

# BOARD OF YAKIMA COUNTY COMMISSIONERS

## ORDINANCE 5-2019

**IN THE MATTER OF AMENDING BOTH THE YAKIMA COUNTY COMPREHENSIVE PLAN - *HORIZON 2040* FUTURE LAND USE MAP AND THE YAKIMA COUNTY OFFICIAL ZONING MAP ESTABLISHED BY TITLE 19 – UNIFIED LAND DEVELOPMENT CODE PERTAINING TO THE TOWN OF HARRAH’S EMERGENCY URBAN GROWTH AREA BOUNDARY AMENDMENT**

### GENERAL

**WHEREAS**, in compliance with the Washington State Growth Management Act (GMA), Chapter 36.70A RCW, the Board of Yakima County Commissioners (Board) adopted the Yakima County Comprehensive Plan - *Horizon 2040*, on June 27, 2017, and adopted development regulations – Yakima County Code (YCC) Title 19, on May 5, 2015; and

**WHEREAS**, RCW 36.70A.130 requires that Yakima County as a “fully planning” county; shall update its comprehensive plan and development regulations, as necessary, to reflect local needs, new data, and current laws; and

**WHEREAS**, the GMA, RCW 36.70A.130(2)(b), requires Yakima County to establish procedures and schedules whereby comprehensive plan amendments are considered by the Board; and

**WHEREAS**, as part of its comprehensive plan and development regulations update process, the County has established a public participation program, YCC 16B.10, which sets forth minimum requirements for ensuring adequate public notification and opportunities for comment and participation in the amendment process; and

**WHEREAS**, Yakima County’s procedures and schedules are established by YCC 16B.10, which provides that applications to amend UGA Boundaries will only be considered at five-year intervals, and after a specific sequence of steps are accomplished; and

**WHEREAS**, Section II.E.1.a of the **Master Interlocal Agreement for Growth Management Act Implementation in Yakima County**, last revised on December 29, 2015 by the Board and the County’s 14 Cities, provides for Cities to request amendments to UGA boundaries outside of the 5-year schedule by requesting the emergency amendment process allowed under RCW 36.70A.130(2)(b); and

**WHEREAS**, the Growth Management Act, RCW 36.70A.130(2)(b), allows counties to adopt comprehensive plan amendments whenever an emergency exists after appropriate public participation; and

**WHEREAS**, the Harrah Town Council adopted Resolution 2019-2 on April 9, 2019, authorizing its mayor and staff to secure an amendment to its UGA boundary and expressing support for the project that would be enabled by such amendment; and

**WHEREAS**, the Town of Harrah submitted a letter to Yakima County dated April 17, 2019 (received April 22, 2019) describing the details of Harrah's proposal to amend its UGA and the reasons for it; and

**WHEREAS**, the Board, after considering Harrah's proposal, adopted Resolution 162-2019 on May 14, 2019, finding that an emergency exists and directing the Planning Division to initiate consideration of Harrah's request (LRN2019-00011) as soon as possible in accordance with RCW 36.70A.130(2)(b); and

**WHEREAS**, on May 20, 2019, Yakima County provided a 60-day notice to the Department of Commerce, as required by RCW 36.70A.106 on the proposed emergency UGA amendment; and

**WHEREAS**, on May 20, 2019, a combined notice of completeness, application, environmental review, and hearing was mailed to those agencies with environmental expertise and published in the Yakima Herald-Republic; and

**WHEREAS**, on July 14, 2015, Yakima County issued its 20-year population projections for each of the fourteen cities and towns of the County based on OFM's medium county population projections; and

**WHEREAS**, both the Growth Management Act and *Horizon 2040* requires Yakima County to conduct a land capacity analysis to analyze the growth needs for the Town of Harrah as part of this emergency UGA amendment; and

**WHEREAS**, the Master Interlocal Agreement for Growth Management Act Implementation in Yakima County, in accordance with RCW 36.70A.070(3) and WAC 365-196-415, requires GMA planning Cities and the County to develop Capital Facilities Plans that cover the entire UGA; and

**WHEREAS**, the Planning Commission conducted a properly advertised public hearing on June 12, 2019, to hear testimony on the proposed emergency UGA amendment; and

**WHEREAS**, the Planning Commission held their deliberations on June 12, 2019 immediately after the close of the open record public hearing; and

**WHEREAS**, the Planning Commission, having carefully considered the applicant's justifications, the staff recommendation, and the written and oral testimonies in its deliberations approved their Findings and Recommendations on June 12, 2019, for the proposed emergency UGA amendment; and

**WHEREAS**, the Planning Commission's Findings and Recommendations on the emergency UGA map amendment to *Horizon 2040* and YCC Title 19 Official Zoning Map, were presented to the Board of Yakima County Commissioners for their review; and

**WHEREAS**, the Board of Yakima County Commissioners conducted a properly advertised public hearing on July 23, 2019, to hear testimony on the proposed emergency UGA amendment outlined in the Planning Commission recommendations; and

**WHEREAS**, the Board of Yakima County Commissioners held their deliberations on July 23, 2019, immediately after the close of the open record public hearing and did adopt motions approving the proposed emergency UGA amendment; and

**WHEREAS**, UGA amendments must be processed in compliance with the State Environmental Policy Act (SEPA); and

**WHEREAS**, on July 3, 2019, Yakima County staff issued a Determination of Non-significance for the Town of Harrah's Emergency UGA Amendment (SEP2019-00012), which analyzed the environmental and growth management impacts of the proposed action and considered any submitted comments from agencies and parties of record; and

**WHEREAS**, the Board of Yakima County Commissioners considered the proposed amendment to the comprehensive plan, YCC Title 19 Official Zoning Map, concurrently to ascertain the amendment's cumulative effects, as set forth in SEPA documents referenced above; and

**WHEREAS**, the Board has determined that the Plan amendment is internally consistent; now therefore,

**BE IT HEREBY ORDAINED** by the Board of Yakima County Commissioners:

**Section 1. Reasons for Action.**

The Town of Harrah's proposed Emergency Urban Growth Area Amendment (LRN2019-00011) was considered as allowed by RCW 36.70A.130(2)(b), YCC 16B.10, and Section II.E.1.a of the **Master Interlocal Agreement for Growth Management Act Implementation in Yakima County**.

A Staff report for the Town of Harrah's emergency UGA amendment request was provided and presented to the Planning Commission that reviewed the proposal and

recommended approval of the proposed amendment. Following public testimony and deliberations, the Planning Commission has determined the proposed amendment should be approved and presented their findings and recommendations to the Board of Yakima County Commissioners for their consideration. The Board of Yakima County Commissioners then reviewed said amendment request, held a public hearing and decided to approve the proposed amendment.

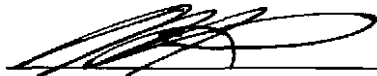
## **Section 2. Findings.**

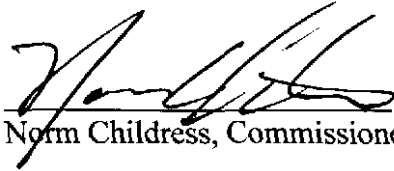
- A. State Environmental Policy Act (SEPA). Yakima County adopted *Horizon 2040* on June 27, 2017, and adopted by reference *Plan 2015's*, Chapter III Environmental Analysis. *Plan 2015* was originally designed to integrate SEPA and GMA consistent with the provisions of WAC 197-11-210 through 197-11-235. The issuance of the July 3, 2019, *Final Notice of Determination of Non-Significance for the Town of Harrah Urban Growth Area Amendment* (SEP2019-00012) provides the environmental evaluation and documentation required under SEPA for the emergency UGA amendment.
- B. Analysis of Cumulative Effects. The cumulative effects have been considered as part of the SEPA review process outlined in subsection A. above.
- C. The Board of Yakima County Commissioners adopts the Harrah town-specific UGA map amendment (LRN2019-00011) which depicts the amended UGA boundary for the Town of Harrah, without any modifications as detailed in the Findings and Recommendations of the Planning Commission dated June 12, 2019, which includes:
- i. LRN2019-00011/SEP2019-00012: Town of Harrah (see Exhibit 1) – The subject property is located adjacent to the town limits of Harrah, south of parcel 181135-21003, and approximately 1,600 feet southeast of the intersection of Branch Road and Harrah Road. The subject property is identified as Assessor Parcel: 181135-21002. Land Use: Agricultural Resource (AR) to Urban Residential (UR). Zoning: Agriculture (AG) to Single-Family Residential (R-1) – approximately 20 acres.
  - ii. The Board of Yakima County Commissioners accepts the Town of Harrah's letter that their capital facilities are adequate to serve the UGA map amendment and no additional capital facilities planning is needed (see Exhibit 2).
- D. The Yakima County Assessor's maps shall be amended to accurately depict the modified UGA boundary for the Town of Harrah consistent with Exhibit 1 hereto.
- E. The Yakima County Comprehensive Plan – *Horizon 2040* Future Land Use Map and the Yakima County Official Zoning Map shall be amended to show the boundary of the Town of Harrah, as depicted in Exhibit 1 hereto.

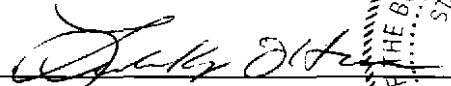
**Section 3. Severability.** The provisions of this ordinance are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the ordinance, or the validity of its application to any other persons or circumstances.

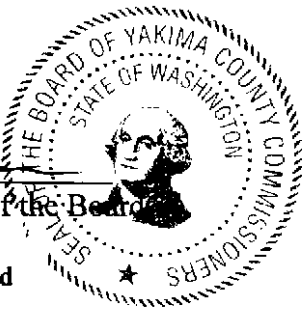
**Section 4. Effective Date.** Pursuant to the Growth Management Act (RCW 36.70A), Yakima County must publish a Notice of Adoption within 10 days after the Board's approval of this ordinance, thus starting the required 60-day appeal period. Therefore, this ordinance becomes effective on the 61<sup>st</sup> day after publishing of the Notice of Adoption.

DONE this 30<sup>th</sup> day of July 2019


  
Michael D. Leita, Chairman


  
Norm Childress, Commissioner

  
Attest: Melissa Paul, Clerk of the Board  
Linda Kay O'Hara  
Deputy Clerk of the Board

  
SEAL OF THE BOARD OF YAKIMA COUNTY COMMISSIONERS  
STATE OF WASHINGTON

Approved as to form:

  
Ron Anderson, Commissioner  
*Constituting the Board of County Commissioners  
for Yakima County, Washington*




  
Deputy Prosecuting Attorney

ATTACHMENTS:

- Exhibit 1 – Town of Harrah Urban Growth Area Expansion Map
- Exhibit 2 – Town of Harrah Capital Facilities Letter

# Harrah Proposed UGA Changes

Date: 5/20/2018

-  Harrah City Limits
-  Proposed Urban Growth Boundaries
-  Urban Growth Boundaries

### County Zoning

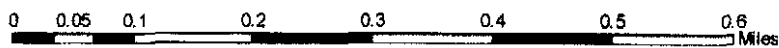
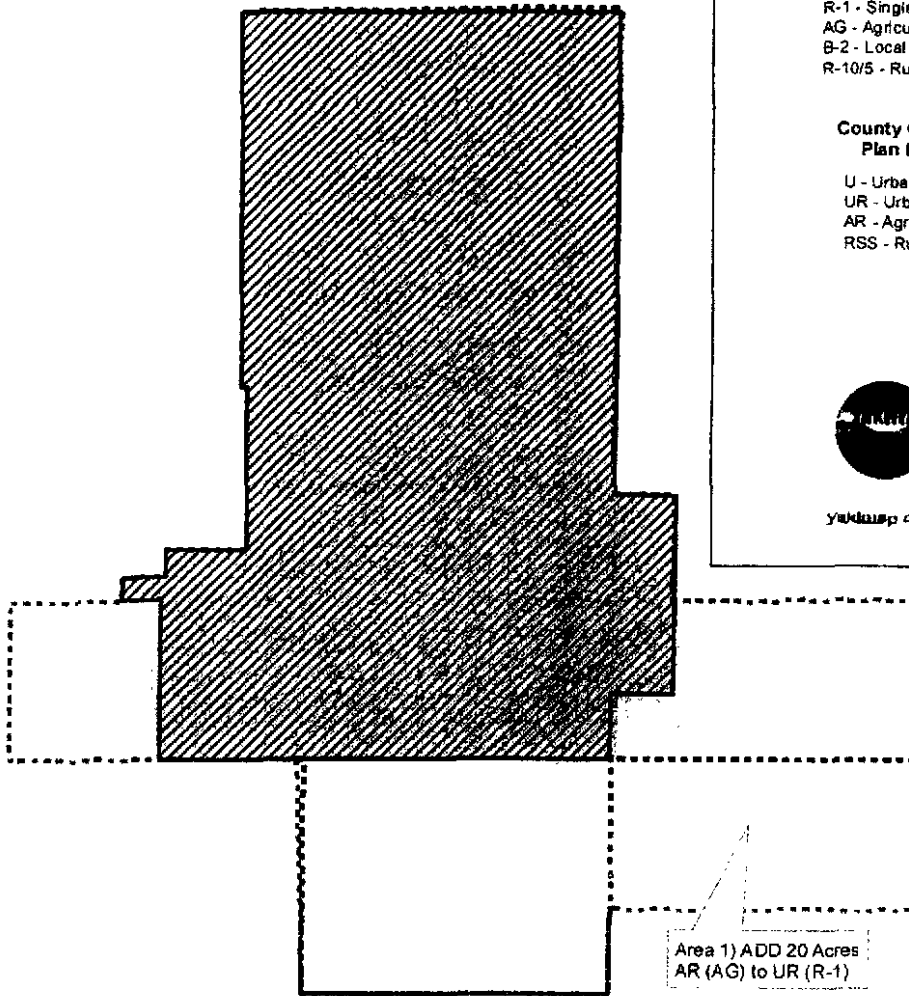
- R-1 - Single Family Residential
- AG - Agricultural
- B-2 - Local Commercial
- R-10/5 - Rural - 10/5

### County Comprehensive Plan Designations

- U - Urban
- UR - Urban Residential
- AR - Agricultural Resource
- RSS - Rural Self-Sufficient






geographic information services



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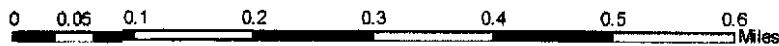
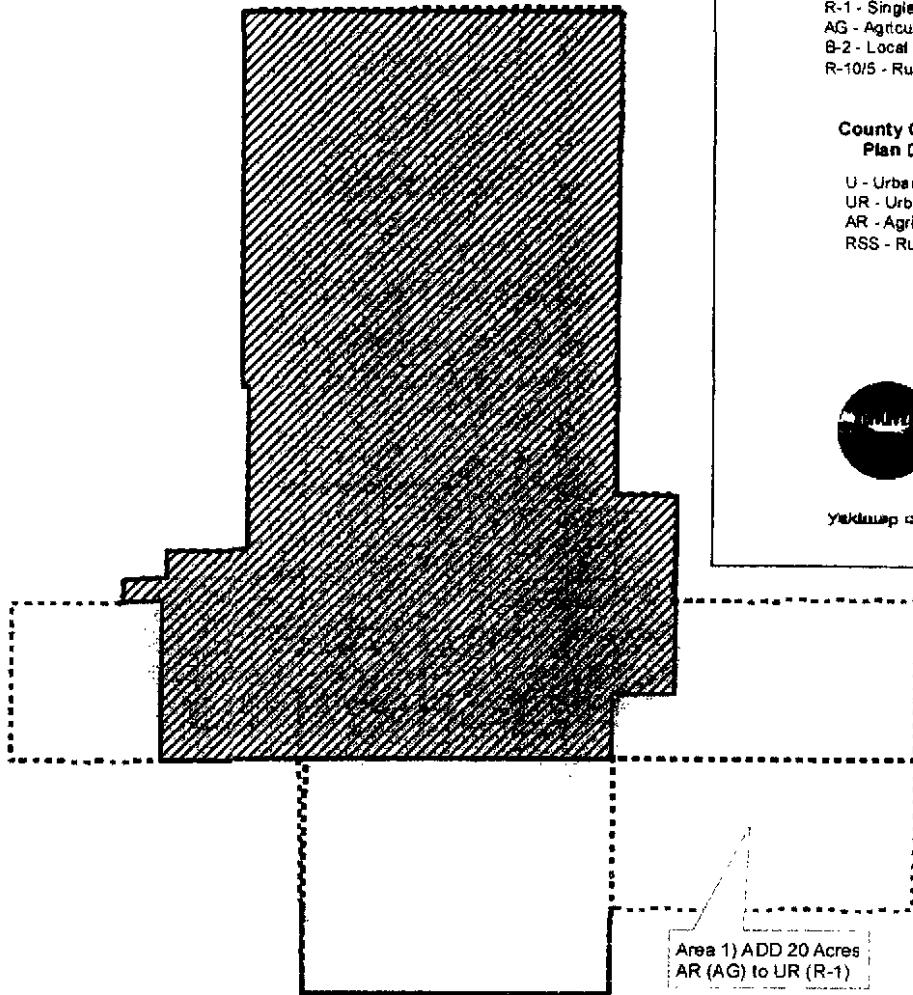
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Yekmap.com





April 19, 2019

Town of Harrah  
P.O. Box 10  
Harrah, WA 98933

Attn: Barbara Harrer, Mayor

Re: Proposed School and GMA Boundary Change  
Ability to Provide Utility Service  
HLA Project No. 19009G

Dear Mayor Harrer:

We reviewed the requirements for providing water and sewer service to the proposed school to be located within an expanded Urban Growth Area (UGA). From the information provided to us, the school will be located on a 35-acre site, a portion of which is located within the existing UGA. The south 20 acres of the site will require an expansion of the UGA. No other uses are proposed within the expanded UGA, so extension of utilities will be for the sole purpose of serving the new school. Following are considerations related to providing water and sewer service to the school and expanded area of the UGA.

For purposes of this analysis, the ability to serve the expanded UGA is tied directly to the ability to serve the new school, since it will be the only use within the area. The new school will replace the existing school, which is already served by the Town. Therefore, the only added demand will be the increase in students and staff caused by adding two new grades – 7<sup>th</sup> grade and 8<sup>th</sup> grade. The School District estimates the two grades will add 70 students each, plus staff, for a total increase of 150 people. We estimate an average flow of 20 gallons per person per day, for a net increase in water and sewer demand of 3,000 gallons per day. The ability of each system to meet this demand is discussed below.

#### Water System

The Town of Harrah is preparing a Small Water System Management Plan, which includes a summary of historical demands, and examines source and storage capacity. The existing supply well has a capacity of 460,000 gallons per day. The current average day demand is just under 50,000 gallons per day. Serving the school will add 3,000 gallons per day, so source well capacity is more than adequate to meet the demand.

The existing standpipe reservoir has a nominal storage volume of 400,000 gallons. About 55,000 gallons is used for operational storage, and 110,000 gallons is available for fire storage. Though this volume is adequate for typical residential fire fighting demands, it may not meet the needs for the school. As a result, the School District may need to consider other water system improvements or look at alternative means to provide fire flow. For example, Heritage University has fire wells located on site, or additional fire capacity could be available if a second Town water supply well was installed.



Although the Small Water System Management Plan has not been finalized, the preliminary recommendations include installation of a new source well to provide redundancy. We understand the school is providing a location for the well within their proposed site.

#### Sewer System

The Town of Harrah recently completed upgrades to the wastewater treatment plant, increasing the plant capacity to 70,000 gallons per day. Current maximum month demand is about 42,000 gallons per day, leaving 28,000 gallons per day available for growth. In planning for the improvements, the expected year 2034 maximum month demand was 53,200 gallons per day, but capacity was increased by another 16,800 gallons per day to account for unknowns. The school is one such unknown, and capacity is readily available to meet the 3,000 gallon per day demand.

The above calculations show the water and sewer systems have adequate capacity to serve the proposed school and the expansion of the UGA. Though growth could occur within the Town limits, or within the existing UGA, both water and sewer systems have capacity available for growth in the foreseeable future, as well as capacity to serve the school's daily demands. One shortcoming is the available fire flow volume, which should be evaluated as part of the school's planning process.

We understand the Town is applying for Community Development Block Grant (CDBG) funds to pay for extension of utilities to the new school site. It is our opinion the existing water distribution network and sewer collection piping are adequate to support the extension. The need for additional system improvements should be considered during detailed design of the school site and related infrastructure.

Should you have any questions or need more information regarding our review, please contact our office.

Very truly yours,



Theodore W. Pooler, PE

TWP/sms



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