

**YAKIMA COUNTY HEARING EXAMINER**  
**June 27, 2024 HEARING**  
**EXHIBIT LIST**

*File Nos.: ZON2024-00002 Scenic Ranch Minor Rezone to Remove MPDO*  
*Staff Contact: Aaron Cohen, Planner III – Long Range*

No.	Document	Date	Page Number
	<p>Yakima County Planning Division Staff Report of The Administrative Official.</p> <p><b>Attachment A-</b> YCC 16B.07.050 – Compliance, Extension, Expiration &amp; Reinstatement</p> <p><b>Attachment B –</b> Internal Comments</p> <p><b>Attachment C –</b> Intended Future Boundary Lind Proposal</p> <p><b>Attachment D –</b> Intent of MPDO District – YCC19.17.040(1)</p> <p><b>Attachment E –</b> Comment letter from the Washington Department of Ecology, dated May 23, 2024</p>		
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# Public Services

128 North Second Street · Fourth Floor Courthouse · Yakima, Washington 98901  
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LISA H. FREUND - Director

## YAKIMA COUNTY PLANNING DIVISION

### Findings and Recommendation Of the Administrative Official

In the Matter of an Application by Joseph Calhoun, HLA Engineering & Surveying on Behalf of Scenic Ranch LLC for a Minor Rezone from Master Planned Development Overlay District to rezoning the property out of the Master Planned Development Overlay District. ) File Nos. ZON2024-00002  
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 ) Staff Contact: Aaron M. Cohen

### **I. INTRODUCTION**

On April 18, 2024, Yakima County, Public Services Department: Planning Division received an application from Joseph Calhoun, HLA Engineering & Surveying on behalf of Scenic Ranch LLC, for a minor rezone on one property, consisting of 0.39 acres, from the Master Planned Development Overlay District to rezone the property out of the Master Planned Development Overlay (MPDO) District north of the City of Yakima.

### **II. SUMMARY OF RECOMMENDATION**

The Administrative Official recommends **Approval** of the Scenic Ranch LLC. Minor Rezone, subject to the conditions as set out below in Section V.

### **III. FINDINGS**

**A. Applicant/Property Owner.** The application was filed by Joseph Calhoun, HLA Engineering & Surveying, on behalf of Scenic Ranch LLC who is the landowner of record of the subject property. The application is included in the open record Hearing Exhibits.

**B. Location and Parcel Number.** The subject property is located on the north side of Scenic Drive, and approximately, ¼ of a mile east of the Vertner Road and Scenic Drive intersection. The property is approximately 400-feet north of the city limits of the City of Yakima. (Parcel Number: 181317-13446)

**C. Project Proposal.** The applicants are seeking to remove the subject property (also referred to as Tract C) from the MPDO District to allow a boundary line adjustment to be proposed with

Parcels 181317-24412 & 181317-24413. The intended boundary line adjustment is to reconfigure the property lines around the entrance to Canyon View Estates to establish larger lots (see Attachment C). The boundary line adjustment application is not consolidated with this application.

**D. Jurisdiction of the Hearing Examiner.** The details regarding the Hearing Examiner's jurisdiction in this matter may be summarized as follows:

1. The proposal is subject to the Yakima County Unified Land Development Code, Title 19 of the Yakima County Code (YCC).
2. According to YCC 19.36.030 entitled Minor Rezone – Map Amendment, “Rezone applications [potentially<sup>1</sup>] consistent with Table 19.36-1 and not dependent upon a comprehensive plan or sub-area plan amendment shall be considered minor rezones. These quasi-judicial actions, when site-specific, may be processed at any time under Type 4 review pursuant to YCC Section 16B.03.030.” YCC 16B.03.030(1)(d) states, “Type 4 Project permit applications are quasi-judicial actions which require an open record hearing before the Hearing Examiner. The Examiner’s written decision constitutes a recommendation to the Board of County Commissioners.” The Board’s decision will constitute the final Decision, which is subject to appeals to Superior Court under RCW 36.70C (Land Use Petition Act, LUPA).
3. According to YCC 19.30.100(2), conditions may be imposed on approval of Type 4 applications to:
  - (a) Comply with any development standard or criterion for approval set forth in YCC Title 19 or other relevant provisions of the Yakima County Code;
  - (b) Mitigate material impacts of the development, whether environmental or otherwise;
  - (c) Ensure compatibility of the development with existing neighboring land uses; assure consistency with the intent and character of the zoning district involved;
  - (d) Ensure that the structures and areas proposed are surfaced, arranged, and screened in such a manner that they are compatible with and not detrimental to existing or reasonable expected future development of the neighborhood, or resource uses, consistent with the Comprehensive Plan; and
  - (e) Achieve and further the intent, goals, objectives, and policies of the Comprehensive Plan and YCC Title 19.
4. YCC 19.30.100(3) grants broad authority to impose special conditions and safeguards to achieve and further the objectives set forth in YCC 19.30.100(2).
5. The Pre-Application Conference, required by YCC 16B.04.010(1) for minor rezones, was held on March 26, 2024 (File No. EAC2024-00010). The summary of the Pre-Application Conference is included in the Hearing Exhibits.

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<sup>1</sup> Table 19.36-1 was amended in 2021 to indicate “potential consistency” rather than “consistency.” However, this corresponding language in YCC 19.36.030 was not revised and is mentioned here for clarity.

**E. Comprehensive Plan Designation, Zoning and Land Use.** The subject property is within both the Single-Family (R-1) Zoning District and the MPDO District. The properties to the north are also within the R-1 Zoning District and the MPDO District. The properties to the west and east are within the R-1 Zoning District. Lastly, the properties to the south are within the Suburban Residential (SR) Zoning District. All surrounding properties are approximately one-acre in size and either are vacant or contain single-family residences. The subject property and surrounding properties are within the Urban Residential (UR) Designation as designated by Yakima County's comprehensive plan ***Horizon 2040***.

***Horizon 2040*** states the purpose of the UR Designation:

*"The intent of the Urban Residential land use category, adopted as part of the future land use map, is to provide for a full range of urban housing types, from single and multi -family development to high density family housing. The Urban Residential land use designation is a general designation intended to accommodate all the urban residential land use designations listed in each of the fourteen cities' and towns' future land use maps" (Horizon 2040 – Land Use Element, Chapter 5, page 23).*

YCC19.17.040(1) goes into detail providing the legislative intent of the MPDO District. A summary of the intent is below, and the full section of code describing the intent is found within Attachment D:

*"The Master Planned Development Overlay is intended to allow larger scale, mixed-use developments in selected areas within Urban Growth Areas where certain development requirements may be modified to promote an integrated approach to planning and site design. The County finds that such developments require special review and conditioning to ensure adjacent areas are preserved and protected. A Master Planned Development Overlay is a comprehensive development plan intended to provide flexibility in design and building placement, promote attractive and efficient environments that incorporate a variety of uses, densities and/or dwelling types, provide for economy of shared services and facilities, and economically utilize the land, resources, and amenities."*

YCC 19.12.010(1)(c) provides the legislative intent of the R-1 Zoning District:

*"The purpose of the Single-Family Residential (R-1) district is further intended to protect single-family neighborhoods from encroachment by potentially incompatible non-residential land uses or impacts. Establish new residential neighborhoods and preserve existing residential neighborhoods for detached single-family dwellings free from other uses, except those which are compatible with and serve the residents of this district."*

Land Use: The subject property is currently vacant and is identified as Tract C within the Canyon View Estates.

**F. Processing of Application.** The application was processed in accordance with YCC 16B as follows:

1. After the application was submitted, the Building and Fire Safety Division, Water Resources Division, Yakima Health District, Yakima County Roads Department, Code Enforcement Division, Current Planning Section, Long Range Planning Section, and Utilities Division were notified to provide comments on the proposal. Comments were received from the Roads Department, the Long Range Division, and the Building and Fire Safety Division. These Internal Comments are at Attachment B to this staff report.

2. The dates of the main steps to process this application are as follows:

Application Submitted	April 18, 2024
Application Determined Complete	May 09, 2024
Notice of Application/Completeness/Future Hearing	May 13, 2024
Notice of Open Record Hearing & Legal Notice	May 30, 2024
Property posted for Public Hearing	June 05, 2024
Open Record Hearing (scheduled)	June 27, 2024
BOCC Closed Record Hearing	To be determined

3. One external comment was received from the Washington Department of Ecology (DOE) and is summarized below:

“Historical aerial photos indicate your property was occupied by orchard during the period when the pesticide lead arsenate was applied, often resulting in shallow soil contamination from lead/or arsenic.”

*Staff Finding: The full comment from DOE is in Attachment E. The full comment indicates that DOE is encouraging the applicants to get the soil tested and assist in free soil testing and remediation, if required. The proposal is a rezoning of the property with no physical development occurring at this time. Therefore, if the applicants desire, they can reach out to the DOE.*

**G. Environmental Review.** This minor rezone proposal is not subject to review under the State Environmental Policy Act (SEPA) per WAC197-11-800(6)(c)(i).

**H. Minor Rezone Review Criteria.** YCC 19.36.030(4) entitled “Minor Rezones – Map Amendment” outlines the review criteria for minor rezones. The review criteria are addressed below:

**1. The testimony at the public hearing (19.36.030(4)(a)):**

*Staff Finding: The Hearing Examiner will consider all testimony provided at the open record public hearing.*

**2. The suitability of the property in question for uses permitted under the proposed zoning (19.36.030(4)(b)):**

Staff Finding: *The subject property is already within the R-1 Zoning District. The proposed rezoning is to remove Tract C from the MPDO District designation. Tract C was not intended to be built upon when the subdivision was developed and does not meet the MPDO District's standards for development. Therefore, the property cannot be developed in its current form and is better suited to be removed from the MPDO District zoning to allow some form of development to occur within the lot area.*

**3. The recommendation from interested agencies and departments (19.36.030(4)(c)):**

Staff Finding: *No comments were received from external agencies & departments indicating they object to the proposed rezone.*

**4. The extent to which the proposed amendments are in compliance with and/or deviate from the goals and policies as adopted in the Comprehensive Plans, adopted neighborhood plans and the intent of this Title (19.36.030(4)(d)):**

Staff Finding: *There are no adopted neighborhood plans applicable to the proposed rezone. However, the goals and policies of Horizon 2040 that are applicable are listed and analyzed below.*

- *Policy LU-U 1.5 - Development should be located within designated urban growth areas in the following priority:*
  - *First, in areas already characterized by urban growth that have existing public facilities and service capacities to serve such development;*
  - *Second, in areas already characterized by urban growth that will be served adequately by a combination of both existing public facilities and services and any additional needed public facilities and services that are provided by either public or private sources; and*
  - *Third, in the remaining portions of the urban growth areas.*

*The removal of the MPDO District occurs in an area already characterized by urban growth, where existing water facilities exist, and provides some aspect of infill development. The infill development occurs after the approval boundary line adjustment, Parcels 181317-24412 & 181317-24413 establishing larger lot sizes.*

**5. The adequacy and availability of public facilities, such as roads, sewer, water and other required public services (19.36.030(4)(e)):**

Staff Finding: *The applicants provided a letter from the Nob Hill Water Association indicating the Nob Hill Water Association can serve the subject property. The applicants intend for individual septic systems to serve the property when they are developed, which*

*is in line with YCC19.25 (water and sewer chapter). The Yakima County Roads Department indicated a change in the average daily trips is not expected (see Attachment B).*

**6. The compatibility of the proposed zone change and associated uses with neighboring land uses (19.36.030(4)(f)):**

*Staff Finding: The proposed rezone will take the subject property out of the MPDO District, thus placing the lot only within the R-1 Zoning District. The properties to the west and east are within the R-1 Zoning District; and, the properties to the north are within the R-1 Zoning District and MPDO District. Therefore, the zoning of the area remains consistent.*

**7. The public need for the proposed change. Public need shall mean that a valid public purpose, for which the Comprehensive Plan and this Title have been adopted, is served by the proposed application. Findings that address public need shall, at a minimum, document;**

- i. Whether additional land for a particular purpose is required in consideration of the amount already provided by the plan map designation or current zoning district within the area as appropriate; and,
- ii. Whether the timing is appropriate to provide additional land for a particular use (19.36.030(4)(g));

*Staff Finding: As stated above, it is the intent of the property owners to conduct a boundary line adjustment to make larger lots. If the boundary line adjustment occurred today, the Yakima County Planning Division would have to deny the application because a boundary line adjustment cannot a split designation on a lot (YCC19.34.020(5)(j)). This would occur when the property immediately to west is enlarged to encompass Tract C making a portion of the property would be within the MPDO District (see Attachment C). The rezoning of Tract C enables the property owners to continue the economic development of their property as they see fit, while seeking to adhere to the development requirements of Yakima County Code.*

**8. Whether substantial changes in circumstances exist to warrant an amendment to the current designation or zone (19.36.030(4)(h)):**

*Staff Finding: The subject property did not receive a lot number as the tract was not intended to be developed as part of the subdivision (see SUB2020-00004, ZON2020-00001, & SEP2020-00005). The change in circumstances is that Tract C now is desired to create larger lot sizes with Parcels 181317-24412 & 181317-24413.*

**I. Consistency Analysis of the Proposed Use with Development Regulations and Comprehensive Plan (YCC 16B.06.020 and RCW 36.70B.040):** YCC 16B.06.020 (Project Consistency) states: "The County shall incorporate the elements of RCW 36.70B.040 in its project review." RCW 36.70B.040 (Determination of Consistency) requires that a proposed project's consistency with local development regulations, or, in the absence of applicable development regulation, the appropriate elements of the comprehensive plan, shall be decided during the project

review by consideration of four items. These four are listed below with staff's recommended findings:

**(a) The type of land use:**

*Staff Finding: No particular land-uses are currently proposed. When a particular land-use is proposed in the future, they will need to be analyzed for consistency.*

**(b) The level of development, such as units per acre or other measures of density:**

*Staff Finding: The applicants have indicated a boundary line adjustment is intended to be applied for after approval of the rezone, which will maintain the current density of the area. Therefore, this criterion is not an issue.*

**(c) Infrastructure, including public facilities and services needed to serve the development:**

*Staff Finding: This criterion is addressed in Finding H(5) above.*

**(d) The characteristics of the development, such as development standards:**

*Staff Finding: All future developments on the subject property are required to meet the standards stipulated by Yakima County Code.*

#### **IV. CONCLUSIONS**

Based on the foregoing Findings, staff recommends the following Conclusions:

1. The Hearing Examiner has jurisdiction to make a recommendation to the Board of Yakima County Commissioners regarding this rezone application.
2. The public hearing notice requirements of YCC 16B (Project Permit Administration) have been satisfied.
3. YCC Table 19.36-1 (Zoning District potential consistency with Comprehensive Plan Future Land Use Designations) provides that the proposed removal of the subject property from the MPDO District is potentially consistent with the Urban Residential Comprehensive Plan Designation.
4. The requested removal of the property from the MPDO District substantially meets the requirements for a rezone set forth in YCC 19.36.030(4) and the consistency standards of YCC 16B.06.020 (Project Consistency) and RCW 36.70B.040 (Determination of Consistency).

## V. RECOMMENDATION

Staff recommends **APPROVAL** of the Minor Rezone removing the property from the Master Planned Development Overlay District.

1. The applicant providing sufficient evidence at the open record public hearing to meet their burden of proof that substantial changes in circumstances exist to warrant an amendment of the current zone, as determined by the Hearing Examiner.

### Attachments:

- A. YCC 16B.07.050 – Compliance, Extension, Expiration and Reinstatement
- B. Internal Comments
- C. Intended Future Boundary Line Proposal
- D. Intent of the MPDO District – YCC19.17.040(1)
- E. Comment from the Washington Department of Ecology, dated May 23, 2024

*Yakima County ensures full compliance with Title VI of the Civil Rights Act of 1964 by prohibiting discrimination against any person on the basis of race, color, national origin, or sex in the provision of benefits and services resulting from its federally assisted programs and activities. For questions regarding Yakima County's Title VI Program, you may contact the Title VI Coordinator at 509-574-2300.*

*If this letter pertains to a meeting and you need special accommodations, please call us at 509-574-2300 by 10:00 a.m. three days prior to the meeting. For TDD users, please use the State's toll free relay service 1-800-833-6388 and ask the operator to dial 509-574-2300.*



# ***Compliance, Extension, Expiration and Reinstatement (YCC 16B.07.050)***

- (1) Compliance with Conditions and Safeguards of Project Permit. It is the affirmative duty of a project permit holder and the land owner (as applicant) to comply with any conditions made a part of the terms under which the approval of a project permit was granted as authorized by Yakima County Code. The applicant shall complete all required conditions, submit documentation that all conditions were met and request County inspection or review to determine that the requirements have been fulfilled within the timeframe specified in the decision and any authorized extensions. When the conditions of the project permit have been met within the timeframe specified by the decision and any subsequent extension authorized by the applicable code, the applicant shall provide a letter certifying that the conditions were met to the Administrative Official to document compliance.
- (2) Extension of Any Approved Project Permit. A valid project permit, other than a preliminary plat, may be extended one time only for up to one additional year by action of the Administrative Official.
  - (a) Requests for extensions shall be made in writing, shall be submitted to the Planning Division prior to the expiration date and shall be accompanied by the final approved site plan showing the location and size of any development or work already completed on the project. Such extension request shall present a timeline that identifies when each of the conditions of the decision has or will be completed and shall detail unique and special circumstances that prohibited the commencement or completion, or both, of the use authorized.
  - (b) The Administrative Official shall review the request without public notice or hearing and issue the decision within fourteen days from the receipt of the completed request. The Administrative Official may:
    - (i) Approve the extension based on a work schedule provided by the applicant to assure the work will be completed according to a modified schedule, or
    - (ii) Disapprove the extension.
  - (c) The Administrative Official shall mail the decision to the applicant and shall specify the decision as final unless appealed to the Hearing Examiner under the provisions of Chapter 16B.09 of this Title. Conditions of approval listed previously in the notice of decision issued pursuant to 16B.07.010 through 16B.07.030 of this Chapter may be appealed only according to the procedures and time periods specified in YCC 16B.09.010 and are not subject to appeal again following any decision or determination of the Administrative Official made under this Section 16B.07.050.

Attachment: A

(3) Failure to Complete Approved Permit Conditions within Specified Timeframe and Failure to Comply with Permit Decisions or Conditions.

- (a) Expiration. If compliance with the terms of the project permit approval has not occurred within the timeframe specified by the decision and any subsequent extension authorized by the applicable code, the project shall be considered expired by time limitation and the land use approval shall be null and void. Expiration of a project permit granted pursuant to Yakima County Code shall not be subject to appeal.
- (b) Violations. A project permit issued or processed pursuant to any applicable Title listed in YCC 16B.01.020 will be deemed in violation of this Code if it is ascertained that the application included any false information material to the project permit approval, or if it develops that the conditions and safeguards made a part of the terms under which the approval was granted are not being maintained. Such violations of project permit approval shall be subject to Chapter 16B.11 and other remedies available to Yakima County under any applicable law to enforce conditions of permit approvals, remedy land use and code violations or abate those violations including without limitation YCC Title 13.
- (c) Compliance Agreement. The applicant and the County may enter into a compliance agreement to complete the required conditions subject to appropriate fees to compensate the County in preparing, recording and implementing the compliance agreement. On terms acceptable to the Administrative Official, in his or her sole discretion, the County may offer an extension of time to complete the required conditions of approval subject to appropriate fees to compensate the County in preparing, recording and implementing any such compliance agreement; provided, however, that no compliance agreement may be used in lieu of the permit process to remove or negotiate conditions of approval.

(4) Reinstatement. Where a project permit has expired, the applicant may apply to have the permit reinstated and the work authorized by the original permit can be recommenced, provided the following are met:

- (a) The applicant submits a written request not more than sixty days after the original permit or authorized extension expired.
- (b) The applicant provides a timeline for successful achievement of all conditions upon which the Administrative Official can agree.
- (c) The codes under which the original permit was issued and other laws which are enforced by Yakima County have not been amended in any manner which affects the work authorized by the original permit.
- (d) No changes have been made or will be made in the original plans and specifications for such work.
- (e) The applicant submits a reinstatement fee. The fee for a reinstated permit shall be seventy percent of the amount required for a new project permit pursuant to YCC Title 20.
- (f) Where the request for reinstatement does not comply with all of the preceding criteria in this Subsection, a new project permit application must be submitted and processed as a new project, at full permit fees.



# Yakima County Public Services

## Workflow Comments

ZON2024-00002

128 North 2nd Street \* Fourth Floor, Courthouse \* Yakima, WA 9890  
(509) 574-2300 \* FAX (509) 574-2301

Date Printed: 6/6/2024

## Workflow History

Task	Status	Comment	Date	Staff
Address Review	Complete	Rezoning this property does not require any change in addressing.	5/8/2024	Jamie West
Building Review	Complete	Based upon the information submitted, a building permit is required for proposals to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed require Building, Fire, Mechanical and/or Plumbing Permits (IRC or IBC, S.R105.1). All construction is required to comply with all applicable provisions of the current adopted International Building Codes (IRC or IBC, S.R101.2) with Washington State Amendments and Washington State Energy Code-Residential or Washington State Energy Code-Commercial (WSEC-R, S.R101.2 or WSEC-C, S.C101.2) at the time of building permit submittal. Building permits and Building Codes are based on the building's use and construction type (Residential). For Commercial use, the entire site, which includes buildings, structures, facilities, elements, and spaces, temporary or permanent, shall be accessible to individuals with disabilities (IBC, S.1103.1). A complete building code compliance plan review will be performed when construction drawings are submitted for building permits.  Adopted applicable Washington State and Yakima County Amended Codes: Residential: International Residential Code (IRC); Commercial: International Building Code (IBC); Mechanical: International Mechanical Code (IMC); Plumbing: Uniform Plumbing Code; Fire: International Fire Code (IFC); Existing Buildings: International Existing Building Code (IEBC). Energy Codes: Residential: Washington State Energy Code-Residential (WSEC-R); Commercial: Washington State Energy Code-Commercial (WSEC-C).  Accessibility (Commercial): International Building Code (IBC), Chapter 11, Appendix E and ICC A117.1-2009 Accessible and Usable Buildings and Facilities.  Electrical: Washington State Department of Labor and Industries.	4/29/2024	Richard Hembree

Code Enforcement Review	Comments Not Required	4/26/2024	Janna Jackson
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Attachment: B

1/4

Current Planning Review	Complete	The application is complete for review. AMC	5/9/2024	Aaron Cohen
Environmental Review	Complete	Minor rezones do not require an environmental review under SEPA.	5/9/2024	Aaron Cohen
Fire Review	Complete	Reviewed for compliance to the fire code.	4/26/2024	Douglas Werts
Flood/Hazard Review	Complete	Based on current FEMA mapping and GIS overlay, the entire parcel or building site is outside the FEMA-designated 100-year floodplain/floodway. Flood-resistant materials and construction methods are not required.	4/29/2024	Richard Hembree
Health Review	Comments Not Required		5/9/2024	Steven Newchurch
Long Range Review	Complete	The application is complete for review. AMC	5/9/2024	Aaron Cohen
Transportation Review	Complete	This rezone does not change density and will not increase the ADT. Yakima County Roads has no issues with this rezone.	4/25/2024	Victor Shaul
Water Resources Review	Comments Not Required		4/25/2024	Carolyn Ehliis

2/14/24

## Related Record Workflow History

ZON2024-00002

RECORD ID	Task	Status	Comment	Date	Staff
EAC2024-00010	Address Review	Comments	Addressing for the sites within Canon View Estates will occur at such time a permit is issued for a habitable structure. No address will be assigned in conjunction with a BLA or Minor Rezone.	4/10/2024	JAMIEW
EAC2024-00010	CEP Prep	Route to Scanning	3/8/24: Routed to scanning. - MM	3/8/2024	MARLENEM
EAC2024-00010	Code Enforcement Review	Comments Not Required		4/8/2024	JANNAJ
EAC2024-00010	Current Planning Review	Comments	Planning Comments uploaded to Documents.	3/28/2024	OLIVIAS
EAC2024-00010	Division Assignment	Planner Assigned		3/26/2024	OLIVIAS
EAC2024-00010	Env. Planning Review	Comments Not Required	Based on the submitted site plan, environmental review will not be required.	3/27/2024	OLIVIAS
EAC2024-00010	Fire Review	Comments	FIRE: Based on the information submitted, all new construction and modifications to existing structures require fire permits. All construction or change of use is required to comply with all applicable provisions of the currently adopted International Fire Codes with Washington State Amendments and the currently adopted Yakima County Ordinances. Fire Permits and Fire Codes are based on the building's use and construction type.	4/1/2024	DOUGLASEW
EAC2024-00010	Intake	Fees not required - route to CEP		3/8/2024	AARONMC
EAC2024-00010	Intake	Route to Manager		3/11/2024	VERONICA.GUTIERREZ
EAC2024-00010	Long Range Review	Comments Not Required		3/27/2024	OLIVIAS
EAC2024-00010	Scanning	Route to File Prep	3/11/2024	3/11/2024	VERONICA.GUTIERREZ
EAC2024-00010	Transportation Review	Comments	This rezone does not change density and will not increase the ADT. Yakima County Roads has no issues with this rezone.	3/26/2024	VICTOR.SHAUL

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EAC2024-  
00010

Water  
Resources  
Review

Comments Not  
Required

5/15/2024 JACKW

414

A PORTION OF THE SE 1/4, NW 1/4,  
AND THE SW 1/4, NE 1/4,  
SEC. 17, T.13N., R.18E., W.M.

PLAT OF CANYON VIEW ESTATES  
A.F.NO. 8156651

COPY



**LEGAL DESCRIPTION**

SEE ATTACHED

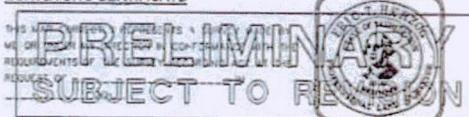
## DISCLAIMER

APPROVAL OF THIS BOUNDARY LINE ADJUSTMENT DOES NOT GUARANTEE A BUILDABLE SITE WITHIN SAID PARCEL(S). SUCH DETERMINATION DEPENDS ON APPROVALS OF WATER, SEPTIC, Bulk AND DIMENSIONAL SETBACKS, AND CRITICAL AREA/SHORELINE REQUIREMENTS.

## NOTES

1. O DENOTES 5/8" REBAR WITH YELLOW CAP MARKED HLA LS 33132/LA LS 44631 SET
2. @ DENOTES REBAR AND CAP L533132/44631 FOUND UNLESS NOTED OTHERWISE.
3. ® DENOTES NAIL/WASHER LS33132/44631 SET.
4. THE SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 17, T. 13 N., R. 18 E., W.M. IS ASSUMED TO HAVE A BEARING OF S 89°35'11" E.
5. SURVEY PERFORMED WITH A LEICA CS18 GPS RECEIVER UTILIZING FAST STATIC AND REAL TIME KINEMATIC PROCEDURES
6. MONUMENTS SHOWN HEREON AS FOUND WERE VISITED IN MAY, 2019.
7. THIS SURVEY MEETS OR EXCEEDS THE STANDARDS CONTAINED

**SURVEYOR'S CERTIFICATE**



**CERTIFICATE NO:**

AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS \_\_\_\_ DAY OF \_\_\_\_  
20\_\_\_\_, AT \_\_\_\_ M. UNDER AUDITOR'S FILE NUMBER  
\_\_\_\_ RECORDS OF YAKIMA COUNTY,  
WASHINGTON, AT THE REQUEST OF HLA ENGINEERING AND

YAKIMA COUNTY AUDITOR

By DEBBIE

2803 River Road  
Yakima, WA 98902  
509.966.7000  
Fax 509.965.3800  
[www.hiacivil.com](http://www.hiacivil.com)


 HLA  
 Engineering and Land Surveying, Inc.

SITE PLAN AND PRELIMINARY

RECORD OF SURVEY  
for SCENIC BRANCH LLC

WILSONS BIRDS

DATE OF FIELD SURVEY: XXXXXXXXXX	
FIELD BOOK: XXXXXXXXX	
JOB NO: 18118	
FILE NAME: JETTISLAKE	
DRAWING SEE: TDF	
DATE: 2-7-24	
REVIEWED BY: ETH	
DATE: 2-7-24	
17	
T.13N., R.18E., W.M.	
SHEET 1 of 1	

## 19.17.040 Master Planned Development Overlay District (MPDO).

(1) Legislative Intent. The Master Planned Development Overlay is intended to allow larger scale, mixed-use developments in selected areas within Urban Growth Areas where certain development requirements may be modified to promote an integrated approach to planning and site design. The County finds that such developments require special review and conditioning to ensure adjacent areas are preserved and protected. An MPDO is specifically intended to accomplish the following:

(a) Regulatory Flexibility and Incentives. A Master Planned Development Overlay is a comprehensive development plan intended to provide flexibility in design and building placement, promote attractive and efficient environments that incorporate a variety of uses, densities and/or dwelling types, provide for economy of shared services and facilities, and economically utilize the land, resources and amenities. A Master Planned Development Overlay is intended to create regulatory incentives and standards that:

(i) Allow flexibility in development standards, densities and permitted uses while ensuring compatibility with neighboring uses. Facilitate the efficient use of land and provide for a comprehensive review of integrated development projects;

(ii) Increase economic feasibility by fostering efficient arrangement of land use, buildings, transportation systems, open space and utilities;

(iii) Provide certainty regarding the character, timing and conditions for planned residential, commercial, industrial and mixed use development within an identified geographic area and vest such projects through a public review process;

(iv) Provide needed services and facilities in an orderly, fiscally responsible manner;

(v) Promote economic development;

(vi) Create vibrant mixed-use neighborhoods, with a balance of housing, employment, commercial and recreational opportunities; and

(vii) Promote consistency with the goals, policies and objectives of the Comprehensive Plans.

Attachment: D

(b) Accommodate Large Developments. A Master Planned Development may take the form of a residential, commercial, industrial or mixed-use development. Each is

intended to accommodate and facilitate larger scale development designed to accomplish integrated and flexible site planning. Residential, Commercial and Industrial Master Planned Developments shall be allowed in zoning districts consistent with the primary use of the respective Master Planned Development (e.g., residential Plan Development in residential zones). A Master Planned Development mixed use shall be permitted in any zoning district subject to specific findings that the site and master concept plan are compatible with existing adjacent land uses.

(c) Innovation. Applicants for Master Planned Development will be encouraged to utilize unique and innovative facilities that encourage the efficient and economical use of the land; promote a sound system for traffic and pedestrian circulation; promote open space and use of natural and/or developed amenities; and provide an architecturally attractive, durable and energy efficient development. The intent of the MPDO is to permit development that typically cannot be accomplished through another land use approval, such as a subdivision.

(d) Zoning District Reversion. A MPDO, approved in accordance with the procedures of this chapter, shall be considered a zoning district overlay. MPDOs may specifically permit proposed uses and developments which can be shown to be in conformance with the policies of the comprehensive plan and the uses allowed in the base zone. Approval of a MPDO may modify and supersede regulations of the underlying zoning district. If an approved MPDO ceases to exist for whatever reason, the area covered by such MPDO shall revert to its previous zoning district classification without the MPDO overlay.

(2) Types of Master Planned Development Overlays – Permitted Uses.

(a) Types. The following four types of Master Planned Development Overlays are authorized within the Urban Growth Area:

(i) Master Planned Development – Residential. A residential Master Planned Development is designed to provide a type or mixture of residential dwellings (single-family, two-family, or multiple-family) with attendant streets, utilities, public facilities and appurtenant common open space and recreational facilities or other areas or facilities. A residential Master Planned Development is authorized in any residential zone (Suburban Residential, Single Family Residential, Two Family Residential and Multi-Family Residential) and Professional Business (B-1) and Local Business (B-2) zones. The residential Master Planned Development may include incidental or supporting uses and facilities consistent with the densities and primary use of the site for residential dwelling units;

(ii) Master Planned Development – Commercial. A commercial Master Planned Development is designed for the integrated site planning of commercial, retail, office or mixed commercial use (commercial, office and retail) developments. The commercial Master Planned Development shall provide commercial services and facilities, and may include any incidental and/or supportive land uses. A commercial Master Planned Development is authorized in any commercial or business district (i.e., B-1, B-2, SCC, LCC, GC), and Light Industrial (M-1) district as identified in Chapter 19.13;

(iii) Master Planned Development – Industrial. An industrial Master Planned Development is designed to allow for the innovative site planning of industrial land uses and facilities, industrial parks and business parks. The industrial Master Planned Development shall be allowed in Light Industrial (M-1) and Heavy Industrial (M-2) zoning districts as designated in Chapter 19.13; and

(iv) Master Planned Development – Mixed Use.

(A) The intent of the Mixed Use Master Planned Development is to encourage the innovative mixture of residential, office, commercial, retail, and certain light manufacturing uses. Uses may be combined in single structures or buildings or may be designed with other uses as designated in the Allowable Land Use Table 19.14-1 in Chapter 19.14; and

(B) A mixed use Master Planned Development is intended to accommodate larger scale residential, commercial, retail, office and/or recreational uses. Mixed use development will include innovative planning techniques; a mixture and variety of land uses; integrated planning of site improvements and structures; and site planning that increases the economic feasibility and efficient use of land. A mixed use Master Planned Development is authorized in any zoning district, except Heavy Industrial (M-2).

(b) Master Planned Developments – Permitted Uses. The following uses are permitted in Master Planned Developments upon approval of a Master Development Plan:

(i) Residential Master Planned Developments.

(A) One-family, two-family and multifamily residences;

(B) Recreational and amusement facilities that serve the Master Planned Development and general public including, but not limited to, golf courses, clubhouses, restaurants, driving ranges, tennis courts, swimming pools, parks, community centers and playgrounds;

- (C) Schools, libraries, museums, and art galleries;
- (D) Public services and facilities including police and fire stations;
- (E) Manufactured home park and subdivision, provided that Sections 19.18.280 and 19.34.080 shall be met as a condition of approval of the Master Planned Development; and
- (F) Any other uses authorized in the underlying zone are under Type 1, 2 or 3 Review and are in this Title.

(ii) Commercial and Industrial Master Planned Developments.

- (A) Uses are permitted under those uses allowed within the underlying zoning district as identified in Chapters 19.11 through 19.13; and
- (B) Such other uses consistent with the Comprehensive Plans and Future Land Use Map or are of a similar type and intensity as those uses allowed in the Allowable Land Use Table 19.14-1 in Chapter 19.14.

(iii) Mixed Use Master Planned Development. Any residential, retail, commercial, office, public, light industrial and/or recreational use may be permitted in a mixed use Master Planned Development, provided such uses are designed in harmony with the overall site plan and do not adversely impact adjoining properties and development. Uses may include a combination of residential, commercial, retail, service and recreational uses developed in an innovative manner. This overlay is intended to provide flexibility in design, concept and usage in order to respond to and meet the needs of the community and marketplace.

(c) Additional Uses Allowed in Residential and Commercial MPDOs. Unless otherwise restricted by this Title, the Hearing Examiner is authorized to recommend additional uses within a Master Planned Development, provided such uses are an integrated component of the development and not detrimental to surrounding land uses. Authorization of additional uses shall consider the following factors:

- (i) Factors to Consider in Residential MPDOs.

- (A) Any non-residential uses proposed in a Master Planned Development - Residential shall be primarily designed and intended for the residents within the proposed development and planned as an integral part of such Master Planned Development; and

(B) Non-residential uses within a Master Planned Development – Residential are limited to those uses allowed as Permitted or Administrative uses in Professional Business (B-1) and Local Business (B-2), as listed in the Allowable Land Use Table 19.14-1 in Chapter 19.14 of this Title. Such non-residential uses will be limited to only ten percent of the land in the Master Planned Development, except recreational facilities or as otherwise provided in this Title. No commercial or other intensive non-residential use may be closer to the boundary of any adjacent residential district than is permitted for the same use by the underlying zoning.

(ii) Factors to Consider in Commercial MPDOs. Residential uses within a Master Planned Development – Commercial or Industrial shall be secondary to the primary commercial and industrial use as designed to be consistent with integrated site planning.

(3) Minimum Project Size. The minimum project size for a Master Planned Development shall be five acres. All properties in the Master Development Plan shall be contiguous, with logical outer boundaries.

(4) Project Densities. Approval of a density (higher or lower) for an MPDO that differs from that specified for the underlying zoning in this Title is allowed if the design of the MPDO will offer public benefits not otherwise achievable under the current zoning standards, and if it is demonstrated that the MPDO with an adjusted density will not result in inconvenience or unsafe access to the MPDO, traffic congestion in the private or public streets which adjoin the MPDO or excessive burden on parks, recreation areas, schools and other public facilities which serve or are proposed to serve the MPDO. Adjustments to density (higher or lower) can only be approved if an area-wide public water and regional public sewer are available to the site. Densities of the underlying zoning district will apply if they aren't adjusted through the Master Development Plan.

(5) Public Benefit Demonstration.

A. Common open space requirements. In residential MPDOs there shall be a minimum of ten (10) percent of the total area of the MPDO dedicated or reserved as usable common open space land consisting of land that is not otherwise protected from development such as critical areas. Common open space in a MPDO shall meet the following requirements:

1. The location, shape, size and character of the open space must be suitable for the MPDO and consistent with the purposes of this chapter as set forth in Section 19.17.040(1);

2. Common open space must be used for amenity or recreational purposes. The uses authorized for the common open space must be appropriate to the scale and character of the MPDO, considering its size, density, expected population, topography and number and type of dwelling units to be provided;

3. Common open space must be suitably improved for its intended use, but common open space containing natural features may be left unimproved. The buildings, structures and improvements are permitted in the common open space as long as they conserve and enhance the amenities of the common open space in regard to its topography and unimproved conditions. No dwelling units, as defined in 19.01.070(4), shall be allowed in the required open space.

B. The development time table, which is part of the final development plan, must coordinate improvement of common open space, construction of buildings, structures and improvements in the common open space and the construction of residential dwellings in the MPDO.

C. The development shall demonstrate that it will meet a community need or provide improvements or project features that exceed the requirements of the other chapters of this title, the other titles of the county code, and the county design and construction standards. A development shall provide demonstrable public benefits, including at least two of the following:

1. Project includes senior or special needs housing, of at least 20 percent of total units, guaranteed to be dedicated to such use for a period of not less than 50 years through a deed restriction or other form acceptable to Yakima County.

2. Project provides two or more housing types that create greater housing variety and affordability that are not found or rare in the community.

3. Project involves the voluntary undergrounding of existing above ground utilities where such undergrounding would not otherwise be required.

4. The project creates a park or trail system improvement not otherwise required by county development regulations that is consistent with the goals and objectives of an adopted Yakima County Trails Plan, Yakima Greenway plan, or any other applicable plans.

5. The project design demonstrates a superior level of protection and/or enhancement for elements of the environment, including: air quality, water quality, natural topography, native vegetation, etc. For purposes of this category, superior level of protection and/or enhancement includes incorporation of additional

protections and/or restoration projects that enhance protection of or restore critical functions and values of the environmental element.

6. Project design includes nonmotorized transportation features and amenities not otherwise required by the county code.

7. Project improves the public street(s) adjacent to the project site using a complete streets design to provide accommodation for pedestrians, bicyclists, transit riders, and person of all abilities, where such improvements are not otherwise required by county development regulations.

8. The development provides public art and cultural amenities that reinforces the community's identity and character, and has a long-term maintenance plan and agreement acceptable to the County.

9. Project demonstrates a high degree of innovation by providing one or more design features not listed elsewhere in this rating instrument or otherwise required by county development regulations that promote(s) sustainability, energy/water conservation or efficiency, community cohesion, neighborhood safety, adaptive reuse of existing development, or enhanced transportation circulation/mobility.

(6) Application. Applications for Master Planned Development Overlay – The Master Planned Development Overlay zone shall be established only with a Master Development Plan that sets forth the parameters for development of the property, including a Site Plan and Development Agreement. An application for a Master Planned Development may be submitted as a concept plan or consolidated with site specific proposals (e.g., preliminary plat, use applications, etc.) as provided in Chapter 19.30.060(12). The proposed master plan shall be for property under single ownership, or if in multiple ownerships, the master plan application shall be signed by each owner of the property within the master plan and all owners shall be bound by conditions of approval, including use, design and layout and development standards established through the hearing process. All properties in the master concept plan shall be contiguous with logical outer boundaries within in the Urban Growth Area (UGA).

(7) Review Process.

(a) Pre-Application Conference. A Master Planned Development site plan shall be subject to a pre-application conference prior to formal submittal. The preliminary site plan shall be submitted to the Administrative Official, which shall include the material outlined for a master concept plan as set forth in Subsection 19.30.060(12)(b). The Administrative Official shall coordinate with the appropriate departments and provide recommendations to the applicant regarding site planning; use and concept design;

street and utility layout; design and location; development standards and other matters pertinent to the application and review criteria.

(b) Application. The Master Planned Development Overlay application shall be reviewed using the minor rezone procedures described in Section 19.36.030 (Minor Rezone – Map Amendment), except the criteria of Subsection 19.17.040(7)(d) shall be used instead of the minor rezone decision criteria of 19.36.030(5). The binding site plan process is not available for MPDO applications. Upon filing of a complete Master Plan application and completion of the required environmental review process, the Planning Division shall forward the application, together with its recommendation, to the Hearing Examiner to conduct a public hearing and review in conformity with this Title and YCC Title 16B.

(c) Public Hearing and Recommendation. A Master Plan Development application shall be reviewed in an open record public hearing before the Hearing Examiner. Hearings shall be as prescribed in YCC Title 16B. The Hearing Examiner shall apply the Master Plan Development review criteria set forth herein and issue a written recommendation to the Board to approve, approve with conditions or deny the proposed Master Planned Development. The Hearing Examiner may add recommended conditions as necessary to protect the general public interest, health, safety, comfort and welfare from potential impacts, nuisances, hazards, or offensive conditions. The recommendation shall include findings, conclusions and conditions based on evidence and testimony in the open record public hearing.

(d) Master Plan Development – Review Criteria. The Hearing Examiner shall evaluate a Master Planned Development application and other evidence submitted into the record, and shall issue such recommendation based upon the following considerations and criteria:

(i) The master plan development application demonstrates the economic and efficient use of land and provides for an integrated and consistent development plan for the site;

(ii) The applicant has identified development standards and uses that are consistent with the master plan and designed to be compatible with adjacent land uses after consideration of applicable mitigation and site design. The Hearing Examiner may consider development standards that are different from currently adopted development standards to provide flexibility in site planning; to implement project design and concepts; to respond to market conditions; or to otherwise achieve the public benefits contemplated by the concept plan;

(iii) Consideration shall be given to “low impact development” concepts;

(iv) There will be adequate infrastructure capacity available by the time each phase of development is completed;

(v) The Master Planned Development contains design, landscaping, parking/traffic management, and use mixture and location that limit or mitigate conflicts between the Master Planned Development and adjacent uses. Consideration shall be given to site planning that supports land use flexibility through means of appropriate setbacks, landscaping, site screening, buffers and other design features or techniques;

(vi) All potential significant off-site impacts including noise, shading, glare and traffic have been identified and mitigation incorporated to the extent reasonable and practical;

(vii) The project is designed and includes appropriate consideration of open spaces and transportation corridors, designs of street and public open space amenities, and results in the functional and visual appearance of one integrated project;

(viii) The proposed development is not adverse to the public health, safety or welfare;

(ix) The public benefits of approving the Master Planned Development outweigh the effect of modification of standards to the underlying zoning district; and

(x) The proposed development is designed to be consistent with the Shoreline Master Program and Critical Areas Ordinance.

(e) Board of Yakima County Commissioners. Following receipt of the Hearing Examiner's recommendation, the Board shall schedule a closed record hearing for consideration of the Hearing Examiner's recommendation on the Master Planned Development Overlay application as provided in this Title and YCC Title 16B.09.

(f) Appeals. See YCC 16B.09.060 for judicial appeals.

(g) Phased Development. The Master Planned Development Overlay application may include two or more phases of development provided that:

(i) The development plan identifies phases of the project in sufficient detail to evaluate timing and coordination of phased development;

(ii) The proposed timing or sequencing of development, recognizing that phasing may require flexibility responsive to market demands;

- (iii) Each phase will be subject to development standards identified, adopted and vested in the review process; and
- (iv) Each phase of a proposed master plan shall contain adequate infrastructure, landscaping and all other conditions in order to allow the phase to stand alone if no other subsequent phases are developed.

(h) Master Planned Development Overlay – Development Agreement. An approved Master Planned Development Overlay (including conditions and development standards) shall be incorporated into a development agreement as authorized by RCW 36.70B.170. The development agreement shall provide for vesting of such development conditions and standards as deemed reasonable and necessary to accomplish the goals of the Master Planned Development for the duration specified in the agreement, not to exceed ten years. This agreement shall be binding on all property owners within the Master Planned Development and their successors and shall require development of the subject property be consistent with and implement the provisions of the approved Master Planned Development. The approved development agreement shall be signed by the majority of the Board and all property owners and lien holders within the boundaries of the Master Planned Development Overlay and recorded prior to approval and/or issue of any implementing plats or permits.

(i) Implementing Permits and Approvals.

(i) Implementing Applications. Any development applications submitted for property within an approved Master Planned Development Overlay shall be reviewed for consistency with and implement the Master Planned Development plan. Any subsequent application shall be reviewed and approved under the conditions and standards adopted in the Master Planned Development Overlay.

(ii) Planned Action – Environmental Review. An applicant may submit a Master Planned Development concept plan as a planned action under WAC 197-11-164. Any project review under the authorized planned action shall include:

- (A) Verification that the project meets the description, and will implement any conditions or mitigation measures identified in the Master Planned Development approval and ordinance or resolution; and
- (B) Verification that the probable significant adverse environmental impacts of the project have been addressed in environmental review in the master plan review processes.

If the implementing project meets the above requirements, the Administrative Official may deem the project to qualify as the planned action designated in the master plan approval and a project threshold determination or EIS shall not be required. [WAC 197-11-172(2)]. The County may place conditions on the project to address significant impacts that were not fully addressed through the planned action process. Public notice for projects that qualify as planned actions shall be tied to the underlying permit.

(8) Modification of an Approved Master Planned Development Overlay. Proposed modifications to an existing Master Planned Development Overlay shall adhere to 19.35.055.

(Ord. 9-2019 (Exh. 4) (part), 2019: Ord. 7-2013 § 1 (Exh. A) (part), 2015).

MAY 23 2024

Case No.: ZON24-002  
Assigned To: Aaron

STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

Central Region Office

1250 West Alder St., Union Gap, WA 98903-0009 • 509-575-2490

May 23, 2024

Aaron Cohen  
Yakima County  
128 North Second Street  
Yakima WA, 98901

RE: ZON2024-00002; 202402049

Dear Aaron Cohen,

Thank you for the opportunity to comment on the Notice of Application for the Scenic Ranch LLC Minor Rezone. We have reviewed the application and have the following comment.

**Toxics Cleanup Program:**

Thank you for the opportunity to comment on your proposed project.

Historical aerial photos indicate your property was occupied by orchard during the period when the pesticide lead arsenate was applied, often resulting in shallow soil contamination from lead and/or arsenic.

Ecology encourages you to consider how any proposed changes in your property will increase exposure to likely contaminated soil. If vacant, commercial, industrial or agricultural properties are converted to residential use, there may be an increased risk of exposure to soil with elevated concentrations of arsenic and lead.

Ecology can provide soil sampling at no cost. If sampling indicates elevated levels of lead and arsenic, there are simple steps that can be taken to reduce exposure.

Ecology can also provide free technical assistance and has developed pre-approved cleanup options for lead and arsenic soil contamination on historical orchards of Central Washington. More detailed information is available at <https://apps.ecology.wa.gov/publications/SummaryPages/2109006.html>.

Additional information, including precautions you can take to reduce exposure, is available at <https://ecology.wa.gov/spills-cleanup/contamination-cleanup/dirt-alert-program/healthy-actions>.

COPY

Attachment: E

1/2

May 23, 2023

Page 2 of 2

Please contact Hector Casique, Project Manager, at (509) 208-1288 or  
email [hector.casique@ecy.wa.gov](mailto:hector.casique@ecy.wa.gov), for further information or to schedule a soil sampling visit.

Sincerely,

*Jessica Swift*

Jessica Swift  
On behalf of SEPA Coordinator  
Central Regional Office  
509-379-0702  
[crosepacordinator@ecy.wa.gov](mailto:crosepacordinator@ecy.wa.gov)

**COPY**

*2/2*

JUN 05 2024

Case No.: ZON24-002Assigned To: Aaron**SIGN POSTING PROCEDURES AND CERTIFICATION**

The applicant is required to post one or more public hearing notification signs at the site of the land use proposal. The applicant is responsible for obtaining the sign(s) from the Yakima County Planning Division and for posting and maintaining the sign(s) as prescribed below (YCC 16B.05.030 (4)):

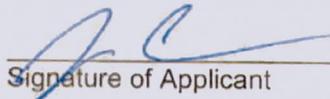
1. The sign(s) shall be placed on the property a minimum of 15 days before the scheduled public hearing date;
2. If the public hearing is continued, delayed, or postponed, the sign(s) shall be replaced or amended to accurately describe the new date, place, and time for the public hearing;
3. If the property has more than one (1) street frontage, a sign shall be placed facing each street;
4. If the property under consideration does not have any abutting street, consult with the Planning Division staff regarding the appropriate location for the sign(s);
5. The sign(s) shall be firmly affixed on the property in a place visible from the adjoining streets:
  - a. The sign(s) shall be placed within five (5) feet of the public right-of-way; and
  - b. The sign(s) shall be a minimum of two (2) feet above the ground;
  - c. The sign(s) shall be positioned to have no visual obstructions and to be readily seen;
6. The status of the sign(s) should be checked frequently and fallen or destroyed sign(s) shall immediately be replaced; new sign(s) are available from the Planning Division if needed for an additional fee; and
7. The sign(s) shall be posted and maintained throughout the approval process and then removed by the applicant within five (5) days after the public hearing.

The sign board(s) shall be returned to the Planning Division no later than 7 days after the hearing date or a reimbursement fee for the board will be added to the final billing.

Fifteen (15) days prior to the public hearing the applicant is required to certify that the sign(s) have been posted and maintained as required. Applicants are also required to submit a photo showing the posted sign(s) as viewed from the abutting street(s). Failure to comply with these requirements will cause the public hearing to be canceled and rescheduled for a later date.

THE FOLLOWING CERTIFICATION IS TO BE COMPLETED AND SUBMITTED TO THE PLANNING DIVISION A MINIMUM OF 15 DAYS PRIOR TO THE PUBLIC HEARING.

I, Joseph Calhoun (printed name) hereby state that I have received a copy of the Sign Posting Procedures and that the required sign(s) have been posted and maintained as prescribed in the Sign Posting Procedures.

  
Signature of Applicant

06/05/24  
Date

For Official Use Only:

Case Number: **ZON2024-00002**  
Planner: Aaron M. Cohen

Date Received: 6/5/24

FILED  
HEARING EXAMINER 1  
EXH # 1 DATE 6/5/24  
FILE NO. ZON2024-00002



FILED  
HEARING EXAMINER

EXH # 1 DATE 10/15/2024  
FILE NO. ZDN 2024-00002

## Casey Dunbar

**From:** Aaron Cohen  
**Sent:** Wednesday, June 5, 2024 3:55 PM  
**To:** Joseph Calhoun  
**Subject:** RE: ZON2024-00002 Property Posting

Hi Joseph,

Thank you for letting me know.

All the best,

Aaron

Aaron M Cohen  
Planner III  
Yakima County Public Services, Planning Division  
128 North Second Street  
4<sup>th</sup> Floor, County Courthouse  
Yakima, WA, 98901  
(509) 574-2300

If you are wanting to submit any documentation related to an existing application, check the status of an existing application, or are wanting to submit a new application for review please visit the Public Services online permitting portal at <https://yakimacountypermits.us/CitizenAccess/Default.aspx>. Please note, not all Planning applications can be applied for online. If the application type you are wishing to apply for does not appear as an option then you can either e-mail your application materials to [Planning\\_Info@co.yakima.wa.us](mailto:Planning_Info@co.yakima.wa.us) or you can come into the Public Services Department office and meet with a staff member. Public Services Department office hours are Monday – Friday from 8:00 am – 4:00 pm and we are located on the 4<sup>th</sup> floor of the Yakima County Courthouse at 128 N. 2<sup>nd</sup> Street, Yakima, WA 98901.

**This email and replies to it are subject to public disclosure under Washington state statute (RCW 42.56 - Public Records Act).**

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**From:** Joseph Calhoun <jcalhoun@hlacivil.com>  
**Sent:** Wednesday, June 5, 2024 3:51 PM  
**To:** Aaron Cohen <Aaron.Cohen@co.yakima.wa.us>  
**Subject:** RE: ZON2024-00002 Property Posting

**CAUTION :** This email originated from outside of this organization. Please exercise caution with links and attachments.

Aaron,

It was posted today.

Thanks,



**Joseph Calhoun, Planning Supervisor**  
**HLA Engineering and Land Surveying, Inc.**  
2803 River Road, Yakima, WA 98902  
Office: (509) 966-7000 | Cell: (509) 945-3096  
[jcalhoun@hlacivil.com](mailto:jcalhoun@hlacivil.com) | [www.hlacivil.com](http://www.hlacivil.com)

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**From:** Aaron Cohen <[Aaron.Cohen@co.yakima.wa.us](mailto:Aaron.Cohen@co.yakima.wa.us)>  
**Sent:** Wednesday, June 5, 2024 3:48 PM  
**To:** Joseph Calhoun <[jcalhoun@hlacivil.com](mailto:jcalhoun@hlacivil.com)>  
**Subject:** RE: ZON2024-00002 Property Posting

Hi Joseph,

That works for us. One quick question, did you post the sign today? If not, when did you post the sign?

All the best,

Aaron

Aaron M Cohen  
Planner III  
Yakima County Public Services, Planning Division  
128 North Second Street  
4<sup>th</sup> Floor, County Courthouse  
Yakima, WA, 98901  
(509) 574-2300

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recipient, you are hereby notified that any disclosure, copying, distribution or taking any action based on the contents of this electronic mail is strictly prohibited. If you have received this electronic mail in error, please contact the sender and delete all copies.

**From:** Joseph Calhoun <[jcalhoun@hlacivil.com](mailto:jcalhoun@hlacivil.com)>  
**Sent:** Wednesday, June 5, 2024 3:14 PM  
**To:** Aaron Cohen <[Aaron.Cohen@co.yakima.wa.us](mailto:Aaron.Cohen@co.yakima.wa.us)>  
**Subject:** ZON2024-00002 Property Posting

**CAUTION :** This email originated from outside of this organization. Please exercise caution with links and attachments.

Good afternoon, Aaron.

Attached are the signed certification of property posting and a photo. Please let me know if this is satisfactory.

Thanks,



**Joseph Calhoun, Planning Supervisor**  
**HLA Engineering and Land Surveying, Inc.**  
2803 River Road, Yakima, WA 98902  
Office: (509) 966-7000 | Cell: (509) 945-3096  
[jcalhoun@hlacivil.com](mailto:jcalhoun@hlacivil.com) | [www.hlacivil.com](http://www.hlacivil.com)

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# Public Services

128 North Second Street • Fourth Floor Courthouse • Yakima, Washington 98901  
(509) 574-2300 • 1-800-572-7354 • FAX (509) 574-2301 • [www.co.yakima.wa.us](http://www.co.yakima.wa.us)

LISA H. FREUND Director

DATE: May 30, 2024

TO: Scenic Ranch LLC, Joseph Calhoun, Adjacent Property Owners, and Interested Agencies

FROM: Aaron M. Cohen, Yakima County Public Services Department: Planning Division

SUBJ: ZON2024-00002 – Scenic Ranch LLC Minor Rezone  
Notice of Hearing

## DESCRIPTION OF PROPOSAL

**Owner:** Scenic Ranch LLC

**Applicant:** Joseph Calhoun, HLA Engineering & Surveying

**Location:** The property is located on the north side of Scenic Drive, and approximately, ¼ of a mile east of the Vertner Road and Scenic Drive intersection. The property is approximately 400-feet north of the city limits of the City of Yakima

**Tax Parcel No.:** 181317-13446

**Proposal:** The applicants are seeking to remove the subject property from the Master Planned Development Overlay (MPDO) District to allow a boundary line adjustment to be proposed with Parcels 181317-24412 & 181317-24413. The intended boundary line adjustment is to reconfigure the property lines around the entrance to Canyon View Estates establishing slightly larger lots. The boundary line adjustment application is not consolidated with this application.

## PROJECT INFORMATION:

A land use application has been submitted near your property. To view the application materials online go to <https://yakimacountypermits.us> (select Planning tab, enter record number(s) in the search box and hit enter, select the record info drop down, and then select attachments) or you can view a copy of application materials at the Planning Division on the 4th floor of the Courthouse.

## NOTICE OF PUBLIC HEARING:

An open record public hearing is scheduled before the Yakima County Hearing Examiner on Thursday, June 27, 2024, at 9:30 am. The hearing will be conducted both in-person in the BOCC Conference Room (Yakima County Courthouse Basement, Room B33, 128 N. 2nd Street, Yakima) and virtually/telephonically using Microsoft Teams. For joining information go to <https://www.yakimacounty.us/2566/Upcoming-Public-Hearings>. The link will provide information with the options to either “Join the meeting via Microsoft Teams” or to call in on a telephone.

Yakima County ensures full compliance with Title VI of the Civil Rights Act of 1964 by prohibiting discrimination against any person on the basis of race, color, national origin, or sex in the provision of benefits and services resulting from its federally assisted programs and activities. For questions regarding Yakima County's Title VI Program, you may contact the Title VI Coordinator at 509-574-2300.

If this letter pertains to a meeting and you need special accommodations, please call us at 509-574-2300 by 10:00 a.m. three days prior to the meeting. For TDD users, please use the State's toll free relay service 1-800-833-6388 and ask the operator to dial 509-574-2300.

6  
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HEARING EXAMINER

EXH # 3 DATE 5/30/2024  
FILE NO. ZON2024-00002

If you wish to speak during the Public Hearing, there will be an allotted time for public comments. You will then be asked to state your name and provide your contact information into the record. Virtual/telephonic participants should not mute or unmute themselves; the host will do this for you. All virtual participants must put their names in the Microsoft Teams Meeting application window.

Your views on the proposal are welcome and any person may provide written comments on the issues related to the proposal. Written comments or other exhibits to be received at or prior to the hearing may be submitted as follows:

- Via email to: [planning\\_info@co.yakima.wa.us](mailto:planning_info@co.yakima.wa.us)
- Via mail to: Aaron M. Cohen, Fourth Floor County Courthouse, 128 North Second Street, Yakima WA 98901.

Comments submitted up to and during the hearing will be considered. **Be sure to reference the above file number in your correspondence.** Anyone who submits written comments will automatically become a party of record and will be notified of any decision on this project.

Interested parties may request copies of the hearing notice or participate in the hearing. A staff report on the project will be available about a week before the hearing on the Yakima County Hearing Examiners webpage at: <https://www.yakimacounty.us/843/Hearing-Examiner>.

Notice of the final decision will be sent to those who comment or may be obtained upon request. The final decision will contain specific appeal information. If you have any questions on this proposal, please call **Aaron M. Cohen, Planner III**, at (509) 574-2300 or 1-800-572-7354 ext. 2300.

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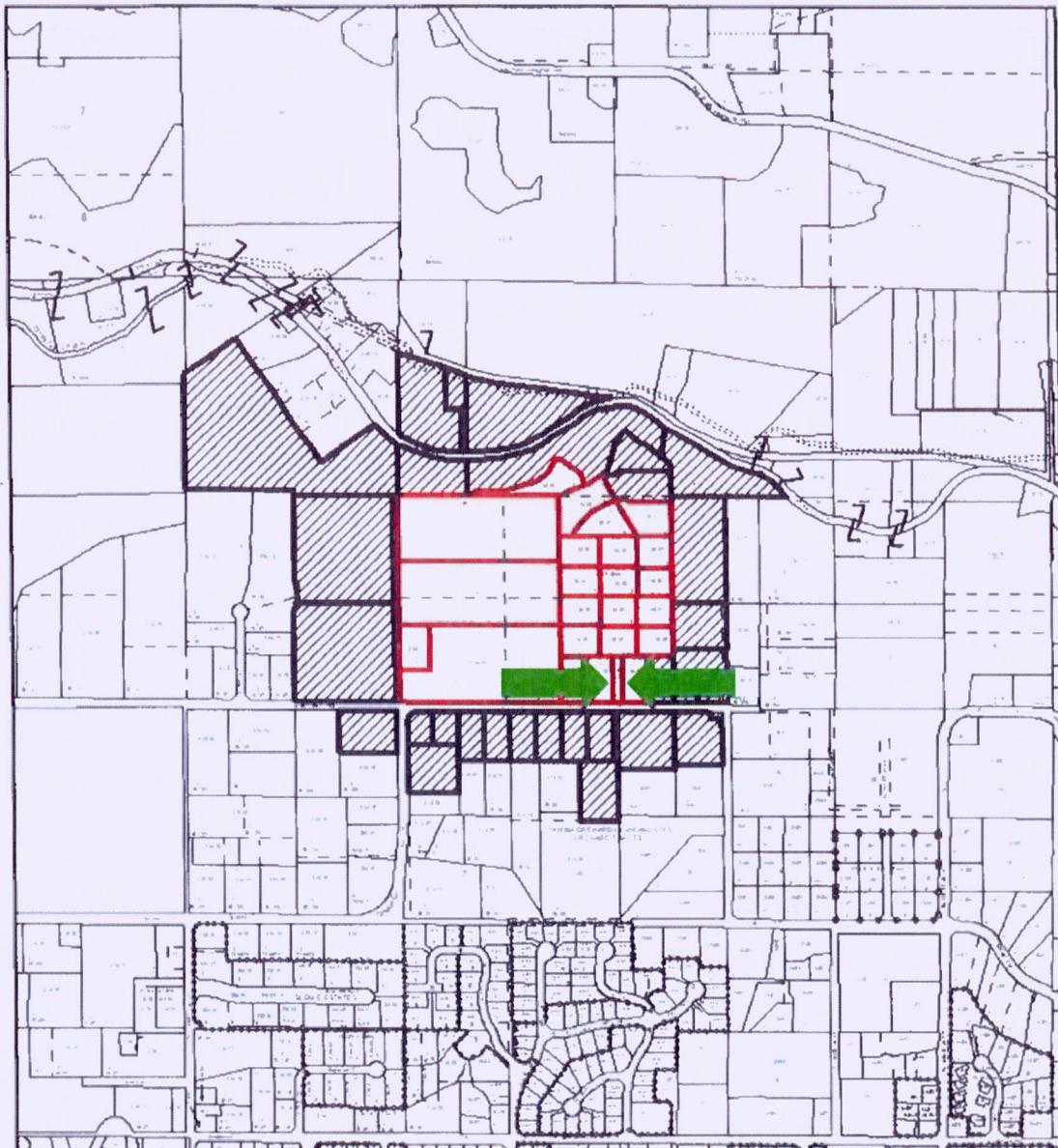
*If this letter pertains to a meeting and you need special accommodations, please call us at 509-574-2300 by 10:00 a.m. three days prior to the meeting. For TDD users, please use the State's toll free relay service 1-800-833-6388 and ask the operator to dial 509-574-2300.*

7  
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HEARING EXAMINER

EXH # 3 DATE 5/30/2024  
FILE NO. 2024-0002

**Notice Map:**



**FILE: ZON2024-00002**  
**NAME: Scenic Ranch LLC/ Calhoun**

Please refer to file for Parcel Numbers



Subject Parcels



Notified Property Owners  
Within 300 Feet

Mapscale 1" = 800  
April 19, 2024



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8  
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HEARING EXAMINER

EXH # 3 DATE 5/30/2024  
FILE NO. ZON 2024-00002

18131713442 ADRIANNA GUTIERREZ 610 S 25TH AVE YAKIMA, WA 98902	18131713408 ALISSA KATHRYN & LANNY GILL 7027 SCENIC DR YAKIMA, WA 98908	18131721004 CARL JENNERIOHN 3402 FRUITVALE BLVD YAKIMA, WA 98902
18131722007 COWICHE CANYON CONSERVANCY PO BOX 877 YAKIMA, WA 98907	18131713426 CRAIG D & JENNIFER A FOSTER 1101 SCENIC CANYON LN YAKIMA, WA 98908	18131713428 DH CONSTRUCTION & ASSOCIATES LLC PO BOX 8353 YAKIMA, WA 98908
18131721006 DOUGLAS TERRELL 7400 COWICHE CANYON RD Yakima, WA 98908	18131713442 ENRIQUE ZOLEZZI 610 S 25TH AVE YAKIMA, WA 98902	18131712005 GARTH R & CRISTINA M NOTESTINE 6909 COWICHE CANYON RD YAKIMA, WA 98908
18131723400 JANE GILBERT PLATH 7707 VERTNER RD YAKIMA, WA 98908	18131721005 KEVIN HIATT 7405 COWICHE CANYON RD YAKIMA, WA 98908	18131731414 MARK & JEAN MCWHORTER 4001 SUMMITVIEW AVE STE 5 YAKIMA, WA 98908
18131731425 MATTHEW & MICHELLE LYNN SEVIGNY 7204 SCENIC DR YAKIMA, WA 98908	18131713422 MATTHEW E CROW 7507 SCENIC DR YAKIMA, WA 98908	18131742409 RICHARD D & CAROLYN CHRISTENSEN 719 N 39TH AVE #101 YAKIMA, WA 98902
18131731416 RICHARD K & MARY D HOGSETT LIVING TRUST 7605 SCENIC DR YAKIMA, WA 98908	18131713417 ROBERT & BARBARA COOPER 1020 SCENIC CANYON LN YAKIMA, WA 98908	18131731419 ROBERT D & GAYLE E HALL 7488 SCENIC DR YAKIMA, WA 98908
18131721003 ROBERT D JENNERJOHN PO BOX 4141 YAKIMA, WA 98907	18131731417 ROBERT L & KATHLEEN M KAERCHER 7520 SCENIC DR YAKIMA, WA 98908	18131721004 RONALD JENNERJOHN 3402 FRUITVALE BLVD YAKIMA, WA 98902
18131713421 SCENIC RANCH LLC 3748 STATE HWY 97A WENATCHEE, WA 98801	18131721006 STACY FULLER 7400 COWICHE CANYON RD Yakima, WA 98908	18131713412 THOMAS F & MARILYN J HINSON 1010 SCENIC CANYON LN YAKIMA, WA 98908
18131731412 TIMOTHY A & ANNA T DUFault 7314 SCENIC DR YAKIMA, WA 98908	18131742408 VICTOR & LYNDSEY MELNIK 7102 SCENIC DR YAKIMA, WA 98908	18131731418 VICTORIA GREER & GARY LEE GREER J 7510 SCENIC DR YAKIMA, WA 98908
18131731413 WHITMAN L HOLT & ADINA MORI-HOLT 402 EAST YAKIMA AVE STE 200 YAKIMA, WA 98901		

Marivel Garcia  
Joe Stump  
Jase Testerman  
Troy Havens  
Jack Wells

Jason Earles  
Tua Vang  
David Haws  
Ivan Klingele  
Nellie Sotlich

WA. State Dept. of Ecology  
Attn: Joy Espinoza  
crosepacoordinator@ecy.wa.gov

Yakama Nation  
Cultural Resources  
jessica@Yakama.com  
corrine.camuso@Yakama.com  
THPO@Yakama.com

Yakama Nation Environmental  
enviroreview@yakama.com

Rebecca Chu  
EPA Region 10  
R10-NEPA@epa.gov

WA Dept. of Fish & Wildlife  
Elizabeth Torrey and Scott Downes  
Elizabeth.Torrey@dfw.wa.gov  
Janell.shah@dfw.wa.gov

Yakima-Tieton Irrigation Dist.  
Attn: Richard Dieker  
470 Camp 4 Rd.  
Yakima, WA 98908

City of Yakima  
Planning

Nob Hill Water Association  
Attn: Preston Shepherd  
6111 Tieton Drive  
Yakima, WA 98908

Superintendent  
Bureau of Indian Affairs  
P.O. Box 632  
Toppenish, WA 98948

Yakima Health District  
Help Desk  
yhd@co.yakima.wa.us

sepa@dahp.wa.gov

Fire Chief  
Fire District #12  
10000 Zier Road  
Yakima, WA 98908

Yakima County Sheriff Office  
PO Box 1388  
Yakima, WA 98907-1388

Scenic Ranch LLC  
3748 State Hwy 97A  
Wenatchee, WA 98801

Bureau of Indian Affairs  
Nichole.pebeahsy@bia.gov

Robert Bright  
Air Traffic & Airspace Officer  
Joint Base Lewis-McChord  
robert.d.bright10.civ@army.mil

Clean Air Agency  
186 Iron Horse Court, Suite 101  
Yakima, WA 98901

West Valley School District #208  
Attn: Joe Connolly  
8902 Zier Road  
Yakima, WA 98908

Cascade Natural Gas  
701 S. 1st Avenue  
Yakima, WA 98902

Joseph Calhoun  
HLA Engineering & Land Surveying, Inc  
2803 River Rd  
Yakima, WA 98902

**AGENCY MAILING LIST**

**HIGHLIGHTED = EMAILED**

**ZON2024-00002**

**5/30/2024**

**11 LABELS**

## **Casey Dunbar**

**From:** Casey Dunbar  
**Sent:** Thursday, May 30, 2024 2:39 PM  
**To:** crosepacoordinator@ecy.wa.gov; jessica@yakama.com; corrine\_camuso@yakama.com; THPO@yakama.com; Yakama SEPA; nichole.pebeahsy@bia.gov; R10-NEPA@epa.gov; Health District E-Mail; Bright, Robert D CIV USARMY ID-READINESS (USA); Downes, Scott G (DFW); Shah, J (DFW); DAHP SEPA (DAHP)  
**Subject:** ZON2024-00002 Notice of Hearing  
**Attachments:** ZON2024-00002 Notice of Hearing.pdf

## **Casey Dunbar**

SHE/HER/MS.

Planning Office Specialist

128 N 2<sup>nd</sup> St, 4<sup>th</sup> Floor

Yakima, WA 98901

(509)574-2300

[Casey.dunbar@co.yakima.wa.us](mailto:Casey.dunbar@co.yakima.wa.us)

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## **Casey Dunbar**

**From:** Casey Dunbar  
**Sent:** Thursday, May 30, 2024 2:38 PM  
**To:** David Haws; Ivan Klingele; Jack Wells; Jase Testerman; Jason Earles; Joe Stump; Marivel Garcia; Nellie Soptich; Troy Havens; Tua Vang  
**Subject:** ZON2024-00002 Notice of Hearing  
**Attachments:** ZON2024-00002 Notice of Hearing.pdf

## **Casey Dunbar**

SHE/HER/MS.

Planning Office Specialist  
128 N 2<sup>nd</sup> St, 4<sup>th</sup> Floor  
Yakima, WA 98901  
(509)574-2300  
[Casey.dunbar@co.yakima.wa.us](mailto:Casey.dunbar@co.yakima.wa.us)

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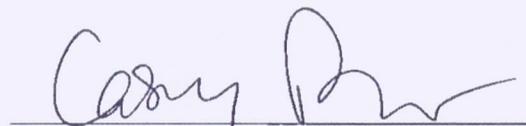
FILE NO.: ZON2024-00002  
NOTICE OF HEARING

**AFFIDAVIT OF MAILING**

STATE OF WASHINGTON      )  
                                    ) ss.  
COUNTY OF YAKIMA      )

I, Casey Dunbar, being first duly sworn, and as an employee of the Yakima County Public Services, Planning Division, dispatched through the United States Mails, or otherwise by electronic mail, a NOTICE OF HEARING, a true and correct copy of which is enclosed here-with; that a NOTICE OF HEARING was addressed to the applicant and agencies pursuant to Yakima County Code Title 16B.05, that said parties are individually listed on the Mailing List retained by the Planning Division and that said notice was mailed by me on the 30th day of May, 2024.

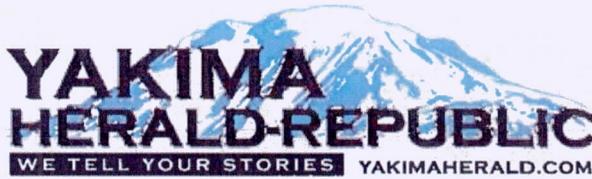
That I mailed said notice in the manner herein set forth and that all of the statements are made herein are just and true. Dated this 30th day of May, 2024.



Casey Dunbar  
Office Specialist

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HEARING EXAMINER  
EXH # 4 DATE 5/30/2024  
FILE NO. ZON2024-00002

Yakima Herald-Republic  
PO Box 9668  
Yakima, WA 98909



Yakima County Planning Division  
Casey Dunbar  
Courthouse - Room 417  
128 N 2ND STREET  
Yakima, WA 98901  
USA

### Order Confirmation

Order #:	79292
Order Ref #:	
Date:	5/28/2024
Advertiser #:	23402
Advertiser Name:	Yakima County Planning Division
Agency #:	
Agency Name:	
Account Manager:	Simon Sizer ssizer@yakimaherald.com

**\$ 255.30**

Ad No.	Date	Description	Position	Format
429840	5/30/2024	Yakima County Public Services Planning Division Notice of Hearing File No.: ZON2024-00002 – Scenic Ranch LLC Minor Rezone Desc	Yakima Herald Republic Broadsheet - CL-Legals	3.46 x 8.63 in x 2.0000 col.
429841	5/30/2024	Yakima County Public Services Planning Division Notice of Hearing File No.: ZON2024-00002 – Scenic Ranch LLC Minor Rezone Desc	Yakima Herald Republic CL Online	3.46 x 8.63 in x 2.0000 col. - CL-Legals

### Summary

Total Net Amount	\$ 255.30
Taxes	\$ 0.00
Total Amount	\$ 255.30

### Remittance Address:

Yakima Herald-Republic  
PO Box 9668  
Yakima, WA 98909  
Tel: (206) 464-2550

Page 1 of 2

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HEARING EXAMINER

EXH # 5 DATE 5/28/2024  
FILE NO. ZON2024-00002

**Yakima Herald-Republic**  
PO Box 9668  
Yakima, WA 98909



**Classified Category:** Legals|Public Notices

---

**Yakima County Public Services**  
**Planning Division**  
**Notice of Hearing**

**File No.:** ZON2024-00002 – Scenic Ranch LLC Minor Rezone  
**Description of Proposal:** The applicants are seeking to remove the subject property from the Master Planned Development Overlay District to allow a boundary line adjustment to be proposed that will reconfigure the property lines around the entrance to Canyon View Estates.

**Location of Proposal:** The property is located on the north side of Scenic Drive, and approximately,  $\frac{1}{4}$  of a mile east of the Vertner Road and Scenic Drive intersection. The property is approximately 400-feet north of the city limits of the City of Yakima. Parcel No: 181317-13446

**An open record public hearing** is scheduled before the Yakima County Hearing Examiner on **Thursday, June 27, 2024**, at 9:30 am. The hearing will be conducted both in-person in the BOCC Conference Room (Yakima County Courthouse Basement, Room B33, 128 N. 2nd Street, Yakima) and virtually/telephonically using Microsoft Teams. For joining information go to <https://www.yakimacounty.us/2566/Upcoming-Public-Hearings>.

**Comment and Appeal Information:** To view the application materials online go to <https://yakimacountypermits.us> (select Planning tab, enter record number(s) in the search box and hit enter, select the record info drop down, and then select attachments) or you can view a copy of the application materials at the Planning Division on the 4th floor of the Courthouse. A Planning Division staff report on the project will be available about a week before the hearing on the Yakima County Hearing Examiners webpage at: <https://www.yakimacounty.us/843/Hearing-Examiner>. Written comments for the hearing may be submitted to the Planning Division prior to the hearing, or provided at the hearing. Written comments or other exhibits to be received at or prior to the hearing may be submitted via email to: [planning\\_info@co.yakima.wa.us](mailto:planning_info@co.yakima.wa.us) or via mail to: Aaron M. Cohen, Fourth Floor County Courthouse, 128 North Second Street, Yakima WA 98901. Be sure to reference the above file number in your correspondence. To be considered all submitted comments by mail must identify the name and physical or post office address of the sender. Interested parties may participate in the hearing. Notice of the final decision will be sent to those who comment or may be obtained upon request. The final decision will contain specific appeal information. If you have any questions on this proposal, please call Aaron M. Cohen, Planner III, at (509) 574-2300 or 1-800-572-7354 ext 2300.

If you are a person with a disability who needs any accommodation in order to participate in this program, hearing or service, you may be entitled to receive certain assistance at no cost to you. Please contact the ADA Coordinator at Yakima County no later than five (5) working days prior to the date service is needed.

Yakima County ADA Coordinator  
128 N. 2nd Street, Room B27  
Yakima, WA 98901  
(509) 574-2210  
7-1-1 or 1-800-833-6384 (Washington Relay Services for deaf and hard of hearing)

Dated this 30th day of May, 2024

(79292) May 30, 2024

Page 2 of 2

15

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HEARING EXAMINER

EXH # 5 DATE 5/28/2024  
FILE NO. ZON 2024-00002

## Casey Dunbar

---

**From:** Casey Dunbar  
**Sent:** Tuesday, May 28, 2024 10:51 AM  
**To:** Simon Sizer  
**Subject:** ZON2024-00002 Notice of Hearing  
**Attachments:** ZON24-002\_NOH\_Legal\_AMC\_Final.docx

Publish: Thursday, 5/30/2024

Bill: Acct #10826, Planning

### Casey Dunbar

SHE/HER/MS.

Planning Office Specialist

128 N 2<sup>nd</sup> St, 4<sup>th</sup> Floor

Yakima, WA 98901

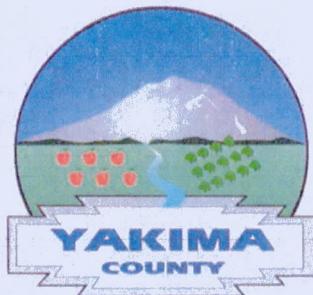
(509)574-2300

[Casey.dunbar@co.yakima.wa.us](mailto:Casey.dunbar@co.yakima.wa.us)

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# Public Services

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(509) 574-2300 • 1-800-572-7354 • FAX (509) 574-2301 • [www.co.yakima.wa.us](http://www.co.yakima.wa.us)

LISA H. FREUND - Director

DATE: May 13, 2024

TO: Scenic Ranch LLC, Joseph Calhoun, Adjacent Property Owners, and Interested Agencies

FROM: Aaron M. Cohen, Yakima County Public Services Department: Planning Division

SUBJECT: ZON2024-00002 - Scenic Ranch LLC Minor Rezone  
Notice of Application, Notice of Completeness, and Notice of Future Hearing

## DESCRIPTION OF PROPOSAL

**Owner:** Scenic Ranch LLC

**Applicant:** Joseph Calhoun, HLA Engineering & Surveying

**Location:** The property is located on the north side of Scenic Drive, and approximately,  $\frac{1}{4}$  of a mile east of the Vertner Road and Scenic Drive intersection. The property is approximately 400-feet north of the city limits of the City of Yakima.

**Tax Parcel No.:** 181317-13446

**Application Submittal Date:** April 18, 2024

**Completeness Date:** May 9, 2024

**Proposal:** The applicants are seeking to rezone the subject property from the Master Planned Development Overlay (MPDO) District to the Single-Family (R-1) Zoning District. The rezone is sought to allow a boundary line adjustment to be proposed with Parcels 181317-24412 & 181317-24413. The intended boundary line adjustment is to reconfigure the property lines around the entrance to Canyon View Estates to establish slightly larger lots.

## COMMENT AND APPEAL INFORMATION

A minor rezone application has been submitted near your property. To view the application materials online go to <https://yakimacountypermits.us> (select the Planning tab, enter record number(s) in the search box and hit enter, select the record info drop down, and then select attachments) or you can view a copy of the application materials at the Planning Division on the 4<sup>th</sup> floor of the Courthouse. Your views on the proposal are welcome, and any person may provide written comments on issues related to the proposal. All written comments must be received by 4:00 p.m., **May 27, 2024**. To be considered prior to making the final decision, all submitted comments must identify the name and physical or post office address of the sender. **Mail your comments on this project to Yakima County Planning Division, 128 N. 2<sup>nd</sup> St., 4<sup>th</sup> Floor Courthouse, Yakima, WA 98901. Be sure to reference the above case number(s) in your correspondence.** Notice of the

17

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HEARING EXAMINER

EXH # 6 DATE 5/13/2024  
FILE NO. ZON 2024-00002

final decision will be sent to those who comment or may be obtained upon request. The final decision will contain specific appeal information and may be appealed within 14 days of the date of issuance. If you have any questions on this proposal, please call **Aaron M. Cohen, Planner III**, at **(509) 574-2300** or 1-800-572-7354 ext. 2300.

**An open record public hearing will be scheduled before the Hearing Examiner. Mail your comments on this project to Yakima County Planning Division, 128 N. 2<sup>nd</sup> St., 4<sup>th</sup> Floor Courthouse, Yakima, WA 98901. Be sure to reference the above case number in your correspondence.**

The date of the Hearing is not yet known. A Notice of Hearing will be issued in the future. Written comments may be provided at the hearing. Interested parties may request copies of the hearing notice or participate in the hearing. A staff report on the project will be available about a week before the hearing. Notice of the final decision will be sent to those who comment or may be obtained upon request. The final decision will contain specific appeal information.

*Yakima County ensures full compliance with Title VI of the Civil Rights Act of 1964 by prohibiting discrimination against any person on the basis of race, color, national origin, or sex in the provision of benefits and services resulting from its federally assisted programs and activities. For questions regarding Yakima County's Title VI Program, you may contact the Title VI Coordinator at 509-574-2300.*

*If this letter pertains to a meeting and you need special accommodations, please call us at 509-574-2300 by 10:00 a.m. three days prior to the meeting. For TDD users, please use the State's toll-free relay service 1-800-833-6388 and ask the operator to dial 509-574-2300.*

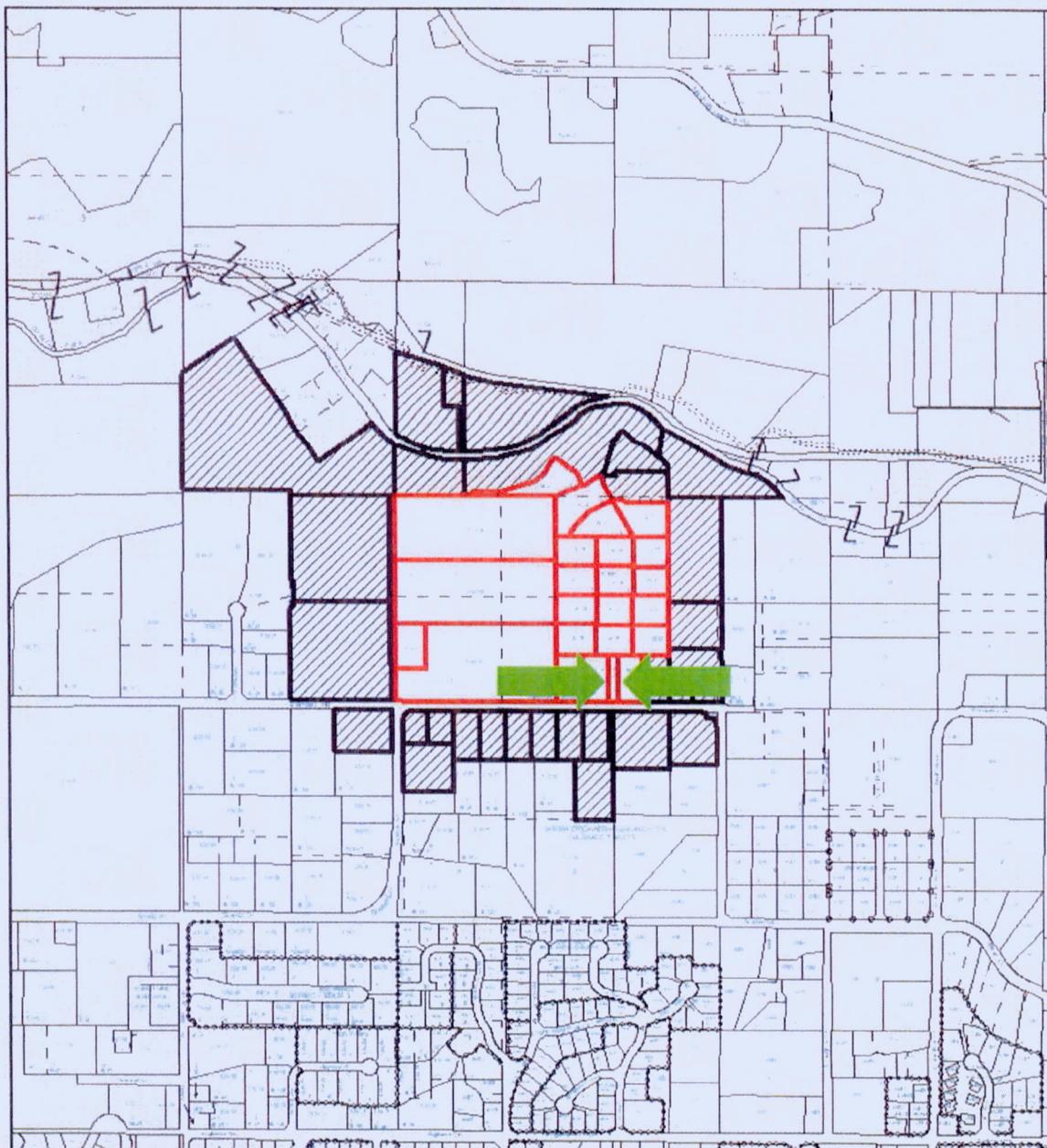
**FILED**

**HEARING EXAMINER**

**EXH # 60 DATE 5/13/2024**  
**FILE NO. EON 2024-00002**

*18*

**NOTICE MAP:**



**FILE: ZON2024-00002**  
**NAME: Scenic Ranch LLC/ Calhoun**

Please refer to file for Parcel Numbers



Subject Parcels



Notified Property Owners  
Within 300 Feet

Mapscale 1" = 800  
April 19 2024



Yakima County ensures full compliance with Title VI of the Civil Rights Act of 1964 by prohibiting discrimination against any person on the basis of race, color, national origin, or sex in the provision of benefits and services resulting from its federally assisted programs and activities. For questions regarding Yakima County's Title VI Program, you may contact the Title VI Coordinator at 509-574-2300.

If this letter pertains to a meeting and you need special accommodations, please call us at 509-574-2300 by 10:00 a.m. three days prior to the meeting. For TDD users, please use **FILED** toll-free relay service 1-800-833-6383 and ask the operator to dial 509-574-2300.

HEARING EXAMINER

EXH # 10 DATE 5/13/2024  
FILE NO. ZON2024-00002

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18131713442 ADRIANNA GUTIERREZ 610 S 25TH AVE YAKIMA, WA 98902	18131713408 ALISSA KATHRYN & LANNY GILL 7027 SCENIC DR YAKIMA, WA 98908	18131721004 CARL JENNERIOHN 3402 FRUITVALE BLVD YAKIMA, WA 98902
18131722007 COWICHE CANYON CONSERVANCY PO BOX 877 YAKIMA, WA 98907	18131713426 CRAIG D & JENNIFER A FOSTER 1101 SCENIC CANYON LN YAKIMA, WA 98908	18131713428 DH CONSTRUCTION & ASSOCIATES LLC PO BOX 8353 YAKIMA, WA 98908
18131721006 DOUGLAS TERRELL 7400 COWICHE CANYON RD Yakima, WA 98908	18131713442 ENRIQUE ZOLEZZI 610 S 25TH AVE YAKIMA, WA 98902	18131712005 GARTH R & CRISTINA M NOTESTINE 6909 COWICHE CANYON RD YAKIMA, WA 98908
18131723400 JANE GILBERT PLATH 7707 VERTNER RD YAKIMA, WA 98908	18131721005 KEVIN HIATT 7405 COWICHE CANYON RD YAKIMA, WA 98908	18131731414 MARK & JEAN MCWHORTER 4001 SUMMITVIEW AVE STE 5 YAKIMA, WA 98908
18131731425 MATTHEW & MICHELLE LYNN SEVIGNY 7204 SCENIC DR YAKIMA, WA 98908	18131713422 MATTHEW E CROW 7507 SCENIC DR YAKIMA, WA 98908	18131742409 RICHARD D & CAROLYN CHRISTENSEN 719 N 39TH AVE #101 YAKIMA, WA 98902
18131731416 RICHARD K & MARY D HOGSETT LIVING TRUST 7605 SCENIC DR YAKIMA, WA 98908	18131713417 ROBERT & BARBARA COOPER 1020 SCENIC CANYON LN YAKIMA, WA 98908	18131731419 ROBERT D & GAYLE E HALL 7488 SCENIC DR YAKIMA, WA 98908
18131721003 ROBERT D JENNERJOHN PO BOX 4141 YAKIMA, WA 98907	18131731417 ROBERT L & KATHLEEN M KAERCHER 7520 SCENIC DR YAKIMA, WA 98908	18131721004 RONALD JENNERIOHN 3402 FRUITVALE BLVD YAKIMA, WA 98902
18131713421 SCENIC RANCH LLC 3748 STATE HWY 97A WENATCHEE, WA 98801	18131721006 STACY FULLER 7400 COWICHE CANYON RD Yakima, WA 98908	18131713412 THOMAS F & MARILYN J HINSON 1010 SCENIC CANYON LN YAKIMA, WA 98908
18131731412 TIMOTHY A & ANNA T DUFault 7314 SCENIC DR YAKIMA, WA 98908	18131742408 VICTOR & LYNDSEY MELNIK 7102 SCENIC DR YAKIMA, WA 98908	18131731418 VICTORIA GREER & GARY LEE GREER JR 7510 SCENIC DR YAKIMA, WA 98908
18131731413 WHITMAN L HOLT & ADINA MORI-HOLT 402 EAST YAKIMA AVE STE 200 YAKIMA, WA 98901		

Marivel Garcia  
Joe Stump  
Jase Testerman  
Troy Havens  
Jack Wells  
Jason Earles  
Tua Vang  
David Haws  
Ivan Klingele  
Nellie Sopitch

Yakama Nation Environmental  
[enviroreview@yakama.com](mailto:enviroreview@yakama.com)

Rebecca Chu  
EPA Region 10  
[R10-NEPA@epa.gov](mailto:R10-NEPA@epa.gov)

WA Dept. of Fish & Wildlife  
Elizabeth Torrey and Scott Downes  
[Elizabeth.Torrey@dfw.wa.gov](mailto:Elizabeth.Torrey@dfw.wa.gov)  
[Janell.shah@dfw.wa.gov](mailto:Janell.shah@dfw.wa.gov)

Yakima-Tieton Irrigation Dist.  
Attn: Richard Dieker  
470 Camp 4 Rd.  
Yakima, WA 98908

City of Yakima  
Planning

Nob Hill Water Association  
Attn: Preston Shepherd  
6111 Tieton Drive  
Yakima, WA 98908

WA. State Dept. of Ecology  
Attn: Joy Espinoza  
[crosepacordinator@ecy.wa.gov](mailto:crosepacordinator@ecy.wa.gov)

Superintendent  
Bureau of Indian Affairs  
P.O. Box 632  
Toppenish, WA 98948

Yakima Health District  
Help Desk  
[yhd@co.yakima.wa.us](mailto:yhd@co.yakima.wa.us)

[sepa@dahp.wa.gov](mailto:sepa@dahp.wa.gov)

Fire Chief  
Fire District #12  
10000 Zier Road  
Yakima, WA 98908

Yakima County Sheriff Office  
PO Box 1388  
Yakima, WA 98907-1388

Scenic Ranch LLC  
3748 State Hwy 97A  
Wenatchee, WA 98801

Yakama Nation  
Cultural Resources  
[jessica@Yakama.com](mailto:jessica@Yakama.com)  
[corrine.camuso@Yakama.com](mailto:corrine.camuso@Yakama.com)  
[THPO@Yakama.com](mailto:THPO@Yakama.com)

Bureau of Indian Affairs  
[Nichole.pebeahsy@bia.gov](mailto:Nichole.pebeahsy@bia.gov)

Robert Bright  
Air Traffic & Airspace Officer  
Joint Base Lewis-McChord  
[robert.d.bright10.civ@army.mil](mailto:robert.d.bright10.civ@army.mil)

Clean Air Agency  
186 Iron Horse Court, Suite 101  
Yakima, WA 98901

West Valley School District #208  
Attn: Joe Connolly  
8902 Zier Road  
Yakima, WA 98908

Cascade Natural Gas  
701 S. 1st Avenue  
Yakima, WA 98902

Joseph Calhoun  
HLA Engineering & Land Surveying, Inc  
2803 River Rd  
Yakima, WA 98902

AGENCY MAILING LIST

HIGHLIGHTED = EMAILED

ZON2024-00002

5/13/2024

11 LABELS

FILED

HEARING EXAMINER

EXH # 10 DATE 5/13/2024  
FILE NO. ZON2024-00002

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## Casey Dunbar

---

**From:** Casey Dunbar  
**Sent:** Monday, May 13, 2024 8:27 AM  
**To:** David Haws; Ivan Klingele; Jack Wells; Jase Testerman; Jason Earles; Joe Stump; Marivel Garcia; Nellie Soptich; Troy Havens; Tua Vang  
**Subject:** ZON2024-00002 Notice of Application, Notice of Completeness & Notice of Future Hearing  
**Attachments:** ZON2024-00002 Notice of Application, Notice of Completeness & Notice of Future Hearing.pdf

## Casey Dunbar

SHE/HER/MS.  
Planning Office Specialist  
128 N 2<sup>nd</sup> St, 4<sup>th</sup> Floor  
Yakima, WA 98901  
(509)574-2300  
[Casey.dunbar@co.yakima.wa.us](mailto:Casey.dunbar@co.yakima.wa.us)

**This email and replies to it are subject to public disclosure under Washington state statute (RCW 42.56 - Public Records Act).**

CONFIDENTIALITY NOTICE: This electronic mail transmission may contain legally privileged, confidential information belonging to the sender. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or taking any action based on the contents of this electronic mail is strictly prohibited. If you have received this electronic mail in error, please contact sender and delete all copies.



## Casey Dunbar

---

**From:** Casey Dunbar  
**Sent:** Monday, May 13, 2024 8:28 AM  
**To:** crosepacoordinator@ecy.wa.gov; jessica@yakama.com; corrine\_camuso@yakama.com; THPO@yakama.com; Yakama SEPA; nichole.pebeahsy@bia.gov; R10-NEPA@epa.gov; Health District E-Mail; Bright, Robert D CIV USARMY ID-READINESS (USA); Torrey, Elizabeth M (DFW); Shah, J (DFW); DAHP SEPA (DAHP)  
**Subject:** ZON2024-00002 Notice of Application, Notice of Completeness & Notice of Future Hearing  
**Attachments:** ZON2024-00002 Notice of Application, Notice of Completeness & Notice of Future Hearing.pdf

## Casey Dunbar

SHE/HER/MS.  
Planning Office Specialist  
128 N 2<sup>nd</sup> St, 4<sup>th</sup> Floor  
Yakima, WA 98901  
(509)574-2300  
[Casey.dunbar@co.yakima.wa.us](mailto:Casey.dunbar@co.yakima.wa.us)

**This email and replies to it are subject to public disclosure under Washington state statute (RCW 42.56 - Public Records Act).**

CONFIDENTIALITY NOTICE: This electronic mail transmission may contain legally privileged, confidential information belonging to the sender. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or taking any action based on the contents of this electronic mail is strictly prohibited. If you have received this electronic mail in error, please contact sender and delete all copies.



FILE NO.: ZON2024-00002

NOTICE OF APPLICATION, NOTICE OF COMPLETENESS & NOTICE OF FUTURE HEARING

**AFFIDAVIT OF MAILING**

STATE OF WASHINGTON )  
                          ) ss.  
COUNTY OF YAKIMA    )

I, Casey Dunbar, being first duly sworn, and as an employee of the Yakima County Public Services, Planning Division, dispatched through the United States Mails, or otherwise by electronic mail, a NOTICE OF APPLICATION, NOTICE OF COMPLETENESS & NOTICE OF FUTURE HEARING, a true and correct copy of which is enclosed here-with; that a NOTICE OF APPLICATION, NOTICE OF COMPLETENESS & NOTICE OF FUTURE HEARING was addressed to the applicant and agencies pursuant to Yakima County Code Title 16B.05, that said parties are individually listed on the Mailing List retained by the Planning Division and that said notice was mailed by me on the 13th day of May, 2024.

That I mailed said notice in the manner herein set forth and that all of the statements are made herein are just and true. Dated this 13th day of May, 2024.



Casey Dunbar  
Office Specialist

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HEARING EXAMINER  
EXH # 7 DATE 5/13/2024  
FILE NO. ZON2024-00002

APR 18 2024

Received By: MMFINAL  
Revised 4/30/20

## GENERAL APPLICATION FORM

Yakima County Public Services

128 North Second Street · Fourth Floor Courthouse · Yakima, Washington 98901  
(509) 574-2300 · 1-800 572-7354 · FAX (509) 574-2301 · [www.co.yakima.wa.us](http://www.co.yakima.wa.us)

(Staff Use Only - Fill In / Circle As Applicable)

Zoning District: R-1 + MPDO Reviewed By: Phil  
 Proposed Land Use: Minor Rezone Case #(s): ZON 2024-00002 Date Submitted: 4-18-24  
 Overlay: Airport / Greenway / Floodplain NO  
 UGA: Yakima CAO/Shoreline: NO  
 Sewer: Septic Clearance / As Built  
 Potable Water: N/A or Exempt  
 Surveyor: \_\_\_\_\_ YCWRS Well: \_\_\_\_\_  
 FAAR: \_\_\_\_\_ WUI-FD: \_\_\_\_\_ M/H/E  
 Occupancy: A B E F H I M R R1 R2 R3 S U  
 Type of Construction: IA IIA IIIA IB IIB IIIB IVA IVB VA VB  
 Name of Short Plat, Subdivision or Manufactured Home Park: \_\_\_\_\_ Lot or Space # \_\_\_\_\_

Please Tell Us About Your Proposal: (If you need assistance call us at (509) 574-2300 or in person during office hours)

Parcel Numbers(s): A. 181317-13446 B. \_\_\_\_\_ C. \_\_\_\_\_  
 Property Owner's Name: Scenic Ranch LLC  
 Day Phone: 509-966-7000 Company (if any): Scenic Ranch LLC  
 Mailing Address: 3748 State Hwy 97A City: Wenatchee State: WA Zip: 98801  
 Subject Property Address: (if Different) Address unassigned - 7100 block of Scenic Dr  
 E-mail Address: jcalhoun@hlacivil.com  
 Scope of Work: Minor Rezone of subject property from MPDO to R-1

Are you requesting the Optional Consolidated Permit Review Process as provided under YCC 16B.03.060? Yes  No 

Applying For A Building Permit? Please Fill Out The Following:

Number of	Bedrooms:	Existing:	New:	Total:	Total Number of
					Bathrooms:
<input type="checkbox"/> New	<input type="checkbox"/> Addition	Size/Dimensions:			Square Footage:

Construction Valuation (Contractor Estimate) \$

How will you provide legal domestic water for your project? Please check one below:

Water right permit from Department of Ecology (Please attach a copy to this application), or  
 Letter from an approved water purveyor stating the ability to provide water, or  
 A Yakima County Water Resource System (YCWRS) domestic well within the Agriculture zoning district, or  
 A Yakima County Water Resource System (YCWRS) domestic well outside of the Agriculture zoning district, or  
 Other adequate evidence of interest in a suitable water right held for mitigation proposed by an existing water bank, or  
 Yakama Nation Water Code permit for properties located within the exterior boundaries of the Yakama Nation, or  
 Documentation that the well site is located outside the Yakima River watershed.

Please note that evidence of an adequate water supply must be submitted to Yakima County prior to the issuance of the permit.

By signing this form, I agree to the following:

- I hereby state as true that all ownership interests of the property have reviewed the proposal as presented in the application materials and support the proposed change(s).
- I hereby give Yakima County permission to enter my property during this review to inspect my property as needed.
- I hereby agree to pay all additional fees associated with the processing of this application including but not limited to the Hearing Examiner fees, Transportation fees or any other fees that may be associated with the proposed project.

CONTINUE ON BACK FILED 

HEARING EXAMINER

EXH # 8 DATE 4/18/2024  
FILE NO. ZON 2024-00002

- I hereby acknowledge that the application with the Yakima County Permit Services Department has been filled out completely.
- I hereby acknowledge that verification of an approved potable water supply is a requirement and part of the procedure to obtain a permit from Yakima County.
- I shall provide Yakima County with proof of an adequate water source as indicated in Ordinance 13-2017 or obtain a YCWRS domestic well permit.
- I understand that Yakima County shall be held harmless for misinterpretation or misrepresentation of documents to obtain my permits.
- I am aware my Permit WILL NOT be issued until I provide proof of an approved source of potable water and associated documentation.

*(If the property is owned by a corporation or LLC please attach documentation showing that the person signing has the authority to sign on behalf of the corporation or LLC.)*

**Please Fill Out This Section In Blue or Black Ink. (Please check the box to indicate the primary contact person)**

**Property Owner Signature:** Michael S. Tracy **(required)** **Date:** 4/12/2024

**Check If You Are Acting As Your Own Contractor – (Signature required at declaration at bottom of page)**

**Applicant/Agent:** HLA Engineering and Land Surveying, Inc., c/o Joseph Calhoun

Day Phone: ( ) 509-966-7000 Company (if any) HLA Engineering and Land Surveying, Inc.

Mailing Address: 2803 River Rd City: Yakima State: WA ZIP: 98902

E-mail Address: jcalhoun@hlacivil.com

**Signature:** Joe **Date:** 4/12/24

**Contractor Name:**

Day Phone: ( ) 509-966-7000 Company (if any)

Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Contractor License Number: \_\_\_\_\_

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

*If there are additional owners, provide an attachment in the same format and with the same declarations*

**This Section To Be Completed For Construction Permits Only**

**Pursuant to RCW 19.27.095 (2)(i-ii) The requirement for a fully completed construction application shall include:**

- i. The name, address, and phone number of the office of the lender administering the interim construction financing, if any: OR
- ii. The name and address of the firm that has issued a payment bond, if any, on behalf of the prime contractor for the protection of the owner, if the bond is for an amount not less than 50% of the total amount of the construction permit.

If for any reason the information requested below is not available at the time of application, the applicant shall provide the information as soon as it can be reasonably obtained.

**Lending Agency Name:** \_\_\_\_\_ **Phone:** ( ) \_\_\_\_\_

**Mailing Address:** \_\_\_\_\_ **City:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Zip:** 98801

I acknowledge by checking this box that this project has no lending agency for construction financing.

**Bonding Agency Name:** \_\_\_\_\_ **Phone:** ( ) \_\_\_\_\_

**Mailing Address:** \_\_\_\_\_ **City:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Zip:** \_\_\_\_\_

I acknowledge by checking this box that this project has no bonding agency.

**If you are the Property Owner and Acting as Your Own Contractor, Please Complete the Following Declaration:**

- I acknowledge that I am applying for a permit thru the Yakima County Public Services Department.
- I also acknowledge that I am not a licensed contractor, specialty or general, or that I am not acting as a contractor and wish to be exempt from the requirements of the Washington State Contractor's Act, per RCW 18.27.090, and will abide by all provisions and conditions of the exemption as stated.
- I agree that if I use the assistance of any person(s) to provide labor and/or assistance, I will retain only contractors registered and currently licensed as required under the laws of the State of Washington.

I (print name) Michael S. Tracy certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Owner Signature: Michael S. Tracy **Scenic Ranch LLC** **Date:** 4/12/2024

Yakima County will make reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service or activity of Yakima County, should contact the Yakima County ADA Coordinator at 509-574-2210 as soon as possible but no later than 48 hours before the scheduled event.

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HEARING EXAMINER

EXH # 8 DATE 4/18/2024  
FILE NO. ZON2024-00002

# BUSINESS INFORMATION

APR 18 2024

Business Name:

**TAYLOR ORCHARDS MANAGEMENT, INC.**Case No.: ZUN2024-00002

Assigned To: \_\_\_\_\_

UBI Number:

**603 461 780**

Business Type:

**WA PROFIT CORPORATION**

Business Status:

**ACTIVE**

Principal Office Street Address:

**3748 STATE HIGHWAY 97A, WENATCHEE, WA, 98801-9624, UNITED STATES**

Principal Office Mailing Address:

**3748 STATE HIGHWAY 97A, WENATCHEE, WA, 98801-9624, UNITED STATES**

Expiration Date:

**12/31/2024**

Jurisdiction:

**UNITED STATES, WASHINGTON**

Formation/ Registration Date:

**12/23/2014**

Period of Duration:

**PERPETUAL**

Inactive Date:

Nature of Business:

**AGRICULTURE, FORESTRY, FISHING, HUNTING & TRAPPING**

## REGISTERED AGENT INFORMATION

Registered Agent Name:

**GATENS GREEN WEIDENBACH, PLLC**

Street Address:

**305 APLETS WAY, CASHMERE, WA, 98815-1012, UNITED STATES**

Mailing Address:

**PO BOX 523, CASHMERE, WA, 98815-0523, UNITED STATES**

## GOVERNORS

Title	Governors Type	Entity Name	First Name	Last Name
GOVERNOR	INDIVIDUAL		MICHAEL	TAYLOR

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HEARING EXAMINER

EXH # 8 DATE 4/18/2024  
FILE NO. ZUN2024-00002

## BUSINESS INFORMATION

APR 18 2024

Business Name:  
**SCENIC RANCH, LLC**UBI Number:  
**602 449 053**Business Type:  
**WA LIMITED LIABILITY COMPANY**Business Status:  
**ACTIVE**Principal Office Street Address:  
**3748 STATE HIGHWAY 97A, WENATCHEE, WA, 98801-9624, UNITED STATES**Principal Office Mailing Address:  
**3748 STATE HIGHWAY 97A, WENATCHEE, WA, 98801-9624, UNITED STATES**Expiration Date:  
**11/30/2024**Jurisdiction:  
**UNITED STATES, WASHINGTON**Formation/ Registration Date:  
**11/24/2004**Period of Duration:  
**PERPETUAL**

Inactive Date:

Nature of Business:  
**AGRICULTURE, FORESTRY, FISHING, HUNTING & TRAPPING**

## REGISTERED AGENT INFORMATION

Registered Agent Name:  
**GATENS GREEN WEIDENBACH, PLLC**Street Address:  
**305 APLETS WAY, CASHMERE, WA, 98815-1012, UNITED STATES**  
Mailing Address:  
**PO BOX 523, CASHMERE, WA, 98815-0523, UNITED STATES**

## GOVERNORS

Title	Governors Type	Entity Name	First Name	Last Name
GOVERNOR	ENTITY	TAYLOR ORCHARDS MANAGEMENT INC.		

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HEARING EXAMINER

EXH # **8** DATE **4/18/2024**  
FILE NO. **2024-00002**



## MINOR REZONE FORM

Form FINAL  
Revised 10/1/15

Yakima County Public Services  
128 North Second Street · Fourth Floor Courthouse · Yakima, Washington 98901  
(509) 574-2300 · 1-800 572-7354 · FAX (509) 574-2301 · [www.co.yakima.wa.us](http://www.co.yakima.wa.us)

1. The property owner(s) request that the subject property(s) be rezoned from: MPDO  
to R-1
2. The current comprehensive plan designation is: Urban Residential
3. Attach a written narrative that addresses the following criteria:
  - a. The suitability of the property in question for uses permitted under the proposed zoning;
  - b. The extent to which the proposal complies with and/or deviates from the goals and policies of the comprehensive plan and intent of the zoning ordinance;
  - c. The adequacy of public facilities, such as roads, sewer, water and other required public services;
  - d. The compatibility of the proposed zone change and associated uses with neighboring land uses;
  - e. The public need for the proposed change; and
  - f. What substantial changes in circumstances have occurred to warrant a change in the current zoning?

**Please submit the following:**

- Minor Rezone Application Fee (see fee schedule)
- General Application
- Complete site plan (show the boundaries of the properties to be rezoned. Map can be obtained from Yakima County GIS or Public Service Division)
- Environmental Checklist and Fee (Separate packet)

Yakima County will make reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service or activity of Yakima County, should contact the Yakima County ADA Coordinator at 509-574-2210 as soon as possible but no later than 48 hours before the scheduled event.

1  
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HEARING EXAMINER

EXH # 8 DATE 4/18/2024  
FILE NO. 2024-0002



# SIGN SUPPLEMENTAL FORM

Revised 1/3/2019

Yakima County Public Services  
128 North Second Street · Fourth Floor Courthouse · Yakima, Washington 98901  
(509) 574-2300 · 1-800 572-7354 · FAX (509) 574-2301 · [www.co.yakima.wa.us](http://www.co.yakima.wa.us)

**Please answer all of the following questions with narrative when required (If a question is not applicable, write N/A.) Your narrative should be described in detail which will expedite the review process. You may refer to Yakima County Title 19 to show how your proposal meets the legal requirements in the code. <http://codepublishing.com/wa/yakimacounty/>**

Annotation by Planner

If you are proposing a sign, complete the following questions (if not applicable, explain why):

1. Are you:

a. Proposing a new sign(s)?  Yes  No

b. Changing or replacing an existing sign?  Yes  No

2. How many signs are you proposing? one sign

3. What type of sign are you proposing (such as: wall sign, billboard, directional, projecting, etc.)? Describe the sign in detail:

Free standing sign. Placed at the entrance of driveway.

This will be to help people know this is the entrance.

Two wood posts on each side of sign anchored in the ground.

This will be set inside property far enough not to block any view of drivers on the road.

4. What is the size of the sign area (height, width) of the proposed sign? Approximately 3' X 4'

Approximately 3' X 4'

5. What is the total height of the sign from grade to top? 6' Tall from the ground

6. Is the proposed sign:

On-Premise  Off-Premise

a. If the sign is Off-Premise, what is the parcel number for the sign location?

*Indicate the location of all proposed signs on your site plan.*



## NARRATIVE FORM

FINAL  
Revised 10/01/15

Yakima County Public Services  
128 North Second Street · Fourth Floor Courthouse · Yakima, Washington 98901  
(509) 574-2300 · 1-800 572-7354 · FAX (509) 574-2301 · [www.co.yakima.wa.us](http://www.co.yakima.wa.us)

The Narrative Form is designed to help you, the application review, interested agencies, and adjacent property owners to the proposal understand the scope of your project and how your project meets the legal requirements in the Yakima County Codes. You should refer to the appropriate sections of the ordinance when describing your proposal if applicable. You can obtain a copy of the ordinance in our office or access it on the internet at:

<http://codepublishing.com/wa/yakimacounty/>

**Narrative Content:** Please tell us the “who”, “what”, “where”, and “why” of your proposal. A list of typical content is provided below. **Please do not limit your project’s description to just these items.** In order for us to conduct a timely review of your project please **be as detailed as possible.** Any missing/confusing information could result in the delay of our review.

Note: Not all content listed below will be pertinent to your proposal. These items are suggestions in order to help you draft your narrative.

**Suggested Content:**

- Describe the current use of the site including all existing structures with their dimensions, square footage and usage.
- Describe the proposed use in detail (including but not limited to the type of business and/or use, hours and days of operation, number of employees, number of people living on-site, maximum number of customers and/or guests, changes or additions to the driveways or other access points, the type of mitigation or adjustment requested).
- Describe which standards are proposed to be adjusted and justify why the standard needs to be adjusted.
- Describe any new or existing structures to be used as part of this proposal.
- Describe how the proposed use will be pertinent to the proposed/existing structures.
- Describe any parking facilities (number of spaces and surface type), landscaping, signage, and lighting that will be associated with your proposal.
- Describe your access to the property and the route of travel to the site.
- For commercial operations describe the travel ways that will be located onsite.
- Describe the timelines for completion of your proposal.

**Please remember that your narrative must explain in detail the specifics of your proposal and any missing information may result in the need for future reviews.** Your narrative can be typed and printed on a separate sheet of paper with “See Attached” written below, or you may print out legibly your narrative on the lines provided.

This proposal is for a Minor Rezone of parcel 181317-13446 from MPDO to R-1. This action will facilitate a future

boundary line adjustment with parcels 181317-24413 and 181317-24412 to the west. These parcels are also zoned

R-1 and are under common ownership with the subject property

See attached written narrative for more information

*Please use additional pages as needed*

# NOB HILL WATER ASSOCIATION

6111 Tieton Dr · Yakima, Washington 98908

Phone: (509) 966-0272

## Potable Water Service

04/03/2024

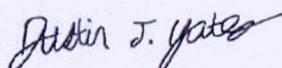
To Whom It May Concern:

Parcel #181317-13446 does not currently have water service from Nob Hill Water. However, it is within Nob Hill Water's service area and there is nearby infrastructure accessible for the parcel to connect to. Nob Hill Water is available to service it with potable water.

If you have any further questions, please contact our office at 509-966-0272.

Thank you,

Nob Hill Water Association



Dustin Yates, EIT

Water System Engineer

WDM 3 #15739



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FILED  
HEARING EXAMINER  
EXH # 8 DATE 4/18/2024  
FILE NO. ZON2024-00002

## WRITTEN NARRATIVE MINOR REZONE

### **A. The suitability of the property in question for uses permitted under the proposed zoning.**

This proposal is to rezone the subject property from MPDO to R-1. The property is suitable for uses in the proposed R-1 zoning district. This minor rezone is being proposed to facilitate a Boundary Line Adjustment between the subject property and parcels 181317-23313 and 181317-24412 – both of which are zoned R-1.

### **B. The extent to which the proposal complies with and/or deviates from the goals and policies of the comprehensive plan and intent of the zoning ordinance.**

The proposal complies with the following goals and policies of the Comprehensive Plan:

Goal LU-U 1: Encourage urban growth within designated urban growth areas.

Goal YKLU-U 2: Build sustainable new neighborhoods.

Policy YKLU-U 2.1: For large-scale residential projects, encourage development through Master Planned Development Overlay Districts (MPDOs).

Rezoning the subject property from MPDO to R-1 is consistent with the above goals and policies as this proposal is within the City of Yakima UGA and is generally compatible with existing development in the area. The subject property is Tract C of the Canyon View Estates Plat/Planned Development and not necessary for the overall MPDO development.

This proposal is also consistent with the legislative intent and purpose of the R-1 zoning district as found in YCC 19.12.010(1). Adjacent properties to the east and west along Scenic Dr. are zoned R-1. This rezone proposal will create continuity of the zone along Scenic Dr.

### **C. The adequacy of public facilities, such as roads, sewer, water and other required public services.**

This area contains adequate public facilities for residential development. Nob Hill Water is available in the Scenic Dr. frontage to serve the site. As noted, this rezone will facilitate a future boundary line adjustment between the subject property and parcels 181317-23313 and 181317-24412.

### **D. The compatibility of the proposed zone change and associated uses with neighboring land uses.**

This proposal is compatible with neighboring uses. With the exception of the plat of Canyon View Estates, all other lots on the north side of Scenic Dr. are zoned R-1. Lots to the south of Scenic Dr. are zoned SR, and this change is not anticipated to have any impact on those existing residential uses.

### **E. The public need for the proposed change.**

This change will create a consistent zone along the north side of Scenic Dr.

**F. What substantial changes in circumstances have occurred to warrant the change in the current zoning?**

The plat of Canyon View Estates was recorded in 2022, which created 16 lots and 3 tracts in the MPDO zone. The lots are accessed through a 50-foot access and utility easement (AFN#8155467). Tract C is the proposed parcel to be Rezoned to R-1, consistent with parcels 181317-23313 and 181317-24412 to the west. Retaining Tract C as part of the MPDO is not necessary for the overall development of Canyon View Estates. The proposed Rezone to R-1 will facilitate a boundary line adjustment with the aforementioned adjacent parcels. The reconfiguration of the three lots will provide for a more useable buildable area while maintaining existing access and density.



### Required Site Plan Information:

N/A	#	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1 Paper size Minimum 8 1/2" x 11" up to Maximum size 11"x17"
<input checked="" type="checkbox"/>	<input type="checkbox"/>	2 Property Owner Name, Parcel Number and, Site Address
<input checked="" type="checkbox"/>	<input type="checkbox"/>	3 North Arrow shall be directed at top of the paper with the writing facing the same northern direction
<input checked="" type="checkbox"/>	<input type="checkbox"/>	4 Drawn to scale Example 1" = 25' or 1" = 50'
<input checked="" type="checkbox"/>	<input type="checkbox"/>	5 Background Information: Site Plan Created By, Address, Contact Phone #, & Date Created
<input type="checkbox"/>	<input checked="" type="checkbox"/>	6 Lot Coverage Calculation for all zones except AG, FW, MIN, R/ELDP-40, R-10/5 *
<input type="checkbox"/>	<input checked="" type="checkbox"/>	7 Aerial photos are not acceptable
<input checked="" type="checkbox"/>	<input type="checkbox"/>	8 Property line dimensions of all lot(s) involved in the project
<input checked="" type="checkbox"/>	<input type="checkbox"/>	9 The location, width and purpose of all easements (utility, access and/or irrigation) on the site and adjacent to the site with distances to proposed structures
<input type="checkbox"/>	<input checked="" type="checkbox"/>	10 The distance from existing and proposed structures to the centerline of state, county, private roads, or access easement with name, dimension, surface type (paved, gravel or dirt) of road
<input checked="" type="checkbox"/>	<input type="checkbox"/>	11 Existing or proposed driveway locations, Length, and Width
<input type="checkbox"/>	<input checked="" type="checkbox"/>	12 Location, shape, size, gross floor area, height and types (i.e., house, garage, well house) of all existing and proposed structures, distance "minimum building setbacks" from the property lines and other structures, and the total lot coverage
<input checked="" type="checkbox"/>	<input type="checkbox"/>	13 The location, right-of-way widths, pavement widths, curbs, gutters, culverts and names of all existing or platted streets or roads, whether public or private, and other public ways within the subject property or adjacent to any affected lots.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	14 Location of well or water systems within 100 feet of the subject property or within a 100 foot well control zone and the distance from any structures within the well control zone. Label as Individual, 2-party, Group B, Group A. If located on another parcel note location on site plan
<input type="checkbox"/>	<input checked="" type="checkbox"/>	15 Location of proposed or existing septic tank, drain field area, and extension area, as well as replacement areas and distances to structures and property lines
<input checked="" type="checkbox"/>	<input type="checkbox"/>	16 The location and dimensions of any existing and proposed utilities, streets, railroads, irrigation and drainage canals, easements and dedication of property within the subject property or adjacent to any affected lots;
<input type="checkbox"/>	<input checked="" type="checkbox"/>	17 Critical Areas/Shoreline River, streams, creek, pond, floodplain, floodway, etc. on or abutting the site (Distance from structure to the ordinary high water mark of the river, stream, creek, etc.)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	18 Show the existing topographic contours at intervals of not more than 5' when the ground slopes exceed 10%. Extend 100' beyond the boundaries of the site

### Building Division Application Site Plan Information:

N/A	#	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	1 Fire apparatus turnaround
<input type="checkbox"/>	<input checked="" type="checkbox"/>	2 For larger parcels, draw a simple plan showing the entire lot and indicate which area the new construction is to take place. Attach to the detailed section and submit both
<input type="checkbox"/>	<input checked="" type="checkbox"/>	3 Distance of new structures from all property lines
<input type="checkbox"/>	<input checked="" type="checkbox"/>	4 Location of Garage and Carport vehicle entrances

### Planning Division Application Site Plan Information:

N/A	#	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1 Location and dimensions of all proposed exterior land uses
<input checked="" type="checkbox"/>	<input type="checkbox"/>	2 Location of new and/or expanded public and private utility infrastructure
<input checked="" type="checkbox"/>	<input type="checkbox"/>	3 Location of pedestrian and vehicular circulation patterns, sidewalks, trails and bicycle paths
<input checked="" type="checkbox"/>	<input type="checkbox"/>	4 Location of structures on the adjoining lots, which may cause compatibility issues
<input checked="" type="checkbox"/>	<input type="checkbox"/>	5 Proposed location and dimensions of community and other open space
<input type="checkbox"/>	<input checked="" type="checkbox"/>	6 Existing and proposed landscaping, site screening, street trees and storm water drainage facilities
<input type="checkbox"/>	<input checked="" type="checkbox"/>	7 The existing on-site sewage system components and reserve areas and the proposed location for on-site sewage systems and soil test pits for all affected lots not served by an on-site sewage system or other approved wastewater treatment system. The location of structures on the adjoining lots when within 100 feet of a well or on-site sewage disposal system;
<input type="checkbox"/>	<input checked="" type="checkbox"/>	8 Proposed contours and grading as they affect lot layout, streets, and drainage ways
<input checked="" type="checkbox"/>	<input type="checkbox"/>	9 Location of adjacent public water, sewer main, fire protection systems and other underground facilities within or adjacent to the development
<b>Floodplain development:</b>		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	10 Description of the extent to which any watercourse will be altered or relocated as a result of the proposed development
<input type="checkbox"/>	<input checked="" type="checkbox"/>	11 The boundaries of the 100-year floodplain, the boundaries of floodways where floodways have been established, and the 100-year base flood elevations where base flood elevations have been established
<input type="checkbox"/>	<input checked="" type="checkbox"/>	12 The boundaries of the 10 and 25-year floodplain using the flood risk maps provided by Yakima County as part the mandatory pre-application conference
<input type="checkbox"/>	<input checked="" type="checkbox"/>	13 Other information as may be required by YCC Titles 13, 16A, 16C or 16D

\*Lot Coverage is not specified within these zoning districts; however site screening may be required under Subsection 19.21.030(2)(f) and (g)

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