



*Selah Planning Commission
Regular Meeting
Tuesday, February 2, 2016
5:30 p.m.
City Council Chambers*

*Chairman:
Commissioners:*

Willie Quinnell
Dillon Pendleton
Lisa Smith
Eric Miller
Carl Torkelson

CITY OF SELAH
115 West Naches Avenue
Selah, Washington 98942

City Planner:
Secretary:

Tom Durant
Caprise Groo

AGENDA

- A. Call to Order - Chairman
- B. Roll Call
- C. Agenda Changes
- D. Communications
 - 1. Oral

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

- 2. Written - None
- E. Approval of Minutes
 - 1. January 19, 2016
- F. Public Hearings
 - 1. Old Business - None
 - 2. New Business – None
- G. General Business
- H.
 - 1. Old Business – None
 - 2. New Business- None
- H. Reports/Announcements
 - 1. Chairman
 - 2. Commissioners
 - 3. Staff
- I. Adjournment

Next Regular Meeting: February 16, 2016

City of Selah
Planning Commission Minutes
Of
January 19, 2016

Selah Council Chambers
115 W. Naches Ave.
Selah, Washington 98942

A. Call to Order – Vice Chairman Smith called the meeting to order at 5:33 pm.

B. Roll Call

Members Present: Vice Chairman Smith, Commission Torkelson and Miller.
Members Absent: Commissioner Quinnell and Commissioner Pendleton.
Staff Present: Tom Durant, Consultant, Caprise Groo, Secretary.

E. Approval of Minutes

1. December 15, 2015

Commissioner Miller motioned to approve the minutes.

Commissioner Torkelson seconded the motion.

Vice Chairman Smith asked for a voice vote and the minutes were approved with a vote of 3-0.

F. Public Hearings

1. Old Business –None
2. New Business-None

G. General Business

1. Old Business – None
2. New Business-

1. “Volunteer Park” Class 2 Review – Passive Park 926.61.15-04,
Environmental Review 971.61.15-11

Vice Chairman Smith turned the meeting over to Mr. Durant.

Mr. Durant stated this was Volunteer Park” Class 2 Review – Passive Park 926.61.15-04, Environmental Review 971.61.15-11. Mr. Durant proceeded to highlight the staff report. (Attached) He read all the Environmental Review measures, Public Comments and Issues and Recommendation conditions as well as the issue of encroachment and fencing. (All exhibits attached.)

Vice Chairman Smith asked if there were any questions.

Mr. Durant stated that Joe Henne the Public Works Director was here for the applicant.

Vice Chairman Smith opened the meeting for public comment in support of the park.

Shannon Cornett stated her address as 113 E Orchard Ave, Selah, WA. She stated that she was for the park. She explained that this was not just a park but an all-inclusive park that would allow children of all abilities to play together. She stated that when her family goes to the parks around here her son sit on the side and watch other children play. She expressed her need to give her sons as many typical experiences as she could such as playing, wheeling around, using their imagination and swinging in a swing. She stated that the last time her family was able to go to a park where both of her boys could play was December 30, 2014 in Portland Oregon. She stated that it was 2016 and a park like this should not be a rarity and all children should have a place to place.

Owen Packard stated his address as 560 Lakes Lane, Selah, WA. He stated that at a prior meeting the public had expressed concern about safety, vandalism and greater problems. He stated that he had research the issue online and found many articles on the subject. He read the key points of articles from The City Parks Forum of the American Planning Association, Green Health Washington and Change Lab Solutions. (Attached) He stated he was for the park.

Cindy Huntimer stated her address as P.O. box 63 Sole Lane Selah, WA. She stated she was for the park. She explained that she had been to a park in Jacksonville Florida that allowed handy-capped children to interact with other children. She stated the park had all kinds of activities for parents and kid. She explained that the fence was 4 ½ feet tall and had latches that a parent had to access. She stated that all kinds of children played there with no barriers. She stated that she had worked for the Selah School District for 26 years and has had to watch children with disabilities sit and watch as the other children played. She stated that it would make a big difference to have a park where children of all abilities could play. She explained that she had a son in a wheel chair and she was always trying to provide activities so that her son could feel normal.

Don Wayman, City Administrator. He discussed fences on city land, the extension of the fencing on the north side of the park and Mitigation of the concerns the neighbors have.

Lori Echler stated that her address was 1003 S 90th Ave #1, Yakima. She stated that she and her son go to the park in West Valley. She explained that the park had wood chips and it made it hard for her son to get up to the slide. She told a couple of stories about her son. Her main concern was acceptance. She stressed that all children want is acceptance weather they are special needs or not. She stressed that people just need to say "Hello".

Amy Berkheimer stated her address as 73 Clemans View Rd, Selah, WA. She stated she had a 10 year old son in a wheel chair and last summer was the first time her son had gotten to play at a park for special needs children in Palo Alto California. She explained that it had a wheel chair accessible teeter totter and merry-go-round. She expressed her excitement at watching her son being pushed on the merry-go-round by the other children. She stated that her son had attended Selah Elementary and he had to stay behind the barriers and couldn't get closer to watch the children playing on the equipment. She explained that he will be attending Selah Intermediate and it has padding on the ground that would allow her son to get closer to watch the children playing on the equipment. She stated the park was important to her because it would be a place where her special needs friends and other friend could goes to play together.

Barb Petrea (604 Lancaster, Selah, WA) She stated the she didn't get it. She explain that she didn't realize there was a problem until on April 1 she saw what a park like this could do and she saw parents like Shannon with their children. She expressed the need to educate the community.

Rocky Jackson stated his address as 770 Dixie Drive, Selah, WA. He stated that he was neither for nor against the park. He pointed out that he didn't think the application was complete. He stated that historically there was lead and Arsenic in the soil. He stated that the determination should not have been made before a soil test was done. He brought up the issue of parking on Merinda Dr. He stated that the neighborhood should not have to absorb the overflow parking for a park. He stated that the street was not wide enough to do that. He expressed his concern that the fencing on the north side, by his property, was not tall enough and does not extend far enough. He explained that when he bought his property the park was represented as a neighborhood park or a nature path. He stated that he had sent in written comments to the city. (Exhibit 13 Attached).

Tom Stokes stated his address as 760 Dixie Drive, Selah, WA. He stated that he was here to address issues that he believed had not been vetted out. He stated that his concerns were the same as Mr. Jackson and he would address

them. He stated the nature of the park was to be a neighborhood park with nature paths not a regional or community park. He referred to information in the application for the park. (Exhibit 2 Attached). He talked about parking on Merinda Drive, the soil testing, the access to the park and the fencing. He then thanked the Commission.

Burt Ross stated his address as 516 Stacy Court, Selah, WA. He stated he agreed with both Mr. Jackson and Mr. Stokes. He stated his additional issues as security, tagging and buffer zones. He stated that people, mainly kids, walk through there all the time. He explained that neighbors have been tagged and things stolen from them. He stated his concern that the City did not have the operating fund to maintain the park. He stated he was opposed to the park.

Vice Chairman Smith asked if anyone else would like to comment.

Question: How did homes get build around the park? Was this an orchard at one time?

Mr. Durant addressed that the soil contamination was through the whole valley. He stated that the concern here was that is Park would be a child use and ADA area.

Question: Is it possible for the park to continue in a different direction and not stall with the opposition to it.

Mr. Durant stated that the Planning Commission had to make a decision based on this proposal.

Vice Chairman Smith stated the Commission could approve with conditions. She explained that those conditions need to be discussed to please both sides

Joe Henne: Public Works Director. He stated he would have to look at the plat agreement for Merinda Drive and if need be post no parking signs. He stated that the property currently owned by Mr. Stokes and Mr. Jackson was sold by the City to finance the baseball fields at McGonagle Park. He stated that the City will have the soil tested and do what needed to be done in accordance with the Model Toxic Control Act.

Vice Chairman Smith asked it this was orchard at one time.

Mr. Henne replied that is had been in the 30-50's. He stated that that was the time that those chemicals were used.

Discussion: Soil leaching, contamination levels and fencing.

Conclusion: the soil does not leach. If contaminated, the soil will be dealt with accordingly.

Commission Torkelson asked about maintenance.

Discussion ensued: Park maintenance and Human behavior.

Conclusion: The City will be maintaining the Park and children will continue to be children.

Commissioner Miller asked what the service area would be.

Mr. Henne stated that it was not advertised as a regional Park.

Charlie Brown, Selah Parks and Recreation. He stated that during the application process they asked who would use this park and because there is nothing like this in the area it will be recommended to special needs children from Ellensburg to the lower valley. He stated that one could not pick and choose the service area.

Linda Stokes stated that she had empathy and she understood what people wanted for their children. She stated that the neighbors did not want this park. She explained that until the first meeting the neighbor did not know that the park had changed for a neighborhood park to this. She stated that until the neighbors had answers to their questions it should be denied.

Joyce Jackson stated her address as 770 Dixie Drive, Selah, WA. She stated that she used to live across from

Wixson Park before it was a park and her father used to call daily about the vandalism and behavior there. She stated that her parents were given a key and they opened and closed the bathrooms and cleaned then at no cost to the city. She stated that she ran a boot camp in Yakima that clean up at park. She stated that parks were hard to maintain. She stated her other concern of liability for injuries on the exercise equipment. She also stated that the field was at one time an orchard and asparagus field.

Vice Chairman Smith asked Charlie brown to address maintenance of the park.

Mr. Henne stated that instances do happen at the parks.

Discussion ensued: Maintenance, vandalism, police patrols and City liability insurance.

Conclusion: the City will maintain the Park. Instances of vandalism do happen. The Police will be patrolling the park. The city will carry liability insurance for the Park.

Commissioner Miller asked if there would be a budget item line for the park.

Mr. Wayman, City Administrator answered yes there would be.

Vice Chairman Smith asked if there was any other public comment at this time.

Shirley Johnson-Hoy stated that ADA was dear to her heart. She stated her concerns as fencing, children eating grass and security.

Mr. Durant stated that they would be putting in an access way and increase patrols and lighting.

Vice Chairman Smith asked if anyone else would like to speak. She asked Mr. Durant if he wanted to address any issues.

Mr. Durant stated that they had talk about security. He discussed the process of SEPA. He stated he had talked to Ecology and the playground would be covered it something. He read the comments from Ecology. (Exhibit 9 attached). He stated that the comment from Ecology did not reflect a significate health hazard and that the playground would be protected. He stated that he handled SEPA accordingly. He pointed out the plan designation parts 2014-2019 Comprehensive Plan, Article 3 listing this as a Community Passive Park. (Exhibit 15 Attached) He stated he had the form of finding when the Commission was ready.

Vice Chairman Smith asked if the soil was being tested.

Mr. Durant answered yes.

Discussion: height of fence, length of the fencing and passive vs active park.

Conclusions addressed in the finding for the Park.

Mr. Durant stated he would walk through the findings. He stated that this was when the Commissioners could add more conditions. (Attached)

Vice Chairman Smith asked for a motion on the floor with the conditions discussed to increase fence height and length.

Commissioner Miller motioned to approve with conditions.

Commissioner Torkelson seconded the motion.

Vice Chairman Smith called for a voice vote and the motion with conditions was approved with a vote of 3-0.

Mr. Jackson asked if once this was finalized could they get a copy.

Discussion ensued about the conditions of the park.

Vice Chairman Smith thanked the audience. She then motioned for a break.

Vice Chairman Smith reconvened the meeting.

2. Amendment to SMC 11.19 Flood Damage Prevention Ordinance, 971.00.15-12
Environmental Review

Mr. Durant discussed Amendment to SMC 11.19 Flood Damage Prevention Ordinance, 971.00.15-12 Environmental Review. He went over the staff report with all the amendments. (Attached)

Vice Chairman Smith asked for comments.

Ms. Johnson-Hoy asked if the mayor was in agreement with that.

Mr. Durant stated the recommendation would go to the City Council.

Mr. Henne stated that Ecology looked at everything and were 98% okay with how the City handled the program. He explained that these were stated requirements and if the City was not consistent with the Stated then people could not get flood insurance.

Mr. Durant stated that there was very little flood way in Selah.

Mr. Henne explained the flood way.

Discussion: Existing structure and the flood way.

Commissioner Miller moved to adopt the amendments by staff.

Commissioner Torkelson seconded the motion.

Vice Chairman Smith called for a voice vote to approve the amendments by staff and it was approved with a vote of 3-0.

H. Reports/Announcements

1. Chairman-None
2. Commissioners- None
3. Staff-None

. Adjournment

Vice Chairman Smith motioned to adjourn the meeting, Commissioner Torkelson seconded the motion. Vice Chairman Smith adjourned the meeting at 7.36 pm with a voice vote of 3-0.

Vice Chairman

CLASS 2 USE PERMIT FINDINGS, CONCLUSIONS, and DECISION

File No. 926.61.15-04

Whereas, this matter having come on for public hearing before the Selah Planning Commission (Commission) on January 19, 2016 for the purpose of considering an application by Selah Public Works to develop a 5.3 acre passive park in the One Family Residential (R-1) zoning district;

Whereas, members of the Commission present at the public hearing were Smith, Miller and Torkelson;

Whereas, legal notification pursuant to Selah Municipal Code was given on December 18, 2015. All persons were given the opportunity to speak for against the proposed Class 2 Use;

Whereas, following the public hearing, after having considered materials presented to it, the public testimony provided, and being otherwise fully advised, the Commission indicated approval of the application and made oral findings consistent with that approval; and

Whereas, City Staff has reduced to writing the Commission's findings and has presented those to the Commission for consideration and adoption/entry;

NOW WHEREFORE, the Selah Planning Commission APPROVES the Class 2 use application for development of a passive park and enters the following findings, conclusions, and decision:

1. The Commission adopts the staff findings, conclusions and recommendation as presented in the January 12, 2016 staff report and at the public hearing (and those findings are incorporated herein by this reference as if fully set forth) with the following revisions and additional findings/conclusions:
 - a. Emphasis on this development shall be on maintaining this as a passive park.
 - b. There should be no publicly advertised tournaments or gatherings for use of the park to ensure that it remains passive in character.
2. The Commission finds that proposed use, with conditions, is compatible with the use, zoning and future land use designation from the Comprehensive Plan.
3. Owners of adjacent lands expressed Disapproval of the proposal.
4. The majority of comments received were both in favor and opposition to the proposal.

5. The Planning Commission finds that the development is consistent with the Comprehensive Plan and the requirements of the municipal code.
6. The Commission finds that the present and future needs of the community will be adequately served and the community as a whole will benefit rather than be injured by the proposal.
7. Environmental Review has been completed, a Mitigated Determination of Nonsignificance was issued and the Commission is satisfied that environmental review was completed in compliance with Selah Municipal Code Chapter 11.40 and that it adequately addresses concerns raised and provides for mitigation of such concerns where required.
8. The Commission determines all of the above findings to be the controlling factors in its deliberations on the Class 2 Use Permit.

DECISION

The Commission, based on these findings, conclusions and controlling factors finds that the Class 2 Use should be approved with the following conditions:

1. Conformance to the Mitigated Determination of Nonsignificance (MDNS) issued for the project on January 8, 2016 and as subsequently modified:
 - a. Existing vegetation on the north side of the site that is north of the proposed pedestrian path shall be retained, except as necessary to construct the proposed entrance street and retaining wall for which any disturbed areas shall be replanted in grass or other vegetation.
 - b. The design and specifications for controlling stormwater runoff generated on the site shall be prepared by a licensed professional engineer.
 - c. On-site soils shall be sampled and analyzed for lead, arsenic and organochlorine pesticides. If these contaminants are found at concentrations above the Model Toxics Control Act cleanup levels, appropriate actions shall be taken based on the actual contaminant levels that are detected.
 - d. A solid wall or fence at least four feet in height constructed of masonry, wood or equivalent synthetic materials shall be installed along the east side of the proposed parking lot.
 - e. A fence at least six feet in height shall be installed between the proposed pathway and north property line from the proposed retaining wall to a point at least 325 feet past (west of) the centerline of the proposed picnic shelter.
2. A protective barrier such as rubber liner or artificial turf shall be used to cover the ground at the playground.

3. Parking lot lighting shall be indirect, hooded or otherwise arranged or designed to reflect away from adjoining properties and streets
4. A NPDES Construction Stormwater General Permit shall be obtained from the Department of Ecology unless determined by that agency that it is not required.
5. All buildings on the site including picnic shelter and any utility buildings shall be set back from property lines as required by the zoning ordinance.
6. Hours of operation shall be as limited by the Selah Municipal Code.
7. Project shall be completed by December 31, 2017 unless extended as provided for by the zoning ordinance.
8. "No Parking" signs shall be placed on Merinda Drive on both sides of the entrance to the park.
9. As a passive park, there shall be no publicly advertised tournaments or gatherings.

Motion to Approve by: **Miller**

Second by **Torkelson**

Vote **3 – 0**

Signed this ____ day of February, 2016.

Selah Planning Commission

Lisa Smith

Eric Miller

Carl Torkelson

Volunteer Park / City of Selah Public Works
926.61.15-04 Class 2 Review
971.95.61-11 Environmental Review

List of Exhibits

<u>Exhibit</u>		<u>Page</u>
1	January 12, 2016 staff report	
2	Application	
3	Site Plan	
4	Preliminary Grading and Drainage Plan	
5	Aerial Photograph	
6	Mitigated Determination of Nonsignificance	
7	SEPA Environmental Checklist	
8	January 4, 2016 comment letter from Department of Ecology	
9	January 7, 2016 comment letter from Department of Ecology	
10	Email in support from Ariel Winegar	
11	Comment letter from Burt and Chris Ross	
12	Comment letter from Steven M. Kruger	
13	Comment letter from Rocky L Jackson with attachments	
14	1/6/2016 email re: stormwater from Public Works Director Joe Henne	
15	Ordinance No 1936 adopting Comprehensive Parks & Rec Plan 2014-2019	
16	Selah Comprehensive Parks and Recreation Plan - excerpts	
17	Notice of Application	
18	Affidavit of Mailing	
19	Affidavit of Publication	

CITY OF SELAH PLANNING COMMISSION

STAFF REPORT

January 12, 2016

FILE NO.: CLASS 2 REVIEW – PASSIVE PARK 926.61.15-04
ENVIRONMENTAL REVIEW 971.61.15-11

PROPOSAL: “Volunteer Park” Develop a 5.3 acre city park designed to be accessible to all people regardless of limitations. Improvements include a fully accessible playground, gazebo picnic shelter, 10-foot wide walking path around the perimeter of the park with workout stations and level resting places, disk golf course, parking for 36 vehicles, restroom building and new access street with sidewalk on one side and retaining wall.

PROPONENT: City of Selah Public Works Department

PROPERTY OWNER: City of Selah

LOCATION: Southwest of Merinda Drive, about 100 feet west of Stacy Court and 700 feet west of North 1st Street. (Tax Parcel Number: 181435-11496).

APPLICATION AUTHORITY AND JURISDICTION: Selah Municipal Code, Chapter 10.06 (Applications) as it pertains to Class 2 Review. Class 2 administrative uses are generally allowed in the zoning district. However, the compatibility between a Class 2 use and the surrounding environment cannot be determined in advance (SMC 10.06.020(2)). The administrative official (City Administrator) may refer a Class 2 application to the Planning Commission for the purpose of conducting a public hearing and rendering a decision on the proposal (SMC 10.06.040(6)(E)). This is being done because of the application being for a City facility and expected level of public interest.

The application is being made under the “Passive Park” category from Table 10.28A-1 of the Zoning Ordinance. Passive Parks are distinguished from “Active Parks” in that they are primarily for aesthetics and open space, although some minor athletic activities may be accommodated. Active parks are designed to accommodate athletic activities such as baseball, golf, soccer, swimming pool and tennis. As proposed, most of the area of Volunteer Park will be landscaped open space encircled by a walking path. The proposed playground consists of approximately 5% of the total area of the park.

PUBLIC FACILITIES AND UTILITY SERVICES: The site is served by electrical power, City sewer and City water. There is also an existing catch basin to a City maintained storm drainage system. There are several utility lines crossing the site that can remain in place with the development of a park. This includes a sanitary sewer line across the southwestern part of the site, overhead power lines along the south boundary and domestic water lines along the east and west boundaries and adjacent to the property but off the site along the south boundary. Fire hydrants associated with these two lines are on the west and south boundaries (both off-site).

Sewer: The proposed restroom building will be connected to an existing 8 inch sanitary sewer line that extends into the site from the east.

Water (domestic): Water is to be from a 6 inch line brought into the site from Merinda Drive at the same time as the street improvement. It will be extended to the restroom building, to the picnic shelter where a hose bib is to be provided along with an aquatic spray feature.

Water (irrigation): Provided by connection to an existing Naches-Selah Irrigation District underground service line off of 4th Street at the northwest corner of the site. A vault or small building will be provided for a pressure reducing valve and sand filter. Underground lines will be extended to sprinklers throughout the park.

Drainage: Swales are to be provided to accommodate stormwater generated on-site and pass-through drainage that includes overflow from a City reservoir that enters the property at the southwest corner of the site. Overflow from the on-site system will utilize the catch basin and existing City storm drainage system.

Electrical Power: To be provided by Pacific Power. Will be used for lighting and heating in the restroom building, parking lot and security lighting and 25 amp service available for public use at the picnic shelter.

ACCESS & PARKING: Access to the site is to be provided by improving a street for a distance of about 100 feet into the site from Merinda Drive. The street is to be asphalt paved, 24 feet in width with curbs and gutter on both sides and sidewalk on one side. It will provide continuous pedestrian access in combination with the existing sidewalk on Merinda Drive and the proposed pathway in the park from N. 1st Street to 4th Street south of the park. The street improvement involves the construction of a retaining wall less than four feet in height along its west side at the end of a bluff. The proposed pathway includes a spur connecting to 4th Street in the southwest corner of the site and a spur to the northwest corner which could provide for future connection to 4th Street north of the site.

Thirty-six off-street parking spaces, including 8 accessible spaces are to be provided in the proposed parking lot, meeting the improvement and maintenance standards of SMC Chapter 10.34 as well as the dimensional standards for parking spaces. There are no standards in the Selah zoning ordinance for the number of off-street parking spaces required for a park, but the parking area was enlarged from earlier proposed configurations.

Chapter 10.34 also provides for site screening and landscaping requirements for parking lots that abut property in a residential zone. This includes requirements for a 4 to 6 foot solid masonry wall or wood fence (SMC 10.34.070(2)(B)). Also parking lots with ten or more spaces must have at least 4% of the total parking area landscaped with a combination of trees, shrubs and groundcover (SMC 10.34.080). One tree is required for every 15 single-row parking stalls or every thirty double row parking stalls (SMC 10.34.080(c)). It is assumed that the development and landscaping of the site as a park will conform to these standards.

Parking lot lighting must be indirect, hooded and arranged to reflect away from adjoining properties and streets (SMC 10.34.090). This requirement is to be met by the proposal. As stated in the SEPA checklist, lighting will be shielded or designed to not shine directly on surrounding properties. Motion sensing fixtures may be provided in some locations.

LAND USE, ZONING & PHYSICAL CHARACTERISTICS OF THE SITE: The site slopes downhill from northwest to southeast and is lower in elevation than surrounding properties to the north and west. The predominant feature is a slope about 25 feet in height along the north boundary of the park which is to be left undisturbed except where the proposed retaining wall is to be constructed.

Most of the surrounding land use is single-family residential with most lots ranging from 7,000 to 14,000 square feet to the south, east and north and northwest along Viewcrest Court and N. 4th Street. The lots on top of the bluff to the north and northeast located on Dixie Drive and the west side of Merinda Drive are somewhat larger, ranging from 17,000 square feet to over one acre in size.

The Yakima Valley School is to the west, although the part of that facility that immediately adjoins the project site is either vacant, or used for parking, vehicle storage and equipment storage. There is a church about 300 feet to the east. All of the adjoining residential lots about the site on their rear or side lot lines and have primary access to other streets, rather than Merinda Drive.

The site and surrounding properties are zoned One-Family Residential (R-1). Surrounding properties to the north, east and south are designated Low Density Residential by the Future Land Use Map of the Comprehensive Plan. The Yakima Valley School is designated Quasi-Public Open Space. The existing church at Merinda Drive and North 1st Street also has this future land use designation. The site is designated "Parks".

Several lots along the south and east property lines encroach on the subject City owned property with improvements that include fences, lawn and landscaping. This has been confirmed by survey. No park improvements are planned in any of the areas being encroached upon and the City is not going to require any of the encroachments to be corrected or improvements relocated at this time. However, the City is not giving up its rights to these properties, and removal of encroachments could be required in the future.

ENVIRONMENTAL REVIEW: A Mitigated Determination of Nonsignificance (DNS) (971.61.15-11) was issued on January 8, 2016. The Optional Method of WAC 197-11-355 was used meaning that comments on the SEPA environmental checklist were requested by the Notice of Application issued on December 18, 2015 and the DNS issued without a further comment period. The mitigation measures are as follows:

1. Existing vegetation on the north side of the site that is north of the proposed pedestrian path shall be retained, except as necessary to construct the proposed entrance street and retaining wall for which any disturbed areas shall be replanted in grass or other vegetation.
2. The design and specifications for controlling stormwater runoff generated on the site shall be prepared by a licensed professional engineer. As proposed, on-site swales are being provided to capture stormwater runoff with overflow to the City's storm water system.

3. On-site soils shall be sampled and analyzed for lead, arsenic and organochlorine pesticides. If these contaminants are found at concentrations above the Model Toxics Control Act cleanup levels, appropriate actions shall be taken based on the actual contaminant levels that are detected.
4. A solid wall or fence at least four feet in height constructed of masonry, wood or equivalent synthetic materials shall be installed along the east side of the proposed parking lot.
5. A fence at least four feet in height shall be installed between the proposed pathway and north property line from the proposed retaining wall to a point at least 125 feet past (west of) the centerline of the proposed picnic shelter.

One agency comment letter from the Washington Department of Ecology was submitted during the SEPA comment period. Letters were also received from neighboring property owners. Several of the environmental issues addressed by SEPA mitigation were raised by neighbor comments, which are discussed later in this report: stormwater runoff, neighborhood compatibility, and possible pesticide residues in the soil and their potential impact on a public "child-use" area.

The Department of Ecology commented on the requirement for an NPDES Construction Stormwater General Permit if there is a potential for stormwater discharge from a construction site. The permit requires the preparation and implementation of a Stormwater Pollution Prevention Plan with measures to prevent soil from being carried into surface water (including storm drains) by stormwater runoff with permit coverage and erosion controls in place prior to any clearing, grading or construction.

The Department of Ecology letter also stated that it was withdrawing comments made earlier by informal email correspondence. These concerned the potential that a feature on the site appearing on aerial photographs could be a wetland. The comments were withdrawn based on information provided verbally from City staff that the area in question was an artificial feature that has since been removed.

The Department of Ecology submitted a revised comment letter after the comment period ended. Since the additional issue raised was already under consideration, having been raised by a timely citizen comment, the question of whether the revised letter is timely or should be considered is moot.

SEPA (WAC 197-11-660(1)(e)) requires the lead agency to consider whether State, local or Federal requirements and their enforcement would mitigate identified significant environmental impacts. The NPDES Construction Stormwater General Permit referred to by the Department of Ecology comment letter is typically required for construction sites and enforced by the Department of Ecology. For those reasons it was determined unnecessary to require it as a mitigation measure, although it is recommended as a condition of Class 2 approval.

CRITICAL AREAS: The project site was evaluated for potentially being in a geologically hazardous area due to the NRCS soil classification of Moxee silt loam, which is mapped by Yakima County as an erosion hazard area where slopes are 15% or greater. "Erosion hazard areas", have three characteristics under SMC 11.50.150(a)(2)(A): A slope of 15% or greater, soils identified by the NRCS as unstable with a high

potential for erosion; and areas that are exposed to the erosion effects of wind or water. The portion of the site with the Moxee soil type that is greater than 15% is along the slope on the north side of the site and continues north on the west side of Merinda Drive where an exposed portion of the slope (not on City property) shows signs of erosion. However, this area does not meet the critical Areas Ordinance definition because although characterized as having a high hazard of erosion, it is not identified by NRCS as being "unstable," and by retaining most of the existing vegetation on the slope, the slope does not meet the third characteristic of being exposed to the erosion effects of wind and water. The only part of the slope that would be disturbed is at the toe of the slope where the retaining wall, which is less than 4 feet high, is to be constructed.

CLASS 2 REVIEW REQUIREMENTS: Class 2 uses are generally allowed in the zoning district but the compatibility between a Class 2 use and the surrounding environment cannot be determined in advance (SMC 10.06.020(2)). The reviewing official (i.e., this authority has been referred to the Planning Commission) may condition the use to ensure compatibility and compliance with the provisions of the zoning district and the goals, objectives and policies of the comprehensive plan (Ibid.) using the authority to impose conditions under SMC 10.06.060(a) and is required to impose a time limit in which the action must be commenced, completed or both (SMC 10.06.060(c)).

Zoning District: The purpose of the R-1 zone is to provide for single-family residential development where urban governmental services are currently available or will be extended by the proponent to facilitate development at no public cost (SMC 10.12.010). Specific intents of SMC 10.12.010 that are relevant to the proposed use include providing for an orderly, phased transition from vacant or partially developed to single-family development, facilitating coordinated and collaborative public infrastructure investment, requiring development to meet minimum urban development standards with emphasis of land uses that facilitate urban development and extension of utilities.

The proposal is to convert an existing vacant lot into a park, a land use that supports and facilitates urban residential development. Utilities (and public transportation improvements) are already available to the site and surrounding areas and they will be extended to the park in a manner consistent with urban development standards.

Development standards that apply to the proposal are primarily parking lot requirements described previously including size, dimension and distance of parking spaces from proposed use; sitescreening and landscaping requirements. All are met or required as SEPA mitigation. Proposed buildings shown on the site plan meet required setbacks. A building for housing pressure reducing valve and sand filter as described in the environmental checklist must be set back at least five feet from any property line.

Comprehensive Plan: The Future Land Use designation of the site is Parks. This use category is established recognizing those areas, both existing and future, providing for the continuance and expansion of public recreational areas. The Land Use element of the Comprehensive Plan includes a statement that the City appears to have a shortage of park acreage and a shortage of neighborhood

parks dispersed throughout the City. Chapter 2 of the Comprehensive Plan, "Community Goals, Objectives & Policies" includes the following statement under the heading "Parks and Recreation":

"The City of Selah has worked hard on developing a respected and highly utilized parks and recreation program. Consequently, the City should pursue objectives that concentrate on 1) procure and adequate and equitable funding resource [sic.]; 2) addressing deficiencies in the present system (such as a need for function specific community-wide activities like sports fields); and 3) encourage the expansion of the park system as the City continues to grow."

The Parks, Recreation and Open Space element of the Comprehensive Plan addresses the proposed park specifically, where it is referred to as "North Park" and identified as a "neighborhood" park, serving small neighborhood areas. However, in the more recent 2014-2019 Comprehensive Parks and Recreation Plan, adopted on January 28, 2014 by the Selah City Council, Volunteer Park is identified as a "passive community park".

Surrounding properties to the north, east and south are designated Low Density Residential by the comprehensive plan. This category provides for low-density residential development (up to 5 dwelling units per acre). Clustering of dwelling units is encouraged to preserve open space, steep slopes, drainageways, etc. The predominant land use is low density residential with a mix of housing types limited by the maximum density.

The property to the east – Yakima Valley School – is designated Quasi-Public Open Spaces by the comprehensive plan. The category recognizes existing quasi-public areas and provides for their continuance and expansion.

Goals, objectives and policies of the comprehensive plan that are relevant to this proposal are as follows:

Objective HSG 1: Maintain and upgrade the character of existing residential neighborhoods.

Objective PRE 3: Provide additional park facilities in locations where they are presently lacking.

Policy PRE 3.2: Identify potential bicycle and pedestrian routes.

Policy PRE 3.3: Identify and develop parks that serve specific community-wide needs, such as swimming pools, soccer fields, sport complex, etc.

Objective PRE 4: Improve upon the community-wide park facilities in Selah

Policy PRE 4.3: Plan for the integration of bikeways and pedestrian pathways within the street and park systems.

Policy ENV 2.2: Minimize adverse stormwater impacts generated by the removal of vegetation and alteration of landforms.

Policy ENV 3.6: Encourage the use of drainage, erosion and sediment control practices for all construction or development activities.

Policy TRAN 1:10: Ensure mobility for all residents, including the elderly and persons with disabilities, by providing accessible transportation services:

1. Identify existing transportation facilities and locations that are not accessible or usable by persons with disabilities or special needs and improve the facilities;
2. Apply street and sidewalk design standards and develop a system that respond to the needs of persons who are elderly, disabled or have other special needs; and
3. Ensure parking areas comply with accessibility requirements of the Uniform Building Code and Americans with Disabilities Act.

Policy TRAN 3.2: Safe and efficient movement of bicycle and pedestrian traffic throughout Selah, especially in school and recreational areas, in the business district and points of congestion should be provided.

The parks and recreation policies call for providing for park facilities where they are lacking (Objective PRE 3) and to improve upon the community-wide park facilities (Objective PRE 4). This combined with the designation by the plan, of this site for a park, strongly supports this proposal from a policy standpoint. Also, providing a park designed for all people regardless of physical ability is consistent with Policy PRE 3.3 to identify and develop parks that serve specific community-wide needs.

Other relevant parks and recreation policies focus on identifying and providing for bicycle and pedestrian routes (Policies PRE 3.2 and PRE 4.3) and this focus is also reflected in transportation policy TRAN 3.2 with regard to recreational areas. This proposal is consistent with these policies since pedestrian ways through the park are being routed to an existing street with sidewalk that leads to the arterial street network and also other streets surrounding the site. It is consistent with Transportation policy TRAN 1.10 because sidewalks and parking are being designed for accessibility.

The remaining relevant plan policies have to do with land use, compatibility and environmental protection. Protection of the steep slope and measures to control drainage is consistent with Policy ENV 3.6. A park is typically an enhancement to a residential neighborhood by providing for open space and recreational opportunities and along with proposed mitigation to address land use compatibility issues would be consistent with Objective HSG 1 to maintain and upgrade the character of existing residential neighborhoods.

PUBLIC COMMENTS AND ISSUES: Three letters were received from neighbors during the comment period. They all indicated that they were in support of a park at this location, although some were critical of elements of the proposal and asked for modifications of site layout, additional improvements or mitigation. One comment sent by email was entirely in support and encouraged the Planning Commission's support of the application. Issues raised by other comment letters included the scope of the proposal as a "passive" park, surface water runoff, hours of operation, lighting, fencing, security, parking, noise and operation and maintenance concerns.

Surface Water Runoff: Both letters requested that a properly engineered water system be developed and cited localized flooding in the area. The SEPA checklist addressed this including design of stormwater collection and retention by licensed professional engineers using Best Management Practices (BMPs) from the Stormwater Management Manual for Eastern Washington. This is also being required by the MDNS. As described in the checklist, runoff including both pass-through and runoff generated on site would be absorbed by existing soils on the site, directed to drainage swales on the site with overflow directed to an existing catch basin to a City storm drainage system.

Comments specifically referred to flooding of Stacy Court that occurred during a storm in May 2015. The grading and drainage plan shows how stormwater generated on the site will be directed to the swales and storm system. It may not prevent the described flooding because little if any of it originated on the project site¹.

Passive vs. Active Park: Several comments suggested that as proposed, the park is greater in scope than that of a "passive" park. There was also a reference to it not being a neighborhood park, although as indicated above, its designation under the current Parks and Recreation Plan is as a passive community park.

While opinions may vary on what should be considered a passive rather than an active park, the staff recommendation is based on the Zoning Ordinance. As defined, a passive park is primarily for aesthetics and open space. However, some athletic activities are allowed; the examples given are basketball, frisbee, and horseshoes. Active parks are designed to accommodate athletic activities that would be expected to generate larger groups of participants and spectators such as baseball, golf, soccer, swimming pool and tennis. Based on the examples given, the proposal meets the "passive park" definition. "Frisbee" is specifically applied to the passive park definition. The remaining activities in this proposal, a playground and walking paths with exercise stations are typical of smaller scale parks and consistent with the definition.

Hours of Operation: This was addressed in the SEPA checklist. The hours of operation are regulated by City ordinance. Currently, they are from 6:00 AM to one hour after dusk.

Lighting: Designed to not shine directly on surrounding properties as required by ordinance and as stated in the environmental checklist.

Parking: Adequacy of the number of parking spaces was raised (although one letter writer felt that less parking should be provided). Originally 18 parking spaces were proposed, but the number was doubled to ensure that sufficient off-street parking is provided. There are no standards for the number of parking spaces needed for parks in the Selah zoning ordinance. A review of parking regulations in nearby communities turned up one standard for City parks, in the City of Yakima where the standard for passive recreation is 10 spaces per acre. Based on the area of the site available to passive recreation,

¹ WAC 197-11-660(d): Responsibility for implementing mitigation measures may be imposed on an applicant only to the extent attributable to the identified adverse environmental impacts of its proposal. Voluntary additional mitigation may occur.

excluding areas to remain unimproved and areas being encroached upon by neighbors, the total area used to calculate the standard would be around three acres, indicating a need for 30 parking spaces.

Security: As stated in a comment letter, it has been observed that the hillside on the north boundary of the park may be attractive to children as a place to climb. The property line is located partway up the hillside and some of the residential fences are located at the top of the hill, rather than on the property line. For these reasons and as required by the MDNS, fencing will be installed above the pathway adjacent to more active parts of the park to discourage the potential for trespassing.

There were various comments about security. However, it appears that this property is already used by pedestrians to cross among the three streets that are around its edges but that do not connect. Improving the area should provide additional security by providing more accessibility, police patrols and lighting.

Pesticide Residues: A comment letter raised a concern that historic use of agricultural pesticides containing lead, arsenic and DDT may have left toxic residues in soils on the site that pose a health threat, particularly to children. Attachments to the letter, including "Area-Wide Soil Contamination Task Force Report" dated June 23, 2003 generally support this concern with focus on potential "child use areas" that include playgrounds at parks. It also recommends the use of protective barriers or cover on existing soil areas. The playground is to be covered with rubber matting or artificial turf with three inches of 5/8-minus crushed aggregate as a base. Based on the report, this may be all that is needed, since this is the primary area that would be used by children. However, as required by the MDNS, testing will occur in the proposed lawn area and further measures taken as necessary.

RECOMMENDATION: The proposal conforms to Zoning Ordinance requirements and meets the definition of "passive park." It is also in a location designated by the comprehensive plan for a park and is consistent with the current comprehensive parks and recreation plan. On this basis, *not* approving the use of a park would be inconsistent with adopted plans, although requiring compliance with code standards and the mitigation of impacts is appropriate.

Staff recommends approval of the Class 2 Review Application subject to the following conditions:

1. Conformance to the Mitigated Determination of Nonsignificance (MDNS) issued for the project on January 8, 2016:
 - a. Existing vegetation on the north side of the site that is north of the proposed pedestrian path shall be retained, except as necessary to construct the proposed entrance street and retaining wall for which any disturbed areas shall be replanted in grass or other vegetation.
 - b. The design and specifications for controlling stormwater runoff generated on the site shall be prepared by a licensed professional engineer.
 - c. On-site soils shall be sampled and analyzed for lead, arsenic and organochlorine pesticides. If these contaminants are found at concentrations above the Model Toxics

Control Act cleanup levels, appropriate actions shall be taken based on the actual contaminant levels that are detected.

- d. A solid wall or fence at least four feet in height constructed of masonry, wood or equivalent synthetic materials shall be installed along the east side of the proposed parking lot.
 - e. A fence at least four feet in height shall be installed between the proposed pathway and north property line from the proposed retaining wall to a point at least 125 feet past (west of) the centerline of the proposed picnic shelter.
2. A protective barrier such as rubber matting or artificial turf shall be used to cover the ground at the playground.
 3. Parking lot lighting shall be indirect, hooded or otherwise arranged or designed to reflect away from adjoining properties and streets
 4. A NPDES Construction Stormwater General Permit shall be obtained from the Department of Ecology unless determined by that agency that it is not required.
 5. All buildings on the site including picnic shelter and any utility buildings shall be set back from property lines as required by the zoning ordinance.
 6. Hours of operation shall be as limited by the Selah Municipal Code.
 7. Project shall be completed by December 31, 2017 unless extended as provided for by the zoning ordinance.

CITY OF SELAH

CLASS 2 USE PERMIT APPLICATION



Assigned File No.: 926.61.15-4

APPLICATION REQUIREMENTS (print or type information)

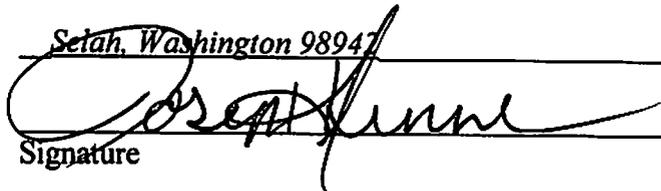
Date Submitted/Received By: TR D 12/15/15

- Non-Refundable Application Fee
- Site Plan (one copy, B&W, drawn to scale, max. size 11" x17")

THE APPLICATION AND REQUIRED SUBMITTALS MUST BE COMPLETED AND SUBMITTED BEFORE THE APPLICATION IS ACCEPTED AS COMPLETE BY THE CITY.

APPLICANT'S NAME: Selah Public Works Department

APPLICANT'S ADDRESS: 222 South Rushmore Road

Selah, Washington 98947

Signature

TELEPHONE: (work) 698-7365 (home) _____

NAME OF LEGAL PROPERTY OWNER: City of Selah
(If different from applicant)

ADDRESS: _____

Signature _____

TELEPHONE: (work) _____ (home) _____

Tax Parcel # 181435-11496 Legal description of property: Lot 1, Short Plat Volume 94, Page 48, Short Plat Records of Yakima County, Washington and the southerly and westerly 25 feet of Lots 1, 2, 3 and 4, Taljak Estates, AFN 7113070

(attach if lengthy)

Zoning Classification: R-1 Comprehensive plan designation: Parks

Summary of proposed Class 2 Use: The application is being made for a "passive" park under the zoning definitions in Appendix A to Chapters 10.02 through 10.48 SMC based on there being no athletic activities as described in the definition of "active" park. The activities proposed at Volunteer Park include a playground and disk golf, having more similarity to basketball, frisbee, and horseshoes (passive park) than to baseball, golf, soccer, swimming and tennis (active park). Other proposed improvements include a walking path with workout stations and level resting places, restroom building, picnic shelter, parking and new access.

(Attach additional sheets if necessary to describe or explain the proposed Class 2 Use)

FOR ADMINISTRATIVE USE ONLY

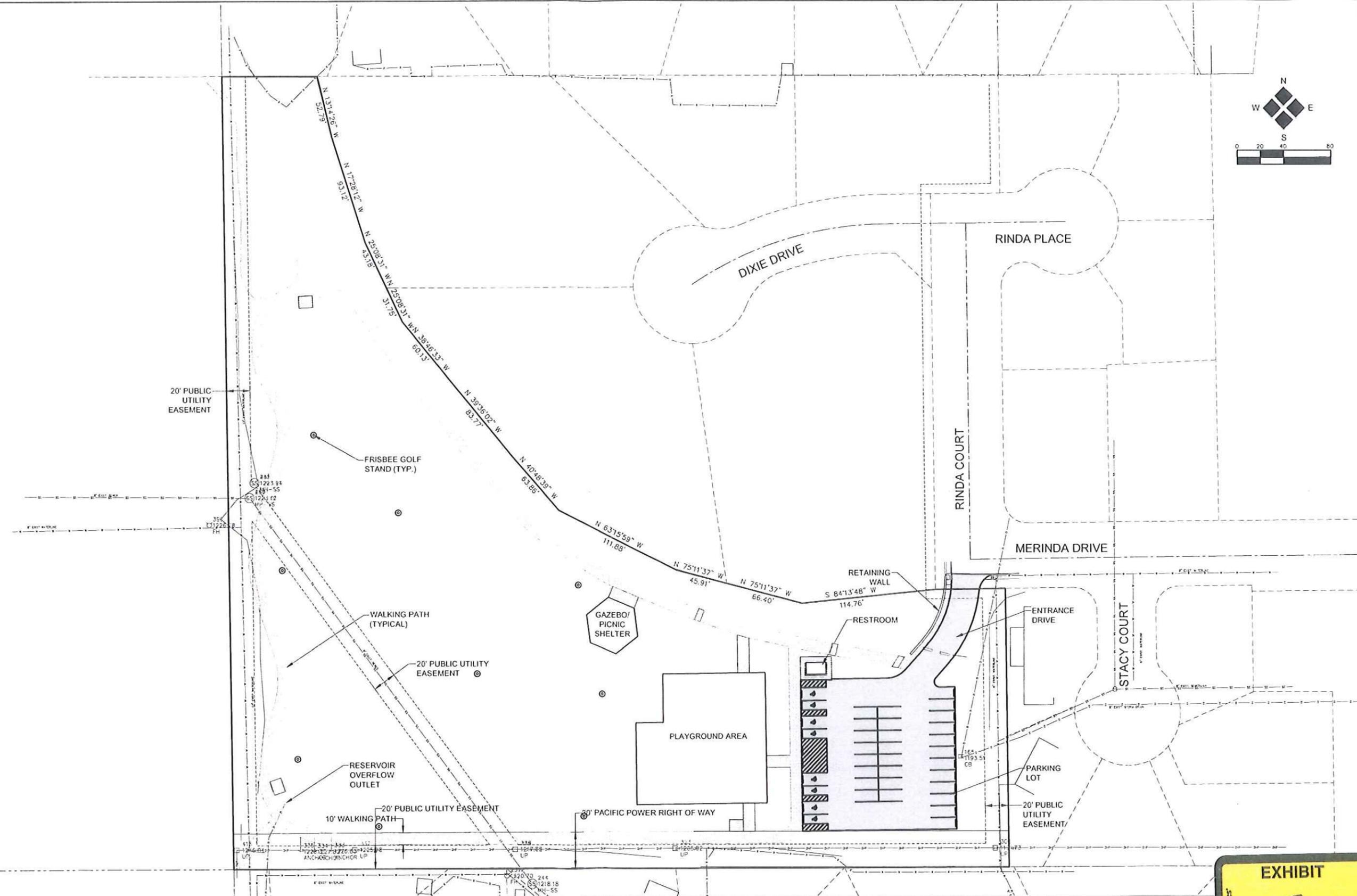
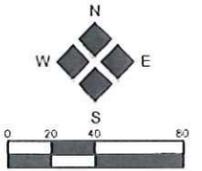
Date Application Received: 12/15/15

Date Application Accepted as Complete: 12/16/15
(statute allows for 28 day application review)

Date of Mailing of Notice to Property Owners within 600 feet of Proposed Project Site: _____
(if known at time of application acceptance)

Date of Publication of Legal Notice: _____
(if legal publication is required)

APPLICATION APPROVED: _____ **APPROVED W/CONDITIONS:** _____ **DENIED:** _____
DATE: _____



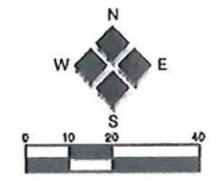
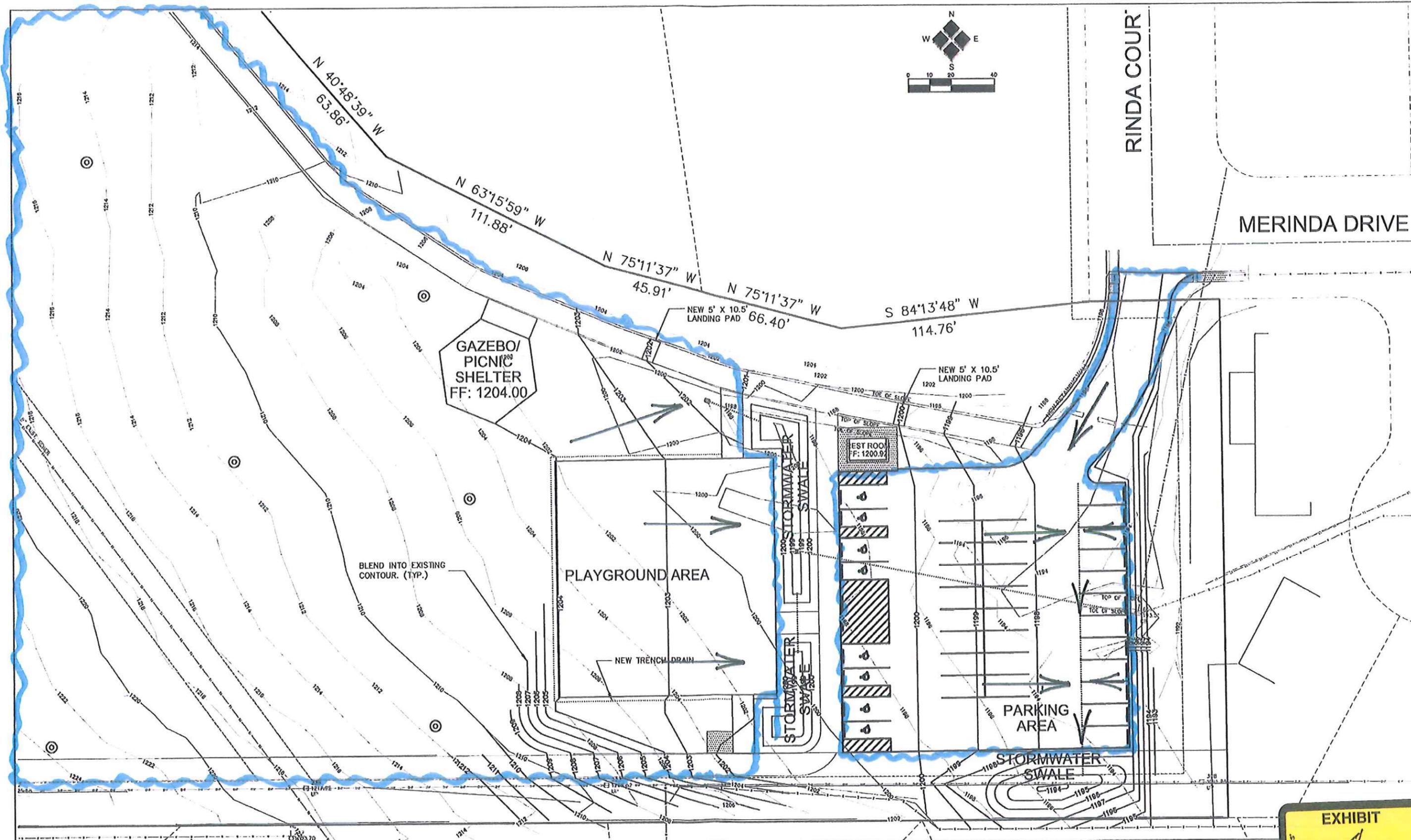
2803 River Road
Yakima, WA 98902
509.966.7000
Fax 509.965.3800
www.hlacivil.com

JOB NUMBER 15084	DATE: 12-09-15
FILE NAMES: 15084.dwg	
DRAWING:	
PLAN:	
DESIGNED BY:	TWP
ENTERED BY:	JRS
REVISION	DATE

CITY OF SELAH
VOLUNTEER PARK
SITE IMPROVEMENTS
OVERALL LAYOUT PLAN

EXHIBIT
3

SHEET
1 OF 1



2803 River Road
 Yakima, WA 98902
 509.966.7000
 Fax 509.965.3800
 www.hlacivil.com

**PRELIMINARY
 SUBJECT TO REVISION**

REVISION	DATE

JOB NUMBER: 15084	DATE: 1-08-16
FILE NAMES: DRAWING: 15084.dwg	
PLAN:	
DESIGNED BY:	TWP
ENTERED BY:	JRS

**CITY OF SELAH
 VOLUNTEER PARK
 SITE IMPROVEMENTS**
 SITE GRADING & DRAINAGE PLAN

EXHIBIT
 4

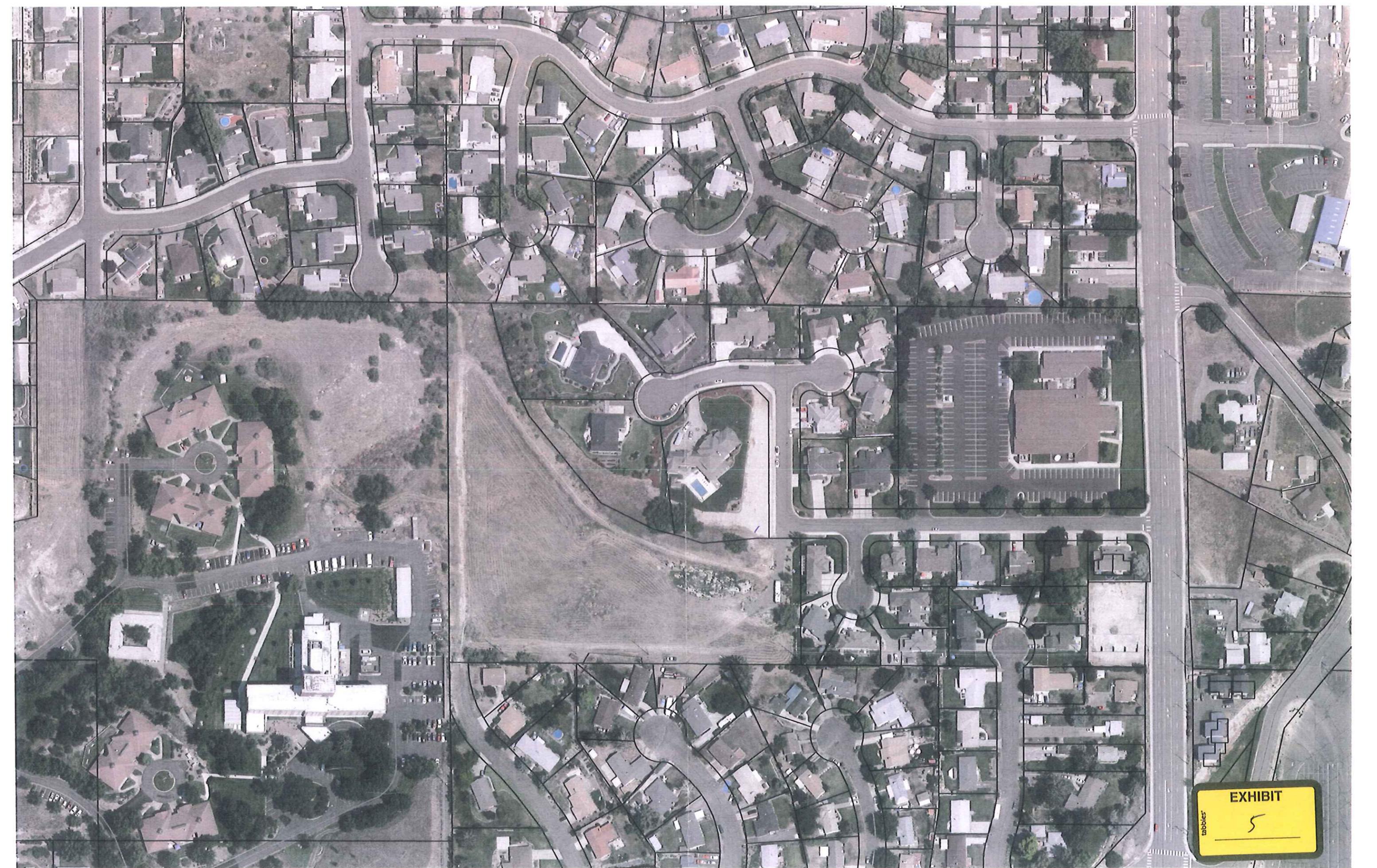


EXHIBIT
5

Mitigated Determination of Nonsignificance

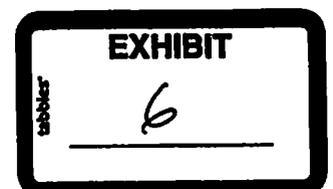
1. **Description of Proposal:** “*Volunteer Park*” Develop a 5.3 acre city park designed to be accessible to all people regardless of limitations. Improvements include a fully accessible playground, a gazebo picnic shelter, a 10-foot wide walking path around the perimeter of the park with workout stations and level resting places, disk golf course and parking for 36 vehicles. Also an access street, grading and landscaping, restroom building and retaining wall.
2. **Proponent:** Selah Public Works Department
222 S. Rushmore Road
Selah, WA 98942
3. **Location of Proposal including street address, if any:** South side of Merinda Drive about 100 feet west of Stacy Court and 700 feet west of North 1st Street in the City of Selah. (Yakima County Parcel Number: 181435-11496).
4. **Lead Agency:** City of Selah
5. The lead agency for this proposal has determined that it will not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c), provided the measures listed below are taken to mitigate potential adverse impacts. This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.
6. **Identified Environmental Impacts and Mitigation Measures:** Substantive authority to require mitigation is derived from WAC 197-11-660, Selah Municipal Code, Chapter 11.40.410 and by reference, policies and regulations contained in the City of Selah Urban Growth Area Comprehensive Plan and the Selah Zoning, Platting and Subdivision Code (SMC 10).

A. Stormwater/Erosion:

The bluff along the north property line has slopes greater than 15% and a soil classification characterized by the National Resource Conservation Service (NRCS) as having a high hazard of water erosion. There are signs of erosion on the slope nearby but off of the project site in an area where vegetation has been cleared.

B. Environmental Health

The site is in a location that has had orchards in the past. Based on documentation received during the comment period, such areas could be subject to area-wide soil



contamination of low to moderate levels of arsenic and lead from historic pesticide use. Risks from area-wide soil contamination appear to be relatively low when compared to risks at sites with higher concentrations of contaminants, but children are believed to be the human population most sensitive to elevated levels of lead and arsenic in the environment. As proposed, the playground is to be surfaced with rubber matting, artificial turf or similar material and as described in the environmental checklist, it will be developed on an underlying surface of crushed rock. This should sufficiently mitigate adverse impacts with respect to the playground, although lawn areas on the site may still be a source of exposure, if these contaminants are present.

C. Land Use Compatibility

Comments received expressed concerns about the size of the proposed parking lot and its proximity to existing homes. It has also been observed that children are attracted to the hillside on the north side of the property, leading to the potential for trespassing. The number of parking spaces being proposed is intended to prevent on-street parking of park users. As disclosed in the environmental checklist, lighting fixtures will be designed to not shine directly on surrounding properties. Motion sensing fixtures may be provided in some locations.

Policies and Regulations

- A. Maintain and upgrade the character of existing residential neighborhoods. (Urban Area Plan Objective HSG 1).
- B. Minimize adverse stormwater impacts generated by the removal of vegetation and alteration of landforms (Urban Area Plan Policy ENV 2.2).
- C. Encourage the use of drainage, erosion and sediment control practices for all construction or development activities (Urban Area Plan Policy ENV 3.6).
- D. Every parking area abutting property located in any residential zone shall be separated from such property by a solid masonry wall or wood fence, which wall or fence shall be four to six feet in height; provided, that along the required front yard the wall shall not exceed two feet in height. No such wall need be provided where the elevation of that portion of the parking area immediately adjacent to a residential zone is six feet or more below the elevation of such residentially zoned property along the common property line (SMC 10.34.070(2)(B)).

Mitigation Measures

1. Existing vegetation on the north side of the site that is north of the proposed pedestrian path shall be retained, except as necessary to construct the

proposed entrance street and retaining wall for which any disturbed areas shall be replanted in grass or other vegetation.

2. The design and specifications for controlling stormwater runoff generated on the site shall be prepared by a licensed professional engineer. As proposed, on-site swales are being provided to capture stormwater runoff with overflow to the City's storm water system.
3. On-site soils shall be sampled and analyzed for lead, arsenic and organochlorine pesticides. If these contaminants are found at concentrations above the Model Toxics Control Act cleanup levels, appropriate actions shall be taken based on the actual contaminant levels that are detected.
4. A solid wall or fence at least four feet in height constructed of masonry, wood or equivalent synthetic materials shall be installed along the east side of the proposed parking lot.
5. A fence at least four feet in height shall be installed between the proposed pathway and north property line from the proposed retaining wall to a point at least 125 feet past (west of) the centerline of the proposed picnic shelter.

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

7. **Appeals:** You may appeal this determination to the Selah City Council by filing a written appeal with the required \$300.00 filing fee at the Selah Public Works Department, 222 S. Rushmore Road no later than 5:00 p.m. on January 15, 2016. You should be prepared to make specific factual objections. Contact the Public Works Department at 698-7365 to read or ask about the procedures for SEPA appeals.
8. **Responsible Official:** Donald C. Wayman
9. **Position / Title:** City Administrator
10. **Address:** 222 S. Rushmore Road, Selah, Washington 98942
11. **Date:** January 8, 2016
12. **Signature**





CITY OF SELAH

PLANNING DEPARTMENT
222 S Rushmore Road
SELAH, WA 98942
PHONE: (509) 698-7365 FAX (509) 698-7372
ENVIRONMENTAL CHECKLIST



FILE NUMBER: 971.61.15-11
DATE FEE PAID 12/15/15
RECEIVED BY TRD
FEE: \$275

INTRODUCTION

The State Environmental Policy Act (SEPA), Chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal if it can be done) and to help the agency decide whether an EIS is required.

This environmental checklist asks you to describe some basic information about your proposal. Government agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply". Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

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 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 impacts.

Complete this checklist for nonproject proposals, even though questions may be answered "does not apply". IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D).

For nonproject actions, the references in the checklist to the words "project applicant," and "property of site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

BACKGROUND

1. Name of proposed project, if applicable:

Volunteer Park

2. Name of applicant:

Selah Public Works Department



3. **Address and phone number of applicant and contact person:**
222 S. Rushmore Road
Selah, WA 98942
(509) 698-7365
Joseph K. Henne, Public Works Director
4. **Date checklist prepared:**
December 15, 2015
5. **Agency requiring checklist:** CITY OF SELAH
6. **Proposed timing or schedule (including phasing, if applicable):**
City zoning and SEPA review completed by January 31, 2016. Construction commencement by March 31st. Project completion in 2017
7. **Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.**
No.
8. **List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.**
None
9. **Do you know whether applications are pending for governmental approvals or other proposals directly affecting the property covered by your proposal? If yes, explain.**
No
10. **List any government approvals or permits that will be needed for your proposal, if known.**
Class 2 Review; Building Permits, NPDES Stormwater Construction General Permit.
11. **Give brief, 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.**
Volunteer Park, a 5.3 acre city park designed to be accessible to all people regardless of limitations. Improvements include a fully accessible playground, a gazebo picnic shelter, a 10-foot wide walking path around the perimeter of the park with workout stations and level resting places, disk golf course and parking for 36 vehicles. Also construction of an access street, grading and landscaping, restroom building and retaining wall.
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.**
Southwest of Merinda Drive, about 100 feet west of Stacy Court and 700 feet west of North 1st Street in the City of Selah. Section 35, Township 14 North, Range 18 East, W.M.
13. **Taxation parcel numbers(s):** 181435-11496

B. Environmental Elements (Attach additional sheets if necessary)

1. Earth

a. **General description of the site (circle one):** Flat, rolling, hilly, steep slopes, mountainous, other generally slopes downhill from northwest to southeast with a bluff along the north boundary line.

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

35%

c. **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 loams consisting of the Moxee and Selah NRCS classifications. There are no designated agricultural lands of long-term commercial significance in the City of Selah.

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

There are indications of water erosion on the east side of the bluff where it extends north from the site, in a location which has been cleared of vegetation. The part of the slope within the project boundary appears to be stabilized by vegetation.

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

Most of the site is to be graded as a part of the project. Approximately 10,000 cubic yards of fill material will be brought in from City stockpiles. Approximately 12,000 cubic yards of crushed rock for the parking lot and playground to be provided by the contractor. The source of this material has not been determined since the contractor has not been selected.

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

An approximately 25 foot high bluff along the north boundary of the site is mapped as Moxee silt loam, 15 to 30 percent slopes, described by the NRCS Soil Survey of Yakima County, Washington as having a high hazard of water erosion. It has also been mapped by Yakima County as an erosion hazard area. It will be not be developed by this project and existing vegetation on the slope will be left intact except for a retaining wall less than 4 feet in height to be installed as a part of the entrance road improvement at the toe of the slope. The slope itself will not be altered.

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

Approximately 16%.

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

Vegetation will not be cleared from the bluff along the north boundary of the site except at the installation site for the retaining wall. Best management practices (BMP's) for erosion control will be used for site development and runoff controlled to protect the site and adjacent properties from stormwater and sediment deposition. BMP's from the Stormwater Management Manual of Eastern Washington will also be used during construction to control stormwater as required by the Construction Stormwater Permit.

2. Air

- a. **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.**

Dust emissions during construction. The Selah and Moxee soils on the site are in Wind Erodibility Group 5, indicated by the Soil Survey as being "slightly erodible". Some increase in vehicle emissions by increased traffic to the site.

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

No.

- c. **Proposed measures to reduce or control emissions or other impacts to air, if any:**

The contractor will be required to have a dust control plan approved by the Yakima County Clean Air Agency. Dust control measures typically consist of the application of water, although other measures may be used such as, but not limited to, controlling vehicle track-out and re-vegetation of or covering exposed areas. Vehicle emissions are regulated at the source by the State.

3. Water

- a. **Surface:**

- 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.**

N/A.

- 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.**

Not as a part of this project. Surface water is the source for the Selah Naches Irrigation District.

- 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.

- b. **Ground:**

- 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.**

Not as a part of this project. The Selah municipal water system obtains its water from existing wells.

- 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.

None.

c. **Water Runoff (including storm water):**

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

Impervious surfaces including parking and access ways, paved walkways and rooftops. Also pass-through runoff from surrounding areas that are higher in elevation. Much of the pass-through runoff should be absorbed by the soils on the site. Storm water will be collected and discharged to on-site drainage swales. The existing City storm drain will be used for overflow.

- 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.

d. **Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:**

Stormwater collection and retention is being designed by licensed professional engineers using Best Management Practices from the Stormwater Management Manual of Eastern Washington. Construction stormwater will be controlled using best management practices from a Stormwater Pollution Prevention Plan as required by the construction stormwater permit. Use of the storm drain for overflow will conform to the requirements of the City's NPDES permit.

4. Plants

a. **Check the types of vegetation found on the site:**

- deciduous trees: alder, maple, aspen, other Elm
- evergreen tree: fir, cedar, pine, other
- shrubs
- grass
- pasture
- crop or grain
- orchards, vineyards or other permanent crops.
- wet soil plants: cattail, buttercup, bulrush, skunk cabbage, other
- water plants: water lily, eelgrass, milfoil, other
- other types of vegetation

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

Weeds on the site (grasses and other plants) will be removed and replaced with grass lawn, trees and shrubs.

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

Documentation reviewed does not indicate the presence of threatened or endangered plant species. According to the Selah Urban Area Comprehensive Plan, "No endangered or threatened flora species are known to exist within or near the boundaries of the Selah UGA" (Plan, p. 52).

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

The park is to be landscaped with grass lawn, trees and shrubs. Vegetation on the bluff along the north property line will be retained to reduce the potential for erosion.

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

None.

5. Animals

- a. **List any birds and other animals, which have been observed on or near the site or are known to be on or near the site. Examples include:**

Bird: hawk, heron, eagle, songbirds, other:

Mammals: deer, bear, elk, beaver, other:

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

- b. **List any threatened or endangered species known to be on or near the site.**

None.

- c. **Is the site part of a migration route? If so, explain.**

Don't know.

- d. **Proposed measures to preserve or enhance wildlife, if any:**

No measures are proposed for this purpose.

- e. **List any invasive animal species known to be on or near the site.**

None.

6. Energy and Natural Resources

- a. **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.**

Electricity will be used for parking lot and security lighting, lighting and heating in the restroom building and 25 amp service available for public use at the picnic shelter. There will also be an incremental increase in fuel used to operate vehicles and equipment during construction and maintenance.

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

No.

- c. **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.**

The use of energy is not expected to be substantial, limited to lighting, restroom and picnic shelter use. Some lighting fixtures used may be activated by motion detectors. Vehicles and equipment to be used in facility maintenance are already in operation throughout the City and this proposal represents an incremental increase in their use.

7. Environmental Health

- a. **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 the proposal? If so, describe.**

No.

- 1) **Describe any known or possible contamination at the site from present or past uses.**

None known.

- 2) **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.**

Overhead electric power lines along the south border of the site located in a 30 foot wide easement. Project design avoids this easement except for lawn and the walking path.

- 3) **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.**

Household type supplies will be used for cleaning the restroom. Fertilizers and sprays are no different than those used for residential landscaping.

- 4) **Describe special emergency services that might be required.**

None.

- 5) **Proposed measures to reduce or control environmental health hazards, if any:**

Application of fertilizers, sprays, etc. follow established procedures.

b. Noise

- 1) **What types of noise exist in the area which may affect your project (for example: traffic, equipment, construction, 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.**

Construction equipment during site development. The use of the site by the public after it is open with increases in talking, playing, and vehicles. Both during daytime hours.

- 3) **Proposed measures to reduce or control noise impacts, if any:**

Park hours are limited by City Ordinance, currently from 6 AM to one hour after dusk.

8. Land and Shoreline Use

- a. **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 site is vacant. Surrounding properties are single-family residential to the north, south and east and the Yakima Valley School, a State facility for developmentally disabled adults to the west. The part of the Yakima Valley School site that borders the site is partially vacant and partially parking, vehicle and equipment storage. There is a church 200 feet east of the site entrance and public schools farther away but in the vicinity. The park borders all residential properties on their rear and side property lines and for the most part does not have direct vehicular access to the same streets. Activity areas are closest to neighboring lots in the southeast part of the site. Access to the Yakima Valley School is in an entirely separate location not involving the same access streets.

- c. **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 non-farm or non-forest use?**

There have been orchards on this site in the past, although the property has been out of agricultural production since before the mid-1960's. No agricultural or forest land will be converted to other uses. The site and surrounding properties do not have current use tax status.

- 1) **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:**

No.

- c. **Describe any structures on the site.**

A masonry entrance feature completed as a part of an Eagle Scout project. Power poles along the south property line. A manhole associated with the City storm water drainage system. No buildings.

- d. **Will any structures be demolished? If so, what?**

No.

- e. **What is the current zoning classification of the site?**

One Family Residential (R-1)

- f. **What is the current comprehensive plan designation of the site?**

Parks.

- g. **If applicable, what is the current shoreline master program designation of the site?**

N/A.

- h. **Has any part of the site been classified critical area by the city or county? If so specify.**

No. The bluff along the north property line has some, but not all of the characteristics of a critical erosion hazard area, including a slope greater than 15% and Moxee silt loam classification, which is characterized by the NRCS as having a high hazard of water erosion. However, NRCS does not identify the soil as being unstable or the hazard as "severe" or "very severe." Also, since vegetation on the slope will be retained, it will not be exposed to the erosion effects of wind or water. As a result, it does not have all of the three characteristics required by SMC 11.50.150(A)(2) to be classified as a critical area.

- i. **Approximately how many people would reside or work in the completed project?**

Operation and maintenance of the park is performed by City Parks and Public Works Department personnel, none of whom would be dedicated solely to this facility. Typically one city employee would be at the site on a daily basis.

- j. **Approximately how many people would the completed project displace?**

None.

- k. **Proposed measures to avoid or reduce displacement impacts, if any:**

None.

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

Parks are generally compatible in residential areas as open green space providing recreational opportunities. The site has been designated for this purpose by the Comprehensive Plan with a "Parks" future land use designation. This designation is described by the Plan as recognizing those areas, both existing and future, that provide for the continuance and expansion of public recreational areas (Plan, p. 34). The Plan also cites a shortage of total park land and a shortage of neighborhood parks dispersed throughout the City (Ibid., p. 27) and recommends that the City should obtain more park land and develop existing City-owned lands (Ibid., p. 33). The Selah Comprehensive Parks and Recreation Plan 2014-2019 also provides for the development of this park.

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

N/A.

9. **Housing**

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

None.

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

None.

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

N/A.

10. **Aesthetics**

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

The tallest structures will be the existing power poles along the south property line and proposed 30 foot light poles in the parking area. The proposed gazebo picnic shelter and restroom structures are to be no more than 20 to 25 feet in height and constructed of concrete and steel.

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

Given the open character of the proposal and the site being generally at the same elevation or lower than that of surrounding properties, there should be no significant view obstruction. The views from surrounding properties will be changed from that of a vacant property to a developed city park.

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

None proposed.

11. **Light and Glare**

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

Parking lot and security lighting during the hours of darkness.

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

No.

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

None.

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

Lighting fixtures will be shielded or designed to not shine directly on surrounding properties. Motion sensing fixtures may be provided in some locations.

12. Recreation

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

There are existing City parks, including Carlon Park, 3,000 feet to the east and Wixon Park, 5,000 feet to the south. There are also Sunrise Park and American Legion Park, small neighborhood oriented parks, located 1,400 and 3,500 feet from the site respectively. Athletic fields at nearby schools also provide recreational opportunities.

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

No.

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

Since the proposal is to provide recreational opportunities there should be no adverse impacts.

13. Historic and Cultural Preservation

a. Are there any buildings, structures, or places 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. Are there any landmarks, features or other evidence of Indian or historic use or occupation. This may include human burials or old cemeteries. Is 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.

c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archaeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

Recreation and Conservation Office consulted with Native American tribes and the Department of Archeology and Historical Preservation. DAHP Log No. 072015-14-RCFB.

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

If archeological or historic materials are discovered, work at the location and immediate vicinity will stop, the area secured and concerned tribes, Recreation and Conservation Office and Department of Archaeology and Historical Preservation will be notified. The County Coroner and local law enforcement will also be notified if human remains are discovered.

14. Transportation

a. 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.

Direct access to the site is from Merinda Drive, a City access street which intersects North 1st Street, a City Minor Arterial street 700 feet east of the proposed entrance.

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

Yakima Transit serves the area with a bus route on North 1st Street. The nearest designated stops are at Goodlander and North Wenas Roads and at Fremont Avenue and North Wenas Road, both stops are about ¼ mile from the site.

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

Thirty-six (36) parking spaces are proposed including 8 designated accessible spaces. No parking spaces will be eliminated.

- d. **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).**

A new access street will extend about 100 feet into the site where it will enter the new parking lot. The street is proposed to be 24 feet wide, asphalt paved, with curbs, gutter and sidewalk on one side. A 10-foot wide asphalt walking path will be constructed around the park with a spur connecting to 4th Street south of the park. An additional spur will extend to the northwest corner of the site and may connect to the public street system in the future. The walking path and new sidewalk on the access street will provide continuous pedestrian access through the park from Merinda Drive south to 4th Street and with the existing sidewalk on Merinda Drive out to 1st Street. All improvements will be public.

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

No.

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

Estimated 42 trips per day on weekdays and 60 trips per day on weekends. Traffic volumes probably much lower in winter months. Four non-passenger vehicle trips per day for maintenance. Estimates are based on International Transportation Engineers trip generation rates and consultation with City Public Works based on experience with other City facilities.

- g. **Will the project 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.

- h. **Proposed measures to reduce or control transportation impacts, if any:**

The number of parking spaces has been increased in the current proposal to accommodate demand.

15. Public Services

- a. **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.**

The project would result in an incremental increase in the need for police protection, emergency services and City operation and maintenance services at this location.

- e. **Proposed measures to reduce or control direct impacts on public services, if any.**

Because of the location in a developed part of the City in close proximity to these service providers and other facilities with similar needs, the increase is no more than incremental and should not require a substantial increase in personnel or equipment.

16. Utilities

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other. Irrigation
- b. 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.

Electricity – Pacific Power;

Sewer – City of Selah; Connection of restroom building to the existing sewer line that enters the site requiring minor excavation.

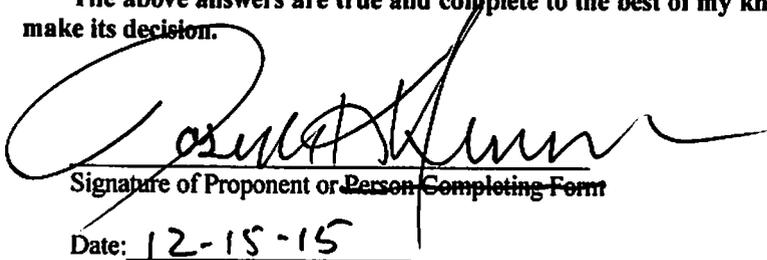
Domestic Water – City of Selah; water is to be extended into the site from Merinda Drive; construction simultaneously with access street improvement. Minor excavation to extend lines to the restroom building and the picnic shelter where a hose bib will be provided.

Irrigation Water – Selah Naches Irrigation District. Connection to existing underground service line off of 4th Street at the Northwest corner of the site. A vault or small building will be provided to house a pressure reducing valve and sand filter. Underground lines will be extended to sprinklers throughout the site.

Stormwater – Either drainage swale on-site or connection to existing City of Selah storm drain on the site.

C.SIGNATURES

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.


Signature of Proponent or ~~Person~~ ~~Completing Form~~
Date: 12-15-15



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
1250 W Alder St • Union Gap, WA 98903-0009 • (509) 575-2490



January 4, 2016

Thomas Durant
Selah Planning Department
222 South Rushmore Road
Selah, WA 98942

Re: 926.61.15-04, 971.61.15-11

Dear Mr. Durant:

Thank you for the opportunity to comment during the optional determination of nonsignificance process for the Volunteer Park Improvement project that will include a fully accessible playground, a gazebo and picnic area, a 10 foot wide walking path around the perimeter of the park and workout stations. This project is proposal by the Selah Public Works Department. We have reviewed the documents and have the following comments.

WATER QUALITY

Project with Potential to Discharge Off-Site

The NPDES Construction Stormwater General Permit from the Washington State Department of Ecology is required if there is a potential for stormwater discharge from a construction site with disturbed ground. This permit requires that the SEPA checklist fully disclose anticipated activities including building, road construction and utility placements. Obtaining a permit is a minimum of a 38 day process and may take up to 60 days if the original SEPA does not disclose all proposed activities.

The permit requires that Stormwater Pollution Prevention Plan (Erosion Sediment Control Plan) is prepared and implemented for all permitted construction sites. These control measures must be able to prevent soil from being carried into surface water (this includes storm drains) by stormwater runoff. Permit coverage and erosion control measures must be in place prior to any clearing, grading or construction.

More information on the stormwater program may be found on Ecology's stormwater website at: <http://www.ecy.wa.gov/programs/wq/stormwater/construction/>. Please submit an application or contact **Ray Latham** at the Department of Ecology, (509) 575-2807, with questions about this permit.





Mr. Durant
January 4, 2016
Page 2

SHORELANDS/ENVIRONMENTAL ASSISTANCE (SEA)

SEA program preliminary comments sent on 12/29/2015 via e-mail to the City of Selah from Catherine Reed are being withdrawn. According to new information received verbally from the City of Selah, the potential wetland area in question was a man-made feature (made by the City) which has since been removed. Therefore, Ecology concerns regarding wetlands on site have been eliminated.

If you have any questions or would like to respond to these Shorelands/Environmental Assistance comments, please contact **Catherine Reed** at (509) 575-2616 or email at catherine.reed@ecy.wa.gov.

Sincerely,



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



STATE OF WASHINGTON
 DEPARTMENT OF ECOLOGY
 1250 W Alder St • Union Gap, WA 98903-0009 • (509) 575-2490



January 7, 2016

Thomas Durant
 Selah Planning Department
 222 South Rushmore Road
 Selah, WA 98942

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TOXICS CLEAN-UP

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

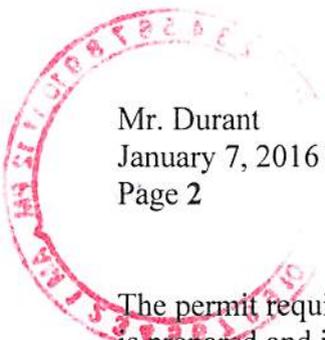
If you have any questions or would like to respond to these Toxics Clean-up comments, please contact **Valerie Bound** at (509) 454-7886 or email at valerie.bound@ecy.wa.gov.

WATER QUALITY

Project with Potential to Discharge Off-Site

The NPDES Construction Stormwater General Permit from the Washington State Department of Ecology is required if there is a potential for stormwater discharge from a construction site with disturbed ground. This permit requires that the SEPA checklist fully disclose anticipated activities including building, road construction and utility placements. Obtaining a permit is a minimum of a 38 day process and may take up to 60 days if the original SEPA does not disclose all proposed activities.





Mr. Durant
January 7, 2016
Page 2

The permit requires that Stormwater Pollution Prevention Plan (Erosion Sediment Control Plan) is prepared and implemented for all permitted construction sites. These control measures must be able to prevent soil from being carried into surface water (this includes storm drains) by stormwater runoff. Permit coverage and erosion control measures must be in place prior to any clearing, grading or construction.

More information on the stormwater program may be found on Ecology's stormwater website at: <http://www.ecy.wa.gov/programs/wq/stormwater/construction/>. Please submit an application or contact **Ray Latham** at the Department of Ecology, (509) 575-2807, with questions about this permit.

SHORELANDS/ENVIRONMENTAL ASSISTANCE (SEA)

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If you have any questions or would like to respond to these Shorelands/Environmental Assistance comments, please contact **Catherine Reed** at (509) 575-2616 or email at catherine.reed@ecy.wa.gov.

Sincerely,



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

Durant, Thomas

From: Ariel Winegar <arielwinegar@gmail.com>
Sent: Tuesday, December 22, 2015 11:24 AM
To: Durant, Thomas
Subject: Volunteer Park - file no. 926.61.15-04, 971.61.15-11

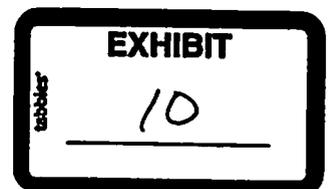
Dear Planning Department,

Thank you for the correspondence concerning the planning and development of Volunteer Park.

I am writing to express my enthusiastic support of Volunteer Park's development. I am glad to see the Planning Department, City of Selah, and eventually Selah Parks Department are working closely to bring this project to fruition.

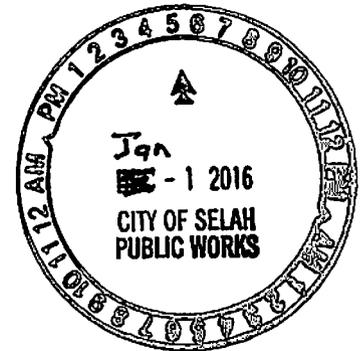
I encourage the Planning Commission to support the Application for Development of Volunteer Park.

Sincerely,
Ariel Winegar
Property Owner
505 Sunrise Place
Selah, WA



December 28, 2015

City of Selah
Planning Department
Selah, WA 98942



RE: File No. 926.61.15-04, 971.61.15-11 – Volunteer Park

This letter is in response to the Notice of Development received a few days ago.

First of all let us say that we are happy that the City of Selah will finally be developing the park property adjacent to our home. Actually having green space instead of years of watching weeds grow and the fire danger that presented is exciting. However, we are concerned about some of the aspects of the proposal.

- Passive vs. Active Park

Our property will be impacted by the proposed “passive” park. If you look up the definition of “passive” you will see that it is defined as not active or operating; inactive. What is being proposed is hardly “passive”. An earlier press conference held by the city it was actually stated this would be a “fully accessible park in Yakima County”. With the proposals of a play area, gazebo, exercise stations and disk golf course this is not passive. I understand that proposing a fully accessible play area was perhaps the only way the city was able to obtain funds to develop the park. Unfortunately the proposal was essentially put together without input from neighbors who surround the proposed park. It was clear at the “informal meeting” that we attended on July 24th that this proposal was cast in concrete and we didn’t get the impression there was going to be much negotiation or consideration for what the neighbors thought. Clearly the neighbors were against this proposal as presented at that time. This site is surrounded on three sides by single family residential homes (zoned R-1) with the Yakima Valley School property at the west end of the site. From the day we purchased our property and built our home 25+ years ago we were told time and again by city officials that this property would be developed into a passive park. Passive due to very limited ingress and egress to the site. They DID NOT want an active area that would draw large numbers of people to this property. The site, or the streets leading to the site, would not accommodate the traffic. This was to be a neighborhood park with minimal improvements.

This site needs to be developed into a park. However it needs to retain much of the natural habitat that is already in place. A few years ago the city channeled a small culvert and developed a pond which drew kids, frogs and ducks to the water. It was wonderful and a very natural setting. After about two years the city abandoned the site and it was left to return to its natural state (weeds) again. We see lots of birds, quail, and a few rabbits, squirrels and of course skunks from time to time. Even though the site is mainly weeds kids still ride their bikes around the perimeter, throw balls and play in the dirt piles while walkers enjoy the path that skirts the site. The park should be developed with minimal impact to the



neighborhood. A few trees, some grass and a walking path. Small ADA accessible play area, no large parking lot and no large restroom facility.

- Security

The isolation of this site with limited street access would, in our opinion, be a place that may draw undesirable activities. The plans do not indicate any buffer zone between the homes around the park or any type of fencing to prevent access to homes. As it is now we observe people who walk through at all hours of the night. Mostly kids we believe. We have had our home tagged and we have had things stolen from our yard. We know of other neighbors who have also had various types of vandalism on their properties as well. With the remoteness of this site the idea of inviting all of Yakima County to use this park will bring the wrong kind of activities.

- Water Drainage

Over the years and specifically last May, 2015 we have experienced flooding from snow melt and rain which has caused thousands of dollars of repairs to landscaping and to our home. This past May the flooding was so extensive that the drainage system in the middle of Stacy Court was unable to effectively take care of the water and the entire cul-de-sac was flooded. A robust and properly engineered water drainage system needs to be in place to prevent future flooding.

- Parking

The proposed parking lot with 36 spaces is entirely too much for what should be a neighborhood, passive park. The position of the proposed parking lot directly behind a single family residence with essentially no buffer area is also not appropriate. That large of a parking lot will ultimately attract skate boarders; another liability the city should not want to deal with. A proposal was made by several neighbors to move the parking lot so that it was head-in parking against the hillside along the north side of the property. Limiting the parking to about 15 – 20 parking spaces would be plenty. If additional parking was needed it could be added at the west end of the property via 4th near Yakima Valley School. Having the parking lots in those two areas would result in less impact to the neighborhood.

- Noise

With the proposed activities of a ADA accessible park open to the residence of the County, gazebo, disk golf, exercise stations, etc. this is clearly going to be a very active environment. The level of noise with those activities does not coexist very well with a landlocked park in a residential area. This could be a recipe for potential confrontations with the residents and users of the park. Again...it does not appear there are any buffers between the park and residences.

- Adequate lighting

Is the parking lot, walkways, bathrooms and other areas going to have adequate lighting? For security reasons there should be sufficient lighting. For those of us in the neighborhood too much lighting could be intrusive. This issue needs to be addressed with properly subdued lighting for a residential area.

- **Operating Funds**

As mentioned previously the city put a water way and pond at the site however after a couple of years that was abandoned. The city over the course of the last 25+ years has mowed the weeds one time each year; just before the 4th of July. Other than that, relatively no other actions have occurred at the site. Our concern is related to whether or not the city has operating funds to maintain the park as proposed. The last thing we want is an elaborate park and no money to maintain it going forward. Bathrooms at other parks in Selah have suffered that fate and continue to deteriorate.

- **Suggestions**

- Move the parking lot as proposed above.
- Place the storm-water swales nearer to the residences at the east end of the property which would help to provide a buffer.
- Move the play area toward the middle of the park.
- Eliminate disk golf due to liability issues and potential hazards presented to children. If children want to play in the large green space; throw balls, kick balls, fly kites, and there are others throwing Frisbees...the potential for someone to get hurt is very high.
- Try to maintain the park as more of a passive park rather than an active park which is what appears this is meant to be.

Thank you for this opportunity to provide input. We look forward to working with the city on this project.



Burt and Chris Ross
516 Stacy Court
Selah, WA 98942
697-8939

515 Stacy Court
Selah, WA 98942



Selah Planning Department
ATTN: Mr. Thomas Durrant
222 South Rushmore Road
Selah, WA 98942

Mr. Durrant:

I am a resident of Selah and live near the property owned by the City of Selah which is being considered for development as Volunteer Park. The purpose of this letter is to submit comments on the proposed park and request the concerns identified below be taken into consideration as plans to develop the area move forward.

The proposed park is located adjacent to residential properties that have existed for many years. Based on the current design, it does not appear the plan fully accounts for the potential impacts to these residents. I believe the two land uses are compatible if proper consideration is given to the fact the proposed park abuts directly against existing residential properties. To alleviate potential conflicts, I request the following concerns be addressed before development is approved.

1. Planning for surface water run-off.

It does not appear the plan adequately addresses surface water run-off from the site. The area is already a source of problems for landowners living adjacent to the property as evidenced by the flooding that occurred in May 2015. The Stacy Court cul-de-sac flooded from run-off water originating from the property currently proposed by the City for this development. The addition of a large parking lot will only exasperate this problem. I reviewed one map that identified two small areas west of the parking lot that appeared to be storm water holding areas. The map included no additional details regarding size, depth, or holding capacity of the storm water holding areas. To avoid flooding and damage to adjacent properties, this issue must be thoroughly analyzed and a storm water drainage plan for the site must be prepared by properly trained and certified engineers.

2. Hours of operation.

It is unclear if the City has established designated hours of operation for the proposed park. I recommend the City establish the proposed park as a dawn to dusk public use area. This will help reduce conflicts between park users and adjacent home owners. I recommend the plans include a lockable gate, managed by the City, to block access to the parking lot when not open to the public.



3. Lighting.

It is unclear if the City plans to install street lights along the roadway leading into the park or surrounding the parking lot. Assuming the proposed park is designated for use during daylight hours only, I recommend eliminating any plans to install lighting to minimize impacts to adjacent home owners. If lighting is required by code, special consideration should be given to the design and type of lights used, choosing light fixtures which minimize light pollution and are appropriate for residential settings.

4. Fencing.

It is unclear if the City plans to install a fence around the boundary of the park. Installation of a fence around the boundary of the park will clearly separate public versus private property. This will reduce the potential for trespass and liability issues, as well as increasing security for home owners living adjacent to the park.

Thank you for considering these comments. If you have any questions please contact me at the address above or by telephone at 509-580-0452.

Sincerely,



Steven M. Kruger

MENKE JACKSON BEYER, LLP

Attorneys at Law

807 NORTH 39TH AVENUE • YAKIMA, WASHINGTON 98902
(509) 575-0313 • FAX: (509) 575-0351

ANTHONY F. MENKE
ROCKY L. JACKSON
G. SCOTT BEYER
KIRK A. EHLIS

KENNETH W. HARPER
QUINN N. PLANT

SEANN M. MUMFORD

FAX COVER SHEET

TO: Mr. Thomas Durant
Community Planner
City of Selah

FAX #: (509) 698-7372

FROM: Rocky L. Jackson

DATE: January 4, 2016

RE: PUBLIC COMMENT - File No. 926.61.15-04, 971.61.15-11

NUMBER OF PAGES (Including Cover Sheet): 30

COMMENTS:

The attached PUBLIC COMMENT is submitted on behalf of Rocky Jackson. Please contact Mr. Jackson should you have any questions. .

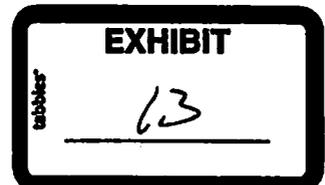
Sincerely,

Natalie Bennett
Assistant to ROCKY L. JACKSON

Hard copy to follow: Yes No (copy also sent via email)



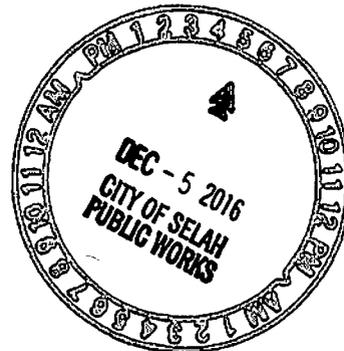
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**PUBLIC COMMENT
BY ROCKY L. JACKSON**

Regarding
City of Selah, Washington

**Notice of Development Application & Environmental Review
File No. 926.61.15-04, 971.61.15-11 – “Volunteer Park”**



This public comment is divided in to four areas of concern. Those areas are:

1. The primary purpose of the park is aesthetic and open space and is not to be used for active park activities as defined in Appendix A of Chapters 10.02 through 10.48 SMC. Limitations on use prohibiting contests or tournaments should be adopted.
2. Appropriate mitigation be required to fence the northern boundary of the park as it abuts the southerly boundary property owners on Dixie Drive.
3. A soils testing be required of this property as the previous owners used the property for orchard up through at least the 1966 crop year (see Attachment 1).
4. On street parking for Volunteer Park be prohibited on the following streets:
Merinda Drive, Stacy Court, Rinda Court, Rinda Place, and Dixie Drive.

I. Primary Purpose: Neighborhood (Passive) Park is Aesthetic and Open Space

According to the SMC, Volunteer Park is a passive park, which has a primary purpose of aesthetic and open space. The park's primary purpose is not to host athletic events, contests or tournaments. Although, the park is designated as a neighborhood park (see Attachment 2) it appears the City is promoting this park as something greater than a neighborhood park. This is contrary to the existing park department documentation (Attachment 2).

To protect the nature of the existing park as a neighborhood (passive) park, it is requested that a requirement and condition be placed upon the park that no community contests, tournaments, or other athletic-type events be hosted by the park. This would include, by example, exclusion of horseshoe contests or tournaments, Frisbee contests or tournaments, basketball contests or tournaments, or contests or tournaments involving any other passive activity as defined by the SMC.

In addition to the neighborhood designation of the park, support can be found by the fact that current plan for on-site parking (36 stalls) would be insufficient to host such events.

II. Fencing the North Boundary of the Park

Verbal assurances have been made to property owners Rocky Jackson and Tom Stokes that the north boundary of the park abutting the south boundary of Dixie Drive properties will be fenced by the City. Both property owners have property that abuts the north boundary of Volunteer Park. Both properties have undeveloped hillsides which abut the property.

These hillsides are private property and should not be accessed by anyone using the park. Verbal assurances have been made by Selah Parks manager Charlie Brown the north boundary of the park will be fenced. This document is a request fencing be a requirement for the City on the north boundary abutting the south boundary of Dixie Drive properties. It has been previously represented by Mr. Brown a group of children were taken to the park site and their immediate reaction was to climb the hillsides referred to above.

In addition to fencing, I would suggest a feature used in Kissell Park, Yakima, Washington, were large river rock has been used as a barrier to the fencing. This large river rock can be placed in the existing drainage ditch area that runs along the north boundary of the park.

It is requested the fencing described above be a mitigation requirement and written condition adopted as part of this environmental review.

III. Soils Testing

According to the Washington State Department of Ecology ("DOE"), from 1905 to 1947 many orchards used lead arsenate pesticide, which resulted in lead and arsenic contamination of the soil. The DOE warns that these contaminants pose risks to people who live and play in areas. According to a June 30, 2003, report issued by the Area Wide DOE and the Washington State Department of Agriculture received a report from the Area-Wide Soil Contamination Task Force to several Washington state level agencies, including the DOE, selected portions of which are included herewith, efforts to protect against exposure to arsenic and lead contamination in soil should be focused on children because they are believed to be the human population most sensitive to elevated levels of these contaminants in the environment. (Attachment 3). A DOE brochure regarding lead and arsenic contamination in soil also notes that children are especially vulnerable to the health dangers presented by the presence of these compounds in the soil. (Attachment 4).

The property in question was originally conveyed to the City under land contract of John and Judith Samuelson on June 30, 1965. Within the body of that contract is reference to Garrett Horseley having the right to harvest crops through 1966. (Attachment1). The final conveyance by statutory warranty deed by John and Judith Samuelson to the Town of Selah occurred April 29, 1968. It is uncertain whether the property was farmed until 1968. However, a DOE map reflecting the historical location of orchards in Yakima County, Washington, indicates reflects that a large percentage of the land within the city of Selah, including the location of the proposed park, was orchard land circa 1947. (Attachment 5).

Based upon the use of the property as an orchard in the 1960's and before, a soils testing should be done to exclude such finding chemicals as arsenic and DDT, substances commonly used at the time. Recent examples in Yakima County of soils testing for similar uses include Robertson Elementary School, Gilbert Elementary School and Eisenhower High School.

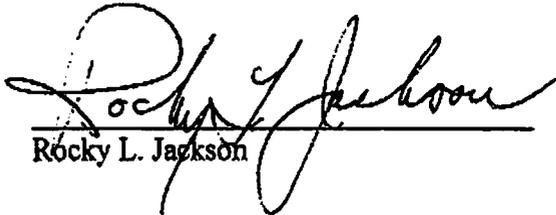
All three school properties contained contaminants that required mitigation. There is no indication in the environmental checklist that the soils of this property have been tested for these

or other similar chemicals. Given the use of the facility as a park, primarily focusing on use by children, testing of the soils should be mandatory and a condition of this environmental review. Further, the work necessary to convert the property in question to a park will almost certainly involve some level of excavation or other disturbance of the soil. Through such work, property owners and others in the surrounding area may be exposed to arsenic, lead, and other contaminants that may be present in the soil. The risk of such exposure provides further justification for requiring testing of the soils as a mandatory condition of this environmental review.

IV. Off Street Parking

The adjacent streets surrounding the park generally to the north should not be used for overflow parking from the park. Particularly Merinda Drive from First Street to the park entrance is too narrow to accommodate parking on both sides of the street, and allow adequate access in and out of the park and the neighborhood.

Park parking should be prohibited on Merinda Drive, Dixie Drive, Rinda Court, Rinda Place and Stacy Court. These streets cannot accommodate overflow parking from the park. Park parking on these streets should be prohibited as part of this environmental review.



Rocky L. Jackson

1-4-16
Date

Attachment 1

66712EP

LAND CONTRACT

THIS AGREEMENT, Made this 30th day of June A. D. 19 65
between JOHN E. SAMUELSON and JUDITH SAMUELSON, husband and wife,
and TOWN OF SELAH, a municipal corporation

WITNESSETH, That in consideration of the stipulations herein contained and the payments to be made as hereinafter specified, the seller hereby agrees to sell to the purchaser and the purchaser hereby agrees to buy from the seller the following described real property, situated in the County of Yakima State of Washington, to-wit:

The West half of the following described property:
The South half of the Northeast quarter of the Northeast quarter of Section 35,
Township 14 North, Range 18, E. W. M.,
EXCEPT portion conveyed to Yakima County by deed recorded in Volume 801
of Deeds, Auditor's File No. 1800712, records of Yakima County, Washington.

TOGETHER WITH appurtenances belonging thereto; and

SUBJECT TO rights reserved in Federal patents, state or railroad deeds, building or use restrictions general to the district, or zoning regulations, or rights of way or easements visible by inspection.

for the sum of TWENTY-FIVE THOUSAND and no/100-----(\$25,000.00)-----Dollars
of which the purchaser has paid the sum of NINE THOUSAND FIVE HUNDRED and no/100(\$9,500.00)
receipt of which is hereby acknowledged and the purchaser agrees to pay the remainder of the principal (with interest thereon from this date
at the rate of 5 % per annum payable annually) as follows, to-wit:

The sum of \$3,100.00, or more at purchaser's option, plus interest, on or before the first day of July, 1966, and a like sum on the first day of July of each and every year thereafter until principal and interest have been paid in full.

No additional payments shall be made in the year 1965. Thereafter additional payments may be made at any time.

Possession of said premises is subject to the right of Garrett Horsley to care for and harvest the crop (1965). In the event that purchaser leases out said orchard for the 1966 crop year, it agrees to grant to Horsley the first opportunity for such lease upon such terms as they may agree upon. If they are unable to agree upon terms, this option shall terminate.

Purchaser has the right to remove the trees from premises, subject to the above occupancy right, and to regrade, plant and develop said premises as a public park, but this paragraph shall limit in no way the purchaser's right of use for other purposes.

The seller will furnish an abstract of title, or at his option, title insurance, certified to date of this contract but same shall not become the property of the purchaser until this contract has been fully paid and its terms fully performed.

This information is furnished without a title examination. Revisited is not required by such an examination.

667 1721

The purchaser shall be entitled to immediate possession of said premises. The said purchaser agrees to the following terms and conditions: To make the payments above agreed to, promptly, in the manner and on the dates above named; to keep the buildings on the premises constantly insured in companies selected by the seller against loss or damage by fire in a sum of not less than Full Insurable

PRIMA Dollars with less payable to mortgagee, if any, seller and purchaser as their respective interest may appear. All policies on the buildings to be delivered to the seller to have the property covered hereby in the condition and to be made at the date of this contract and to pay the consideration agreed upon and named herein regarding any loss, destruction or damage to any of the improvements thereon by fire or from any other cause; to make or permit so lawful, efficient or improper use of said premises or any part thereof; to keep the said premises at all times in as good condition as same now are; to permit the seller or agent to enter in or upon said premises at any reasonable time to inspect the same; to pay regularly and seasonably and before interest falls become delinquent all taxes, assessments, liens and incumbrances of whatever nature and kind which may hereafter be lawfully imposed on said premises or which may have been assumed by the purchaser in this contract and agree not to permit or suffer any part of said premises to become subject to any assessments, liens, charges or incumbrances whatsoever having or taking precedence over the rights of the seller in and to said property; to make no alterations on nor remove any of the buildings or other improvements for injury or, destroy any shade trees on the premises without the written consent of the seller nor permit any waste, destruction or damage on the premises.

Should the purchaser fail or neglect or refuse to pay any taxes, assessments or any other lawful charge against said property, the seller may pay same and such sums as may be so paid shall be secured by this contract and the said sums shall be repaid by the purchaser to the seller with interest thereon from each respective date of assessment until paid at the rate of 10 per cent per annum payable semi-annually.

The seller agrees that when the purchaser shall have paid the balance of the purchase price and all interest due and shall have repaid or paid all payments or advancements made by the seller to or for the benefit of the purchaser or for the protection of the property or of this contract, together with interest thereon, and shall have, in all other respects, fully complied with all of the terms and conditions of this contract on his part to be kept and performed and on the surrender of the purchaser's copy of this contract, to make, execute and deliver to the purchaser or assigns a good and sufficient warranty deed conveying a fee simple title to said premises free and clear as of this date of all incumbrances whatsoever except any mortgages or other incumbrances which the purchaser has in this contract or at any subsequent date, specifically agreed to assume and pay, it being understood that the warranties of said deed shall, after the date of this contract, apply only to the acts of the seller and shall not include any taxes or assessments becoming a lien after the date of this contract.

Fulfill the conditions here
Title in of the essence of this contract and in the event that the purchaser shall fail to make any payment or to perform any condition under this contract, the seller may serve notice of forfeiture by delivering said notice to the purchaser or by mailing same by registered mail to his last known address or the address below given. In the further event that the purchaser shall fail to make payment of any sums due hereunder together with attorney's fee for the preparation of said notice and the expense of serving the same within 30 days from delivery of such notice, then and in those events said notice shall become absolute and this contract shall become null and void, and the purchaser shall immediately and peacefully surrender possession of all property described herein, and all rights of the purchaser under this contract and to all property described therein shall immediately cease and determine and the title to said property shall revert to and vest in the seller without further action on the part of the seller and without any right of the purchaser to reclamation or compensation for moneys paid or for improvements made on said premises, as fully, perfectly and absolutely as if this agreement had never been made and all money heretofore paid to it seller under this contract shall thereupon be forfeited without process of law and shall be retained by and belong to the seller as the accrued reasonable cost of said premises from this date to the time of such forfeiture and as the liquidated damages to the seller for the purchaser's failure to complete this contract.

It is agreed that no assignment of this contract shall be valid unless the same shall be made in proper legal manner endorsed (hereon an attached to each copy of this contract and countersigned by the seller, and that any such assignment or attempted assignment without complying with this term of the contract shall be null and void and of no legal force and effect.

It is agreed that in any suit or action based upon this contract, the prevailing party may recover reasonable attorney's fees against the other party.

This agreement shall be binding upon and shall inure to the benefit of the legal representatives and assigns of the parties hereto.

IN WITNESS WHEREOF, the said parties have executed this agreement to be executed in duplicate the day and year first above written

TOWN OF SELAH, a municipal corporation

Attest: Albert L. Ziegler Mayor
Thomas J. ... Town Clerk

John E. Samuelson Seller
Judith Samuelson Seller

Address _____

STATE OF WASHINGTON
County of Yakima

PERSONAL ACKNOWLEDGEMENT

This is to certify that on this day personally appeared before me JOHN E. SAMUELSON and Judith SAMUELSON husband and wife,

the individual(s) described in and who executed the within and foregoing instrument, and acknowledged that he signed the same

as his free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this 30 day of June, A. D. 1985

Robert E. ...
Notary Public in and for the State of Washington
residing at Selah



STATE OF _____
County of _____

CORPORATION ACKNOWLEDGEMENT

This is to certify that on this _____ day of _____, 19____, personally appeared before me _____ and _____

to me known to be the _____ and _____

respectively of _____ the corporation that executed the within instrument and acknowledged that the said instrument to be the free and voluntary act and deed of said corporation for the uses and purposes therein mentioned and on each stated that they were authorized to execute the same and that the seal is the corporate seal of the said corporation.

Given under my hand and official seal on the date above stated.

Notary Public in and for the State of _____

residing at _____

497

commission expires on the _____ day of _____, 19____



Selah, Washington



- Home
- Departments
- Government
- Public Services
- Information
- Community
- Economic Development
- Links

Boards & Commissions

Discover Selah

Grffiti

Other News

Online Utility Pay

Parks & Recreation Activities

Recycle Calendar

Recycle Plastics

Stormwater

Streelights

Existing Parks

- Parks Home
- Existing Parks
- Map
- Schedule
- Civic Center

Currently the park system consists of six parks, three park sites, one public pool and one civic center. The park system includes **Carlton, Wixson, Palm, Legion, Sunrise, Trolley Station and Playland Riverside Parks, and Volunteer Park and McGonagle Park sites.** An inventory of acreage and development status is shown in Exhibit 5.2. These parks vary in size and type, servicing different population sizes and age groups.

Small neighborhood parks, such as **Legion, Palm, and Sunrise Park,** are approximately 0.25 to 1 acre in size, and serve small neighborhood areas. **Legion and Palm Park** are mini-parks located in small residential areas. Few amenities are provided at these sites.

Larger Parks, such as **Wixson, Playland Riverside, and Carlton Parks** provide picnic grounds, children's playground, restrooms, walking paths, parking lots, and, in the case of **Playland Riverside Park,** a river viewing deck.

EXISTING PARK FACILITIES	DEVELOPMENT STATUS
<p>City of Selah</p>	

PARK NAME	SIZE IN ACRES	SERVICE RADIUS	DEVELOPMENT STATUS		VOLUME OF USE (ANNUAL)
			CURRENT	FUTURE	
Carlton Park	16.5	Regional	Developed	More Planned	60,000
Watson Park	5.0	Community	Developed	Not Planned	60,000
Legion Park	0.8	Neighborhood	Developed	Not Planned	2,000
Palm Park	1.0	Neighborhood	Developed	Not Planned	2,000
Sunrise Park	0.3	Neighborhood	Developed	Not Planned	NA
Volunteer Park	5.0	Neighborhood	Not Developed	Unknown	NA
Playland Riverside Park	2.5	Community	Developed	Planned	NA
Civic Center	1.03 Site 12,360 sq. ft.	Community	Developed	More Planned	NA
McDonaghe Park	10.0	Community	Not Developed	Unknown	NA
Trolley Station Park	0.25	Regional	Partially Developed	More Planned	NA
Yakima Greenway	Pathway	Regional	Partially Developed	More Planned	NA

become a volunteer
FIRE FIGHTER

Police Department
RESERVE OFFICER

Police Department
Citizen's ACADEMY

Stomwater

Streetslights

Rubycycle Pigeons

Most Valued Jeffing Starred Free Holm Suggested Sites Web Slice Gallery

deck.



10:01 AM
3/6/2014

Home Departments Government Public Services Information Community Economic Development Links

Parks & Recreation Activities

Selah Parks and Recreation

Discover Selah

Online Utility Pay



Recycle Plastics

2014 Summer & Fall Brochure [Download here](#)

Recycle Calendar

Forms

County Representative

Streetsights

View the various forms for all our activities [here](#)

Ken Pendleton

Graffiti

Selah Parks & Rec Board

Council Representative

Allen Schmid

Other News

John Baranowski

Chairman

School District Representative

Eric Neumeyer

Vice Chairmen

Dan Smith



Bill Callahan

Tom Stokes

Selah Parks Board meets for regular public meetings the 1st Monday of every month at 4:00 p.m. at City Hall.

Contact Information

Parks & Recreation Personnel

The Selah Parks office is located at 216 S. First St., Selah, WA in the Civic Center building. You can contact the Parks & Rec office at or by e-mail: selahparks@cityofselah.net.

Recreation Manager
Charlie Brown, 698-7301
Email: cbrown@ci.selah.wa.us

Selah Pool - 698-7307

Recreation Coordinator
Andrew Potter, 698-7300
Email: apotter@ci.selah.wa.us

The City of Selah offers a variety of recreation programs for youth and adults in our community. To sign up for one of these programs or to get more information, email us or call 698-7300.

Facilities Coordinator
Shirley M. Wasilewski, 698-7302
Email: swasilew@ci.selah.wa.us

Online Registration Link

Selah Civic Center Information

[Click here](#)

[Click here](#)

Last Modified on April 29, 2014

Attachment 3

**Area-Wide Soil Contamination
Task Force Report**

June 30, 2003

Submitted to:

Washington State Department of Agriculture

Washington State Department of Ecology

Washington State Department of Health

Washington State Department of Community, Trade and Economic Development

Prepared with the assistance of:

Ross & Associates Environmental Consulting, Ltd.

Landau Associates, Inc.

Hubbard Gray Consulting, Inc.

Area-Wide Soil Contamination Task Force Report



Area-Wide Soil Contamination Task Force

June 30, 2003

Steven Kelley
Task Force Co-chair

Valoria H. Loveland, Director
Washington State Department of Agriculture
P.O. Box 42560
Olympia, WA 98504-2560

Stephen Gerritson
Task Force Co-chair

Tom Fitzsimmons, Director
Washington State Department of Ecology
P.O. Box 47600
Olympia, WA 98504-7600

Katherine Bridwell

Jon DeJong

Loren Dunn

Jim Hazen

Mary Selecky, Secretary
Washington State Department of Health
P.O. Box 47890
Olympia, WA 98504-7890

Steve Marek

Scott McKinnie

Martha Choe, Director
Washington State Department of Community, Trade and Economic
Development
PO Box 42525
Olympia WA 98504-2525

Laura Mrachek

Raymond Paoiella

Frank Peryea, Ph.D.

Randy Phillips

Re: Area-Wide Soil Contamination Task Force Final Report

Marcia Riggers

Dear Agency Directors:

Paul Roberts

We are pleased to present you with the final report of the Area-Wide Soil Contamination Task Force, chartered in January 2002 to offer advice about a statewide strategy to respond to low-to-moderate level arsenic and lead soil contamination (so-called area-wide soil contamination) in Washington State.

Ken Stanton

Craig Trueblood

Our Task Force has worked diligently over the last 18 months to understand and consider the issues and to develop recommendations that advance a shared set of guiding principles. Task Force deliberations focused on understanding the nature and extent of area-wide soil contamination, making recommendations about effective, practical, and affordable steps individuals

Michael Wearne

Washington State Department of Ecology Contact:
Dawn A. Hooper, (360) 407-7182 / dhoo461@ecy.wa.gov

Facilitation Team Contact:
Elizabeth McManus, (206) 447-1805 / elizabeth.mcmanus@ross-assoc.com

*Area-Wide Soil Contamination Task Force Report
June 30, 2003
Page 2*

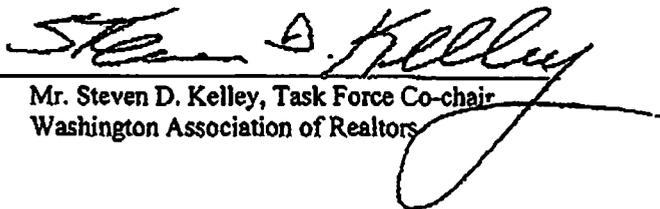
and organizations might choose to take to reduce their potential for exposure to arsenic and lead in soil, and creating an alternative, more streamlined approach under the Model Toxics Control Act for properties affected by area-wide soil contamination. We believe that the recommendations included in the enclosed report offer you the means to respond appropriately to area-wide soil contamination and appreciate you giving the report your fullest consideration.

Thanks to you and to your staffs for providing us with outstanding support throughout our deliberations. It has been an honor to participate on this Task Force and serve the people of Washington State, and we look forward to seeing the benefits that will be brought about as a result of this work.

Respectfully,



Mr. Stephen Gerritson, Task Force Co-chair
Sierra Club



Mr. Steven D. Kelley, Task Force Co-chair
Washington Association of Realtors

Enclosure

Area-Wide Soil Contamination Task Force Report

Signature Page

We, the members of the Area-Wide Soil Contamination Task Force, submit this report to the Washington State Departments of Agriculture, Ecology, Health, and Community, Trade and Economic Development. This report contains the Task Force's findings and recommendations on a statewide strategy for addressing area-wide soil contamination.

In developing this report, Task Force members considered and took positions on a large number of complex issues. This report contains many compromises. Under the Task Force's approach to consensus, a member's signature below means that he or she is comfortable with the report as a whole; where there was disagreement on an issue, the report documents the range of views on the Task Force.



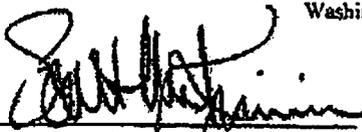
Stephen Geratson, Task Force Co-chair
Sierra Club



Steven D. Kelley, Task Force Co-chair
Washington Association of Realtors



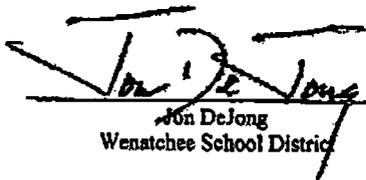
Katherine Bridgell
Safeco



Scott McKinnie
Far West Agribusiness Association



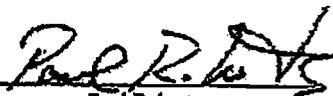
Marcia L. Riggers
Washington State Office of
Superintendent of Public Instruction



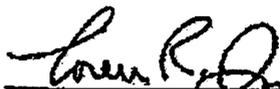
Jon DeJong
Wenatchee School District



Laura Mirachek
Cascade Analytical, Inc.



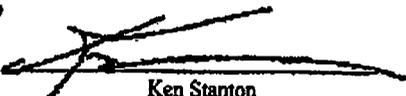
Paul Roberts
City of Everett



Loren R. Dunn
Washington Environmental Council



Raymond L. Paoella
City of Yakima



Ken Stanton
Douglas County Board of
Commissioners

(chose not to sign)

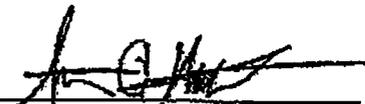
Jim Hazen
Washington State Horticultural
Association



Frank Peryea, Ph.D.
Washington State University
Tree Fruit Research and Extension
Center, Wenatchee



Craig Trueblood
Preston Gates & Ellis, LLP



Steve Marek
Tacoma-Pierce County Health
Department



Randy Phillips
Chelan-Douglas Health District



Michael Wearne
Washington Mutual Bank

Area-Wide Soil Contamination Task Force Report

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recommends creation of a special process under the Model Toxics Control Act (MTCA) tailored for properties affected by area-wide soil contamination.

In making these recommendations, the Task Force was guided by six principles which are listed here and described more fully later in the report:

- A balanced approach is needed, centered on effective, practical, and affordable solutions.
- Risks from area-wide soil contamination appear to be relatively low when compared to risks at sites with higher concentrations of contaminants.
- It is prudent to take effective, practical, and affordable steps to minimize the potential for exposure to area-wide soil contamination.
- Efforts should focus on children, because they are believed to be the human population most sensitive to elevated levels of lead and arsenic in the environment.
- Responses to area-wide soil contamination should be commensurate with the level of risk associated with potential exposures and should increase as potential exposure increases.
- Decisions about area-wide soil contamination should be made locally.

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8. Recommendations for Specific Land-Use Scenarios

This section contains Task Force recommendations for actions that should be taken in specific land-use scenarios in places where area-wide soil contamination is likely. Additional actions are recommended in situations where the Task Force was particularly concerned about a specific population, such as children, or to take advantage of opportunities to leverage ongoing activities to implement more aggressive measures to reduce the potential for exposure to arsenic and lead in soil. The Task Force emphasizes that these activities are meant to build upon and complement—not replace—broad-based education and awareness-building.

8a Child-Use Areas

The Task Force is particularly concerned about exposure of young children to arsenic and lead in soil. Children tend to have greater exposure than adults to soil and dust because they often play on the ground and tend to put things—such as hands, pacifiers, and toys—that may have soil on them into their mouths. Children are at greater risk than adults from lead because, when exposed, they absorb more lead than adults, and their rapidly developing nervous systems are more sensitive to lead damage. Parents already may be aware of the need to protect children from lead poisoning as a result of long-standing programs established to prevent children's exposure to residues from lead-based paint. Actions in other states or countries to address widespread soil contamination, as well as ongoing efforts to address area-wide soil contamination in Washington State, tend to prioritize activities that protect children. The Task Force felt a special responsibility to recommend actions that address the potential for children to be exposed to arsenic and lead in soil and spent much of its time considering recommendations for child-use areas.

What are the Ongoing Approaches to Child-Use Areas?

There are a number of ongoing projects to address area-wide soil contamination at child-use areas across Washington State, including projects associated with the cleanups of the Tacoma and Everett smelter sites and other affected properties, and projects at a number of schools and parks built on properties affected by past use of lead arsenate pesticides, including schools in Chelan and Okanogan counties and parks in Yakima. Current approaches often involve outreach to school officials to provide information and support for implementation of individual protection measures and maintenance of good soil cover, and systematic soil sampling at child-use areas, followed by selection and implementation of additional protection measures. The Agencies typically provide both technical and financial assistance for responses at child-use areas.

Types of Child-Use Areas and Prioritizing Activities at Publicly Maintained Areas

The Task Force considered a number of types of child-use areas: primary schools and their associated playgrounds and playfields; public playgrounds and playfields (such as those at parks); childcare facilities, including preschools and family home childcare facilities; and camps. The Task Force also distinguished between publicly maintained child-use areas, such as public schools and parks, and privately maintained areas, such as private schools, playgrounds, and childcare facilities.

Area-Wide Soil Contamination Task Force Report

In general, the Task Force believes that the same responses are appropriate at both public and private child-use areas and that over time potential exposure should be addressed at all child-use areas where area-wide soil contamination is likely. However, the Task Force also recognizes that it may not be practical to address all child-use areas immediately. Accordingly, the Task Force recommends that publicly maintained child-use areas should be prioritized and responses in these areas should set the standard for protection of children.

Recommendations

In addition to the education and awareness-building discussed earlier in this report, the Task Force recommends five responses for child-use areas where area-wide soil contamination is likely:

- Individual protection measures and maintenance of good soil cover in areas where children play to reduce the potential for children to be exposed to contaminated soil.
- Qualitative evaluations to increase understanding of where exposure could occur and to focus implementation of soil testing and additional protection measures.
- Soil testing where qualitative evaluations indicate the potential for exposure to contaminated soil and implementation of additional protection measures if contamination is found.
- Mandatory soil testing at new public child-use area construction sites and implementation of additional protection measures if contamination is found.
- Special approaches, including targeted outreach and a voluntary certification program, for family home childcare facilities and childcare centers.

Individual Protection Measures and Good Soil Cover

The first step to minimize the potential for children to be exposed to elevated levels of arsenic and lead in soil should be implementation of individual protection measures and maintenance of good soil cover in areas where children play. The Task Force emphasizes that it is not necessary to confirm that elevated levels of arsenic and lead are present in soil before implementing individual protection measures and providing for good soil cover. Rather, where area-wide soil contamination is likely, the Task Force strongly recommends that these measures be instituted immediately unless 1) qualitative property evaluations indicate that elevated soil levels of arsenic

What Does It Mean for the Agencies to Provide Support, Encouragement, and Assistance to Local Jurisdictions?

Local governments, such as health districts and school districts, often will play a key part in implementing Task Force recommendations. In many places in this report the Task Force advises the Agencies to provide "support, encouragement, and assistance" to local jurisdictions. Besides financial support—the need for which the Task Force expects will be widespread—the Task Force has not attempted to precisely define what "support, encouragement, and assistance" might involve. The Task Force emphasizes that the first step is for the Agencies to reach out to local jurisdictions in areas where area-wide soil contamination is likely to provide information on the issue and the Task Force recommendations, and to ask what types of assistance and support the local jurisdiction might need.

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and lead are not likely or it is unlikely that children could be exposed to soil, or 2) quantitative soil testing shows that elevated levels of arsenic and lead in soil are not present.

The Task Force believes this is a reasonable approach primarily for two reasons. First, as discussed above, children are the population most vulnerable to adverse health effects from soil contamination, particularly from exposure to lead. Second, implementing individual protection measures and providing for good soil cover in play areas are, to a great extent, consistent with the types of personal hygiene practices and routine maintenance activities that should already be in place at schools, parks, childcare facilities, and other child-use areas.

The Task Force recommends that the Agencies work with local health jurisdictions to support, encourage, and assist with implementation of individual protection measures. This may include providing training, briefings, or other assistance or materials to local health jurisdictions. In addition, the Agencies should work with local jurisdictions and other organizations, such as the Washington Association of Maintenance and Operations Administrators, to support, encourage, and assist with activities that maintain good soil cover and to integrate these activities into ongoing landscaping and maintenance practices. This may include providing training or information on the relative effectiveness of various soil covers and methods to maintain effective soil cover. Grass, for example, may not be an effective cover for contaminated soil on an athletic field or other child-use area if it is not properly maintained.

Qualitative Evaluations of Potential Exposure

The Task Force strongly encourages property owners/managers of other child-use areas to carry out qualitative evaluations of the potential for exposure to arsenic and lead in soil in places routinely used by children. Qualitative evaluations should use easily identifiable factors (such as elevation at properties potentially affected by historical use of lead arsenate pesticides) to determine if elevated levels of arsenic and lead in soil are likely, and easily observable features (such as the presence or absence of bare dirt) to identify situations when there is the greatest potential for exposure. Qualitative evaluations should help identify situations where there is or could be direct, frequent contact with contaminated soil over a period of months. The Task Force recommends that the following checklist be used to carry out qualitative evaluations.

Table 2. Qualitative Evaluation Checklist for Understanding Potential Exposures to Arsenic and Lead in Soil	
Please use and fill in only one response for each question during available times, during your normal business hours.	
Q1. Is the property near a historical smelter location in Pierce, King, Snohomish, or Stevens counties?	If YES or UNSURE, go to Q4. If NO, go to Q2.
Q2. Were lead arsenate pesticides used on the property historically (e.g., on apple or pear trees)?	If YES or LIKELY, go to Q4. If NO, go to Q3.
Q3. Are portions of the property within 25 feet of a road built before 1995?	If YES or UNSURE, go to Q4. If NO, elevated levels of arsenic and lead are not likely to be present in soil.

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Table 2. Qualitative Evaluation Checklist for Understanding Potential Exposure to Arsenic and Lead in Soil	
Q4: Do children routinely play in this area?	<p>If YES or UNSURE, go to Q7.</p> <p>If NO, go to Q5.</p>
Q5: Do people spend a lot of time in this area (e.g., while gardening)?	<p>If YES or UNSURE, go to Q7.</p> <p>If NO, go to Q6.</p>
Q6: Are there frequently used, unpaved paths or trails through this area?	<p>If YES or UNSURE, go to Q7.</p> <p>If NO, potential exposure to elevated levels of lead and arsenic in soil is less likely.</p>
<p>Q7: Is there any exposed dirt in play and high-use/traffic areas (e.g., swing sets, gardens, sports fields, lawns, and paths)? Note: Asphalt, wood chips, grass cover, or other natural/synthetic barriers may help limit potential exposure to contaminated soil. The Consumer Product Safety Commission recommends that surfaces around playground equipment have at least 5-12 inches of wood chips, mulch, sand, or pea gravel, or are covered with mats made of safety-tested rubber or rubber-like materials.</p>	<p>If YES or UNSURE, there may be a higher potential for exposure to contaminated soils. Use individual protection measures to minimize potential exposure and determine whether to test soils.</p> <p>If NO, go to Q8.</p>
Q8: Would you expect soils to be exposed at any time during the year (e.g., due to seasonal sports or other activities)?	<p>If YES, there may be a higher potential for exposure to contaminated soils. Use individual protection measures to minimize potential exposure and determine whether to test soils.</p> <p>If UNSURE, check with the landowner or organization responsible for maintaining the property to see whether a maintenance program is in place to ensure that play and high-use/traffic areas remain thoroughly covered year round.</p> <p>If NO, the potential for exposure to contaminated soils is less likely.</p>

Soil Testing and Implementation of Additional Protection Measures

Where qualitative evaluations indicate that children may be routinely exposed to contaminated soil, the Task Force recommends that property owners/managers of child-use areas conduct soil sampling to determine if elevated levels of arsenic and lead are actually present. Guidance on how to carry out soil sampling is part of the toolbox of information discussed in Section 7 of this report and included in Appendix K.

Where soil sampling results indicate that elevated levels of arsenic or lead are present, property owners/managers of child-use areas should implement additional protection measures to reduce the potential for children to come into contact with contaminated soil. Additional protection measures to reduce potential exposure could include: installing protective barriers such as geotextile fabric between contaminated soil and the overlying protective cover; removing and replacing small amounts of contaminated soil; or consolidating and containing contaminated soil under buildings, paved surfaces, or landscaping berms. The Agencies should assist local jurisdictions, other organizations, and individuals to select and implement additional appropriate protection measures where soil contamination is found.

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In addition, the Agencies should work with school districts, park agencies, and other appropriate organizations to facilitate understanding of area-wide soil contamination and to prioritize response actions at schools, parks, and other child-use areas. In particular, parents of young children should be kept informed during all stages of assessment and cleanup processes through Parent-Teacher Association meetings, school newsletters, community events, and other appropriate means. As with the broad-based education and awareness-building materials described earlier in this report, outreach activities should balance the need for accurate and complete information with the need to avoid unnecessarily frightening parents and other audiences, or creating unintended consequences or overreactions.

Finally, the Agencies should work with local jurisdictions to continue collection of soil data at public child-use areas where area-wide soil contamination is likely, to better understand the extent of area-wide soil contamination and the potential for children to be exposed.

Special Considerations for Playgrounds and Playfields

The Task Force believes children have a high potential to come into contact with contaminated soil at playgrounds and playfields. By the nature of their use, playgrounds and playfields often have areas of bare dirt to which children could be exposed. Because these areas are typically publicly owned and operated, the Task Force believes there is a special responsibility to ensure that children who use these areas are protected.

The *Handbook for Public Playground Safety* published by the U.S. Consumer Product Safety Commission (CPSC) contains guidelines for maintaining children's safety in public playgrounds. It recommends that wood chips, mulch, sand, gravel, or shredded tires be installed and maintained to a depth of at least 5-12 inches (depending on the surfacing material selected) under playground equipment. The *Health and Safety Guide for K-12 Schools in Washington*, published by the Office of Superintendent of Public Instruction (OSPI) and the Department of Health, recommends that all playground equipment at primary and secondary schools in Washington conform to CPSC's playground safety standards.

The Task Force recommends that the CPSC surface material guidelines be fully implemented at existing playgrounds at parks, schools, private camps, and childcare facilities. In areas where area-wide soil contamination is likely, the Task Force recommends that a geotextile fabric barrier (such as landscaping fabric or weed block) be incorporated below the surfacing material under play equipment to further limit the potential for contact with soil. For other play areas, such as sports fields, the Task Force recommends that efforts be made to minimize the potential for children to come into contact with contaminated soil, by maintaining good year-round grass cover and ensuring clean soil in areas of bare dirt, such as baseball field baselines. Sports fields primarily used by adults and older children may not need the same types of actions to reduce exposure because, in general, exposure is expected to decrease with age.

Soil Testing and Additional Protection Measures at New Child-Use Areas

Construction of new child-use areas, such as schools and playgrounds commonly involves earth-moving activities. These activities create important opportunities to address area-wide soil contamination. Incorporating soil sampling into the site selection and design process for new construction allows officials to modify construction plans to incorporate cost-effective, practical,

Area-Wide Soil Contamination Task Force Report

and effective measures to reduce the potential for exposure of children, and this may be more efficient than retrofitting existing child-use areas.

Where area-wide soil contamination is likely, the Task Force recommends that officials (e.g., school district superintendents or park managers) be required to test soils at proposed child-use sites during the site selection and design process. This is especially relevant at publicly funded child-use areas. Where soil sampling shows that elevated soil levels of arsenic and lead are present, officials should incorporate protection measures into construction plans and budgets. Protection measures might include installing a geotextile fabric barrier and surfacing material such as wood chips, mulch, or grass cover in play areas; removing and replacing small amounts of contaminated soil; consolidating and containing contaminated soil under buildings, paved surfaces, or landscaping berms; or other activities.

At school sites, the Agencies should work with local health jurisdictions and with OSPI to assist school officials to interpret sampling results and to select appropriate protection measures. Local health inspectors should confirm during regular site visits that appropriate responses have been implemented. The Agencies should assist local health jurisdictions with these inspections.

Targeted Outreach and Voluntary Certification Programs for Childcare Providers

Many children spend significant amounts of time in commercial or family home childcare settings. This is particularly true for children who have not yet reached school age and who may be particularly vulnerable to exposures to arsenic and lead. Where area-wide soil contamination is likely, the Agencies should collaborate with DSHS and local health districts to work with childcare providers to give them information about area-wide soil contamination and encourage them to take actions to reduce the potential for children to be exposed to arsenic and lead. The Agencies should also collaborate with DSHS to establish a voluntary certification process that childcare providers can use to communicate that they have taken precautions to reduce the potential for children to be exposed to area-wide soil contamination or have verified through sampling that elevated soil levels of arsenic and lead are not present.

The Task Force recommends that targeted outreach to childcare centers and family homes should be integrated into and build upon existing processes that provide for the health and safety of children, including regular inspections of childcare facilities by DSHS and local health jurisdictions and the DSHS licensing process. In particular, the Task Force recommends that training on how to identify and minimize potential exposure to area-wide soil contamination using individual protection measures, good soil cover, and other protection measures be incorporated into the existing State Training and Registry System (STARS) childcare training program and/or other annual training requirements for childcare providers.

The goals of the voluntary childcare certification program should be to: 1) create a mechanism to raise awareness of area-wide soil contamination issues among childcare providers, 2) provide parents and other caretakers with information about how individual businesses have chosen to address area-wide soil contamination issues, and 3) assist parents to make informed choices about in which childcare facility to place their children. The Task Force recommends a three-step education and certification process:

Attachment 4

Garden Safely

- ☞ Wash fruits and vegetables before eating them.
- ☞ Peel carrots, potatoes and other root crops. Throw the peelings away instead of composting.
- ☞ Use raised beds constructed with arsenic-free materials. Fill them with clean soil.
- ☞ Dampen dusty soils before gardening in soil.
- ☞ Wear gardening gloves.
- ☞ Keep gardens away from old painted structures and treated wood.
- ☞ Do not plant food crops under the overhang of your home.
- ☞ Cover bare patches of soil with grass, a mulch product or imported clean soil.



For more information about lead and arsenic contamination in your area, please contact:

**Jeff Newschwander
Department of Ecology
Central Regional Office, Yakima
509-454-7842**

Or visit our website:

http://www.ecy.wa.gov/programs/tcp/sites/dirt_alert/dirt_alert_hp.html

To learn more about the health effects of lead and arsenic, contact:

**Rob Baner
Washington State Dept. of Health
360-236-3243**

You can also contact your **County Health District:**

Chelan and Douglas counties
(509) 886-6400
www.cdhd.wa.gov/index.asp

Okanogan County
(509) 422-7140
www.okanogancounty.org/ochn/index.htm

Yakima County
(509) 575-4040
www.co.yakima.wa.us/health/

If you need this publication in an alternate format, please contact the Toxics Cleanup Program at 509-454-7886. For persons with a speech or hearing impairment call 711 for relay service or 877-833-6341 for TTY.

Dirt Alert



Look inside to discover simple ways to protect your family



Publication #05-09-013 Revised March 2007

Orchards are a common sight throughout central Washington. In fact, many homes and schools are located on former orchard lands.

From about 1905 through the 1940's, lead arsenate was commonly used as a pesticide. This means past orchard lands have the potential of being contaminated with lead and arsenic. Over time, exposure to this contaminated soil can lead to health problems.

Children are especially vulnerable because they eat, drink and breathe more in relation to their body size than adults. They tend to put their hands in their mouths and play on the floor where dirt and dust from outside activities gets tracked into the home. Adults, especially pregnant women and those who work with soil, should also be careful about their exposure to lead and arsenic.

The Department of Ecology has sampled the soil at schools throughout central Washington to determine lead and arsenic levels. If contaminated soil is found, we will work with schools to reduce children's exposure. This often includes simple solutions, such as covering bare ground with mulch or seeding an area properly so grass can grow.

This brochure contains simple methods to help you reduce your exposure to lead and arsenic.

Stay Safe at Home

Keep dirt out of your home

- Take off your shoes.
- Use sturdy rubber doormats.
- Damp mop and dust regularly.
- Wash your hands with soap and water.
- Keep children's toys and pacifiers clean.



Lead and arsenic found in the dirt outside can be easily tracked into the home by dirty shoes. When children play on the floor and put toys in their mouth, they are exposed to this dirt.



It's more likely you'll swallow contaminated soil than inhaling it.

Mop and Dust

- Take your shoes off before entering the house.
- Damp-mop floors and dust all surfaces at least once a week. Don't sweep or blow on the surface.



Eat a Healthy Diet

- A balanced, healthy diet creates a stronger immune system and helps adults and children resist the health effects of toxins.

Keep Pets Clean

- Bathe pets regularly.
- Wash your hands after handling your pet.
- Wipe off excess mud and soil before your pet comes into your home.
- Give pets their own sleeping places.

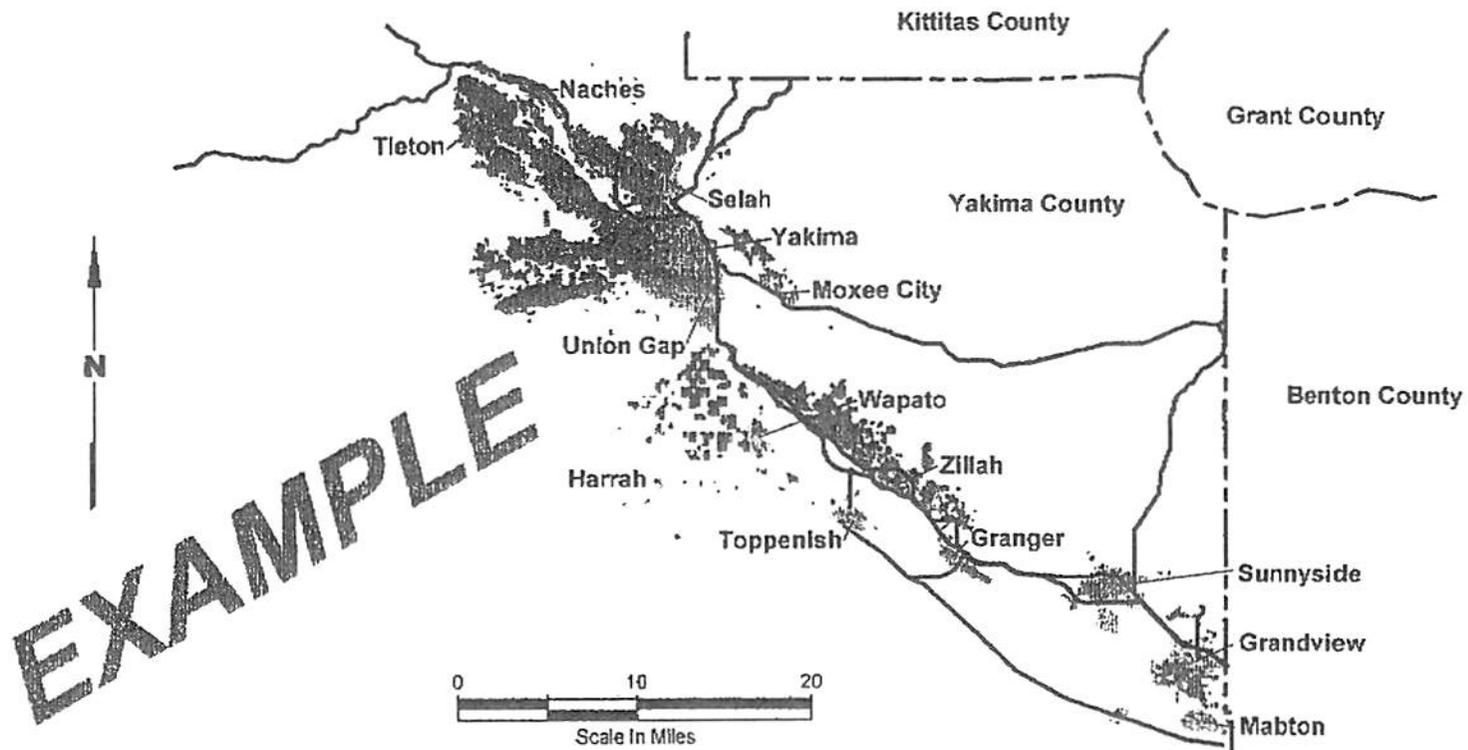


Kids, Stay Safe at School!

- Keep your desk free of dust and dirt.
- Wipe off your shoes before going into the school.
- Wash your hands with soap and water.
- Stay in play areas.

Attachment 5

Figure I-8: Historical Orchards in Yakima County Circa 1947



Legend

- State or federal roads
- 1947 Orchard lands
- Cities

Disclaimer:

This map should not substitute for a site-specific assessment. Not all of the areas identified on the map will actually have elevated levels of arsenic and lead in soil. Some properties outside of the identified areas may have elevated levels of arsenic and lead in soil.

This figure was originally developed in 2000 by the Yakima County Geographic Information Services. It is based upon an analysis of historical aerial photographs and is intended to provide a general indication of where historical orchard areas were located in 1947, so individuals and communities can assess whether to look in to additional information on area-wide soil contamination. This figure does not show the location of all orchards that operated during the period when lead arsenate pesticides were used, 1905-1947.

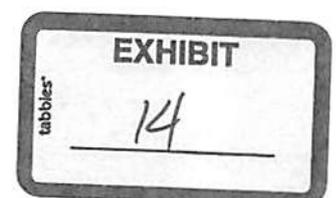
Durant, Thomas

From: Henne, Joe
Sent: Wednesday, January 06, 2016 5:32 PM
To: Durant, Thomas
Cc: Wayman, Donald
Subject: Volunteer Park SEPA Comments

Tom – The design plans & specifications for Volunteer Park are being prepared by the City's Engineering consultant. They are designing on site swales to capture stormwater runoff. The site will also be connected to the city's storm sewer system in the event a storm could exceed the design criteria materializes.

All new development and redevelopment projects are responsible for preventing erosion and the discharge of sediment and other pollutants. The City will apply to WDOE for a construction stormwater general permit for the site as it meets the state regulatory threshold of one-acre, unless an the project qualifies for an erosivity waiver. The construction stormwater general permit establishes standards and guidelines for creating a stormwater pollution prevention plan (SWPPP) and implementing erosion and sediment control BMPs. Design, installation, operation and maintenance standards shall conform to the standards set forth in the Stormwater Management Manual for Eastern Washington.

Joe Henne
Public Works Director
City of Selah
222 So. Rushmore Road
Selah, WA 98942
509-698-7365



**ORDINANCE ADOPTING THE CITY OF SELAH
COMPREHENSIVE PARKS AND RECREATION
PLAN 2014-2019**

WHEREAS, RCW Chapter 36.70A et seq., the Washington State Growth Management Act (GMA), requires counties and cities to adopt comprehensive plans; and,

WHEREAS, Yakima County and the cities located within Yakima County were initially required to plan in conformance with the GMA; and,

WHEREAS, the City of Selah has taken deliberate steps to meet the requirements of the GMA at a pace that facilitated involvement of the Selah Parks Board, the Selah Parks and Recreation Service Area Board, and citizens residing within the Selah Parks and Recreation Service Area (an area larger than but totally including the Selah Urban Growth Area Boundary) in the development of the Selah Community Parks and Recreation Plan 2014-2019; and,

WHEREAS, the City of Selah Planning Commission, in fulfillment of its responsibilities under RCW 36.70A, held publicized hearings to receive both oral and written testimony on the City of Selah Comprehensive Parks and Recreation Plan 2014-2019, and then formulated a recommendation to the City of Selah City Council; and,

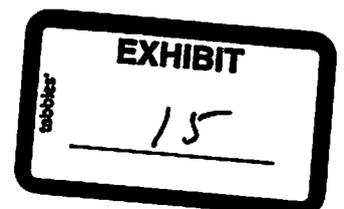
WHEREAS, the plan development process has concluded with the City of Selah City Council conducting a public hearing to receive both oral and written testimony on the Selah Comprehensive Parks and Recreation Plan 2014-2019 on January 28, 2014; and,

WHEREAS, the City Council of the City of Selah adopts the Findings, Conclusions and Recommendation of the Planning Commission and has concluded that the adoption and implementation of the Selah Comprehensive Parks and Recreation Plan 2014-2019, its goals, policies and objectives are essential to direct future recreational growth and development within the City of Selah Urban Growth Area.

NOW THEREFORE BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF SELAH AS FOLLOWS:

ARTICLE 1. FINDINGS AND CONCLUSIONS. The Findings and Conclusions attached hereto as Exhibit "A" are considered to be controlling and are hereby adopted by this reference as the Findings and Conclusion of the City Council of the City of Selah.

ARTICLE 2. PLAN ADOPTION. The document entitled SELAH COMPREHENSIVE PARKS AND RECREATION PLAN 2014-2019, is hereby adopted as required by RCW 36.70A, and shall be the official comprehensive park and recreation plan for the City of Selah and the unincorporated portion of Yakima County contained within the designated City of Selah Urban Growth Area. It is attached hereto as Exhibit "B".



ARTICLE 3. REPEAL OF ANY AND ALL PREVIOUS PARKS AND RECREATION PLANS. All previous parks and recreation plans officially adopted by the City Council of the City of Selah are hereby repealed.

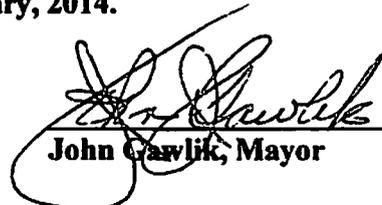
ARTICLE 4. PLAN AMENDMENTS. Requests for amendments to the Selah Comprehensive Parks and Recreation Plan 2014-2019 may be submitted at any time and will be docketed to be reviewed and acted upon once per year as provided in RCW 36.70A.130. Proposed amendments shall be considered concurrently to ascertain the cumulative effect of the various proposals.

ARTICLE 5. AMENDMENTS REVIEW PROCESS. Proposed amendments to the Selah Community Parks and Recreation Plan 2014-2019 shall be submitted to the City of Selah Planning Department, along with any required application fee for review by the City of Selah Planning Commission. The Commission shall hold at least one public hearing to receive public testimony on proposed amendments, and shall forward its recommendation regarding proposed amendments to the City Council of the City of Selah. The City Council shall hold at least one public hearing on the Commission's recommendation, and may refer any proposed amendment back to the Commission for further consideration and recommendation. The City Council may amend the Selah Community Parks and Recreation Plan 2014-2019 or reject any proposed amendments subsequent to public hearings. A majority vote of the City Council shall constitute final action on the proposed amendment, unless appealed.

ARTICLE 6. 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.

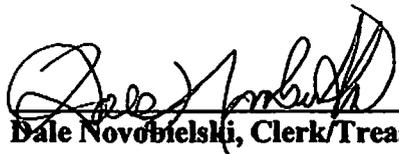
ARTICLE 7. SEVERABILITY. If any section, phrase or provision of the Selah Community Parks and Recreation Plan 2014-2019 or this ordinance is held illegal, invalid or unenforceable by a court of competent jurisdiction the remaining provisions of the Selah Community Parks and Recreation Plan 2014-2019 and this ordinance shall remain in full force and effect.

**PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF SELAH,
WASHINGTON this 28th day of January, 2014.**



John Gawlik, Mayor

ATTEST:



Dale Novobielki, Clerk/Treasurer

APPROVED AS TO FORM:



Robert E. Noe, City Attorney

ORDINANCE NO. 1936

EXHIBIT "A" FINDINGS AND CONCLUSIONS

I. Recitals.

WHEREAS, the Washington State Growth Management Act (GMA), requires counties and cities to prepare and adopt long range comprehensive plans pursuant to Chapter 36.70A RCW and related Chapters; and,

WHEREAS, GMA requires comprehensive plans to include maps and descriptive text covering objectives, principles and standards used to develop essential elements of the plan; and,

WHEREAS, the comprehensive plan must be internally consistent; and,

WHEREAS, the document entitled Selah Comprehensive Parks and Recreation Plan 2014-2019 (hereinafter PARKS PLAN) has been prepared for the City of Selah as a replacement for all previous park and recreation plans adopted by the City or by Yakima County covering those portions of unincorporated Yakima County lying within the Selah Urban Growth Area Boundary in fulfillment of the requirements of GMA; and,

WHEREAS, Chapter 43.21C RCW, the State Environmental Policy Act (SEPA) requires the City of Selah to conduct environmental review of the PARKS PLAN; and,

WHEREAS, the City of Selah adopted an existing Determination of Nonsignificance (DNS) on the PARKS PLAN on January 14, 2014; and,

WHEREAS, the PARKS PLAN contains six Sections as follows:

Section I	Introduction
Section II	Mission, Goals, Objectives and Priorities
Section III	Community Background
Section IV	Existing Resources
Section V	Community Involvement
Section VI	Capital Improvement

and,

WHEREAS, the PARKS PLAN was made available for review on January 14, 2014 at the City of Selah Library, Selah Public Works Department and on the City of Selah web page. Notice of document availability and notice of public hearing were published in the *Yakima Herald-Republic* on January 14, 2014; and,

WHEREAS, the City of Selah Planning Commission held a properly advertised public hearing on January 22nd, 2014 at Selah, Washington for the purpose of hearing testimony for and against and to considering recommending adoption of the PARKS PLAN; and,

WHEREAS, all persons desiring to either provide written testimony or speak for or against or in

relation to the PARKS PLAN were given a full and complete opportunity to be heard; and,

WHEREAS, the Selah Planning Commission, carefully considered the written and oral testimony of the public and agencies in its deliberations and it adopted FINDINGS and recommended adoption of the PARKS PLAN; and,

WHEREAS, the Council held a properly advertised public hearing on January 28th, 2014 to take written and oral testimony on the recommended PARKS PLAN ; and

WHEREAS, the Council having given due consideration to the public testimony and the recommendation of the Planning Commission.

II. Findings.

1. The City of Selah has been actively involved in comprehensive planning for nearly forty-five years. The City continues to prepare and adopt comprehensive land use, transportation, water and sewer plans, in addition to parks and recreation plans, for the betterment of the City of Selah and the Selah Urban Growth Area.
2. The GMA requires counties and cities to periodically update their comprehensive plans .
3. The City of Selah developed the PARKS PLAN while fulfilling the environmental review requirements of the State Environmental Policy Act (SEPA). An existing Determination of Non Significance (DNS) was published on January 14, 2014 for the PARKS PLAN.
4. Notification of intent to adopt the PARKS PLAN was provided to the State Department of Community, Trade and Economic Development (DCTED) on that date.
5. The Planning Commission conducted a public hearing on January 22, 2014. The minutes of this public hearing are retained on file.
6. The Planning Commission concluded its deliberations on the PARKS PLAN in the Selah City Hall Council Chambers on January 22, 2014. The Commission instructed staff to transmit the PARKS PLAN and the Commission's findings and recommendation of adoption to the Selah City Council for the Council's consideration at a public hearing.
7. The Council held an advertised public hearing on the Planning Commission's recommended PARKS PLAN in the City of Selah City Hall Council Chambers on January 28, 2014.
8. The Council notes that the City of Selah, as a political subdivision of the state of Washington, is subject to the laws of the State and the Growth Management Act passed by the Legislature in 1990 (Chapter 36.70.A, RCW), which mandated Yakima County and the incorporated cities within the County to plan under its requirements. The Council is required as the City's legislative body to adopt plans and regulations consistent with the Washington State Growth Management Act.

9. The Council recognizes that the PARKS PLAN is not adequate to guide growth and development during the next twenty years, and that the PARKS PLAN is intended to be a living document, subject to annual amendment and periodic re-evaluation.

III. Conclusions.

The Selah City Council continues to recognize the need for coordinated comprehensive long-range planning (land use, transportation, domestic water and sewage facilities, and parks and recreation) to guide the growth, development and conservation choices that will face both public and private decision-makers over the next twenty years. The Council also recognizes the need for a comprehensive plan to guide future work by citizens, their governments, community organizations and businesses. The PARKS PLAN offers a means to plan and develop recreational facilities within the Selah Urban Growth Area.

The Council's adoption of the PARKS PLAN for the City of Selah and the unincorporated urban growth area surrounding the city is for the betterment of the community and urban growth area. The Council members reaffirms their full confidence in the public process that brought the PARKS PLAN to them, and in the further review and implementation steps that will follow its adoption.

The Council understands that the PARKS PLAN must comply with the State of Washington's 1990 Growth Management Act (GMA) as amended. The PARKS PLAN was carefully crafted by the Selah Parks Board and the Selah Parks and Recreation Service Area Board and the Planning Commission to comply with GMA, and to be consistent with the values, customs and culture of the citizens of the Selah Urban Growth Area.

The City Council of the City of Selah is satisfied that the prerequisites of the Growth Management Act for adoption of the PARKS PLAN have been met, and its adoption will achieve compliance with the requirements of GMA, based on the following conclusions:

1. The PARKS PLAN is an amplification of the parks and recreation element contained in the Selah Urban Growth Area Comprehensive Plan-2005 and complies with GMA requirements.
2. Public Involvement requirements of GMA have been fulfilled in the development of the PARKS PLAN. Opportunities to affect the shape and content of the PARKS PLAN were available to the public during the preparation process.
3. The requirements of the State Environmental Policy Act have been met. As presented in the above findings of fact the City of Selah has taken consistent steps to follow the substantive and procedural requirements of SEPA. Timely issuance of the adoption of an existing environmental determination, notices of hearings and intent to adopt, distribution of the PARKS PLAN on the internet and full consideration of comments received at hearings are all hallmarks of the plan's development process.

4. **The ordinance adopting the PARKS PLAN provides review and amendment procedures according to GMA requirements.** The adopting ordinance provides a process for annual updates and periodic review of the PARKS PLAN. Amendments can be considered annually. A full review of the PARKS PLAN will occur every five years.
5. **A thorough record of the process used to develop the recommended PARKS PLAN has been maintained.** Factual data supporting the PARKS PLAN are contained within the various PARKS PLAN sections Record of public meetings and hearings are retained on file.
6. **The PLAN is internally consistent and is consistent with other plans.** The Council has reviewed the Planning Commission's work and is satisfied that plan elements are not contradictory and the goals, objectives, and policies contained in the PARKS PLAN and are complementary, interdependent, well integrated and furthers the goals of GMA.
7. The PARKS PLAN is responsive to public testimony, agency comments and citizen requests. The Planning Commission recommends the Council adopt the PARKS PLAN as a balance of public and agency comments.

SELAH COMPREHENSIVE PARKS AND RECREATION PLAN

2014-2019



Mayor	John Gawlik	
City Council	Roy Sample John Tierney Dave Smeback Brooke Finch	Allen Schmid Jane Williams Paul Overby
City Administrator	David Kelly	
City Park Board	John Baranowki T.P. Stokes Eric Neumeyer Tony Creach	Bill Callahan Ken Pendleton Dan Smith-Selah School District
Selah Parks and Recreation Service Area Board	Allen Schmid Jane Williams Kellianne Ergeson	Don Szolomayer Ken Pendleton Dave Veley
Recreation Manager	Charles Brown	
Public Works Utility Supervisor	Ty Jones	
Prepared by	Selah Parks Board	



Community Parks

Selah owns three community parks: Playland Park, Wixson Park, and Volunteer Park.

Playland Park

Location	Golf Course Loop Road, across from Elks Golf Course
Landowner	City of Selah
Managing Agency	Selah Parks and Recreation
Acreage/Size	2.8 acres

Amenities

- Picnic Tables
- Grills
- Picnic Shelter
- Pit Toilet
- Walking Trail
- Children's Play Set
- Sand Volleyball Court
- River Viewing Deck
- Paved Parking (Small Lot)
- Water
- Electrical Outlets

Development Potential/Needs

- Easy & Safe River Access
- New Restroom Facility
- Safe Access To Yakima Greenway
- Expand Parking



Volunteer Park

Location	Merinda Drive off North First Street
Landowner	City of Selah
Managing Agency	Selah Parks and Recreation
Acreage/Size	5 acres

This park site is mostly undeveloped, but is ready for development as a passive community park. In 2005, four different park master plans were developed by students at Washington State University, discussed with local residents, and the front-runner submitted to the City. Modifications to the approved plan were made in 2010 to allow for the possible inclusion of an off-leash dog park area. Ken Pendleton, a community volunteer, rough graded a walking track, and Derrick Larson completed a masonry entrance feature as part of an Eagle Scout Project

It is envisioned that within this plan period, final iterations to the plan, funding, and development will occur.



CITY OF SELAH

Planning Department

222 South Rushmore Road
Selah, Washington 98942

Phone 509 698-7365

Fax 509 698-7372

NOTICE OF DEVELOPMENT APPLICATION & ENVIRONMENTAL REVIEW OPPORTUNITY TO PROVIDE COMMENTS NOTICE OF PLANNING COMMISSION PUBLIC HEARING

File No. 926.61.15-04, 971.61.15-11 – “Volunteer Park” Selah Public Works Department Notice of Application and Environmental Review.

Application: On December 15, 2015 the City of Selah Planning Department received a Class 2 Use Review application for a (Passive) Park in the One-Family Residential (R-1) zone from the Selah Public Works Department, 222 S. Rushmore Rd, Selah, WA 98942. The application was determined complete for processing on December 16, 2015. The decision on this application will be made within one-hundred twenty days of the determination of complete application.

Project Description Volunteer Park, a 5.3 acre city park designed to be accessible to all people regardless of limitations. Improvements include a fully accessible playground, a gazebo picnic shelter, a 10-foot wide walking path around the perimeter of the park with workout stations and level resting places, disk golf course and parking for 36 vehicles. Also an access street, grading and landscaping, restroom building and retaining wall.

Location: South side of Merinda Drive about 100 feet west of Stacy Court and 700 feet west of North 1st Street in the City of Selah. (Yakima County Assessor Parcel Number: 181435-11496).

Approvals, Actions and Required Studies: Class 2 Use Review.

Environmental Review: The City of Selah is the lead agency for this proposal under the State Environmental Policy Act (SEPA). The City has reviewed the proposal for probable adverse environmental impacts and expects to issue a Mitigated Determination of Nonsignificance (DNS). The optional DNS process in WAC 197-11-355 is being used. This may be your only opportunity to comment on the environmental impacts of the proposal. Mitigation measures being considered include the preservation of existing vegetation on the steep slope along the north boundary of the site and other measures to control erosion. The proposal may include mitigation measures regardless of whether an EIS is prepared. After all comments have been received and considered, a threshold determination will be made without an additional comment period. Comments received by 5:00 PM January 4, 2016 will be considered in making the determination. A copy will be sent to those who comment or may be obtained upon request. The determination will have specific appeal information and may be appealed within five business days of issuance.

Request for Written Comments on the Proposal Written comments concerning the proposed Class 2 Use application and environmental checklist will be accepted during the public comment



period that ends at 5:00.p.m, on January 4, 2016. You may mail your comments to Selah Planning Department, 222 So. Rushmore Road, Selah, WA 98942, send them by fax at 1 (509) 698-7372 or by e-mail at tdurant@ci.selah.wa.us. Reference a file number stated in this notice or "Volunteer Park" in your correspondence.

Open Record Public Hearing Pursuant to SMC 10.06.040(6)(E), the Reviewing Official is referring this Class 2 Use application to the Planning Commission. Notice is hereby given that on Tuesday, January 19, 2016 commencing at 5:30 P.M., or as soon thereafter as practical, the City of Selah Planning Commission will conduct an open record public hearing in the Council Chambers, Selah City Hall, 115 W. Naches Ave. Selah, WA on the Class 2 Use. All interested persons may appear and provide testimony on the application. SMC 21.09.030 and SMC 10.06.040 are pertinent to the hearing procedure. At the conclusion of the public hearing the Planning Commission will consider the matter and make a decision for approval, approval with conditions, or denial of the Class 2 Use application.

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. The staff report will be available approximately one week before the hearing. Contact the Planning Department with project, procedural or environmental questions.

Dated this 18th day of December 2015.

/s/

Thomas R. Durant, Community Planner



**CITY OF SELAH
AFFIDAVIT OF MAILING**

**STATE OF WASHINGTON
COUNTY OF YAKIMA**

I, Caprise Groo, being first duly sworn on oath dispose and says:

I am an employee of the City of Selah, 222 South Rushmore Road, Selah, Washington; that I did on the 18 day of December, 2015 caused to be mailed, 152 envelopes, containing a true and correct copy of a Notice of Application and Environmental Review of file 926.61.15-04 and 971.61.15-11. Said envelopes mailed from Selah, WA. with the correct first class postage and addressed to the owners of property listed by the Yakima County Treasurer as being the legal owners of real property located within 600 feet of the proposal.

A listing of the legal owners of real property to whom notice has been mailed is contained in file 926.61.15-04 and 971.61.15-11.

Caprise Groo

Caprise Groo

**STATE OF WASHINGTON
COUNTY OF YAKIMA**

On this day personally appeared before me Caprise Groo to me known to be the individual referenced herein and who caused to be mailed the Notice of Application and Environmental Review of file 926.61.15-04 and 971.61.15-11.

Given under my hand and official seal this 18th day of Dec., 2015.

Cynthia L. Graziano

Cynthia L Graziano

Notary Public in and for the State of Washington, residing at Yakima, WA. My term expires 07/14/18.



**NOTICE OF DEVELOPMENT APPLICATION &
ENVIRONMENTAL REVIEW
OPPORTUNITY TO PROVIDE COMMENTS
NOTICE OF PLANNING COMMISSION PUBLIC HEARING**

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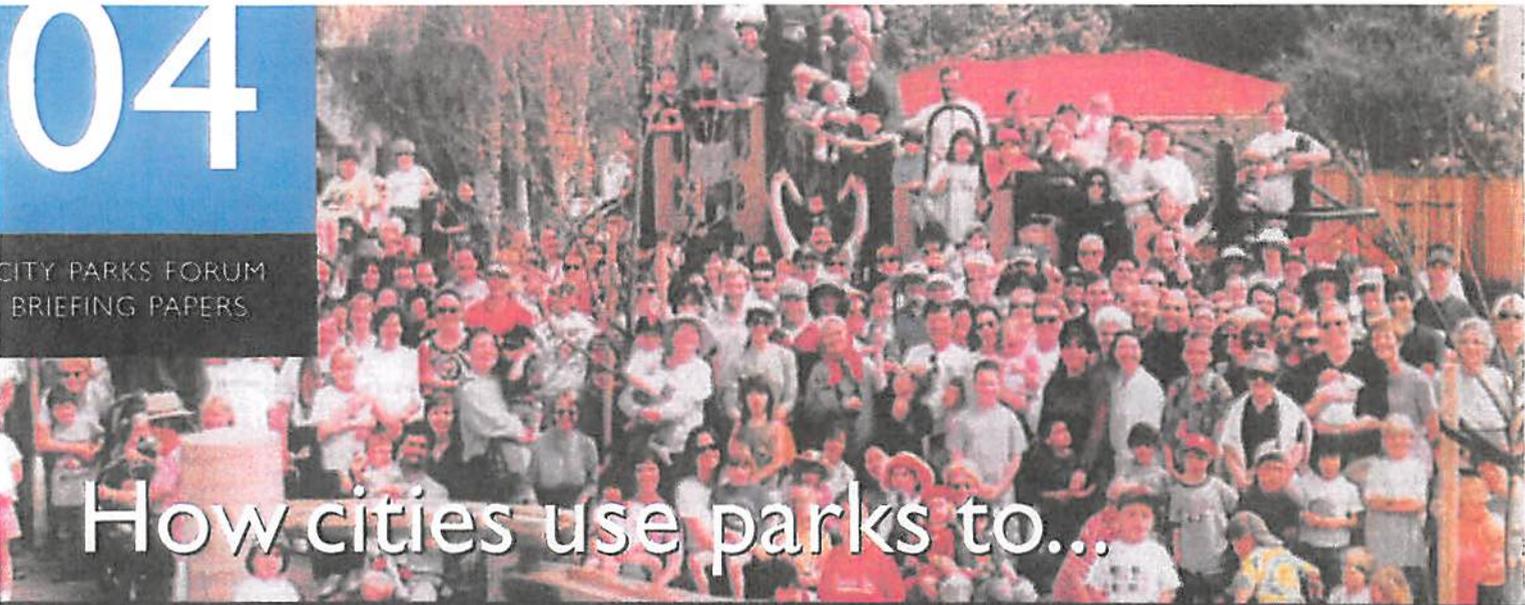
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Dated this 18th day of December 2015.

/s/ Thomas R. Durant, Community Planner

(608114) December 19, 2015

Courtesy of Yakima Herald-Republic



How cities use parks to...

Create Safer Neighborhoods

Executive Summary

For those concerned that green spaces may foster crime and illegal activity, evidence now exists that the opposite may be true. When adjacent to residential areas, green spaces have been shown to create neighborhoods with fewer violent and property crimes and where neighbors tend to support and protect one another. These are the findings of scientists at the Human-Environment Research Laboratory of the University of Illinois at Urbana-Champaign who studied green space alongside public housing in Chicago. Other researchers who are conducting similar studies across the country are finding similar results.

The factors that explain these findings emphasize the importance of greenery in community and personal wellness. Time spent in natural surroundings relieves mental fatigue, which in turn relieves inattentiveness, irritability, and impulsivity, recognized by psychologists as precursors to violence. Green spaces also support frequent, casual contact among neighbors. This leads to the formation of neighborhood social ties, the building blocks of strong, secure neighborhoods where people tend to support, care about, and protect one another.

Key Point #1

Time spent in nature immediately adjacent to home helps people to relieve mental fatigue, reducing aggression.

Key Point #2

Green residential spaces are gathering places where neighbors form social ties that produce stronger, safer neighborhoods.

Key Point #3

Barren spaces are more frightening to people and are more crime prone than parks landscaped with greenery and open vistas.

Key Point #4

In order to make the best use of greenery and open space, it must be positively incorporated into a community's design.

KEY POINT #1:

Time spent in nature immediately adjacent to home helps people to relieve mental fatigue, reducing aggression.

The University of Illinois scientists have concluded that park-like surroundings increase neighborhood safety by relieving mental fatigue and feelings of violence and aggression that can occur as an outcome of fatigue. The three classic symptoms of mental fatigue are inattentiveness, irritability, and poor impulse control, each of which has been previously linked to aggression.

Time spent in nature relieves mental fatigue specifically by restoring directed attention capacity, which is the ability to concentrate and pay focused, effortful attention. Like a muscle, directed attention capacity fatigues with exertion (such as through working, studying, or driving in traffic) and recovers with rest. The sights and sounds of nature absorb individuals effortlessly, during which time concentration rests and renews.

In a study recently published in the *Journal of Environmental Psychology*, researchers looked at stress recovery and directed attention restoration in a group of young adults. Each subject was given an attentionally demanding task (driving to an unfamiliar site). Upon their arrival, subjects were split into two groups, with one group sitting in a room with tree views followed by a walk in a nature reserve, and the other group sitting in a viewless room and walking in an urban setting. Performance on an attentional test improved for the nature group. In addition, subjects in the nature group reported less anger and greater positive affect following the nature walk; the urban group had the opposite results.

When concentration is restored, so is the ability and willingness to handle tasks and problems thoughtfully and calmly. With convenient access to spaces that relieve mental fatigue and foster mental restoration, families and communities may become safer.

KEY POINT #2:

Green residential spaces are gathering places where neighbors form social ties that produce stronger, safer neighborhoods.

The University of Illinois researchers found that residents who live near outdoor greenery are more familiar with their nearby neighbors, socialized more with them, and expressed greater feelings of community and safety than did residents lacking nearby green spaces. Shade trees figured importantly in the use of outdoor spaces. The more trees existed in a space, the more heavily the space was used by people of all ages.

Green spaces are settings for frequent, informal interaction among neighbors that nurtures the formation of neighborhood social ties. Research has shown that these ties are the glue that transforms a collection of unrelated neighbors into a neighborhood. They are the heart of a neighborhood's strength. When ties are weak, people feel isolated and unsupported. When ties are strong, people feel empowered to help and protect each other.

The value of green space in prompting the formation of neighborhood ties is exemplified by redevelopment that occurred in the historic East Falls section of **Philadelphia** in the 1990s. The area surrounding the Chelsea apartments was converted from a scene dominated by factories and warehouses to a residential neighborhood replete with modest yet welcoming green spaces that gave residents a place in which to socialize (Rodriguez, 1996). Referring to the green space one resident said, "It's nice because often in an apartment community people don't have an opportunity to meet each other. The park gives us an outdoor area to enjoy together. It's really used a lot!"

Another vital green space within this community was converted from a driveway to a series of patios shaded by pear and birch trees. The patios lie between two buildings that were converted to townhouses. The space succeeds so well as a social catalyst that residents call it the Melrose walkway after the TV soap opera, *Melrose Place* (Rodriguez, 1996).

The conspicuous presence of people outdoors contributes further to safety by increasing surveillance, which discourages criminals. More people outdoors means that threatening behavior is more likely to be observed. At the same time, potential criminals are deterred by the sense that they are being noticed and watched.

KEY POINT #3:

Barren spaces are more frightening to people and are more crime prone than parks landscaped with greenery and open vistas.

Some community leaders are inhibited from proposing new parks or supporting existing ones out of concern that parks can be settings for crime and illegal activity. However, when properly planned, parks and greenways adjacent to residential areas may help to shield against crime.

The University of Illinois researchers tested the conventional wisdom that, in the inner city, barren spaces are safer than spaces with trees and greenery that could hide illicit activity. The study compared crime rates for inner-city apartment buildings with varying amounts of vegetation and found that the greener the surroundings, the fewer crimes occurred against people and property.

The scientists compared crime rates for apartment buildings with little or no vegetation to buildings with high levels of vegetation. They found that roughly half as many crimes (48 percent fewer property crimes and 56 percent fewer violent crimes) were reported in buildings with high amounts of vegetation. In addition, buildings with medium amounts of vegetation had 42 percent fewer total crimes (40 percent fewer property crimes and 44 percent fewer violent crimes) than did buildings with low levels of vegetation. Far from shielding criminals, nearby vegetation seems to shield against them.

These findings were consistent with prior studies that found that urban residents who live in green surroundings experience fewer quality-of-life crimes such as littering and graffiti, and fewer incivilities, such as noisy or disruptive neighbors. In other studies, people reported feeling safer in residential areas that contained greenery.

In **Providence, Rhode Island**, through the early 1990s city officials launched a tree-planting program that converted barren, unused open spaces into treed oases. As a result of their efforts, a number of the oases became gathering points for neighborhood recreational and social functions (Davis, 1992).

Researchers in **Austin, Texas**, used a geographic information system (GIS) to determine if there was a relationship between the greenness of various neighborhoods and their crime levels. They found that areas with less than the average amount of greenness had more crime. (aggie-horticulture.tamu.edu/syllabi/435/article.doc)

KEY POINT #4:

In order to make the best use of greenery and open space, it must be positively incorporated into a community's design.

New parks and open space should be developed within residential developments so that nature is close to home. It is critical that these spaces are carefully designed to support the activities for which they were intended; that requires that each space have an intended purpose. If the purpose of the space is to promote social interaction, it should be located where frequent, casual encounters by neighbors are likely to occur. In addition, shade trees are proven attractants for neighbors to mingle and form social ties.

If the intention of the park or open space is to promote restoration, areas that can be left green and pervious will help people relax and will reduce feelings that lead to aggression. While law enforcement officials have historically recommended removing vegetation to eliminate cover for criminal activity, vegetation that maintains visibility actually fosters feelings of safety. Widely spaced high-canopy trees, grass, flowers, and low-growing shrubs do not block views, and allow the user to become oriented to the setting. This understanding of one's surroundings is important in that letting down one's guard and becoming absorbed in the natural environment promotes restoration (Kaplan, 1998).

Where parks already exist, their maintenance is critical. A well-maintained park or open space sends a message that someone cares about it. In turn, the message that someone cares about the park helps create a perception of safety. The greater the perception of safety, the more likely the park will be used. In addition, maintenance programs that include participation by the users help establish a sense of ownership and promote stewardship of the space.

It is also critical that the community be included in planning and programming the open space. In **Macon, Georgia**, Mayor C. Jack Ellis, the Village Green community, and Village Hope, a nonprofit organization, worked together to use a CPF grant to revive the Village Green park as a crime prevention activity. The addition of a picnic shelter, tables, and grills, a new playground unit, new basketball goals, and park beautification efforts have increased park use by more than 25 percent. In addition, the parks and recreation department, along with the police athletic league, are sponsoring athletic programs in the park. Neighborhood watch groups are coordinating programs with the police precinct assigned to Village Green, and citizens are volunteering their time at the precinct to answer phones and do other needed tasks. Citizens now care more about their neighborhood, and incidents of crime or violence have dropped by more than 50 percent!

Resources

Along with the citations below, data for this briefing paper were drawn from the Coping with Poverty archive, a multi-study research project examining the effects of the physical environment on the functioning of individuals, families, and communities residing in urban public housing.

Davis, Norah Deakin. 1992. "The Providence Neighborhood Planting Program." *American Forests*, Volume 98, January/February.

Hartig, Terry, et al. 2003. "Tracking Restoration in Natural and Urban Field Settings." *Journal of Environmental Psychology*, Vol. 23, No. 2.

Kaplan, Kaplan, and Ryan. 1998. *With People in Mind—Design and Management of Everyday Nature*. Island Press.

Kuo, F.E., M. Bacaicoa, and W.C. Sullivan. 1998. "Transforming inner city landscapes: Trees, sense of safety, and preference." *Environment & Behavior*, 30(1), 28-59.

Kuo, F.E. and W.C. Sullivan. 2001. "Aggression and violence in the inner city: Impacts of environment via mental fatigue." *Environment & Behavior*, 33(4), 543-571.

Kuo, F.E. and W.C. Sullivan. 2001. "Environment and crime in the inner city: Does vegetation reduce crime?" *Environment & Behavior*, 33(3), 343-367.

Kuo, F.E., W.C. Sullivan, R.L. Coley, and L. Brunson. 1998. "Fertile ground for community: Inner city neighborhood common spaces." *American Journal of Community Psychology*, 26(6), 823-851.

Rodriguez, A. 1996. "Industrial strength." *Landscape Architecture*, 86(4), p.88-93, 102.

Taylor, A. Faber, A. Wiley, F.E. Kuo, and W.C. Sullivan. 1998. "Growing up in the inner city: Green spaces and places to grow." *Environment and Behavior*, 30(1), 2-27.

Of Special Note

All referenced University of Illinois studies were conducted at public housing developments in Chicago in which study participants had highly similar demographic characteristics and uniform apartments. The only factor that systematically differentiated participants was the amount of greenery outside of their apartments.

The USDA Forest Service Urban and Community Forestry Program supported much of the research noted in this briefing paper on the recommendation of the National Urban and Community Forestry Advisory Council. Findings do not necessarily reflect the views of the USDA Forest Service. The Cooperative State Research, Education and Extension Service, the U.S. Department of Agriculture, and the University of Illinois also provided research funding.

For more information on the work of the University of Illinois Human-Environment Research Laboratory, please go to www.herl.uiuc.edu or contact the University of Illinois at Urbana-Champaign, Human-Environment Research Laboratory, 1103 S. Dorner Dr., Urbana, IL 61801; phone (217) 333-1965.

The Human-Environment Research Laboratory of the University of Illinois at Urbana-Champaign is a multidisciplinary research laboratory dedicated to studying the relationships between people and the environments they inhabit. The mission of the lab is to generate information about human-environment relationships to guide policy, planning, and design of environments. The lab's scientists explore how to create environments in which individuals, families, and communities flourish, and how to better involve people in the design, management, and stewardship of their local environments.

City Parks Forum Briefing Papers

This is one in a continuing series of briefing papers on how cities can use parks to address urban challenges. We hope the information here helps you to create great urban parks in your city.

Please visit our website at www.planning.org/cpf to learn more about The City Parks Forum.



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Photo of Mercy-Bush Park Courtesy of Bob Weaver Photography.

- Strengths ▶
- Economics ▶
- Attachment & Engagement ▶
- Health & Safety ▶
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- and Risk ▶
- Wellness & Ecology ▶
- Crime & Therapy ▶
- Health & Nutrition ▶
- Learning ▶
- Equity & Gender

Crime & Public Safety

There are conflicting public attitudes about city trees and vegetation. On one hand, experiences in natural settings are believed to promote healing and renewal. Yet in urban settings the presence of vegetation is often implicated as a screen for criminal activity. This briefing summarizes the research findings on the relationship between urban vegetation and crimes, aggressive behavior, and safety. The science findings are not conclusive and may even seem inconsistent or conflicting, yet certain patterns and relationships appear across several studies.

Fast Facts

- There are, on average, about 3,800 crime victims per 100,000 population in the U.S. each year.¹
- Among minor crimes, there is less graffiti, vandalism, and littering in outdoor spaces with natural landscapes than in comparable plant-less spaces.⁴
- Public housing residents with nearby trees and natural landscapes reported 25% fewer acts of domestic aggression and violence.⁵
- Public housing buildings with greater amounts of vegetation had 52% fewer total crimes, 48% fewer property crimes, and 56% fewer violent crimes than buildings with low amounts of vegetation.²
- Studies of residential neighborhoods found that property crimes were less frequent when there were trees in the right-of-way, and more abundant vegetation around a house.^{6,7}
- In a study of community policing innovations, there was a 20% overall decrease in calls from the parts of town that received location-specific treatments. Cleaning up vacant lots was one of the most effective treatment strategies.¹²
- Vegetation can be managed to create a reassuring environment, reduce fear, and increase citizen surveillance and defensible space. Principles of Crime Prevention Through Environmental Design (CPTED) suggest how to achieve safer places.

Contents:

> [City Green & Crime](#) > [Crime Facts](#) * [Minor Crimes](#) * [Aggression and Violence](#) * [Serious Crimes](#) * [Community Policing](#) * [More Studies](#) > [Fear Factor](#) * [Views and Visibility](#) * [Manage for Crime Prevention](#) > [Being Mindful](#) * [Defensible Space and Territoriality](#) * [Surveillance](#) * [Community Cohesion](#) * [Mental Health](#) > [Conclusions](#) > [References](#)

cite: Wolf, K.L. 2010. *Crime and Fear - A Literature Review*. In: *Green Cities: Good Health* (www.greenhealth.washington.edu). College of the



street trees can be pruned for greater visibility on neighborhood streets



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Transforming Neighborhoods Through Parks

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This page provides more information about the redevelopment challenges in San Jose, CA profiled in our 2010 podcast series, [Rebuilding Healthier Neighborhoods](#).

Urban parks, playgrounds, and community gardens have many benefits. They fill the need for exercise, play, and contact with nature. They encourage residents to interact with one another and build "social capital," the connections, trust, and sense of community investment that make neighborhoods work. Parks can increase the value of nearby homes, and if they're safe and well maintained, they reduce crime in the area.

"Parks, when they're well done, have a real place-making effect," says Kip Harkness of [San Jose's redevelopment agency](#). "They're an essential component to creating neighborhood identity."

The proven benefit of parks

With obesity rates on the rise, parks are especially important for children and teenagers. A study in southern California found children living near parks had lower body mass indexes than those without easy access to parks. Other studies have found that access to parks and recreational programs increases children's level of physical activity and decreases the number of obese and overweight children.

Yet in many cities -- particularly in low-income and disadvantaged neighborhoods -- there is not enough parkland and open space to meet residents' needs. In Los Angeles, for example, predominantly white neighborhoods have nearly 20 times more park space per person than African-American neighborhoods, and more than 50 times more than Latino neighborhoods. A park's accessibility depends on not just its size and location, but also its design, operating hours, safety, usability for people with special needs, and proximity to public transportation.

Creating and revitalizing parks is one way redevelopment agencies can improve public health and quality of life. California's [Community Redevelopment Law](#) allows redevelopment agencies to buy land and to construct parks so long as three conditions are met: The park has to benefit the project area or its immediate neighborhood; funding can't be available from other sources; and the park will help alleviate blight.

At a time when nearly all local governments are strapped for cash, many redevelopment agencies still have the funds to build parks. How? Because redevelopment agencies pay for parks by issuing bonds, which are repaid through the increase in property taxes collected in the redevelopment area (this is called tax increment financing).

Parks themselves don't generate tax income, so redevelopment agencies may find parks less appealing than more lucrative developments such as stadiums or shopping centers. Public health professionals and other advocates can lobby redevelopment officials to prioritize parks by highlighting how parks decrease crime and raise the value of nearby properties. Advocates can also help redevelopment agencies access other sources of funding to construct and maintain parks.

The Selma Olinder park story

The San Jose Redevelopment Agency created the 14-acre Selma Olinder park with funding from 16 different sources. The impetus for building the park came from nearby residents, who had significant input in the design process.

Since it opened in 2005, the park has transformed the neighborhood. On most days, it is bustling with people playing soccer and baseball on its fields, using the playground, walking dogs, strolling on its trails, and socializing. Having more residents outside, interacting with one another, lowered crime rates in the surrounding neighborhood.

"That's the whole concept: you activate a public space and the crime goes down, because people don't typically commit crimes in front of each other," says Paul Pereira, neighborhood team manager for the [Strong Neighborhoods Initiative](#), a redevelopment agency program that helps residents form coalitions and prioritize revitalization projects. The success of Selma Olinder park is a reminder of how redevelopment agencies can use parks to improve a neighborhood's quality of life.

**Amendments to SMC 11.19
Flood Damage Prevention Ordinance
971.00.15-12 Environmental Review**

List of Exhibits

<u>Exhibit</u>		<u>Page</u>
1	January 12, 2016 staff report w attachments	
2	Planning Commission Findings & Conclusions (draft)	
3	October 14, 2015 letter from Dept of Ecology re: community assistance visit	
4	Washington State Model Ordinance (Evaluation Sheet)	
5	Determination of Nonsignificance	
6	SEPA environmental checklist	
7	Public Notice	
8	Affidavit of Publication	

CITY OF SELAH PLANNING COMMISSION

STAFF REPORT

January 12, 2016

PROPOSAL: The proposal is to make minor amendments to SMC 11.19, the Flood Damage Prevention Ordinance. The following amendments are proposed:

- a. Amend the definition of "Administrative Official" to designate the City's building official rather than the Mayor or designee;
- b. Make two amendments to SMC 11.19.060 and 11.19.070 that were recommended by the Department of Ecology to bring the regulations into conformance with State law. Both amendments primarily involve development in the floodway.
- c. Amend the wording of SMC 11.19.060 and 11.19.070 for clarity and consistency with Model Flood Hazard Ordinance language. These are the two sections otherwise being proposed for amendment.

The amendments were initiated by recommendations made to the City by the Department of Ecology as a part of a Community Assistance Visit. These visits are conducted as a part of the National Flood Insurance Program and are to ensure that flood insurance continues to be available in the City. The remaining amendments were added in order for them to be considered at the same time. They are not required by FEMA or the State and should not jeopardize continued participation in the flood insurance program, except to the extent that any misinterpretation may result in the ordinance not being applied correctly.

CURRENT CODE PROVISIONS & PROPOSED AMENDMENTS:

SMC 11.19.020: Currently the code definition of "Administrative official" means the mayor of the City of Selah, or the mayor's designee. The proposed amendment would name the City's building official as the administrative official. This is not a requirement of State or Federal law, but it would clarify who the responsible official should be. The building official is typically the person responsible for administering flood hazard regulations, and since they substantially consist of structural requirements for buildings, is typically the person most qualified to do so.

SMC 11.19.060: These are general standards that apply to all areas of special flood hazard (i.e., 100-year floodplain and floodway). The amendment requested by Department of Ecology is to require water wells to be located on high ground and not in the floodway. This is required by WAC 173-160-171; the amendment would bring the local code into consistency.

The other amendment to SMC 11.19.060 is to correct a grammatical (or spelling) error by replacing the word “minimum” with “minimize”

SMC 11.19.070: The Flood Damage Prevention Ordinance restricts development in designated floodways, especially residential development. SMC 11.19.070(c) prohibits the construction or reconstruction of residential structures in the floodway, but makes exceptions for existing buildings, one of which is to allow repairs, reconstruction or improvements that don’t exceed 50% of the market value of the structure. Currently this allows work that is done on structures in order to comply with existing health, sanitary or safety codes to be excluded from the calculation, so that it would be allowable even if it were to bring the total cost to more than 50% of market value. As recommended by the Department of Ecology, and in order to bring the code into consistency with WAC 173-158-070, this section would be amended to further limit this exception to work done to correct violations of state or local code specifications identified by the local code enforcement official and that are the minimum necessary to assure safe living conditions.

Other amendments to SMC 11.19.070 include adding the word “increase” to erosion potential and eliminating a redundant usage of the word “repair”. These are clarifications in language and not substantive changes in code requirements.

BACKGROUND & HISTORY: The Flood Damage Prevention Ordinance was first adopted by the City in 1987; the sections that are the subject of the proposed amendments were amended subsequently in 1989, 1998 and 2003. The specifics of those past amendments were not determined for this report.

The Flood Damage Prevention Ordinance is part of the City’s implementation of the National Flood Insurance Program (NFIP) under which flood insurance is made available to property owners in the City. The City is required to adopt regulations that limit development in designated areas at risk of flooding and to require construction standards on the development that is permitted. Both of the proposed amendments are from State law, not required under Federal standards but endorsed by FEMA (the federal agency responsible for administration of the National Flood Insurance Program).

ENVIRONMENTAL REVIEW: A Determination of Nonsignificance (DNS) (971.00.15-12) was issued on December 18, 2015. No public or agency comments were received.

COMPREHENSIVE PLAN: The following goals and policies of the Comprehensive Plan are relevant to the proposed amendments and generally support them:

Objective LUGM 4: Assure that land use policies and patterns adequately protect and preserve resource lands, critical areas, water supplies, water bodies and other significant areas.

Policy LUGM 4.4: Continue to upgrade and refine City regulations to protect wetlands, aquifer recharge areas, frequently flooded areas, seismic hazard areas, steep slopes, agricultural areas and anadromous fish habitat from incompatible levels or types of development in accordance with the Washington Growth Management Act.

Natural Environment Goal: Respect the floodplain.

Policy ENV 1.4: Only developments which respect the floodplain and meet appropriate local, state and federal requirements will be allowed in the 100-year floodplain.

Objective ENV 3: Maintain and manage the quality of surface and groundwater resources as near as possible to their natural condition and in compliance with state water quality standards.

Policy ENV 3.8: Participate in water quality improvement planning and implementation efforts by local, regional, state, federal and tribal agencies.

Policy ENV 4.2: Integrate environmental considerations into all planning efforts and comply with all state and federally mandated environmental legislation.

ISSUES: Selah has relatively little designated 100-year floodplain in its City limits and urban growth area and very little floodway. All of these areas are along the Yakima and Naches Rivers and are subject to the Shoreline Management Act. The floodplain areas are along the Naches River along the south boundary of the city limits – an area that is essentially undevelopable due to steep slopes and inaccessibility; in the southeast part of the City in an area dominated by golf courses, but also including some industrial and rural residential lands; and finally outside of the City limits but in the urban growth area where the Harrison Road bridge crosses the Yakima River. This area includes mostly undeveloped residential and industrial land but also the Tree Top industrial sprayfield and some agriculture.

In addition to there being little developable land in flood hazard areas, there are also very few land uses including residences in the City or its urban growth area that would be subject to these requirements. In fact it appears that there is currently only one residence in the floodway. Since new residential uses are prohibited under the NFIP, this should not change. Consequently these State required amendments would be expected to have little if any affect on the City or its residents. The only potential changes to these circumstances would be if future changes in the urban growth area included new floodplain and floodway areas or if new flood studies resulted in changes to the boundaries of existing flood hazard areas. Both scenarios are possible, but neither is expected at this time.

The regulations subject to these amendments are limited to areas in the City limits only, although they would be extended to other areas in the future if they were annexed.

RECOMMENDATION: Staff recommends **APPROVAL** of the all of the proposed amendment changes for the following reasons:

1. The two changes recommended by the Department of Ecology are required under State law and further supports the City's conformance with the National Flood Insurance Program.
2. The two recommended changes are either in effect now in areas of the urban growth area that are under Yakima County jurisdiction or if not in effect, it is expected that the County would be requested to include them in the same manner as the City. Either way there should be no change in requirements at the time of annexation.

3. The two recommended changes have little impact on the City since they apply primarily to designated floodway areas, which in Selah and its urban growth area are mostly undeveloped and in which new residential development would not be allowed.
4. The remaining amendments recommended by staff are not substantive and are intended to clarify existing requirements, except for the change in designation of the administrative official which would more clearly identify the person who is most qualified and responsible for administration of the code.

Attachments:

Proposed Amendments – Summary

Proposed Amendments – Text

PROPOSED AMENDMENTS – SUMMARY

1. **SMC 11.19.020**, amend the definition of “Administrative official” to designate the City’s building official, rather than the Mayor or designee.
2. **SMC 11.19.060(c)(1)**, correct a spelling or grammatical error in the current code: “minimum” should be “minimize”.
3. **SMC 11.19.060(c)(4)**, add new requirement to prohibit water wells in the floodway and require them to be located on high ground. This is as recommended by the Department of Ecology as part of a Community Assistance Visit and is to bring the regulations into conformance with State law.
4. **SMC 11.19.070**, add the word “increase” for clarity and consistency with the language in the model flood hazard ordinance.
5. **SMC 11.19.070(c)(2)(a)**, revise for clarity and consistency with the model flood hazard ordinance by eliminating redundant use of the word “repair”.
6. **SMC 11.19.070(c)**, amend and clarify that work done on residential structures in the floodway that may be excluded from the fifty percent of the market value of the structure must be to correct violations of state or local health, sanitation or safety codes specifications which have been identified by the local code enforcement official and they are the minimum necessary to assure safe living conditions. This is as recommended by the Department of Ecology as part of a Community Assistance Visit and is to bring the regulations into conformance with State law.

PROPOSED AMENDMENTS – TEXT

11.19.020 – Definitions.

“Administrative official” means the ~~mayor of the city of Selah, or the mayor’s designee,~~ **Building Official** shall serve as administrator of this chapter.

11.19.060 – General Standards

In all areas of special flood hazards the following standards are required:

(c) Utilities.

- (1) All new and replacement water supply systems shall be designed to ~~minimum~~ **minimize** or eliminate infiltration of floodwaters into the systems;
- (2) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters; and
- (3) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.
- (4) **Water wells shall be located on high ground that is not in the floodway.**

11.19.070 – Floodways.

Located within areas of special flood hazard established in Section 11.19.030(b) of this chapter are areas designated as floodways. Floodways are an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles and **increase** erosion potential, the following provisions apply:

- (c) Construction or reconstruction of residential structures is prohibited within designated floodways, except for:
 - (1) Repairs, reconstruction, or improvements to a structure which do not increase the ground floor areas; and
 - (2) Repairs, reconstruction or improvements to a structure, the cost of which does not exceed fifty percent of the market value of the structure either:
 - (A) Before the repair, ~~or reconstruction, or repair~~ is started, or
 - (B) If the structure has been damaged, and is being restored, before the damage occurred.

Work done on structures to ~~comply with~~ **correct** existing **violations of state or local** health, sanitary or safety codes **specifications which have been identified by the local**

code enforcement official and which are the minimum necessary to assure safe living conditions, or to structures identified as historical places may be excluded from the fifty percent.

RECOMMENDED FINDINGS AND CONCLUSIONS
Code Amendments SMC Chapter 11.19
Flood Damage Prevention Ordinance

January 19, 2016

This matter having come on for public hearing before the Selah Planning Commission on January 19, 2016 for the purpose of considering amendments to Chapter 11.19, Selah Municipal Code initiated by the City of Selah and including recommendations by the Washington Department of Ecology (Ecology) to amend the definition of "Administrative Official" (SMC 11.19.020), amend SMC 11.19.060 and 11.19.070 as recommended by Ecology and to include wording changes for clarity and consistency with Model Flood Hazard Ordinance language.

Members of the Commission present at the public hearing were _____.

Legal notification pursuant to Selah Municipal Code was given on December 18, 2015. All persons were given the opportunity to speak for or against the proposed code amendments.

1. The Commission adopts the staff findings and report as to the existing use, zoning and future land use designation of the properties that are subject to these amendments.
2. Owners of lands potentially affected by the proposed amendments expressed Approval / Disapproval.
3. The majority of comments received were in favor of / opposition to the amendments.
4. The Planning Commission adopts the following findings from the January 12, 2016 staff report:
 - a. The two changes recommended by the Department of Ecology are required under State law and further support the City's conformance with the National Flood Insurance Program.
 - b. The two recommended changes are either in effect now in areas of the urban growth area that are under Yakima County jurisdiction or if not in effect, it is expected that the County would be requested to include them in the same manner as the City. Either way, there should be no change in requirements at the time of annexation.
 - c. The two recommended changes have little impact on the City since they apply primarily to designated floodway areas, which in Selah and its urban growth area

are mostly undeveloped and in which new residential development would not be allowed.

- d. The remaining amendments recommended by staff are not substantive and are intended to clarify existing requirements, except for the change in designation of the administrative official which would more clearly identify the person who is most qualified and responsible for administration of the code.
5. Additional findings adopted by the Commission based on testimony at the public hearing and additional information from interested agencies and departments:
 6. The Commission finds that the present and future needs of the community will be adequately served and the community as a whole will benefit rather than being injured by the proposal.
 7. Environmental Review has been completed, a Determination of Nonsignificance was issued and the Commission is satisfied that environmental review was completed in compliance with Selah Municipal Code Chapter 11.40.
 8. The Commission determines that findings _____ to be the controlling factors in its deliberations.

DECISION

The Commission, based on these findings, conclusions and controlling factors finds that the proposed amendments of Chapter 11.19 Selah Municipal Code, Flood Damage Prevention Ordinance should be adopted.

Motion to Approve/Deny by: _____ Second by _____ Vote _____



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

October 14, 2015

Mayor John Gawlik
City of Selah
115 W. Naches Avenue
Selah, WA 98942

Dear Mayor Gawlik:

I appreciated the opportunity to meet with City of Selah staff on August 25, 2015, to discuss the city's participation in the National Flood Insurance Program (NFIP). Called a Community Assistance Visit (CAV), the meeting was conducted with Don Wayman, Joe Henne, Tom Durant, and Cindy Graziano.

The primary purpose of a CAV is to review the community's procedures for administering and enforcing your flood hazard reduction ordinance. Continued enforcement enables the U.S. Department of Homeland Security's Federal Emergency Management Agency (FEMA) to continue allowing flood insurance to be sold in the community. Other purposes of these visits are to provide the community with the most current information on the NFIP regulations and to give local staff an opportunity to raise questions or issues regarding floodplain management. This letter summarizes the findings and discussions from our meeting and any steps necessary for continued NFIP compliance.

Our visit was very productive. Your staff responsible for development in the Special Flood Hazard Area is clearly knowledgeable of the program and the procedures for the city and administers an effective floodplain management program. In particular, Joe Henne has an excellent understanding of important floodplain management concepts in the NFIP and state regulations.

Floodplain Ordinance. Our review of the City's ordinance concluded that the following revisions are required to bring it up to date with the current FEMA Model Ordinance for Washington State:

- 11.19.060 – *General Standards, (c) - Utilities:*
 - Add the following: “(4) Water wells shall be located on high ground that is not in the floodway” per WAC 173-160-171
- 11.19.070(c) – *Floodways:*



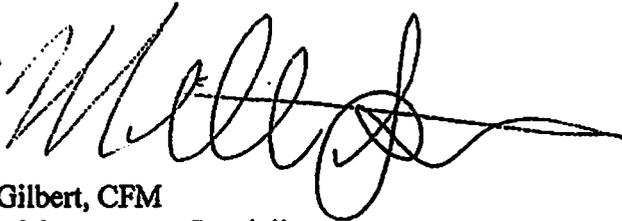
Mayor John Gawlik
City of Selah
Page 2 of 2
October 13, 2015

- o *Add the following:* "Work done on structures to ~~comply with~~ correct existing violations of state or local health, sanitary, or safety codes specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or to structures identified as historical places, may be excluded from the fifty percent."

Floodplain Development. We reviewed the procedures used by the city to address development in the Special Flood Hazard Area, but did not review any specific cases, as there were no reported instances of development within the Special Flood Hazard Area since the previous CAV.

Please respond with the timeline for updating your ordinance. Also, after your ordinance is amended and adopted by the city please send me a signed copy, and then we can officially close this CAV. If there are any questions or if more time is needed to respond to certain items, please feel free to contact me at (509) 457-7139 or michelle.gilbert@ecy.wa.gov.

Sincerely,



Michelle Gilbert, CFM
Floodplain Management Specialist

cc: Donald Wayman, City of Selah
Karen Wood-McGuinness, FEMA Region X
David Radabaugh, WA Department of Ecology

Washington State Model Ordinance (Evaluation Sheet)

Locality _____

Reviewer's Name _____

Ordinance No _____

Date _____

Ordinance Date _____

CRITERIA & MODEL ORDINANCE REFERENCE	A	B	C	D	E	FEDERAL REGULATION REFERENCE
<p>1 MODEL ORDINANCE 3.2 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD</p> <p>The areas of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled "The Flood Insurance Study for (<u>community name</u>)" dated (<u> </u>), (20<u> </u>), and any revisions thereto*, with an accompanying Flood Insurance Rate Map (FIRM), and any revisions thereto*, are hereby adopted by reference and declared to be a part of this ordinance. The Flood Insurance Study and the FIRM are on file at (<u>community address</u>). The best available information for flood hazard area identification as outlined in Section 4.3-2 shall be the basis for regulation until a new FIRM is issued that incorporates data utilized under Section 4.3-2.</p> <p><i>* In some communities, the phrase "and any revisions thereto" is not considered legally binding and should not be adopted.</i></p>						<i>44 CFR 60.3(c)(1)d)(2)</i>
<p>2 MODEL ORDINANCE 4.1-1 DEVELOPMENT PERMIT REQUIRED</p> <p>A development permit shall be obtained before construction or development begins within any area of special flood hazard established in Section 3.2. The permit shall be for all structures including manufactured homes, as set forth in the "Definitions," and for all development including fill and other activities, also as set forth in the "Definitions."</p>						<i>44 CFR 60.3(b)(1)</i>
<p>3 MODEL ORDINANCE 4.3-1(2) PERMIT REVIEW</p> <p>Review all development permits to determine that all necessary permits have been obtained from those Federal, State, or local governmental agencies from which prior approval is required.</p>						<i>44 CFR 60.3(a)(2)</i>
<p>4 MODEL ORDINANCE 4.3-2 USE OF OTHER BASE FLOOD DATA</p> <p>When base flood elevation data has not been provided (in A or V Zones) in accordance with Section 3.2, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD, the (<i>Local Administrator</i>) shall obtain, review, and reasonably utilize any base flood elevation and floodway data available</p>						<i>44 CFR 60.3(b)(4)</i>

- A = Flood Hazard Boundary Map
- B = Flood Insurance Rate Map without elevation
- C = Flood Insurance Rate Map with base flood elevations
- D = Flood Insurance Rate Map with floodways
- E = Flood Insurance Rate Map with floodways and V zones

OK...(√) No...(N) Other...(X) and explain

9B	<p>MODEL ORDINANCE 5.1-1(2) ANCHORING</p> <p>All manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors. <i>For more detailed information, refer to guidebook, FEMA-85, "Manufactured Home Installation in Flood Hazard Areas."</i></p>								44 CFR 60.3(b)(8)
9D	<p>MODEL ORDINANCE 5.1-2(1) CONSTRUCTION MATERIALS AND METHODS</p> <p>All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.</p>								44 CFR 60.3(a)(3)(ii)
9E	<p>MODEL ORDINANCE 5.1-2(2) CONSTRUCTION MATERIALS AND METHODS</p> <p>All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.</p>								44 CFR 60.3(a)(3)(iii)
9F	<p>MODEL ORDINANCE 5.1-2(3) CONSTRUCTION MATERIALS AND METHODS</p> <p>Electrical, heating, ventilation, plumbing, and air-conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding.</p>								44 CFR 60.3(a)(3)(iv)
10	<p>MODEL ORDINANCE 5.1-3(1), (2), (3), AND (4) UTILITIES</p> <p>(1) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the systems;</p> <p>(2) Water wells shall be located on high ground that is not in the floodway*</p> <p>(3) New and replacement sanitary sewerage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters; and</p> <p>(4) Onsite waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.</p> <p>* FEMA endorses the more restrictive WA floodway standard identified in WAC 173-160-171</p>								44 CFR 60.3(a)(5) WAC 173-160-171 44 CFR 60.3(a)(6)(i) 44CFR 60.3(a)(6)(ii)
11	<p>MODEL ORDINANCE 5.1-4 SUBDIVISION PROPOSALS</p> <p>(1) All subdivision proposals shall be consistent with the need to minimize flood damage;</p> <p>(2) All subdivision proposals shall have public utilities and facilities, such as sewer, gas, electrical, and water systems located and constructed to minimize or eliminate flood</p>								44 CFR 60.3(a)(4)(b)(3) 44 CFR 60.3(a)(4)(i)

A = Flood Hazard Boundary Map
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 D = Flood Insurance Rate Map with floodways
 E = Flood Insurance Rate Map with floodways and V zones

OK...(√) No...(N) Other...(X) and explain

	<p>damage;</p> <p>(3) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage;</p> <p>(4) Where base flood elevation data has not been provided or is not available from another authorized source, it shall be generated for subdivision proposals and other proposed developments which contain at least 50 lots or 5 acres (whichever is less).</p>					<p>44 CFR 60.3(a)(4)(iii)</p> <p>44 CFR 60.3(b)(3)</p>
12	<p>MODEL ORDINANCE 5.1-5 REVIEW OF BUILDING PERMITS</p> <p>Where elevation data is not available either through the Flood Insurance Study, FIRM, or from another authoritative source (Section 4.3-2), applications for building permits shall be reviewed to assure that proposed construction will be <i>reasonably safe from flooding</i>. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available. Failure to elevate at least two feet above the highest adjacent grade in these zones may result in higher insurance rates.</p>					44 CFR 60.3(a)(3)
13	<p>MODEL ORDINANCE 5.2 SPECIFIC STANDARDS</p> <p>In all areas of special flood hazards where base flood elevation data has been provided as set forth in Section 3.2, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD, or Section 4.3-2, USE OF OTHER BASE FLOOD DATA, the following provisions are required:</p> <p><i>* Additional standards were clarified in FEMA Technical Bulletin 11-01, "Crawlspace Construction for Buildings Located in Special Flood Hazard Areas"</i></p>					<p>44 CFR 60.3(c)(1)</p> <p>OPTIONAL PROVISIONS</p>
14	<p>MODEL ORDINANCE 5.2-1 RESIDENTIAL CONSTRUCTION</p> <p>(1) New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated one foot or more* above the base flood elevation (BFE).</p> <p><i>* Minimum standards require the lowest floor to be elevated "to or above" the BFE; however, adding an additional foot of freeboard increases safety and reduces insurance premiums and its adoption is strongly encouraged by FEMA. This note applies throughout the model ordinance.</i></p> <p>(2) Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:</p> <p>(i) A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.</p>					<p>44 CFR 60.3(c)(2)</p> <p>44 CFR 60.3(c)(5)</p>

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OK...(√) No...(N) Other...(X) and explain

	<p>(ii) The bottom of all openings shall be no higher than one foot above grade.</p> <p>(iii) Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.</p>				
15	<p>MODEL ORDINANCE 5.2-2 NONRESIDENTIAL CONSTRUCTION</p> <p>New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated one foot or more* above the base flood elevation; or, together with attendant utility and sanitary facilities, shall:</p> <p>(1) Be floodproofed so that below one foot or more above the base flood level of the structure is watertight with walls substantially impermeable to the passage of water;</p> <p>(2) Have structural components capable of resisting hydrostatic and hydrodynamic loads including the effects of buoyancy</p> <p>(3) Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the official as set forth in Section 4.3-3(2);</p> <p>(4) Nonresidential structures that are elevated, not floodproofed, must meet the same standards for space below the lowest floor as described in 5.2-1(2);</p> <p>(5) Applicants who are floodproofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one foot below the floodproofed level (e.g. a building floodproofed to the base flood level will be rated as one foot below).</p>				<p>44 CFR 60.3(c)(3)(i)</p> <p>44 CFR 60.3(c)(3)(ii)</p> <p>44 CFR 60.3(c)(4)(i)</p> <p>44 CFR 60.3(c)(5)</p> <p><i>This bullet is not required per 44 CFR but it is recommended</i></p>
16	<p>MODEL ORDINANCE 5.2-3 MANUFACTURED HOMES</p> <p>(1) All manufactured homes to be placed or substantially improved on sites shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated one foot or more above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement*.</p> <p>* If this phrase is applied to all manufactured homes in the floodplain, then the remaining verbiage is not necessary to adopt.</p> <p>This applies to manufactured homes:</p> <p>(i) Outside of a manufactured home park or subdivision,</p> <p>(ii) In a new manufactured home park or subdivision,</p> <p>(iii) In an expansion to an existing manufactured home park or subdivision, or</p> <p>(iv) In an existing manufactured home park or subdivision on a</p>				<p>44 CFR 60.3(c)(6)</p> <p>44 CFR 60.3(c)(6)(i)</p> <p>44 CFR 60.3(c)(6)(ii)</p> <p>44 CFR 60.3(c)(6)(iii)</p> <p>44 CFR 60.3(c)(6)(iv)</p>

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OK...(√) No...(N) Other...(X) and explain

	<p>site which a manufactured home has incurred "substantial damage" as the result of a flood; and</p> <p>(2) Manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision that are not subject to the above manufactured home provisions be elevated so that either:</p> <p>(i) The lowest floor of the manufactured home is elevated one foot or more* above the base flood elevation, or</p> <p>(ii) The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.</p>				<p>44 CFR 60.3(c)(12)</p> <p>44 CFR 60.3(c)(12)(i)</p> <p>44 CFR 60.3(c)(12)(ii)</p>
17	<p>MODEL ORDINANCE 5-2-4 RECREATIONAL VEHICLES</p> <p>Recreational vehicles placed on sites are required to either:</p> <p>(i) Be on the site for fewer than 180 consecutive days, (or)</p> <p>(ii) Be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and have no permanently attached additions; or</p> <p>(iii) Meet the requirements of 5.2-3 above and the elevation and anchoring requirements for manufactured homes.</p>				44 CFR 60.3(c)(14)(i-iii)
18	<p>MODEL ORDINANCE 5.3 AE AND A1-30 ZONES WITH BASE FLOOD ELEVATIONS BUT NO FLOODWAYS</p> <p>In areas with base flood elevations (but a regulatory floodway has not been designated), no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.</p>				44 CFR 60.3(c)(10)
19	<p>MODEL ORDINANCE 5.4 FLOODWAYS</p> <p>Located within areas of special flood hazard established in Section 3.2 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters that can carry debris, and increase erosion potential, the following provisions apply:</p> <p>(1) Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless certification by a registered professional engineer is provided demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels during the occurrence of the base flood discharge.</p> <p>(2) Construction or reconstruction of residential structures is</p>				<p>44 CFR 60.3(d)</p> <p>44 CFR 60.3(d)(3)</p> <p>WAC 173-158-070</p>

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OK...(√) No...(N) Other...(X) and explain

	<p>prohibited within designated floodways*, except for (i) repairs, reconstruction, or improvements to a structure which do not increase the ground floor area; and (ii) repairs, reconstruction or improvements to a structure, the cost of which does not exceed 50 percent of the market value of the structure either, (A) before the repair, or reconstruction is started, or (B) if the structure has been damaged, and is being restored, before the damage occurred. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or to structures identified as historic places, may be excluded in the 50 percent.</p> <p>* FEMA endorses the more restrictive WA floodway standard adopted in WAC 173-158-070.</p> <p>(3) If Section 5.4(1) is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Section 5.0, PROVISIONS FOR FLOOD HAZARD REDUCTION.</p>			
20	<p>MODEL ORDINANCE 5.7 CRITICAL FACILITY</p> <p>Construction of new critical facilities shall be, to the extent possible, located outside the limits of the Special Flood Hazard Area (SFHA) (100-year floodplain). Construction of new critical facilities shall be permissible within the SFHA if no feasible alternative site is available. Critical facilities constructed within the SFHA shall have the lowest floor elevated three feet above BFE or to the height of the 500-year flood, whichever is higher. Access to and from the critical facility should also be protected to the height utilized above. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters. Access routes elevated to or above the level of the base flood elevation shall be provided to all critical facilities to the extent possible.</p>			<p><i>Not mandatory to adopt</i></p>

**APPENDIX A: COMMUNITIES WITH SHALLOW FLOODING
IDENTIFIED AS AO ZONES ON FLOOD INSURANCE RATE MAPS (FIRM)**

CRITERIA & MODEL ORDINANCE REFERENCE	A	B	C	D	E	FEDERAL REGULATION REFERENCE
<p>21 MODEL ORDINANCE 5.5 STANDARDS FOR SHALLOW FLOODING AREAS (AO ZONES)</p> <p>Shallow flooding areas appear on FIRMs as AO zones with depth designations. The base flood depths in these zones range from 1 to 3 feet above ground where a clearly defined channel does not exist, or where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is usually characterized as sheet flow. In these areas, the following provisions apply:</p> <p>(1) New construction and substantial improvements of residential structures and manufactured homes within AO zones shall have the lowest floor (including basement) elevated above the highest adjacent grade to the structure, one foot or more above* the depth number specified in feet on the community's FIRM (at least two feet above the highest adjacent grade to the structure if no depth number is specified).</p> <p>(2) New construction and substantial improvements of nonresidential structures within AO zones shall either:</p> <p>(i) Have the lowest floor (including basement) elevated above the highest adjacent grade of the building site, one foot or more above the depth number specified on the FIRM (at least two feet if no depth number is specified); or</p> <p>(ii) Together with attendant utility and sanitary facilities, be completely flood proofed to or above that level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. If this method is used, compliance shall be certified by a registered professional engineer, or architect as in section 5.2-2(3).</p> <p>(3) Require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.</p> <p>(4) Recreational vehicles placed on sites within AO Zones on the community's FIRM either:</p> <p>(i) Be on the site for fewer than 180 consecutive days, or</p> <p>(ii) Be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or</p> <p>(iii) Meet the requirements of 5.5(1) and 5.5(3) above and the anchoring requirements for manufactured homes (Section 5.1-1(2)).</p>						<p><i>44 CFR 60.3(c)(7)</i></p> <p><i>44 CFR 60.3(c)(7)</i></p> <p><i>44 CFR 60.3(c)(8)</i></p> <p><i>44 CFR 60.3(c)(8)(ii)</i></p> <p><i>44 CFR 60.3(c)(11)</i></p>

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OK...(√) No...(N) Other...(X) and explain

**APPENDIX B: COMMUNITIES WITH COASTAL VELOCITY (V ZONES)
PRESENT ON FIRM AND AN ORDINANCE COMPLIANT WITH 44 60.3(E)**

CRITERIA & MODEL ORDINANCE REFERENCE	E	FEDERAL REGULATION REFERENCE
<p>22 MODEL ORDINANCE 5.6 COASTAL HIGH HAZARD AREAS</p> <p>Located within areas of special flood hazard established in Section 3.2 are Coastal High Hazard Areas, designated as Zones V1-30, VE and/or V. These areas have special flood hazards associated with high velocity waters from surges and, therefore, in addition to meeting all provisions in this ordinance, the following provisions shall also apply:</p> <p>1) All new construction and substantial improvements in Zones V1-30 and VE (V if base flood elevation data is available) on the community's FIRM shall be elevated on pilings and columns so that:</p> <p>i) The bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated one foot or more above the base flood level; and</p> <p>ii) The pile or column foundation and structure attached thereto is anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Wind and water loading values shall each have a one percent chance of being equaled or exceeded in any given year (100-year mean recurrence interval).</p> <p>A registered professional engineer or architect shall develop or review the structural design, specifications and plans for the construction, and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of Section 5.6(1)(i) and (ii).</p> <p>2) Obtain the elevation (in relation to mean sea level) of the bottom of the lowest structural member of the lowest floor (excluding pilings and columns) of all new and substantially improved structures in Zones V1-30, VE, and V on the community's FIRM and whether or not such structures contain a basement. The <i>(Local Administrator)</i> shall maintain a record of all such information.</p> <p>3) All new construction within Zones V1-30, VE, and V on the community's FIRM shall be located landward of the reach of mean high tide.</p> <p>4) Provide that all new construction and substantial improvements within Zones V1-30, VE, and V on the community's FIRM have the space below the lowest floor either free of obstruction or constructed with non-supporting breakaway walls, open wood lattice-work, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system. For the purposes of this section, a breakaway wall shall have a design safe loading resistance of not less than 10 and no</p>		<p>44 CFR 60.3(e)</p> <p>44 CFR 60.3(e)(4)</p> <p>44 CFR 60.3(e)(4)(i)</p> <p>44 CFR 60.3(e)(4)(ii)</p> <p>44CFR 60.3(e)(2)</p> <p>44 CFR 60.3(e)(3)</p> <p>44 CFR 60.3(e)(5)</p> <p>44 CFR 60.3(e)(5)(i)</p>

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OK...(✓) No...(N) Other...(X) and explain

Revised May 2004

<p>more than 20 pounds per square foot. Use of breakaway walls which exceed a design safe loading resistance of 20 pounds per square foot (either by design or when so required by local or State codes) may be permitted only if a registered professional engineer or architect certifies that the design proposed meets the following conditions:</p> <p>i) Breakaway wall collapse shall result from water load less than that which would occur during the base flood; and</p> <p>ii) The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and non-structural). Maximum wind and water loading values to be used in this determination shall each have a one percent chance of being equaled or exceeded in any given year (100-year mean recurrence interval).</p> <p>If breakaway walls are utilized, such enclosed space shall be useable solely for parking of vehicles, building access, or storage. Such space shall not be used for human habitation.</p> <p>5) Prohibit the use of fill for structural support of buildings within Zones V1-30, VE, and V on the community's FIRM.</p> <p>6) Prohibit man-made alteration of sand dunes within Zones V1-30, VE, and V on the community's FIRM which would increase potential flood damage.</p> <p>7) All manufactured homes to be placed or substantially improved within Zones V1-30, V, and VE on the community's FIRM on sites:</p> <p>i) Outside of a manufactured home park or subdivision,</p> <p>ii) In a new manufactured home park or subdivision,</p> <p>iii) In an expansion to an existing manufactured home park or subdivision, or</p> <p>iv) In an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood;</p> <p>shall meet the standards of paragraphs 5.6(1) through (6) of this section and manufactured homes placed or substantially improved on other sites in an existing manufactured home park or subdivision within Zones V1-30, V, and VE on the FIRM shall meet the requirements of Section 5.2-3(2).</p> <p>8) Recreational vehicles placed on sites within Zones V1-30, V, and VE on the community's FIRM either:</p> <p>i) Be on the site for fewer than 180 consecutive days, or</p> <p>ii) Be fully licensed and ready for highway use, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and have no permanently attached additions; or</p> <p>iii) Meet the requirements of Section 4.1-1 (<i>development permit Required</i>) and paragraphs 5.6(1) through (6) of this section.</p>	<p>44 CFR 60.3(e)(6)</p> <p>44 CFR 60.3(e)(7)</p> <p>44 CFR 60.3(e)(8)(i-iv)</p> <p>44 CFR 60.3(e)(9)(i-iii)</p>
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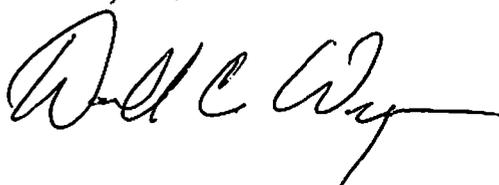
OK...(√) No...(N) Other...(X) and explain

Determination of Nonsignificance

1. **Description of Proposal:** Amend Title 11; Chapter 11.19 Selah Municipal Code (Flood Damage Prevention Ordinance) include non-substantive wording changes for clarity, designate the Building Official as the Administrative Official and to implement recommendations of the Washington State Department of Ecology to bring the Chapter into consistency with State law.
2. **Proponent:** Selah Public Works Department
222 S. Rushmore Road
Selah, WA 98942
3. **Location of Proposal including street address, if any:** City-wide.
4. **Lead Agency:** City of Selah
5. The lead agency for this proposal has determined that it will not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). 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 under WAC 197-11-340(2); the lead agency will not act on the proposal for 14 days from the date below. Comments must be submitted by 5:00 PM, January 4, 2016.
6. **Appeals:** You may appeal this determination to the Selah City Council by filing a written appeal with the required \$300.00 filing fee at the Selah Public Works Department, 222 S. Rushmore Road within five business days of the final determination. You should be prepared to make specific factual objections. Contact the Planning Department at 698-7365 to read or ask about the procedures for SEPA appeals.
7. **Responsible Official:** Donald C. Wayman
8. **Position / Title:** City Administrator
9. **Address:** 222 S. Rushmore Road, Selah, Washington 98942
10. **Date:** December 18, 2015

11. **Signature**





CITY OF SELAH

PLANNING DEPARTMENT
222 S Rushmore Road
SELAH, WA 98942
PHONE: (509) 698-7365 FAX (509) 698-7372
ENVIRONMENTAL CHECKLIST



FILE NUMBER: 971.00.15-12
DATE FEE PAID _____
RECEIVED BY _____ / _____
FEE: \$275

INTRODUCTION

The State Environmental Policy Act (SEPA), Chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal if it can be done) and to help the agency decide whether an EIS is required.

This environmental checklist asks you to describe some basic information about your proposal. Government agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply". Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

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 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 impacts.

Complete this checklist for nonproject proposals, even though questions may be answered "does not apply". IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D).

For nonproject actions, the references in the checklist to the words "project applicant," and "property of site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

BACKGROUND

1. Name of proposed project, if applicable:
SMC 11.19 (Flood Damage Prevention Ordinance) Code Amendments
2. Name of applicant:
Selah Planning Department

3. Address and phone number of applicant and contact person:

222 S. Rushmore Road
Selah, WA 98942
(509) 698-7365
Thomas R Durant, Community Planner

4. Date checklist prepared:

December 17, 2015

5. Agency requiring checklist: CITY OF SELAH

6. Proposed timing or schedule (including phasing, if applicable):

Review of amendments by Planning Commission in January and adoption by City Council in February 2016.

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

The Selah Critical Areas Ordinance (SMC 11.50) will be reviewed as a part of the Growth Management Update process currently underway. While this may have some effect on how frequently flooded areas are regulated, further changes to the Flood Damage Prevention Ordinance are not expected.

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

None

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

Not at the time of this document.

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

Approval and adoption by the City Council.

11. Give brief, 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.

Adopt amendments to the Selah Flood Damage Protection Ordinance (SMC 11.19). The proposed amendments are minor and consist of the following:

1). Amendments of the ordinance to bring it into compliance with State law as recommended by the Washington Department of Ecology as part of a Community Assistance Visit. These amendments primarily involve the floodway.

2). Correction of errors and wording changes in the portions of the ordinance being amended for clarity and consistency with the State Model Flood Hazard Ordinance. They are not substantive changes.

3). Amendment of the definition of "Administrative Official" to designate the Building Official, rather than the "mayor or the mayor's designee".

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.

While officially, the Flood Damage Protection Ordinance applies City wide; its application is limited to designated flood hazard areas, which in Selah are along the Yakima and Naches Rivers on the southern and eastern edges of the City. It would also apply to similarly designated areas at the time of future annexation by the City. Currently the only areas of the urban growth area that are outside of the City limits and in designated flood hazard areas are 1).on both sides of the Yakima River south of Harrison Road and west of Pomona Loop Road and 2). about 12 acres at the east end of South Rushmore Road.

13. Taxation parcel numbers(s): N/A.

TO BE COMPLETED BY APPLICANT

EVALUATION FOR AGENCY USE ONLY

B. Environmental Elements (Attach additional sheets if necessary)

1. Earth

- a. **General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other: 100-year floodplain and floodway areas are generally flat.**
- b. **What is the steepest slope on the site (approximate percent slope)?**
N/A.
- c. **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.**
N/A.
- d. **Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.**
N/A.
- e. **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.
- f. **Could erosion occur as a result of clearing, construction, or use? If so, generally describe.**
N/A.
- g. **About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?**
N/A.
- h. **Proposed measures to reduce or control erosion, or other impacts to the earth, if any:**
N/A.

2. Air

- a. **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.

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

N/A.

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

N/A.

3. Water

a. **Surface:**

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.**

The Naches and Yakima Rivers along with side channels, drains, ditches, streams and ponds, whether associated or not.

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.**

N/A.

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.**

N/A.

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

The proposed amendments directly affect the 100-year floodplain.

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.**

N/A..

b. **Ground:**

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.

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.

c. **Water Runoff (including storm water):**

1) **Describe the source of runoff (including storm water) and method of collection and disposal, if any (including 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.**

N/A.

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

No.

d. **Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:**

The purpose of the Flood Damage Protection Ordinance is to reduce the impact of flooding on property and impacts of development on the floodplain.

4. Plants

a. **Check the types of vegetation found on the site:**

deciduous trees: alder, maple, aspen, other

evergreen tree: fir, cedar, pine, other

shrubs

grass

pasture

crop or grain

orchards, vineyards or other permanent crops.

wet soil plants: cattail, buttercup, bulrush, skunk cabbage, other

water plants: water lily, eelgrass, milfoil, other

other types of vegetation

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

N/A.

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

According to the Selah Urban Area Comprehensive Plan, "No endangered or threatened flora species are known to exist within or near the boundaries of the Selah UGA" (Plan, p. 52).

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

N/A.

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

Don't know.

5. Animals

a. **List any birds and other animals, which have been observed on or near the site or are known to be on or near the site. Examples include:**

Bird: nawk, heron, eagle, songbirds, other:

Mammals: deer, bear, elk, beaver, other:

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

- b. **List any threatened or endangered species known to be on or near the site.**

Threatened and endangered species on the Yakima and Naches Rivers include Fall Chinook, Bull Trout, Coho and Summer Steelhead.

- c. **Is the site part of a migration route? If so, explain.**

The river corridors are migration routes.

- d. **Proposed measures to preserve or enhance wildlife, if any:**

The Flood Damage Prevention Ordinance helps to preserve or enhance wildlife by protecting the functional properties of the 100-year floodplain and limiting development in riparian areas.

- e. **List any invasive animal species known to be on or near the site.**

None.

6. Energy and Natural Resources

- a. **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.

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

N/A.

- c. **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.

7. Environmental Health

- a. **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 the proposal? If so, describe.**

N/A.

- 1) **Describe any known or possible contamination at the site from present or past uses.**

N/A.

- 2) **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.

- 3) **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.

- 4) **Describe special emergency services that might be required.**

N/A.

5) **Proposed measures to reduce or control environmental health hazards, if any:**

N/A.

b. Noise

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

N/A.

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.

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

N/A.

8. Land and Shoreline Use

a. **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.**

Land uses in the 100-year floodplain throughout the urban growth area include agriculture, municipal, residential, recreation (park and golf courses) and undeveloped land. Areas that are in the floodway are park, golf course and undeveloped land in the City limits and undeveloped land and part of an industrial wastewater sprayfield outside of the City limits.

The proposed action should have no significant effects on nearby or adjacent properties that are outside of designated flood hazard areas.

c. **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 non-farm or non-forest use?**

Some of the areas that are regulated by this ordinance are in agricultural use. There are no agricultural lands of long term commercial significance in the City of Selah or the urban growth area. The proposed amendments are not expected to cause farmland to be converted to other uses.

1) **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:**

No.

c. **Describe any structures on the site.**

Structures in the floodway include commercial and recreational buildings at the park and golf courses and one existing dwelling.

d. **Will any structures be demolished? If so, what?**

No.

e. **What is the current zoning classification of the site?**

Areas subject to this ordinance or potentially subject to it when annexed are zoned One Family Residential (R-1) and Low Density Single Family (LDSF). Outside of the City limits, Yakima County zoning is primarily Remote Extremely Limited Development Potential (R-ELDP)

f. **What is the current comprehensive plan designation of the site?**

Floodway areas are designated Floodway by the Selah Urban Growth Area Comprehensive Plan. Other parts of the 100-year floodplain are designated Quasi-Public Open Spaces, Industrial Sprayfield, Low Density Residential and Steep Slopes.

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

Shoreline designations in these areas are Rural and Conservancy. There may also be Channel Migration Zone designated areas.

h. **Has any part of the site been classified critical area by the city or county? If so specify.**

Frequently flooded areas are classified critical areas by both the City and the County.,

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

The proposed action is not expected to have a significant effect on the number of people who live or work in the 100-year floodplain. The numbers have not been calculated.

j. **Approximately how many people would the completed project displace?**

None.

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

None.

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

The proposed amendments are consistent with the goals and policies of the Selah Comprehensive Plan, Shoreline Master Program, the National Flood Insurance Program and State law.

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

N/A.

9. Housing

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

N/A.

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

None by this action. The single existing dwelling unit in the floodway could not be substantially enlarged under current regulations and would likely be eliminated over time.

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

None. The restrictions against residential use in the floodway are in place now without the proposed amendments and are consistent with adopted policies and State and Federal law.

- c. **Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archaeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.**

These ordinance amendments are not expected to affect cultural and historic resources in the areas to which they apply.

- d. **Proposed measures to avoid, minimize, or reduce or compensate for loss, changes to, and disturbance to resources. Please indicate plans for the above and any permits that may be required.**

The current Flood Damage Protection Ordinance makes exceptions for structures identified as historical places. The proposed amendments do not make any changes in this regard.

14. Transportation

- a. **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.

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

N/A.

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

N/A.

- d. **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.

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

N/A.

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

N/A.

- g. **Will the project 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.

- h. **Proposed measures to reduce or control transportation impacts, if any:**

N/A.

15. Public Services

- a. **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.

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

N/A.

16. Utilities

a. **Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.**

b. **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.SIGNATURES

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.



Signature of Proponent or Person Completing Form

Date: 12/17/2015

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (do not 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?**

No increases in any of these are expected.

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?**

To the extent that the Flood Damage Protection Ordinance protects the functional properties of the floodplain in the way that it regulates and limits development, it should help preserve and protect plants, animals and fish. Since the amendments proposed by this action are minor, they may contribute to this benefit, but not substantially.

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

None by this action.

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

This action is not expected to affect energy or natural resources.

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, floodplain, or prime farmlands?**

The purpose of the Flood Damage Prevention Ordinance is to protect life and property in floodplains and to protect the functional properties of the floodplain from adverse effects of improper development. These amendments contribute to this purpose, but not substantially because they are minor. No adverse impacts are expected. Threatened and endangered species habitat and wetlands also benefit from the functional properties of the floodplain. The park and golf courses in floodplain areas, and especially in the floodway, have a more limited opportunity to expand or replace existing facilities under the current regulations; this does not change substantially under the proposed action. Provisions of the current ordinance that apply specifically to historic buildings are not changed by the proposed amendments.

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

None.

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?**

The Flood Damage Protection Ordinance is generally consistent with the Shoreline Management Master Program and other existing plans. The proposed amendments do not encourage or allow land uses that are incompatible with these plans.

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 significant increases are expected.

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.

The proposal is intended to reduce potential conflicts with State and federal laws and requirements for the protection of the environment.

**CITY OF SELAH PLANNING COMMISSION
NOTICE OF PUBLIC HEARING
AND NOTICE OF ENVIRONMENTAL REVIEW**

NOTICE IS HEREBY GIVEN that on Tuesday, January 19, 2016, commencing at 5:30 p.m., or as soon thereafter as practical, in the Council Chambers, Selah City Hall, 115 W. Naches Avenue, Selah, WA., the Planning Commission will conduct a public hearing to receive testimony and to consider recommending to the Selah City Council the adoption of the following text amendments of the Selah Municipal Code:

Proposed Amendments to Title 11, Chapter 11.19 (Flood Damage Prevention):

Add new text: *SMC 11.19.060(c)(4) Water wells shall be located on high ground that is not in the floodway.*

Amend SMC 11.19.070(c)(2) to provide that work done on structures in the floodway that may be excluded from the fifty percent of the market value of the structure must be to correct existing violations of state or local health, sanitation or safety codes specifications which have been identified by the local code enforcement official and are the minimum necessary to assure safe living conditions.

Amend SMC 11.19.020: definition of Administrative Official, to designate the Building Official rather than Mayor or the Mayor's designee.

Amend SMC 11.19.060 and 11.09.070 for clarity and consistency with the State Model Flood Hazard Ordinance by making wording changes, correcting spelling and grammatical errors

The purposes of the proposed amendments are to correct errors, designate the Building Official as the Administrative Official, and to implement recommendations of the Washington State Department of Ecology to bring the Chapter into consistency with State law.

Any person desiring to express his/her views is encouraged to attend the public hearing or submit written comments.

The City of Selah is the lead agency for this proposal under the State Environmental Policy Act (SEPA) and has determined that it does not have probable significant adverse environmental impacts. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). A Determination of Nonsignificance (DNS) is being issued under WAC 197-11-340(2). Written comments on the DNS will be accepted during a 14 day comment period that ends on January 4, 2016. This decision was made after a review of a completed environmental checklist and other information on file with the lead agency.

The Determination of Nonsignificance (DNS), environmental checklist and proposed amendments are on file and available for public inspection during regular business hours at the City of Selah Public Works Department, 222 South Rushmore Road, Selah, WA.

Dated this 18th day of December, 2015.

/s/ Thomas R Durant, Community Planner

YAKIMA HERALD REPUBLIC

Affidavit of Publication

STATE OF WASHINGTON,)
)
COUNTY OF YAKIMA)

Debbie Martin, 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 PLANNING COMMISSION NO

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 12/19/2015 and the last insertion being on 12/19/2015

Yakima Herald-Republic 12/19/15

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 \$213.90

Debbie Martin

Accounting Clerk



Sworn to before me this 25 day of December 2015
Lisa M. Driggs
Notary Public in and for the
State of Washington,
residing at Yakima

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Dated this 18th day of December, 2015.

/s/ Thomas R Durant, Community Planner

(608485) December 19, 2015