# RESOLUTION NO. 2817

## RESOLUTION APPROVING THE PRELIMINARY PLAT OF "HILLSIDE ESTATES" (PLP-2020-002) AND ADOPTING FINDINGS AND CONDITIONS OF PRELIMINARY PLAT APPROVAL

WHEREAS, on November 24, 2020, the City of Selah City Council considered Preliminary Plat No. PLP-2020-002 known as "Hillside Estates" located in the vicinity of West Goodlander, Lander, and Speyers Roads Selah, WA. Yakima County Taxation Parcel Number: 181435-22002; and,

WHEREAS, the Preliminary Plat was combined with an application for a Rezone and Planned Development of the subject property from Single Family Residential (R-1) to Planned Development (PD) and is dependent on approval of that application; and,

WHEREAS, the Hearing Examiner recommended approval of the Planned Development, Rezone, and Subdivision subject to 34 conditions of approval; and,

WHEREAS, the City of Selah Council is persuaded that the Planned Development meets the requirements of Chapter 10.24 SMC and has adopted the Hearing Examiner's recommendation that the Preliminary Plat be conditioned as recommended by the Examiner; and,

WHEREAS, the City of Selah Council has considered the Hearing Examiner's findings of fact and conclusions dated June 9, 2020, and the City staff report dated May 19, 2020, and the Council is satisfied that the matter has been sufficiently considered; and,

WHEREAS, the City Council adopts the Findings and Conclusions of the Hearing Examiner's Recommendation dated June 9, 2020; and,

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

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

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON that Preliminary Plat No. PLP-2020-002 designated as "Hillside Estates" be approved, that the Hearing Examiner's Findings and Conclusions supporting approval of the proposal be adopted with a date of June 9, 2020, with (34) specific conditions contained in said Findings and Conclusions.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON this 24th day of November, 2020.

Sherry Raymond

Sherry Raymond, Mayor

ATTEST:

Dale E. Novobielski, Clerk/Treasurer

APPROVED AS TO FORM:

Rob Case, City Attorney

## CONDITIONS OF PRELIMINARY PLAT APPROVAL

A. ZONING MAP AMENDMENT:

1. Planned Development Overlay zoning shall be applied to Parcel 181435-22002. In the event that there i5 any variation in the area of the subject lot, the City may at its discretion, use the minor rezone process to modify the zoning designation to conform to such change.

2. The applicant shall have a legal description of the area subject to the zone change prepared and submitted prior to final action by the City Council on the legislative zoning amendment.

B. GENERAL CONDITIONS:

1. In accordance with SMC § 10.50.041 and the applicant's preliminary plat, the applicant shall submit and gain approval of civil engineered plans which provide for design of all development standards, including but not limited to curb, gutter, sidewalk, street lighting, storm water, and street design. A detailed parking plan is not required so long as proposed single-family residential development provides for at least two off-street parking spaces per unit and streets wide enough to provide for on-street parking in accordance with City standards.

2. Prior to final plat approval, the applicant shall submit an overall geotechnical analysis/study showing stability of filled areas to the satisfaction of the City of Selah's Public Works Director. All lots shall require compaction reports prior to construction.

3. Finished slopes shall be no steeper than 2:1 (horizontal to vertical) and provisions made for vegetating slopes greater than 15% by hydro-seeding with native, drought-tolerant plant species as described in the Planned Development Plan. As an alternative to vegetation, an engineered retaining

wall or combination of walls may be installed. Building permits are required.

4. All lots shall be served with public water from the City of Selah in accordance with SMC 10.50.045. No individual domestic or irrigation wells shall be used to serve any of the lots.

5. All lots shall be provided with public sewer service in accordance with SMC § 10.50.045.

6. All mitigation measure specified in the Mitigated Determination of Non-significance issued March 25, 2020 by of City of Selah under file SEPA-2020-001 are hereby incorporated as conditions of this subdivision approval, and shall be complied with in their entirety.

7. All proposed construction is subject to plan review, inspections, and building permits.

8. The subject-planned development/plat is located within the Selah Naches Irrigation. Irrigation district approval required upon the face of the final plat.

9. All required air quality permits shall be obtained from the Yakima Regional Clean Air Agency. The developer shall designate a responsible party to serve as contact for suspected air quality violations during working hours.

10. A final binding stormwater/drainage control plan for the entire development and street shall be submitted and approved by the City's Public Works Department prior to construction of improvements for any area of the development. A construction stormwater permit shall also be secured from the Washington Department of Ecology; all plans shall meet the provisions of SMC § 9.24.020.

C. PLANNED DEVELOPMENT CONDITIONS:

1. As a condition of the Planned Development, Road "F" shown on the preliminary plat drawing dated March 12, 2020 shall be a private street and shall never be accepted by the City of Selah as a public street, unless first brought into compliance with City standards in its entirety prior to dedication.

2. The developer shall submit the completed Home Owner's Association and Common Area Maintenance Plan and proposed Covenants, Conditions and Restrictions to the City of Selah Public Works Director for review and approval outlining how the internal streets and Tract 1 Open Space tract as depicted on the preliminary plat will be maintained. These documents shall be recorded following approval of the PD overlay zone and preliminary plat, and prior to the approval of the final plat.

3. The developer shall submit a revised grading and landscape plan for Tract 1 Open Space either lessening the overall grade of the open space tract, or providing a plan for a walking path with rest areas/picnic stops.

4. Land uses and development in the PD overlay zone shall be subject to all applicable requirements of the Planned Development Plan and this decision. No facilities or structures that are not provided in the planned development shall be developed on the subject property based on this approval.

5. All structural development shall comply with the setback minimum standards set out in SMC 10.24.100(a).

6. Permitted Land uses are as stated in the Planned Development Plan and other land uses permitted in the R-1 zone using the level of review (Class 1, 2 or 3) provided in Title 10 SMC; *provided,* any change of land use or density of any lot (i.e., from residential, open space) shall require modification

in accordance with SMC 10.24.140.

7. Modifications to the adopted master development plan may be requested from time to time and shall follow the requirements of SMC § 10.24.140.

D. Subdivision Conditions:

1. A current title certificate shall be submitted to the City of Selah, Planning Department, consisting of a report listing all parties having an interest in the land to be divided and a legal description of the land.

2. This plat shall be subject to the following notes, which must be placed on the face of the plat:

a. The addresses shown on this plat are accurate as of the date of recording, but may be subject to change. The City of Selah Building Codes Division is responsible for the confirmation or reassignment of addresses at the time of building permit issuance.

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

c. The streets within this plat are private and do not meet the standards for public streets. If the streets are ever to be made public, they will have to be reconstructed to meet the City Standards at that time.

3. The developer shall submit detailed plans for frontage improvements, the private road, and water and sewer connections to the City of Selah Public Works Director for approval prior to approval of the preliminary plat, and shall build or bond said improvements prior to approval of the final plat per Ch. 10.50 SMC.

4. Prior to approval of the Preliminary Plat, the developer shall submit a revised plat to the City of Selah Public Works Director for review and approval and providing for the dedication of all utility easements.

5. All addresses shall be as specified in the following table and must be clearly shown on the face of the final plat. In addition, the following note shall be placed upon the face of the final plat: "The addresses shown on this plat are accurate as of the date of recording, but may be subject to change". The City of Selah Planning Department is responsible for the confirmation or reassignment of addresses at the time of building permit issuance.

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|---|---|
| Lot 1 | 703 Hawthorne |
| Lot 2 | 705 Hawthorne |
| Lot 3 | 707 Hawthorne |
| Lot 4 | 709 Hawthorne |
| Lot 5 | 711 Hawthorne |
| Lot 6 | 710 Hawthorne |
| Lot 7 | 708 Hawthorne |

6. Minimum eight-foot-wide utility easements shall be dedicated along the frontage of each lot in the subdivision (SMC § 10.50.045 (c)).

7. Easements for new and/or future utilities not located along the lot frontage shall be a minimum of 16-feet in width and centered on a side or rear lot line meeting the requirement s of SMC 10.50.045 (c).

8. All public and private utilities to be located within the private road right-of-way must be installed or financially secured prior to final plat approval.

9. All public and private utilities shall be located underground, with the exception of telephone boxes and such similar structures.

10. Fire hydrants Shall be placed at the locations Specified by the City of Selah Public Works and Selah Fire Department. All lots must be provided with adequate fire flow.

11. The Final Plat shall be prepared by a land surveyor, registered in the State of Washington, and contain all requirements of SMC 10.50.053-060 and comply with all applicable conditions.

12. Upon preliminary plat approval, the applicant has five years to submit the final plat. Thereafter, 30 days prior to the expiration of said approval the applicant must submit to the City Council a written request asking to extend the approval period for a maximum period of one year.