of the subject properties from Residential, Two-Family (R-2) to Residential, Multi-Family (R-3).

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3. Property Owner: Scott & Victoria Catron; **Project Address:** 705 and 705 1/2 Bartlett Ave., Selah, WA 98942; **Tax Parcel Number:** 181435-42005; **File Numbers:** COMP-2021-002, 914-2021-001, & SEPA-2021-005; **Application/Request:** Future Land Use Map designation change from Low Density Residential to Moderate Density Residential, as well as requesting a concurrent rezone of the subject properties from Residential, Single-Family (R-1) to Residential, Two-Family (R-2) to bring the property's Comprehensive Plan and Zoning designation into conformance with the property's current and historic use:

Environmental Review: This is to notify all the public and private agencies with jurisdiction and environmental expertise that the City of Selah Planning Department has been established as the lead agency, pursuant to the Washington State Environmental Policy Act (SEPA) for the above stated projects:

The City of Selah is presently inclined towards the issuance of a Determination of Non Significance (DNS) on these projects. WAC 197-11-355 process is being used. This may be your only opportunity to comment on the environmental impacts of these proposed projects. The following conditions have been identified that may be used to mitigate the adverse environmental impacts of the proposal: None; Required Permits: None; Required Studies: None; Existing Environmental Documents: None

Preliminary determination of the development regulations that will be used for project mitigation and consistency: Zoning Ordinance, Comprehensive Plan, and Sub Area Plan: Request

for Written Comments on the Proposals: Written comments concerning the above described Comprehensive Plan Amendments, Rezones and Environmental Checklist applications will be accepted during the public comment period that ends at 5:00 p.m. on September 10, 2021. You may mail your comments to Selah Planning Department, 222 So. Rushmore Road, Selah, WA 98942, send them by fax to (509) 698-7372 or by e-mail to jeff.peters@selahwa.gov. Please reference the above file numbers or property owner name in your correspondence: Open Record Public Hearing: The above described applications

require that the City of Selah Planning Commission conduct an open record public hearing for the applicant's/property owner's Comprehensive Plan Map Amendment and Rezone. These public hearings has been scheduled for October 5, 2021, beginning at 5:30 p.m. in the Council Chambers, City Hall, 115 W. Naches Ave. Any person desiring to express their views on this matter are invited to attend the public hearing or to submit their written comments to the above address. All interested persons may appear and provide testimony on the application. At the conclusion of the public hearing, the Planning Commission will consider the matter and issue a recommendation to the City Council for approval, approval with conditions, or denial of the proposal: COVID-19 Hearing Notification: Interested parties, please be advised in accordance with the multiple proclamations by the Governor of the State of Washington, (in particular proclamation 20-28) guidance from the State Attorney General on the requirements of the Open Public Meetings Act, directives by the State Health Department and Yakima Health District regarding COVID-19, the above scheduled public hearings may be held by electronic and telephonic means via Zoom. Procedures for attendance of these closed record public hearings will be provided on the City of Selah Planning Commission's website along with the Planning Commission meeting agenda ten days prior to the scheduled meeting (<https://selahwa.gov/planning/planning-commission/>): Application information including the SEPA environmental checklist and maps detailing the proposal are available during regular business hours at the Planning Department at 222 South Rushmore Road, Selah, Washington 98942, or online at <https://selahwa.gov/planning/espa/>. The staff reports will be available approximately one week before the hearing. Contact the Planning Department with project, procedural or environmental questions.

(984366) August 27, 2021

Courtesy of Yakima Herald-Republic

Affidavit of Publication

STATE OF WASHINGTON,)
)
COUNTY OF YAKIMA)

Jackie Chapman, being first duly sworn on oath deposes and says that she/he is the Accounting clerk of Yakima Herald-Republic, Inc., a daily newspaper. Said newspaper is a legal newspaper approved by the Superior Court of the State of Washington for Yakima County under an order made and entered on the 13th day of February, 1968, and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continually as a daily newspaper in Yakima, Yakima County, Washington. Said newspaper is now and has been during all of said time printed in an office maintained at the aforesaid place of publication of said newspaper.

That the annexed is a true copy of a:
City of Selah Notice of Closed Recor

it was published in regular issues (and not in supplement form) of said newspaper once each day and for a period of 1 times, the first insertion being on 10/15/2021 and the last insertion being on 10/15/2021

Yakima Herald-Republic 10/15/21

and the such newspaper was regularly distributed to its subscribers during all of the said period. That the full amount of the fee charged for the foregoing publication is the sum of \$244.20

Jackie Chapman
Accounting Clerk



Sworn to before me this 18th day of, October 2021
Lisa M. Driggs
Notary Public in and for the
State of Washington,
residing at Yakima

City of Selah Notice of Closed Record Public Hearings: The City of Selah is hereby providing Notice of Scheduled Public Hearing for the following Comprehensive Plan Map Amendment, Rezone and Environmental Review applications:

1. Property Owner: 310 Partners, LLC; **Project Address:** 310 W. Selah Ave., Selah, WA 98942; **Tax Parcel Number:** 181302-11436, and 181302-11437; **File Numbers:** COMP-2021-003, 914-2021-002, & SEPA-2021-006; **Application/Request:** Future Land Use Map designation change from Moderate Density Residential to High Density Residential, as well as requesting a concurrent rezone of the subject properties from Residential, Two-Family (R-2) to Residential, Multi-Family (R-3).

2. Property Owner: City of Selah; **Project Address:** Vicinity of Naches Ave. and 4th St., Selah, WA 98942; **Tax Parcel Number:** 181435-41454; **File Numbers:** COMP-2021-001, 914-2021-003, & SEPA-2021-007; **Application/Request:** Future Land Use Map designation change from Semi Public/Open Space to Commercial, as well as requesting a concurrent rezone of the subject properties from Residential, Single-Family (R-1) to Residential, Business, General (B-2) to support the future construction of a police station/city hall.

3. Property Owner: Scott & Victoria Catron; **Project Address:** 705 and 705 ½ Bartlett Ave., Selah, WA 98942; **Tax Parcel Number:** 181435-42005; **File Numbers:** COMP-2021-002, 914-2021-001, & SEPA-2021-005; **Application/Request:** Future Land Use Map designation change from Low Density Residential to Moderate Density Residential, as well as requesting a concurrent rezone of the subject properties from Residential, Single-Family (R-1) to Residential, Two-Family (R-2) to bring the property's Comprehensive Plan and Zoning designation into conformance with the property's current and historic use: **Public Notice:** Notice is hereby given by the City of Selah, Washington, that the Selah City Council will conduct three closed record public hearings on **Tuesday, October 26, 2021, commencing at 5:30 p.m.**, or as soon thereafter as practical, in the council chambers, Selah City Hall, 115 W. Naches, Selah, WA.: Copies of the Comprehensive Plan Amendments and Rezone applications are available for public inspection during regular business hours at the City of Selah Planning Department, 222 South Rushmore Road, Selah, WA, and at <https://selahwa.gov/planning/planning-commission/>: All persons wishing to offer comments for or against any of these proposals are encouraged to attend. All written comments received prior to the day of the public hearings will be considered in the City Council deliberations.: **COVID-19 Hearing Notification:** Interested parties, please be advised in accordance with the multiple proclamations by the Governor of the State of Washington, (in particular Proclamation 20-28) guidance from the state Attorney General on the requirements of the Open Public Meetings Act, directives by the State Health Department and Yakima Health District regarding COVID-19, the above scheduled public hearing may be held by electronic and telephonic means via zoom. Procedures for attendance of this open record public hearing will be provided on the City of Selah's website along with the City Council agenda.: if you have questions please feel free to contact Jeff Peters, Community Development Supervisor in person at 222 South Rushmore Road, Selah, WA or by phone at (509) 698-7365, by fax at (509) 698-7372 or by e-mail at jeff.peters@selahwa.gov. Dated this 6th day of August 2021.

(987906) October 15, 2021

Courtesy of Yakima Herald-Republic

Received

SEP 27 2001
By MH
City of Selah
Planning Dept.

8 31 21

CITY OF SELAH
PLANNING DEPARTMENT

WRITTEN
REQUEST FOR COMMENTS ON THE PROPOSAL FOR THE FUTURE
CONSTRUCTION OF THE SELAH POLICE STATION.

Yvonne Oman
YVONNE OMAN
5906 GLACIER WAY
YAKIMA, WA 98908





**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



Council Meeting

Action Item

10/26/2021

O-1

Title: Ordinance Amending the Comprehensive Plan Future Land Use Map and Zoning Map of the City of Selah for Parcel 181435-41454 as follows: Future Land Use Map from Semi Public/Open Space to Commercial and Zoning Map from Residential Single-Family (R-1) to Business, General (B-2).

From: Jeff Peters: Community Development Supervisor

Action Requested: Approval

Staff Recommendation: Approve the Ordinance as written

Board/Commission Recommendation: Approval

Fiscal Impact: N/A

Funding Source: N/A

Background / Findings & Facts: On August 3, 2021, the City of Selah, submitted applications for the City of Selah's Annual Comprehensive Plan Future Land Use Map Amendment process which include a Comprehensive Plan Future Land Use Map Amendment, Rezone, and Environmental Review (COMP-2021-001, 914-2021-003, & SEPA-2021-007). The City is requesting to change the Future Land Use Map designation for parcel 181435-41454, from Semi Public/Open Space to Commercial and to concurrently rezone from Residential, Single-Family (R-1) to Business, General (B-2) to support the city's efforts to construct a new police station/future city hall.

Recommended Motion: I move that the City Council adopt the accompanying ordinance approving Comprehensive Plan Future Land Use Map Amendment COMP-2021-001, and Rezone 914-2021-003, and further adopting the Selah Planning Commission's findings, conclusions, and recommendation of October 5, 2021, as its own.

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)



**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



Date:	Action Taken:
8/3/2021	Application Submittal
8/27/2021	Notice of Application and Public Hearing and Legal Notice
9/13/2021	SEPA Notice of Determination of Non-Significance
10/5/2021	Planning Commission Public Hearing
10/15/2021	Notice of City Council Public Hearing

ORDINANCE 2137

ORDINANCE

AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP AND ZONING MAP OF THE CITY OF SELAH FOR PARCEL 181435-41454 AS FOLLOWS: FUTURE LAND USE MAP FROM SEMI PUBLIC/OPEN SPACE TO COMMERCIAL AND ZONING MAP FROM RESIDENTIAL SINGLE-FAMILY (R-1) TO BUSINESS, GENERAL (B-2)

WHEREAS, the City of Selah is required to plan under the Washington State Growth Management Act (GMA), RCW 36.70A.040; and,

WHEREAS, RCW 36.70A.130 provides for continuing review and evaluation of comprehensive plans and development regulations at least every five years and for the revision or amendments to such plans not more than once a year but at least once every five years, with certain exceptions; and,

WHEREAS, RCW 36.70A.470 requires that counties and cities planning under RCW 36.70A.040 include in their development regulations a procedure for any interested person, including applicants, citizens, hearing examiners, and staff of other agencies, to suggest comprehensive plan amendment (CPA) or development regulation amendments; and,

WHEREAS, RCW Ch. 36.70A further requires that the suggested amendments be docketed and considered not more often than once a year, consistent with the provisions of RCW 36.70A.130; and,

WHEREAS, in 2004, the City Council adopted Ordinance 1634 enacting Ch. 10.40 SMC to provide procedures and criteria for amending and updating the City of Selah Comprehensive Plan Future Land Use and Zoning Maps; and,

WHEREAS, on August 3, 2021, the City of Selah, submitted applications for a Comprehensive Plan Future Land Use Map Amendment, Rezone, and Environmental Review (COMP-2021-001, 914-2021-003, & SEPA-2021-007) requesting to change the Future Land Use Map designation for parcel 181435-41454, from Semi Public/Open Space to Commercial and to concurrently rezone from Residential, Single-Family (R-1) to Business, General (B-2); and,

WHEREAS, the applications were considered complete for processing on August 23, 2021, and public notice was provided, in accordance with the provisions of SMC Ch. 10.40, and Title 21, on August 27, 2021; and,

WHEREAS, SEPA Environmental Review was completed with a Determination of Nonsignificance issued on September 13, 2021, which was not appealed; and,

WHEREAS, after proper notice, on October 5, 2021, the Selah Planning Commission (SPC) heard the staff presentation regarding the proposed CPA and Rezone, held a public hearing, considered the public testimony; and,

WHEREAS, after proper notice, on October 5, 2021, the Selah Planning Commission (SPC) heard the staff presentation regarding the proposed CPA and Rezone, held a public hearing, considered the public testimony; and,

WHEREAS, pursuant to the approval criteria set forth in SMC § 10.40.050, the SPC unanimously recommended approval of the proposal; and,

WHEREAS, the SPC recommendation and findings was signed by the Chair on October 5, 2021, a copy of which is found in Exhibit "A" attached hereto and incorporated herein by this reference; and,

WHEREAS, pursuant to SMC § 10.40.050, and after the required notice was provided, the Selah City Council held a public hearing on October 26, 2021, to receive public comments on the Planning Commission's recommended findings on the proposed CPA and Rezone; and,

WHEREAS, the City Council of the City of Selah, having considered the record herein and the recommendation from the Planning Commission, the comments received at the public hearing held October 26, 2021, hereby finds and determines that approval of the requested CPA and Rezone is in the best interest of residents and the City of Selah and will promote the general health, safety and welfare.

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, ORDAINS AS FOLLOWS:

Section 1. Findings, Analysis and Conclusions. Subject to the specific terms of this Ordinance, the Selah City Council adopts the October 5, 2021 findings, conclusions, and recommendation of the Selah Planning Commission for COMP-2021-001, 914-2021-003, and SEPA-2021-007. A copy of said recommendation is attached as Exhibit "A".

Section 2. Amendment. The following described real property is hereby reclassified from a Comprehensive Plan Future Land Use Map designation of Semi Public/Open Space to Commercial, and Zoning District of Residential, Single-Family (R-1) to Business, General (B-2):

Abbreviated Legal Description: LIBERTY ADD TRACTS 3 & 4 EX E 10 FT ST R/W

(Assessor Parcel No. 181435-41454).

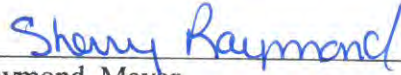
Section 3. Any and all official Zoning, Future Land Use, or similar maps shall be amended to reclassify the subject real properties set forth herein consistent with the above sections of this Ordinance.

Section 4. Severability Invalidation. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance is declared invalid or unconstitutional for any reason, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 5. Ratification. Any act consistent with the authority, and prior to the effective date of this ordinance is hereby ratified and affirmed.

Section 6. This ordinance, implementing a Comprehensive Plan Future Land Use Map (COMP-2021-001) and Zoning Map Amendment (914-2021-003) shall become effective five (5) days following legal publication of this ordinance or a summary of this ordinance.

Done this 26th day of October 2021



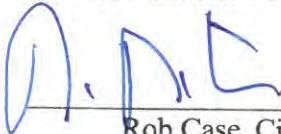
Sherry Raymond, Mayor

ATTEST:



Dale E. Novobielski, Clerk-Treasurer

APPROVED AS TO FORM:



Rob Case, City Attorney

EXHIBIT "A"

**SELAH PLANNING COMMISSION
RECOMMENDATION TO THE SELAH CITY COUNCIL
FOR
COMPREHENSIVE PLAN AMENDMENT AND REZONE
COMP-2021-001, & 914-2021-003**

SELAH PLANNING COMMISSION
RECOMMENDATION TO THE SELAH CITY COUNCIL
FOR
COMPREHENSIVE PLAN AMENDMENT AND REZONE
COMP-2021-001, & 914-2021-003

October 5, 2021

WHEREAS, The City of Selah adopted its 2017 Comprehensive Plan on June 27, 2017;
and

WHEREAS, The Washington Growth Management Act and local ordinances provide a process for the annual review of amendments to the Comprehensive Plan as requested by citizens, property owners and/or local government; and

WHEREAS, Under the provisions of SMC Ch. 10.40.040 the Selah Planning Commission (SPC) is responsible for the review of these applications and for recommending the approval, modification or denial of each request; and

WHEREAS, On August 3, 2021 applications for Comprehensive Plan Amendment and Rezone were submitted by the City of Selah, to amend the Comprehensive Plan Future Land Use Map Designation for Tax Parcel Number: 181435-41454 from Semi Public/Open Space to Commercial, and to concurrently rezone from Residential, Single-Family (R-1) to Business, General (B-2) (City Files: COMP-2021-001, 914-2021-003, & SEPA-2021-007); and

WHEREAS, The applications were considered complete for processing on August 23, 2021 and public notice was provided, in accordance with the provisions of SMC Ch. 21.07, on August 27, 2021; and

WHEREAS, SEPA Environmental Review was completed with a Determination of Nonsignificance issued on September 13, 2021, which was not appealed (City File: SEPA-2021-007); and

WHEREAS, The Selah Planning Commission held an open record public hearing on October 5, 2021 to hear testimony from the public, consider the Amendment and Rezone, and provide a recommendation to the Selah City Council;

Now therefore, the Selah City Planning Commission presents the following findings of fact, conclusions, and recommendation to the Selah City Council:

APPLICATION # COMP-2021-001, 914-2021-003
APPLICANT: City of Selah
APPLICANT ADDRESS: 115 W. Naches Ave. Selah, WA 98942
PROJECT LOCATION: Vicinity of Naches Ave. and 4th St., Selah, WA 98942
PARCEL(S): 181435-41454

FINDINGS OF FACT

1. The City is requesting to amend the subject property's Comprehensive Plan Future Land Use Map designation from Semi Public/Open Space to Commercial and to concurrently rezone from Residential, Single-Family (R-1) to Business, General (B-2).
2. The subject parcel is approximately 2.34 acres in size, and is surrounded by single-family homes to the east and west, and high-density multifamily structures to the north.
3. The City of Selah Planning Division provided a detailed staff report to the Planning Commission for review during their October 5, 2021 public hearing, with the recommendation of APPROVAL of the proposed amendment and rezone.
4. The proposed Comprehensive Plan Amendment is consistent with the applicable approval criteria in SMC § 10.40.050, as follows:
 - a. This application is being processed to change the property's Future Land Use Designation, and Zoning to allow the location of a new police station and future City Hall, which is provided for in the City's Capital Facility Plan.
 - b. The Commercial designation implements several goals and policies of the City's 2017 Comprehensive Plan.
 - c. The amendment does not correct an obvious mapping error, but does address a deficiency of the 2017 Comprehensive Plan, and is consistent with the Growth Management Act and County-wide Planning Policies.
 - d. The impact to the surrounding properties should be minimal because the property under consideration is well suited for the commercial Comprehensive Plan designation and B-2 zoning which supports the police station and City Hall use.
5. The total acreage of this proposal will remove 2.34 acres of Semi Public/Open Space land, and convert it to Commercial of which there is no cumulative impacts from other past or current Comprehensive Plan Amendments, as no other applications have been submitted since the City last adopted its 2017 Comprehensive Plan.
6. The proposed Rezone from Residential, Single-Family (R-1) to Business, General (B-2) is consistent with the applicable approval criteria in SMC § 10.40.050, as follows:
 - a. Testimony at the public hearing was considered.
 - b. The property is suitable for uses within the B-2 zoning district, and will allow the future construction of a police station and City Hall as provided for in the City's Capital Facilities Plan.
 - c. The B-2 zoning district is an implementing zone of the Commercial Future Land Use Designation.
 - d. The property is currently capable of being served by all necessary public utilities and is accessed by public streets.
 - e. The proposed Rezone is considered compatible with the surrounding neighborhood and no mitigation is proposed at this time.
 - f. The public need for this Rezone is to support future development of a police station and City Hall in accordance with the City's Capital Facilities Plan.

CONCLUSIONS

1. The Amendment and Rezone are minor in nature;
2. No adverse impacts have been identified;
3. No written comments or testimony was received in opposition to the request;

4. This proposal underwent Environmental Review;
5. The proposed Comprehensive Plan Future Land Use Map Amendment from Semi Public/Open Space to Commercial and to concurrently rezone from Residential, Single-Family (R-1) to Business, General (B-2) is consistent with the Selah Zoning Ordinance and 2017 Comprehensive Plan.

MOTION

Based on the testimony and evidence presented during the public hearing, it was moved and seconded that the City of Selah Planning Commission draft findings of fact be accepted, made final, and a recommendation of approval forwarded to the Selah City Council. The motion carried unanimously.

RECOMMENDATION TO CITY COUNCIL

The Planning Commission of the City of Selah, having received and considered all evidence and testimony presented at the public hearing, and having received and reviewed the record herein, hereby recommends that the City Council of the City of Selah APPROVE the proposed Comprehensive Plan Amendment from Semi Public/Open Space to Commercial and to concurrently rezone from Residential, Single-Family (R-1) to Business, General (B-2) for files COMP-2021-001 & 914-2021-003.

SIGNED this 5th day of October, 2021.

By: 
Lisa, Smith,
Selah Planning Commission, Chair



**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



Council Meeting

Action Item

10/26/2021

L-2

Title: Closed Record Public Hearing to consider the City of Selah Planning Commission's recommendation regarding a Comprehensive Plan Future Land Use and Zoning Map Amendment for property located at 705 & 705 ½ Bartlett Ave. from Low Density Residential to Medium Residential, and Residential, Single-Family (R-1) to Residential, Two-Family (R-2).

From: Jeff Peters: Community Development Supervisor

Action Requested: Approval

Staff Recommendation: Hold the required public hearing, and adopt the accompanying ordinance.

Board/Commission Recommendation: Approval

Fiscal Impact: N/A

Funding Source: N/A

Background / Findings & Facts: On July 28, 2021, the property owners Scott and Victoria Catron, submitted applications for the City of Selah's Annual Comprehensive Plan Future Land Use Map Amendment process which include a Comprehensive Plan Future Land Use Map Amendment, Rezone, and Environmental Review (COMP-2021-002, 914-2021-001, & SEPA-2021-005). The property owners are requesting to change the Future Land Use Map designation for parcel 181435-42005, from Low Density Residential to Moderate Density Residential and to concurrently rezone from Residential, Single-Family (R-1) to Residential, Two-Family (R-2) to recognize the construction of an long established existing duplex, and remove the properties legal non-conforming status.

Recommended Motion: I move that the City Council adopt the accompanying ordinance approving Comprehensive Plan Future Land Use Map Amendment COMP-2021-002, and Rezone 914-2021-001, and further adopting the Selah Planning Commission's findings, conclusions, and recommendation of October 5, 2021, as its own.



**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:
7/28/2021	Application Submittal
8/27/2021	Notice of Application and Public Hearing and Legal Notice
9/13/2021	SEPA Notice of Determination of Non-Significance
10/5/2021	Planning Commission Public Hearing
10/15/2021	Notice of City Council Public Hearing

City Council Document Index for Scott & Victoria Catron
Comprehensive Plan Future Land Use Map Amendment: COMP-2021-002,
Rezone: 914-2021-001, and SEPA-2021-005

List of Exhibits

Item:	<u>Exhibit</u>
Planning Commission Findings of Fact, Conclusions, and Recommendation Staff Report	1a 1b
Applications:	
Comprehensive Plan Future Land Use Map Amendment	2a
Rezone	2b
State Environmental Policy Act Review (SEPA)	2c
Notices:	
Notice of Application, Environmental Review, Public comment and Planning Commission Public Hearing	3a
Notice to Yakima Herald Republic, August 27, 2021	3b
Affidavit of Mailings, August 27, & September 13, 2021	3c
Determination of Nonsignificance, September 13, 2021	3d
Notice to Yakima Herald Republic, October 15, 2021	3e
Affidavit of Publications, August 27 & October 15, 2021	3f
Public Comments:	None

SELAH PLANNING COMMISSION
RECOMMENDATION TO THE SELAH CITY COUNCIL
FOR
COMPREHENSIVE PLAN AMENDMENT AND REZONE
COMP-2021-002, 914-2021-001

October 5, 2021

WHEREAS, The City of Selah adopted its 2017 Comprehensive Plan on June 27, 2017;
and

WHEREAS, The Washington Growth Management Act and local ordinances provide a process for the annual review of amendments to the Comprehensive Plan as requested by citizens, property owners and/or local government; and

WHEREAS, Under the provisions of SMC Ch. 10.40.040 the Selah Planning Commission (SPC) is responsible for the review of these applications and for recommending the approval, modification or denial of each request; and

WHEREAS, On July, 2021 applications for Comprehensive Plan Amendment and Rezone were submitted by Scott & Victoria Catron, to amend the Comprehensive Plan Future Land Use Map Designation for Tax Parcel Number: 181435-42005 from Low Density Residential to Moderate Density Residential, and to concurrently rezone from Residential, Single-Family (R-1) to Residential, Two-Family (R-2) (City Files: COMP-2021-002, 914-2021-001, & SEPA-2021-005); and

WHEREAS, The applications were considered complete for processing on August 23, 2021 and public notice was provided, in accordance with the provisions of SMC Ch. 21.07, on August 27, 2021; and

WHEREAS, SEPA Environmental Review was completed with a Determination of Nonsignificance issued on September 13, 2021, which was not appealed (City File: SEPA-2021-005); and

WHEREAS, The Selah Planning Commission held an open record public hearing on October 5, 2021 to hear testimony from the public, consider the Amendment and Rezone, and provide a recommendation to the Selah City Council;

Now therefore, the Selah City Planning Commission presents the following findings of fact, conclusions, and recommendation to the Selah City Council:



APPLICATION # COMP-2021-002, 914-2021-001, & SEPA-2021-005
APPLICANT: Scott & Victoria Catron
APPLICANT ADDRESS: 1705 W. Orchard Ave., Selah, WA 98942
PROJECT LOCATION: 705 & 705 ½ Bartlett Ave., Selah, WA 98942
PARCEL(S): 181435-42005

FINDINGS OF FACT

1. The applicants are requesting to amend the subject property's Comprehensive Plan Future Land Use Map designation from Low Density Residential to Moderate Density Residential and to concurrently rezone from Residential, Single-Family (R-1) to Residential, Two-Family (R-2).
2. The subject parcel is approximately .29 acres in size, and is surrounded single-family homes.
3. The City of Selah Planning Division provided a detailed staff report to the Planning Commission for review during their October 5, 2021 public hearing, with the recommendation of APPROVAL of the proposed amendment and rezone.
4. The proposed Comprehensive Plan Amendment is consistent with the applicable approval criteria in SMC § 10.40.050, as follows:
 - a. This application is being processed to change the properties Future Land Use Designation, and Zoning to recognize the existing duplex use, and correct a past mapping error.
 - b. The Moderate Density Residential designation implements several goals and policies of the City's 2017 Comprehensive Plan.
 - c. The amendment does correct an obvious mapping error, and addresses a deficiency of the 2017 Comprehensive Plan, and is consistent with the Growth Management Act and County-wide Planning Policies.
 - d. There will be no impact to the surrounding properties because the duplex has been at its existing location since 1925, and the property is well suited for the Moderate Density Residential Comprehensive Plan designation and B-2 zoning which supports the existing duplex use.
5. The total acreage of this proposal will remove .29 acres of Low Density Residential land, and convert it to Moderate Density Residential recognizing the existing duplex use. There are no cumulative impacts from other past or current Comprehensive Plan Amendments as no other applications have been submitted since the City last adopted its 2017 Comprehensive Plan.
6. The proposed Rezone from Residential, Single-Family (R-1) to Residential, Two-Family (R-2) is consistent with the applicable approval criteria in SMC § 10.40.050, as follows:
 - a. Testimony at the public hearing was considered.
 - b. The property is suitable for duplex use of the R-2 zoning district, and will recognize the existing duplex, removing any non-conforming status on the subject property.
 - c. The R-2 zoning district is an implementing zone of the Moderate Density Residential Future Land Use Designation.
 - d. The property is currently served by all necessary public utilities and is accessed by public streets.
 - e. The proposed Rezone is considered compatible with the surrounding neighborhood and no mitigation is proposed at this time.
 - f. The public need for this Rezone is to rezone the subject property to recognize an existing use, and remove the property's non-conforming status.

CONCLUSIONS

1. The Amendment and Rezone are minor in nature;
2. No adverse impacts have been identified;
3. No written comments or testimony was received in opposition to the request;
4. This proposal underwent Environmental Review;
5. The proposed Comprehensive Plan Future Land Use Map Amendment from Low Density Residential to Moderate Density Residential and to concurrently rezone from Residential, Single-Family (R-1) to Residential, Two-Family (R-2) is consistent with the Selah Zoning Ordinance and 2017 Comprehensive Plan.

MOTION

Based on the testimony and evidence presented during the public hearing, it was moved and seconded that the City of Selah Planning Commission draft findings of fact be accepted, made final, and a recommendation of approval forwarded to the Selah City Council. The motion carried unanimously.

RECOMMENDATION TO CITY COUNCIL

The Planning Commission of the City of Selah, having received and considered all evidence and testimony presented at the public hearing, and having received and reviewed the record herein, hereby recommends that the City Council of the City of Selah APPROVE the proposed Comprehensive Plan Amendment from Low Density Residential to Moderate Density Residential and to concurrently rezone from Residential, Single-Family (R-1) to Residential, Two-Family (R-2) for files COMP-2021-002 & 914-2021-001.

SIGNED this 5th day of October, 2021.

By:



**Lisa, Smith,
Selah Planning Commission, Chair**

CITY OF SELAH

**DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT
2021 COMBINED COMPREHENSIVE PLAN MAP AMENDMENT AND REZONE STAFF
REPORT**

SUMMARY OF RECOMMENDATIONS

Staff recommends to the Selah City Planning Commission that this request be approved due to a change in the subject properties Future Land Use from Low Density Residential to Moderate Density Residential, and zoning from Residential, Single-Family (R-1) to Residential, Two-Family (R-2). This proposal will have no negative impacts on the integrity of the City's Comprehensive Plan, Zoning Ordinance, nor surrounding neighborhood.

SUMMARY OF REQUEST

APPLICANT: SCOTT & VICTORIA CATRON
LOCATION: 705 & 705 ½ Bartlett Ave., Selah, WA 98942
PARCEL NO(S): 181435-42005
FILE NUMBERS: COMP-2021-002, 914-2021-001, & SEPA-2021-005

COMPREHENSIVE PLAN FUTURE LAND USE MAP REQUEST: Low Density to Medium Density Residential

REZONE REQUEST: Residential, Single-Family (R-1) to Residential, Two-Family (R-2)

APPLICATION BACKGROUND

The subject property is located on the north side of Bartlett Ave. approximately midblock in the middle of a primarily single-family residential neighborhood.

The property has a current Comprehensive Plan Map designation of Low Density Residential and the surrounding neighborhood is designated the same. The property's zoning is R-1, and it is currently developed with a duplex, garage, and accessory structure. The surrounding uses are single-family homes. The property was originally developed as a duplex in 1925 prior to zoning within the City and the implementation of development standards.

The City's 1997 Comprehensive Plan established the property's Future Land Use Map designation as Low Density Residential, and was never changed in either the City's 2005 and 2017 Comprehensive Plans. Zoning of the subject property occurred around 1994 with the property being designated R-1. No rezoning of the subject property has occurred since initial designation of the subject property, and the duplex use was never legally recognized leaving it a Legal Non-Conforming Use.

The subject property is served by all necessary public utilities which include: City of Selah water, sewer, police, fire protection, and public transit.

It is the intent of this application to change the underlying Comprehensive Plan's Future Land designation of Tax Parcel Number: 181435-42005 from Low Density to Medium Density Residential and the zoning from R-1 to R-2 to alleviate the property's burdensome Legal Non-Conforming Use status.



CURRENT ZONING AND LAND USE

The project site is composed of one parcel with a Comprehensive Plan designation of Low Density Residential and a Zoning designation of Residential, Single-Family (R-1).

Adjacent properties have the following characteristics:

<u>Location</u>	<u>Zoning</u>	<u>Comprehensive Plan</u>	<u>Land Use</u>
North	R-1	Low Density Residential	Single-Family Homes
South	R-1	Low Density Residential	Single-Family Homes
East	R-1	Low Density Residential	Single-Family Homes
West	R-1	Low Density Residential	Single-Family Homes

PUBLIC AND PRIVATE AGENCY COMMENTS

No comments were received from public agencies and private companies with interest in the development herein being reviewed.

PUBLIC COMMENTS RECEIVED

No public comments were received from the members of the public in regard to this application.

ENVIRONMENTAL REVIEW (SEPA)

The Environmental Checklist prepared and circulated by the City of Selah identified that there are no likely significant adverse environmental impacts as a result of approval of the non-project Comprehensive Plan and Rezone applications.

On August 27, 2021, the City of Selah issued a Notice of Application, Environmental Review, and Public Hearing indicating that the City was inclined towards the issuance of a Determination of Nonsignificance (DNS) for this application. Following the required 15-day public comment period where all interested parties and agencies had the right to comment, and no public comments were received, a DNS was issued on September 13, 2021. The 5-day appeal period for this environmental determination lapsed on September 20, 2021, with no appeals filed.

PUBLIC NOTICE

Notice of Application and Public Hearing
 Legal Ad Publication
 Posting of Subject Property
 Notice of Determination of Non-Significance

Date Accomplished

August 27, 2021
 August 27, 2021
 September 31, 2021
 September 13, 2021

COMPREHENSIVE PLAN AMENDMENT APPROVAL CRITERIA

In accordance with the provisions of the Selah Municipal Code (SMC), the following criteria must be considered in the review of any proposed amendment to the Selah Comprehensive Plan.

SMC 10.40.050: To alter the Future Land Use Map or other plan policy map, or effect a Comprehensive Plan text amendment, the proposed amendment must meet one or more of the following:

- (a) **Address circumstances that have changed since the last time the relevant Comprehensive Plan or text was considered:**

Applicant Narrative Response: "No".

Staff Response: *Although there has been no technical change in circumstances to the City's Comprehensive Plan that would necessitate a Comprehensive Plan Map Amendment for this property, there has been a change in the real estate market and lending intuitions through the country which make it difficult for property owners to rebuild their non-conforming properties if destroyed or obtain financing for existing legal non-conforming properties. Therefore, it is the staff's opinion that the City should consider performing an area wide rezone to recognize existing uses or amend its legal non-conforming use regulations to allow non-conforming uses to be rebuilt 100% if destroyed.*

- (b) **Better implement applicable Comprehensive Plan policies than the current relevant Comprehensive Plan map or text;**

Applicant Narrative Response: "Yes, we own a duplex on an R-1 lot which should be rezoned R-2 to make it conforming with Selah codes."

Staff Response: *The current proposal will change the property's Future Land Use designation from Low Density Residential to Medium Density Residential and Zoning from Residential, Single-Family (R-1) to Residential, Two-Family (R-2) which will correct the property's Comprehensive Plan Map, and Zoning designations, and remove the property's legal-nonconforming status.*

The Comprehensive Plan goals and policies which further support this request are as follows:

Objective: 5.1.2 – Maintain and upgrade the character of existing residential neighborhoods.

Policies: 5.1.2.4 – Ensure codes and ordinances that promote and allow for a compatible mix of housing types in residential areas.

5.1.2.6 – Support reinvestment in deteriorating neighborhoods through strict code enforcement.

Objective: 5.2.3 – Minimize the negative impacts of medium and high-density residential projects on adjacent low-density residential areas, but encourage mixed use/density projects.

- (c) **Correct an obvious mapping error;**

Applicant Narrative Response: "Yes, we feel this should have been corrected years ago as the duplex was built in 1926."

Staff Response: *The current proposal will correct both the mapping error of Low Density Residential, that occurred during adoption of the City's 2005 Comprehensive Plan, and the Zoning of Residential, Single-Family that occurred earlier in 1994.*

(d) Address an identified deficiency in the Comprehensive Plan;

Applicant Narrative Response: "Yes, we feel the lot should be zoned R-2 due to the fact that all other duplexes in Selah are zoned R-2."

Staff Response: *While the current proposal will not address an identified deficiency in the Comprehensive Plan. The proposal will correct the Comprehensive Plan's Future Land Use Map designation and zoning for the subject property while recognizing the property's current use, and removing the property's current non-conforming use designation.*

(e) Is the proposed Comprehensive Plan Amendment coordinated with, and take into consideration, the comprehensive plans adopted by Yakima County or cities with which the City of Selah has, in part, common borders or related regional issues as may be required by RCW 36.70A.100?

Applicant Narrative Response: "Yes, we feel that this is a house keeping situation. The duplex/property in question should be zoned R-2, not R-1."

Staff Response: *This proposal is consistent with RCW 36.70A.100. This application is part of the annual Comprehensive Plan Amendment process for the City of Selah Comprehensive Plan. In this process the City of Selah coordinates this update with Yakima County for consistency between the jurisdictions.*

(f) Proposed Comprehensive Plan amendments must be consistent with the Growth Management Act (GMA), Ch. 36.70A RCW, and the Yakima County Wide Planning Policy (CWPP).

Applicant Narrative Response: "Yes, we are asking for our R-1 duplex to be zoned R-2 which is consistent with the Growth Management Act."

Staff Response: *This proposal is consistent with the Growth Management Act and the Yakima County-wide Planning Policy because the proposal directs urban growth to an existing urban area and encourages infill in an area where all urban level services and facilities are currently provided. The duplex is currently provided with an adequate transportation system, and utilities. Additionally, this application is consistent with the County Wide Planning Policies adopted within the City of Selah's Comprehensive Plan Land Use Element pages 2-2 thru 2-7.*

(g) Cumulative impacts of all Comprehensive Plan amendments, including those approved since the original adoption of the Comprehensive Plan, shall be considered in the evaluation of any proposed amendments.

Applicant's Narrative Response: "Yes, impacts are very little due to the fact this is an existing building."

Staff Response: *The cumulative impacts of all Comprehensive Plan Amendments are determined by the jurisdiction processing the proposed amendment. In this situation, there is no cumulative impact from the approval of this application as the proposal is to change one property's Comprehensive Plan Map Designation from Low Density Residential to Moderate Density Residential, and Zoning R-1 to R-2, to recognize the subject property's current use.*

- (h) For Future Land Use Map changes, please provide descriptive information regarding the property, including the status of existing land use, access to sewer and water, as well as the availability of public facilities such as schools, fire and police services.

Applicant Narrative Response: "Duplex is existing + all utilities are adequate + have been since 1926."

Staff Response: *The subject property is comprised of one tax parcel and the status of the site would be best described as developed duplex. The subject property is also served by the following utilities: public sewer, and water, and private power and gas. Other public services which serve the site are police, fire, and transit.*

REZONE APPROVAL CRITERIA

In accordance with the provisions of Selah Municipal Code 10.40.050, recommendations to approve or deny proposed rezones shall include the following considerations:

- (1) Testimony at public hearing.

Staff Response: *There is no applicant narrative response for this review criteria. Neighboring property owners within 600 feet of the subject property have been mailed a Notice of Application, Environmental Review, and Public Hearing, and have been invited to submit written and oral comments on the proposed application up to and through the public hearing. Based upon the lack of negative public comments submitted prior to the public hearing, City staff's recommendation for approval is still warranted. However, after consideration of both the written and oral public comments at the public hearing it may be appropriate for the City Planning Commission to modify the staff's recommendation.*

- (2) The suitability of property in question for uses permitted under the proposed zoning.

Applicant Narrative Response: "The proposed property would be conforming to the R-2 zone. The R-1 zone leaves it in a non-conforming status". The status of the existing land use is "R-1 – Low Density".

Staff Response: *The current status of the subject property is that it is developed as a duplex, with detached garage, and accessory building. The property is approximately .29 acres in size.*

The subject property is well suited for the proposed zoning of Residential, Two-Family (R-2) as the property's Future Land Use designation is being changed from Low Density Residential to Moderate Density Residential, which directly supports the Residential, Two-Family zoning district. The City's Zoning Ordinance Title 10 provides that the purpose of the R-2 zoning district is to "...provide for single or two-family residential development where urban governmental services are currently available or will be extended by the proponent to facilitate development at no public cost. This zoning district will not be established in an area unless public sewer and water facilities are in existence or will be extended by the proponent simultaneous with project development."

(3) The recommendations from interested agencies and departments.

Staff Response: *There is no applicant narrative response for this review criteria. No agencies or departments have registered any opposition to this rezone request.*

(4) Compliance with the Comprehensive Plan.

Applicant Response: "We are asking to rezone to R-2 to become compliant with Selah's zoning."

Staff Response: *This rezone request is in compliance with the City of Selah 2017 Comprehensive Plan because the applicant is proposing to amend the subject property's Comprehensive Plan Future Land Use designation to Moderate Density Residential. Provided the Comprehensive Plan Map Amendment is approved, the current and historic use of the subject property as a duplex and R-2 zoning will implement the Comprehensive Plan's definition of the Moderate Density Residential Land Use designation, and remove the property's non-conforming status. The Moderate Density Residential Future Land Use designation is intended to provide for, "areas of predominately moderate density residential development, up to 12 dwelling units per gross acre. Clustering of dwelling units, within the permitted density range, is highly encouraged to preserve open space, steep slopes, drainage ways, etc. Mixed use development may also be allowed where supported by adopted Comprehensive Plan or Sub-area Plan Policies. The predominate use is two-family, townhouse and condominium dwellings with a mix of single-family and multi-family residences. The mix of housing types will be limited by the maximum permissible density and zoning standards will regulate development to assure compatibility..."*

See question 10.40.040 (b) above for a list of supporting Comprehensive Plan Goals and Policies.

(5) The adequacy of public facilities, such as roads, sewer, water, and other required public services.

Applicant Response: "Yes."

Staff Response: *This duplex is served by all public utilities.*

(6) The compatibility of the proposed zone change and associated uses with neighboring land uses.

Applicant Response: "It is compatible in the fact that it is already 2 residential living spaces, which fits in with the R-1 residential neighborhood." "We do not feel it is incompatible. We are simply asking to be rezoned for potential losses. Examples: fire, theft, damage. This is the major reason we are asking for zoning to be changed from R-1 to R-2."

Staff Response: *Although the subject property is located in an established single-family neighborhood, and is predominantly surrounded with single-family homes, it can be considered compatible with its surroundings as the duplex was built prior to the vast majority of the other structures within the neighborhood. A review of the property's address and Code Compliance file show that there are no known complaints regarding the subject duplex or its rental/operation. Furthermore, the lack of public comments on this application indicates to the City Planning*

Department that the subject duplex is accepted by the neighborhood, and that no incompatibility exists to deny this requested application.

(7) The public need for the proposed change.

Applicant Response: "We feel that any party of the public that has a non-conforming property should be granted the request to make it conforming."

Staff Response: *The public need for the proposed change is that as properties are identified as incorrectly mapped by past Comprehensive Plans and zoning maps. These discrepancies should be corrected by the City to reduce the amount of non-conforming properties, and the burden this designation places on the subject property owners.*

DETERMINATION OF CONSISTENCY

During project review it has been determined that this request is in compliance with SMC for making a Determination of Consistency as follows:

- a) The existing duplex use will become a permitted Class (1) use in the Residential, Two-Family zoning district.
- b) The density of the development is not a factor with this application.
- c) Adequate public facilities are available to serve the site.

CONCLUSIONS

1. The amendment and rezone are minor in nature.
2. No adverse impacts have been identified by the approval of this amendment request.
3. The requested Comprehensive Plan Map Amendment and Rezone will correct the subject property's Zoning and Future Land Use Map designation, thus recognizing the existing duplex use, and making it a legal conforming Class (1) Permitted Use.
4. The property is served by all necessary public utilities.
5. Domestic water and sanitary sewer are provided by City of Selah.
6. All criteria for approval of Comprehensive Plan Map Amendments and Rezones have been satisfied by this application.

RECOMMENDATIONS

The City of Selah Planning Department recommends **APPROVAL** of this map amendment request and rezone from Low Density Residential to Moderate Density Residential to accommodate a concurrent rezone from Residential, Single-Family (R-1) to Residential, Two-Family (R-2).



LAND USE APPLICATION

City of Selah Planning Department 222 S Rushmore Road, Selah WA 98942

Phone: (509) 698-7365 Email: jeff.peters@selahwa.gov

INSTRUCTIONS - PLEASE READ FIRST Please type or print your answers clearly.

Answer all questions completely. If you have any questions about this form or the application process, please ask a Planner. Remember to bring all necessary attachments and the required filing fee when the application is submitted. The Planning Division cannot accept an application unless it is complete and the filing fee paid. Filing fees are not refundable. This application consists of four parts. PART I - GENERAL INFORMATION AND PART IV - CERTIFICATION are on this page. PART II and III contain additional information specific to your proposal and MUST be attached to this page to complete the application.

PART I - GENERAL INFORMATION

1. Applicant's Information:	Name:	Scott & Victoria Catron						
	Mailing Address:	1705 W. Orchard Ave.						
	City:	Selah	St:	WA	Zip:	98942	Phone:	(509) 949-6566
	E-Mail:	vporter.pt@gmail.com						
2. Applicant's Interest in Property:	Check One:	<input checked="" type="checkbox"/> Owner	<input type="checkbox"/> Agent	<input type="checkbox"/> Purchaser	<input type="checkbox"/> Other			
3. Property Owner's Information (If other than Applicant):	Name:	Victoria Carlton						
	Mailing Address:	1705 W. Orchard Ave						
	City:	Selah	St:	WA	Zip:	98942	Phone:	(509) 949-6566
	E-Mail:	vporter.pt@gmail.com						
4. Subject Property's Assessor's Parcel Number(s):	181435 - 42005							
5. Legal Description of Property. (if lengthy, please attach it on a separate document)	See attached (Uak: map)							
6. Property Address:	705/7051/2 W. Bartlett Ave Selah, WA 98942.							
7. Property's Existing Zoning:	LDSF <input checked="" type="checkbox"/> R-1 <input type="checkbox"/> R-2 <input type="checkbox"/> R-3 <input type="checkbox"/> B-1 <input type="checkbox"/> B-2 <input type="checkbox"/> M-1							
8. Type Of Application: (Check All That Apply)	<input checked="" type="checkbox"/> Comprehensive Plan Amendment <input checked="" type="checkbox"/> Environmental Checklist (SEPA Review) <input type="checkbox"/> Other: _____ <input type="checkbox"/> Transportation Concurrency <input checked="" type="checkbox"/> Rezone <input type="checkbox"/> Other: _____							

PART II - SUPPLEMENTAL APPLICATION, PART III - REQUIRED ATTACHMENTS, & PART IV - NARRATIVE

PART V - CERTIFICATION

I certify that the information on this application and the required attachments are true and correct to the best of my knowledge.

Victoria Catron
Property Owner's Signature

7-28-21
Date

Victoria Catron
Applicant's Signature

7-28-21
Date





Supplemental Application For:
**COMPREHENSIVE PLAN
 AMENDMENT**

City of Selah Planning Department 222 S Rushmore Road, Selah WA 98942
 Phone: (509) 698-7365 Email: jeff.peters@selahwa.gov

PART II - APPLICATION INFORMATION

1. TYPE OF APPLICATION: Comprehensive Plan Text Amendment Future Land Use Map Amendment

2. EXISTING ZONING OF SUBJECT PROPERTY:

LDSF R-1 R-2 R-3 B-1 B-2 M-1

3. DESIRED ZONING OF SUBJECT PROPERTY:

LDSF R-1 R-2 R-3 B-1 B-2 M-1

4. EXISTING LAND USE DESIGNATION:

Low Density Residential Moderate Density Residential High Density Residential Commercial
 Industrial Industrial Sprayfield

5. DESIRED FUTURE LAND USE DESIGNATION:

Low Density Residential Moderate Density Residential High Density Residential Commercial
 Industrial Industrial Sprayfield

6. PUBLIC FACILITIES AND SERVICES AVAILABLE:

Transportation Rights-Of-Way Police And Fire Protection Parks And Trails Schools
 Water Sewer Storm Drainage Electricity Natural Gas Telephone Cable TV

PART III - REQUIRED ATTACHMENTS

1. **MAPS:** Maps of the subject property indicating roads, any area designated as critical areas, the future land use designation of adjacent properties, and current & proposed future land use designations. Maps are to be provided in both an 8-1/2" by 11" and 11" by 17" format and to a standard engineering scale (e.g. 1:20).

2. **SUBMITTAL FOR POLICY/REGULATORY AMENDMENTS:** Identification of the proposed amendment indicating the section and paragraph location for the current Comprehensive Plan provision sought to be changed, if any, and including, for text amendments, the specific text sought to be added or amended. (attach)

3. **WRITTEN NARRATIVE** (required, see attached): (stating the reasons for the request for the amendment and explaining how the proposed amendment meets the criteria in SMC 10.40.050)

4. **TRAFFIC CONCURRENCY** (may be required)

5. **ENVIRONMENTAL CHECKLIST** (required)

6. **SITE PLAN** (see attached)

7. **AUTHORIZATION:**

I hereby authorize the submittal of this Comprehensive Plan Amendment Application to the City of Selah for review.

Victoria Catrou

Property Owner Signature (required)

7-28-21

Date

Note: if you have any questions about this process, please contact us City of Selah, Planning Division, 222 S Rushmore Rd. Selah, WA 98942 or (509) 698-7365



Supplemental Application For:
**COMPREHENSIVE PLAN
AMENDMENT**

PART IV - NARRATIVE (SUBMIT ANSWERS ON SEPARATE SHEET OF PAPER IF NEEDED)

1. Does your proposal address circumstances that have changed since the last time the relevant comprehensive plan map or text was considered? If so, how?

No

2. Does your proposal better implement applicable comprehensive plan policies than the current relevant comprehensive plan map or text? If so, how?

Yes we own a duplex on an R1 lot which should be zoned R2 to make it conforming at Selah code.

3. Does your proposal correct an obvious mapping error? If so, what is the error?

Yes, we feel this should have been corrected years ago as the duplex was built in 1926.

4. Does your proposal address an identified deficiency in the Comprehensive Plan? If so, what is the deficiency?

Yes, we feel the lot should be zoned R2 due to the fact that all other duplexes in Selah are zoned R2.

5. Is the proposed Comprehensive Plan Amendment coordinated with, and take into consideration, the comprehensive plans adopted by Yakima County or cities with which the City of Selah has, in part, common borders or related regional issues as may be required by RCW 36.70A.100? If so, how?

Yes, we feel that this is a housekeeping situation. The duplex/property in question should be zoned R2, not R1.

6. Is the proposed Comprehensive Plan Amendment consistent with the Growth Management Act (GMA), RCW Ch. 36.70A, and the Yakima County-Wide Planning Policy (CWPP)? If so, how?

Yes, we are asking for an R1 duplex to be zoned R2 which is consistent with the growth management act.

7. Have the cumulative impacts of all comprehensive plan amendments been considered in the evaluation of the proposed amendment? If so, how?

Yes, impacts are very little due to the fact this is an existing building.

8. For Future Land Use Map changes please provide descriptive information regarding the property, including the status of existing land use, access to sewer and water, as well as the availability of public facilities such as schools, fire and police services.

Duplex is existing & all utilities are adequate & have been since 1926.



Supplemental Application For:
REZONES

PART II - APPLICATION INFORMATION

1. EXISTING ZONING OF SUBJECT PROPERTY:

LDSF R-1 R-2 R-3 B-1 B-2 M-1

2. DESIRED ZONING OF SUBJECT PROPERTY:

LDSF R-1 R-2 R-3 B-1 B-2 M-1

3. ZONING OF ADJOINING PROPERTY (check all that apply):

LDSF R-1 R-2 R-3 B-1 B-2 M-1

4. EXISTING FUTURE LAND USE DESIGNATION:

Low Density Residential Moderate Density Residential High Density Residential Commercial
 Industrial Industrial Sprayfield

5. PROPOSED FUTURE LAND USE DESIGNATION:

Is there a proposed change to the Future Land Use Map? Yes

If so what is the proposed future land use designation?

Low Density Residential Moderate Density Residential High Density Residential Commercial
 Industrial Industrial Sprayfield

6. PUBLIC FACILITIES AND SERVICES AVAILABLE:

Transportation Rights-Of-Way Police And Fire Protection Parks And Trails Schools Water
 Sewer Storm Drainage Electricity Natural Gas Telephone Cable TV

PART III - REQUIRED ATTACHMENTS

1. **WRITTEN NARRATIVE** (required): (stating the reason for the request for the rezone, explaining how the proposed amendment meets the proposed rezone request)

2. **ENVIRONMENTAL CHECKLIST** (required)

3. **TRAFFIC CONCURRENCY** (may be required)

4. **SITE PLAN** (required if the rezone is associated with land use development)

5. **AUTHORIZATION:**

I hereby authorize the submittal of this Rezone or Text Amendment Application to the City of Selah for review.

Victoria Cabron
Property Owner Signature (required)

7-28-21
Date



Supplemental Application For:
REZONES

PART IV – NARRATIVE (SUBMIT ANSWERS ON SEPARATE SHEET OF PAPER IF NEEDED)

1. How is the subject property suitable for uses permitted under the proposed zoning?

The proposed property would be conforming to the R2 zone. The R1 zone leaves it in a non-conforming status.

What is the status of existing land use?

R1 - low density.

2. How is the rezone request in compliance with and/or how does the request deviate from the Selah Urban Area Comprehensive Plan?

We are asking to rezone to R2 to become compliant with Selah zoning.

3. Are there adequate public facilities, such as traffic capacity, sewer services, potable water, stormwater drainage, schools, fire and police services, and other public services and infrastructure existing on and around the subject property?

Yes.

Are the existing public facilities capable of supporting the most intensive use of the new (requested) zone? If not, what mitigating measures are going to be implemented to address any short falls in public services that may exist?

Yes. Nothing would change other than making our zoning conforming.

4. How is the proposed zone change compatible with the existing neighboring uses?

It is compatible in the fact that it is already 2 residential living spaces, which fits in w/ the R1 residential neighborhood.

What mitigating measures are planned to address incompatibility, such as sitescreening, buffering building design, open space traffic flow alteration, etc.?

We do not feel it is incompatible. We are simply asking to be rezoned for potential losses. I.e. fire, theft, damage. This is the major reason we are asking for zoning to be changed from R1 to R2.

5. What is the public need for the proposed change?

We feel that any party of the public that has a non conforming property should be granted the request to make it conforming.



ENVIRONMENTAL CHECKLIST

STATE ENVIRONMENTAL POLICY ACT (SEPA)

(AS TAKEN FROM WAC 197-11-960)

PURPOSE OF CHECKLIST

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

INSTRUCTIONS FOR APPLICANTS

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help you describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

USE OF CHECKLIST FOR NONPROJECT PROPOSALS

For non-project proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project", "applicant", and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements - that do not contribute meaningfully to the analysis of the proposal.

A. BACKGROUND INFORMATION (To be completed by the applicant.)

1. Name Of Proposed Project (If Applicable):

705 + 705 1/2 W. Bartlett Ave Selah, WA 98942

2. Applicant's Name & Phone:

Scott + Victoria Catrou 509.986.4886 509.949.6566

3. Applicant's Address:

1705 W. Orchard Ave Selah, WA 98942

4. Contact Person & Phone:

Victoria Catrou 509.949.6566

5. Agency Requesting Checklist: City of Selah

6. Proposed Timing Or Schedule (Including Phasing, If Applicable):

This is for a non-project rezoning request.
Therefore, there will be no phasing.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain:

None @ this time.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal:

N/A.

A. BACKGROUND INFORMATION (To be completed by the applicant.)

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain:

No applications

10. List any government approvals or permits that will be needed for your proposal, if known:

N/A.

11. Give a brief, but complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.):

Wanting to rezone our property to become compliant with Selak zoning.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist:

705 + 705 1/2 W. Bartlett Ave
Selak, WA 98942.

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

EARTH

1. General description of the site (✓ one):

flat rolling hilly steep slopes mountainous other: _____

2. What is the steepest slope on the site (approximate percent slope)?

2.1.

3. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

Dirt, grass + gravel (Landscaping)

4. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

No

5. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

N/A.

6. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

N/A.

7. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

N/A.

8. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

N/A.

AIR

1. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

N/A. - No construction

2. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

N/A.

3. Proposed measures to reduce or control emissions or other impacts to air, if any:

N/A.

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

SURFACE WATER

1. Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

No

2. Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

No

3. Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

N/A.

4. Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

No

5. Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

No

6. Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No

GROUND WATER

1. Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

No

2. Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

N/A - No construction

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

WATER RUNOFF (INCLUDING STORM WATER)

1. Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

N/A.

2. Could waste materials enter ground or surface waters? If so, generally describe.

No

3. Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

No

4. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

N/A.

PLANTS

1. Check (✓) types of vegetation found on the site:

- | Deciduous Trees: | Evergreen Trees: | Wet Soil Plants: | Water Plants: | Other: |
|--------------------------------|--------------------------------|--|-------------------------------------|--|
| <input type="checkbox"/> Alder | <input type="checkbox"/> Fir | <input type="checkbox"/> Cattail | <input type="checkbox"/> Milfoil | <input type="checkbox"/> Shrubs |
| <input type="checkbox"/> Maple | <input type="checkbox"/> Cedar | <input type="checkbox"/> Buttercup | <input type="checkbox"/> Eelgrass | <input checked="" type="checkbox"/> Grass |
| <input type="checkbox"/> Aspen | <input type="checkbox"/> Pine | <input type="checkbox"/> Bullrush | <input type="checkbox"/> Water Lily | <input type="checkbox"/> Pasture |
| <input type="checkbox"/> Other | <input type="checkbox"/> Other | <input type="checkbox"/> Skunk Cabbage | <input type="checkbox"/> Other | <input type="checkbox"/> Crop Or Grain |
| | | <input type="checkbox"/> Other | | <input type="checkbox"/> Orchards, vineyards, or other permanent crops |
| | | | | <input type="checkbox"/> Other types of vegetation |

2. What kind and amount of vegetation will be removed or altered?

N/A.

3. List threatened or endangered species known to be on or near the site.

N/A

4. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

N/A. - Already installed.

5. List all noxious weeds and invasive species known to be on or near the site.

N/A.

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

ANIMALS

1. List any birds or other animals which have been observed on or near the site or are known to be on or near the site.

Examples include:

birds: hawk, heron, eagle, songbirds, other:

mammals: deer, bear, elk, beaver, other:

fish: bass, salmon, trout, herring, shellfish, other:

Cats, dogs, some birds.

2. List any threatened or endangered species known to be on or near the site.

No

3. Is the site part of a migration route? If so, explain.

No

4. Proposed measures to preserve or enhance wildlife, if any:

N/A

5. List any invasive animal species known to be on or near the site.

N/A

ENERGY AND NATURAL RESOURCES

1. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Natural Gas & Electric

2. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

N/A.

3. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

N/A-

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

ENVIRONMENTAL HEALTH

1. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, describe.

No

2. Describe any known or possible contamination at the site from present or past uses.

N/A

3. Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

N/A.

4. Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

N/A

5. Describe special emergency services that might be required.

N/A.

6. Proposed measures to reduce or control environmental health hazards, if any:

N/A.

NOISE

1. What types of noise exist in the area, which may affect your project (for example: traffic, equipment, operation, other)?

Normal neighborhood noise.

2. What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

N/A - No construction

3. Proposed measures to reduce or control noise impacts, if any:

N/A.

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

LAND AND SHORELINE USE

1. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

Residential homes

2. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

N/A.

3. Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

N/A.

4. Describe any structures on the site.

1 duplex, 1 garage + 1 12x12 shed.

5. Will any structures be demolished? If so, what?

No

6. What is the current zoning classification of the site?

R1

7. What is the current comprehensive plan designation of the site?

Low density

8. If applicable, what is the current shoreline master program designation of the site?

None

9. Has any part of the site been classified as a critical area by the city or county? If so, specify.

No

10. Approximately how many people would reside or work in the completed project?

2 residential families live there currently.

11. Approximately how many people would the completed project displace?

None

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

LAND AND SHORELINE USE

12. Proposed measures to avoid or reduce displacement impacts, if any.

N/A.

13. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

N/A.

14. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any:

N/A.

HOUSING

1. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

2 residential units exist.

2. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

None

3. Proposed measures to reduce or control housing impacts, if any:

N/A.

AESTHETICS

1. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

No proposed structures

2. What views in the immediate vicinity would be altered or obstructed?

None

3. Proposed measures to reduce or control aesthetic impacts, if any:

N/A.

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

LIGHT AND GLARE

1. What type of light or glare will the proposal produce? What time of day would it mainly occur?

None

2. Could light or glare from the finished project be a safety hazard or interfere with views?

No

3. What existing off-site sources of light or glare may affect your proposal?

N/A.

4. Proposed measures to reduce or control light and glare impacts, if any:

N/A.

RECREATION

1. What designated and informal recreational opportunities are in the immediate vicinity?

N/A.

2. Would the proposed project displace any existing recreational uses? If so, describe.

No

3. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

N/A.

HISTORIC AND CULTURAL PRESERVATION

1. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe.

No

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

HISTORIC AND CULTURAL PRESERVATION

2. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

No

3. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

N/A.

TRANSPORTATION

1. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

N/A.

2. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

No

3. How many parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

N/A.

4. Will the proposal require any new or improvements to existing roads, streets, pedestrian bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

No

5. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

No

6. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and non-passenger vehicles). What data or transportation models were used to make these estimates?

N/A.

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

TRANSPORTATION

7. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe:

No

8. Proposed measures to reduce or control transportation impacts, if any:

N/A.

PUBLIC SERVICES

1. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe:

No

2. Proposed measures to reduce or control direct impacts on public services, if any.

N/A.

UTILITIES

1. Check (✓) utilities currently available at the site:

- electricity natural gas water refuse service telephone
 sanitary sewer septic system other _____

2. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

None

C. SIGNATURE (To be completed by the applicant.)

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Victoria Catron / Scott Catron

7.28.21

Property Owner or Agent Signature

Date Submitted

Victoria Catron / SCOTT CATRON

OWNER

Name of Signee

Position and Agency/Organization

**PLEASE COMPLETE SECTION "D" ON THE NEXT PAGES
IF THERE IS NO PROJECT RELATED TO THIS ENVIRONMENTAL REVIEW**

D. SUPPLEMENTAL SECTION FOR NONPROJECT ACTIONS ONLY (to be completed by the applicant)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment. When answering these questions, be aware of the extent the proposal, or the types of activities that would likely result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

No proposal is being made at this time other than rezoning.

Proposed measures to avoid or reduce such increases are:

None

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

No proposal

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

None.

3. How would the proposal be likely to deplete energy or natural resources?

No proposal

Proposed measures to protect or conserve energy and natural resources are:

None.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

No proposal - Duplex already exists. Asking to rezone to R2.

Proposed measures to protect such resources or to avoid or reduce impacts are:

None.

D. SUPPLEMENTAL SECTION FOR NONPROJECT ACTIONS ONLY (to be completed by the applicant)

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

No proposal

Proposed measures to avoid or reduce shoreline and land use impacts are:

None

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

No increases will be made

Proposed measures to reduce or respond to such demand(s) are:

None

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

None

28 July 2021

City of Selah Planner
222 S. Rushmore Rd
Selah, WA 98942

Attn: Jeff Peters

Dear Mr. Peters, our names are Scott & Victoria Catron and we would like to submit a Comprehensive Plan Amendment Application Packet to ask for rezoning of our property located at 705/705 ½ W. Bartlett Ave. Selah, WA 98942. Parcel # 181435-42005.

The property in question is currently zoned as R1. This truly scares us. We had no idea our property was zoned as R1 until recently when we were looking into potentially switching insurance companies and found this discrepancy. Our property is a duplex, which is a multi family dwelling that we feel should reflect that way in zoning. We are of the understanding that all duplex/triplex properties are zoned R2 in The City of Selah. This property has existed as a multi-family dwelling since at least the 60's, as long as my family has possessed it and should have been zoned that way initially. We greatly fear our property may be in jeopardy of not being protected in the event of fire, flood, natural disaster, etcetera by our insurance company. If this were to happen we would have substantial out of pocket expenses. Not to mention we would probably need to carry special insurance from then on. We truly believe this can simply be rectified by correcting the zoning issue, protecting both the city and us. We have been apprised of one instance in Selah in which a property had to be rezoned. That property was located at 600 A,B & C Speyers Rd in Selah. That property was initially zoned as an R1 and The City of Selah was willing to work with the land owner to become compliant with the correct zoning of R2. We would like to ask for conformity in R2 zoning with our property.

It has come to our attention that numerous properties historically used the old plan development code in Selah to rectify situations of non conformance with regards to zoning. This code was a lot easier to use to perform that function. Unfortunately, the new plan development code does not allow us to rectify our zoning problem.

We believe this really is a housekeeping issue for the City of Selah. We are of the understanding this kind of issue can be revisited on a minimum of every 20 years through the Comp Plan and clearly has been missed several times by The City of Selah. We believe it is in the best interest of the City of Selah and the property owners (Scott & Victoria Catron) to be in conformance with the zoning mandates to protect all involved.

Thank you so much for your consideration of this matter.

Scott & Victoria Catron

Yakima County GIS - Washington
Land Information Portal

Yakima County Assessor
Yakima County GIS
Yakima County



VALLEY TITLE GUARANTEE
WWW.VTGCO.COM
(509) 248-4442

Assessor Planning Real Estate

FAQ Help Legend Search Tools Overview



Search By: Parcel Number

Parcel #:

Enter a complete or partial PARCEL NUMBER. Parcel Numbers must be at least 8 characters. Click the Search button to continue.

Search

MapScale: 1 inch = 400 ft.

Overlays: Aerial Photography

- FEMA
- Critical Areas
- Contours
- Utilities

MapSize: Small (800x600)

Maps brought to you by:

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Easting(ft) | Northing(ft)
Longitude(E) | Latitude(N)

Click Map to: [Get Information](#)

One Inch = 400 Feet
Feet 200 400 600

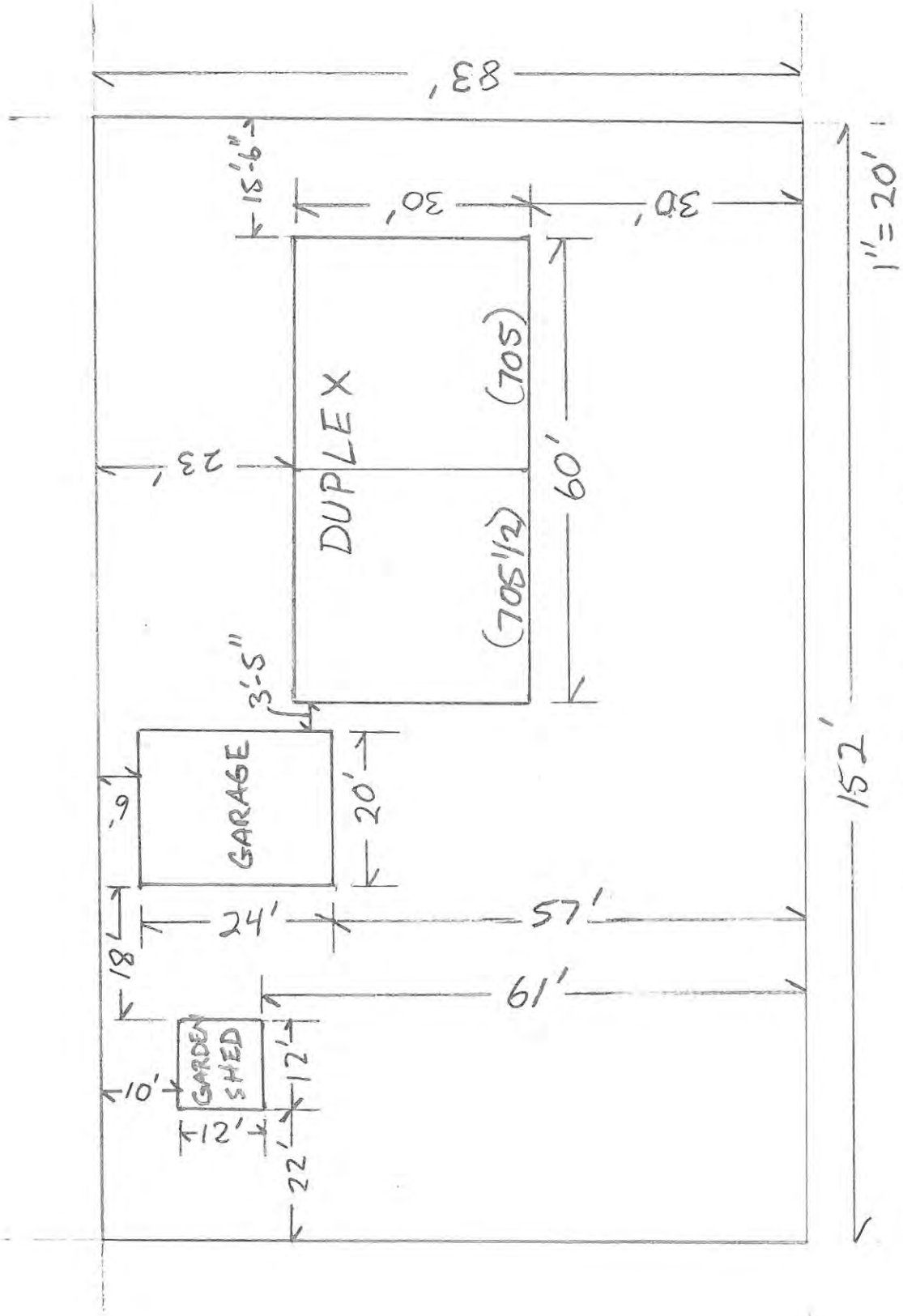
Map Report

PROPERTY PHOTOS: 1		PROPERTY INFORMATION AS OF 7/28/2021 11:07:49 PM				PRINTING					
	Parcel Address:	705 W BARTLETT AVE, SELAH, WA 98942				Printer-Friendly Page					
	Parcel Owner(s):	VICTORIA CARLTON									
	Parcel Number:	18143542005	Parcel Size:	0.29 Acre(s)							
	Property Use:	12 Two-to-Four Unit									
TAX AND ASSESSMENT INFORMATION											
Tax Code Area (TCA):	400	Tax Year:	2021		Detailed Report						
Improvement Value:	\$107400	Land Value:	\$52500								
Current Use Value:	\$0	Current Use Improvement:	\$0		Print Detailed MAP						
New Construction:	\$0	Total Assessed Value:	\$159900								
RESIDENTIAL INFORMATION											
Quality	Year Built	Stories	Main SqFt	Upper SqFt	Bsmt SqFt	Bedrooms	Bathrooms (full/3/4, 1/2)	Garage (bsmt/att/btin)	Carpport	Section Map 1in=400ft	
FAIR/AVERAGE	1925	1.00	1830		0/0	4	2/0/0	0/0/0			
SALE INFORMATION								Qtr SECTION MAPS			
Excise	Sale Date	Sale Price	Grantor	Portion			No Sales Information Found.				
DISCLAIMER								NW-Qtr 1"=200ft		NE-Qtr 1"=200ft	
While the information is intended to be accurate, any manifest errors are unintentional and subject to correction. Please let us know about any errors you discover and we will correct them. To contact us call either (509) 574-1100 or (800) 572-7354, or email us.								SW-Qtr 1"=200ft		SE-Qtr 1"=200ft	

OVERLAY INFORMATION			
Zoning:		Jurisdiction:	Selah
Urban Growth Area:	Selah	Future Landuse Designation:	Urban (City Limits) (Yakima County Plan 2015)
FEMA 100 Year:	FEMA Map	FIRM Panel Number:	53077C0716D
		Download Map	
LOCATION INFORMATION			
+ Latitude: 46° 39' 25.586"		+ Longitude: -120° 32' 20.706"	
		Range: 18	Township: 14 Section: 35
Narrative Description: S 100 FT OF N 326.4 FT OF W 152 FT OF E 264 FT OF N 1/2 NW 1/4 NW 1/4 SE 1/4 EXS 16.4 FT ROAD			
DISCLAIMER			
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			

705 & 705 1/2 W. BARTLETT AVE SELAH WA 98942
PARCEL # 18143542005

OWNERS: VICTORIA CATRON - SCOTT CATRON



W. BARTLETT AVE



CITY OF SELAH

Planning Department • 222 South Rushmore RD. • Selah, WA 98942 • Ph: (509) 698-7365 •
www.selahwa.gov

CITY OF SELAH NOTICE OF APPLICATION & ENVIRONMENTAL REVIEW OPPORTUNITY TO PROVIDE COMMENT AND NOTICE OF PUBLIC HEARING

Application/Project Description: The City of Selah Planning Department has received an application for a Comprehensive Plan Map Amendment, Rezone and Environmental Review of the subject properties from Scott & Victoria Catron. The applicants are requesting to change the subject properties Future Land Use Map designation from Low Density Residential to Moderate Density Residential, as well as requesting a concurrent rezone of the subject properties from Residential, Single-Family (R-1) to Residential, Two-Family (R-2) to bring the property's Comprehensive Plan and Zoning designation into conformance with the property's current and historic use (see attached documents for further details).

Date of Notice: August 27, 2021

Applicant: Same as property owner

Property Owner: Scott & Victoria Catron

Project Address: 705 and 705 ½ Bartlett Ave., Selah, WA 98942

Tax Parcel Number: 181435-42005

File Numbers: COMP-2021-002, 914-2021-001, & SEPA-2021-005

These applications were determined complete for processing on August 23, 2021. The decision on these applications will be made within one-hundred twenty days of the determination of complete application.

Approvals, Actions and Required Studies: Comprehensive Plan Map Amendment, Rezone, and Environmental Review.

Environmental Review: This is to notify all the public and private agencies with jurisdiction and environmental expertise that the City of Selah Planning Department has been established as the lead agency, pursuant to the Washington State Environmental Policy Act (SEPA) for the above stated project:

The City of Selah is presently inclined towards the issuance of a Determination of Non Significance (DNS) on this project. WAC 197-11-355 process is being used. This may be your only opportunity to comment on the environmental impacts of the proposed project.

The following conditions have been identified that may be used to mitigate the adverse environmental impacts of the proposal: None

Required Permits: None

Required Studies: None

Existing Environmental Documents: None

Preliminary determination of the development regulations that will be used for project mitigation and consistency: Zoning Ordinance, Comprehensive Plan, and Sub Area Plan.

Request for Written Comments on the Proposal: Written comments concerning the proposed Comprehensive Plan Amendment, Rezone and Environmental Checklist applications will be

EXHIBIT

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accepted during the public comment period that ends at **5:00 p.m. on September 10, 2021**. You may mail your comments to Selah Planning Department, 222 So. Rushmore Road, Selah, WA 98942, send them by fax to (509) 698-7372 or by e-mail to jeff.peters@selahwa.gov. Reference File Numbers: COMP-2021-002, 914-2021-001, & SEPA-2021-005 or "Catron" in your correspondence.

Open Record Public Hearing: These applications require that the City of Selah Planning Commission conduct an open record public hearing for the applicant's Comprehensive Plan Map Amendment and Rezone. This public hearing has been scheduled for **October 5, 2021**, beginning at 5:30 p.m. in the Council Chambers, City Hall, 115 W. Naches Ave. Any person desiring to express their views on this matter are invited to attend the public hearing or to submit their written comments to the above address. All interested persons may appear and provide testimony on the application. At the conclusion of the public hearing, the Planning Commission will consider the matter and issue a recommendation to the City Council for approval, approval with conditions, or denial of the proposal.

COVID-19 Hearing Notification: Interested parties, please be advised in accordance with the multiple proclamations by the Governor of the State of Washington, (in particular proclamation 20-28) guidance from the State Attorney General on the requirements of the Open Public Meetings Act, directives by the State Health Department and Yakima Health District regarding COVID-19, the above scheduled public hearing may be held by electronic and telephonic means via Zoom. Procedures for attendance of this closed record public hearing will be provided on the City of Selah Planning Commission's website along with the Planning Commission meeting agenda ten days prior to the scheduled meeting (<https://selahwa.gov/planning/planning-commission/>).

Application information including the SEPA environmental checklist and maps detailing the proposal are available during regular business hours at the Planning Department at 222 South Rushmore Road, Selah, Washington 98942, or online at <https://selahwa.gov/planning/sepa/>. The staff report will be available approximately one week before the hearing. Contact the Planning Department with project, procedural or environmental questions.

YAKIMA
HERALD-REPUBLIC
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El Sol de Yakima
-Ad Proof-

**This is the proof of your ad scheduled to run on the dates indicated below.
Please proof read notice carefully to check spelling and run dates,
if you need to make changes**

Date:	08/24/21
Account #:	110017
Company Name:	CITY OF SELAH
Contact:	Angela Dean, AP
Address:	115 W NACHES AVENUE SELAH, WA 98942
Telephone:	(509) 698-7327
Fax:	
Account Rep:	Simon Sizer
Phone #	(509) 577-7740
Email:	ssizer@yakimaherald.com
Ad ID:	984366
Start:	08/27/21
Stop:	08/27/21
Total Cost:	\$370.00
Lines:	200.0
# of Inserts:	1
Ad Class:	6021
Run Dates:	Yakima Herald-Republic 08/27/21

Received

AUG 27 2021

By MH

EXHIBIT

tabbles

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City of Selah Notice of Application, Environmental Review & Public Hearings: The City of Selah is hereby providing Public Notice and Opportunity to Comment, State Environmental Policy Act Review, and Notice of Scheduled Public Hearing for the following Comprehensive Plan Map Amendment, Rezone and Environmental Review applications:

1. Property Owner: 310 Partners, LLC; **Project Address:** 310 W. Selah Ave., Selah, WA 98942; **Tax Parcel Number:** 181302-11436, and 181302-11437; **File Numbers:** COMP-2021-003, 914-2021-002, & SEPA-2021-006; **Application/Request:** Future Land Use Map designation change from Moderate Density Residential to High Density Residential, as well as requesting a concurrent rezone of the subject properties from Residential, Two-Family (R-2) to Residential, Multi-Family (R-3).

2. Property Owner: City of Selah; **Project Address:** Vicinity of Naches Ave. and 4th St., Selah, WA 98942; **Tax Parcel Number:** 181435-41454; **File Numbers:** COMP-2021-001, 914-2021-003, & SEPA-2021-007; **Application/Request:** Future Land Use Map designation change from Semi Public/Open Space to Commercial, as well as requesting a concurrent rezone of the subject properties from Residential, Single-Family (R-1) to Residential, Business, General (B-2) to support the future construction of a police station/city hall.

3. Property Owner: Scott & Victoria Catron; **Project Address:** 705 and 705 ½ Bartlett Ave., Selah, WA 98942; **Tax Parcel Number:** 181435-42005; **File Numbers:** COMP-2021-002, 914-2021-001, & SEPA-2021-005; **Application/Request:** Future Land Use Map designation change from Low Density Residential to Moderate Density Residential, as well as requesting a concurrent rezone of the subject properties from Residential, Single-Family (R-1) to Residential, Two-Family (R-2) to bring the property's Comprehensive Plan and Zoning designation into conformance with the property's current and historic use:

Environmental Review: This is to notify all the public and private agencies with jurisdiction and environmental expertise that the City of Selah Planning Department has been established as the lead agency, pursuant to the Washington State Environmental Policy Act (SEPA) for the above stated projects: The City of Selah is presently inclined towards the issuance of a Determination of Non Significance (DNS) on these projects. WAC 197-11-355 process is being used. This may be your only opportunity to comment on the environmental impacts of these proposed projects. The following conditions have been identified that may be used to mitigate the adverse environmental impacts of the proposal: None; Required Permits: None; Required Studies: None; Existing Environmental Documents: None

Preliminary determination of the development regulations that will be used for project mitigation and consistency: Zoning Ordinance, Comprehensive Plan, and Sub Area Plan; **Request for Written Comments on the Proposals:** Written comments concerning the above described Comprehensive Plan Amendments, Rezones and Environmental Checklist applications will be accepted during the public comment period that ends at 5:00 p.m. on September 10, 2021. You may mail your comments to Selah Planning Department, 222 So. Rushmore Road, Selah, WA 98942, send them by fax to (509) 698-7372 or by e-mail to jeff.peters@selahwa.gov. Please reference the above file numbers or property owner name in your correspondence. **Open Record Public Hearing:** The above described applications require that the City of Selah Planning Commission conduct an open record public hearing for the applicant's/property owner's Comprehensive Plan Map Amendment and Rezone. These public hearings has been scheduled for October 5, 2021, beginning at 5:30 p.m. in the Council Chambers, City Hall, 115 W. Naches Ave. Any person desiring to express their views on this matter are invited to attend the public hearing or to submit their written comments to the above address. All interested persons may appear and provide testimony on the application. At the conclusion of the public hearing, the Planning Commission will consider the matter and issue a recommendation to the City Council for approval, approval with conditions, or denial of the proposal. **COVID-19 Hearing Notification:** Interested parties, please be advised in accordance with the multiple proclamations by the Governor of the State of Washington, (in particular proclamation 20-28) guidance from the State Attorney General on the requirements of the Open Public Meetings Act, directives by the State Health Department and Yakima Health District regarding COVID-19, the above scheduled public hearings may be held by electronic and telephonic means via Zoom. Procedures for attendance of these closed record public hearings will be provided on the City of Selah Planning Commission's website along with the Planning Commission meeting agenda ten days prior to the scheduled meeting (<https://selahwa.gov/planning/planning-commission/>): Application information including the SEPA environmental checklist and maps detailing the proposal are available during regular business hours at the Planning Department at 222 South Rushmore Road, Selah, Washington 98942, or online at <https://selahwa.gov/planning/sepa/>. The staff reports will be available approximately one week before the hearing. Contact the Planning Department with project, procedural or environmental questions.

(984366) August 27, 2021

Courtesy of Yakima Herald-Republic



**CITY OF SELAH
AFFIDAVIT OF MAILING**

**STATE OF WASHINGTON
COUNTY OF YAKIMA**

I, Makenzie Hoff, 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 13th day of September, 2021 caused to be mailed, 30 envelopes and 1 email, containing a true and correct copy of the Determination of Nonsignificance for a Comprehensive Plan Map Amendment, Rezone, and Environmental Review of 705 & 705 1/2 Bartlett Ave., Selah, WA 98942. Said envelopes and email mailed from Selah, WA with the correct first class postage and addressed to the persons having made written or verbal comment regarding these files.

A listing of the persons to whom notice has been mailed is contained in file COMP-2021-002, 914-2021-001, & SEPA-2021-005.

Makenzie Hoff
Signed

**STATE OF WASHINGTON
COUNTY OF YAKIMA**

On this day personally appeared before me Makenzie Hoff to me known to be the individual referenced herein and who caused to be mailed the Determination of Nonsignificance for a Comprehensive Plan Map Amendment, Rezone, and Environmental Review of 705 & 705 1/2 Bartlett Ave., Selah, WA 98942, COMP-2021-002, 914-2021-001, & SEPA-2021-005.

Given under my hand and official seal this 13th day of September 2021.

Caprise E. Groo
Signed



Notary Public in and for the State of Washington, residing at Yakima, WA. My term

expires: June 1, 2025





**CITY OF SELAH
AFFIDAVIT OF MAILING**

**STATE OF WASHINGTON
COUNTY OF YAKIMA**

I, Makenzie Hoff, 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 27th day of August, 2021 caused to be mailed, 176 envelopes and 1 email, containing a true and correct copy of the Notice of Application and Environmental Review, Opportunity to Provide Comment and Notice of Public Hearing for a Comprehensive Plan Map Amendment, Rezone, and Environmental Review for 705 & 705 1/2 Bartlett Ave., Selah, WA 98942. Said envelopes mailed from Selah, WA with the correct first class postage and addressed to the persons having made written or verbal comment regarding these files.

A listing of the persons to whom notice has been mailed is contained in file COMP-2021-002, 914-2021-001, & SEPA-2021-005.

Makenzie Hoff
Signed

**STATE OF WASHINGTON
COUNTY OF YAKIMA**

On this day personally appeared before me Makenzie Hoff to me known to be the individual referenced herein and who caused to be mailed the Notice of Application and Environmental Review, Opportunity to Provide Comment and Notice of Public Hearing for a Comprehensive Plan Map Amendment, Rezone, and Environmental Review for 705 & 705 1/2 Bartlett Ave., Selah, WA 98942, COMP-2021-002, 914-2021-001, & SEPA-2021-005.

Given under my hand and official seal this 13th day of September 2021.

Caprise E. Groo
Signed



Notary Public in and for the State of Washington, residing at Yakima, WA.

expires: June 1, 2025.

18143542004
JANICE E MOORE
5 N 48TH AVE
YAKIMA, WA 98908

18143542024
JASON EATON
804 SUMMITVIEW AVE
YAKIMA, WA 98902

18143542444
LEAH S THOMAS
607 W FREMONT AVE
SELAH, WA 98942

18143531013
RODNEY L KNOEPFLE
302 N 9TH ST
SELAH, WA 98942

18143542435
JASON WAYNE MOONEY
507 W FREMONT AVE
SELAH, WA 98942

18143542410
TAMERA DANIELSON
708 W FREMONT AVE
SELAH, WA 98942

18143531019
ROBEL FAMILY HOLDING TRUST
810 BUFFALO RD
SELAH, WA 98942

18143542424
SCOTT L & ANGELA D CHAPMAN
810 W FREMONT AVE
SELAH, WA 98942

18143542064
WILLIAM I & JEWELL M NELSON
612 W FREMONT AVE
SELAH, WA 98942

18143542451
SEAN KENNEDY
504 W BARTLETT AVE
SELAH, WA 98942

18143542503
THOMAS JAMES DURAND
806 W FREMONT
SELAH, WA 98942

18143542035
DANIEL C & MARGARET BOYLE
130 BISON RD
SELAH, WA 98942

18143542447
SERGIO ALVAREZ
606 W BARTLETT AVE
SELAH, WA 98942

18143542404
CARLA J HARCUM
706 W FREMONT AVE
SELAH, WA 98942

18143542065
LESTER K & SANDRA K BRILES
2020 N WENAS RD
SELAH, WA 98942

18143542479
CHARLES A. WILSON
804 W BARTLETT AVE
SELAH, WA 98942

18143542403
LESLIE LYNCH
704 W FREMONT AVE
SELAH, WA 98942

18143542405
ROBERT PATRICK WOOD
707 W ORCHARD AVE
SELAH, WA 98942

18143542027
ELIZABETH ESPINOZA
706 W BARTLETT AVE
SELAH, WA 98942

18143542469
TERRY L LINDGREN
702 1/2 W FREMONT AVE
SELAH, WA 98942

18143513417
JARED OZUNA
708 W PEAR AVE
SELAH, WA 98942

18143542031
PEDRO HERRERA JR
204 N 7TH ST
SELAH, WA 98942

18143542470
AMY MARIE MILLER
702 W FREMONT AVE
SELAH, WA 98942

18143513413
JESUS & MARIA OCHOA
808 W PEAR AVE
SELAH, WA 98942

18143542450
CHRISTOPHER & JENNIFER TRAMMELL
11105 ZIER RD
YAKIMA, WA 98908

18143542029
TRACY K BEWICK
703 W FREMONT AVE
SELAH, WA 98942

18143513419
STEPHEN & CATHERINE M CRABB
3200 SPEYERS RD
SELAH, WA 98942

18143542481
WILSON REAL ESTATE II LLC
222 S 1ST ST
YAKIMA, WA 98901

18143542066
VIDAL GONZALES
1208 S 13TH ST
MOUNT VERNON, WA 98274

18143513512
CARL L & CANDI R TORKELSON
PO BOX 292
SELAH, WA 98942

18143513420
THOMAS P & TERESA J RANEY
700 W PEAR AVE
LAH, WA 98942

18143531461
LEE C MURPHY
307 N 10TH ST
SELAH, WA 98942

18143542014
SHIRLEY A MORGAN
807 W BARTLETT AVE
SELAH, WA 98942

18143513407
DELVIN & SHIRLEY JOHNSON HOY
803 W HOME AVE
SELAH, WA 98942

18143531012
DANIELA MONTERO
304 N 9TH ST
SELAH, WA 98942

18143542013
BETTIE M WAITS
405 202ND AVE E
BONNEY LAKE, WA 98391

18143513405
FLORA C STEINMAN
711 W HOME AVE
SELAH, WA 98942

18143542448
BRAD & SHANNA WILKEY
604 W BARTLETT AVE
SELAH, WA 98942

18143542438
SANDRA L WENDFELDT
1120 LIGHT GREEN CT
KETTLE FALLS, WA 99141

18143513402
JUSTIN J MILLS
705 W HOME AVE
SELAH, WA 98942

18143542491
KENDAL WANGLER
810 W BARTLETT AVE
SELAH, WA 98942

18143542458
ANDREW MICHAEL KOHLER
601 W BARTLETT AVE
SELAH, WA 98942

18143513400
JOHN K LYON
701 W HOME AVE
SELAH, WA 98942

18143542504
ABIEL C PAZ
800 W BARTLETT AVE
SELAH, WA 98942

18143542459
CONCEPCION BAEZ
10 JOHNSON RD
SELAH, WA 98942

18143513015
DAVID & JENNIFER CHANDLER
1014 S 33RD AVE
YAKIMA, WA 98902

18143542067
MICHAEL MERRELL
706 W HOME AVE
SELAH, WA 98942

18143542003
RANDY L & DEBRA RATH
304 N 7TH ST
SELAH, WA 98942

18143542015
OWENS FAMILY LIMITED PARTNERSHIP
PO BOX 129
SELAH, WA 98942

18143513410
MAUREEN J RICHARDSON
809 W HOME AVE
SELAH, WA 98942

18143531011
WALTER T II & MARY A COY
2004 E 1ST AVE
ELLENSBURG, WA 98926

18143542011
JENNIFER LESLIE
802 W HOME AVE
SELAH, WA 98942

18143513406
PAM PORTER
1601 CEDAR LN
SELAH, WA 98942

18143542005
VICTORIA A CARLTON
1705 W ORCHARD AVE
SELAH, WA 98942

18143542008
WILSON REAL ESTATE V LLC
222 S 1ST ST
YAKIMA, WA 98901

18143513401
TIMOTHY J & CHRISTINA A BIGGERS
703 W HOME AVE
SELAH, WA 98942

18143531014
CONSUELO CUEVAS
301 N 10TH ST
SELAH, WA 98942

18143542460
LUFF & STEPHANIE CRAWFORD
602 W HOME AVE
SELAH, WA 98942

18143531006
D. CRAIG STORSETH
402 WESTRIDGE RD
SELAH, WA 98942

18143542455
GREGORY M & SHERYL A GRAY
508 W BARTLETT AVE
SELAH, WA 98942

18143542492
THOMAS R & NAOMI R FIEDLER
76 W BARTLETT AVE
SELAH, WA 98942

18143531511
CARL L & CANDI R TORLEKSON
PO BOX 292
SELAH, WA 98942

18143542409
ROBERT PATRICK & CATHY L WOOD
707 W ORCHARD AVE
SELAH, WA 98942

18143542026
ROBERT N & MARJORIE M CRAWFORD
708 W BARTLETT AVE
SELAH, WA 98942

18143531021
RYAN MCNETT
501 S 2ND AVE
YAKIMA, WA 98902

18143542406
ROBERT PATRICK WOOD
707 W ORCHARD AVE
SELAH, WA 98942

18143599991

18143542493
LARRY D BASE
807 W FREMONT AVE
SELAH, WA 98942

18142599999

18143531022
CHRIS M JENNINGS
903 1/2 W FREMONT
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18143542028
LEONARD MARTIAN
705 W FREMONT AVE
SELAH, WA 98942

18143513444
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18143542505
WILSON REAL ESTATE II LLC
222 S 1ST ST
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18143542442
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PO BOX 1049
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18143513414
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18143542443
PRESTON C DRAPER
601 W FREMONT AVE
SELAH, WA 98942

18143542427
KENNETH R. PULLEN
808 W FREMONT AVE
SELAH, WA 98942

18143513415
RYAN L & TEMPA D DANFORTH
804 W PEAR AVE
SELAH, WA 98942

18143542408
ANNA J FISH
102 N 8TH ST
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18143542502
DDK INVESTMENTS LLC
PO BOX 100
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18143513022
JASON A & STACY L JONES
610 W PEAR AVE
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18143542417
JESUS & MARIA OCHOA
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SELAH, WA 98942

18143542407
ROBEL FAMILY HOLDING TRUST
810 BUFFALO RD
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18143513425
OWENS FAMILY LIMITED PARTNERSHIP
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18143542030
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11474 ROAD E SE
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18143542040
STEVEN R & GERRI L BUTTREY
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18143513428
GARY WILLIAM & JANICE LYNN HANNA
801 W PEAR AVE
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18143531512
CARL L & CANDI R TORLEKSON
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18143542045
JO ANN JONES
508 W FREMONT AVE
SELAH, WA 98942

18143513412
HERIBERTO & ALICIA CONDA FLORES
810 W PEAR AVE
SELAH, WA 98942

18143513421
THOMAS P & TERESA J RANEY
700 W PEAR AVE
SELAH, WA 98942

18143542461
MARK R DUNBAR
530 LONG LN
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18143531001
LEE R & JUDY M RUSSELL
310 N 9TH ST
SELAH, WA 98942

18143513427
GARY WILLIAM & JANICE LYNN HANNA
801 W PEAR AVE
SELAH, WA 98942

18143542462
DOUGLA W & LISA M RAAP
PO BOX 711
SELAH, WA 98942

18143531007
MICHAEL & LINDA SUTTON
306 N 9TH ST
SELAH, WA 98942

18143599991

18143542436
JURGEN & LESLIE CLOSE-SCHIBIG
507 W BARTLETT AVE
SELAH, WA 98942

18143542010
DOUGLAS D & PAULA M BOWERS
801 W BARTLETT AVE
SELAH, WA 98942

18143524028
DWIGHT M DERBY
406 N 9TH ST
SELAH, WA 98942

18143542456
MATTHEW W & CARA L ARCHER
607 W BARTLETT AVE
SELAH, WA 98942

18143542457
JOHN J & SHEILA E GAWLIK
603 W BARTLETT AVE
SELAH, WA 98942

18143513510
KRISTI A CASTILLO
605 W HOME AVE
SELAH, WA 98942

18143542446
JEFFREY C & SHANNON M GASKELL
602 W BARTLETT AVE
SELAH, WA 98942

18143542480
GLENN & BEVERLY POWERS
802 W BARTLETT AVE
SELAH, WA 98942

18143513511
SHEALYN JUSTICE
601 W HOME AVE
SELAH, WA 98942

18143513514
CARL L & CANDI R TORKELSON
PO BOX 292
SELAH, WA 98942

18143542023
ROBERT N & MARJORIE M CRAWFORD
708 W BARTLETT AVE
SELAH, WA 98942

18143542016
MICHEAL MORENO
808 W HOME AVE
SELAH, WA 98942

18143513475
ROY ROBERTS & JANETTE GOODWIN
601 SPEYERS RD APT G
SELAH, WA 98942

18143531020
JAMIE W TREAT
211 ADOBE WAY
SELAH, WA 98942

18143542006
MICHAEL MERRELL
706 W HOME AVE
SELAH, WA 98942

18143513409
LOREN K & CAROL A LYONS
807 W HOME AVE
SELAH, WA 98942

18143542482
MARTIN BARRAGAN
803 W FREMONT AVE
SELAH, WA 98942

18143542068
CHRISTOPHER W BARNETT
704 W HOME AVE
SELAH, WA 98942

18143513408
HEIDI C. YERGEN
805 W HOME AVE
SELAH, WA 98942

18143542445
JONATHAN E HESSELTINE
605 W FREMONT AVE
SELAH, WA 98942

18143542463
JONNYA ESQUIVEL
606 W HOME AVE
SELAH, WA 98942

18143513023
RONALD R PENDLETON JR
400 ALPS RD
MOXEE, WA 98936

18143531435
MICHAEL E & ADELE M WILLIAMS
904 W FREMONT AVE
SELAH, WA 98942

18143513423
AMANDA SMITH
206 N 5TH ST
SELAH, WA 98942

18143513017
O JEAN OWENS
1602 SPEYERS RD
SELAH, WA 98942

18143542007
STEPHANIE E & TAYLOR E HALL
656 BRATHOVDE RD
SELAH, WA 98942

18143513426
PATRICK W KELLY
709 W PEAR AVE
SELAH, WA 98942

18143524029
KATRINA J COLBY
131 HEYSMAN RD
SELAH, WA 98942

18143513404
A LORRAINE CALVERT
709 W HOME AVE
SELAH, WA 98942

18143513429
MICHELLE COLLEEN KIRKHAM
803 W PEAR AVE
SELAH, WA 98942

18143542018
SUN CITY PROPERTIES LLC
44029 SE 143RD ST
NORTH BEND, WA 98045

18143513403
KELLY P DESHAW
PO BOX 10061
YAKIMA, WA 98909

18143524039
RACHEL M & BENJAMIN A GARCIA
408 N 9TH ST
SELAH, WA 98942

18143542012
DARREN SCOTT & AMY LOUISE LUCAS
804 W HOME AVE
SELAH, WA 98942

18143513018
MELLERY ROSE CARVO
507 SPEYERS RD
SELAH, WA 98942

18143513411
FAUSTINO MONTALVO MENESES
407 N 9TH ST
SELAH, WA 98942

18143542464
EARL G GILLIAM
604 W HOME AVE
SELAH, WA 98942

18143524030
ABDUL MAROOF
710 W HOME AVE
SELAH, WA 98942

18143513424
NABOR F JR & RUTH M MARTINEZ
705 W PEAR AVE
SELAH, WA 98942

18143542019
MAURICIO ALVAREZ
PO BOX 10639
YAKIMA, WA 98909

18143542441
GUILLERMO PERALTA JR
504 SPEYERS RD
SELAH, WA 98942

18143513416
JOHN G & KIMBERLY A RISHKY
802 PEAR AVE
SELAH, WA 98942

18143542009
ELISANDRA CAMACHO
206 W SELAH AVE
SELAH, WA 98942

18143542001
DOUGLA W & LISA M RAAP
PO BOX 711
SELAH, WA 98942

18143513418
MARION L & KAREN V DERREY
706 W PEAR AVE
SELAH, WA 98942

18143531018
NASARIO P CUEVAS
1300 OLD STAGE WAY
YAKIMA, WA 98908

18143531462
ERIC & DEANNA CLARK
5510 ENGLEWOOD HILL DR
YAKIMA, WA 98908

18143513482
ROY ROBERTS & JANETTE GOODWIN
601 SPEYERS RD APT G
SELAH, WA 98942

18143542454
BRANDI & CHRISTOPHER HARRINGTON
506 W BARTLETT AVE
SELAH, WA 98942

18143542017
RAMON & MARIA C JUAN
809 W BARTLETT AVE
SELAH, WA 98942

18143513513
CARL L & CANDI R TORKELESON
PO BOX 292
SELAH, WA 98942

18143542449
ROBERT & CHRISTINA GARNER
PO BOX 2095
SELAH, WA 98942

18143542437
RICHARD & DEBORAH BRONSON
505 W BARTLETT AVE
SELAH, WA 98942

18143542501
JAMES EARL BURTON JR
2 W FREMONT AVE
SELAH, WA 98942

18143542473
ROSE BOBECK
703 W ORCHARD AVE
SELAH, WA 98942

18143542034
BEN & APRIL RUSHING
609 W ORCHARD AVE
SELAH, WA 98942

18143542429
MARIA G & ABRAHAM L BORGES
803 W ORCHARD AVE
SELAH, WA 98942

18143542430
ELLEN L & DUANE C RUNDGREN
101 N 8TH ST
SELAH, WA 98942

18143542025
LYNN E & DEBRA PADDOCK
PO BOX 2428
WESTPORT, WA 98595

18143542036
KELLY KURVINK
PO BOX 1065
SELAH, WA 98942

18143542037
JEFF & MENDY BEKSINSKI
270 MAPLEWAY RD
SELAH, WA 98942

18143542041
SUNSHINE ELAINE STERLING
116A 21ST AVE E
SEATTLE, WA 98112

1460

Hoff, Makenzie

From: Johnson, Amber (ECY) <AMBJ461@ECY.WA.GOV>
Sent: Tuesday, August 31, 2021 1:35 PM
To: Hoff, Makenzie
Subject: RE: Public Notice and Submittals

Hi Makenzie,

In follow up, these are the three SEPA numbers related to the records you sent on Thursday that Gwen finalized for us. =) I was headed into a meeting earlier and didn't have time to look into it further. I hope you enjoyed some much needed time off!

SEPA-2021-007 SEPA-2021-006
SEPA' s 202104682, 20204683, 202104684
SEPA-2021-005

Thank you,

Amber Johnson (she/her)

Administrative Assistant 3
Shorelands & Environmental Assistance Program
Department of Ecology | Central Regional Office
Ph. 509-457-7121 | amber.johnson@ecy.wa.gov

From: Hoff, Makenzie <makenzie.hoff@selahwa.gov>
Sent: Tuesday, August 31, 2021 10:09 AM
To: ECY RE SEPA REGISTER <separegister@ecy.wa.gov>
Cc: Clear, Gwen (ECY) <GCLE461@ECY.WA.GOV>
Subject: RE: Public Notice and Submittals

THIS EMAIL ORIGINATED FROM OUTSIDE THE WASHINGTON STATE EMAIL SYSTEM - Take caution not to open attachments or links unless you know the sender AND were expecting the attachment or the link

Hi Amber,

I completely spaced on the new entry process. I rushed to get these sent out by the end of the day last Thursday, and I was on vacation Friday and yesterday, so I am just now getting your email.

I am resubmitting them now.

Thank you,



Makenzie Hoff

Planning and Building Permit Specialist
City of Selah Public Works
222 S Rushmore Rd.
Selah, WA 98942
(509) 698 - 7365

From: ECY RE SEPA REGISTER [<mailto:separegister@ecy.wa.gov>]
Sent: Thursday, August 26, 2021 5:34 PM
to: Hoff, Makenzie <makenzie.hoff@selahwa.gov>
Cc: Clear, Gwen (ECY) <GCLE461@ECY.WA.GOV>
Subject: RE: Public Notice and Submittals

Hi Makenzie,

I see that we just received 3 entries from you for the SEPA Register. I know when we spoke earlier this month that I mentioned the updated entry process. You can find information on how to create your [SAW Account](#), and access the [User Guide](#) through the links provided. Please resubmit these using the new SRS system and we will be happy to help you along the way.

SEPA Register - Washington State Department of Ecology

Thank you,

Amber Johnson (she/her)
Administrative Assistant 3
Shorelands & Environmental Assistance Program
Department of Ecology | Central Regional Office
Ph. 509-457-7121 | amber.johnson@ecy.wa.gov
Office Hours: Monday-Thursday 7am-5:30pm

From: Hoff, Makenzie <makenzie.hoff@selahwa.gov>
Sent: Thursday, August 26, 2021 4:54 PM
To: ECY RE SEPA REGISTER <separegister@ecy.wa.gov>
Subject: Public Notice and Submittals

THIS EMAIL ORIGINATED FROM OUTSIDE THE WASHINGTON STATE EMAIL SYSTEM - Take caution not to open attachments or links unless you know the sender AND were expecting the attachment or the link

Hi there,

Attached you will find the Notice of Application and Environmental Review, Opportunity to Provide Comment and Notice of Public Hearing and Submittal and Applications for the following:

310 Partners, LLC Comp Plan Amendment **File Numbers:** COMP-2021-003, 914-2021-002, & SEPA-2021-006

Thank you,



Makenzie Hoff
Planning and Building Permit Specialist
City of Selah Public Works
222 S Rushmore Rd.
Selah, WA 98942
(509) 698 - 7365



CITY OF SELAH

Planning Department • 222 South Rushmore RD. • Selah, WA 98942 • Ph: (509) 698-7365 • www.selahwa.gov

WASHINGTON STATE ENVIRONMENTAL POLICY ACT DETERMINATION OF NONSIGNIFICANCE CITY OF SELAH, WASHINGTON September 13, 2021

PROJECT DESCRIPTION: Comprehensive Plan Map Amendment, Rezone and Environmental Review of the subject properties from Scott & Victoria Catron. The applicants are requesting to change the subject properties Future Land Use Map designation from Low Density Residential to Moderate Density Residential, as well as requesting a concurrent rezone of the subject properties from Residential, Single-Family (R-1) to Residential, Two-Family (R-2) to bring the property's Comprehensive Plan and Zoning designation into conformance with the property's current and historic use (see attached documents for further details).

LOCATION: 705 and 705 ½ Bartlett Ave., Selah, WA 98942

PARCEL NUMBERS: 181435-42005

PROPONENT: Same as property owner

PROPERTY OWNERS: Scott & Victoria Catron

LEAD AGENCY: City of Selah

FILE NUMBERS: COMP-2021-002, 914-2021-001, & SEPA-2021-005

DETERMINATION: The lead agency for this proposal has determined that it does 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). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued after using the optional DNS process in WAC 197-11-355.
There is no further comment period on the DNS.

Responsible Official: Joe Henne

Position/Title: SEPA Responsible Official

Address: 222 S. Rushmore Rd., Selah, Washington 98942

Date September 13, 2021

Signature

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 Planning Department, 222 S. Rushmore Road no later than 5:00 p.m. on September 20, 2021. You should be prepared to make specific factual objections. Contact the Planning Department at 509-698-7365 to read or ask about the procedures for SEPA appeals.





El Sol de Yakima

-Ad Proof-

This is the proof of your ad scheduled to run on the dates indicated below.
Please proof read notice carefully to check spelling and run dates,
if you need to make changes

Date:	10/14/21
Account #:	110017
Company Name:	CITY OF SELAH
Contact:	Angela Dean,AP
Address:	115 W NACHES AVENUE SELAH, WA 98942
Telephone:	(509) 698-7327
Fax:	

Account Rep:	Simon Sizer
Phone #	(509) 577-7740
Email:	ssizer@yakimaherald.com
Ad ID:	987906
Start:	10/15/21
Stop:	10/15/21
Total Cost:	\$244.20
Lines:	132.0
# of Inserts:	1
Ad Class:	6021

Run Dates:	
Yakima Herald-Republic	10/15/21



City of Selah Notice of Closed Record Public Hearings:

The City of Selah is hereby providing Notice of Scheduled Public Hearing for the following Comprehensive Plan Map Amendment, Rezone and Environmental Review applications:

1. Property Owner: 310 Partners, LLC; **Project Address:** 310 W. Selah Ave., Selah, WA 98942; **Tax Parcel Number:** 181302-11436, and 181302-11437; **File Numbers:** COMP-2021-003, 914-2021-002, & SEPA-2021-006; **Application/Request:** Future Land Use Map designation change from Moderate Density Residential to High Density Residential, as well as requesting a concurrent rezone of the subject properties from Residential, Two-Family (R-2) to Residential, Multi-Family (R-3).

2. Property Owner: City of Selah; **Project Address:** Vicinity of Naches Ave. and 4th St., Selah, WA 98942; **Tax Parcel Number:** 181435-41454; **File Numbers:** COMP-2021-001, 914-2021-003, & SEPA-2021-007; **Application/Request:** Future Land Use Map designation change from Semi Public/Open Space to Commercial, as well as requesting a concurrent rezone of the subject properties from Residential, Single-Family (R-1) to Residential, Business, General (B-2) to support the future construction of a police station/city hall.

3. Property Owner: Scott & Victoria Catron; **Project Address:** 705 and 705 ½ Bartlett Ave., Selah, WA 98942; **Tax Parcel Number:** 181435-42005; **File Numbers:** COMP-2021-002, 914-2021-001, & SEPA-2021-005; **Application/Request:** Future Land Use Map designation change from Low Density Residential to Moderate Density Residential, as well as requesting a concurrent rezone of the subject properties from Residential, Single-Family (R-1) to Residential, Two-Family (R-2) to bring the property's Comprehensive Plan and Zoning designation into conformance with the property's current and historic use; **Public Notice:** Notice is hereby given by the City of Selah, Washington, that the Selah City Council will conduct three closed record public hearings on **Tuesday, October 26, 2021, commencing at 5:30 p.m.**, or as soon thereafter as practical, in the council chambers, Selah City Hall, 115 W. Naches, Selah, WA. Copies of the Comprehensive Plan Amendments and Rezone applications are available for public inspection during regular business hours at the City of Selah Planning Department, 222 South Rushmore Road, Selah, WA, and at <https://selahwa.gov/planning/planning-commission/>.

All persons wishing to offer comments for or against any of these proposals are encouraged to attend. All written comments received prior to the day of the public hearings will be considered in the City Council deliberations. **COVID-19 Hearing Notification:** Interested parties, please be advised in accordance with the multiple proclamations by the Governor of the State of Washington, (in particular Proclamation 20-28) guidance from the state Attorney General on the requirements of the Open Public Meetings Act, directives by the State Health Department and Yakima Health District regarding COVID-19, the above scheduled public hearing may be held by electronic and telephonic means via zoom. Procedures for attendance of this open record public hearing will be provided on the City of Selah's website along with the City Council agenda. If you have questions please feel free to contact Jeff Peters, Community Development Supervisor in person at 222 South Rushmore Road, Selah, WA or by phone at (509) 698-7365, by fax at (509) 698-7372 or by e-mail at jeff.peters@selahwa.gov. Dated this 6th day of August 2021.

(987906) October 15, 2021

Courtesy of Yakima Herald-Republic

City of Selah Notice of Application, Environmental Review & Public Hearings: The City of Selah is hereby providing Public Notice and Opportunity to Comment, State Environmental Policy Act Review, and Notice of Scheduled Public Hearing for the following Comprehensive Plan Map Amendment, Rezone and Environmental Review applications:

1. Property Owner: 310 Partners, LLC; **Project Address:** 310 W. Selah Ave., Selah, WA 98942; **Tax Parcel Number:** 181302-11436, and 181302-11437; **File Numbers:** COMP-2021-003, 914-2021-002, & SEPA-2021-006; **Application/Request:** Future Land Use Map designation change from Moderate Density Residential to High Density Residential, as well as requesting a concurrent rezone of the subject properties from Residential, Two-Family (R-2) to Residential, Multi-Family (R-3).

2. Property Owner: City of Selah; **Project Address:** Vicinity of Naches Ave. and 4th St., Selah, WA 98942; **Tax Parcel Number:** 181435-41454; **File Numbers:** COMP-2021-001, 914-2021-003, & SEPA-2021-007; **Application/Request:** Future Land Use Map designation change from Semi Public/Open Space to Commercial, as well as requesting a concurrent rezone of the subject properties from Residential, Single-Family (R-1) to Residential, Business, General (B-2) to support the future construction of a police station/city hall.

3. Property Owner: Scott & Victoria Catron; **Project Address:** 705 and 705 ½ Bartlett Ave., Selah, WA 98942; **Tax Parcel Number:** 181435-42005; **File Numbers:** COMP-2021-002, 914-2021-001, & SEPA-2021-005; **Application/Request:** Future Land Use Map designation change from Low Density Residential to Moderate Density Residential, as well as requesting a concurrent rezone of the subject properties from Residential, Single-Family (R-1) to Residential, Two-Family (R-2) to bring the property's Comprehensive Plan and Zoning designation into conformance with the property's current and historic use.

Environmental Review: This is to notify all the public and private agencies with jurisdiction and environmental expertise that the City of Selah Planning Department has been established as the lead agency, pursuant to the Washington State Environmental Policy Act (SEPA) for the above stated projects:

The City of Selah is presently inclined towards the issuance of a Determination of Non Significance (DNS) on these projects. WAC 197-11-355 process is being used. This may be your only opportunity to comment on the environmental impacts of these proposed projects. The following conditions have been identified that may be used to mitigate the adverse environmental impacts of the proposal: None; Required Permits: None; Required Studies: None; Existing Environmental Documents: None

Preliminary determination of the development regulations that will be used for project mitigation and consistency: Zoning Ordinance, Comprehensive Plan, and Sub Area Plan; **Request for Written Comments on the Proposals:** Written comments concerning the above described Comprehensive Plan Amendments, Rezones and Environmental Checklist applications will be accepted during the public comment period that ends at 5:00 p.m. on September 10, 2021. You may mail your comments to Selah Planning Department, 222 So. Rushmore Road, Selah, WA 98942, send them by fax to (509) 696-7372 or by e-mail to jeff.peters@selahwa.gov. Please reference the above file numbers or property owner name in your correspondence; **Open Record Public Hearing:** The above described applications

require that the City of Selah Planning Commission conduct an open record public hearing for the applicant's/property owner's Comprehensive Plan Map Amendment and Rezone. These public hearings has been scheduled for October 5, 2021, beginning at 5:30 p.m. in the Council Chambers, City Hall, 115 W. Naches Ave. Any person desiring to express their views on this matter are invited to attend the public hearing or to submit their written comments to the above address. All interested persons may appear and provide testimony on the application. At the conclusion of the public hearing, the Planning Commission will consider the matter and issue a recommendation to the City Council for approval, approval with conditions, or denial of the proposal; **COVID-19 Hearing Notification:** Interested parties, please be advised in accordance with the multiple proclamations by the Governor of the State of Washington, (in particular proclamation 20-28) guidance from the State Attorney General on the requirements of the Open Public Meetings Act, directives by the State Health Department and Yakima Health District regarding COVID-19, the above scheduled public hearings may be held by electronic and telephonic means via Zoom. Procedures for attendance of these closed record public hearings will be provided on the City of Selah Planning Commission's website along with the Planning Commission meeting agenda ten days prior to the scheduled meeting (<https://selahwa.gov/planning/planning-commission/>); Application information including the SEPA environmental checklist and maps detailing the proposal are available during regular business hours at the Planning Department at 222 South Rushmore Road, Selah, Washington 98942, or online at <https://selahwa.gov/planning/sepa/>. The staff reports will be available approximately one week before the hearing. Contact the Planning Department with project, procedural or environmental questions.

(984366) August 27, 2021

Courtesy of Yakima Herald-Republic

City of Selah Notice of Closed Record Public Hearings: The City of Selah is hereby providing Notice of Scheduled Public Hearing for the following Comprehensive Plan Map Amendment, Rezone and Environmental Review applications:

- 1. Property Owner:** 310 Partners, LLC; **Project Address:** 310 W. Selah Ave., Selah, WA 98942; **Tax Parcel Number:** 181302-11436, and 181302-11437; **File Numbers:** COMP-2021-003, 914-2021-002, & SEPA-2021-006; **Application/Request:** Future Land Use Map designation change from Moderate Density Residential to High Density Residential, as well as requesting a concurrent rezone of the subject properties from Residential, Two-Family (R-2) to Residential, Multi-Family (R-3).
- 2. Property Owner:** City of Selah; **Project Address:** Vicinity of Naches Ave. and 4th St., Selah, WA 98942; **Tax Parcel Number:** 181435-41454; **File Numbers:** COMP-2021-001, 914-2021-003, & SEPA-2021-007; **Application/Request:** Future Land Use Map designation change from Semi Public/Open Space to Commercial, as well as requesting a concurrent rezone of the subject properties from Residential, Single-Family (R-1) to Residential, Business, General (B-2) to support the future construction of a police station/city hall.
- 3. Property Owner:** Scott & Victoria Catron; **Project Address:** 705 and 705 ½ Bartlett Ave., Selah, WA 98942; **Tax Parcel Number:** 181435-42005; **File Numbers:** COMP-2021-002, 914-2021-001, & SEPA-2021-005; **Application/Request:** Future Land Use Map designation change from Low Density Residential to Moderate Density Residential, as well as requesting a concurrent rezone of the subject properties from Residential, Single-Family (R-1) to Residential, Two-Family (R-2) to bring the property's Comprehensive Plan and Zoning designation into conformance with the property's current and historic use: **Public Notice:** Notice is hereby given by the City of Selah, Washington, that the Selah City Council will conduct three closed record public hearings on **Tuesday, October 26, 2021, commencing at 5:30 p.m.**, or as soon thereafter as practical, in the council chambers, Selah City Hall, 115 W. Naches, Selah, WA.: Copies of the Comprehensive Plan Amendments and Rezone applications are available for public inspection during regular business hours at the City of Selah Planning Department, 222 South Rushmore Road, Selah, WA, and at <https://selahwa.gov/planning/planning-commission/>: All persons wishing to offer comments for or against any of these proposals are encouraged to attend. All written comments received prior to the day of the public hearings will be considered in the City Council deliberations.: **COVID-19 Hearing Notification:** Interested parties, please be advised in accordance with the multiple proclamations by the Governor of the State of Washington, (in particular Proclamation 20-28) guidance from the state Attorney General on the requirements of the Open Public Meetings Act, directives by the State Health Department and Yakima Health District regarding COVID-19, the above scheduled public hearing may be held by electronic and telephonic means via zoom. Procedures for attendance of this open record public hearing will be provided on the City of Selah's website along with the City Council agenda.: if you have questions please feel free to contact Jeff Peters, Community Development Supervisor in person at 222 South Rushmore Road, Selah, WA or by phone at (509) 698-7365, by fax at (509) 698-7372 or by e-mail at jeff.peters@selahwa.gov. Dated this 6th day of August 2021.

(987906) October 15, 2021

Courtesy of Yakima Herald-Republic



**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



Council Meeting

Action Item

10/26/2021

O-2

Title: Ordinance Amending the Comprehensive Plan Future Land Use Map and Zoning Map of the City of Selah for Parcel 181435-42005 as follows: Future Land Use Map from Low Density Residential to Moderate Density Residential and Zoning Map from Residential, Single-Family (R-1) to Residential, Two-Family (R-2).

From: Jeff Peters: Community Development Supervisor

Action Requested: Approval

Staff Recommendation: Approve the Ordinance as written.

Board/Commission Recommendation: Approval

Fiscal Impact: N/A

Funding Source: N/A

Background / Findings & Facts: On July 28, 2021, the property owners Scott and Victoria Catron, submitted applications for the City of Selah's Annual Comprehensive Plan Future Land Use Map Amendment process which include a Comprehensive Plan Future Land Use Map Amendment, Rezone, and Environmental Review (COMP-2021-002, 914-2021-001, & SEPA-2021-005). The property owners are requesting to change the Future Land Use Map designation for parcel 181435-42005, from Low Density Residential to Moderate Density Residential and to concurrently rezone from Residential, Single-Family (R-1) to Residential, Two-Family (R-2) to recognize the construction of an long established existing duplex, and remove the properties legal non-conforming status.

Recommended Motion: I move that the City Council adopt the accompanying ordinance approving Comprehensive Plan Future Land Use Map Amendment COMP-2021-002, and Rezone 914-2021-001, and further adopting the Selah Planning Commission's findings, conclusions, and recommendation of October 5, 2021, as its own.

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)



**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



Date:	Action Taken:
7/28/2021	Application Submittal
8/27/2021	Notice of Application and Public Hearing and Legal Notice
9/13/2021	SEPA Notice of Determination of Non-Significance
10/5/2021	Planning Commission Public Hearing
10/15/2021	Notice of City Council Public Hearing

ORDINANCE 2138

ORDINANCE

AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP AND ZONING MAP OF THE CITY OF SELAH FOR PARCEL 181435-42005 AS FOLLOWS: FUTURE LAND USE MAP FROM LOW DENSITY RESIDENTIAL TO MODERATE DENSITY RESIDENTIAL AND ZONING MAP FROM RESIDENTIAL, SINGLE-FAMILY (R-1) TO RESIDENTIAL, TWO-FAMILY (R-2)

WHEREAS, the City of Selah is required to plan under the Washington State Growth Management Act (GMA), RCW 36.70A.040; and,

WHEREAS, RCW 36.70A.130 provides for continuing review and evaluation of comprehensive plans and development regulations at least every five years and for the revision or amendments to such plans not more than once a year but at least once every five years, with certain exceptions; and,

WHEREAS, RCW 36.70A.470 requires that counties and cities planning under RCW 36.70A.040 include in their development regulations a procedure for any interested person, including applicants, citizens, hearing examiners, and staff of other agencies, to suggest comprehensive plan amendment (CPA) or development regulation amendments; and,

WHEREAS, RCW Ch. 36.70A further requires that the suggested amendments be docketed and considered not more often than once a year, consistent with the provisions of RCW 36.70A.130; and,

WHEREAS, in 2004, the City Council adopted Ordinance 1634 enacting Ch. 10.40 SMC to provide procedures and criteria for amending and updating the City of Selah Comprehensive Plan Future Land Use and Zoning Maps; and,

WHEREAS, on July 28, 2021, the property owners Scott and Victoria Catron, submitted applications for a Comprehensive Plan Future Land Use Map Amendment, Rezone, and Environmental Review (COMP-2021-002, 914-2021-001, & SEPA-2021-005) requesting to change the Future Land Use Map designation for parcel 181435-42005, from Low Density Residential to Moderate Density Residential, and to concurrently rezone from Residential, Single-Family (R-1) to Residential, Two-Family (R-2); and,

WHEREAS, the applications were considered complete for processing on August 23, 2021, and public notice was provided, in accordance with the provisions of SMC Ch. 10.40, and Title 21, on August 27, 2021; and,

WHEREAS, SEPA Environmental Review was completed with a Determination of Nonsignificance issued on September 13, 2021, which was not appealed; and,

WHEREAS, after proper notice, on October 5, 2021, the Selah Planning Commission (SPC) heard the staff presentation regarding the proposed CPA and Rezone, held a public hearing, considered the public testimony; and,

WHEREAS, after proper notice, on October 5, 2021, the Selah Planning Commission (SPC) heard the staff presentation regarding the proposed CPA and Rezone, held a public hearing, considered the public testimony; and,

WHEREAS, pursuant to the approval criteria set forth in SMC § 10.40.050, the SPC unanimously recommended approval of the proposal; and,

WHEREAS, the SPC recommendation and findings was signed by the Chair on October 5, 2021, a copy of which is found in Exhibit "A" attached hereto and incorporated herein by this reference; and,

WHEREAS, pursuant to SMC § 10.40.050, and after the required notice was provided, the Selah City Council held a public hearing on October 26, 2021, to receive public comments on the Planning Commission's recommended findings on the proposed CPA and Rezone; and,

WHEREAS, the City Council of the City of Selah, having considered the record herein and the recommendation from the Planning Commission, the comments received at the public hearing held October 26, 2021, hereby finds and determines that approval of the requested CPA and Rezone is in the best interest of residents and the City of Selah and will promote the general health, safety and welfare.

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, ORDAINS AS FOLLOWS:

Section 1. Findings, Analysis and Conclusions. Subject to the specific terms of this Ordinance, the Selah City Council adopts the October 5, 2021 findings, conclusions, and recommendation of the Selah Planning Commission for COMP-2021-002, 914-2021-001, and SEPA-2021-005. A copy of said recommendation is attached as Exhibit "A".

Section 2. Amendment. The following described real property is hereby reclassified from a Comprehensive Plan Future Land Use Map designation of Low Density Residential to Moderate Density Residential, and Zoning District of Residential, Single-Family (R-1) to Residential, Two-Family (R-2):

Abbreviated Legal Description: S 100 FT OF N 326.4 FT OF W 152 FT OF E 264 FT OF N1/2 NW1/4 NW1/4 SE1/4 EX S 16.4 FT ROAD

(Assessor Parcel No. 181435-42005).

Section 3. Any and all official Zoning, Future Land Use, or similar maps shall be amended

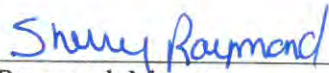
to reclassify the subject real properties set forth herein consistent with the above sections of this Ordinance.

Section 4. Severability Invalidation. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance is declared invalid or unconstitutional for any reason, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 5. Ratification. Any act consistent with the authority, and prior to the effective date of this ordinance is hereby ratified and affirmed.

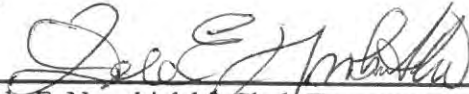
Section 6. This ordinance, implementing a Comprehensive Plan Future Land Use Map (COMP-2021-002) and Zoning Map Amendment (914-2021-001) shall become effective five (5) days following legal publication of this ordinance or a summary of this ordinance.

Done this 26th day of October 2021



Sherry Raymond, Mayor

ATTEST:



Dale E. Novobielski, Clerk-Treasurer

APPROVED AS TO FORM:



Rob Case, City Attorney

EXHIBIT “A”

**SELAH PLANNING COMMISSION
RECOMMENDATION TO THE SELAH CITY COUNCIL
FOR
COMPREHENSIVE PLAN AMENDMENT AND REZONE
COMP-2021-001, & 914-2021-003**

SELAH PLANNING COMMISSION
RECOMMENDATION TO THE SELAH CITY COUNCIL
FOR
COMPREHENSIVE PLAN AMENDMENT AND REZONE
COMP-2021-002, 914-2021-001

October 5, 2021

WHEREAS, The City of Selah adopted its 2017 Comprehensive Plan on June 27, 2017;
and

WHEREAS, The Washington Growth Management Act and local ordinances provide a process for the annual review of amendments to the Comprehensive Plan as requested by citizens, property owners and/or local government; and

WHEREAS, Under the provisions of SMC Ch. 10.40.040 the Selah Planning Commission (SPC) is responsible for the review of these applications and for recommending the approval, modification or denial of each request; and

WHEREAS, On July, 2021 applications for Comprehensive Plan Amendment and Rezone were submitted by Scott & Victoria Catron, to amend the Comprehensive Plan Future Land Use Map Designation for Tax Parcel Number: 181435-42005 from Low Density Residential to Moderate Density Residential, and to concurrently rezone from Residential, Single-Family (R-1) to Residential, Two-Family (R-2) (City Files: COMP-2021-002, 914-2021-001, & SEPA-2021-005); and

WHEREAS, The applications were considered complete for processing on August 23, 2021 and public notice was provided, in accordance with the provisions of SMC Ch. 21.07, on August 27, 2021; and

WHEREAS, SEPA Environmental Review was completed with a Determination of Nonsignificance issued on September 13, 2021, which was not appealed (City File: SEPA-2021-005); and

WHEREAS, The Selah Planning Commission held an open record public hearing on October 5, 2021 to hear testimony from the public, consider the Amendment and Rezone, and provide a recommendation to the Selah City Council;

Now therefore, the Selah City Planning Commission presents the following findings of fact, conclusions, and recommendation to the Selah City Council:

APPLICATION # COMP-2021-002, 914-2021-001, & SEPA-2021-005
APPLICANT: Scott & Victoria Catron
APPLICANT ADDRESS: 1705 W. Orchard Ave., Selah, WA 98942
PROJECT LOCATION: 705 & 705 ½ Bartlett Ave., Selah, WA 98942
PARCEL(S): 181435-42005

FINDINGS OF FACT

1. The applicants are requesting to amend the subject property's Comprehensive Plan Future Land Use Map designation from Low Density Residential to Moderate Density Residential and to concurrently rezone from Residential, Single-Family (R-1) to Residential, Two-Family (R-2).
2. The subject parcel is approximately .29 acres in size, and is surrounded single-family homes.
3. The City of Selah Planning Division provided a detailed staff report to the Planning Commission for review during their October 5, 2021 public hearing, with the recommendation of APPROVAL of the proposed amendment and rezone.
4. The proposed Comprehensive Plan Amendment is consistent with the applicable approval criteria in SMC § 10.40.050, as follows:
 - a. This application is being processed to change the properties Future Land Use Designation, and Zoning to recognize the existing duplex use, and correct a past mapping error.
 - b. The Moderate Density Residential designation implements several goals and policies of the City's 2017 Comprehensive Plan.
 - c. The amendment does correct an obvious mapping error, and addresses a deficiency of the 2017 Comprehensive Plan, and is consistent with the Growth Management Act and County-wide Planning Policies.
 - d. There will be no impact to the surrounding properties because the duplex has been at its existing location since 1925, and the property is well suited for the Moderate Density Residential Comprehensive Plan designation and B-2 zoning which supports the existing duplex use.
5. The total acreage of this proposal will remove .29 acres of Low Density Residential land, and convert it to Moderate Density Residential recognizing the existing duplex use. There are no cumulative impacts from other past or current Comprehensive Plan Amendments as no other applications have been submitted since the City last adopted its 2017 Comprehensive Plan.
6. The proposed Rezone from Residential, Single-Family (R-1) to Residential, Two-Family (R-2) is consistent with the applicable approval criteria in SMC § 10.40.050, as follows:
 - a. Testimony at the public hearing was considered.
 - b. The property is suitable for duplex use of the R-2 zoning district, and will recognize the existing duplex, removing any non-conforming status on the subject property.
 - c. The R-2 zoning district is an implementing zone of the Moderate Density Residential Future Land Use Designation.
 - d. The property is currently served by all necessary public utilities and is accessed by public streets.
 - e. The proposed Rezone is considered compatible with the surrounding neighborhood and no mitigation is proposed at this time.
 - f. The public need for this Rezone is to rezone the subject property to recognize an existing use, and remove the property's non-conforming status.

CONCLUSIONS

1. The Amendment and Rezone are minor in nature;
2. No adverse impacts have been identified;
3. No written comments or testimony was received in opposition to the request;
4. This proposal underwent Environmental Review;
5. The proposed Comprehensive Plan Future Land Use Map Amendment from Low Density Residential to Moderate Density Residential and to concurrently rezone from Residential, Single-Family (R-1) to Residential, Two-Family (R-2) is consistent with the Selah Zoning Ordinance and 2017 Comprehensive Plan.

MOTION

Based on the testimony and evidence presented during the public hearing, it was moved and seconded that the City of Selah Planning Commission draft findings of fact be accepted, made final, and a recommendation of approval forwarded to the Selah City Council. The motion carried unanimously.

RECOMMENDATION TO CITY COUNCIL

The Planning Commission of the City of Selah, having received and considered all evidence and testimony presented at the public hearing, and having received and reviewed the record herein, hereby recommends that the City Council of the City of Selah APPROVE the proposed Comprehensive Plan Amendment from Low Density Residential to Moderate Density Residential and to concurrently rezone from Residential, Single-Family (R-1) to Residential, Two-Family (R-2) for files COMP-2021-002 & 914-2021-001.

SIGNED this 5th day of October, 2021.

By:



**Lisa, Smith,
Selah Planning Commission, Chair**



**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



Council Meeting

Action Item

10/26/2021

L-3

Title: Closed Record Public Hearing to consider the City of Selah Planning Commission's recommendation regarding a Comprehensive Plan Future Land Use and Zoning Map Amendment for property located at 310 W. Selah Ave. from Moderate Density Residential to High Density Residential, and Residential, Two-Family (R-2) to Residential, Multi-Family (R-3).

From: Jeff Peters: Community Development Supervisor

Action Requested: Approval

Staff Recommendation: Hold the required public hearing, and adopt the accompanying ordinance.

Board/Commission Recommendation: Approval

Fiscal Impact: N/A

Funding Source: N/A

Background / Findings & Facts: On July 29, 2021, the applicant Thomas R. Durant, PLSA Engineering and Surveying, on behalf of the property owner 310 Partners, LLC, submitted applications for the City of Selah's Annual Comprehensive Plan Future Land Use Map Amendment process which include a Comprehensive Plan Future Land Use Map Amendment, Rezone, and Environmental Review (COMP-2021-003, 914-2021-002, & SEPA-2021-006). The property owners are requesting to change the Future Land Use Map designation for parcel 181302-11436 and 181302-11437, from Moderate Density Residential to High Density Residential and to concurrently rezone from Residential, Two-Family (R-2) to Residential, Multi-Family (R-3) to allow for higher density development of the subject property at a future date.

Recommended Motion: I move that the City Council adopt the accompanying ordinance approving Comprehensive Plan Future Land Use Map Amendment COMP-2021-003, and Rezone 914-2021-002, and further adopting the Selah Planning Commission's findings, conclusions, and recommendation of October 5, 2021, as its own.



**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:
7/29/2021	Application Submittal
8/27/2021	Notice of Application and Public Hearing and Legal Notice
9/13/2021	SEPA Notice of Determination of Non-Significance
10/5/2021	Planning Commission Public Hearing
10/15/2021	Notice of City Council Public Hearing

City Council Document Index for 310 Partners, LLC
Comprehensive Plan Future Land Use Map Amendment: COMP-2021-003,
Rezone: 914-2021-002, and SEPA-2021-006

List of Exhibits

Item:	<u>Exhibit</u>
Planning Commission Findings of Fact, Conclusions, and Recommendation Staff Report	1a 1b
Applications:	
Comprehensive Plan Future Land Use Map Amendment	2a
Rezone	2b
State Environmental Policy Act Review (SEPA)	2c
Notices:	
Notice of Application, Environmental Review, Public comment and Planning Commission Public Hearing	3a
Notice to Yakima Herald Republic, August 27, 2021	3b
Affidavit of Mailings, August 27, & September 13, 2021	3c
Determination of Nonsignificance, September 13, 2021	3d
Notice to Yakima Herald Republic, October 15, 2021	3e
Affidavit of Publications, August 27 & October 15, 2021	3f
Public Comments:	4a

SELAH PLANNING COMMISSION
RECOMMENDATION TO THE SELAH CITY COUNCIL
FOR
COMPREHENSIVE PLAN AMENDMENT AND REZONE
COMP-2021-003 & 914-2021-002

October 5, 2021

WHEREAS, The City of Selah adopted its 2017 Comprehensive Plan on June 27, 2017;
and

WHEREAS, The Washington Growth Management Act and local ordinances provide a process for the annual review of amendments to the Comprehensive Plan as requested by citizens, property owners and/or local government; and

WHEREAS, Under the provisions of SMC Ch. 10.40.040 the Selah Planning Commission (SPC) is responsible for the review of these applications and for recommending the approval, modification or denial of each request; and

WHEREAS, On July 29, 2021 applications for Comprehensive Plan Amendment and Rezone were submitted by Thomas R. Durant, PLSA Engineering and Surveying, on behalf of the property owners 310 Partners, LLC to amend the Comprehensive Plan Future Land Use Map Designation for Tax Parcel Numbers: 181302-11436, and 181302-11437 from Medium Density Residential to High Density Residential, and to concurrently rezone from Residential, Two-Family (R-2) to Residential, Multi-Family (R-3) (City Files: COMP-2021-003, 914-2021-002, & SEPA-2021-006); and

WHEREAS, The applications were considered complete for processing on August 23, 2021 and public notice was provided, in accordance with the provisions of SMC Ch. 21.07, on August 27, 2021; and

WHEREAS, SEPA Environmental Review was completed with a Determination of Nonsignificance issued on September 13, 2021, which was not appealed (City File: SEPA-2021-007); and

WHEREAS, The Selah Planning Commission held an open record public hearing on October 5, 2021 to hear testimony from the public, consider the Amendment and Rezone, and provide a recommendation to the Selah City Council;

Now therefore, the Selah City Planning Commission presents the following findings of fact, conclusions, and recommendation to the Selah City Council:



APPLICATION # COMP-2021-003 & 914-2021-002
APPLICANT: THOMAS R. DURANT, PLSA ENGINEERING AND SURVEYING
APPLICANT ADDRESS: 11 E. First Ave, Suite 1
PROJECT LOCATION: 310 W. Selah Ave., Selah, WA 98942
PARCEL(S): 181302-11436, and 181302-11437

FINDINGS OF FACT

1. The applicant is requesting to amend the subject property's Comprehensive Plan Future Land Use Map designation from Medium Density Residential to High Density Residential, and to concurrently rezone from Residential, Two-Family (R-2) to Residential, Multi-Family (R-3).
2. The subject parcels are approximately .47 and .39 acres in size, and are located in a neighborhood that is comprised of primarily (21) single-family dwellings, (3) two-family dwellings, along with several (3) four-to-five-unit multi-family residential dwellings.
3. The City of Selah Planning Division provided a detailed staff report to the Planning Commission for review during their October 5, 2021 public hearing, with the recommendation of APPROVAL of the proposed amendment and rezone.
4. The proposed Comprehensive Plan Amendment is consistent with the applicable approval criteria in SMC § 10.40.050, as follows:
 - a. This application is being processed to change the properties Future Land Use Designation, and Zoning to provide an increased amount of High Density Residential, R-3 zoned property for future development.
 - b. The High Density Residential designation implements several goals and policies of the City's 2017 Comprehensive Plan as detailed in the City's staff report.
 - c. The amendment does not correct an obvious mapping error, but does address a deficiency of the 2017 Comprehensive Plan, and is consistent with the Growth Management Act and County-wide Planning Policies.
 - d. The impact to the surrounding neighborhood should be minimal because the property under consideration is well suited for the High Density Residential Comprehensive Plan designation and R-3 zoning. The neighborhood is considered mix use and has many duplexes, and some multi-family dwelling within the block surrounding the subject property.
5. The total acreage of this proposal will remove .86 acres of Moderate Density Residential land, and convert it to High Density Residential land. There should be no cumulative impacts from other past or current Comprehensive Plan Amendments as no other applications of this type have been submitted since the City last adopted its 2017 Comprehensive Plan.
6. The proposed Rezone from Residential, Two-Family (R-2) to Residential, Multi-Family (R-3) is consistent with the applicable approval criteria in SMC § 10.40.050, as follows:
 - a. Testimony at the public hearing was considered.
 - b. The property is suitable for uses within the R-3 zoning district, and will provide additional high-density property to meet the housing and population needs of the City's 2037 population projection.
 - c. The R-3 zoning district is an implementing zone of the High Density Residential Future Land Use Designation.
 - d. The property is currently capable of being served by all necessary public utilities and is accessed by public streets.
 - e. The proposed Rezone is considered compatible with the surrounding neighborhood and no mitigation is proposed at this time.

- f. The public need for this Rezone is to rezone the subject property to provide additional high-density property to meet the housing and population needs of the City's 2037 population projection.

CONCLUSIONS

1. The Amendment and Rezone are minor in nature;
2. No adverse impacts have been identified;
3. One comment in opposition to the request was submitted;
4. This proposal underwent Environmental Review;
5. The proposed Comprehensive Plan Future Land Use Map Amendment from Medium Density Residential to High Density Residential, and to concurrently rezone from Residential, Two-Family (R-2) to Residential, Multi-Family (R-3) is consistent with the Selah Zoning Ordinance and 2017 Comprehensive Plan.

MOTION


Based on the testimony and evidence presented during the public hearing, it was moved and seconded that the City of Selah Planning Commission draft findings of fact be accepted, made final, and a recommendation of approval forwarded to the Selah City Council. The motion carried unanimously.

RECOMMENDATION TO CITY COUNCIL

The Planning Commission of the City of Selah, having received and considered all evidence and testimony presented at the public hearing, and having received and reviewed the record herein, hereby recommends that the City Council of the City of Selah APPROVE the proposed Comprehensive Plan Amendment from Medium Density Residential to High Density Residential, and to concurrently rezone from Residential, Two-Family (R-2) to Residential, Multi-Family (R-3) for files COMP-2021-003 & 914-2021-002.

SIGNED this 5th day of October, 2021.

By: _____


Lisa, Smith,
Selah Planning Commission, Chair

CITY OF SELAH

**DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT
2021 COMBINED COMPREHENSIVE PLAN MAP AMENDMENT AND REZONE STAFF
REPORT**

SUMMARY OF RECOMMENDATIONS

Staff recommends to the Selah City Planning Commission that this request be approved due to a change in the subject properties Future Land Use from Moderate Density Residential to High Density Residential, and zoning from Residential, Two-Family (R-2) to Residential, Multi-Family (R-3). Additionally, the City's 2017 Comprehensive Plan identifies that there is an identified need for additional vacant developable property.

SUMMARY OF REQUEST

APPLICANT: THOMAS R. DURANT, PLSA ENGINEERING AND SURVEYING
PROPERTY OWNER: 310 Partners, LLC
LOCATION: 310 W. Selah Ave., Selah, WA 98942
PARCEL NO(S): 181302-11436, and 181302-11437
FILE NUMBERS: COMP-2021-003, 914-2021-002, & SEPA-2021-006

COMPREHENSIVE PLAN FUTURE LAND USE MAP REQUEST: Medium Density Residential to High Density Residential

REZONE REQUEST: Residential, Two-Family (R-2) to Residential, Multi-Family (R-3)

APPLICATION BACKGROUND

The two subject properties are located on the southwest corner of W. Selah Ave. and N. 4th St., directly south of Wixon Park. These two properties are currently developed with older single-family dwellings constructed in the 1950's. The surrounding neighborhood is comprised of primarily (21) single-family dwellings, (3) two-family dwellings, along with several (3) four-to-five-unit multi-family residential dwellings. All between Selah Ave. to Valleyview Ave. and S. 3rd St. to S. 6th St.

The City's 1997 Comprehensive Plan established the two subject properties Future Land Use Map designations as Moderate Density Residential, and was left unchanged in both the City's 2005 and 2017 Comprehensive Plans. Zoning of the subject properties occurred around 1994 with the property being designated Residential, Two-Family. No rezoning of the subject properties has occurred since initial zoning occurred around 1994. The surrounding neighborhood as described above also has a Comprehensive Plan Designation of Moderate Density Residential, and corresponding Residential, Two-Family zoning.

The subject properties were purchased by 310 Partners in 2018 from the previous property owners. On November 26, 2019, 310 Partners submitted an application for a Preliminary Short Plat application, which requested subdivision of the two properties into four lots of record that meet the minimum lot size of 9,000 sq. ft. for the R-2 zone, and showing three vacant duplex lots with the preservation of the existing single-family home. On March 12, 2020, the City of Selah approved the preliminary short plat which is valid for five years from the date of approval.



On July 29, 2021, Thomas Durant of PLSA Engineering & Surveying on behalf of the property owners submitted the proposed Comprehensive Plan Map Amendment and Rezone application. It is the intent of this application to change the underlying Comprehensive Plan's Future Land designation of Tax Parcel Numbers: 181302-11436, and 181302-11437 from Moderate Density to High Density Residential and the zoning from R-2 to R-3 to better allow development of the subject property.

CURRENT ZONING AND LAND USE

The project site is composed of two parcels with a Comprehensive Plan designation of Moderate Density Residential and a Zoning designation of Residential, Two-Family (R-2).

Adjacent properties have the following characteristics:

<u>Location</u>	<u>Zoning</u>	<u>Comprehensive Plan</u>	<u>Land Use</u>
North	R-1	Park	Wixon Park
South	R-2	Moderate Density Residential	Vacant/Single-Family Home
East	R-2	Moderate Density Residential	Duplexes/Single-Family Homes
West	R-1	Low Density Residential	Single-Family Homes/Multi-Family

PUBLIC AND PRIVATE AGENCY COMMENTS

No comments were received from public agencies and private companies with interest in the development herein being reviewed.

PUBLIC COMMENTS RECEIVED

One public comment was received from a member of the public in regard to this application. The commenter's concerns are summarized as follows: The zoning change is incompatible with the neighborhood, the use is incompatible with the neighborhood, there are insufficient city services, there is potentially insufficient electrical services, there will be traffic congestion, the roads are insufficient, there is insufficient area for parking, there will be an increase in ambient noise, there will be increased crime, R-3 zoning allows for increased lot coverage and no building height limitation, and R-3 property brings three to five times more people.

ENVIRONMENTAL REVIEW (SEPA)

The Environmental Checklist prepared and circulated by the City of Selah identified that there are likely no direct significant adverse environmental impacts as a result of approval of the non-project Comprehensive Plan and Rezone applications.

On August 27, 2021, the City of Selah issued a Notice of Application, Environmental Review, and Public Hearing indicating that the City was inclined towards the issuance of a Determination of Nonsignificance (DNS) for this application. Following the required 15-day public comment period where all interested parties and agencies had the right to comment, and no public comments were received, a DNS was issued on September 13, 2021. The 5-day appeal period for this environmental determination lapsed on September 20, 2021, with no appeals filed.

PUBLIC NOTICE

Notice of Application and Public Hearing
 Legal Ad Publication
 Posting of Subject Property

Date Accomplished

August 27, 2021
 August 27, 2021
 September 31, 2021

COMPREHENSIVE PLAN AMENDMENT APPROVAL CRITERIA

In accordance with the provisions of the Selah Municipal Code (SMC), the following criteria must be considered in the review of any proposed amendment to the Selah Comprehensive Plan.

SMC 10.40.050: To alter the Future Land Use Map or other plan policy map, or effect a Comprehensive Plan text amendment, the proposed amendment must meet one or more of the following:

- (a) **Address circumstances that have changed since the last time the relevant Comprehensive Plan or text was considered:**

Applicant Narrative Response: "Events that have occurred in the past two years have resulted in an already tight housing market becoming even more acute".

Staff Response: *The circumstances that have changed since the 2017 Comprehensive Plan was adopted is the large amount of High Density Residential properties that have been developed over the past four years. This increase in development has greatly reduced the amount of developable High Density Residential, R-3 property within city limits that is available for future development.*

The City conducted a land use analysis of its developable properties by zoning district in July 20, 2020, which concluded that the City of Selah has 24 parcels of developable Moderate Density Residential, R-2 zoned property totaling four acres, and six parcels of High Density Residential, R-3 property totaling 16.63 acres (both developable acreages account for reductions due to Critical Areas). Following completion of the City's land use analysis, five parcels and 16.58 acres of property underwent development by Graf Investment with the Crusher Canyon apartments. This resulted in 11 acres of developable property being removed from the City's buildable lands inventory for the R-3 zoning district (after accounting for six acres of unbuildable Critical Areas). The remaining buildable 4.63 acres of R-3 property is located within one tax parcel in the vicinity of Southern Ave. and S. 5th St. There is one other R-3 parcel located directly next to the previously identified property, however due to the steepness of the property it was excluded from the analysis as unbuildable.

When the lot coverage development standards are taken into account for these two zoning districts (50% and 80%), the result is that the total number of acres available for construction of duplexes and multi-family dwellings is reduced to two acres for the R-2 zoning district, and 3.7 acres for the R-3 zoning district.

- (b) **Better implement applicable Comprehensive Plan policies than the current relevant Comprehensive Plan map or text;**

Applicant Narrative Response: “The proposal better implements Goals 5.1 and 5.2 of the comprehensive plan to encourage the availability of affordable housing and promote a variety of densities and housing stock.”

Staff Response: *The current proposal will change the property’s Future Land Use designation from Medium Density Residential to High Density Residential and Zoning from Residential, Two-Family (R-2) to Residential, Multi-Family (R-3).*

The Comprehensive Plan goals and policies which further support this request are as follows:

Objective: 2.2.1 – Encourage economic growth while maintaining quality development and controlling the cost of public improvements in Selah’s UGA.

Policies: 2.2.1.2 – Encourage development to areas where infrastructure (water, sewer, stormwater, and streets) is either present, can be easily extended, or is planned to be extended.

2.2.1.3 – Conserve land, energy and financial resources by minimizing urban sprawl.

Goal: 5.1 – Encourage the availability of affordable housing to all economic segments of the population, while maintaining the character of the community.

Objective: 5.1.2 – Maintain and upgrade the character of existing residential neighborhoods.

Goal: 5.2 – Promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.

Objective: 5.2.1 – Maintain and upgrade the character of existing residential neighborhoods.

Policies: 5.2.1.4 – Ensure codes and ordinances that promote and allow for a compatible mix of housing types in residential areas.

5.2.1.6 – Support reinvestment in deteriorating neighborhoods through strict code enforcement.

Objective: HSG 5.2.2 – Encourage new residential construction to be compatible with existing residential development.

Objective: 5.2.3 – Minimize the negative impacts of medium and high-density residential projects on adjacent low-density residential areas, but encourage mixed use/density projects.

Policies: 5.2.3.1 – Encourage multi-family dwellings to locate in areas where increased density can be used as a tool to discourage urban sprawl.

5.2.3.2 – Require high density multi-family residential projects to meet minimum site design criteria including: 1. Adequate traffic access, 2. Landscaping, 3. Off-street parking, and 4. A suburban character.

(c) Correct an obvious mapping error;

Applicant Narrative Response: “No.”

Staff Response: *This application does not involve correction of a mapping error, or other Comprehensive Plan error.*

(d) Address an identified deficiency in the Comprehensive Plan;

Applicant Narrative Response: “A shortage of property designated High Density Residential, especially with few development constraints.”

Staff Response: *City staff agrees with the statement made in the applicant's narrative. As described in question (a) above, the identified Comprehensive Plan deficiency is that the 2017 Comprehensive Plan does not currently provide a sufficient number of R-3 zoned properties for the development community to purchase and develop which are not in some way environmentally constrained. Additionally, as the City did not anticipate the Crusher Canyon properties developing as rapidly or completely as have been proposed, the issue of an insufficient number of R-3 properties is further compounded by the reduction of developable acreage of R-3 property resulting in a mere 4.63 acres of environmentally constrained property left for development. If Tax Parcel: 181302-13410 is included in this calculation this improves the overall acreage to 8.2 acres. However, it should be noted that both properties although zoned R-3 are located on the toe of the slope for Hillcrest Drive, have challenging topography, and have environmental constraints discouraging development.*

(e) Is the proposed Comprehensive Plan Amendment coordinated with, and take into consideration, the comprehensive plans adopted by Yakima County or cities with which the City of Selah has, in part, common borders or related regional issues as may be required by RCW 36.70A.100?

Applicant Narrative Response: “The proposal addresses the need for affordable housing and housing variety, a regional issue. Otherwise, the site is too small and the location too far away from other cities or the County to affect them.”

Staff Response: *This proposal is consistent with RCW 36.70A.100. This application is part of the annual Comprehensive Plan Amendment process for the City of Selah Comprehensive Plan. In this process the City of Selah coordinates this update with Yakima County for consistency between the jurisdictions.*

(f) Proposed Comprehensive Plan amendments must be consistent with the Growth Management Act (GMA), Ch. 36.70A RCW, and the Yakima County Wide Planning Policy (CWPP).

Applicant Narrative Response: "Providing for higher density development in the center of a city with available urban services is consistent with the GMA and County-wide policy."

Staff Response: *This proposal is consistent with the Growth Management Act and the Yakima County-wide Planning Policy because the proposal directs urban growth to an existing urban area and encourages infill in an area where all urban level services and facilities are currently provided. The subject properties are currently provided with an adequate transportation system, and utilities are capable of being extended by a future developer to serve the subject properties. Additionally, this application is consistent with the County Wide Planning Policies adopted within the City of Selah's Comprehensive Plan Land Use Element pages 2-2 thru 2-7.*

- (g) **Cumulative impacts of all Comprehensive Plan amendments, including those approved since the original adoption of the Comprehensive Plan, shall be considered in the evaluation of any proposed amendments.**

Applicant's Narrative Response: "Due to a lack of R-3 property, the cumulative impact of this and other plan amendments to increase its availability would be positive."

Staff Response: *The cumulative impacts of all comprehensive plan amendments are determined by the jurisdiction processing the proposed amendment. In this situation, there is no cumulative impact from the approval of this application as the proposal is to change two properties Comprehensive Plan Map Designations from Moderate Density Residential to High Density Residential, and Zoning from R-2 to R-3. All other amendments are commercial or are to recognize an existing use.*

- (h) **For Future Land Use Map changes, please provide descriptive information regarding the property, including the status of existing land use, access to sewer and water, as well as the availability of public facilities such as schools, fire and police services.**

Applicant Narrative Response: "The site has an existing single-family residence. Adequate sewer and water are available. It is accessed by paved streets. A city park directly across the street. Other public services are available."

Staff Response: *The subject properties consist of two parcels and the status of the site would be best described as a single-family home and accessory structure. The subject properties are served by the following utilities: public sewer, and water, and private power and gas. Other public services which serve the site are police, fire, and transit. Public sewer and water area available to serve the subject properties from W. Selah Ave. Wixon Park is directly N. of the subject property, as well as, Lince Elementary School.*

REZONE APPROVAL CRITERIA

In accordance with the provisions of Selah Municipal Code 10.40.050, recommendations to approve or deny proposed rezones shall include the following considerations:

- (1) **Testimony at public hearing.**

Staff Response: There is no applicant narrative response for this review criteria. Neighboring property owners within 600 feet of the subject property have been mailed a Notice of Application, Environmental Review, and Public Hearing, and have been invited to submit written and oral comments on the proposed application up to and through the public hearing. Based upon the one negative public comment received prior to the public hearing, City staff's recommendation for approval is still warranted. However, after consideration of both the written and oral public comments at the public hearing it may be appropriate for the City Planning Commission to modify the staff's recommendation.

(2) The suitability of property in question for uses permitted under the proposed zoning.

Applicant Narrative Response: "Flat developable site with available services and access. Surrounding area is characterized by moderate to high density residential use. City Park is available to future residents". The status of the existing land use is "Single-family residence".

Staff Response: The current status of the subject properties is that they are partially developed as a single-family home on one lot of record, and an accessory building on the second lot of record. The properties total approximately .86 acres in size.

The subject property is well suited for the proposed zoning of Residential, Multi-Family (R-3) as the property's Comprehensive Plan Future Land Use designation is being changed from Moderate Density Residential to High Density Residential, which directly supports the Residential, Multi-Family zoning district. The City of Selah's Comprehensive Plan 2017 states that the High Density Residential Future Land Use designation provides for "...areas of high-density residential development, up to 24 dwelling units per gross acre. Mixed use development may also be allowed where supported by adopted Comprehensive Plan or Sub-Area Plan policies. Each development is intended to provide usable open space for the enjoyment of the residents therein. The primary use is multi-family (i.e., apartments, townhouse and condominium) dwellings. The High Density Residential Future Use category is designed to accommodate compact development served by municipal utility services. Additionally, the City's Zoning Ordinance Title 10 provides that the purpose of the R-3 zoning district is to, "...provide for and protect for high density residential development. The zoning district is designated to be used in areas where urban governmental services are currently available or will be extended by the proponent to facilitate development at no public cost. Full urban services area required for R- 3 developments."

As described in the above Application Background section of this report, the surrounding block is comprised of (21) single-family dwellings, (3) two-family dwellings, along with several (3) four-to-five-unit multi-family residential dwellings. Per the above-described R-3 purpose statements, the R-3 zoning district development standards require that each new development will have 20 percent of the property left in open space greenspace/landscaping for the enjoyment of the residents, two parking stalls per dwelling unit, four percent of the total parking area landscaped, and a maximum of 21 dwelling units can be built on the subject properties. The subject properties have all urban services including water, sewer, stormwater, gas, and electrical available in Selah Ave. which are capable of being extended to serve the subject properties. Police and Fire serve within the City of Selah, and public transit is provided at the Selah Civic Center, and Wixon park and the Selah pool are just across the street to provide additional recreation area for this high-density development.

Therefore, based upon the above mix of dwelling unit types, age, transition of the surrounding neighborhood from single-family to multi-family dwellings, required development standards, and

the neighborhood was zoned R-2 by the City of Selah, and older homes have been demolished and replaced with multi-family dwellings. Furthermore, the one public comment in opposition to this application is a strong indicator to the City Planning Department that the proposed rezone request is largely accepted by the surrounding neighborhood, and that little to no incompatibility exists to deny this requested application.

(7) The public need for the proposed change.

Applicant Response: "Selah has very little R-3 zoned property. This will allow for a better balance of growth for the future of the City of Selah."

Staff Response: *The public need for the proposed change is documented above in 10.40.050 (d), which explains that due to recent high-density development within the City, there is no longer a sufficient amount of R-3 zoned properties or acreage of property to meet the City's Multi-Family housing projections for its 2037 population. While the subject parcels are small in size, approval of this rezone to R-3 would add .86 acres of developable R-3 property to the City's zoning map.*

DETERMINATION OF CONSISTENCY

During project review it has been determined that this request is in compliance with SMC for making a Determination of Consistency as follows:

- a) The Residential, Multi-Family zoning district is fully supported by the subject properties High Density Residential Comprehensive Plan Future Land Use designation.
- b) The density of the development is not a factor with this application as the application is a non-project Comprehensive Plan Map Amendment and Rezone.
- c) Adequate public facilities are available to serve the site.

CONCLUSIONS

1. The amendment and rezone are minor in nature.
2. No adverse impacts have been identified by the approval of this amendment request.
3. The requested Comprehensive Plan Map Amendment and Rezone will provide additional High Density Residential, and Residential, Multi-Family designated property to better meet the housing needs of the City's 2037 Comprehensive Plan.
4. The property is served by all necessary public utilities.
5. Domestic water and sanitary sewer are provided by City of Selah.
6. All criteria for approval of Comprehensive Plan Map Amendments and Rezones have been satisfied by this application.

RECOMMENDATIONS

The City of Selah Planning Department recommends **APPROVAL** of this map amendment request and rezone from Moderate Density Residential to High Density Residential to accommodate a concurrent rezone from Residential, Two-Family (R-2) to Residential, Multi-Family (R-3).

availability of public utilities and services, the City Planning department finds that the subject properties are suitable for R-3 zoning, and the permitted use of multi-family housing.

(3) The recommendations from interested agencies and departments.

Staff Response: *There is no applicant narrative response for this review criteria. No agencies or departments have registered any opposition to this rezone request.*

(4) How is the rezone request in compliance with and/or how does the request deviate from the Selah Urban Area Comprehensive Plan.

Applicant Response: "Consistent with encouraging the availability of affordable housing and promotes a variety of residential densities. Comprehensive plan does not restrict rezoning to high density in existing moderate density residential areas as it does in low density areas."

Staff Response: *This rezone request is in compliance with the City of Selah 2017 Comprehensive Plan because the applicant is proposing to amend the subject property's Comprehensive Plan Future Land Use designation to High Density Residential. Provided the Comprehensive Plan Map Amendment is approved, the future use of the subject property as multi-family dwellings and R-3 zoning will implement the Comprehensive Plan's definition of the High Density Residential Land Use designation. The High Density Residential Future Land Use designation provides for "...areas of high-density residential development, up to 24 dwelling units per gross acre. Mixed use development may also be allowed where supported by adopted comprehensive plan or sub-area plan policies. Each development is intended to provide usable open space for the enjoyment of the residents therein. The primary use is multi-family (i.e., apartments, townhouse and condominium) dwellings. The High Density Residential Future Use category is designed to accommodate compact development served by municipal utility services."*

See question 10.40.040 (b) above for a list of supporting Comprehensive Plan Goals and Policies.

(5) The adequacy of public facilities, such as roads, sewer, water, and other required public services.

Applicant Response: "Yes." "Public facilities area capable of supporting the most intensive use of the R-3 zone."

Staff Response: *This development can or is served by all public utilities and services.*

(6) The compatibility of the proposed zone change and associated uses with neighboring land uses.

Applicant Response: "Potential land use is consistent with existing land use of the surrounding area." No mitigating measures are planned to address incompatibilities as "we are asking for a non-project rezone. These will be addressed at the project stage."

Staff Response: *Although the subject properties are located in an established mixed dwelling type neighborhood, with the majority of the dwellings being single-family, the rezoning of the two properties to R-3 can be considered compatible with their surroundings as there is clear evidence that the previous R-1 neighborhood has been transitioning to higher densities since*

July 29, 2021

Jeff Peters
Selah Planning Division
222 S. Rushmore Road
Selah, WA 98942

RE: 310 Partners, LLC; Comprehensive Plan Map Amendment & rezone

Dear Jeff:

Enclosed with this letter are an application and SEPA checklist for comprehensive plan map amendment and rezone of the property at 310 W. Selah Avenue.

As referenced in the application, the applicant and property owner is 310 Partners, LLC. Please contact me with any questions about the application and provide us with copies of notices and correspondence that would typically be sent to the applicant.

Sincerely,



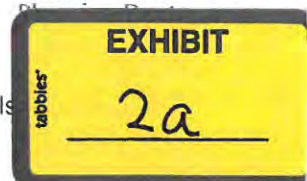
Thomas R. Durant
Planning Manager

Enc.

Received

JUL 30 2021

By MH
City of Selah





LAND USE APPLICATION

City of Selah Planning Department 222 S Rushmore Road, Selah WA 98942

Phone: (509) 698-7365 Email: jeff.peters@selahwa.gov

INSTRUCTIONS – PLEASE READ FIRST Please type or print your answers clearly.

Answer all questions completely. If you have any questions about this form or the application process, please ask a Planner. Remember to bring all necessary attachments and the required filing fee when the application is submitted. The Planning Division cannot accept an application unless it is complete and the filing fee paid. Filing fees are not refundable.

This application consists of four parts. PART I - GENERAL INFORMATION AND PART IV – CERTIFICATION are on this page. PART II and III contain additional information specific to your proposal and MUST be attached to this page to complete the application.

PART I – GENERAL INFORMATION

1. Applicant's Information:	Name:	310 Partners, LLC			
	Mailing Address:	11 E. First Ave, Suite 1			
	City:	Selah	St:	WA	Zip: 98942 Phone: (509) 697-3300
	E-Mail:				
2. Applicant's Interest in Property:	Check One:	<input checked="" type="checkbox"/> Owner	<input type="checkbox"/> Agent	<input type="checkbox"/> Purchaser	<input type="checkbox"/> Other _____
3. Property Owner's Information (If other than Applicant):	Name:	same			
	Mailing Address:				
	City:		St:		Zip: _____ Phone: () _____
	E-Mail:				

4. Subject Property's Assessor's Parcel Number(s): **181302-11436, 181302-11437**

5. Legal Description of Property. (if lengthy, please attach it on a separate document)

The East and West halves of Lot 3, Block 2, South Selah Tracts

6. Property Address: **310 W. Selah Ave**

7. Property's Existing Zoning:

LDSF R-1 R-2 R-3 B-1 B-2 M-1

8. Type Of Application: (Check All That Apply)

<input checked="" type="checkbox"/> Comprehensive Plan Amendment	<input checked="" type="checkbox"/> Environmental Checklist (SEPA Review)	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Transportation Concurrency	<input checked="" type="checkbox"/> Rezone	<input type="checkbox"/> Other: _____

PART II – SUPPLEMENTAL APPLICATION, PART III – REQUIRED ATTACHMENTS, & PART IV – NARRATIVE

SEE ATTACHED SHEETS

PART V – CERTIFICATION

I certify that the information on this application and the required attachments are true and correct to the best of my knowledge.

Property Owner's Signature

Date

7-29-2021

Applicant's Signature

Date

7-29-2021



Supplemental Application For:
**COMPREHENSIVE PLAN
 AMENDMENT**

City of Selah Planning Department 222 S Rushmore Road, Selah WA 98942
 Phone: (509) 698-7365 Email: jeff.peters@selahwa.gov

PART II - APPLICATION INFORMATION

1. TYPE OF APPLICATION: Comprehensive Plan Text Amendment Future Land Use Map Amendment

2. EXISTING ZONING OF SUBJECT PROPERTY:

LDSF R-1 R-2 R-3 B-1 B-2 M-1

3. DESIRED ZONING OF SUBJECT PROPERTY:

LDSF R-1 R-2 R-3 B-1 B-2 M-1

4. EXISTING LAND USE DESIGNATION:

Low Density Residential Moderate Density Residential High Density Residential Commercial
 Industrial Industrial Sprayfield

5. DESIRED FUTURE LAND USE DESIGNATION:

Low Density Residential Moderate Density Residential High Density Residential Commercial
 Industrial Industrial Sprayfield

6. PUBLIC FACILITIES AND SERVICES AVAILABLE:

Transportation Rights-Of-Way Police And Fire Protection Parks And Trails Schools
 Water Sewer Storm Drainage Electricity Natural Gas Telephone Cable TV

PART III - REQUIRED ATTACHMENTS

1. **MAPS:** Maps of the subject property indicating roads, any area designated as critical areas, the future land use designation of adjacent properties, and current & proposed future land use designations. Maps are to be provided in both an 8-1/2" by 11" and 11" by 17" format and to a standard engineering scale (e.g. 1:20).

2. **SUBMITTAL FOR POLICY/REGULATORY AMENDMENTS:** Identification of the proposed amendment indicating the section and paragraph location for the current Comprehensive Plan provision sought to be changed, if any, and including, for text amendments, the specific text sought to be added or amended. (attach)

3. **WRITTEN NARRATIVE** (required, see attached): (stating the reasons for the request for the amendment and explaining how the proposed amendment meets the criteria in SMC 10.40.050)

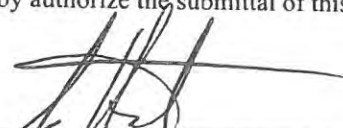
4. **TRAFFIC CONCURRENCY** (may be required)

5. **ENVIRONMENTAL CHECKLIST** (required)

6. **SITE PLAN** (see attached)

7. **AUTHORIZATION:**

I hereby authorize the submittal of this Comprehensive Plan Amendment Application to the City of Selah for review.



 Property Owner Signature (required)

7.29.2021

 Date

Note: if you have any questions about this process, please contact us City of Selah, Planning Division, 222 S Rushmore Rd. Selah, WA 98942 or (509) 698-7365



Supplemental Application For:
**COMPREHENSIVE PLAN
AMENDMENT**

PART IV – NARRATIVE (SUBMIT ANSWERS ON SEPARATE SHEET OF PAPER IF NEEDED)

1. Does your proposal address circumstances that have changed since the last time the relevant comprehensive plan map or text was considered? If so, how?

Events that have occurred in the past two years have resulted in an already tight housing market becoming even more acute.

2. Does your proposal better implement applicable comprehensive plan policies than the current relevant comprehensive plan map or text? If so, how?

The proposal better implements Goals 5.1 and 5.2 of the comprehensive plan to encourage the availability of affordable housing and promote a variety of densities and housing stock.

3. Does your proposal correct an obvious mapping error? If so, what is the error?

No.

4. Does your proposal address an identified deficiency in the Comprehensive Plan? If so, what is the deficiency?

A shortage of property designated High Density Residential, especially with few development constraints.

5. Is the proposed Comprehensive Plan Amendment coordinated with, and take into consideration, the comprehensive plans adopted by Yakima County or cities with which the City of Selah has, in part, common borders or related regional issues as may be required by RCW 36.70A.100? If so, how?

The proposal addresses the need for affordable housing and housing variety, a regional issue. Otherwise the site is too small and the location too far away from other cities or the County to affect them.

6. Is the proposed Comprehensive Plan Amendment consistent with the Growth Management Act (GMA), RCW Ch. 36.70A, and the Yakima County-Wide Planning Policy (CWPP)? If so, how?

Providing for higher density development in the center of a city with available urban services is consistent with the GMA and County-wide policy.

7. Have the cumulative impacts of all comprehensive plan amendments been considered in the evaluation of the proposed amendment? If so, how?

Due to a lack of R-3 property, the cumulative impact of this and other plan amendments to increase its availability would be positive.

8. For Future Land Use Map changes please provide descriptive information regarding the property, including the status of existing land use, access to sewer and water, as well as the availability of public facilities such as schools, fire and police services.

The site has an existing single family residence. Adequate sewer and water are available. It is accessed by paved streets. A city park directly across the street. Other public services are available.



Supplemental Application For:
REZONES

PART II - APPLICATION INFORMATION

1. EXISTING ZONING OF SUBJECT PROPERTY:

LDSF R-1 R-2 R-3 B-1 B-2 M-1

2. DESIRED ZONING OF SUBJECT PROPERTY:

LDSF R-1 R-2 R-3 B-1 B-2 M-1

3. ZONING OF ADJOINING PROPERTY (check all that apply):

LDSF R-1 R-2 R-3 B-1 B-2 M-1

4. EXISTING FUTURE LAND USE DESIGNATION:

Low Density Residential Moderate Density Residential High Density Residential Commercial
 Industrial Industrial Sprayfield

5. PROPOSED FUTURE LAND USE DESIGNATION:

Is there a proposed change to the Future Land Use Map? **Yes**

If so what is the proposed future land use designation?

Low Density Residential Moderate Density Residential High Density Residential Commercial
 Industrial Industrial Sprayfield

6. PUBLIC FACILITIES AND SERVICES AVAILABLE:

Transportation Rights-Of-Way Police And Fire Protection Parks And Trails Schools Water
 Sewer Storm Drainage Electricity Natural Gas Telephone Cable TV

PART III - REQUIRED ATTACHMENTS

1. **WRITTEN NARRATIVE** (required): (stating the reason for the request for the rezone, explaining how the proposed amendment meets the proposed rezone request)

2. **ENVIRONMENTAL CHECKLIST** (required)

3. **TRAFFIC CONCURRENCY** (may be required)

4. **SITE PLAN** (required if the rezone is associated with land use development)

5. **AUTHORIZATION:**

I hereby authorize the submittal of this Rezone or Text Amendment Application to the City of Selah for review.


Property Owner Signature (required)

7-29-2021
Date



Supplemental Application For:
REZONES

PART IV – NARRATIVE (SUBMIT ANSWERS ON SEPARATE SHEET OF PAPER IF NEEDED)

1. How is the subject property suitable for uses permitted under the proposed zoning?

Flat developable site with available services and access. Surrounding area is characterized by moderate to high density residential use. City park is available to future residents.

What is the status of existing land use?

Single-family residence.

2. How is the rezone request in compliance with and/or how does the request deviate from the Selah Urban Area Comprehensive Plan?

Consistent with encouraging the availability of affordable housing and promotes a variety of residential densities. Comprehensive plan does not restrict rezoning to high density in existing moderate density residential areas as it does in low density areas.

3. Are there adequate public facilities, such as traffic capacity, sewer services, potable water, stormwater drainage, schools, fire and police services, and other public services and infrastructure existing on and around the subject property?

Yes.

Are the existing public facilities capable of supporting the most intensive use of the new (requested) zone? If not, what mitigating measures are going to be implemented to address any short falls in public services that may exist?

Public facilities area capable of supporting the most intensive use of the R-3 zone.

4. How is the proposed zone change compatible with the existing neighboring uses?

Potential land use is consistent with existing land use of the surrounding area.

What mitigating measures are planned to address incompatibility, such as sitescreening, buffering building design, open space traffic flow alteration, etc.?

We are asking for a non-project rezone. These will be addressed at the project stage.

5. What is the public need for the proposed change?

Selah has very little R-3 zoned property. This will allow for a better balance of growth for the future of the City of Selah.



ENVIRONMENTAL CHECKLIST

STATE ENVIRONMENTAL POLICY ACT (SEPA)
(AS TAKEN FROM WAC 197-11-960)

PURPOSE OF CHECKLIST

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

INSTRUCTIONS FOR APPLICANTS

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process. The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help you describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

USE OF CHECKLIST FOR NONPROJECT PROPOSALS

For non-project proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project", "applicant", and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B – Environmental Elements – that do not contribute meaningfully to the analysis of the proposal.

A. BACKGROUND INFORMATION (To be completed by the applicant.)

1. Name Of Proposed Project (If Applicable):

310 Selah Ave

2. Applicant's Name & Phone:

3. Applicant's Address:

4. Contact Person & Phone:

5. Agency Requesting Checklist: City of Selah

6. Proposed Timing Or Schedule (Including Phasing, If Applicable):

None

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain:

Development of the site consistent with the zoning.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal:

None

A. BACKGROUND INFORMATION (To be completed by the applicant.)

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain:

None

10. List any government approvals or permits that will be needed for your proposal, if known:

None

11. Give a brief, but complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.):

this is a proposal of a non project
rezone from R-2 to R-3. the property
is .86 of an acre.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist:

310 Selah ave
Selah WA

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

EARTH

1. General description of the site (✓ one):

flat rolling hilly steep slopes mountainous other: _____

2. What is the steepest slope on the site (approximate percent slope)?

maybe 1%

3. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

DIA grass, rock on driveway.
NO SOILS to be removed.

4. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

NO

5. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

NONE

6. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

NO

7. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

N/A

8. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

N/A

AIR

1. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

N/A

2. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

NO

3. Proposed measures to reduce or control emissions or other impacts to air, if any:

N/A

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

SURFACE WATER

1. Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

NO

2. Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

NO

3. Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

NONE

4. Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

NO

5. Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

NO

6. Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

NO

GROUND WATER

1. Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

NO

2. Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

N/A

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

WATER RUNOFF (INCLUDING STORM WATER)

- 1. Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

NO RUNOFF
- 2. Could waste materials enter ground or surface waters? If so, generally describe.

NO
- 3. Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

NO
- 4. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

None

PLANTS

- 1. Check (✓) types of vegetation found on the site:

Deciduous Trees: <input type="checkbox"/> Alder <input checked="" type="checkbox"/> Maple <input type="checkbox"/> Aspen <input type="checkbox"/> Other	Evergreen Trees: <input type="checkbox"/> Fir <input type="checkbox"/> Cedar <input checked="" type="checkbox"/> Pine <input type="checkbox"/> Other	Wet Soil Plants: <input type="checkbox"/> Cattail <input type="checkbox"/> Buttercup <input type="checkbox"/> Bullrush <input type="checkbox"/> Skunk Cabbage <input type="checkbox"/> Other	Water Plants: <input type="checkbox"/> Milfoil <input type="checkbox"/> Eelgrass <input type="checkbox"/> Water Lily <input type="checkbox"/> Other	Other: <input type="checkbox"/> Shrubs <input type="checkbox"/> Grass <input type="checkbox"/> Pasture <input type="checkbox"/> Crop Or Grain <input type="checkbox"/> Orchards, vineyards, or other permanent crops <input type="checkbox"/> Other types of vegetation
---	--	---	---	---
- 2. What kind and amount of vegetation will be removed or altered?

None
- 3. List threatened or endangered species known to be on or near the site.

None
- 4. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

None
- 5. List all noxious weeds and invasive species known to be on or near the site.

None

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

ANIMALS

1. List any birds or other animals which have been observed on or near the site or are known to be on or near the site.

Examples include:

birds: hawk, heron, eagle, songbirds, other:

mammals: deer, bear, elk, beaver, other:

fish: bass, salmon, trout, herring, shellfish, other:

Birds, cats, dogs

2. List any threatened or endangered species known to be on or near the site.

None

3. Is the site part of a migration route? If so, explain.

NO

4. Proposed measures to preserve or enhance wildlife, if any:

None

5. List any invasive animal species known to be on or near the site.

None

ENERGY AND NATURAL RESOURCES

1. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

N/A

2. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

NO

3. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

None

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

ENVIRONMENTAL HEALTH

1. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, describe.

NO

2. Describe any known or possible contamination at the site from present or past uses.

None

3. Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

None

4. Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

None

5. Describe special emergency services that might be required.

None

6. Proposed measures to reduce or control environmental health hazards, if any:

None

NOISE

1. What types of noise exist in the area, which may affect your project (for example: traffic, equipment, operation, other)?

None

2. What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Normal living in existing noise

3. Proposed measures to reduce or control noise impacts, if any:

None

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

LAND AND SHORELINE USE

1. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

R-2 Residential

2. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

NO

3. Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversized equipment access, the application of pesticides, tilling, and harvesting? If so, how?

NO

4. Describe any structures on the site.

house, garage, shed

5. Will any structures be demolished? If so, what?

NO

6. What is the current zoning classification of the site?

R-2

7. What is the current comprehensive plan designation of the site?

moderate density

8. If applicable, what is the current shoreline master program designation of the site?

N/A

9. Has any part of the site been classified as a critical area by the city or county? If so, specify.

NO

10. Approximately how many people would reside or work in the completed project?

None

11. Approximately how many people would the completed project displace?

None

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

LAND AND SHORELINE USE

12. Proposed measures to avoid or reduce displacement impacts, if any.

N/A

13. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

None

14. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any:

N/A

HOUSING

1. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

N/A

2. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

N/A

3. Proposed measures to reduce or control housing impacts, if any:

N/A

AESTHETICS

1. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

None

2. What views in the immediate vicinity would be altered or obstructed?

N/A

3. Proposed measures to reduce or control aesthetic impacts, if any:

N/A

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

LIGHT AND GLARE

1. What type of light or glare will the proposal produce? What time of day would it mainly occur?

N/A

2. Could light or glare from the finished project be a safety hazard or interfere with views?

N/A

3. What existing off-site sources of light or glare may affect your proposal?

N/A

4. Proposed measures to reduce or control light and glare impacts, if any:

N/A

RECREATION

1. What designated and informal recreational opportunities are in the immediate vicinity?

N/A

2. Would the proposed project displace any existing recreational uses? If so, describe.

N/A

3. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

N/A

HISTORIC AND CULTURAL PRESERVATION

1. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe.

NO

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

HISTORIC AND CULTURAL PRESERVATION

2. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

NO

3. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

None

TRANSPORTATION

1. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

See site plan

2. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

NO

3. How many parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

N/A

4. Will the proposal require any new or improvements to existing roads, streets, pedestrian bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

N/A

5. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

NO

6. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and non-passenger vehicles). What data or transportation models were used to make these estimates?

N/A

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

TRANSPORTATION

7. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe:

NO

8. Proposed measures to reduce or control transportation impacts, if any:

None

PUBLIC SERVICES

1. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe:

N/A

2. Proposed measures to reduce or control direct impacts on public services, if any.

N/A

UTILITIES

1. Check (✓) utilities currently available at the site:

- electricity
- natural gas
- water
- refuse service
- telephone
- sanitary sewer
- septic system
- other _____

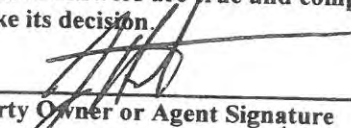
2. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

N/A

C. SIGNATURE (To be completed by the applicant.)

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Property Owner or Agent Signature


Joe Hurst

Date Submitted

7.29.2021

Name of Signee

Position and Agency/Organization

Partner

**PLEASE COMPLETE SECTION "D" ON THE NEXT PAGES
IF THERE IS NO PROJECT RELATED TO THIS ENVIRONMENTAL REVIEW**

D. Supplemental sheet for nonproject actions [\[HELP\]](#)

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

Any development of the rezoned property would result in some increase in air emissions from construction dust, vehicle exhaust and increased noise from vehicles and increased activity.

Proposed measures to avoid or reduce such increases are:

Dust control measures taken during construction. Given the existing zoning and currently allowable density, an increase in any of these effects is going to be incremental over that which could result from maximum development of the site as allowed without the proposed rezone and map amendment.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

Vegetation on the site will be removed as necessary to accommodate development. Since most of the site is now undeveloped, there would be less replacement vegetation than that currently existing when the site is developed. That would also be the case if the site is developed to the maximum allowable under its current zoning and land use designation.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

Existing vegetation on the site consists of residential landscaping. Landscaping including vegetation would be provided for new development.

3. How would the proposal be likely to deplete energy or natural resources?

The use of energy and natural resources as necessary to develop the site including the use of fuel and building materials. Energy and resource use typical of a residential area. Depletion of energy and natural resources by higher density development should be less on a per person basis resulting in a potential

reduction if future residents of development of this site would otherwise live in lower density areas.

Proposed measures to protect or conserve energy and natural resources are:

None are proposed given the relatively small size of the site and any development that would occur on it. Also, the likely insignificant difference between energy requirements and natural resource use associated with the development of the site as allowed by the rezone and the requirements for maximum development under the existing zoning and land use classification.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

Effects from the proximity of the site to Wixson Park across Selah Avenue to the north include some benefits. Higher density development that would be allowed under the proposed rezone would provide for an incremental increase in the number of people living in the neighborhood who may use the park. Proximity of the site to the park would reduce the need for the additional residents to take up parking spaces at the park. Also, the recreational benefits of having a city park available to the residents of higher density residential development suggests that proximity to the park is itself a public benefit.

Proposed measures to protect such resources or to avoid or reduce impacts are:

None are proposed because of the benefits. Any adverse impacts should be minimal. Also, land use compatibility of the park and residential development and the incremental difference between park users from maximum development allowed by existing zoning and that which could be allowed under the proposal.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

Residential development allowed under the proposed rezone and plan amendment would have a higher density than that allowed under the current zoning and land use designation, the increase being limited by other zoning standards such as setbacks, lot coverage, parking requirements, etc. High density residential development is not generally considered to be incompatible with the moderate density designation of surrounding residential properties. This is as indicated in the comprehensive plan which does not discourage rezoning to High Density Residential classifications in Moderate Density Residential

designated areas in the same way as it does in Low Density Residential. Otherwise, there are no indications from plan policies that the moderate and high-density categories are incompatible.

Proposed measures to avoid or reduce shoreline and land use impacts are:

Zoning ordinance bulk, lot size and other standards would limit density to less than that in which it would start to have compatibility impacts.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

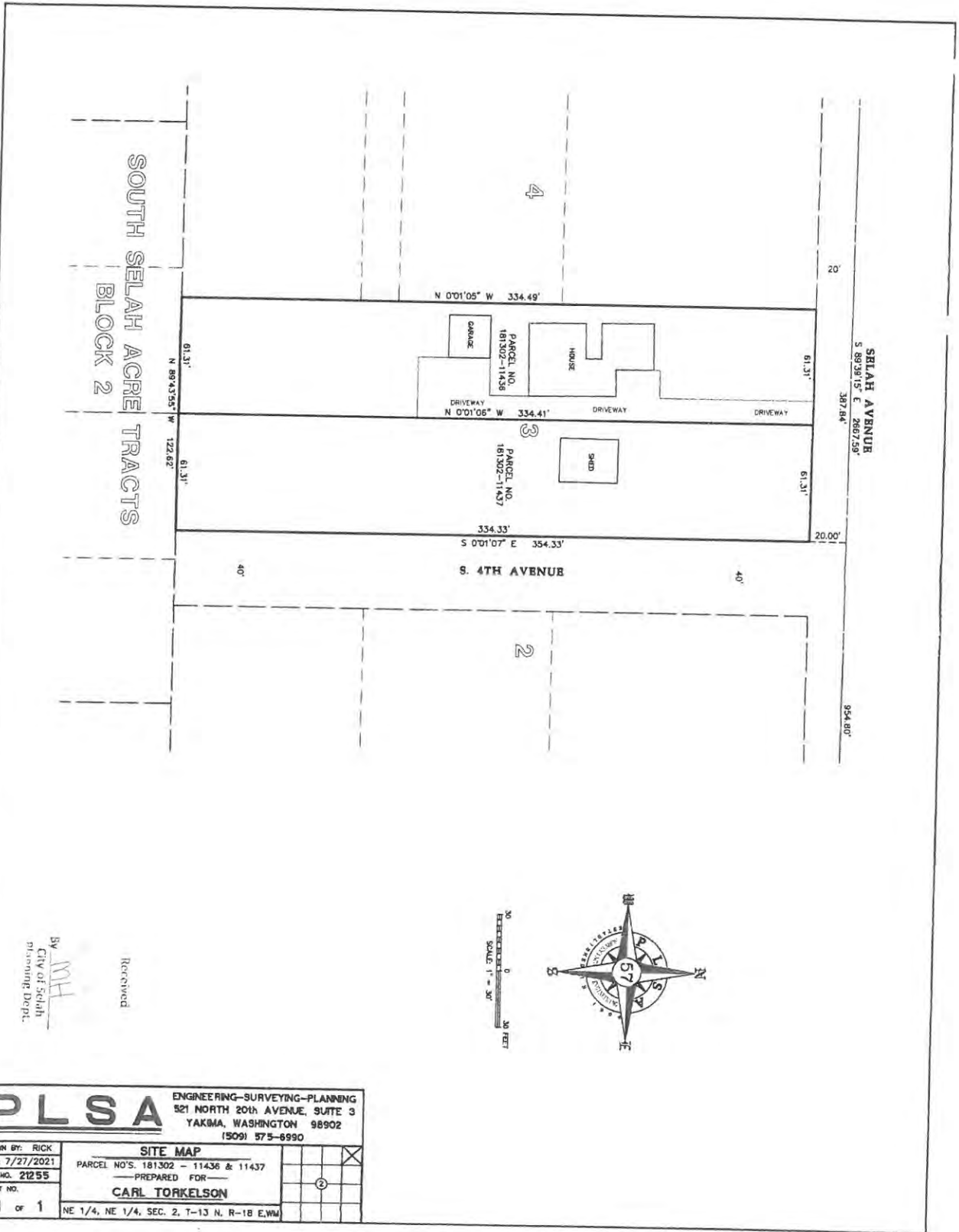
There would be some increase in traffic and demand for public services and utilities but not substantial comparing potential density to that which would be allowed under the current zoning and plan designation.

Proposed measures to reduce or respond to such demand(s) are:

None proposed. Existing City infrastructure and services should be able to accommodate the additional number of dwelling units that would be allowed under the proposed zoning and land use designation.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

None identified.



SOUTH SELAH ACRE TRACTS
BLOCK 2

SELAH AVENUE
S 89°38'15" E 2867.59'
387.84'

954.80'

N 0°01'05" W 334.49'

PARCEL NO.
181302-11436
GARAGE

HOUSE

DRIVEWAY N 0°01'06" W 334.41'

3

PARCEL NO.
181302-11437

SHED

S 0°01'07" E 354.33'

8. 4TH AVENUE



30
0
30 FEET
SCALE 1" = 30'

By *MH*
City of Selah
Planning Dept.

Received

PLSA		ENGINEERING-SURVEYING-PLANNING 521 NORTH 20th AVENUE, SUITE 3 YAKIMA, WASHINGTON 98902 (509) 575-6990
DRAWN BY: RICK	SITE MAP	
DATE: 7/27/2021	PARCEL NO'S. 181302 - 11436 & 11437	
JOB NO. 21255	PREPARED FOR	
SHEET NO.	CARL TORKELSON	
1 of 1	NE 1/4, NE 1/4, SEC. 2, T-13 N. R-18 E.WM	



CITY OF SELAH

Planning Department • 222 South Rushmore RD. • Selah, WA 98942 • Ph: (509) 698-7365 •
www.selahwa.gov

CITY OF SELAH NOTICE OF APPLICATION & ENVIRONMENTAL REVIEW OPPORTUNITY TO PROVIDE COMMENT AND NOTICE OF PUBLIC HEARING

Application/Project Description: The City of Selah Planning Department has received an application for a Comprehensive Plan Map Amendment, Rezone and Environmental Review of the subject properties from 310 Partners, LLC. The applicants are requesting to change the subject properties Future Land Use Map designation from Moderate Density Residential to High Density Residential, as well as requesting a concurrent rezone of the subject properties from Residential, Two-Family (R-2) to Residential, Multi-Family (R-3) (see attached documents for further details).

Date of Notice: August 27, 2021

Applicant: Thomas R. Durant, PLSA Engineering and Surveying (on behalf of property owner)

Property Owner: 310 Partners, LLC

Project Address: 310 W. Selah Ave., Selah, WA 98942

Tax Parcel Number: 181302-11436, and 181302-11437

File Numbers: COMP-2021-003, 914-2021-002, & SEPA-2021-006

These applications were determined complete for processing on August 23, 2021. The decision on these applications will be made within one-hundred twenty days of the determination of complete application.

Approvals, Actions and Required Studies: Comprehensive Plan Map Amendment, Rezone, and Environmental Review.

Environmental Review: This is to notify all the public and private agencies with jurisdiction and environmental expertise that the City of Selah Planning Department has been established as the lead agency, pursuant to the Washington State Environmental Policy Act (SEPA) for the above stated project:

The City of Selah is presently inclined towards the issuance of a Determination of Non Significance (DNS) on this project. WAC 197-11-355 process is being used. This may be your only opportunity to comment on the environmental impacts of the proposed project.

The following conditions have been identified that may be used to mitigate the adverse environmental impacts of the proposal: None

Required Permits: None

Required Studies: None

Existing Environmental Documents: None

Preliminary determination of the development regulations that will be used for project mitigation and consistency: Zoning Ordinance, Comprehensive Plan, and Sub Area Plan.

Request for Written Comments on the Proposal: Written comments concerning the proposed Comprehensive Plan Amendment, Rezone and Environmental Checklist applications will be accepted during the public comment period that ends at **5:00 p.m. on September 10, 2021.**

EXHIBIT

tabbies

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You may mail your comments to Selah Planning Department, 222 So. Rushmore Road, Selah, WA 98942, send them by fax to (509) 698-7372 or by e-mail to jeff.peters@selahwa.gov. Reference File Numbers: COMP-2021-003, 914-2021-002, & SEPA-2021-006 or "310 Partners" in your correspondence.

Open Record Public Hearing: These applications require that the City of Selah Planning Commission conduct an open record public hearing for the applicant's Comprehensive Plan Map Amendment and Rezone. This public hearing has been scheduled for **October 5, 2021**, beginning at 5:30 p.m. in the Council Chambers, City Hall, 115 W. Naches Ave. Any person desiring to express their views on this matter are invited to attend the public hearing or to submit their written comments to the above address. All interested persons may appear and provide testimony on the application. At the conclusion of the public hearing, the Planning Commission will consider the matter and issue a recommendation to the City Council for approval, approval with conditions, or denial of the proposal.

COVID-19 Hearing Notification: Interested parties, please be advised in accordance with the multiple proclamations by the Governor of the State of Washington, (in particular proclamation 20-28) guidance from the State Attorney General on the requirements of the Open Public Meetings Act, directives by the State Health Department and Yakima Health District regarding COVID-19, the above scheduled public hearing may be held by electronic and telephonic means via Zoom. Procedures for attendance of this closed record public hearing will be provided on the City of Selah Planning Commission's website along with the Planning Commission meeting agenda ten days prior to the scheduled meeting (<https://selahwa.gov/planning/planning-commission/>).

Application information including the SEPA environmental checklist and maps detailing the proposal are available during regular business hours at the Planning Department at 222 South Rushmore Road, Selah, Washington 98942, or online at <https://selahwa.gov/planning/sepa/>. The staff report will be available approximately one week before the hearing. Contact the Planning Department with project, procedural or environmental questions.



El Sol de Yakima

-Ad Proof-

This is the proof of your ad scheduled to run on the dates indicated below.
Please proof read notice carefully to check spelling and run dates,
if you need to make changes

Date:	08/24/21
Account #:	110017
Company Name:	CITY OF SELAH
Contact:	Angela Dean,AP
Address:	115 W NACHES AVENUE SELAH, WA 98942
Telephone:	(509) 698-7327
Fax:	

Account Rep:	Simon Sizer
Phone #	(509) 577-7740
Email:	ssizer@yakimaherald.com
Ad ID:	984366
Start:	08/27/21
Stop:	08/27/21
Total Cost:	\$370.00
Lines:	200.0
# of Inserts:	1
Ad Class:	6021

Run Dates:	
Yakima Herald-Republic	08/27/21

Received

AUG 28 2021

By *MH*

EXHIBIT

36

tabbles

City of Selah Notice of Application, Environmental Review & Public Hearings: The City of Selah is hereby providing Public Notice and Opportunity to Comment, State Environmental Policy Act Review, and Notice of Scheduled Public Hearing for the following Comprehensive Plan Map Amendment, Rezone and Environmental Review applications:

1. Property Owner: 310 Partners, LLC; **Project Address:** 310 W. Selah Ave., Selah, WA 98942; **Tax Parcel Number:** 181302-11436, and 181302-11437; **File Numbers:** COMP-2021-003, 914-2021-002, & SEPA-2021-006; **Application/Request:** Future Land Use Map designation change from Moderate Density Residential to High Density Residential, as well as requesting a concurrent rezone of the subject properties from Residential, Two-Family (R-2) to Residential, Multi-Family (R-3).

2. Property Owner: City of Selah; **Project Address:** Vicinity of Naches Ave. and 4th St., Selah, WA 98942; **Tax Parcel Number:** 181435-41454; **File Numbers:** COMP-2021-001, 914-2021-003, & SEPA-2021-007; **Application/Request:** Future Land Use Map designation change from Semi Public/Open Space to Commercial, as well as requesting a concurrent rezone of the subject properties from Residential, Single-Family (R-1) to Residential, Business, General (B-2) to support the future construction of a police station/city hall.

3. Property Owner: Scott & Victoria Catron; **Project Address:** 705 and 705 ½ Bartlett Ave., Selah, WA 98942; **Tax Parcel Number:** 181435-42005; **File Numbers:** COMP-2021-002, 914-2021-001, & SEPA-2021-005; **Application/Request:** Future Land Use Map designation change from Low Density Residential to Moderate Density Residential, as well as requesting a concurrent rezone of the subject properties from Residential, Single-Family (R-1) to Residential, Two-Family (R-2) to bring the property's Comprehensive Plan and Zoning designation into conformance with the property's current and historic use.

Environmental Review: This is to notify all the public and private agencies with jurisdiction and environmental expertise that the City of Selah Planning Department has been established as the lead agency, pursuant to the Washington State Environmental Policy Act (SEPA) for the above stated projects: The City of Selah is presently inclined towards the issuance of a Determination of Non Significance (DNS) on these projects. WAC 197-11-355 process is being used. This may be your only opportunity to comment on the environmental impacts of these proposed projects. The following conditions have been identified that may be used to mitigate the adverse environmental impacts of the proposal: None; Required Permits: None; Required Studies: None; Existing Environmental Documents: None

Preliminary determination of the development regulations that will be used for project mitigation and consistency: Zoning Ordinance, Comprehensive Plan, and Sub Area Plan; **Request**

for Written Comments on the Proposals: Written comments concerning the above described Comprehensive Plan Amendments, Rezones and Environmental Checklist applications will be accepted during the public comment period that ends at 5:00 p.m. on September 10, 2021. You may mail your comments to Selah Planning Department, 222 So. Rushmore Road, Selah, WA 98942, send them by fax to (509) 698-7372 or by e-mail to jeff.peters@selahwa.gov. Please reference the above file numbers or property owner name in your correspondence. **Open Record Public Hearing:** The above described applications require that the City of Selah Planning Commission conduct an open record public hearing for the applicant's/property owner's Comprehensive Plan Map Amendment and Rezone. These public hearings has been scheduled for October 5, 2021, beginning at 5:30 p.m. in the Council Chambers, City Hall, 115 W. Naches Ave. Any person desiring to express their views on this matter are invited to attend the public hearing or to submit their written comments to the above address.

All interested persons may appear and provide testimony on the application. At the conclusion of the public hearing, the Planning Commission will consider the matter and issue a recommendation to the City Council for approval, approval with conditions, or denial of the proposal. **COVID-19 Hearing Notification:** Interested parties, please be advised in accordance with the multiple proclamations by the Governor of the State of Washington, (in particular proclamation 20-28) guidance from the State Attorney General on the requirements of the Open Public Meetings Act, directives by the State Health Department and Yakima Health District regarding COVID-19, the above scheduled public hearings may be held by electronic and telephonic means via Zoom. Procedures for attendance of these closed record public hearings will be provided on the City of Selah Planning Commission's website along with the Planning Commission meeting agenda ten days prior to the scheduled meeting (<https://selahwa.gov/planning/planning-commission/>): Application information including the SEPA environmental checklist and maps detailing the proposal are available during regular business hours at the Planning Department at 222 South Rushmore Road, Selah, Washington 98942, or online at <https://selahwa.gov/planning/sepa/>. The staff reports will be available approximately one week before the hearing. Contact the Planning Department with project, procedural or environmental questions.

(984366) August 27, 2021

Courtesy of Yakima Herald-Republic



**CITY OF SELAH
AFFIDAVIT OF MAILING**

**STATE OF WASHINGTON
COUNTY OF YAKIMA**

I, Makenzie Hoff, 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 13th day of September, 2021 caused to be mailed, 31 envelopes and 1 email, containing a true and correct copy of the Determination of Nonsignificance for a Comprehensive Plan Map Amendment, Rezone, and Environmental Review of 310 W. Selah Ave., Selah, WA 98942. Said envelopes and email mailed from Selah, WA with the correct first class postage and addressed to the persons having made written or verbal comment regarding these files.

A listing of the persons to whom notice has been mailed is contained in file COMP-2021-003, 914-2021-002, & SEPA-2021-006.

Makenzie Hoff
Signed

**STATE OF WASHINGTON
COUNTY OF YAKIMA**

On this day personally appeared before me Makenzie Hoff to me known to be the individual referenced herein and who caused to be mailed the Determination of Nonsignificance for a Comprehensive Plan Map Amendment, Rezone, and Environmental Review of 310 W. Selah Ave., Selah, WA 98942, COMP-2021-003, 914-2021-002, & SEPA-2021-006.

Given under my hand and official seal this 13th day of September 2021.

Caprise E. Groo
Signed



Notary Public in and for the State of Washington, residing at Yakima, WA. My term expires: June 1, 2025.





**CITY OF SELAH
AFFIDAVIT OF MAILING**

**STATE OF WASHINGTON
COUNTY OF YAKIMA**

I, Makenzie Hoff, 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 27th day of August, 2021 caused to be mailed, 119 envelopes and 1 email, containing a true and correct copy of the Notice of Application and Environmental Review, Opportunity to Provide Comment and Notice of Public Hearing for a Comprehensive Plan Map Amendment, Rezone, and Environmental Review of 310 W. Selah Ave., Selah, WA 98942. Said envelopes mailed from Selah, WA with the correct first class postage and addressed to the persons having made written or verbal comment regarding these files.

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Makenzie Hoff
Signed

**STATE OF WASHINGTON
COUNTY OF YAKIMA**

On this day personally appeared before me Makenzie Hoff to me known to be the individual referenced herein and who caused to be mailed the Notice of Application and Environmental Review, Opportunity to Provide Comment and Notice of Public Hearing for a Comprehensive Plan Map Amendment, Rezone, and Environmental Review of 310 W. Selah Ave., Selah, WA 98942. COMP-2021-003, 914-2021-002, & SEPA-2021-006.

Given under my hand and official seal this 13th day of September 2021.

Caprise E. Groo
Signed



Notary Public in and for the State of Washington, residing at Yakima, WA. My term

expires: June 1, 2025.

18130211534
DARRELL & KATHY VAN DE VENTER
1209 CLINTON PL
SELAH, WA 98902

18143544404
FRANK M ENGLISH
215 S 3RD ST
SELAH, WA 98942

18130211431
DAN POLITTE
1915 FRUITVALE BLVD
YAKIMA, WA 98902

18130211482
SELAH RENTALS LLC
211 W NACHES AVE
SELAH, WA 98942

18143544421
OWENS FAMILY LIMITED PARTNERSHIP
PO BOX 129
SELAH, WA 98942

18130211509
JEFF M & MENDY L BEKSINSKI
270 MAPLEWAY RD
SELAH, WA 98942

18130211473
MICHAEL D MACKEY
1601 ORCHARD AVE
SELAH, WA 98942

18143544437
SELAH CITY
115 W NACHES AVE
SELAH, WA 98942

18130211424
BRIAN & SHIRLEY NOBBS
571 BELLA TERRA RD
ZILLAH, WA 98953

18130211459
TROY & JOANNE HELMS
151 TWIN PEAKS RD
SELAH, WA 98942

18143544425
VILLAGER APARTMENTS LLC
PO BOX 100
SELAH, WA 98942

18130211522
ANDREW B CAMPOS
309 S 5TH ST
SELAH, WA 98942

18130211493
JEFFREY M BEKSINSKI
270 MAPLEWAY RD
SELAH, WA 98942

18143543410
JAMES E & KATHLEEN M CURRE
209 HILLCREST DR
SELAH, WA 98942

18130212407
KGG INVESTMENTS
PO BOX 100
SELAH, WA 98942

18130211494
DALE ALLEN SR SHARPNACK
409 S 5TH ST
SELAH, WA 98942

18130211442
TYLER S JESPERSON
404 W SELAH AVE
SELAH, WA 98942

18130211427
KYLE C MCCORQUODALE
315 S 3RD ST
SELAH, WA 98942

18130211481
DANNY & TINA C SNODGRASS
402 S 3RD ST
SELAH, WA 98942

18130211415
AGUSTIN E MOJICA GONZALEZ
212 W SELAH AVE
SELAH, WA 98942

18130211434
EDITH E IMPSON
304 W SELAH AVE
SELAH, WA 98942

18142599999

18130211416
BRANDI M DOLPH
210 W SELAH AVE
SELAH, WA 98942

18130211518
COURTNEY L MCGARITY DEACON & ROBERT DEACON
PO BOX 173
SELAH, WA 98942

18143543405
SARA C BICKLER
109 HILLCREST DR
SELAH, WA 98942

18130211418
LAURA VALENCIA
833 MCGONAGLE RD
SELAH, WA 98942

18130211420
MICHAEL L & TANYA K BAUMAN
307 1/2 S 3RD ST
SELAH, WA 98942

43543407
IGNACIO & RODONA MARQUEZ
201 HILLCREST DR
SELAH, WA 98942

18130211421
FOCUS PROPERTY MANAGEMENT I LLC
60 NORTHLAKE LANE
SELAH, WA 98942

18130211422
KEITH T & LORANETTE E SCHLENKER
506 S 1ST ST TRLR F
SELAH, WA 98942

18130211485
KGG INVESTMENTS
10 S FIRST ST
SELAH, WA 98942

18130211423
BRIAN & SHIRLEY NOBBS
571 BELLA TERRA RD
ZILLAH, WA 98953

18130211510
DANIEL C SLY
305 S 5TH ST
SELAH, WA 98942

18143544456
SELAH SCHOOL # 119
105 W BARTLETT AVE
SELAH, WA 98942

18130211514
KENNETH J BLEHM III
313 S 4TH ST
SELAH, WA 98942

18130212405
ERIC B OLMSTEAD
310 S 5TH ST
SELAH, WA 98942

18143543008
SELAH CITY
115 W NACHES AVE
SELAH, WA 98942

18130211446
CODY J POTTER
310 S 3RD ST
SELAH, WA 98942

18130211426
JOSEPH H & CONNIE BUCKLEY
1008 W NACHES AVE
SELAH, WA 98942

18143543408
DENNIS L & BONITA A CRISWELL
205 HILLCREST DR
SELAH, WA 98942

18130211430
MEGAN M ROCKWELL
313 S 3RD ST
SELAH, WA 98942

18130211445
MARJORIE C GARCIA REVOCABLE TRUST
312 S 3RD ST
SELAH, WA 98942

18143544422
KATHRYN J & CRAIG H VONESSEN
207 S 3RD ST
SELAH, WA 98942

18130211523
KENNETH MURPHY
311 S 5TH ST
SELAH, WA 98942

18130212404
CHARLES WILLIAM BROWN
310 S 6TH ST
SELAH, WA 98942

18143544405
RACHEL WATTEN MCNEICE
206 W PARK AVE
SELAH, WA 98942

18130211429
SANTIAGO GONZALEZ
207 VALLEYVIEW AVE
SELAH, WA 98942

18130211541
GRAF INVESTMENTS INC
410 S 1ST ST
SELAH, WA 98942

18143544432
SELAH CITY
115 W NACHES AVE
SELAH, WA 98942

18130211437
310 PARTNERS LLC
110 LUPINE DR
YAKIMA, WA 98901

18130299989

18130211440
TV HOLDINGS LLC
802 PERRY VISTA LN
YAKIMA, WA 98901

18130212462
RAMIRO & NOELIA MEDINA
301 HILLCREST DR
SELAH, WA 98942

18130211486
KRYSTAL A FALCONER
306 W VALLEYVIEW AVE
SELAH, WA 98942

18130212481
REGINA L SANDERSON
304 S 5TH ST
SELAH, WA 98942

18130211438
SELAH RENTALS LLC
211 W NACHES AVE
SELAH, WA 98942

18130211492
SEBASTIAN & MARIANA MORENO
403 S 5TH ST
SELAH, WA 98942

18130211511
MANUEL & LOURDES GUTIERREZ
8400 HAWTHORNE DR
YAKIMA, WA 98908

18130211433
DANIEL TY JONES
207 S 3RD ST
SELAH, WA 98942

18130211471
D OWENS ENTERPRISES LLC
PO BOX 941
SELAH, WA 98942

18143544403
ANTONIO B & CRISTOBALINA SIERRA BALBUENA
213 S 3RD ST
SELAH, WA 98942

18130212487
DAVID & AMANDA K VARGAS
509 VALLEYVIEW AVE
SELAH, WA 98942

18143544427
KGG INVESTMENTS LTD
410 S 1ST ST
SELAH, WA 98942

18143544406
D OWENS ENTERPRISES LLC
302 SOUTHERN AVE
SELAH, WA 98942

18130211428
DANIEL R & LYNNETTE A HALLER
2770 S WENAS RD
SELAH, WA 98942

18130211490
MANDY ANDREWS
406 VALLEYVIEW AVE
SELAH, WA 98942

18143543409
JOEL & DEBRA FREUDENTHAL
207 HILLCREST DR.
SELAH, WA 98942

18143544426
YOLANDA DE LA CRUZ VAZQUEZ
203 W SELAH AVE
SELAH, WA 98942

18130211529
DAVID VAN ALSTINE
703 HILLCREST DR
SELAH, WA 98942

18143544428
LAURA OCHOA
209 W SELAH AVE
SELAH, WA 98942

18130212401
JARED W & MARYLYNN K SWEESY
302 S 5TH ST
SELAH, WA 98942

18130211527
GRAF INVESTMENTS INC
410 S 1ST ST
SELAH, WA 98942

18130212400
JOHN D RUNKLE & DALLAS N WILSON
506 W SELAH AVE
SELAH, WA 98942

18130211419
MATIAS & TERESA ZAMORA
PO BOX 51
SELAH, WA 98942

18130212414
PEGGY A WALKER
508 W VALLEYVIEW AVE
SELAH, WA 98942

18130211443
JOHN MORRISON
120 MADDOX ST
NACHES, WA 98937

18130212403
JOSEPH J & NANCY J POISEL
308 S 6TH ST
SELAH, WA 98942

18130212416
NICHOLAS GROTH
350 S POMONA RD
YAKIMA, WA 98901

18130211436
310 PARTNERS LLC
110 LUPINE DR
YAKIMA, WA 98901

18130211449
OWENS FAMILY LIMITED PARTNERSHIP
PO BOX 129
SELAH, WA 98942

18130212415
ANTHONY & CONNIE RAE CREACH
504 VALLEYVIEW AVE
SELAH, WA 98942

18130212402
SALVADOR G MENDOZA
PO BOX 1094
SELAH, WA 98942

18130212406
CHARLES WILLIAM BROWN
310 S 6TH ST
SELAH, WA 98942

18130212418
TWO PECKS LLC
405 HILLCREST DR
SELAH, WA 98942

18130211519
KELLYE J TRUDEAU-MASTERS
3003 S 99TH AVE
YAKIMA, WA 98908

18130212486
OTONIEL TORRES
507 VALLEY VIEW
SELAH, WA 98942

18130211516
GRAF INVESTMENTS INC
PO BOX 100
SELAH, WA 98942

18130211444
SHELBY L & JONATHON R CLEMENTS
314 S 3RD ST
SELAH, WA 98942

18130212482
GEORGE D. GOTTSCHALK
314 S 5TH ST
SELAH, WA 98942

18130211460
TROY & JOANNE HELMS
151 TWIN PEAKS RD
SELAH, WA 98942

18130211432
ADA M. LANDSIEDEL
3 S 3RD ST
SELAH, WA 98942

18130211528
PHILLIP TUTTLE
402 VALLEYVIEW AVE
SELAH, WA 98942

18130211508
SHAWN N & RHONDA PETTIJOHN
307 S 5TH ST
SELAH, WA 98942

18130211533
GRAF INVESTMENTS INC
PO BOX 100
SELAH, WA 98942

18130211451
MARTIN REED
5808 SUMMITVIEW AVE STE A PMB 125
YAKIMA, WA 98908

18130211468
MICHAEL E. MACKEY
401 S 3RD ST
SELAH, WA 98942

18130211453
JAMES E & DONNA D GARNER
PO BOX 879
SELAH, WA 98942

18130211469
RICHARD ALAN BURNETT
206 VALLEYVIEW AVE
SELAH, WA 98942

18130211515
CINDY R & BRADLEY C SMITH
1309 N GOODLANDER RD
SELAH, WA 98942

18130212409
SHIRLEY L LANTIS
312 S 6TH ST
SELAH, WA 98942



18130211450
OWENS FAMILY LIMITED PARTNERSHIP
PO BOX 129
SELAH, WA 98942

18130211447
LUIS CASTELLANOS
316 S 3RD ST
SELAH, WA 98942

18130212419
GRAF INVESTMENTS INC
410 S 1ST ST
SELAH, WA 98942

18130211491
OWENS FAMILY LIMITED PARTNERSHIP
PO BOX 129
SELAH, WA 98942

Hoff, Makenzie

From: Johnson, Amber (ECY) <AMBJ461@ECY.WA.GOV>
Sent: Tuesday, August 31, 2021 1:35 PM
To: Hoff, Makenzie
Subject: RE: Public Notice and Submittals

Hi Makenzie,

In follow up, these are the three SEPA numbers related to the records you sent on Thursday that Gwen finalized for us. => I was headed into a meeting earlier and didn't have time to look into it further. I hope you enjoyed some much needed time off!

SEPA-2021-007 SEPA-2021-006
SEPA' s 202104682, 20204683, 202104684
SEPA-2021-005

Thank you,

Amber Johnson (she/her)

Administrative Assistant 3

Shorelands & Environmental Assistance Program

Department of Ecology | Central Regional Office

Ph. 509-457-7121 | amber.johnson@ecy.wa.gov

From: Hoff, Makenzie <makenzie.hoff@selahwa.gov>
Sent: Tuesday, August 31, 2021 10:09 AM
To: ECY RE SEPA REGISTER <separegister@ecy.wa.gov>
Cc: Clear, Gwen (ECY) <GCLE461@ECY.WA.GOV>
Subject: RE: Public Notice and Submittals

THIS EMAIL ORIGINATED FROM OUTSIDE THE WASHINGTON STATE EMAIL SYSTEM - Take caution not to open attachments or links unless you know the sender AND were expecting the attachment or the link

Hi Amber,

I completely spaced on the new entry process. I rushed to get these sent out by the end of the day last Thursday, and I was on vacation Friday and yesterday, so I am just now getting your email.

I am resubmitting them now.

Thank you,



Makenzie Hoff

Planning and Building Permit Specialist

City of Selah Public Works

222 S Rushmore Rd.

Selah, WA 98942

(509) 698 - 7365

From: ECY RE SEPA REGISTER [<mailto:separegister@ecy.wa.gov>]
Sent: Thursday, August 26, 2021 5:34 PM
To: Hoff, Makenzie <makenzie.hoff@selahwa.gov>
Cc: Clear, Gwen (ECY) <GCLE461@ECY.WA.GOV>
Subject: RE: Public Notice and Submittals

Hi Makenzie,

I see that we just received 3 entries from you for the SEPA Register. I know when we spoke earlier this month that I mentioned the updated entry process. You can find information on how to create your [SAW Account](#), and access the [User Guide](#) through the links provided. Please resubmit these using the new SRS system and we will be happy to help you along the way.

[SEPA Register - Washington State Department of Ecology](#)

Thank you,

Amber Johnson (she/her)

Administrative Assistant 3

Shorelands & Environmental Assistance Program

Department of Ecology | Central Regional Office

Ph. 509-457-7121 | amber.johnson@ecy.wa.gov

Office Hours: Monday-Thursday 7am-5:30pm

From: Hoff, Makenzie <makenzie.hoff@selahwa.gov>
Sent: Thursday, August 26, 2021 4:54 PM
To: ECY RE SEPA REGISTER <separegister@ecy.wa.gov>
Subject: Public Notice and Submittals

THIS EMAIL ORIGINATED FROM OUTSIDE THE WASHINGTON STATE EMAIL SYSTEM - Take caution not to open attachments or links unless you know the sender AND were expecting the attachment or the link

Hi there,

Attached you will find the Notice of Application and Environmental Review, Opportunity to Provide Comment and Notice of Public Hearing and Submittal and Applications for the following:

310 Partners, LLC Comp Plan Amendment **File Numbers:** COMP-2021-003, 914-2021-002, & SEPA-2021-006

Thank you,



Makenzie Hoff

Planning and Building Permit Specialist

City of Selah Public Works

222 S Rushmore Rd.

Selah, WA 98942

(509) 698 - 7365



CITY OF SELAH

Planning Department • 222 South Rushmore RD. • Selah, WA 98942 • Ph: (509) 698-7365 • www.selahwa.gov

WASHINGTON STATE ENVIRONMENTAL POLICY ACT DETERMINATION OF NONSIGNIFICANCE CITY OF SELAH, WASHINGTON September 13, 2021

PROJECT DESCRIPTION: Comprehensive Plan Map Amendment, Rezone and Environmental Review of the subject properties from 310 Partners, LLC. The applicants are requesting to change the subject properties Future Land Use Map designation from Moderate Density Residential to High Density Residential, as well as requesting a concurrent rezone of the subject properties from Residential, Two-Family (R-2) to Residential, Multi-Family (R-3) (see attached documents for further details).

LOCATION: 310 W. Selah Ave., Selah, WA 98942
PARCEL NUMBERS: 181302-11436, and 181302-11437
PROPONENT: Thomas R. Durant, PLSA Engineering and Surveying
PROPERTY OWNERS: 310 Partners, LLC
LEAD AGENCY: City of Selah
FILE NUMBERS: COMP-2021-003, 914-2021-002, & SEPA-2021-006

DETERMINATION: The lead agency for this proposal has determined that it does 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). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.

Responsible Official: Joe Henne
Position/Title: SEPA Responsible Official
Address: 222 S. Rushmore Rd., Selah, Washington 98942

Date September 13, 2021

Signature _____

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 Planning Department, 222 S. Rushmore Road no later than 5:00 p.m. on September 20, 2021. You should be prepared to make specific factual objections. Contact the Planning Department at 509-698-7365 to read or ask about the procedures for SEPA appeals.





El Sol de Yakima

-Ad Proof-

This is the proof of your ad scheduled to run on the dates indicated below.
Please proof read notice carefully to check spelling and run dates,
if you need to make changes

Date:	10/14/21
Account #:	110017
Company Name:	CITY OF SELAH
Contact:	Angela Dean, AP
Address:	115 W NACHES AVENUE SELAH, WA 98942
Telephone:	(509) 698-7327
Fax:	

Account Rep:	Simon Sizer
Phone #	(509) 577-7740
Email:	ssizer@yakimaherald.com
Ad ID:	987906
Start:	10/15/21
Stop:	10/15/21
Total Cost:	\$244.20
Lines:	132.0
# of Inserts:	1
Ad Class:	6021

Run Dates:	
Yakima Herald-Republic	10/15/21



City of Selah Notice of Closed Record Public Hearings:

The City of Selah is hereby providing Notice of Scheduled Public Hearing for the following Comprehensive Plan Map Amendment, Rezone and Environmental Review applications:

1. Property Owner: 310 Partners, LLC; **Project Address:** 310 W. Selah Ave., Selah, WA 98942; **Tax Parcel Number:** 181302-11436, and 181302-11437; **File Numbers:** COMP-2021-003, 914-2021-002, & SEPA-2021-006; **Application/Request:** Future Land Use Map designation change from Moderate Density Residential to High Density Residential, as well as requesting a concurrent rezone of the subject properties from Residential, Two-Family (R-2) to Residential, Multi-Family (R-3).

2. Property Owner: City of Selah; **Project Address:** Vicinity of Naches Ave. and 4th St., Selah, WA 98942; **Tax Parcel Number:** 181435-41454; **File Numbers:** COMP-2021-001, 914-2021-003, & SEPA-2021-007; **Application/Request:** Future Land Use Map designation change from Semi Public/Open Space to Commercial, as well as requesting a concurrent rezone of the subject properties from Residential, Single-Family (R-1) to Residential, Business, General (B-2) to support the future construction of a police station/city hall.

3. Property Owner: Scott & Victoria Catron; **Project Address:** 705 and 705 ½ Bartlett Ave., Selah, WA 98942; **Tax Parcel Number:** 181435-42005; **File Numbers:** COMP-2021-002, 914-2021-001, & SEPA-2021-005; **Application/Request:** Future Land Use Map designation change from Low Density Residential to Moderate Density Residential, as well as requesting a concurrent rezone of the subject properties from Residential, Single-Family (R-1) to Residential, Two-Family (R-2) to bring the property's Comprehensive Plan and Zoning designation into conformance with the property's current and historic use: **Public Notice:** Notice is hereby given by the City of Selah, Washington, that the Selah City Council will conduct three closed record public hearings on **Tuesday, October 26, 2021, commencing at 5:30 p.m.**, or as soon thereafter as practical, in the council chambers, Selah City Hall, 115 W. Naches, Selah, WA.: Copies of the Comprehensive Plan Amendments and Rezone applications are available for public inspection during regular business hours at the City of Selah Planning Department, 222 South Rushmore Road, Selah, WA, and at <https://selahwa.gov/planning/planning-commission/>.

All persons wishing to offer comments for or against any of these proposals are encouraged to attend. All written comments received prior to the day of the public hearings will be considered in the City Council deliberations.: **COVID-19 Hearing Notification:** Interested parties, please be advised in accordance with the multiple proclamations by the Governor of the State of Washington, (in particular Proclamation 20-28) guidance from the state Attorney General on the requirements of the Open Public Meetings Act, directives by the State Health Department and Yakima Health District regarding COVID-19, the above scheduled public hearing may be held by electronic and telephonic means via zoom. Procedures for attendance of this open record public hearing will be provided on the City of Selah's website along with the City Council agenda.: if you have questions please feel free to contact Jeff Peters, Community Development Supervisor in person at 222 South Rushmore Road, Selah, WA or by phone at (509) 698-7365, by fax at (509) 698-7372 or by e-mail at jeff.peters@selahwa.gov. Dated this 6th day of August 2021.

(987906) October 15, 2021

Courtesy of Yakima Herald-Republic

City of Selah Notice of Application, Environmental Review & Public Hearings: The City of Selah is hereby providing Public Notice and Opportunity to Comment, State Environmental Policy Act Review, and Notice of Scheduled Public Hearing for the following Comprehensive Plan Map Amendment, Rezone and Environmental Review applications:

1. Property Owner: 310 Partners, LLC; **Project Address:** 310 W. Selah Ave., Selah, WA 98942; **Tax Parcel Number:** 181302-11436, and 181302-11437; **File Numbers:** COMP-2021-003, 914-2021-002, & SEPA-2021-006; **Application/Request:** Future Land Use Map designation change from Moderate Density Residential to High Density Residential, as well as requesting a concurrent rezone of the subject properties from Residential, Two-Family (R-2) to Residential, Multi-Family (R-3).

2. Property Owner: City of Selah; **Project Address:** Vicinity of Naches Ave. and 4th St., Selah, WA 98942; **Tax Parcel Number:** 181435-41454; **File Numbers:** COMP-2021-001, 914-2021-003, & SEPA-2021-007; **Application/Request:** Future Land Use Map designation change from Semi Public/Open Space to Commercial, as well as requesting a concurrent rezone of the subject properties from Residential, Single-Family (R-1) to Residential, Business, General (B-2) to support the future construction of a police station/city hall.

3. Property Owner: Scott & Victoria Catron; **Project Address:** 705 and 705 1/2 Bartlett Ave., Selah, WA 98942; **Tax Parcel Number:** 181435-42005; **File Numbers:** COMP-2021-002, 914-2021-001, & SEPA-2021-005; **Application/Request:** Future Land Use Map designation change from Low Density Residential to Moderate Density Residential, as well as requesting a concurrent rezone of the subject properties from Residential, Single-Family (R-1) to Residential, Two-Family (R-2) to bring the property's Comprehensive Plan and Zoning designation into conformance with the property's current and historic use:

Environmental Review: This is to notify all the public and private agencies with jurisdiction and environmental expertise that the City of Selah Planning Department has been established as the lead agency, pursuant to the Washington State Environmental Policy Act (SEPA) for the above stated projects:

The City of Selah is presently inclined towards the issuance of a Determination of Non Significance (DNS) on these projects. WAC 197-11-355 process is being used. This may be your only opportunity to comment on the environmental impacts of these proposed projects. The following conditions have been identified that may be used to mitigate the adverse environmental impacts of the proposal: None; Required Permits: None; Required Studies: None; Existing Environmental Documents: None

Preliminary determination of the development regulations that will be used for project mitigation and consistency: Zoning Ordinance, Comprehensive Plan, and Sub Area Plan; **Request for Written Comments on the Proposals:** Written comments concerning the above described Comprehensive Plan Amendments, Rezones and Environmental Checklist applications will be accepted during the public comment period that ends at 5:00 p.m. on September 10, 2021. You may mail your comments to Selah Planning Department, 222 So. Rushmore Road, Selah, WA 98942, send them by fax to (509) 698-7372 or by e-mail to jeff.peters@selahwa.gov. Please reference the above file numbers or property owner name in your correspondence. **Open Record Public Hearing:** The above described applications require that the City of Selah Planning Commission conduct an open record public hearing for the applicant's/property owner's Comprehensive Plan Map Amendment and Rezone. These public hearings has been scheduled for October 5, 2021, beginning at 5:30 p.m. in the Council Chambers, City Hall, 115 W. Naches Ave. Any person desiring to express their views on this matter are invited to attend the public hearing or to submit their written comments to the above address. All interested persons may appear and provide testimony on the application. At the conclusion of the public hearing, the Planning Commission will consider the matter and issue a recommendation to the City Council for approval, approval with conditions, or denial of the proposal. **COVID-19 Hearing Notification:** Interested parties, please be advised in accordance with the multiple proclamations by the Governor of the State of Washington, (in particular proclamation 20-28) guidance from the State Attorney General on the requirements of the Open Public Meetings Act, directives by the State Health Department and Yakima Health District regarding COVID-19, the above scheduled public hearings may be held by electronic and telephonic means via Zoom. Procedures for attendance of these closed record public hearings will be provided on the City of Selah Planning Commission's website along with the Planning Commission meeting agenda ten days prior to the scheduled meeting (<https://selahwa.gov/planning/planning-commission/>): Application information including the SEPA environmental checklist and maps detailing the proposal are available during regular business hours at the Planning Department at 222 South Rushmore Road, Selah, Washington 98942, or online at <https://selahwa.gov/planning/sepa/>. The staff reports will be available approximately one week before the hearing. Contact the Planning Department with project, procedural or environmental questions.

(984366) August 27, 2021

Courtesy of Yakima Herald-Republic

City of Selah Notice of Closed Record Public Hearings: The City of Selah is hereby providing Notice of Scheduled Public Hearing for the following Comprehensive Plan Map Amendment, Rezone and Environmental Review applications:

- 1. Property Owner:** 310 Partners, LLC; **Project Address:** 310 W. Selah Ave., Selah, WA 98942; **Tax Parcel Number:** 181302-11436, and 181302-11437; **File Numbers:** COMP-2021-003, 914-2021-002, & SEPA-2021-006; **Application/Request:** Future Land Use Map designation change from Moderate Density Residential to High Density Residential, as well as requesting a concurrent rezone of the subject properties from Residential, Two-Family (R-2) to Residential, Multi-Family (R-3).
- 2. Property Owner:** City of Selah; **Project Address:** Vicinity of Naches Ave. and 4th St., Selah, WA 98942; **Tax Parcel Number:** 181435-41454; **File Numbers:** COMP-2021-001, 914-2021-003, & SEPA-2021-007; **Application/Request:** Future Land Use Map designation change from Semi Public/Open Space to Commercial, as well as requesting a concurrent rezone of the subject properties from Residential, Single-Family (R-1) to Residential, Business, General (B-2) to support the future construction of a police station/city hall.
- 3. Property Owner:** Scott & Victoria Catron; **Project Address:** 705 and 705 ½ Bartlett Ave., Selah, WA 98942; **Tax Parcel Number:** 181435-42005; **File Numbers:** COMP-2021-002, 914-2021-001, & SEPA-2021-005; **Application/Request:** Future Land Use Map designation change from Low Density Residential to Moderate Density Residential, as well as requesting a concurrent rezone of the subject properties from Residential, Single-Family (R-1) to Residential, Two-Family (R-2) to bring the property's Comprehensive Plan and Zoning designation into conformance with the property's current and historic use: **Public Notice:** Notice is hereby given by the City of Selah, Washington, that the Selah City Council will conduct three closed record public hearings on **Tuesday, October 26, 2021, commencing at 5:30 p.m.**, or as soon thereafter as practical, in the council chambers, Selah City Hall, 115 W. Naches, Selah, WA.: Copies of the Comprehensive Plan Amendments and Rezone applications are available for public inspection during regular business hours at the City of Selah Planning Department, 222 South Rushmore Road, Selah, WA, and at <https://selahwa.gov/planning/planning-commission/>: All persons wishing to offer comments for or against any of these proposals are encouraged to attend. All written comments received prior to the day of the public hearings will be considered in the City Council deliberations.: **COVID-19 Hearing Notification:** Interested parties, please be advised in accordance with the multiple proclamations by the Governor of the State of Washington, (in particular Proclamation 20-28) guidance from the state Attorney General on the requirements of the Open Public Meetings Act, directives by the State Health Department and Yakima Health District regarding COVID-19, the above scheduled public hearing may be held by electronic and telephonic means via zoom. Procedures for attendance of this open record public hearing will be provided on the City of Selah's website along with the City Council agenda.: if you have questions please feel free to contact Jeff Peters, Community Development Supervisor in person at 222 South Rushmore Road, Selah, WA or by phone at (509) 698-7365, by fax at (509) 698-7372 or by e-mail at jeff.peters@selahwa.gov. Dated this 6th day of August 2021.

(987906) October 15, 2021

Courtesy of Yakima Herald-Republic

Rezoning of R2 to R3 at 310 Selah Avenue rezone

By C. E. S.
City of Selah
Planning Dept.

Tax Parcel Numbers: 181302-11436 & 181302-11437

Edith E. Impson

Kevin W. Impson

304 Selah Ave., Selah, WA. 98942

The requested rezone of the mentioned properties should be denied for these reasons.

- The zoning change is incompatible with the neighborhood
- Incompatibility with the neighborhood
- Insufficient city services
- Potentially insufficient electrical services
- Future traffic congestion
- Insufficient roads
- Low availability of parking
- Increased ambient noise
- Potential increase in criminal activity

Rezoning these parcels to R3 is totally incompatible with the neighborhood with everything other parcel zoned R2, makes no sense other than for profit mongering individuals or groups looking to destroy a neighborhood with high density house. I mean hey, they don't live here so what the hell, right? Also, R3 allows for 80% of the parcels square footage for structures, with no limit on construction height. So, potentially a 32,000 sq. ft. footprint of a building with unlimited height, meaning multi story, meaning a potential for an apartment complex. **The city doesn't even know what is going to be built, yet they think rezoning is good?**

High density housing brings three (3) to five (5) times the people if not more living in an area meant for two families at the most.

Historically, the city building department has stated for over 25+ years, that the water and sewer system along Selah Avenue could not sustain more than one(1) additional single family home being added to this very specific property. Now, all the sudden this determination changes?

The electrical system in the neighborhood is close to maxed out, that's specifically from a PPNL electric grid engineer, and multiple grid service personnel agreeing.

Selah Ave, 4th Street, 5th Street, 3rd Street are all land locked, do these developers think the city will steal land from home owners when the streets need widening, sidewalks need to be installed and new curbing added, because of their development?

EXHIBIT

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4a

Increased people on these parcels will increase the number of cars; parking, and street side parking will become difficult. Parking spaces at the park will be used by the developments renters, reducing parking for those trying to enjoy the Wixon Park. The current conditions of Selah Ave., and 4th Street **CAN NOT** handle more side street parking without increasing safety issues and parking problems for immediate neighbors.

One of the Hurst brothers has stated that the developers plan on building duplex's, tri-plex's, or even quad-plex's; so you will have increases of noise by factors of 2, 3, 4, or even more since they don't even know what they're doing yet. You also have the increase of noise from construction, road development and more.

As always is true, you will have an uptick in crime with developments like these, it has been proven so by the apartment complex's peppered up and down 5th Street. So, now you have increased property crime calls, noise complaints, potential assault, and battery calls that the S.P.D. would have to deal with. Are the developers going to pay the city for additional police officers, or pay additional taxes for dealing with these calls?

Overall, the city has no idea what is planned for these parcels, the building department has stated so directly to me. Yet, they want to approve a rezoning of two R2 zoned parcels to R3 in the middle of a residential neighborhood; where of course the Hurst's and their pals could potentially build a 5 or 7 story apartment complex, or at the least, construct quad-plex's as stated by Joe Hurst himself. You remember the old saying, never put the cart before the horse? Well the Selah city building department is doing just that, makes you wonder who are getting kickbacks, and under the table payoff's?

This rezoning should be denied period.

Thank you



**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



Council Meeting

Action Item

10/26/2021

O-3

Title: Ordinance Amending the Comprehensive Plan Future Land Use Map and Zoning Map of the City of Selah for Parcels 181302-11436 and 181302-11437 as follows: Future Land Use map from Moderate Density Residential to High Density Residential and Zoning Map from Residential, Two Family (R-2) to Residential, Multi-Family (R-3).

From: Jeff Peters: Community Development Supervisor

Action Requested: Approval

Staff Recommendation: Approve the Ordinance as written.

Board/Commission Recommendation: Approval

Fiscal Impact: N/A

Funding Source: N/A

Background / Findings & Facts: On July 29, 2021, the applicant Thomas R. Durant, PLSA Engineering and Surveying, on behalf of the property owner 310 Partners, LLC, submitted applications for the City of Selah's Annual Comprehensive Plan Future Land Use Map Amendment process which include a Comprehensive Plan Future Land Use Map Amendment, Rezone, and Environmental Review (COMP-2021-003, 914-2021-002, & SEPA-2021-006). The property owners are requesting to change the Future Land Use Map designation for parcel 181302-11436 and 181302-11437, from Moderate Density Residential to High Density Residential and to concurrently rezone from Residential, Two-Family (R-2) to Residential, Multi-Family (R-3) to allow for higher density development of the subject property at a future date.

Recommended Motion: I move that the City Council adopt the accompanying ordinance approving Comprehensive Plan Future Land Use Map Amendment COMP-2021-003, and Rezone 914-2021-002, and further adopting the Selah Planning Commission's findings, conclusions, and recommendation of October 5, 2021, as its own.

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:



**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



7/29/2021	Application Submittal
8/27/2021	Notice of Application and Public Hearing and Legal Notice
9/13/2021	SEPA Notice of Determination of Non-Significance
10/5/2021	Planning Commission Public Hearing
10/15/2021	Notice of City Council Public Hearing

ORDINANCE 2139

ORDINANCE

AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP AND ZONING MAP OF THE CITY OF SELAH FOR PARCELS 181302-11436 AND 181302-11437 AS FOLLOWS: FUTURE LAND USE MAP FROM MODERATE DENSITY RESIDENTIAL TO HIGH DENSITY RESIDENTIAL AND ZONING MAP FROM RESIDENTIAL, TWO-FAMILY (R-2) TO RESIDENTIAL, MULTI-FAMILY (R-3)

WHEREAS, the City of Selah is required to plan under the Washington State Growth Management Act (GMA), RCW 36.70A.040; and,

WHEREAS, RCW 36.70A.130 provides for continuing review and evaluation of comprehensive plans and development regulations at least every five years and for the revision or amendments to such plans not more than once a year but at least once every five years, with certain exceptions; and,

WHEREAS, RCW 36.70A.470 requires that counties and cities planning under RCW 36.70A.040 include in their development regulations a procedure for any interested person, including applicants, citizens, hearing examiners, and staff of other agencies, to suggest comprehensive plan amendment (CPA) or development regulation amendments; and,

WHEREAS, RCW Ch. 36.70A further requires that the suggested amendments be docketed and considered not more often than once a year, consistent with the provisions of RCW 36.70A.130; and,

WHEREAS, in 2004, the City Council adopted Ordinance 1634 enacting Ch. 10.40 SMC to provide procedures and criteria for amending and updating the City of Selah Comprehensive Plan Future Land Use and Zoning Maps; and,

WHEREAS, on July 29, 2021, the applicant Thomas R. Durant, PLSA Engineering and Surveying, on behalf of the property owner 310 Partners, LLC, and Environmental Review (COMP-2021-003, 914-2021-002, & SEPA-2021-006) requesting to change the Future Land Use Map designation for parcels 181302-11436 and 181302-11437, from Moderate Density Residential to High Density Residential, and to concurrently rezone from Residential, Two-Family (R-2) to Residential, Multi-Family (R-3); and,

WHEREAS, the applications were considered complete for processing on August 23, 2021, and public notice was provided, in accordance with the provisions of SMC Ch. 10.40, and Title 21, on August 27, 2021; and,

WHEREAS, SEPA Environmental Review was completed with a Determination of Nonsignificance issued on September 13, 2021, which was not appealed; and,

WHEREAS, after proper notice, on October 5, 2021, the Selah Planning Commission (SPC) heard the staff presentation regarding the proposed CPA and Rezone, held a public hearing, considered

the public testimony; and,

WHEREAS, after proper notice, on October 5, 2021, the Selah Planning Commission (SPC) heard the staff presentation regarding the proposed CPA and Rezone, held a public hearing, considered the public testimony; and,

WHEREAS, pursuant to the approval criteria set forth in SMC § 10.40.050, the SPC unanimously recommended approval of the proposal; and,

WHEREAS, the SPC recommendation and findings was signed by the Chair on October 5, 2021, a copy of which is found in Exhibit "A" attached hereto and incorporated herein by this reference; and,

WHEREAS, pursuant to SMC § 10.40.050, and after the required notice was provided, the Selah City Council held a public hearing on October 26, 2021, to receive public comments on the Planning Commission's recommended findings on the proposed CPA and Rezone; and,

WHEREAS, the City Council of the City of Selah, having considered the record herein and the recommendation from the Planning Commission, the comments received at the public hearing held October 26, 2021, hereby finds and determines that approval of the requested CPA and Rezone is in the best interest of residents and the City of Selah and will promote the general health, safety and welfare.

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, ORDAINS AS FOLLOWS:

Section 1. Findings, Analysis and Conclusions. Subject to the specific terms of this Ordinance, the Selah City Council adopts the October 5, 2021 findings, conclusions, and recommendation of the Selah Planning Commission for COMP-2021-003, 914-2021-002, and SEPA-2021-006. A copy of said recommendation is attached as Exhibit "A".

Section 2. Amendment. The following described real properties are hereby reclassified from a Comprehensive Plan Future Land Use Map designation of Moderate Density Residential to High Density Residential, and Zoning District of Residential, Two-Family (R-2) to Residential, Multi-Family (R-3):

Abbreviated Legal Descriptions:

Assessor's Parcel Number 181302-11436: SOUTH SELAH ACRE TRACTS W1/2 LOT 3 BLK 2

Assessor's Parcel Number 181302-11437: Section 02 Township 13 Range 18 Quarter NE Plat SOUTH SELAH TRACTS Block 2 The East Half of Lot 3

Section 3. Any and all official Zoning, Future Land Use, or similar maps shall be amended to reclassify the subject real properties set forth herein consistent with the above sections of this Ordinance.

Section 4. Severability Invalidation. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance is declared invalid or unconstitutional for any reason, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 5. Ratification. Any act consistent with the authority, and prior to the effective date of this ordinance is hereby ratified and affirmed.

Section 6. This ordinance, implementing a Comprehensive Plan Future Land Use Map (COMP-2021-003) and Zoning Map Amendment (914-2021-002) shall become effective five (5) days following legal publication of this ordinance or a summary of this ordinance.

Done this 26th day of October 2021



Sherry Raymond, Mayor

ATTEST:



Dale E. Novobielski, Clerk-Treasurer

APPROVED AS TO FORM:



Rob Case, City Attorney

EXHIBIT “A”

**SELAH PLANNING COMMISSION
RECOMMENDATION TO THE SELAH CITY COUNCIL
FOR
COMPREHENSIVE PLAN AMENDMENT AND REZONE
COMP-2021-003 & 914-2021-002**

SELAH PLANNING COMMISSION
RECOMMENDATION TO THE SELAH CITY COUNCIL
FOR
COMPREHENSIVE PLAN AMENDMENT AND REZONE
COMP-2021-003 & 914-2021-002

October 5, 2021

WHEREAS, The City of Selah adopted its 2017 Comprehensive Plan on June 27, 2017;
and

WHEREAS, The Washington Growth Management Act and local ordinances provide a process for the annual review of amendments to the Comprehensive Plan as requested by citizens, property owners and/or local government; and

WHEREAS, Under the provisions of SMC Ch. 10.40.040 the Selah Planning Commission (SPC) is responsible for the review of these applications and for recommending the approval, modification or denial of each request; and

WHEREAS, On July 29, 2021 applications for Comprehensive Plan Amendment and Rezone were submitted by Thomas R. Durant, PLSA Engineering and Surveying, on behalf of the property owners 310 Partners, LLC to amend the Comprehensive Plan Future Land Use Map Designation for Tax Parcel Numbers: 181302-11436, and 181302-11437 from Medium Density Residential to High Density Residential, and to concurrently rezone from Residential, Two-Family (R-2) to Residential, Multi-Family (R-3) (City Files: COMP-2021-003, 914-2021-002, & SEPA-2021-006); and

WHEREAS, The applications were considered complete for processing on August 23, 2021 and public notice was provided, in accordance with the provisions of SMC Ch. 21.07, on August 27, 2021; and

WHEREAS, SEPA Environmental Review was completed with a Determination of Nonsignificance issued on September 13, 2021, which was not appealed (City File: SEPA-2021-007); and

WHEREAS, The Selah Planning Commission held an open record public hearing on October 5, 2021 to hear testimony from the public, consider the Amendment and Rezone, and provide a recommendation to the Selah City Council;

Now therefore, the Selah City Planning Commission presents the following findings of fact, conclusions, and recommendation to the Selah City Council:

APPLICATION # COMP-2021-003 & 914-2021-002
APPLICANT: THOMAS R. DURANT, PLSA ENGINEERING AND SURVEYING
APPLICANT ADDRESS: 11 E. First Ave, Suite 1
PROJECT LOCATION: 310 W. Selah Ave., Selah, WA 98942
PARCEL(S): 181302-11436, and 181302-11437

FINDINGS OF FACT

1. The applicant is requesting to amend the subject property's Comprehensive Plan Future Land Use Map designation from Medium Density Residential to High Density Residential, and to concurrently rezone from Residential, Two-Family (R-2) to Residential, Multi-Family (R-3).
2. The subject parcels are approximately .47 and .39 acres in size, and are located in a neighborhood that is comprised of primarily (21) single-family dwellings, (3) two-family dwellings, along with several (3) four-to-five-unit multi-family residential dwellings.
3. The City of Selah Planning Division provided a detailed staff report to the Planning Commission for review during their October 5, 2021 public hearing, with the recommendation of APPROVAL of the proposed amendment and rezone.
4. The proposed Comprehensive Plan Amendment is consistent with the applicable approval criteria in SMC § 10.40.050, as follows:
 - a. This application is being processed to change the properties Future Land Use Designation, and Zoning to provide an increased amount of High Density Residential, R-3 zoned property for future development.
 - b. The High Density Residential designation implements several goals and policies of the City's 2017 Comprehensive Plan as detailed in the City's staff report.
 - c. The amendment does not correct an obvious mapping error, but does address a deficiency of the 2017 Comprehensive Plan, and is consistent with the Growth Management Act and County-wide Planning Policies.
 - d. The impact to the surrounding neighborhood should be minimal because the property under consideration is well suited for the High Density Residential Comprehensive Plan designation and R-3 zoning. The neighborhood is considered mix use and has many duplexes, and some multi-family dwelling within the block surrounding the subject property.
5. The total acreage of this proposal will remove .86 acres of Moderate Density Residential land, and convert it to High Density Residential land. There should be no cumulative impacts from other past or current Comprehensive Plan Amendments as no other applications of this type have been submitted since the City last adopted its 2017 Comprehensive Plan.
6. The proposed Rezone from Residential, Two-Family (R-2) to Residential, Multi-Family (R-3) is consistent with the applicable approval criteria in SMC § 10.40.050, as follows:
 - a. Testimony at the public hearing was considered.
 - b. The property is suitable for uses within the R-3 zoning district, and will provide additional high-density property to meet the housing and population needs of the City's 2037 population projection.
 - c. The R-3 zoning district is an implementing zone of the High Density Residential Future Land Use Designation.
 - d. The property is currently capable of being served by all necessary public utilities and is accessed by public streets.
 - e. The proposed Rezone is considered compatible with the surrounding neighborhood and no mitigation is proposed at this time.

- f. The public need for this Rezone is to rezone the subject property to provide additional high-density property to meet the housing and population needs of the City's 2037 population projection.

CONCLUSIONS

1. The Amendment and Rezone are minor in nature;
2. No adverse impacts have been identified;
3. One comment in opposition to the request was submitted;
4. This proposal underwent Environmental Review;
5. The proposed Comprehensive Plan Future Land Use Map Amendment from Medium Density Residential to High Density Residential, and to concurrently rezone from Residential, Two-Family (R-2) to Residential, Multi-Family (R-3) is consistent with the Selah Zoning Ordinance and 2017 Comprehensive Plan.

MOTION

Based on the testimony and evidence presented during the public hearing, it was moved and seconded that the City of Selah Planning Commission draft findings of fact be accepted, made final, and a recommendation of approval forwarded to the Selah City Council. The motion carried unanimously.

RECOMMENDATION TO CITY COUNCIL

The Planning Commission of the City of Selah, having received and considered all evidence and testimony presented at the public hearing, and having received and reviewed the record herein, hereby recommends that the City Council of the City of Selah APPROVE the proposed Comprehensive Plan Amendment from Medium Density Residential to High Density Residential, and to concurrently rezone from Residential, Two-Family (R-2) to Residential, Multi-Family (R-3) for files COMP-2021-003 & 914-2021-002.

SIGNED this 5th day of October, 2021.

By: 
Lisa, Smith,
Selah Planning Commission, Chair



**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



Council Meeting

Action Item

10/26/2021

L-4

Title: Open Public Hearing to Consider Potential Adoption of the City's Updated Water System Plan, which is entitled "City of Selah Water System Plan, February 2021"

From: Rocky D. Wallace Public Works Director

Action Requested: Public Hearing - Open Record

Staff Recommendation: First, to hold an open public hearing regarding the City's updated Water System Plan, which is entitled "City of Selah Water System Plan, February 2021". Thereafter/second, to vote as to whether to approve the attached Ordinance, which, if validly approved, will formally adopt said updated Water System Plan and will formally repeal the preexisting Water System Plan.

Board/Commission Recommendation: Not Applicable

Fiscal Impact: None

Funding Source: None

Background / Findings & Facts: This is a periodic update of a preexisting City plan. The City owns, operates and maintains – for the benefit of users – a municipal potable water supply, storage and distribution system (WSP). The City's WSP is regulated by the Washington State Department of Health (WDOH), via the Washington Administrative Code (WAC). The provisions of WAC 246-290-100 require the City to update its WSP and to obtain WDOH approval of the updated WSP, prior to expiration of the City's preexisting WSP. The City has completed the necessary updating of its WSP and has already received the necessary approval from WDOH. In addition, the City has also completed other necessary prerequisites to potentially implementing the updated WSP, including but not limited to publishing advance notice of today's public hearing regarding the potential adoption of the updated WSP. It is now appropriate and necessary to hold an open public hearing regarding the potential adoption of the updated WSP. Thereafter, it will likely prove appropriate – and it will be necessary in order to actually adopt the updated WSP – to hold a vote as to whether to approve an Ordinance that formally adopts the updated WSP and that also formally repeals the preexisting WSP.



**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



Recommended Action/Motion: First, to hold an open public hearing regarding the City's updated Water System Plan, which is entitled "City of Selah Water System Plan, February 2021". Thereafter/second, to vote as to whether to approve the attached Ordinance, which, if validly approved, will adopt said updated Water System Plan and will repeal the preexisting plan.

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:
3/26/2019	Resolution No. 2728 Authorizing the Mayor to sign Task Order 2019-05 Between the City of Selah and HLA Engineering and Land Surveying Inc. to update The Water System Plan for the City of Selah
6/23/2021	DOH Approval Letter
10/6/2021	Notice of City Council Public Hearing
10/12/2021	2021 Water System Plan Study session



Supporting Documentation Located on
the City Website at:

www.selahwa.gov/planning/public-notices/

(Also included on the thumb drives provided at the
October 12, 2021 Council Meeting)



**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



Council Meeting

Action Item

10/26/2021

O-4

Title: Open Public Hearing to Consider Potential Adoption of the City’s Updated Water System Plan, which is entitled “City of Selah Water System Plan, February 2021”

From: Rocky D. Wallace Public Works Director

Action Requested: Public Hearing - Open Record

Staff Recommendation: First, to hold an open public hearing regarding the City’s updated Water System Plan, which is entitled “City of Selah Water System Plan, February 2021”. Thereafter/second, to vote as to whether to approve the attached Ordinance, which, if validly approved, will formally adopt said updated Water System Plan and will formally repeal the preexisting Water System Plan.

Board/Commission Recommendation: Not Applicable

Fiscal Impact: None

Funding Source: None

Background / Findings & Facts: This is a periodic update of a preexisting City plan. The City owns, operates and maintains – for the benefit of users – a municipal potable water supply, storage and distribution system (WSP). The City’s WSP is regulated by the Washington State Department of Health (WDOH), via the Washington Administrative Code (WAC). The provisions of WAC 246-290-100 require the City to update its WSP and to obtain WDOH approval of the updated WSP, prior to expiration of the City’s preexisting WSP. The City has completed the necessary updating of its WSP and has already received the necessary approval from WDOH. In addition, the City has also completed other necessary prerequisites to potentially implementing the updated WSP, including but not limited to publishing advance notice of today’s public hearing regarding the potential adoption of the updated WSP. It is now appropriate and necessary to hold an open public hearing regarding the potential adoption of the updated WSP. Thereafter, it will likely prove appropriate – and it will be necessary in order to actually adopt the updated WSP – to hold a vote as to whether to approve an Ordinance that formally adopts the updated WSP and that also formally repeals the preexisting WSP.



**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



Recommended Action/Motion: First, to hold an open public hearing regarding the City's updated Water System Plan, which is entitled "City of Selah Water System Plan, February 2021". Thereafter/second, to vote as to whether to approve the attached Ordinance, which, if validly approved, will adopt said updated Water System Plan and will repeal the preexisting plan.

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:
3/26/2019	Resolution No. 2728 Authorizing the Mayor to sign Task Order 2019-05 Between the City of Selah and HLA Engineering and Land Surveying Inc. to update The Water System Plan for the City of Selah
6/23/2021	DOH Approval Letter
10/6/2021	Notice of City Council Public Hearing
10/12/2021	2021 Water System Plan Study session

ORDINANCE ADOPTING THE CITY'S UPDATED WATER SYSTEM PLAN ENTITLED "CITY OF SELAH WATER SYSTEM PLAN, FEBRUARY 2021" AND REPEALING THE CITY'S PREEXISTING PLAN ENTITLED "2014 COMPREHENSIVE WATER PLAN"

WHEREAS, RCW Chapter 36.70A – the Washington State Growth Management Act (GMA) – requires cities to adopt comprehensive water plans that are consistent with and that implement their respective comprehensive land use plans; and

WHEREAS, the City of Selah is required to plan in conformance with the GMA; and

WHEREAS, the City's Water System Plan is intended to direct and prepare for future growth and development; and

WHEREAS, the 2021 Water System Plan is a planning document to implement the City's Urban Growth Area Comprehensive Plan; and

WHEREAS, the City has taken deliberate steps to meet the water planning requirements of the Washington State Department of Health during the development of the City's 2021 Water System Plan; and

WHEREAS, the document entitled "City of Selah Water System Plan, February 2021" (hereinafter interchangeably also referred to as WSP) has been prepared as a new water system plan for the City; and

WHEREAS, the WSP contains an Executive Summary, an Appendix, and also ten Chapters that bear the following headings:

- CHAPTER 1 - DESCRIPTION OF THE WATER SYSTEM
- CHAPTER 2 - BASIC PLANNING DATA
- CHAPTER 3 - SYSTEM INVENTORY AND ANALYSIS
- CHAPTER 4 – WATER USE EFFICIENCY PROGRAM
- CHAPTER 5 - SOURCE WATER PROTECTION
- CHAPTER 6 - OPERATION AND MAINTENANCE PROGRAM
- CHAPTER 7 - DISTRIBUTION FACILITIES DESIGN AND CONSTRUCTION STANDARDS
- CHAPTER 8 – CAPITAL IMPROVEMENT PROGRAM
- CHAPTER 9 - FINANCIAL PROGRAM
- CHAPTER 10 - MISCELLANEOUS DOCUMENTS

and

WHEREAS, WAC 246-290-100(8)(b) requires approval of the WSP by the purveyor's governing body or elected governing board; and

WHEREAS, RCW Chapter 43.21C – the Washington State Environmental Policy Act (SEPA) – requires the City to conduct environmental review of the WSP, and such occurred on December 19, 2020, with the issuance of a Notice of Environmental Review followed by a fourteen-day public and agency comment period; and

WHEREAS, an Environmental Determination of Nonsignificance (DNS) relative to the WSP was issued on February 3, 2021, and no appeals were filed thereon thereafter; and

WHEREAS, on February 9, 2021, the City Council held a Consumer Input Meeting on the City's draft WSP; and

WHEREAS, on June 23, 2021, the State of Washington Department of Health approved the City's draft WSP; and

WHEREAS, on October 6, 2021, the City published in the legal advertising section of the Yakima Herald Republic, the legal newspaper for the City of Selah, advance notice of the City of Selah Council's open public hearing that is and was scheduled for October 26, 2021, to consider the proposed WSP; and

WHEREAS, the City's draft WSP was made available for review on the City of Selah's publicly-accessible website at <https://selahwa.gov/planning/public-notices/>; and

WHEREAS, all persons desiring to either provide written testimony or to orally speak in favor of, against or otherwise regarding the City's draft WSP during the open public meeting on October 26, 2021, were given a full and complete opportunity to do so and to be heard; and

WHEREAS, the City Council has concluded that the adoption and implementation of the City of Selah 2021 Water System Plan is essential to direct the future growth and development of the City of Selah;

**NOW THEREFORE BE IT HEREBY ORDAINED BY THE
CITY COUNCIL OF THE CITY OF SELAH:**

SECTION 1. ADOPTION OF NEW WSP. The document entitled "City of Selah Water System Plan, February 2021" (a/k/a WSP), is hereby adopted as required by RCW 36.70A and approved as required by WAC 246-290-100(8)(b), shall be the official water system plan for the City of Selah. By this reference, said WSP is incorporated as if fully set forth herein. The City Clerk/Treasurer and the City's Public Works Department shall have copies of the WSP available for public access, review and inspection at their

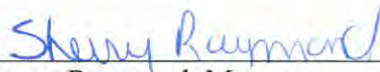
respective offices.

SECTION 2. REPEAL OF PREEXISTING WSP. The City's preexisting WSP entitled "2014 Comprehensive Water Plan", dated October of 2014, is hereby repealed.

SECTION 3. EFFECTIVE DATE. This Ordinance shall be effective at 12:01 a.m. the day following publication of a summary of the Ordinance in the official newspaper of the City of Selah.

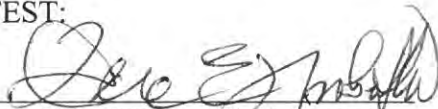
SECTION 4. SEVERABILITY. If any section, phrase or provision of the now-adopted WSP or this Ordinance is held illegal, invalid or unenforceable by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

Dated this 26th day of October, 2021.



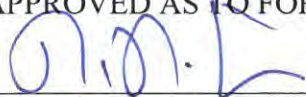
Sherry Raymond, Mayor

ATTEST:



Dale E. Novobielski, Clerk/Treasurer

APPROVED AS TO FORM:



Rob Case, City Attorney



**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



Council Meeting

Action Item

10/26/2021

L-5

Title: Public Hearing on Revenue Sources for the 2022 Budget

From: Dale Novobielski, Clerk Treasurer

Action Requested: Public Hearing - Open Record

Staff Recommendation: Hold Public Hearing

Board/Commission Recommendation: Not Applicable

Fiscal Impact: N/A

Funding Source: N/A

Background / Findings & Facts: See Minutes for details

Recommended Motion: Discuss potential revenue sources for the 2022 Budget

**CITY OF SELAH
2022 PRELIMINARY BUDGET
PROPERTY TAXES**

	2022 Budget Est	%	2021 Budget	2021 Actual Thru Sept	%	2020 Actual	%	2019 Actual	%
001 General Fund	\$1,428,799	64%	\$1,372,880	\$766,785	63%	\$1,322,722	63%	\$1,171,064	71%
103 Fire Control	624,612	28%	618,428	345,406	28%	320,534	15%	316,907	19%
103 Fire Control Lid Lift						280,602	13%		
110 City Street	189,651	8%	187,773	104,876	9%	182,522	9%	163,133	10%
Total Unrestricted Prop. Taxes	\$2,243,062	100%	\$2,179,081	\$1,217,067	100%	\$2,106,381	100%	\$1,651,105	100%

Unrestricted Property Taxes

Levy Rate per Thousand \$2.33 \$2.55 \$2.61 \$2.27

Restricted Property Taxes

103 Fire Control - EMS	\$126,269		\$130,052	\$78,027	60%	\$128,497		\$124,479	
Total Restricted Property Taxes	\$126,269		\$130,052	\$78,027		\$128,497		\$124,479	

Levy Rate per Thousand EMS \$0.20 \$0.21 \$0.22

Residential

3 hcf Water & 60 Gallon Garbage Svc

	2021 Rates	Proposed 2022 Rates	+ / -
Water	\$18.12	\$18.66	
Sewer	47.33	48.75	
Garbage	14.00	14.42	
	<u>\$79.45</u>	<u>\$81.83</u>	\$2.38
Utility Tax	11.52	11.87	0.35
Total Billing	<u><u>\$90.97</u></u>	<u><u>\$93.70</u></u>	<u>\$2.73</u> 3.0%

	Proposed Rate Adj.
W Rate Adj	3.0%
S Rate Adj	3.0%
Garb Rate Adj	3.0%

10 hcf Water & 60 Gallon Garbage Svc

	2021 Rates	Proposed 2022 Rates	+ / -
Water	\$29.39	\$30.27	
Sewer	47.33	48.75	
Garbage	14.00	14.42	
	<u>\$90.72</u>	<u>\$93.44</u>	\$2.72
Utility Tax	13.15	13.55	0.39
Total Billing	<u><u>\$103.87</u></u>	<u><u>\$106.99</u></u>	<u>\$3.12</u> 3.0%

40 hcf Water & Two 60 Gallon Garbage Svc

	2021 Rates	Proposed 2022 Rates	+ / -
Water	\$66.89	\$68.90	
Sewer	47.33	48.75	
Garbage	20.10	20.70	
	<u>\$134.32</u>	<u>\$138.35</u>	\$4.03
Utility Tax	19.48	20.06	0.58
Total Billing	<u><u>\$153.80</u></u>	<u><u>\$158.41</u></u>	<u>\$4.61</u> 3.0%

Residential

Low-Income Senior and Low-Income Disabled - 10 hcf Water & 60 Gallon Garbage Svc

	2021 Rates	Proposed 2022 Rates	+ / -
Water	\$21.41	\$22.05	
Sewer	28.40	29.25	
Garbage	12.06	12.42	
	<u>\$61.87</u>	<u>\$63.73</u>	\$1.86
Utility Tax	3.71	3.82	<u>0.11</u>
Total Billing	<u><u>\$65.58</u></u>	<u><u>\$67.55</u></u>	<u><u>\$1.97</u></u> 3.0%

Outside Utility Agreement - 10 hcf Water

	2021 Rates	Proposed 2022 Rates	+ / -
Water	\$44.05	\$45.37	
Sewer	70.99	73.12	
Garbage	<u>\$115.04</u>	<u>\$118.49</u>	\$3.45
Utility Tax	<u>16.68</u>	<u>17.18</u>	<u>0.50</u>
Total Billing	<u><u>\$131.72</u></u>	<u><u>\$135.67</u></u>	<u><u>\$3.95</u></u> 3.0%

Outside Utility Agreement - 40 hcf Water

	2021 Rates	Proposed 2022 Rates	+ / -
Water	\$97.21	\$100.13	
Sewer	70.99	73.12	
Garbage	0.00	0.00	
	<u>\$168.20</u>	<u>\$173.25</u>	\$5.05
Utility Tax	<u>24.39</u>	<u>25.12</u>	<u>0.73</u>
Total Billing	<u><u>\$192.59</u></u>	<u><u>\$198.37</u></u>	<u><u>\$5.78</u></u> 3.0%

Residential

Garbage Only - Two 60 Gallon Svc

	2021 Rates	Proposed 2022 Rates	+ / -
Water	\$0.00	\$0.00	
Sewer	0.00	0.00	
Garbage	20.10	20.70	
	<u>\$20.10</u>	<u>\$20.70</u>	\$0.60
Utility Tax	2.91	3.00	<u>0.09</u>
Total Billing	<u>\$23.01</u>	<u>\$23.70</u>	<u>\$0.69</u> 3.0%

Duplex - 20hcf Water & Two 60 Gallon Svc

	2021 Rates	Proposed 2022 Rates	+ / -
Water	\$48.58	\$50.04	
Sewer	94.66	97.50	
Garbage	28.00	28.84	
	<u>\$171.24</u>	<u>\$176.38</u>	\$5.14
Utility Tax	24.83	25.57	<u>0.74</u>
Total Billing	<u>\$196.07</u>	<u>\$201.95</u>	<u>\$5.88</u> 3.0%

Commercial

3 hcf Water & 60 Gallon Garbage Svc

	2021 Rates	Proposed 2022 Rates	+ / -
Water	\$18.12	\$18.66	
Sewer	43.00	44.29	
Garbage	14.00	14.42	
	<u>\$75.12</u>	<u>\$77.37</u>	\$2.25
Utility Tax	10.89	11.22	0.33
Total Billing	<u><u>\$86.01</u></u>	<u><u>\$88.59</u></u>	<u>\$2.58</u> 3.0%

3 hcf Water & 1 yd 1X Garbage Svc

	2021 Rates	Proposed 2022 Rates	+ / -
Water	\$18.12	\$18.66	
Sewer	43.00	44.29	
Garbage	55.93	57.61	
	<u>\$117.05</u>	<u>\$120.56</u>	\$3.51
Utility Tax	16.97	17.48	0.51
Total Billing	<u><u>\$134.02</u></u>	<u><u>\$138.04</u></u>	<u>\$4.02</u> 3.0%

10 hcf Water & 1 yd 1X Garbage Svc

	2021 Rates	Proposed 2022 Rates	+ / -
Water	\$29.39	\$30.27	
Sewer	43.00	44.29	
Garbage	55.93	57.61	
	<u>\$128.32</u>	<u>\$132.17</u>	\$3.85
Utility Tax	18.61	19.16	0.56
Total Billing	<u><u>\$146.93</u></u>	<u><u>\$151.33</u></u>	<u>\$4.41</u> 3.0%

Commercial

Category C - Grocery Store, Bakeries, Restaurants, Drive-Ins - 10 hcf Water & 1 yd 1X Garbage Svc

	2021 Rates	Proposed 2022 Rates	+ / -
Water - 1" meter	\$33.73	\$34.74	
Sewer	73.40	75.60	
Garbage	55.93	57.61	
	<u>\$163.06</u>	<u>\$167.95</u>	\$4.89
Utility Tax	<u>23.64</u>	<u>24.35</u>	<u>0.71</u>
Total Billing	<u><u>\$186.70</u></u>	<u><u>\$192.30</u></u>	<u><u>\$5.60</u></u> 3.0%

Category C - Grocery Store, Bakeries, Restaurants, Drive-Ins - 30 hcf Water & 1 yd 2X Garbage Svc

	2021 Rates	Proposed 2022 Rates	+ / -
Water - 1" meter	\$58.73	\$60.49	
Sewer	228.20	235.05	
Garbage	111.86	115.22	
	<u>\$398.79</u>	<u>\$410.75</u>	\$11.96
Utility Tax	<u>57.82</u>	<u>59.56</u>	<u>1.73</u>
Total Billing	<u><u>\$456.61</u></u>	<u><u>\$470.31</u></u>	<u><u>\$13.70</u></u> 3.0%



**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



Council Meeting	Action Item
10/26/2021	N-1

Title: Resolution Authorizing the Mayor to Sign “Task Order No. 2021-11” between the City and HLA Engineering and Land Surveying, Inc., for Professional Engineering Services Related to the 2021 Annual Update to the City’s Stormwater Management Plan

From: Rocky Wallace, Public Works Director

Action Requested: Approval

Staff Recommendation: To approve the attached Resolution in the form presented.

Board/Commission Recommendation: Not Applicable

Fiscal Impact: Estimated maximum cost of \$9,000.00

Funding Source: 415 Stormwater

Background / Findings & Facts: This is a periodic update of a preexisting City plan. In 2011, the City implemented a Stormwater Management Plan (SWMP). In 2014, the City entered into – via a written agreement with other local municipalities – something known as the Regional Stormwater Working Group (RSWG). This was done in order to comply with something known as the Eastern Washington Phase II Municipal Stormwater Permit (the Permit), as issued by the Washington State Department of Ecology (Ecology). In 2020, the agreement for the RSWG was renegotiated. As a result of that renegotiation, the City is now required to update its SWMP on an annual basis. Among other things, professional engineering services will be required for the City’s 2021 annual update to be properly conceived and implemented. HLA Engineering and Land Surveying, Inc. (HLA), provides professional engineering services to the City on a project-by-project basis because the City does not directly employ any engineer(s) on its staff. HLA is willing and able to provide assist the City on this updating project. Such project will occur pursuant to a written Task Order between HLA and the City. The estimated maximum cost for HLA’s services is \$9,000.00. December 31, 2021, is the deadline by which the City’s SWMP must be updated. The attached Resolution will, if approved, authorize the Mayor to sign “Task Order No. 2021-11” with HLA for this project at this estimated maximum cost, so that work can commence on this project forthwith.



**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



Recommended Action/Motion: I move to approve the Resolution in the form presented.

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:

NONE

RESOLUTION NO. 2873

RESOLUTION AUTHORIZING THE MAYOR TO SIGN "TASK ORDER NO. 2021-11" BETWEEN THE CITY AND HLA ENGINEERING AND LAND SURVEYING, INC., FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO THE 2021 ANNUAL UPDATE TO THE CITY'S STORMWATER MANAGEMENT PLAN

WHEREAS, the City of Selah has a preexisting Stormwater Management Plan (SWMP) that must be updated on an annual basis; and

WHEREAS, the 2021 SWMP update must be completed by December 31, 2021, and professional engineering services are required in order for such update to be properly conceived and implemented; and

WHEREAS, HLA Engineering and Land Surveying, Inc. (HLA), provides professional engineering services to the City on a project-by-project basis, because the City does not directly employ any engineer(s) on its staff; and

WHEREAS, HLA is willing and able to assist the City on this updating project, and has proposed a written "Task Order No. 2021-11" for an estimated maximum cost of \$9,000.00 for such services; and

WHEREAS, City staff recommends that such Task Order be approved, that the Mayor be authorized to sign it on behalf of the City, and that work on this project commence forthwith;

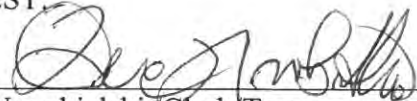
NOW THEREFORE, BE RESOLVED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, the Mayor be and is authorized to sign "Task Order 2021-11" between the City and HLA in the form appended hereto.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, this 26th day of October, 2021.



Sherry Raymond, Mayor

ATTEST:



Dale Novobielski, Clerk/Treasurer

APPROVED AS TO FORM:



Rob Case, City Attorney

TASK ORDER NO. 2021-11

REGARDING GENERAL AGREEMENT BETWEEN CITY OF SELAH

AND

HLA ENGINEERING AND LAND SURVEYING, INC. (HLA)

PROJECT DESCRIPTION:

Stormwater Management Program Plan

HLA Project No. 21220E

The City of Selah (CITY) operates its municipal separate storm sewer system (MS4) under the coverage of the Eastern Washington Phase II Municipal Stormwater Permit issued by the Washington State Department of Ecology (Ecology). The permit includes Special Conditions outlining the requirements for operation and permit compliance. Special Condition S5.A.4. describes the annual reporting requirements as follows:

"S5. Stormwater Management Program for Cities, Towns, and Counties

- A. All Permittees shall develop and implement a Stormwater Management Program (SWMP) during the term of this Permit. A SWMP is a set of actions and activities comprising the components listed in S5 and any additional actions necessary to meet the requirements of applicable TMDLs pursuant to S7 – Compliance with TMDL Requirements, and S8 – Monitoring and Assessment.*
- 4. Each Permittee shall prepare written documentation of the SWMP, called the SWMP Plan. The SWMP Plan shall be organized according to the program components in S5.B below or a format approved by Ecology, and shall be updated at least annually for submittal with the Permittee's Annual Reports to Ecology (see S9 – Reporting and Recordkeeping). The SWMP Plan shall be written to inform the general public of planned SWMP activities for the upcoming calendar year, and shall include a description of:*
- a. Planned activities for each of the program components included in S5.B.1 through S5.B.6.*
 - b. Any additional planned actions to meet the requirements of applicable TMDLs pursuant to S7 – Compliance with Total Maximum Daily Load Requirements.*
 - c. Any additional planned actions to meet the requirements of S8 – Monitoring and Assessment."*

Selah developed and implemented a SWMP in response to previous versions of the permit and has complied with the SWMP requirements. This Task Order relates to the preparation of the SWMP Plan to be submitted to Ecology by December 31, 2021. Since the SWMP is in place the reporting effort consists of assembling available information into a SWMP Plan.

Other annual permit reporting requirements (Annual Report form and attachments) have been or will be completed by the CITY.

SCOPE OF SERVICES:

At the direction of the CITY, HLA will provide professional engineering services for the Stormwater Management Program Plan project (PROJECT). HLA shall provide the following services:

1.0 Prepare Stormwater Management Program Plan

HLA will prepare the SWMP Plan to meet the minimum requirements described in Ecology permit condition S5.A.4. specifically to inform the general public of planned activities for the coming year.

- 1.1 Planned activities for the following SWMP components will be discussed with the CITY and included in the SWMP Plan:
 - Public Education and Outreach
 - Public Involvement and Participation
 - Illicit Discharge Detection and Elimination
 - Construction Site Stormwater Runoff Control
 - Post-Construction Stormwater Management for New Development and Redevelopment
 - Municipal Operations and Maintenance
- 1.2 Planned actions to meet the requirements of Special Condition S7 – Compliance with Total Maximum Daily Load Requirements will be discussed. Permit obligations found in Appendix 2 pertaining to the Selah Ditch Multiparameter Total Maximum Daily Load include:
 - Education and Outreach
 - Illicit Discharge Detection and Elimination
 - Effectiveness Assessment
- 1.3 Any additional planned actions to meet the requirements of Special Condition S8 – Monitoring and Assessment will be discussed. Possible actions may include:
 - Stormwater Management Program Effectiveness Studies
 - Participation in Implementation of Previous Ecology-Approved Studies
 - Coordination to Plan and Begin an Additional SWMP Effectiveness Study
 - Reporting and Tracking

2.0 Additional Services

- 2.1. Provide professional engineering services for additional work requested by the CITY that is not included above.

3.0 Items to be Furnished and Responsibility of CITY

- 3.1 Provide full information as to CITY requirements of the PROJECT.
- 3.2 Assist HLA by providing all available information pertinent to the PROJECT, including previous reports, drawings, and any other data relative to the PROJECT.
- 3.3 Examine all studies, reports, sketches, drawings, and other documents presented by HLA, and provide written decisions within a reasonable time as not to delay the work of HLA.
- 3.4 Obtain approval of all governmental authorities having jurisdiction over the PROJECT, and approvals and consents from other individuals or bodies as necessary for completion. Pay all review fees and costs associated with obtaining such approvals.

TIME OF PERFORMANCE:

HLA will diligently pursue completion of the PROJECT with the following schedule anticipated:

1.0 Prepare Stormwater Management Program Plan

Complete DRAFT Stormwater Management Program Plan for CITY review by December 15, 2021. Submit FINAL Stormwater Management Program Plan to Ecology by December 31, 2021.

2.0 Additional Services

Time for completion of work directed by the CITY under Additional Services shall be negotiated and mutually agreed upon at the time service is requested by the CITY.

FEE FOR SERVICE:

1.0 Prepare Stormwater Management Program Plan

All work for services to prepare the Stormwater Management Program Plan shall be completed on an hourly basis, at normal hourly billing rates, for the estimated maximum fee of \$9,000.00.

2.0 Additional Services

Additional work requested by the CITY not included above shall be authorized by the CITY and agreed upon by HLA in writing prior to proceeding with services. HLA will perform additional services as directed/authorized by the CITY on a time-spent basis at the hourly billing rates included in our General Agreement, plus reimbursement for direct non-salary expenses.

Proposed:  10/5/2021
HLA Engineering and Land Surveying, Inc. Date
Michael T. Battle, PE, President

Approved:  11-1-2021
City of Selah Date
Sherry Raymond, Mayor



CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY



Council Meeting

Action Item

10/26/2021

N-2

Title: Resolution Authorizing the Mayor to Sign “Contract Number: PC22-96103-046” between the City and the Washington State Public Works Board, in order for the City to Obtain Financing for the City’s Contemplated Water Service Meter Improvements Project

From: Rocky D. Wallace, Public Works Director

Action Requested: Approval

Staff Recommendation: To approve the attached Resolution in the form presented.

Board/Commission Recommendation: Not Applicable

Fiscal Impact: Borrowing of \$1,600,000.00, at an interest rate of three-quarters of one percent (0.75%), for a term of twenty (20) years. This equates to an expected total cost (with accrued interest) of \$1,720,000.00.

Funding Source: 411 Water Fund

Background / Findings & Facts: This is a proposed loan whereby the City will borrow funds for a contemplated project. The City’s adopted 2021 budget contemplated that the City would directly pay for, without utilizing any borrowed funds, the City’s contemplated Water Service Meter Improvements Project. Subsequent to adoption of such budget, the Public Works Department secured a loan commitment that can be utilized for such project. Such loan would be provided by the Washington State Public Works Board. City staff believes the proposed loan terms offer a good financial option for the City, rather than the City paying directly for such project as previously contemplated. The principal sum borrowed would be one million six hundred thousand dollars (\$1,600,000.00), the interest rate would be three-quarters of one percent (0.75%), and the repayment term would be twenty (20) years. The attached Resolution will, if approved, authorize the Mayor to sign “Contract Number: PC22-96103-046” with the Washington State Public Works Board, which is the contract for this contemplated loan. As to the project itself, the largest component of the contemplated work will be the physical replacement of water meters throughout the City (numbering approximately two thousand eight hundred (2,800)) from the presently-existing older-version direct-read meters (i.e., meters from which data can only be obtained via



**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



individual physical examinations) to newer and more-modern radio-read meters (i.e., meters from which data can be obtained more remotely). Related thereto, an advanced metering infrastructure system (AMI system) will also be chosen and installed. Further, presently-existing boxes and box components will be replaced as follows: meter box lids will be replaced as necessary in order to be compatible with the as-chosen AMI system; and, to the extent possible within funding limitations, meter boxes that are damaged and/or those for which replacement lid sizes are not available will also be replaced. Prior to commencement of work, a propagation study and analysis will be completed to determine suitable locations for the AMI system collectors, repeaters and/or antennas that will be required for newer system to adequately cover the City's service area. The City may also evaluate and consider the use of a cellular-based AMI system as an option to reduce total operation and maintenance costs and/or to improve coverage.

Recommended Action/Motion: I move to approve the Resolution in the form presented.

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:
9/28/2021	PWB Loan Scope Change Request Form Approval
9/28/2021	Scope Change and Loan Amount Request
5/28/2021	Resolution No. 2849 Authorizing the Public Works Staff to Apply to the Washington State Department of Commerce, Public Works Board for Funding for Replacement of Water Service Meters
10/12/2021	Resolution No. 2871 authorizing the Mayor to sign Task Order No. 2021-10 between the City of Selah and HLA Engineering and Land Surveying, Inc. to provide engineering services for the Water Service Meter Improvements Project.

RESOLUTION NO. 2874

RESOLUTION AUTHORIZING THE MAYOR TO SIGN “CONTRACT NUMBER: PC22-96103-046” BETWEEN THE CITY AND THE WASHINGTON STATE PUBLIC WORKS BOARD, IN ORDER FOR THE CITY TO OBTAIN FINANCING FOR THE CITY’S CONTEMPLATED WATER SERVICE METER IMPROVEMENTS PROJECT

WHEREAS, the City of Selah’s adopted 2021 budget contemplated that the City would directly pay for, without utilizing any borrowed funds, the City’s contemplated Water Service Meter Improvements Project; and

WHEREAS, subsequent to adoption of such budget, the City’s Public Works Department secured a loan commitment from the Washington State Public Works Board that can be utilized for such project; and

WHEREAS, City staff believes that the proposed loan terms offer a good financial option for the City, rather than the City paying directly for such project as previously contemplated; and

WHEREAS, if the loan is entered into, the principal sum borrowed would be one million six hundred thousand dollars (\$1,600,000.00), the interest rate would be three-quarters of one percent (0.75%), and the repayment term would be twenty (20) years, which thus equates to an expected total cost (with accrued interest) of one million seven hundred twenty thousand dollars (\$1,720,000.00); and

WHEREAS, a written contract labeled “Contract Number: PC22-96013-046” has been prepared to recite all terms of the proposed loan, and City staff recommends that such written Contract be approved, that the Mayor be authorized to sign it on behalf of the City, and that work on this project – to begin with a propagation study and analysis – commence forthwith;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, that the Mayor be and is authorized to sign “Contract Number: PC22-96013-046” between the City and the Washington State Public Works Board in the form appended hereto.


PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, this 26th day of October 2021.



Sherry Raymond, Mayor

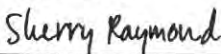
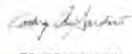
ATTEST:


Dale E. Novobielski, Clerk/Treasurer

APPROVED AS TO FORM:


Rob Case, City Attorney

CONTRACT FACE SHEET**Contract Number: PC22-96103-046****PUBLIC WORKS BOARD
CONSTRUCTION LOAN CONTRACT**

1. Contractor City of Selah 115 W Naches Ave Selah, WA 98942		2. Contractor Doing Business As (optional) N/A	
3. Contractor Representative N/A		4. Public Works Board Representative N/A	
5. Contract Amount \$1,600,000	6. Funding Source Federal: <input type="checkbox"/> State: <input checked="" type="checkbox"/> Other: <input type="checkbox"/> N/A: <input type="checkbox"/>	7. Contract Start Date Contract Execution Date	8. Contract End Date June 1, 2041
9. Federal Funds (as applicable) N/A	Federal Agency N/A	CFDA Number N/A	
10. Tax ID # N/A	11. SWV # SWV0007717-00	12. UBI # 392-000-174	13. DUNS # N/A
14. Contract Purpose Fund a project of a local government for the planning, acquisition, construction, repair, reconstruction, replacement, rehabilitation, or improvement of streets, roads, bridges, drinking water systems, stormwater systems, sanitary sewage systems, or solid waste facilities, including recycling facilities.			
The BOARD, defined as the Washington State Public Works Board and Contractor acknowledge and accept the terms of this Contract and attachments and have executed this Contract on the date below to start as of the date and year last written below. The rights and obligations of both parties to this Contract are governed by this Contract and the following other documents that are incorporated by reference: Contract Terms and Conditions including Declarations Page; and Attachment I: Attorney's Certification.			
FOR THE CONTRACTOR		FOR PUBLIC WORKS BOARD	
DocuSigned by:  41ECS0388A2941B... Signature		DocuSigned by:  7245B4026B7B42E... Kathryn A. Gardow, Public Works Board Chair	
Sherry Raymond		11/1/2021 11:32 AM PDT	
Print Name		Date	
Mayor		APPROVED AS TO FORM ONLY	
Title		September 22, 2021	
11/1/2021 10:31 AM PDT		Dawn C. Cortez	
Date		Assistant Attorney General	



DECLARATIONS

CLIENT INFORMATION

Legal Name: City of Selah
Loan Number: PC22-96103-046

PROJECT INFORMATION

Project Title: Water Service Meter Improvements
Project City: Selah
Project State: Washington
Project Zip Code: 98942

LOAN INFORMATION

Loan Amount: **\$1,600,000**
Total Estimated Cost: **\$1,720,000**
Total Estimated Project Funding: **\$1,720,000**
Loan Forgiveness % (if applicable): **0%**
Loan Term: **20**
Interest Rate: **0.75%**
Payment Month: June 1st
Loan Reimbursement Start Date: **August 6, 2021**
Time of Performance: 60 months from Execution Date of this Contract to Project Completion.

SPECIAL TERMS AND CONDITIONS GOVERNING THIS LOAN AGREEMENT

N/A

LOAN SECURITY CONDITION GOVERNING THIS LOAN AGREEMENT

This loan is a general obligation of the LOCAL GOVERNMENT.

SCOPE OF WORK

The Water Service Meter Improvements project replaces approximately 2,800 existing direct-read water meters with new radio read meters, and installs an advanced metering infrastructure (AMI) system. The project also replaces existing meter box lids as required for compatibility with the selected AMI meter system. Existing meter boxes will be replaced in locations where replacement lid sizes are not available and/or to replace damaged meter boxes, as funding allows. The project also completes a propagation study and analysis to determine locations for AMI system collectors, repeaters, and/or antennas required for adequate coverage of the City's service area. The City may also evaluate and consider the use of cellular AMI system deployment as an option to reduce operations and maintenance (O&M) costs and/or improve coverage.

The project costs may include but are not limited to: engineering, cultural and historical resources, environmental documentation, review, permits, public involvement, bid documents and construction. The project needs to meet all applicable Local, State, and/or Federal standards.



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CONTRACT TERMS AND CONDITIONS

PUBLIC WORKS BOARD CONSTRUCTION LOAN PROGRAM

Part 1. SPECIAL TERMS AND CONDITIONS

1.1 Definitions

As used throughout this Construction Loan Contract the following terms shall have the meaning set forth below:

- A. "Contract" shall mean this Construction Loan Contract.
- B. "Contractor" shall mean the local government identified on the Contract Face Sheet performing service(s) under this Contract and who is a Party to the Contract, and shall include all employees and agents of the Contractor.
- C. "The BOARD" shall mean the Washington State Public Works Board created in Revised Code of Washington (RCW) 43.155.030, and who is a Party to the Contract.
- D. "Declarations " and "Declared" shall refer to the project information, loan terms and conditions as stated on the Declarations Page of this Loan Contract, displayed within the Contract in **THIS STYLE** for easier identification.

1.2 Authority

Acting under the authority of Chapter 43.155 RCW, the BOARD has awarded the Contractor a Public Works Board construction loan for an approved public works project.

1.3 Purpose

The BOARD and the Contractor have entered into this Contract to undertake a local public works project that furthers the goals and objectives of the Washington State Public Works Program. The project will be undertaken by the Contractor and will include the activities described in the **SCOPE OF WORK** shown on the Declarations page. The project must be undertaken in accordance with the loan terms and conditions, and all applicable federal, state and local laws and ordinances, which are incorporated by reference.

1.4 Order of Precedence

In the event of an inconsistency in this Contract, the inconsistency shall be resolved by giving precedence in the following order:

- A. Applicable federal and state of Washington statutes and regulations.
- B. Special Terms and Conditions including attachments.
- C. General Terms and Conditions.

1.5 5- year deferral for start-up systems

If the project financed by this Contract is to develop a system to deliver previously unavailable services, and revenue from those services is to repay the loan, the new system is eligible for a deferral of loan payments for sixty (60) months after the Contract execution date. The Contractor may provide a written request to the BOARD requesting a 5-year deferral for an eligible system. The BOARD may approve the deferral request.

Interest accrues for the aforementioned sixty (60) months. The accrued interest only payment is due June 1 of the 6th year of the loan term. Interest and principal payments are due on June 1 of the 7th year of the loan term.

1.6 Competitive Bidding Requirements

The Contractor shall comply with the provisions of RCW 43.155.060 regarding competitive bidding requirements for projects assisted in whole or in part with money from the Public Works Program.

1.7 Default in Repayment

Loan repayments shall be made on the loan in accordance with Section 1.18 of this Contract. A payment not received within thirty (30) days of the due date shall be declared delinquent. Delinquent payments shall be assessed a monthly penalty beginning on the first (1st) day past the due date. The penalty will be assessed on the entire payment amount. The penalty will be one percent (1%) per month or twelve percent (12%) per annum. The same penalty terms shall apply at project completion if the repayment of loan funds in excess of eligible costs are not repaid at the time of the Project Completion Amendment is submitted, as provided for in Section 1.13.

The Contractor acknowledges and agrees to the BOARD's right, upon delinquency in the payment of any annual installment, to notify any other entity, creditors, or potential creditors of the Contractor of such delinquency.

The Contractor shall be responsible for all legal fees incurred by the BOARD in any action undertaken to enforce its rights under this section.

1.8 Investment Grade Audit

For projects involving repair, replacement, or improvement of a wastewater treatment plant, or other public works facility for which an investment grade audit is obtainable, Contractor must undertake an investment grade audit.

Costs incurred as part of the investment grade audit are eligible project costs.

1.9 Sub-Contractor Data Collection

Contractor will submit reports, in a form and format to be provided by the BOARD and at intervals as agreed by the parties, regarding work under this Contract performed by sub-contractors and the portion of the Contract funds expended for work performed by sub-contractors, including but not necessarily limited to minority-owned, women-owned, and veteran-owned business sub-contractors. "Sub-Contractors" shall mean sub-contractors of any tier.

1.10 Eligible Project Costs

The Eligible project costs must consist of expenditures eligible under Washington Administrative Code (WAC) 399-30-030 and be related only to project activities described in the declared **SCOPE OF WORK**.

Eligible costs for reimbursement shall be construed to mean expenditures incurred and paid, or incurred and payable within thirty (30) days of the reimbursement request. Only costs that have been incurred on or after **LOAN REIMBURSEMENT START DATE** shown in the Declarations are eligible for reimbursement under this Contract. Eligible costs will be paid according to an approved budget up to the maximum amount stated on the Contract Award or Amendment Face Sheet.

The Contractor assures compliance with WAC 399-30-030, which identifies eligible costs for projects assisted with Public Works Board loans.

These terms supersede the terms in Section 2.2. Allowable Costs.

1.11 Historical and Cultural Resources

Prior to commencing construction, Contractor shall complete the requirements of Governor's Executive Order 21-02, or, as an alternative to completion of Governor's Executive Order 21-02, Contractor shall complete Section 106 of the National Historic Preservation Act, as applicable. Contractor agrees that the Contractor is legally and financially responsible for compliance with all laws, regulations, and agreements related to the preservation of historical or cultural resources and agrees to indemnify, defend and hold harmless the BOARD and the State of Washington in relation to any claim related to such historical or cultural resources discovered, disturbed, or damaged as a result of the project funded by this Contract.

In addition to the requirements set forth in this Contract, Contractor shall, in accordance with Governor's Executive Order 21-02, coordinate with the Washington State Department of Archaeology and Historic Preservation (DAHP), including any recommended consultation with any affected tribe(s), during project design and prior to construction to determine the existence of any tribal cultural resources affected by the proposed project funded by this Contract. Contractor agrees to avoid, minimize, or mitigate impacts to cultural resource as a continuing pre-requisite to receipt of funds under this Contract.

The Contractor agrees that, unless the Contractor is proceeding under an approved historical and cultural monitoring plan or other memorandum of agreement, if historical or cultural resources are discovered during construction, the Contractor shall immediately stop work and notify the local historical preservation officer and the state's historic preservation officer at DAHP. If human remains are uncovered, the Contractor shall report the presence and location of the remains to the coroner and local enforcement immediately, then contact DAHP and the concerned tribe's cultural staff or committee.

The Contractor shall require this provision to be contained in all sub-contracts for work or services related to the declared **SCOPE OF WORK**.

In addition to the requirements set forth in this Contract, Contractor agrees to comply with RCW 27.44.040 regarding Indian Graves and Records; RCW 27.53 regarding Archaeological Sites and Resources; RCW 68.60 regarding Abandoned and Historic Cemeteries and Historic Graves; and, WAC 25-48 regarding Archaeological Excavation and Removal Permits.

Completion of the Section 106 of the National Historic Preservation Act shall substitute for completion of Governor's Executive Order 21-02.

In the event that the Contractor finds it necessary to amend the **SCOPE OF WORK**, the Contractor may be required to re-comply with Governor's Executive Order 21-02 or Section 106 of the National Historic Preservation Act.

1.12 Performance Incentives

The Contractor shall complete the project no later than sixty (60) months after the date of Contract execution.

Should the Contractor submit the Certified Project Completion Report within forty-eight (48) months of the date of Contract execution, the Contractor may choose one of the two following incentives upon project completion:

Option A: The repayment period will be increased by twenty-four (24) months, not to exceed the life of the asset, OR:

Option B: The interest rate will be decreased by one-quarter of one percent (0.25%).

Should the Contractor submit the Certified Project Completion Report within thirty-six (36) months of the date of Contract execution, the Contractor may choose one of the following two incentives upon project completion:

Option C: The repayment period will be increased by sixty (60) months, not to exceed the life of the asset, OR;

Option D: The interest rate will be decreased by up to one-half of one percent (0.50%).

Once an option is selected, the Contract shall be modified to note the appropriate change and no further adjustment to the Contract for Performance Incentives shall be authorized. Irrespective of the performance incentive chosen, at no point in time shall the minimum loan interest rate be less than 0.25%.

The calculation of interest rate and term adjustments will apply to the remaining payments beginning from the date the Project Completion report is certified.

1.13 Project Completion Amendment and Certified Project Completion Report

The Contractor shall complete a Certified Project Completion Report when all activities identified in the **SCOPE OF WORK** are complete. The BOARD will supply the Contractor with the Certified Project Completion Report form, which shall include:

- A. A certified statement that the project, as described in the declared **SCOPE OF WORK**, is complete and, if applicable, meets required standards.
- B. A certified statement of the actual dollar amounts spent, from all funding sources, in completing the project as described in the **SCOPE OF WORK**.
- C. Certification that all costs associated with the project have been incurred and have been accounted for. Costs are incurred when goods and services are received and/or Contract work is performed.
- D. A final voucher for the remaining eligible funds.
- E. Pictures of Completed Project.

The Contractor will submit the Certified Project Completion Report together with the last Invoice Voucher for a sum not to exceed the balance of the loan amount. The final Invoice Voucher payment shall not occur prior to the completion of all project activities identified in the **SCOPE OF WORK** and the BOARD's receipt and acceptance of the Certified Project Completion Report.

The Project Completion Amendment shall serve as an amendment to this Contract determining the final loan amount, local share, term, and interest rate.

1.14 Project Signs

If the Contractor displays, during the period covered by this Contract, signs or markers identifying those agencies participating financially in the approved project, the sign or marker must identify the Washington State Public Works Board as a participant in the project.

1.15 Rate Loan Forgiveness and Term of Loan

The BOARD shall loan the Contractor a sum not to exceed the **LOAN AMOUNT** shown on the Contract Face Sheet and declared on the Contract Declarations Page. The interest rate shall be the declared **INTEREST RATE** per annum on the outstanding principal balance. The amount of loan forgiveness (if applicable) shall be as stated on the attached Declarations Page, and identified therein as **LOAN FORGIVENESS %**. The length of the loan shall not exceed the declared **LOAN TERM** in years, with the final payment due by the **CONTRACT END DATE** as shown on the Contract Face Sheet.

The loan forgiveness shall be applied at project completion and shall apply to the lesser of the loan amount or the actual eligible costs and that declared percent on any accrued interest. The percent of loan forgiveness and interest rate shall not be changed, regardless of the actual cost of the project and the Affordability Index at project completion.

1.16 Recapture

The right of recapture under Section 2.31. Recapture shall exist for a period not to exceed six (6) years following Contract termination. In the event that the Board is required to institute legal proceedings to enforce the recapture provision, the BOARD shall be entitled to its costs, including attorney's fees.

1.17 Reimbursement Procedures and Payment

If funding or appropriation is not available at the time the invoice is submitted, or when this Contract is executed, the issuance of warrants will be delayed or suspended until such time as funds or appropriation become available. Therefore, subject to the availability of funds, warrants shall be issued to the Contractor for reimbursement of allowable expenses incurred by the Contractor while undertaking and administering approved project activities in accordance with the declared **SCOPE OF WORK**.

The BOARD shall reimburse the Contractor for eligible project expenditures up to the maximum loan amount under this Contract, as identified in Section 1.10. When requesting reimbursement for costs incurred, the Contractor shall submit all Invoice Vouchers and any required documentation electronically through the Department of Commerce's (COMMERCE) Contracts Management System (CMS), which is available through the Secure Access Washington (SAW) portal; referencing the **SCOPE OF WORK** project activity performed, and any appropriate documentation such as bills, invoices, and receipts. If the Contractor has constraints preventing access to COMMERCE's online A-19 portal, a hard copy A-19 form may be provided by the BOARD Project Manager upon request.

Requests for reimbursements for costs related to **construction** activities will not be accepted until the Contractor provides:

- Proof of compliance with Governor's Executive Order 21-02 or Section 106 of the National Historic Preservation Act, as described in Section 1.11, and
- Signed Public Works Board Notice of Contract Award and Notice to Proceed, which follows the formal award of a construction contract.

The BOARD will pay the Contractor upon acceptance of the work performed and receipt of properly completed invoices. Invoices shall be submitted to the BOARD not more often than monthly.

Payment shall be considered timely if made by the BOARD within thirty (30) calendar days after receipt of properly completed invoices. Payment shall be sent to the address designated by the Contractor.

The BOARD may, at its sole discretion, terminate the Contract or withhold payments claimed by the Contractor for services rendered if the Contractor fails to satisfactorily comply with any term or condition of this Contract.

No payments in advance or in anticipation of services or supplies to be provided under this Contract shall be made by the BOARD.

BOARD shall not release the final five (5) percent of the total grant amount until acceptance by BOARD of project completion report.

Duplication of Billed Costs. If the Contractor is entitled to payment or has been or will be paid by another source for an eligible project cost, then the Contractor shall not be reimbursed by the BOARD for that cost.

Disallowed Costs. The Contractor is responsible for any audit exceptions or disallowed costs incurred by its own organization or that of its subcontractors.

In no event shall the total Public Works loan exceed 100% of the eligible actual project costs. At the time of project completion, the Contractor shall submit to the BOARD a Project Completion Amendment certifying the total actual project costs and local share. The final Public Works loan disbursement shall bring the total loan to the lesser of 100% of the eligible project costs or the total declared **LOAN AMOUNT**. The Project Completion Amendment shall serve as an amendment to this Contract determining the final loan amount, local share, and interest rate.

In the event that the final costs identified in the Project Completion Amendment indicate that the Contractor has received Public Works Board monies in excess of 100.00% of eligible costs, all funds in excess of 100.00% shall be repaid to the Board by payment to the Department of Commerce, or its successor, together with the submission of the Project Completion Amendment.

1.18 Repayment

Loan repayment installments are due on the day and month identified under the term: **PAYMENT MONTH** on the Declarations Page. Payments are due each year during the term of the loan beginning one year from the date of Contract execution. Interest only will be charged for this payment if a warrant is issued prior to this date. All subsequent payments shall consist of principal and accrued interest due on the specified **PAYMENT MONTH** date of each year during the remaining term of the loan.

Repayment of the loan under this Contract shall include the declared **INTEREST RATE** per annum based on a three hundred and sixty (360) day year of twelve (12) thirty (30) day months. Interest will begin to accrue from the date each warrant is issued to the Contractor. The final payment shall be on or before the **CONTRACT END DATE** shown on the Declarations page, of an amount sufficient to bring the loan balance to zero.

In the event that the BOARD approves the Contractor's request for a deferral as outlined in Section 1.5, then the first loan repayment is due sixty (60) months after Contract execution. Interest accrues for the sixty (60) months after Contract execution. The accrued interest only will be charged for this payment if a warrant is issued prior to this date. Interest and principal payments are due on the declared **PAYMENT MONTH** date of each year during the remaining term of the loan. The Contractor has the right to repay the unpaid balance of the loan in full at any time or make accelerated payments without penalty.

The Contractor will repay the loan in accordance with the preceding conditions through the use of a check, money order, or equivalent means made payable to the Washington State Department of Commerce, or its successor.

1.19 Reports

The Contractor shall furnish the BOARD with:

- A. Project Status Reports with each Invoice Voucher;
- B. Project Quarterly Reports (if no funds have been reimbursed in the quarter) and/or Quarterly Expenditures Report;
- C. Quarterly Projection Invoice Reports;
- D. Certified Project Completion Report at project completion (as described in Section 1.13);
- E. Pictures of various stages of the project, and
- F. Other reports as the BOARD may require.

1.20 Termination for Cause

If the Contractor fails to comply with the terms of this Contract, or fails to use the loan proceeds only for those activities identified in the **SCOPE OF WORK**, the BOARD may terminate the Contract in whole or in part at any time. The BOARD shall notify the Contractor in writing of its determination to terminate, the reason for such termination, and the effective date of the termination. Nothing in this section shall affect the Contractor's obligation to repay the unpaid balance of the loan.

These terms supersede the terms in Section 2.40 Termination for Cause.

1.21 Termination for Convenience

The BOARD may terminate this Contract in the event that state funds are no longer available to the BOARD, or are not appropriated for the purpose of meeting the BOARD's obligations under this Contract. Termination will be effective when the BOARD sends written notice of termination to the Contractor. Nothing in this section shall affect the Contractor's obligation to repay the unpaid balance of the loan.

These terms supersede the terms in Section 2.41 Termination for Convenience.

1.22 Time of Performance

No later than sixty (60) months after the date of Contract execution the Contractor must reach project completion.

Failure to meet Time of Performance shall constitute default of this Contract. In the event of extenuating circumstances, the Contractor may request, in writing, that the BOARD extend the deadline for project completion. The BOARD may extend the deadline.

The term of this Contract shall be for the entire term of the loan, regardless of actual project completion, unless terminated sooner as provided herein.

1.23 Contract Suspension

In the event that the Washington State Legislature fails to pass and the Governor does not authorize a Capital Budget by June 30 of each biennium, the Washington State Constitution Article 8 and RCW 43.88.130 and RCW 43.88.290 prohibit expenditures or commitments of state funds in the absence of appropriation.

In such event, all work under this Contract will be suspended effective July 1. The Contractor shall immediately suspend work under this Contract and take all reasonable steps necessary to minimize the cost of performance directly attributable to such suspension until the suspension is cancelled.

THE BOARD shall notify the Contractor immediately upon lifting of the Contract suspension.

1.24 Special Conditions

If SPECIAL CONDITIONS are listed on the Contract Declarations Page then these conditions are herein incorporated as part of the terms and requirements of this Contract.

1.25 Loan Security

Loan Security payments shall be made as stated on the attached Declarations Page, and identified therein as LOAN SECURITY.

Part 2. GENERAL TERMS AND CONDITIONS

2.1 DEFINITIONS

As used throughout this Contract, the following terms shall have the meaning set forth below:

- DocuSigned by:
7245D4026B7D42E...
- A. "Authorized Representative" shall mean the Public Works Board Chair and/or the designee authorized in writing to act on the Chair's behalf.
 - B. "COMMERCE" shall mean the Department of Commerce.
 - C. "Contractor" shall mean the entity identified on the face sheet performing service(s) under this Contract, and shall include all employees and agents of the Contractor.
 - D. "BOARD" shall mean the Washington State Public Works Board created in Revised Code of Washington (RCW) 43.155.030, and which is a Party to the Contract
 - E. "Personal Information" shall mean information identifiable to any person, including, but not limited to, information that relates to a person's name, health, finances, education, business, use or receipt of governmental services or other activities, addresses, telephone numbers, social security numbers, driver license numbers, other identifying numbers, and any financial identifiers.
 - F. "State" shall mean the state of Washington.
 - G. "Subcontractor" shall mean one not in the employment of the Contractor, who is performing all or part of those services under this Contract under a separate contract with the Contractor. The terms "subcontractor" and "subcontractors" mean subcontractor(s) in any tier.

2.2 Allowable Costs

Costs allowable under this Contract are actual expenditures according to an approved budget up to the maximum amount stated on the Contract Award or Amendment Face Sheet.

2.3 ALL WRITINGS CONTAINED HEREIN

This Contract contains all the terms and conditions agreed upon by the parties. No other understandings, oral or otherwise, regarding the subject matter of this Contract shall be deemed to exist or to bind any of the parties hereto.

2.4 AMENDMENTS

This Contract may be amended by mutual agreement of the parties. Such amendments shall not be binding unless they are in writing and signed by personnel authorized to bind each of the parties.

2.5 AMERICANS WITH DISABILITIES ACT (ADA) OF 1990, PUBLIC LAW 101-336, also referred to as the "ADA" 28 CFR Part 35

The Contractor must comply with the ADA, which provides comprehensive civil rights protection to individuals with disabilities in the areas of employment, public accommodations, state and local government services, and telecommunications.

2.6 APPROVAL

This contract shall be subject to the written approval of the Board's Authorized Representative and shall not be binding until so approved. The contract may be altered, amended, or waived only by a written amendment executed by both parties.

2.7 ASSIGNMENT

Neither this Contract, nor any claim arising under this Contract, shall be transferred or assigned by the Contractor without prior written consent of the Board.

2.8 ATTORNEYS' FEES

Unless expressly permitted under another provision of the Contract, in the event of litigation or other action brought to enforce Contract terms, each party agrees to bear its own attorney's fees and costs.

2.09 CODE REQUIREMENTS

All construction and rehabilitation projects must satisfy the requirements of applicable local, state, and federal building, mechanical, plumbing, fire, energy and barrier-free codes. Compliance with the Americans with Disabilities Act of 1990 28 C.F.R. Part 35 will be required, as specified by the local building Department.

2.10 CONFIDENTIALITY/SAFEGUARDING OF INFORMATION

A. "Confidential Information" as used in this section includes:

1. All material provided to the Contractor by the Board that is designated as "confidential" by the Board;
2. All material produced by the Contractor that is designated as "confidential" by the Board; and
3. All personal information in the possession of the Contractor that may not be disclosed under state or federal law. "Personal information" includes but is not limited to information related to a person's name, health, finances, education, business, use of government services, addresses, telephone numbers, social security number, driver's license number and other identifying numbers, and "Protected Health Information" under the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA).

B. The Contractor shall comply with all state and federal laws related to the use, sharing, transfer, sale, or disclosure of Confidential Information. The Contractor shall use Confidential Information solely for the purposes of this Contract and shall not use, share, transfer, sell or disclose any Confidential Information to any third party except with the prior written consent of the Board or as may be required by law. The Contractor shall take all necessary steps to assure that Confidential Information is safeguarded to prevent unauthorized use, sharing, transfer, sale or disclosure of Confidential Information or violation of any state or federal laws related thereto. Upon request, the Contractor shall provide the Board with its policies and procedures on confidentiality. The Board may require changes to such policies and procedures as they apply to this Contract whenever the Board reasonably determines that changes are necessary to prevent unauthorized disclosures. The Contractor shall make the changes within the time period specified by the Board. Upon request, the Contractor shall immediately return to the Board any Confidential Information that the Board reasonably determines has not been adequately protected by the Contractor against unauthorized disclosure.

C. Unauthorized Use or Disclosure. The Contractor shall notify the Board within five (5) working days of any unauthorized use or disclosure of any confidential information, and shall take necessary steps to mitigate the harmful effects of such use or disclosure.

2.11 CONFORMANCE

If any provision of this contract violates any statute or rule of law of the state of Washington, it is considered modified to conform to that statute or rule of law.

2.12 CONFLICT OF INTEREST

Notwithstanding any determination by the Executive Ethics Board or other tribunal, the BOARD may, in its sole discretion, by written notice to the CONTRACTOR terminate this contract if it is found after due notice and examination by the BOARD that there is a violation of the Ethics in Public Service Act, Chapters 42.52 RCW and 42.23 RCW; or any similar statute involving the CONTRACTOR in the procurement of, or performance under this contract.

Specific restrictions apply to contracting with current or former state employees pursuant to chapter 42.52 of the Revised Code of Washington. The CONTRACTOR and their subcontractor(s) must identify any person employed in any capacity by the state of Washington that worked on the PUBLIC WORKS BOARD including but not limited to formulating or drafting the legislation, participating in loan procurement planning and execution, awarding loans, and monitoring loans, during the 24 month period preceding the start date of this Loan. Identify the individual by name, the agency previously or currently employed by, job title or position held, and separation date. If it is determined by BOARD that a conflict of interest exists, the CONTRACTOR may be disqualified from further consideration for the award of a Loan.

In the event this contract is terminated as provided above, BOARD shall be entitled to pursue the same remedies against the CONTRACTOR as it could pursue in the event of a breach of the contract by the CONTRACTOR. The rights and remedies of BOARD provided for in this clause shall not be exclusive and are in addition to any other rights and remedies provided by law. The existence of facts upon which BOARD makes any determination under this clause shall be an issue and may be reviewed as provided in the "Disputes" clause of this contract.

2.13 COPYRIGHT PROVISIONS

Unless otherwise provided, all Materials produced under this Contract shall be considered "works for hire" as defined by the U.S. Copyright Act and shall be owned by the Board. The Board shall be considered the author of such Materials. In the event the Materials are not considered "works for hire" under the U.S. Copyright laws, the Contractor hereby irrevocably assigns all right, title, and interest in all Materials, including all intellectual property rights, moral rights, and rights of publicity to the Board effective from the moment of creation of such Materials.

"Materials" means all items in any format and includes, but is not limited to, data, reports, documents, pamphlets, advertisements, books, magazines, surveys, studies, computer programs, films, tapes, and/or sound reproductions. "Ownership" includes the right to copyright, patent, register and the ability to transfer these rights.

For Materials that are delivered under the Contract, but that incorporate pre-existing materials not produced under the Contract, the Contractor hereby grants to the Board a nonexclusive, royalty-free, irrevocable license (with rights to sublicense to others) in such Materials to translate, reproduce, distribute, prepare derivative works, publicly perform, and publicly display. The Contractor warrants and represents that the Contractor has all rights and permissions, including intellectual property rights, moral rights and rights of publicity, necessary to grant such a license to the Board.

The Contractor shall exert all reasonable effort to advise the Board, at the time of delivery of Materials furnished under this Contract, of all known or potential invasions of privacy contained therein and of any portion of such document which was not produced in the performance of this Contract. The Contractor shall provide the Board with prompt written notice of each notice or claim of infringement received by the Contractor with respect to any Materials delivered under this Contract. The Board shall have the right to modify or remove any restrictive markings placed upon the Materials by the Contractor.

2.14 DISALLOWED COSTS

The Contractor is responsible for any audit exceptions or disallowed costs incurred by its own organization or that of its Subcontractors.

2.15 DISPUTES

Except as otherwise provided in this Contract, when a dispute arises between the parties and it cannot be resolved by direct negotiation, either party may request a dispute hearing with the Chair of the Board, who may designate a neutral person to decide the dispute.

The request for a dispute hearing must:

- be in writing;
- state the disputed issues;
- state the relative positions of the parties;
- state the Contractor's name, address, and Contract number; and
- be mailed to the Chair and the other party's (respondent's) Representative within three (3) working days after the parties agree that they cannot resolve the dispute.

The respondent shall send a written answer to the requestor's statement to both the Chair or the Chair's designee and the requestor within five (5) working days.

The Chair or designee shall review the written statements and reply in writing to both parties within ten (10) working days. The Chair or designee may extend this period if necessary by notifying the parties.

The decision shall not be admissible in any succeeding judicial or quasi-judicial proceeding.

The parties agree that this dispute process shall precede any action in a judicial or quasi-judicial tribunal.

Nothing in this Contract shall be construed to limit the parties' choice of a mutually acceptable alternate dispute resolution (ADR) method in addition to the dispute hearing procedure outlined above.

2.16 DUPLICATE PAYMENT

The Contractor certifies that work to be performed under this contract does not duplicate any work to be charged against any other contract, subcontract, or other source.

2.17 GOVERNING LAW AND VENUE

This Contract shall be construed and interpreted in accordance with the laws of the state of Washington, and the venue of any action brought hereunder shall be in the Superior Court for Thurston County.

2.18 INDEMNIFICATION

To the fullest extent permitted by law, the Contractor shall indemnify, defend, and hold harmless the state of Washington, BOARD, agencies of the state and all officials, agents and employees of the state, for, from and against all claims for injuries or death arising out of or resulting from the performance of the contract. "Claim" as used in this contract, means any financial loss, claim, suit, action, damage, or expense, including but not limited to attorney's fees, attributable for bodily injury, sickness, disease, or death, or injury to or the destruction of tangible property including loss of use resulting therefrom. The Contractor's obligation to indemnify, defend, and hold harmless shall not be eliminated by any actual or alleged concurrent negligence of the state or its agents, agencies, employees and officers.

The Contractor expressly agrees to indemnify, defend, and hold harmless the State for any claim arising out of or incident to the Contractor's or any subcontractor's performance or failure to perform the contract. Contractor's obligation to indemnify, defend, and hold harmless the State shall not be eliminated or reduced by any actual or alleged concurrent negligence of State or its agents, agencies, employees and officials.

The Contractor waives its immunity under Title 51 RCW to the extent it is required to indemnify, defend and hold harmless the state and its agencies, officers, agents or employees.

2.19 INDEPENDENT CAPACITY OF THE CONTRACTOR

The parties intend that an independent contractor relationship will be created by this Contract. The Contractor and its employees or agents performing under this Contract are not employees or agents of the state of Washington or the Board. The Contractor will not hold itself out as or claim to be an officer or employee of the Board or of the state of Washington by reason hereof, nor will the Contractor make any claim of right, privilege or benefit which would accrue to such officer or employee under law. Conduct and control of the work will be solely with the Contractor.

2.20 INDUSTRIAL INSURANCE COVERAGE

The Contractor shall comply with all applicable provisions of Title 51 RCW, Industrial Insurance. If the Contractor fails to provide industrial insurance coverage or fails to pay premiums or penalties on behalf of its employees as may be required by law, the Board may collect from the Contractor the full amount payable to the Industrial Insurance Accident Fund. The Board may deduct the amount owed by the Contractor to the accident fund from the amount payable to the Contractor by the Board under this Contract, and transmit the deducted amount to the Department of Labor and Industries, (L&I) Division of Insurance Services. This provision does not waive any of L&I's rights to collect from the Contractor.

2.21 LAWS

The Contractor shall comply with all applicable laws, ordinances, codes, regulations and policies of local and state and federal governments, as now or hereafter amended.

2.22 LICENSING, ACCREDITATION AND REGISTRATION

The Contractor shall comply with all applicable local, state, and federal licensing, accreditation and registration requirements or standards necessary for the performance of this Contract.

2.23 LIMITATION OF AUTHORITY

Only the Authorized Representative or Authorized Representative's designee by writing (designation to be made prior to action) shall have the express, implied, or apparent authority to alter, amend, modify, or waive any clause or condition of this Contract.

2.24 Local Public Transportation Coordination

Where applicable, Contractor shall participate in local public transportation forums and implement strategies designed to ensure access to services.

2.25 NONCOMPLIANCE WITH NONDISCRIMINATION LAWS

During the performance of this Contract, the Contractor shall comply with all federal, state, and local nondiscrimination laws, regulations and policies. In the event of the Contractor's non-compliance or refusal to comply with any nondiscrimination law, regulation or policy, this contract may be rescinded, canceled or terminated in whole or in part, and the Contractor may be declared ineligible for further contracts with the Board. The Contractor shall, however, be given a reasonable time in which to cure this noncompliance. Any dispute may be resolved in accordance with the "Disputes" procedure set forth herein.

2.26 PAY EQUITY

The Contractor agrees to ensure that "similarly employed" individuals in its workforce are compensated as equals, consistent with the following:

- A. Employees are "similarly employed" if the individuals work for the same employer, the performance of the job requires comparable skill, effort, and responsibility, and the jobs are performed under similar working conditions. Job titles alone are not determinative of whether employees are similarly employed;
- B. Contractor may allow differentials in compensation for its workers if the differentials are based in good faith and on any of the following:
 - 1. A seniority system; a merit system; a system that measures earnings by quantity or quality of production; a bona fide job-related factor or factors; or a bona fide regional difference in compensation levels.
 - 2. A bona fide job-related factor or factors may include, but not be limited to, education, training, or experience that is: Consistent with business necessity; not based on or derived from a gender-based differential; and accounts for the entire differential.
 - 3. A bona fide regional difference in compensation level must be: Consistent with business necessity; not based on or derived from a gender-based differential; and account for the entire differential.

This Contract may be terminated by the BOARD, if the BOARD or the Department of Enterprise Services determines that the Contractor is not in compliance with this provision.

2.27 POLITICAL ACTIVITIES

Political activity of Contractor employees and officers are limited by the State Campaign Finances and Lobbying provisions of Chapter 42.17 RCW and the Federal Hatch Act, 5 USC 1501 - 1508.

No funds may be used for working for or against ballot measures or for or against the candidacy of any person for public office.

2.28 PREVAILING WAGE LAW

The Contractor certifies that all contractors and subcontractors performing work on the Project shall comply with state Prevailing Wages on Public Works, Chapter 39.12 RCW, as applicable to the Project funded by this contract, including but not limited to the filing of the "Statement of Intent to Pay Prevailing Wages" and "Affidavit of Wages Paid" as required by RCW 39.12.040. The Contractor shall maintain records sufficient to evidence compliance with Chapter 39.12 RCW, and shall make such records available for the Board's review upon request.

2.29 PROHIBITION AGAINST PAYMENT OF BONUS OR COMMISSION

The funds provided under this Contract shall not be used in payment of any bonus or commission for the purpose of obtaining approval of the application for such funds or any other approval or concurrence under this Contract provided, however, that reasonable fees or bona fide technical consultant, managerial, or other such services, other than actual solicitation, are not hereby prohibited if otherwise eligible as project costs.

2.30 PUBLICITY

The Contractor agrees not to publish or use any advertising or publicity materials in which the state of Washington or the Board's name is mentioned, or language used from which the connection with the state of Washington's or the Board's name may reasonably be inferred or implied, without the prior written consent of the Board.

2.31 RECAPTURE

In the event that the Contractor fails to perform this contract in accordance with state laws, federal laws, and/or the provisions of this contract, the Board reserves the right to recapture funds in an amount to compensate the Board for the noncompliance in addition to any other remedies available at law or in equity.

Repayment by the Contractor of funds under this recapture provision shall occur within the time period specified by the Board. In the alternative, the Board may recapture such funds from payments due under this contract.

2.32 RECORDS MAINTENANCE

The Contractor shall maintain all books, records, documents, data and other evidence relating to this Contract and performance of the services described herein, including but not limited to accounting procedures and practices which sufficiently and properly reflect all direct and indirect costs of any nature expended in the performance of this Contract. Contractor shall retain such records for a period of six years following the date of final payment.

If any litigation, claim or audit is started before the expiration of the six (6) year period, the records shall be retained until all litigation, claims, or audit findings involving the records have been finally resolved.

2.33 REGISTRATION WITH DEPARTMENT OF REVENUE

If required by law, the Contractor shall complete registration with the Washington State Department of Revenue.

2.34 RIGHT OF INSPECTION

At no additional cost all records relating to the Contractor's performance under this Contract shall be subject at all reasonable times to inspection, review, and audit by the Board, the Office of the State Auditor, and federal and state officials so authorized by law, in order to monitor and evaluate performance, compliance, and quality assurance under this Contract. The Contractor shall provide access to its facilities for this purpose.

2.35 SAVINGS

In the event funding from state, federal, or other sources is withdrawn, reduced, or limited in any way after the effective date of this Contract and prior to normal completion, the Board may terminate the Contract under the "Termination for Convenience" clause, without the ten business day notice requirement. In lieu of termination, the Contract may be amended to reflect the new funding limitations and conditions.

2.36 SEVERABILITY

If any provision of this Contract or any provision of any document incorporated by reference shall be held invalid, such invalidity shall not affect the other provisions of this Contract that can be given effect without the invalid provision, if such remainder conforms to the requirements of law and the fundamental purpose of this Contract and to this end the provisions of this Contract are declared to be severable.

2.37 SUBCONTRACTING

The Contractor may only subcontract work contemplated under this Contract if it obtains the prior written approval of the Board.

If the Board approves subcontracting, the Contractor shall maintain written procedures related to subcontracting, as well as copies of all subcontracts and records related to subcontracts. For cause, the Board in writing may: (a) require the Contractor to amend its subcontracting procedures as they relate to this Contract; (b) prohibit the Contractor from subcontracting with a particular person or entity; or (c) require the Contractor to rescind or amend a subcontract.

Every subcontract shall bind the Subcontractor to follow all applicable terms of this Contract. The Contractor is responsible to the Board if the Subcontractor fails to comply with any applicable term or condition of this Contract. The Contractor shall appropriately monitor the activities of the Subcontractor to assure fiscal

conditions of this Contract. In no event shall the existence of a subcontract operate to release or reduce the liability of the Contractor to the Board for any breach in the performance of the Contractor's duties.

Every subcontract shall include a term that the Board and the State of Washington are not liable for claims or damages arising from a Subcontractor's performance of the subcontract.

2.38 SURVIVAL

The terms, conditions, and warranties contained in this Contract that by their sense and context are intended to survive the completion of the performance, cancellation or termination of this Contract shall so survive.

2.39 TAXES

All payments accrued on account of payroll taxes, unemployment contributions, the Contractor's income or gross receipts, any other taxes, insurance or expenses for the Contractor or its staff shall be the sole responsibility of the Contractor.

2.40 TERMINATION FOR CAUSE

In the event BOARD determines the Contractor has failed to comply with the conditions of this contract in a timely manner, BOARD has the right to suspend or terminate this contract. Before suspending or terminating the contract, BOARD shall notify the Contractor in writing of the need to take corrective action. If corrective action is not taken within 30 calendar days, the contract may be terminated or suspended.

In the event of termination or suspension, the Contractor shall be liable for damages as authorized by law.

BOARD reserves the right to suspend all or part of the contract, withhold further payments, or prohibit the Contractor from incurring additional obligations of funds during investigation of the alleged compliance breach and pending corrective action by the Contractor or a decision by BOARD to terminate the contract. A termination shall be deemed a "Termination for Convenience" if it is determined that the Contractor: (1) was not in default; or (2) failure to perform was outside of his or her control, fault or negligence.

The rights and remedies of BOARD provided in this contract are not exclusive and are, in addition to any other rights and remedies, provided by law.

2.41 TERMINATION FOR CONVENIENCE

Except as otherwise provided in this Contract the Board may, by ten (10) business days written notice, beginning on the second day after the mailing, terminate this Contract, in whole or in part. If this Contract is so terminated, the Board shall be liable only for payment required under the terms of this Contract for services rendered or goods delivered prior to the effective date of termination.

2.42 TERMINATION PROCEDURES

Upon termination of this contract, BOARD, in addition to any other rights provided in this contract.

The rights and remedies of BOARD provided in this section shall not be exclusive and are in addition to any other rights and remedies provided by law or under this contract.

After receipt of a notice of termination, and except as otherwise directed by the Authorized Representative, the Contractor shall:

- A. Stop work under the Contract on the date, and to the extent specified, in the notice;
- B. Place no further orders or subcontracts for materials, services, or facilities except as may be necessary for completion of such portion of the work under the contract that is not terminated;

- C. Assign to the BOARD, in the manner, at the times, and to the extent directed by the Authorized Representative, all of the rights, title, and interest of the Contractor under the orders and subcontracts so terminated, in which case the BOARD has the right, at its discretion, to settle or pay any or all claims arising out of the termination of such orders and subcontracts;
- D. Settle all outstanding liabilities and all claims arising out of such termination of orders and subcontracts, with the approval or ratification of the Authorized Representative to the extent the Authorized Representative may require, which approval or ratification shall be final for all the purposes of this clause;
- E. Transfer title to the BOARD and deliver in the manner, at the times, and to the extent directed by the Authorized Representative any property which, if the contract had been completed, would have been required to be furnished to the BOARD;
- F. Complete performance of such part of the work as shall not have been terminated by the Authorized Representative; and
- G. Take such action as may be necessary, or as the Authorized Representative may direct, for the protection and preservation of the property related to this contract, which is in the possession of the Contractor and in which the BOARD has or may acquire an interest.

2.43 TREATMENT OF ASSETS

Title to all property furnished by BOARD shall remain in BOARD. Title to all property furnished by the Contractor, for the cost of which the Contractor is entitled to be reimbursed as a direct item of cost under this contract, shall pass to and vest in the Contractor.

2.44 WAIVER

Waiver of any default or breach shall not be deemed to be a waiver of any subsequent default or breach. Any waiver shall not be construed to be a modification of the terms of this Contract unless stated to be such in writing and signed by Authorized Representative of the Board.



ATTACHMENT I: ATTORNEY'S CERTIFICATION

PUBLIC WORKS BOARD CONSTRUCTION LOAN PROGRAM

City of Selah
PC22-96103-046

I, Rob Case, hereby certify:

I am an attorney at law admitted to practice in the State of Washington and the duly appointed attorney of the **City of Selah** (the Contractor); and

I have also examined any and all documents and records which are pertinent to the Contract, including the application requesting this financial assistance.

Based on the foregoing, it is my opinion that:

1. The Contractor is a public body, properly constituted and operating under the laws of the state of Washington, empowered to receive and expend federal, state and local funds, to contract with the state of Washington, and to receive and expend the funds involved to accomplish the objectives set forth in their application.
2. The Contractor is empowered to accept the Public Works Board financial assistance and to provide for repayment of the loan as set forth in the Contract.
3. There is currently no litigation in existence seeking to enjoin the commencement or completion of the above-described public facilities project or to enjoin the Contractor from repaying the loan extended by the Public Works Board with respect to such project. The Contractor is not a party to litigation which will materially affect its ability to repay such loan on the terms contained in the Contract.
4. Assumption of this obligation would not exceed statutory and administrative rule debt limitations applicable to the Contractor.

DocuSigned by:

4F6C39762F3F43D
Signature of Attorney

11/1/2021 | 8:26 AM PDT

Date

Rob Case, Attorney at Law
City of Selah

REMOVED



CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY



Council Meeting Action Item
10/26/2021 N-3

Title: Resolution of the City Council of the City of Selah, Yakima County, Washington, Authorizing each of the Mayor and the Clerk Treasurer to Negotiate with Banner Bank the Terms of the City's Sewer Revenue Bond Anticipation Note, in the Principal Amount of not to Exceed \$2,111,000, to Finance a Portion of the City's Wastewater Collection System Improvements Project; and Providing for Other Matters Properly Relating thereto

From: Rocky D. Wallace, Public Work Director

Action Requested: Approval

Staff Recommendation: To approve the attached Resolution in the form presented.

Board/Commission Recommendation: Not Applicable

Fiscal Impact: 2,111,000.00

Funding Source: 415

Background / Findings & Facts: The City has been awarded loan funding to complete the Wastewater Collection System Improvements project the United States Department of Agriculture (USDA). A condition of the Funding Agreement with USDA is that the City must obtain interim financing, in the amount of the USDA Loan, which is \$2,111,000.00. The purpose of the loan is to preclude the need for multiple advances or payment requests to the agency, and instead secure a loan from a commercial source to fund the portion of the project approved for funding by the USDA. Once the interim financing funds have been spent and the project is substantially complete, USDA will pay off the City's (interim financing) loan to the bank and a new loan in the amount of \$2,111,000.00 will be issued to the City from the USDA in the form of a bond. Staff solicited proposals for interim financing and received one proposal; Banner Bank in Yakima. Staff worked with the bank on the preliminary terms and based on the final proposal, find that Banner Bank provides a very low interest rate of 2.15% fixed for the life of the Note. In addition to providing a low interest rate, Banner Bank is well versed in USDA Loans including working with USDA and city staff, as well as bond counsel.

REMOVED

REMOVED



**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



Recommended Action/Motion: I move to approve the Resolution in the form presented.

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:
1/24/2017	Resolution No. 2593 Authorizing the Mayor to sign Task Order 2017-01 between the City of Selah and HLA Engineering and Land Surveying for the General Sewer Plan update.
11/27/2018	Ordinance No.2060 Adopting an updated Sanitary General Sewer Plan as an ancillary document to the city of Selah's Comprehensive Plan; establishing an effective date; and providing for severability.
7/9/2019	Ordinance No. 2079 Amending Title 9.10 Relating to Sewer Connection Fees.
12/8/2020	Resolution No. 2827 Authorizing the Mayor to sign an application for Federal Assistance from the USDA-RD requesting funding for the Wastewater Collections System Improvements Project.
10/13/2021	Resolution No. 2872 Authorizing the Mayor to sign an agreement between the City of Selah and HLA Engineering and Land Surveying, Inc. to provide engineering construction and post-construction phase services for the Wastewater Collection System Improvements project.

REMOVED



**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



Council Meeting	Action Item
10/26/2021	N-4

Title: Resolution Authorizing the Mayor to Sign a Three-Page Letter Agreement dated October 21, 2021, between the City of Selah and the law firm of Foster Garvey P.C., Engaging such law firm to Provide Bond Counsel Services Relative to the City's Wastewater Collection System Improvements Project.

From: Rocky D. Wallace, Public Works Director

Action Requested: Approval

Staff Recommendation: To approve the Resolution in the form presented.

Board/Commission Recommendation: Not Applicable

Fiscal Impact: \$27,000.00 (via a USDA-RD loan)

Funding Source: Sewer Fund 415

Background / Findings & Facts: The City is required, pursuant to federal regulations, to engage bond counsel (a law firm or lawyer) to render an informed opinion as to the validity of the bond that will be secured for and applicable to the City's Wastewater Collection System Improvements Project. The law firm of Foster Garvey P.C. is willing and able to provide such services and has proposed a three-page letter agreement, a copy of which is submitted with this AIS. The bond will be a taxable revenue bond and it will be purchased through the U.S. Department of Agriculture, Rural Development. USDA regulations further require the City to secure "interim financing" (typically a line of credit with a local bank) to cover costs during the construction period, pending the issuance of the bond. The City intends to provide interim financing by issuing the associated Note to a bank. If the three-page letter agreement is entered into, Foster Garvey will perform the following duties (as summarized therein): (i) subject to the completion of proceedings to our satisfaction, render our legal opinions (each, an "Opinion") regarding the validity and binding effect of the Obligations, the source of payment and security for the Obligations, and the excludability of interest on the Note from gross income for federal tax income purposes; (ii) prepare and review documents necessary or appropriate to the authorization, issuance and delivery of the Obligations, and coordinate the authorization and execution of such documents; and (iii) review legal issues relating to the structure of the Obligations.

Recommended Motion: I move to approve the Resolution in the form presented.



**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:
1/24/2017	Resolution No. 2593 Authorizing the Mayor to sign Task Order 2017-01 between the City of Selah and HLA Engineering and Land Surveying for the General Sewer Plan update.
11/27/2018	Ordinance No.2060 Adopting an updated Sanitary General Sewer Plan as an ancillary document to the city of Selah's Comprehensive Plan; establishing an effective date; and providing for severability.
7/9/2019	Ordinance No. 2079 Amending Title 9.10 Relating to Sewer Connection Fees.
12/8/2020	Resolution No. 2827 Authorizing the Mayor to sign an application for Federal Assistance from the USDA-RD requesting funding for the Wastewater Collections System Improvements Project.
10/12/2021	Resolution No. 2872 Authorizing the Mayor to sign an agreement between the City of Selah and HLA Engineering and Land Surveying, Inc. to provide engineering construction and post-construction phase services for the Wastewater Collection System Improvements Project.

RESOLUTION NO. 2875

Resolution Authorizing the Mayor to sign a Three-Page Letter Agreement dated October 21, 2021, between the City of Selah and the law firm of Foster Garvey P.C., Engaging such law firm to Provide Bond Counsel Services Relative to the City's Wastewater Collection System Improvements Project.

WHEREAS, the City has planned a Wastewater Collection System Improvements Project; and


WHEREAS, federal regulations require the City, as part of such project, to engage bond counsel to render an informed opinion as to the validity of bond that will be secured for and applicable to such project; and

WHEREAS, the law firm of Foster Garvey P.C. is willing and able to provide such services and has proposed a three-page letter agreement dated October 21, 2021; and

WHEREAS, the terms of such proposed agreement are acceptable to City staff and City staff has recommended that it be accepted and entered into;


NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, that the Mayor be and is authorized to sign, on behalf of the City, the three-page letter agreement with the law firm of Foster Garvey P.C. dated October 21, 2021.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, this 26th day of October 2021.



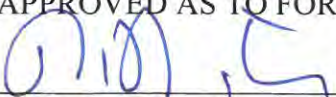
Sherry Raymond, Mayor

ATTEST:



Dale E. Novobielski, Clerk/Treasurer

APPROVED AS TO FORM:



Rob Case, City Attorney



1111 Third Avenue
Suite 3000
Seattle, WA 98101

Main: 206.447.4400
Fax: 206.447.9700
foster.com

Direct Phone: 206.447.6264
Fax: 206.749.2138
lee.marchisio@foster.com

October 21, 2021

VIA EMAIL

Mayor Sherry Raymond
City of Selah
115 W. Naches Ave.
Selah, WA 98942

Re: Engagement Letter for Bond Counsel Services Regarding Revenue Bond and Note Financing

Dear Mayor Raymond:

We appreciate the opportunity to serve as bond counsel to the City of Selah, Washington (the "City"), in connection with the proposed issuance of a taxable revenue bond in the maximum principal amount of \$2,111,000 (the "Bond") and a tax-exempt note in the maximum principal amount of \$2,111,000 (the "Note", and together with the Bond, the "Obligations") to finance costs of certain sewer system improvements. The purpose of this engagement letter is to set forth certain matters concerning the services we will perform as bond counsel to the City in connection with the issuance of the Obligations. We understand the Bond will be purchased by the United States of America through the U.S. Department of Agriculture, Rural Development ("USDA"). USDA regulations require the City to retain bond counsel to render an opinion that the Bond is valid. USDA regulations also require the City to secure "interim financing" (typically a line of credit with a local bank) to cover costs during the construction period, pending the issuance of the Bond. We understand the City intends to provide interim financing by issuing the Note to a bank to satisfy USDA's interim financing requirements during the construction period.

SCOPE OF ENGAGEMENT

In this engagement, we expect to perform the following duties: (i) subject to the completion of proceedings to our satisfaction, render our legal opinions (each, an "Opinion") regarding the validity and binding effect of the Obligations, the source of payment and security for the Obligations, and the excludability of interest on the Note from gross income for federal tax income purposes; (ii) prepare and review documents necessary or appropriate to the authorization, issuance and delivery of the Obligations, and coordinate the authorization and execution of such documents; and (iii) review legal issues relating to the structure of the Obligations.

Our Opinions will be addressed to the City and will be delivered by us on the date the relevant Obligations are exchanged for their purchase price (each, a "Closing"). The Opinions will be based on facts and law existing as of its date. In rendering each Opinion, we will rely upon the certified proceedings and other certifications of public officials and other persons furnished to us without undertaking to verify the same by independent investigation, and we will assume continuing

compliance by the City after the Obligations are issued with applicable laws relating to the Obligations. During the course of this engagement, we will rely on the City to provide us with complete and timely information on all developments pertaining to any aspect of the Obligations and their security. We understand that officials and employees of the City will cooperate with us in this regard.

ATTORNEY-CLIENT RELATIONSHIP

Upon execution of this engagement letter, the City will be our client and an attorney-client relationship will exist between us. In this transaction we represent only the City, we are not counsel to any other party, and we are not acting as an intermediary among the parties. Our services as bond counsel regarding the Obligations are limited to those contracted for in this letter. The City's execution of this engagement letter will constitute an acknowledgment of those limitations. Our representation of the City regarding the Obligations will be concluded upon issuance of the Obligations. Nevertheless, subsequent to the Closing of each Obligation, we will prepare and distribute to the participants in the transaction a transcript of the proceedings pertaining to the Obligations, and with respect to the Note, we will mail the appropriate Internal Revenue Service Form 8038.

CONFLICTS

Foster Garvey P.C. represents many political subdivisions, companies and individuals. It is possible that during the time that we are representing the City, one or more of our present or future clients will have transactions with the City. It is also possible that we may be asked to represent, in an *unrelated* matter, one or more of those types of clients. For example, from time to time we serve as counsel to bond underwriters or purchasers, including the expected purchaser of the Note, Banner Bank, or we represent neighboring governments, or we assist developers in land use or environmental matters. We do not foresee, however, that any such prior or future representation will adversely affect our ability to represent the City as provided in this letter, either because such matters were or will be sufficiently different from the issuance of the Obligations so as to make such representations not adverse to our representation of the City, or because the potential for such adversity is remote or minor and outweighed by the consideration that it is unlikely that advice given to the other client will be relevant to any aspect of the issuance of the Obligations. Execution of this letter will signify the City's consent to our representation of others consistent with the circumstances described in this paragraph. To the extent we believe such future representation may adversely affect our representation of the City, we will disclose such representation to the City and, if required by ethical rules, seek the appropriate City consent. However, the City's consent to our representation of other clients as described in this paragraph does not extend to our firm's lawyers representing a client in any litigation or similar dispute adverse to the City before any court or similar forum. A separate waiver would need to be sought, based on the facts of the relevant dispute.

RECORDS

Upon request, papers and property furnished by you will be returned promptly. Our own files, including lawyer work product, pertaining to the transaction will be retained by us. For various reasons, including the minimization of unnecessary storage expenses, we reserve the right to dispose of any documents or other materials retained by us after the termination of this engagement.

FEES

Based upon (i) our current understanding of the terms, structure, size and schedule of the financing represented by the Obligations, (ii) the duties we will undertake pursuant to this engagement letter and (iii) the responsibilities we will assume in connection therewith, our fee will be \$14,500 for all legal services relating to the authorization, issuance and delivery of the Bond. Our fee will be \$12,500 for legal services relating to the authorization, issuance and delivery of the Note.

Our fee may increase if: (i) the principal amount of the Obligations are significantly greater than the current estimate of \$2,111,000; (ii) a supplemental loan from the USDA requires the issuance of one or more series of additional bonds or notes; (iii) material changes in the structure or schedule of the financing occur; or (iv) unusual or unforeseen circumstances arise that require a significant increase in our time or responsibility. If, at any time, we believe that circumstances require an adjustment of our original fee estimate, we will advise you. Our invoice for legal services will be presented to the City following the Closing. If for any reason, however, the financing represented by the Obligations is completed without the delivery of our Opinion as bond counsel, or our services are otherwise terminated, we will expect to be compensated at our normal hourly rates for time actually spent on your behalf; provided that, (i) we submit a billing statement to the City that describes the time, legal services and expenses incurred on your behalf, and (ii) such compensation shall not exceed the amount of the fee that would have been paid had the Obligations closed with our Opinion.

If the foregoing terms are acceptable, the Mayor should countersign and date below. Please return one copy to me and retain the original in the City's files. We look forward to working with you.

FOSTER GARVEY P.C.



Lee Marchisio

Accepted and approved this 21 day of OCT, 2021.

CITY OF SELAH, WASHINGTON



Sherry Raymond, Mayor

From: [Lee Marchisio](#)
To: [Wallace, Rocky](#)
Subject: Selah - USDA Bond - bond counsel engagement letter
Date: Thursday, October 21, 2021 6:14:54 PM
Attachments: [City of Selah - USDA bond 2022 - bond counsel engagement letter.pdf](#)

Hi Rocky,

Attached is a proposed bond counsel engagement letter for the City's upcoming USDA Bond and related interim financing Note. Please let me know if you, Dale, the Mayor or the city attorney have any questions or comments. If the terms are acceptable, please have the Mayor countersign the letter. Please then have a PDF scan returned to me via email. The original may be kept for the City's files.

Thank you,

Lee

Lee Marchisio

(he/him/his)

Principal

Tel: 206.447.6264 • *Cell:* 206.790.7287 • *Fax:* 206.447.9700
lee.marchisio@foster.com

Foster Garvey PC

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Seattle, WA 98101

[foster-garvey.com](#)

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CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY



Council Meeting	Action Item
10/26/2021	N-5

Title: Resolution Approving 2021 Salary and Vacation Leave Accrual for Employee Treesa Morales, with a Retroactive Date of August 1, 2021

From: Joe Henne, City Administrator (with clarifying assistance by Rob Case, City Attorney)

Action Requested: Approval

Staff Recommendation: Approval

Board/Commission Recommendation: Not Applicable

Fiscal Impact: An increase of payroll of \$1,000.00 gross per month, from August through December of 2021; thus equating to \$5,000.00 gross

Funding Source: Shared between multiple operation funds

Background / Findings & Facts: This pertains to a reorganization of staff at City Hall. Previously, the City employed three separate employees for the distinct positions of Human Resources Manager, Executive Assistant (a/k/a Administrative Assistant) and Public Records Officer. Over recent months, those three previously-distinct positions have been effectively combined and have been performed by a single employee – Treesa Morales (who previously was solely serving as the Public Records Officer). The combination of these positions has effectuated a de facto partial reorganization of City Hall. The Mayor and City Administrator are satisfied with Mrs. Morales’s performance as to the now-combined three positions and intend to continue the current, new arrangement indefinitely. City management, rather than the City Council, has discretion to make staff assignments. Thus, this AIS is not seeking the City Council’s approval for the de facto reorganization. Instead, this AIS and the corresponding proposed Resolution are seeking the City Council’s approval as to related, but different, matters. Specifically, approval is sought as to the new monthly salary and new vacation accruals that City management has preliminarily offered to Mrs. Morales in exchange for her continuing to perform the now-combined three positions – and, also, for the past months during which she has already performed the now-combined three positions. In late-2020, the City’s Human Resources Manager, Andrew Potter, voluntarily resigned his employment. Thereafter, that position was assigned to Donald C. Wayman, as the then-City Administrator. On May 25, 2021, the Mayor terminated Mr. Wayman’s employment. In late-May 2021, the Mayor appointed Mrs. Morales as the acting-Human



**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



Resources Manager and Mrs. Morales has performed that position (in addition to her original Public Records Officer position) continuously since. On September 6, 2021, the City's Executive Assistant (a/k/a Administrative Assistant), Monica Lake, voluntarily resigned her employment. In advance of Mrs. Lake's forthcoming resignation, the Mayor appointed Mrs. Morales to serve as acting co-Executive Assistant (a/k/a Administrative Assistant). Mrs. Lake then began training Mrs. Morales and transferring assignment and responsibilities of the position to Mrs. Morales. Since mid-August of 2021, Mrs. Morales has been serving as the exclusive acting-Executive Assistant (a/k/a Administrative Assistant) (in addition, again, to the other two positions that she has also been performing since late-May 2021). Over these months, the Mayor and City Administrator (and also the City Attorney, Rob Case) have become convinced that City Hall may have been somewhat overstaffed and that the current, new arrangement should be maintained indefinitely. Mrs. Morales will continue to perform the bulk of the duties and obligations of the now-combined three positions. As necessary or when efficient, some duties and obligations will be assigned to other City employees. For example, the police department's administrative staff will be tasked with gathering and redacting police reports in response to Public Record Requests (with Mrs. Morales still handling initial intake functions and issuance of final responses). Also, other City Hall staff – such as Angela Dean – will assist with maintaining Human Resource personnel files. Throughout, Mrs. Morales has only been paid – despite performing three previously-distinct positions – the salary attributable to her Public Records Officer position, which is \$5,125.00 per month gross. City management has preliminarily offered to Mrs. Morales, in exchange for her having performed and continuing to perform under this new arrangement, an increased salary of \$6,125.00 per month gross and also three weeks of annual vacation accrual (rather than the otherwise-customary two weeks). To effectuate those changes, the approval of the City Council is required. By way of comparison, Mr. Potter's salary as of the date of his resignation was \$4,676.00 per month and Mrs. Lake's salary as of the date of her resignation was \$4,519.00 per month gross. Each was also respectively accruing full fringe benefits including health insurance and vacation leave accruals. Thus, the City will save a substantial amount each year by increasing Mrs. Morales's salary by \$1,000.00 per month gross and also having her accrue one additional week of vacation annual, in comparison to again increasing the headcount at City Hall by another two employees. The City cannot expect Mrs. Morales to continue performing three roles for the same rate that she was previously performing just one of those three roles. If the City Council does not approve the proposed Resolution, Mrs. Morales will be entitled to return to solely performing her Public Records Officer role and the City will have to spend far more in order to hire new employees to perform the other two roles. For these reasons, City management is asking the City Council to approve payment of a new 2021 salary to Mrs. Morales in the amount



**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



of \$6,125.00 per month gross, as well as her new vacation accrual of three weeks annually. Finally and also as a matter of fairness, City management is also asking the City Council to approve a retroactive date for Mrs. Morales's new salary of August 1, 2021, because she has been performing all three roles since then. In addition to the Resolution proposed with this AIS, there will also be another AIS and a corresponding Ordinance also proposed for Mrs. Morales's situation. This is because the City's current Salary Ordinance also needs to be updated to reflect Mrs. Morales's new rate of pay.

Recommended Action/Motion: I move to approve the Resolution in the form presented

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: NONE

RESOLUTION NO. 2876

RESOLUTION APPROVING 2021 SALARY AND VACATION LEAVE ACCRUAL FOR EMPLOYEE TREESA MORALES, WITH A RETROACTIVE DATE OF AUGUST 1, 2021

WHEREAS, the Mayor terminated the employment of City Administrator Donald C. Wayman effective May 25, 2021; and

WHEREAS, as of the date of his employment was terminated, Mr. Wayman had been serving as the Human Resource Manager for the City (in addition to also serving as City Administrator), following the previous voluntary resignation of the former Human Resources Manager, Andrew Potter, in late-2020; and

WHEREAS, the Mayor subsequently appointed existing employee Treesa Morales to serve as acting Human Resource Manager and Mrs. Morales has been serving in such capacity since late-May of 2021; and

WHEREAS, Monica Lake voluntarily resigned her employment as Executive Assistant (a/k/a Administrative Assistant) effective as of September 6, 2021, following advance notice that she had previously provided to City Hall of her forthcoming resignation; and

WHEREAS, the Mayor appointed Mrs. Morales to serve as acting co-Executive Assistant (a/k/a Administrative Assistant) preceding Mrs. Lake's forthcoming resignation, and Mrs. Lake began training Mrs. Morales and transferring assignments and responsibilities of the position to Mrs. Morales; and

WHEREAS, Mrs. Morales has been serving as acting co-Executive Assistant (a/k/a Administrative Assistant) since mid-August of 2021 and has been serving as the exclusive acting-Executive Assistant (a/k/a Administrative Assistant) since September 6, 2021; and

WHEREAS, throughout Mrs. Morales has also continued to serve in her preexisting position of Public Records Officer; and

WHEREAS, the Mayor and City Administrator are satisfied with Mrs. Morales's performance of these three positions, believe that current staffing needs do not require multiple or separate employees for the respective positions, and thus desire to permanently combine the positions and continue to have Mrs. Morales discharge the functions and duties of the positions; and

WHEREAS, throughout Mrs. Morales has only been paid – despite effectively performing what had previously been three separate positions held by three separate employees – the salary attributable to her Public Records Officer position, which is \$5,125.00 per month

gross; and

WHEREAS, Mr. Potter's salary as of the date of his resignation was \$4,676.00 per month gross and Mrs. Lake's salary as of the date of her resignation was \$4,519.00 per month gross, and each was also respectively accruing full fringe benefits including health insurance benefits and vacation leave accruals; and

WHEREAS, the Mayor and City Administrator believe that Mrs. Morales should be paid a salary \$6,125.00 per month gross for remainder of 2021 performing these three combined positions, that she should accrue vacation leave at the rate of three weeks per calendar year (rather than the otherwise-customary two weeks) beginning with the current year of 2021 and continuing indefinitely thereafter until a higher accrual may be applicable, that her new 2021 salary of \$6,125.00 per month gross should be made retroactive to the date of August 1, 2021 (with one-time catch-up paycheck issued for the difference following approval of this Resolution), and that she should remain in this combined role indefinitely thereafter until the Mayor might choose otherwise, and thus that she should be eligible for an equivalent cost-of-living raise/adjustment at the start of 2022 in like fashion as other full-time employees; and

WHEREAS, the City Council believes that good cause exists to approve this requested proposal and arrangement;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON as follows:

1. Employee Treesa Morales's salary for the remainder of 2021 shall be \$6,125.00 per month gross.
2. Mrs. Morales shall accrue vacation leave at the rate of three weeks per calendar year (rather than the otherwise-customary two weeks) commencing with the current year of 2021 and continuing indefinitely thereafter until a higher accrual may be applicable.
3. Mrs. Morales's new monthly salary amount shall be made retroactive to the date of August 1, 2021, and thus she shall be issued a one-time catch-up paycheck for the difference between the amounts she was paid for the months of August, September and October 2021 at the rate of \$5,125.00 per month gross for each versus the now-applicable rate of \$6,125.00 per month gross for each.
4. Mrs. Morales shall be eligible for an equivalent cost-of-living raise/adjustment at the start of 2022 in like fashion as other full-time employees.
5. The City's current Salary Ordinance (Ordinance No. 2115) shall be amended so


as to be consistent with this Resolution.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SELAH,
WASHINGTON this 26th day of October, 2021.



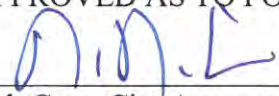
Sherry Raymond, Mayor

ATTEST:



Dale E. Novobielski, Clerk/Treasurer

APPROVED AS TO FORM:



Rob Case, City Attorney



**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



Council Meeting

Action Item

10/26/2021

O-5

Title: Ordinance Amending the 2021 Budget for the Hiring of a Probationary Police Officer

From: Dan Christman, Chief of Police

Action Requested: Approval

Staff Recommendation: To approve the Ordinance in the form presented.

Board/Commission Recommendation: Not Applicable

Fiscal Impact: \$13,382

Funding Source: Fund 001 General

Background / Findings & Facts:

Background: In June 2021, successful applicants completed testing to be placed on the Selah Police Department Entry-Level Police Officer eligibility list, which closed on June 22, 2021.

On July 10, 2021 the Selah Police Department subsequently conducted the Physical Agility Test (PAT) to assess the applicants' physical ability. Those who passed the PAT were invited to the Oral Board Assessment.

On July 14 - 15, 2021 fourteen applicants were interviewed and scored by an assessor panel, which resulted in an ordered list.

On July 22, 2021 the Entry Level Officer ordered list was submitted to the City of Selah Civil Service Commissioners for review and certification.

Findings: The Selah Police Chief was notified by a Selah police sergeant of their planned retirement. His last day of work will be February 28, 2022. The Police Department presently has a current and valid Sergeant's List. It is the Chief's intention to replace the sergeant with an officer from the sergeant's promotional list, the retirement, and subsequent promotion, will leave a vacancy in the police officer ranks.



**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



Facts: To hire a replacement officer sooner, rather than later, would benefit the department, the city, and the community we serve. We can begin the training, or complete a substantial amount of training, so that we avoid a gap in service, mitigate overtime and staffing stress, and have an officer available sooner to provide service to our community.

It takes about a year for a police officer to migrate through the hiring process, and be accepted to and graduate from, the police academy. This is followed by three-months of field training to ensure they will be a successful and productive member of the Selah Police Department.

On September 27, 2021, the Criminal Justice Training Commission (CJTC) notified the Selah Police Chief that a seat had been reserved in Basic Law Enforcement Academy Class - BLEA #830 (in anticipation of this pre-hire). The BLEA class begins on November 16, 2021 and includes 720 hours (or 18 weeks) of intense, in-person training at the Police Academy in Burien, WA. Training concludes on March 30, 2022.

When a student officer graduates, he may return to the department, and is immediately enrolled in a three-month, in-house, field training program that must be successfully completed before the officer is allowed to work on his/her own.

Because of the high demand for suitable police officer candidates, the longer we wait to hire from our certified list, the more likely it is that the best, highest rated, and most enticing candidates have already been taken by other agencies, effectively exhausting our eligibility list. We have available to us right now, a highly qualified entry level legacy applicant, who wants to work for the City of Selah, has passed all of our background examinations, and is prepared to attend the Basic Law Enforcement Academy Class #830 which begins on November 16, 2021.

Recommended Action/Motion: I move to approve an Ordinance amending the 2021 budget for the hiring of a Probationary Police Officer.

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:

NONE

ORDINANCE NO. 2141

AN ORDINANCE AMENDING THE 2021 BUDGET FOR THE HIRING OF A PROBATIONARY POLICE OFFICER

WHEREAS, the City desires to approve an adjustment to the 2021 Budget for the hiring of a Probationary Police Officer;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, does ordain as follows: that the Clerk-Treasurer be authorized to amend the 2021 Budget as follows:

001 General


Police

001.000.021.521.20.11.00	Regular Pay	\$ 8,662
001.000.021.521.20.21.00	Personnel Benefits	4,720

Non-Departmental

001.000.999.508.80.00.00	New Ending Unreserved Fund Balance	\$ 1,215,778
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PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON this 26th day of October 2021.



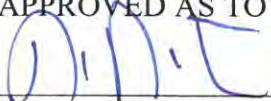
Sherry Raymond, Mayor

ATTEST:



Dale E. Novobielski, Clerk-Treasurer

APPROVED AS TO FORM:



Rob Case, City Attorney



**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



Council Meeting	Action Item
10/26/2021	O-6

Title: Ordinance Amending the 2021 Budget for an Irrigation Water Rights Change/Transfer Feasibility Study

From: Dale Novobielski, City Clerk/Treasurer

Action Requested: Approval

Staff Recommendation: Approve Ordinance as written

Board/Commission Recommendation: Not Applicable

Fiscal Impact: \$32,000

Funding Source: Fund 411 Water

Background / Findings & Facts: To amend the 2021 budget for an irrigation water rights change/transfer feasibility study. City Council approved a Task Order with HLA for this project on May 11, 2021.

Recommended Motion: I move to approve an Ordinance amending the 2021 budget for an irrigation water rights change/transfer feasibility study.

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:
5/11/2021	City Council approved a Take Order with HLA Engineering and Land Surveying, Inc for an Irrigation Water Rights Change/Transfer Feasibility Study

AN ORDINANCE AMENDING THE 2021 BUDGET FOR AN IRRIGATION WATER RIGHTS CHANGE/TRANSFER FEASIBILITY STUDY

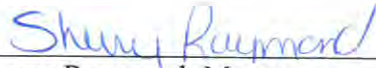
WHEREAS, the City desires to adjust the 2021 Budget for an irrigation water rights change/transfer feasibility study;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, does ordain as follows: that the Clerk-Treasurer be authorized to amend the 2021 Budget as follows:

411 Water

411.000.034.534.70.41.04	Irrigation Water Rights Study	\$ 32,000
411.000.999.508.80.00.00	New Ending Unreserved Fund Balance	\$1,189,830

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON this 26th day of October 2021.



Sherry Raymond, Mayor

ATTEST:


Dale E. Novobielski, Clerk-Treasurer

APPROVED AS TO FORM:


Rob Case, City Attorney



**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



Council Meeting

Action Item

10/26/2021

O-7

Title: Ordinance Amending the 2021 Budget for the Purchase of a 2008 International Dump Truck

From: Dale Novobielski, City Clerk/Treasurer

Action Requested: Approval

Staff Recommendation: Approve Ordinance as written

Board/Commission Recommendation: Not Applicable

Fiscal Impact: \$10, 290

Funding Source: Fund 171 Public Works Equipment Reserve

Background / Findings & Facts: To amend the 2021 budget for the purchase of a 2008 International Dump Truck. At the October 12th Council meeting the Mayor was authorized to sign a contract with WA State Dept of Enterprise Services for this truck.

Recommended Motion: I move to approve an Ordinance amending the 2021 budget for the purchase of a 2008 International Dump Truck.

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:

10/12/2021

City Council authorized the Mayor to sign a contract for the purchase of a 2008 International Dump Truck.

ORDINANCE NO. 2143

AN ORDINANCE AMENDING THE 2021 BUDGET FOR THE PURCHASE OF A 2008 INTERNATIONAL DUMP TRUCK

WHEREAS, the City desires to adjust the 2021 Budget for the purchase of a 2008 International Dump Truck;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, does ordain as follows: that the Clerk-Treasurer be authorized to amend the 2021 Budget as follows:

110 City Street

110.000.042.397.00.00.00	Operating Transfers-In	\$ 3,430
110.000.094.594.42.64.31	Capital Outlay	\$ 3,430

171 Public Works Equipment Res.

171.000.097.597.00.01.00	Operating Transfers-Out – F110 City St	\$ 3,430
171.000.097.597.00.02.00	Operating Transfers-Out – F411 Water	3,430
171.000.097.597.00.03.00	Operating Transfers-Out – F415 Sewer	3,430
171.000.008.508.10.00.00	New Ending Cash & Investments	\$ 537,088

411 Water

411.000.034.397.00.00.00	Operating Transfers-In	\$ 3,430
411.000.094.594.34.64.00	Capital Outlay	\$ 3,430

415 Sewer

415.000.035.397.00.00.00	Operating Transfers-In	\$ 3,430
415.000.094.594.35.64.00	Capital Outlay	\$ 3,430

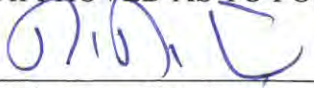
PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON this 26th day of October 2021.


Sherry Raymond, Mayor

ATTEST:


Dale E. Novobielski, Clerk-Treasurer

APPROVED AS TO FORM:


Rob Case, City Attorney



**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



Council Meeting

Action Item

10/26/2021

O-8

Title: Ordinance Amending the 2021 Budget for Architectural Services for the Design of a Law and Justice Center

From: Dale Novobielski, City Clerk/Treasurer

Action Requested: Approval

Staff Recommendation: Approve Ordinance as written

Board/Commission Recommendation: Not Applicable

Fiscal Impact: \$93,675

Funding Source: Fund 301 Capital Improvement

Background / Findings & Facts: To amend the 2021 budget for architectural services for the design of a Law & Justice Center. At the August 24th City Council meeting the Mayor was authorized to sign a contract for these services.

Recommended Motion: I move to approve an Ordinance amending the 2021 budget for architectural services for the design of a Law & Justice Center.

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:

8/24/2021

City Council authorized the Mayor to sign a contract for architectural services for the design of a Law & Justice Center.

ORDINANCE NO. 2145

AN ORDINANCE AMENDING THE 2021 BUDGET FOR ARCHITECTURAL DESIGN SERVICES FOR A LAW & JUSTICE CENTER

WHEREAS, the City desires to adjust the 2021 Budget for architectural design services for a Law & Justice Center;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, does ordain as follows: that the Clerk-Treasurer be authorized to amend the 2021 Budget as follows:

001 General

001.000.098.397.00.00.00 Operating Trasnfers-In \$ 93,675

001.000.094.594.21.62.00 Law & Justice Center \$ 93,675

301 Capital Improvement

301.000.097.597.00.02.00 Transfer-Out – F001 General \$ 93,675

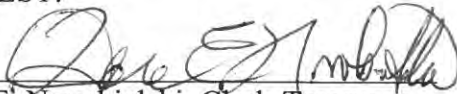
301.000.008.508.80.00.00 New Ending Unreserved Cash & Investments \$ 647,685

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF SELAH,
WASHINGTON this 26th day of October 2021.



Sherry Raymond, Mayor

ATTEST:



Dale E. Novobielski, Clerk-Treasurer

APPROVED AS TO FORM:



Rob Case, City Attorney

ORD # 2145
Pg. 1



CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY



Council Meeting

Action Item

10/26/2021

O-9

Title: Ordinance Amending Selah Municipal Code section 1.10.031

From: Rob Case, City Attorney

Action Requested: Approval

Staff Recommendation: Approval

Board/Commission Recommendation: Not Applicable

Fiscal Impact: No Cost

Funding Source: Not Applicable

Background / Findings & Facts: This is a proposed amendment to the City's code, specifically as to Selah Municipal Code (SMC) section 1.10.031 which is entitled "Full-time regular nonunion employees." The existing version of SMC 1.10.031 was established in February 2009, via the adoption of Ordinance No. 1746 (which Ordinance also effectuated other code changes that are not immediately-relevant to the instant AIS). The existing version lists nineteen (19) positions that are or supposedly are (which this AIS will further explain below) full-time nonunion positions. There are multiple reasons why the existing version should be amended, which in no particular order are the following: First, one of the currently-listed positions – specifically, the Public Works Utility Foreman – is not a nonunion position, but, instead, is a union position. Thus, that position needs to be removed from the list in SMC 1.10.031. Second, there are numerous positions that exist, have previously existed or are contemplated to exist in the future that should be included on the list because they are full-time nonunion position, but they are not on the list for some reason. Those are the following: City Administrator, City Attorney, Human Resources Manager, Public Records Officer, Community Services Manager, the community services department's Recreation Coordinator – Civic Center position, Public Works Director, Public Works Utility Supervisor, the public works department's Engineering Technician, the public works department's Code Enforcement & Stormwater Management, the public works department's Planning & Building Permit Specialist, Wastewater Treatment Plant Mechanic, Chief of Police, Deputy Police Chief, Fire Chief, Deputy Fire Chief, fire department Captain, fire department Lieutenant, the Firefighter Probationary position, and the Fire Department Administrative Assistant. Each of those positions needs to be added to the list in SMC 1.10.031. Third, several positions on the list utilize



**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



labels/names that are – in whole or in part – different from the labels/names that the City has customarily used (since 2009, which is the last time that SMC 1.10.031 was amended). So many examples exist that it would not be economical to list them all, but one good example is what the current list recites as “Administrative Assistant” position (which, until recently, was occupied by Monica Lake and is now occupied on an acting basis by Treesa Morales, in addition to Mrs. Morales occupying two other positions currently) whereas that position has more recently been typically referred to as “Executive Assistant”. The labels/names of all recited positions in SMC 1.10.031 should be updated and changed to those that the City has more recently utilized, in an effort to promote consistency and clarity between various code sections and City documents. Fourth, the existing list in SMC 1.10.031 (irrespective of its other problems, as previously noted in this AIS) could be construed as a restrictive-and-exhaustive list, and as a result could unnecessarily restrict the City’s ability to hire and employ staff members in additional or different positions beyond those presently listed. A better approach would be to provide flexibility, by amending the section so as to expressly confirm that the recited list is illustrative-and-not-exhaustive. Treesa Morales and I have compiled what we believe is a complete, accurate and updated list, which includes positions that are currently occupied, positions that have previously been occupied and positions that are contemplated to be potentially occupied in future years. Because SMC 1.10.031 is a code section, we need an affirmative vote by the City Council to effectuate the necessary changes that the instant AIS summarizes and that the corresponding proposed Ordinance would effectuate. For clarity, I want to emphasize that just because a position will be included in the new list, that does not mean that the City is obligated to actually fill that position. The City will have the option, but not the obligation, to fill each listed position. This is similar to how the Salary Ordinance works; just because a base salary is recited in the Salary Ordinance for a position does not mean that the City is obligated to pay that full amount to the occupant of such position. The proposed Ordinance submitted with this AIS recites the full text current text of SMC 1.10.031 and also the full text of my new proposed version of SMC 1.10.031. In addition to changing the list, I am also proposing several other substantive provisions, again in hopes of promoting consistency and clarity.

Recommended Action/Motion: I move to approve the Ordinance in the form presented

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: None

ORDINANCE NO. 2144

ORDINANCE AMENDING SELAH MUNICIPAL CODE SECTION 1.10.031

WHEREAS, the existing version of Selah Municipal Code (SMC) section 1.10.031 presently reads in full, with its section heading, as follows:

1.10.031 Full-time regular nonunion employees.

Administrative Assistant;
Building Inspector/Code Enforcement;
Clerk-Treasurer;
Court Clerk;
Firefighter III;
Firefighter II;
Firefighter I;
Parks and Rec. Coordinator;
Payroll/Acct Payable Tech;
Public Works Admin Asst./Permit Tech;
Public Works Utility Foreman;
Utility Billing Tech;
WWTP Lead Operator;
WWTP Operator IV;
WWTP Operator III;
WWTP Operator II;
WWTP Operator I;
WWTP Operator Trainee.

; and

WHEREAS, the City desires to amend SMC 1.10.031 to now read in full, with its new section heading and new subsection labels, as follows:

1.10.031 Full-time regular nonunion employees; Non-exclusive list; Discretion to Combine; Salary restrictions.

(a) The list set forth in subsection (f) below is an illustrative-and-not-exhaustive list of the full-time regular nonunion employee positions that presently exist and that are contemplated to be potentially occupied in future years. The City may, at the discretion of the Mayor, hire and employ full-time regular nonunion employees in additional or different positions beyond those recited in subsection (f) below; provided however, in each such circumstance

the salary payable to any such employee shall not exceed the maximum amount specified on the then-applicable Salary Ordinance for the lowest-paid position in the department (as specified in subsection (f) below) where such employee is employed unless the City Council validly approves a higher salary for such employee.

(b) No employee may ever be paid a salary that exceeds the maximum amount specified on the then-applicable Salary Ordinance for the position held by such employee.

(c) The City may, at the discretion of the Mayor, combine multiple positions for any period of time; provided however, in each such circumstance the salary payable to any employee for performing combined positions shall not exceed the maximum amount specified on the then-applicable Salary Ordinance for the highest-paid of the combined positions unless the City Council validly approves a higher salary for such employee; and provided further, any permanent assignment of the City Attorney position shall require valid approval by the City Council pursuant to SMC 1.10.012 and any permanent assignment of the City Administrator position shall require valid approval by the City Council pursuant to SMC 1.10.015(a).

(d) The City is not obligated to fill each position recited in subsection (f) below. The list recited in subsection (f) below is a list of positions by general label and not, by contrast, a designation of job duties or obligations.

(e) Positions recited in subsection (f) below that are preceded by asterisk (*) are nonexclusive positions and thus multiple employees may be simultaneously and separately employed in those positions at the same time. By contrast, positions recited in subsection (f) below that are not preceded by an asterisk (*) are exclusive positions and thus shall only be held by one employee at a time.

(f) For purposes of this section (and consistent with the City's Salary Ordinance), the respective departments where full-time nonunion regular employees may be employed are labeled as "Administrative", "Community Services", "Public Works: Administration & Utilities", "Public Works: Community Development", "Public Works: Wastewater Treatment Plant", "Police Department" and "Fire Department". The current illustrative-and-not-exhaustive list of positions, which is set forth in no particular order of rank or importance, is the following:

Administrative:

City Administrator;
Clerk-Treasurer;
City Attorney;
Human Resources Manager;
Public Records Officer;
*Administrative Assistant (a/k/a Executive Assistant);
Payroll & Accounts Payable Specialist;
Utility Billing Specialist;
Court Clerk & Administrator;

Community Services:

Community Services Manager;
Recreation Coordinator – Youth Sports;
Recreation Coordinator – Civic Center;

Public Works: Administration & Utilities:

Public Works Director;
Public Works Utility Supervisor;
*Public Works Administrative Assistant;
Engineering Technician;

Public Works: Community Development:

Community Development Supervisor (a/k/a Community Planner or Code Drafter);
Building & Code Inspector;
Code Enforcement & Stormwater Management;
*Planning & Building Permit Specialist;

Public Works: Wastewater Treatment Plant

Wastewater Treatment Plant Supervisor;
Wastewater Treatment Plant Operator IV;
*Wastewater Treatment Plant Operator III;
*Wastewater Treatment Plant Operator II;
*Wastewater Treatment Plant Operator I;
*Wastewater Treatment Plant Operator Trainee;
*Wastewater Treatment Plant Mechanic;

Police Department:

Chief of Police;
Deputy Chief of Police;

Fire Department:

Fire Chief;

Deputy Fire Chief (Step 3, Step 2 or Step 1);

Captain (Step 3, Step 2 or Step 1);

Lieutenant (Step 3, Step 2 or Step 1);

*Firefighter – Step 3;

*Firefighter – Step 2;

*Firefighter – Step 1;

*Firefighter – Probationary;

*Fire Department Administrative Assistant.

**NOW THEREFORE BE IT HEREBY ORDAINED BY THE
CITY COUNCIL OF THE CITY OF SELAH:**

SECTION 1. Selah Municipal Code (SMC) 1.10.031 shall be and is amended as set forth above.

SECTION 2. This Ordinance shall be effective at 12:01 a.m. on the fifth day following publication of a summary of the Ordinance in the official newspaper of the City of Selah.

Dated this 26th day of October, 2021.




Sherry Raymond, Mayor

ATTEST:



Dale E. Novobielski, Clerk/Treasurer

APPROVED AS TO FORM:



Rob Case, City Attorney



**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



Council Meeting

Action Item

10/26/2021

Q-4(a)

Title: Approved minutes from August 3rd Planning Commission Meeting

From: Makenzie Hoff, Planning and Building Permit Specialist

Action Requested: Informational - No action needed

Staff Recommendation: N/A

Board/Commission Recommendation: Not Applicable

Fiscal Impact: N/A

Funding Source: N/A

Background / Findings & Facts: N/A

Recommended Action/Motion: N/A

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:

None

City of Selah
Planning Commission Minutes
Of
August 3, 2021

A. Call to Order

Chairman Smith calls the meeting to order at 5:38 pm.

B. Roll Call:

Members Present: Chairman Smith, Vice Chairman Torkelson, Commissioners Swayze and Goodall.

Members Absent: Commissioner Peterson

Staff Present: Jeff Peters, City Planner; Makenzie Hoff, Minutes Secretary

Guest: 3 members of the public: Joe Cutler, Yvonne, Rein Almon-Griffin

C. Agenda Changes- *None*

D. Communications:

1. Oral - Chairman Smith states for the record that this is a meeting held via Zoom due to COVID-19.

2. Written - *None*

E. Approval of Minutes

1. *Approval of minutes from July 20, 2021.*

Chairman Smith asks for a motion to approve the minutes from the July 20, 2021 meeting.

Vice Chairman Torkelson motions to approve.

Commissioner Goodall seconds.

Minutes are approved with a voice vote of 3-0.

F. Public Hearings

1. *City of Selah 2021 Capital Facilities Plan (SEPA-2021-003)*

Mr. Peters states for the record that there is a quorum, there are 3 Planning Commission members present to make a recommendation to City Council.

Mr. Peters reads verbatim from the Staff Report.

Staff recommends the Planning Commission approve and make a recommendation to City Council to adopt the Draft 2021 Capital Facilities Plan.

Mr. Peters states for the record that Commissioner Swayze has joined the meeting.

Chairman Smith invites Yvonne to make a public comment if she has any.

Yvonne states for the record that she has no public comment at this time.

Chairman Smith motions to make a recommendation to City Council to approve the Draft 2021 Capital Facilities Plan.

Commissioner Goodall seconds.

Motion passed with a voice vote of 4-0.

2. ***Amendments to Selah Municipal Code (SMC) Ch. 10.38 Signs (SEPA-2021-004)***

Chairman Smith opens the Public Hearing for the Amendments to SMC Ch. 10.38 Signs.

Mr. Peters reads verbatim from the Staff Report.

Mr. Peters gives some background info pertaining to these amendments. The Planning Department started to draft changes in 2017-2018. It was identified then that a lot of the sign code was out of date. The Planning Department reached out to the Selah Downtown Association (SDA) and determined that many businesses wanted to adopt a sign code similar to what the City of Yakima has that would allow them to have more signage but also allow the city to control the time, place and amount of signage that was being put out. Mr. Peters put together a draft at that time based on a sign ordinance he worked on when he was working for the City of Yakima. Rob Case, our City Attorney initially used this original draft and has added to it as needed to create the current draft.

Mr. Peters continues to read verbatim from the Staff Report.

Mr. Peters states that there was a letter with suggested editing that came in today, August 3, 2021 at 4:50pm from Perkins Coie, who represent the Selah S.A.F.E. Group. There was not sufficient time to put this on the webpage to get it to Planning Commission members.

Mr. Peters continues to read verbatim from the Staff Report.

Staff recommends approval of the Draft Sign Code as submitted.

Mr. Peters summarizes the comment letter that was received.

Mr. Peters states that after looking at some of the changes they recommend, his suggestion is that the Planning Commission recommend approval of the original proposal and make a recommendation that the Selah City Council and its legal counsel consider the opposing counsel's edits.

Chairman Smith states that she believes it should be up to Rob Case, the City Attorney and City Council if they want to consider the proposed edits from Perkins Coie for their final approval. She asks if anyone else has any further comment.

Vice Chairman Torkelson and Commissioners Goodall and Swayze state that they agree.

Chairman Smith opens up the hearing to members of the public that are present for comment.

Chairman Smith states for the record that the three members of the public present declined to comment.

Chairman Smith motions to recommend approval of the original proposal to City Council and make a recommendation that the Selah City Council and its legal counsel consider the opposing counsel's edits.

Vice Chairman Torkelson seconds.

Motion passes with a voice vote of 4-0.

Mr. Peters states that he will amend the Planning Commission's recommendation on the sign ordinance to include recommending approval of the current draft ordinance as well as recommending consideration of the edits outlined in the comment letter that was received. He will also include that there were 3 members of the public who declined to comment.

G. General Business

1. Old Business - *None*
2. New Business - *None*

H. Reports/Announcements

1. Chairman – *None*
2. Commissioners – *None*
3. Staff - *Planning/Building Department Updates*

Mr. Peters states that there will be a bit of a lull in development applications coming to the Planning Commission, so we will be taking a little bit of a break.

Mr. Peters states that one thing currently being discussed with the City Administrator is that some of the rule regulations for public hearings with regard to certain types of development applications (such as long plats, rezones, etc.) might go back to being reviewed by a Hearing Examiner instead of the Planning Commission. City Council is wanting to become more involved with some of these discussions. There will likely be study sessions coming up in the future with regards to this.

Chairman Smith asks when the next meeting is likely to be.

Mr. Peters states that the next meeting is likely to be late September.

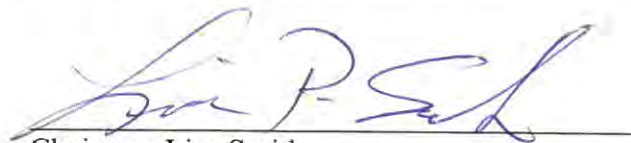
H. Adjournment

Chairman Smith asks if there is a motion to adjourn.

Commissioner Goodall motions to adjourn the meeting.

Chairman Smith seconds.

Chairman Smith adjourns the meeting at 6:13 p.m. with a voice vote of 4-0.


Chairman Lisa Smith

COUNCIL ROLL CALL LIST

Meeting Date: 10-26-2021

(2ND VOTE)

YES	ATTENDANCE	NO
✓	Kevin Wickenhagen	
✓	Jacque Matson	
✓	Suzanne Vargas	
✓	Clifford Peterson	
✓	Roger Bell	
✓	Michael Costello	
	Russell Carlson	

YES	AIS: 0-3	NO
	Kevin Wickenhagen	✓
✓	Jacque Matson	
	Suzanne Vargas	✓
✓	Clifford Peterson	
✓	Roger Bell	
✓	Michael Costello	
	Russell Carlson	

YES	AIS: 0-1	NO
✓	Kevin Wickenhagen	
✓	Jacque Matson	
✓	Suzanne Vargas	
✓	Clifford Peterson	
✓	Roger Bell	
✓	Michael Costello	
	Russell Carlson	

YES	AIS: 1-4	NO
✓	Kevin Wickenhagen	
✓	Jacque Matson	
✓	Suzanne Vargas	
✓	Clifford Peterson	
✓	Roger Bell	
✓	Michael Costello	
	Russell Carlson	

YES	AIS: 0-2	NO
✓	Kevin Wickenhagen	
✓	Jacque Matson	
✓	Suzanne Vargas	
✓	Clifford Peterson	
✓	Roger Bell	
✓	Michael Costello	
	Russell Carlson	

YES	AIS: N-1	NO
✓	Kevin Wickenhagen	
✓	Jacque Matson	
✓	Suzanne Vargas	
✓	Clifford Peterson	
✓	Roger Bell	
✓	Michael Costello	
	Russell Carlson	

YES	AIS: 0-3	NO
	Kevin Wickenhagen	✓
✓	Jacque Matson	
	Suzanne Vargas	✓
✓	Clifford Peterson	
✓	Roger Bell	
	Michael Costello	✓
	Russell Carlson	

YES	AIS: N-2	NO
✓	Kevin Wickenhagen	
✓	Jacque Matson	
✓	Suzanne Vargas	
✓	Clifford Peterson	
✓	Roger Bell	
✓	Michael Costello	
	Russell Carlson	

YES	AIS: 0-3 FOR RECON	NO
✓	Kevin Wickenhagen	
✓	Jacque Matson	
✓	Suzanne Vargas	
✓	Clifford Peterson	
✓	Roger Bell	
✓	Michael Costello	
	Russell Carlson	

YES	AIS: N-4	NO
✓	Kevin Wickenhagen	
✓	Jacque Matson	
✓	Suzanne Vargas	
✓	Clifford Peterson	
✓	Roger Bell	
✓	Michael Costello	
	Russell Carlson	

TIE

MOTION TO RECONSIDER

COUNCIL ROLL CALL LIST

Meeting Date: 10.26.2021

YES	ATTENDANCE	NO
	Kevin Wickenhagen	
	Jacque Matson	
	Suzanne Vargas	
	Clifford Peterson	
	Roger Bell	
	Michael Costello	
	Russell Carlson	

YES	AIS: 0-9	NO
✓	Kevin Wickenhagen	
✓	Jacque Matson	
✓	Suzanne Vargas	
✓	Clifford Peterson	
✓	Roger Bell	
✓	Michael Costello	
	Russell Carlson	

YES	AIS: N-5 SUB 1	NO
✓	Kevin Wickenhagen	
✓	Jacque Matson	
✓	Suzanne Vargas	
✓	Clifford Peterson	
✓	Roger Bell	
✓	Michael Costello	
	Russell Carlson	

YES	AIS:	NO
	Kevin Wickenhagen	
	Jacque Matson	
	Suzanne Vargas	
	Clifford Peterson	
	Roger Bell	
	Michael Costello	
	Russell Carlson	

YES	AIS: N-5	NO
✓	Kevin Wickenhagen	
✓	Jacque Matson	
✓	Suzanne Vargas	
✓	Clifford Peterson	
✓	Roger Bell	
✓	Michael Costello	
	Russell Carlson	

YES	AIS:	NO
	Kevin Wickenhagen	
	Jacque Matson	
	Suzanne Vargas	
	Clifford Peterson	
	Roger Bell	
	Michael Costello	
	Russell Carlson	

YES	AIS: 0-5	NO
✓	Kevin Wickenhagen	
✓	Jacque Matson	
✓	Suzanne Vargas	
✓	Clifford Peterson	
✓	Roger Bell	
✓	Michael Costello	
	Russell Carlson	

YES	AIS:	NO
	Kevin Wickenhagen	
	Jacque Matson	
	Suzanne Vargas	
	Clifford Peterson	
	Roger Bell	
	Michael Costello	
	Russell Carlson	

YES	AIS: 0-9 SUB 1	NO
✓	Kevin Wickenhagen	
✓	Jacque Matson	
✓	Suzanne Vargas	
✓	Clifford Peterson	
✓	Roger Bell	
✓	Michael Costello	
	Russell Carlson	

YES	AIS:	NO
	Kevin Wickenhagen	
	Jacque Matson	
	Suzanne Vargas	
	Clifford Peterson	
	Roger Bell	
	Michael Costello	
	Russell Carlson	