

YAKIMA COUNTY HEARING EXAMINER
August 1, 2024 HEARING
EXHIBIT LIST

File Nos.: CUP2024-00011/SEP2024-00007/ADU2024-00013 Neil & Stephanie Goeckner Concentrated Animal Feeding Operation Expansion – Rural 10/5 Zoning District
Staff Contact: Aaron Cohen, Planner III– Long Range

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YAKIMA COUNTY PLANNING DIVISION
**Findings and Recommendation
Of the Administrative Official**

In the Matter of Application for a)	File No. CUP2024-00011
Type 3 Application)	SEP2024-00007
)	ADU2024-00013
Submitted by:)	
)	
Gerard Grandi)	
)	
For a Concentrated Animal Feeding)	
Operation & Accessory Dwelling Unit in)	
the Rural 10-5 Zoning District and)	
southwest of the City of Grandview's)	
sewage treatment facility.)	

I. INTRODUCTION

On February 14, 2024, Yakima County, Public Services Department: Planning Division received an application from Gerard Grandi, Horse Heaven Cattle Feeders on behalf of Neil & Stephanie Goeckner for a Concentrated Animal Feeding Operation (CAFO) on the property. On May 28, 2024, Yakima County, Public Services Department: Planning Division received an application from Gerard Grandi, Horse Heaven Cattle Feeders on behalf of Neil & Stephanie Goeckner for an Accessory Dwelling Unit (ADU) on the property.

II. SUMMARY OF RECOMMENDATION

Because the applications to establish a CAFO & ADU are supported by evidence and analysis allowing favorable consideration of the application under the Unified Land Development Code (ULDC) 19.30.80, 19.18.020, and 19.18.090 the Administrative Official recommends Approval with Conditions of Gerard Grandi's applications, subject to conditions to assure compliance with the Yakima County Comprehensive Plan – *Horizon 2040* and pertinent development criteria, standards and regulation. Those conditions are set out in Section V below.

III. FINDINGS

Based on the application, comments received during the comment period, and a review of the pertinent provisions of *Horizon 2040* and the Yakima County Code (YCC), the Unified Land Development Code, Title 19, (referred to as the "YCC Title 19"), the Administrative Official makes the Findings set out in this Section III. Any finding more properly determined to be a conclusion is deemed to be such.

1. **PROPERTY INFORMATION:**

Project Name: Goeckner Concentrated Animal Feeding Operation Expansion & Accessory Dwelling Unit

Subject Parcel Number: 230803-33002

Zoning Designation: Rural 10/5 (R10/5)

Future Land Use Designation: Rural Self-Sufficient

Subject Parcel Number: 230804-44003

Zoning Designation: Agriculture (AG)

Future Land Use Designation: Agricultural Resource

Property Acreage: 38.93 & 69.02

Property Location: 1161 Bus Road, Mabton, Washington, 98935. The subject properties are located on the northwest and northeast corners of the Bus Road and Foxx Road intersection, directly southwest of the City of Grandview's sewage treatment facility.

Property Owner: Neil and Stephanie Goeckner

Mailing Address: 19179 Red Bird Road, Lewiston, Idaho, 83501

Applicant/Agent: Gerard Grandi, Horse Heaven Cattle Feeders

Mailing Address: 1070 Bus Road, Mabton, Washington, 98935

2. **PROPERTY HISTORY:** The main property history discussed below only pertains to Parcel 230803-33002 as development only occurs within this property. The property has been in its current form since the Yakima County Assessor's Office drew up their plat maps in the 1970s. The existing home was built in 1920 based on records held by the Assessor's Office. There are two early assistance conference (EAC) applications associated with the property, both for the establishment of a concentrated feeding operation on the property. All other permits associated with the property (building, fire safety, land-use, public health) are associated with the development that is the subject of this staff report.

3. **PROJECT DESCRIPTION:** All developments under review within this proposal are within the southwestern corner of the Parcel 230803-33002. The applicants are seeking to expand the Concentrated Animal Feeding Operation (CAFO) that is on Parcel 230804-44003 onto Parcel 230803-33002. The expansion includes administrative offices and maintenance sheds for equipment. The only cattle expected to be on Parcel 230803-33002 are those being transferred between feedlots. Any other structures associated with animals on Parcel 230803-33002 are associated with the transfer of animals between feedlots or those with existing animals. Tanks with feed and feed supplements for the cows associated with the CAFO will be stored on Parcel 230803-33002 and the tanks have a total capacity of 8,050 gallons. The feed and feed supplements will also be mixed on Parcel 230803-33002. The applicants have indicated 15 employees are to staff the offices and maintenance shops and 15 gravel parking spots are proposed for staff. A total of 9,829 square feet of buildings associated with the CAFO will be on the property once the proposed development is complete.

The applicants are also seeking to place an Accessory Dwelling Unit (ADU) on the property. The existing primary residence is 2,458 square feet and the proposed ADU is 1,800 square feet. The primary residence is proposed to be connected to a new two-party shared well that is shared with the offices for the CAFO. The proposed ADU is proposed to be connected to a new two-party shared well that is shared with the maintenance shop. Individual septic systems

for both residences as well as for the offices and shops are proposed. All vehicles are expected to utilize existing approaches.

4. **ZONING AND COMPREHENSIVE PLAN DESIGNATION:** Parcel 230804-44003 is within the Agriculture (AG) Zoning District, while Parcel 230803-33002 in which the development will only take place is within the Rural – 10/5 (Rural 10/5) Zoning District, and within the Rural Self-Sufficient of the Yakima County Comprehensive Plan (*Horizon 2040*).

i. *Surrounding Properties.* The properties to the north are within the R-10/5 Zoning District and contain single-family residences. Additionally, to the north is the City of Grandview's sewage treatment facility. The properties to the west are within the Agriculture (AG) Zoning District and contain commercial agricultural. The properties to the south are within the Rural/Extremely Limited Development Potential-40 (R/ELDP-40) Zoning District and are vacant.

ii. *Horizon 2040.* The Yakima County Comprehensive Plan - *Horizon 2040* designates the property within the Rural Self-Sufficient (RSS) Designation which is intended to "implement Growth Management Act Planning Goals related to reducing sprawl, protecting the environment and providing adequate facilities and services commensurate with the density of development. The Rural Self-Sufficient category provides a broad choice of areas within rural Yakima County where an independent and private lifestyle can be sustained on acreage homesites. This category is intended to maintain rural character by establishing lot sizes which will make feasible individual wells and septic systems on each parcel, and by minimizing conflicts with adjoining or nearby resource land uses through buffers and special setbacks that will permit farm, forestry and mineral resource uses to continue. The category provides density incentives to encourage development where fire protection services and hard-surfaced County Roads or State Routes are available. The Rural Self-Sufficient category also provides for flexible parcel sizing or clustering to encourage development that more effectively uses the site to reduce infrastructure and service costs. These lands are generally found at the periphery of Urban Growth Areas and Rural Transitional areas separating designated farm or forest lands and the remote rural and developmentally constrained lands" (*Horizon 2040* Chapter 5, pages 45-46). The following goals and policies apply:

a. Goal LU-R 2 - Recognize agriculture as an important economic activity within designated rural areas.

iii. *Zoning Intent.* The properties within the R-10/5 Zoning District are "intended to maintain rural character and provide density incentives to encourage development where fire protection services and access to roads with a paved or other hard surface are available" (YCC19.11.030(1)(b)).

Staff Finding: Though the project under review includes a CAFO operation on two separate properties that are within two different zoning districts and *Horizon 2040* designations, only the R-10/5 Zoning District and the RSS Designation are addressed as the development is occurring only within these zoning district and designation. Providing all required conditions required by the Hearing Examiner are met the proposed development is in line with the zoning intent of the R-10/5 Zoning District and the RSS Designation.

5. **HEARING EXAMINER JURISDICTION:** The proposal is subject to the YCC Title 19. Table 19.14-1 of Allowable Land Uses designates a CAFO, as defined by Section 19.01.070, as a use requiring Type 3 review in the R-10/5 Zoning District. Though an ADU is a Type 2 review within the R-10/5 Zoning District, the applicants have chosen to consolidate the review of the permits under one review. Under a consolidated review, all submitted permit applications are reviewed under the higher level of review (YCC16B.03.060).

Type 3 applications are quasi-judicial actions which require an open record hearing by the Hearing Examiner. The Examiner's written decision constitutes the final decision. Public notice will be provided on Type 3 actions.

6. **NOTICE OF APPLICATION:** After the application was submitted, an internal notice of project review was emailed to representatives of the Building and Fire Safety Division, the Water Resources Division, the Transportation Division, the Utilities Division, the Code Enforcement Division, and the Yakima Health District. Comments are attached to this recommendation for further review and are addressed in the findings below.

Once the applications were complete, a combined Notice of Application, Notice of Completeness, Notice of Environmental Review, and Notice of Hearing was mailed to adjoining property owners on **June 18, 2024**, with a comment period ending on **July 2, 2024**. This comment period deadline only applied to the SEPA application as comments regarding the land-use applications are taken up to the hearing date.

In accordance with YCC 16B, the application was processed as follows:

Application Submitted:	February 14, 2024 & May 28, 2024
Application Determined Complete:	March 14, 2024
Request for Additional Information:	March 21, 2024
Requested Information Received:	March 20, 2024
Request for Additional Information:	March 27, 2024
Requested Information Received:	June 3, 2024
Notice of Application, Completeness Environmental Review, Hearing:	June 18, 2024
Publishing of future hearing in the Yakima Herald-Republic:	June 18, 2024
Publishing of Final SEPA:	July 9, 2024
Posting of hearing notice on the property:	July 12, 2024

7. **COMMENTS:** Two comments were received from external agencies and are summarized below:

- a. The Washington Department of Ecology (DOE) provided the following comments:

"In Washington State, prospective water uses must obtain authorization from the Department of Ecology before diverting surface water or withdrawing ground water..."

Staff finding: The full comment from DOE is within Attachment D. A discussion of the water rights for the proposed development is found in Finding 9(b)(v) below.

- b. The Sunnyside-Valley Irrigation District (SVID) provided the following comments:

“SVID’s Lateral MB 3.40 is a 27-inch diameter irrigation pipeline which conveys water through Parcel 230803-33002. In order to achieve the required 3-feet of cover over the lateral pipeline, the soil over the pipe is built up higher than the surrounding ground elevation. Regarding or removal of soil within the SVID easement is prohibited.”

Staff Findings: The full comment from SVID is within Attachment E. SVID provided a map on the second page indicating the location of the lateral easement/right of way and that the project location is outside of the lateral. With that said, any shifting or moving of dirt of any kind within the SVID easement/right of way for Lateral MB 3.40 is not allowed.

8. **ENVIRONMENTAL REVIEW:** This application is subject to review under the State Environmental Policy Act (SEPA) as it is not considered exempt from the review process (WAC 197-11-800(1)(b)(iii)). The Yakima County State Environmental Policy Act (SEPA) Responsible Official conducted a review of the application under the provisions of SEPA under County File Number SEP2024-00007. A Final DNS was issued on July 9, 2024.

9. **REVIEW CRITERIA AND THEIR APPLICATION TO THE PROPOSAL:**

- a. **YCC 19.30.080(7) Application Review Procedures** For Type 3 reviews, the Administrative Official is charged to prepare written findings and conclusions stating specific reason, upon which the decision or recommendation to approve, approve with conditions or deny the application is based. The minimum criteria required to be considered under YCC 19.30.080(7) are set out and analyzed in turn below.

- i. The present and future needs of the community will be adequately served by the proposed development and the community as a whole will be benefited rather than injured;

Staff finding: Providing the CAFO expansion & ADU meets the standards set forth in YCC Title 19, the community is not likely to be injured by the proposed development.

- ii. The proposed use is compatible with neighborhood land uses, the goals, objectives and policies of the Comprehensive Plan, and the legislative intent of the zoning district;

Staff finding: This criterion is addressed in Finding 4 above.

- iii. The site of the proposed use is adequate in size and shape to accommodate the proposed use;

Staff finding: The subject property that contains the CAFO expansion and ADU is approximately 69.02-acres. Based on the property size and a review of the site plan, the subject property is adequate in size and shape to accommodate the proposed use.

- iv. All setbacks, spaces, walls and fences, parking, loading sitescreening, landscaping and other features required by this Title;

Staff finding: Based on a review of the site plan and documentation submitted regarding the proposed two-party shared wells, the property is adequate in size and shape to accommodate the proposed CAFO expansion, second residence, and all accessory infrastructure.

- v. The proposed use complies with other development and performance standards of the zoning district and this Title;

Staff finding: This criterion has been addressed in Findings 9, 10, 11, 12, 13, and 14 below.

- vi. The site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use;

Staff finding: The Yakima County Roads Department indicated that Bus Road is sufficient in width and surface to carry the expected traffic caused by the proposed developments.

- vii. The proposed use will have no substantial adverse effect on abutting property or the permitted use thereof;

Staff finding: This criterion is addressed in Finding 7 above.

- viii. In the case of residential uses, the housing density of the development is consistent with the existing zoning densities, or the Comprehensive Plan, and that all other aspects of the development are consistent with the public health, safety, and general welfare for the development and for adjacent properties; and

Staff finding: The applicants are proposing to place a detached ADU on Parcel 230803-33002. A detached ADU is a permissible use within R-10/5 Zoning District. YCC19.18.020(1)(b)(iv) indicates only one ADU is allowed per lot. As such, the proposed detached ADU is an additional housing unit allowed within the R-10/5 Zoning District and with the addition of the ADU onto the property the maximum residential units allowed have been met.

- ix. The development complies with all criteria in Chapter 19.18 applicable to the proposed use, unless otherwise administratively adjusted.

Staff finding: The applicable development standards in YCC19.18 for ADUs are discussed in Finding 9(b) below. CAFOs into the R-10/5 Zoning District do not have specific YCC19.18 development standards.

- b. YCC 19.18.020 Accessory Dwelling Unit Standards** In accordance with YCC 19.30.080(7)(i) the proposed development shall comply with chapter 19.18 of the Yakima County Code. YCC 19.18 is intended to specify certain standards which, under special circumstances may apply to or be required for approval of, a proposed development or modifications to a development. Accessory Dwelling Units are subject to the standards as outlined under YCC 19.18.020(1) and are addressed as follows:

- i. YCC19.18.020(1)(a) addresses off-street parking associated with the ADU and the primary residence. Off-street parking is addressed under *Finding 9(f)* below.
- ii. “The ADU shall meet current standards of the residential, building, mechanical, electrical and energy codes as required for single-family dwellings” (YCC19.18.020(1)(b)(ii)).

Staff Finding: The applicants have indicated that the proposed ADU is to be a manufactured home, which must meet the US Department of Housing and Urban Development standards. If the home becomes site built, then the home must be built to the residential building code standards stipulated by the Building & Fire Safety Division.

- iii. “The ADU shall have the same building setbacks as the primary structure,” (YCC19.18.020(1)(b)(iii)), and this criterion is addressed under *Finding 9(c)(vi)* below.
- iv. “A lot shall contain only one ADU...ADUs shall not be allowed on parcels containing a common wall dwelling, zero lot line dwelling, duplex, multi-family dwelling, or a commercial or industrial structure/use” (YCC19.18.020(1)(b)(iv) and YCC19.18.020(1)(c)(i)).

Staff Findings: Parcel 230803-33002 currently contains one single-family residence. The proposed ADU will be the only additional residence on the property. Therefore, this criterion is met.

- v. In all zoning districts “the ADU and the primary residence shall both connect to a public water system as defined in Section 19.01.070, and shall meet Yakima Health District requirements” (YCC19.18.020(1)(c)(v)(B)).

Staff Finding: The applicants have indicated the proposed ADU and existing residence will connect to two new two-party shared wells that are also connected to the office and maintenance shops. The Yakima Health District indicated the two proposed well sites have been approved (see Attachment F). The applicants are proposing to utilize a Yakima County Water Right for both homes. Correspondence with the Yakima County Water Resources & Utilities Division indicates the water right is available for all uses on the property (see Attachment G).

- vi. As the subject property is “outside of the UGA, the requirements of YCC 19.25-2 for two connections shall apply. All sanitary disposal systems must meet Yakima Health District Requirements” (YCC19.18.020(1)(c)(v)(C)).

Staff Findings: The applicants indicate individual septic systems are proposed for each residence, which is in line with YCC19.18.020(1)(c)(v)(C), therefore this criterion is met.

- vii. “The ADU and the primary residence shall share a common driveway unless the two units are allowed to access different roads” (YCC19.18.020(1)(c)(ii)). Access is addressed under *Finding 9(c)(iii)* below.

- viii. "A home business may be allowed, subject to Section 19.18.240, in either the ADU or the primary unit, but not both" (YCC19.18.020(1)(c)(iii)).

Staff Finding: A home business does not exist, and one is not proposed at this time. When a home business is proposed this criterion will be re-reviewed.

- ix. "The ADU's floor area shall be smaller than the primary residence" (YCC19.18.020(1)(c)(iv)).

Staff Finding: The submitted site plan indicates the proposed ADU is to be 1,800 square feet and the primary residence is 2,458 square feet, and therefore, this criterion is met.

- x. The Reviewing Official retains the right with reasonable notice to withdraw occupancy approval if any of the requirements under Subsections (1)(b) and (c) of YCC 19.18.020 are violated.

Staff Finding: If the County withdraws occupancy, the property owner may use the detached building for an approved use only or remove the structure from the premises (YCC 19.18.020(1)(c)(vi)(B)).

- c. **YCC 19.10.040 General Development Regulations** The regulations set by Title 19 within Chapters 19.10 through 19.25 shall be minimum regulations and shall apply uniformly to each class or kind of development, structure or land in the zoning districts and situations indicated.

- i. **Conformity with All Regulations Required:** (YCC 19.10.040(1)) "Any development, structure, or part shall conform to all of the regulations specified in this Title for the situation and zoning district in which they are located in order to be authorized, erected, constructed, reconstructed, moved or structurally altered."

Staff Finding: The applicants must obtain all permits required by the Yakima County Public Services Department, the Yakima Health District, and any state or federal agencies as applicable, in addition to fulfilling all conditions stipulated in the final decision issued by the Hearing Examiner. Please refer to the staff findings below for specifics relating to this proposal.

- ii. **Yards, Lots, Open Space and Off-Street Parking and Loading Spaces:** (YCC 19.10.040(2)(a)) "Yards or lots created after the effective date of this Title shall meet at least the minimum requirements established by this Title and shall not be smaller than the minimum standards established in Chapters 19.10 through 19.18. The lot size, width, depth, shape and orientation shall be in accordance with the applicable zoning laws."

Staff finding: The applicants are not proposing to share yard, open space, or parking with uses outside of the project area and will therefore meet this standard.

- iii. **Access Required:** (YCC 19.10.040(3)) "All new development shall have a minimum of 20 feet of lot frontage upon a public road or be served by an access easement conforming to the dimensional requirements of Sections 19.23.040 and 19.23.050 to

provide for access to the development. The approach location shall be reviewed by the County Engineer for compliance with YCC Chapter 10.08. Approach connections to other public roads are subject to review by the applicable agency. Verification of legal access and a valid road approach permit shall be required prior to final approval of any permit granted under this Title.” The Transportation Division provided the following comments:

The Transportation Division provided the following comments:

“Conditions

1. Apply for a road approach permit (RAP) for Parcel 230803-33002.

Comments

RAP2002-00053 was issued for Parcel 230803-33002. This RAP was for one agricultural access. There are two agricultural access, one residential access and one shared access for this parcel. These need to be permitted. The applicant will need to apply for a road approach permit for Parcel 230803-33002.

This parcel is currently an operating agricultural business. The proposed project will have minimal impact on the public roads. Yakima County Roads has no concerns with this project.”

“No change in address associated with a CAFO.”

Staff Finding: The following comments regarding the RAP were submitted on February 27, 2024. Since then, RAP2024-00005 has been issued for all accesses on the property. This is indicated in the Transportation Division comments associated with ADU2024-00013 (see Attachment C). Additionally, as indicated in YCC19.18.020(1)(c)(ii), the ADU and the primary residence must share the same approach unless the Roads Department allows for separate approaches. Any future approach changes for the ADU requires a review by the Yakima County Roads Department. Therefore, no additional permit is required by the Roads Department at this time. All future developments require a review by the Yakima County Roads Department.

- iv. **Land Uses:** (YCC 19.10.040(4)) “Uses allowed within a zoning district are listed as permitted, administrative or conditional uses in the Allowable Land Uses Table 19.14-1 within Chapter 19.14.”

Staff Finding: This criterion is addressed in Finding 5 above.

- v. **Building and Fire Safety Permits Required:** (YCC 19.10.040(5)) “No building or other structure shall be erected, moved, added to or structurally altered without a permit issued by the Building Official under RCW 19.27 and YCC Title 13. No building permit shall be issued except in conformity with this Title.” The Yakima County Building and Fire Safety Division had the following comments:

The Building & Fire Safety Division provided the following comments:

“Based upon the information submitted, all new construction, modifications to existing structures and changes of building use and/or changes of building occupancy including the change of use for the existing dairy barn to break room and livestock processing require building permits. All construction is required to comply with all applicable provisions of the current adopted International Building Codes with Washington State Amendments and Washington State Energy Codes at time of building permit submittal. Building permits and Building Codes are based upon the buildings use and construction type. A complete building code compliance plan review will be performed when construction drawings are submitted for building permits.”

“Building permits are required for the proposed structures on the property. Currently, the following permits have been applied for and are deemed incomplete:

BLD2023-00717 - Ag Equipment Storage
BLD2024-00016 - Hickory Shed for Tack Room
BLD2024-00017 - Office
BLD2024-00018 - Ag Storage (Misc)
BLD2024-00110 - Truck Scale

Per applicant, cow shade/lean to be demolished - demo permit required. SFR was constructed in 1920 per Assessor site and database.”

“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. The occupancy use of a building must meet the classification. When it does not, a change of use is required.”

Staff Finding: The applicants are required to continue the building permit process for all building permits listed above and any other permits required by the Building & Fires Safety Division. All building, grading, demo, and fire safety permits must be applied for prior to the issuance of any permits. All building, grading, demo, and fire safety permits must be finalized and/or inspected prior to the issuance of the Certificate of Occupancy and commencement of use. For any questions regarding these comments, please contact the Building & Fire Safety Division at (509) 574-2300.

- vi. **Setbacks, Easements and Right-of-Way:** (YCC 19.10.040(6) and 19.30.080(7)(d)) Chapter 19.11.030 lists the standard minimum setbacks of buildings or other structures and uses in the R-10/5 Zoning District in Table 19.11.030-1.

Zoning District:	R-10/5 Zoning District			
Front Setback:	50'	West	Planned centerline of	Bus Road
Side Setback:	10'	North	Property Line	
Side Setback:	50'	South	Planned centerline of	Bus Road
Rear Setback:	10'	East	Property Line	

Staff Finding: Based on a review of the submitted site plan, all required structural setbacks are met.

- vii. **Vision Clearance Triangles at Intersections and Driveways:** (YCC 19.10.040(7))
“A vision clearance triangle shall be maintained at all driveways and curbcuts, and the intersection of an alley with a public street for vision and safety purposes. The vision clearance triangle shall measure 15 feet along the perpendicular street curb lines or pavement edge, or travel lane of the public street and 15 feet along the driveway or alley. The third side of the triangle shall be a straight line connecting the 15 foot sides described above. No sign or associated landscaping shall be placed within this triangle so as to materially impede vision between the heights of two and one-half and ten feet above the centerline grade of the streets.”

Staff Finding: Based on a review of the submitted site plan, all required Vision Clearance Triangle (VCT) standards for driveways/curb cuts and intersections are met. The applicants are required to ensure VCT standards are continually met.

- viii. **Maximum Lot Coverage and Building Height:** (YCC 19.10.040(8)(a) & Table 19.11.010-2) Building height is considered to be the vertical distance from grade plane to the average height of the highest roof surface. The maximum building height is intended to maintain building and structure heights that are compatible with the character and intent of the zoning district. Lot coverage is the percentage of the area of a lot covered by buildings, accessory structures, or other impervious surfaces. According to Table 19.11.030-2, the maximum building height and the maximum lot coverage in the R-10/5 Zoning District are not specified.

Max Lot Coverage is	Not Specified	within the	R10/5	Zoning District.
Max Building height is	Not Specified	within the	R10/5	Zoning District

Staff Finding: Since the maximum lot coverage and building height are not specified for the R-10/5 Zoning District, these criteria are currently met by the proposed development.

- ix. **Fences, Walls and Recreational Screens:** (YCC 19.10.040(9)) The provisions of YCC 19.10.040(9) “shall govern the location and height of fences and walls, to allow access to properties by utility employees and emergency response personnel and to maintain good appearance of residential areas and visual access along residential streets and between lots.”

Staff Finding: The applicants have indicated some portions of the proposed development are to be fenced with metal, non-view obstructing fencing. The submitted site plan does not depict the area to be fenced, however, YCC19.10.040(9)(a)(iii)(C) indicates the R-10/5 Zoning District does not have a fence height requirement. The applicants are required to ensure all fencing meets all current building codes, does not infringe within any utility easements, and any fence does not infringe on the VCT standards stated in Finding 9(c)(vii) above.

- x. **Exterior Lighting:** (YCC 19.10.040(10)) “Exterior lighting is regulated to minimize light pollution to neighboring properties and encourage true-color, full-spectrum light

rendition in projects. Exterior lighting for all uses and signs shall be directed downward and otherwise arranged, fully shaded, screened, shielded, and of a design that results in the light being directed onto the site and of an intensity or brightness that does not reflect or cause glare or light intrusion into any adjacent or nearby residential use or interfere with the safe operation of motor vehicles.” Figures 19.10.040-3 and -4 of the Yakima County Code contain examples of exterior lighting sources and fixtures.

Staff Finding: The applicants have indicated there will be exterior lighting on the property over buildings and on the proposed ADU. The applicants are required to submit an exterior lighting plan to the Yakima County Planning Division depicting how all exterior lighting is to be shaded, shielded, and directed onto Parcel 230803-33002. The exterior lighting plan also must ensure all requirements of YCC19.10.040(10) are met (see Attachment H) and the plan is approved prior to the issuance of building permits.

- xi. **Floodplain Development:** (YCC 19.10.040(11)) “A pre-application meeting and a Flood Hazard Permit application is required for all new development in floodplains in order to minimize and mitigate potential adverse impacts to property and infrastructure while reducing risks to public health and safety.”

The Building & Fire Safety Division provided the following comments:

“Based on current FEMA mapping and GIS overlay, the entire parcel is outside the FEMA designated 100yr floodplain/floodway. Flood-resistive materials and construction methods are not required.”

Staff Finding: The parcel on which the proposed development will occur is not within a floodplain, therefore, this criterion is not applicable.

- xii. **Stormwater Requirements:** YCC 19.10.040(12) “is intended to ensure public and private development projects comply with the National Pollution Discharge Elimination System (NPDES) permit requirements under the Federal Clean Water Act (CWA) where applicable.”

The Water Resources Division provided the following comments:

“Ongoing Conditions:

I. Stormwater must be retained on site.

II. Any natural drainageways must not be altered or impeded. Upland drainage, if any, must be conveyed through the property in accordance with criteria found at YCC 12.10.250.

Notes - Any new construction should be included the existing Dairy Nutrient Management plan.”

Staff Finding: Based on the comments from the Water Resources Division, all stormwaters must be retained on site and natural drainageways cannot be altered or impeded without their approval. The Water Resources Division provided additional

comments (see Attachment C) indicating a track off plan is required to be submitted prior to the issuance of building permits for cattle related to the transfer station. All additional structures should be added into the existing Dairy Nutrient Management Plan.

- d. **YCC 19.20 Signs** According to YCC 19.20.030(1), “All on-premises signs are accessory uses and shall be subject to the same procedural and review requirements as the principal use, except that new signs accessory to existing or approved uses may be reviewed as modifications to existing or approved uses under Section 19.35.030.” All proposed signs are subject to the review procedures of Title 19 and the standards of Chapter 19.20, which include Table 19.20-1 Type of Signs Permitted, Table 19.20-2 Number of Signs Permitted, Table 19.20-3 Maximum Area per Sign Face, and Table 19.20-4 Sign Height and Setbacks.

Staff Finding: The applicants have indicated there is to be a sign at the entrance of the property indicating there is a truck crossing and the property is a restricted feeding area. The applicants shall ensure the sign meets all requirements for freestanding signs as stipulated by Yakima County code, which includes meeting building code requirements. As the Parcel 230803-33002 is within the R-10/5 Zoning District, one freestanding sign is permitted along each street frontage, each sign can be up to 10-feet in height, each sign can be up to 32-square feet in sign area, must meet all required setbacks (see Finding 9(c)(vi) above), and VCT standards (see Finding 9(c)(vii) above). Specific directional signs and other types that are exempt from land-use review, not from building permits, is stated in YCC19.20.040 (see Attachment I). If the sign is illuminated either internally or externally, the sign must meet the standards in YCC19.20.095 (see Attachment J). As a mockup of the sign was not provided with the application materials, the applicants must submit the design specifications of the sign to the Yakima County Planning Division indicating all applicable sign standards are met prior to the issuance of the building permit required for the sign.

- e. **YCC 19.21 SITESCREENING AND LANDSCAPING** In accordance with YCC 19.30.080(7)(d) the proposed development shall comply with the sitescreening and landscaping requirements of Chapter 19.21.

vii. **Property Perimeters along Street Frontages:** (YCC 19.21.030(2)(b)(i)) All plantings shall be provided inside the property lines that abut public roads.

viii. **Property Perimeters Not along Street Frontages:** (YCC 19.21.030(2)(c)) Planting strips as specified by Table 19.21-1 shall be provided along all property lines that abut other parcels, except where adjacent to railroads or where buildings are lawfully built with no setback from the property line.

Staff Finding: Based on a review of Title 19.21, sitescreening requirements are not applicable for developments within the R-10/5 Zoning District and no comments were received indicating additional sitescreening mitigation is required.

- f. **YCC 19.22 Parking and Loading** According to YCC 19.22.020, no off-street parking or loading spaces shall be placed, constructed, located, relocated or modified after adoption of this Title without first receiving a development permit from the Reviewing Official.

YCC 19.22.050(2) allows the Reviewing Official to make a determination to evaluate a proposed land use based closely on similar land uses listed in Table 19.22-2.

- i. Calculation of Parking Standards: (YCC 19.22.050) All parking areas shall comply with applicable local, state and federal standards regarding accessible parking for disabled persons.

Staff Finding: The applicants have indicated there are to be 15 employees on Parcel 230803-33002 and have proposed placing 15 parking spaces on the property. Both homes are required to provide two off-street parking spaces, for which there is space on the property. The Reviewing Official determines that the proposed parking for the CAFO is sufficient to serve the proposed development and Parcel 230803-33002 can accommodate the required primary and secondary residence parking (for a total of 19 parking spaces reviewed under this proposal). All parking spaces must be installed to the requirements stated in YCC19.22.

- ii. Travel Ways: (YCC19.22.070) All vehicle travel ways are required to follow the standards stipulated in YCC19.22.070.

Staff Finding: As seen on the depicted site plan, the applicants are proposing to gravel all vehicle travel ways and parking lots, with one area to be concrete. As Parcel 230803-33002 is within a rural zoning district, this proposal is in line with the rural requirement stated in YCC19.22.070(1)(b) that states:

“Rural Standards. Parking facilities within all other rural zones shall be surfaced with a minimum of screened gravel or crushed rock, or better, except that the Reviewing Official may require paving and/or landscaping of the parking facility when necessary to protect the public health or safety.”

The applicants shall ensure all travel ways are installed prior to the issuance of Certificates of Occupancy for building permits and the commencement of the use.

- g. **YCC 19.25 Sewer and Water** According to YCC Table 19.25-1 and YCC Table 19.25-2, new structures in the R-10/5 zoning district require connection to either an existing public water system or an individual well and a County sewer system or an individual on-site septic system.

Staff Finding: The water rights involved in this development relate to two residential uses for the two houses and two commercial uses relating to the office and maintenance shop for the CAFO. Any other uses outside of this scope are not covered in this review and are subject to all Yakima County, state, and federal water usage laws. The water systems and water rights for the entire project are addressed in Finding 9(b)(v) above. All required public water systems must meet all requirements needed before building permits are issued as stipulated by the Yakima Health District. The applicants are also required to finalize the meter installations required under WRS2024-00134 and as stipulated by the Utilities Division prior to the issuance of Certificate of Occupancies and the commencement of uses.

The applicants are proposing individual septic systems as necessary for the entire development, for which, the applicants must receive all required approvals by the Yakima Health District prior to the issuance of building permits.

10. CONSISTENCY ANALYSIS (YCC 16B.06.020): As part of project review, the reviewing official will determine if a proposed project is consistent with Yakima County's applicable development regulations or, in the absence of applicable regulations, the adopted Yakima County Comprehensive Plan. Consistency should be determined in the project review process by considering four factors found in applicable plans and regulations (RCW 36.70B.040). They are as follows:

a. The type of land use;

Staff Finding: According to YCC Table 19.14-1 Allowable Land Uses, a Concentrated Animal Feeding Operation is classified as a Type 3 use in the R-10/5 Zoning District. Type 3 uses are considered not generally appropriate throughout a zoning district and therefore require Hearing Examiner review. With Type 3 uses, an open record public hearing is required to provide agencies and neighboring property owners with an additional opportunity to present issues or concerns that can be evaluated by the Hearing Examiner. This land use has been reviewed for consistency with the surrounding area and can be determined consistent with the Comprehensive Plan and with Title 19, provided all required conditions are met. This application also includes a review for an ADU, which is classified as a Type 2 use and is expected in the zoning district and typically undergoes an administrative decision-making process.

b. The level of development, such as units per acre or other measures of density;

Staff Finding: ADUs are not counted within unit density calculations (YCC19.18.020(1)(a)), and therefore, this criterion is met.

c. Infrastructure, including public facilities and services needed to serve the development;

Staff Finding: As demonstrated in the findings above, additional infrastructure and public facilities needed to serve the proposed development are possible and are conditioned to be installed prior to the issuance of building permits and the Certificate of Occupancy as applicable.

d. The characteristics of the development, such as development standards.

Staff Finding: As conditioned, the character of the development will be consistent and compatible with applicable development standards and the purpose and intent of the R-10/5 Zoning District, providing all conditions stipulated by the Hearing Examiner are met and ongoing conditions are continually adhered.

IV. CONCLUSIONS

1. The application materials and received comments include evidence and analysis that supports a conclusion that the proposed Land Use, if appropriately conditioned, is consistent with YCC 19.18.060 and the general development standards in Title 19 YCC.

2. Except, as otherwise expressly provided, a Reviewing Official is authorized by YCC 19.30.100 to impose conditions on an approval to assure compliance with Title 19 YCC and other relevant provisions of Yakima County Code. This recommendation contains a set of proposed conditions that largely serve this purpose. Any approval should include those conditions, subject to adjustments based on the results of the open record hearing. Similarly, conditions that mitigate for material impacts identified in the Findings should also be included in the approval.
3. The Findings above and these Conclusions support a recommendation for approval of CUP2024-00011/ADU2024-00013 application.

V. RECOMMENDATION

Based on the findings, analysis, and conclusions above, the Administrative Official recommends Approval with Conditions of the application by Gerard Grandi to establish the proposed CAFO/ADU, as described in application CUP2024-00011 & ADU2024-00013, subject to the following conditions:

VI. CONDITIONS (NEXT STEPS)

The following conditions must be obtained within *three years* of the date of the decision. Please note that the decision and time limit pertains to conditional authorization for the subject land use only and failure to comply with all conditions will result in the revocation of this permit. The Final Decision should include the following conditions and the findings as described.

CAFO Conditions

The following conditions must be met prior to the issuance of Building Permits, except for the sign. Failure to comply with these conditions can result in the revocation of this permit.

1. The applicant shall apply for **all** Building and Fire Life Safety permits for the proposed and existing structures.
2. The property must be reviewed and approved by the Yakima Health District for septic suitability and/or drain field replacement area(s). Please contact the Yakima Health District at (509) 249-6508 and submit a copy of the Yakima Health District's approval letter to the Planning Division.
3. The applicants shall obtain all necessary permits from the Yakima Health District to connect the CAFO to the two, two-party shared wells. The applicants shall submit Yakima Health District documentation indicating the wells have been installed to their satisfaction and shall be submitted to the Planning Division.
4. The applicants shall submit an exterior lighting depicted how all exterior lighting is to be directed downward and otherwise arranged, shaded, screened, shielded, and of a design that results in the light being directed onto the site and of an intensity or brightness that does not reflect or cause glare into any adjacent residential use or interfere with the safe operation of motor vehicles (see Attachment H).

5. The applicants shall submit a plan a track off plan for trucks entering and existing onto Bus Road to the Water Resources Division for their approval.

The following conditions must be met prior to the issuance of Building Permits for the sign. Failure to comply with these conditions can result in the revocation of this permit.

6. The applicants shall submit the design specifications of the sign, ensuring all applicable sign standards are met, to the Yakima County Planning Division.

The following conditions must be met prior to the issuance of the Certificate of Occupancy or Final Inspection. Failure to comply with these conditions can result in the revocation of this permit.

7. The applicants shall ensure all Yakima County Water Resource Permit (WRS2024-00134) is completed to the satisfaction of the Yakima County Utilities Division, the Yakima County Planning Division, and the Yakima Health District.
8. The applicants shall provide a minimum of 19 parking spaces. The parking spaces shall comply with applicable local, state, and federal standards regarding accessible parking for disabled persons (YCC 19.22.050 and RCW 19.27.031.). The applicants shall build all new parking spaces, driveway, travel ways, and parking aisles to the standards outlined in YCC 19.22.070, as follows:
 - a. Parking facilities shall be surfaced with a minimum of screened gravel or crushed rock, or better. Any paved portion of the parking area, the parking facilities shall be paved with two inches thick asphaltic surfacing on an aggregate base, or an equivalent surfacing acceptable to the Reviewing Official, to eliminate dust and/or mud.
 - b. The perimeter of a parking or loading area and access and maneuvering drives associated with them shall be improved with a curb, rail or equivalent so vehicles do not extend over a property line, sidewalk or public or private street.
 - c. All accessible parking spaces shall be marked and signed in compliance with the currently adopted International Building Code.
 - d. Lighting shall be provided to illuminate any off-street parking or loading space used at night. When provided, lighting shall be directed to reflect away from adjacent and abutting properties and comply with Subsection 19.10.040(10).
 - e. Off-street parking facilities shall meet the requirements of YCC Table 19.22-3.
9. All vehicle travel ways shall be installed to meet the requirements stated in YCC19.22.070(1)(b).
10. **All** permits for the proposed and existing structures must be issued, inspected, and finalized prior to occupancy. The applicant shall ensure that the project meets all Americans with Disabilities (ADA) requirements. Please contact the Yakima County Public Services Department: Building and Fire Safety Division at (509) 574-2300.

The following are ongoing conditions that apply for the life of the permitted use. Failure at any time to comply with these conditions can result in the revocation of this permit.

11. The project shall be completed in conformance with the application materials (which include but is not limited to site plan, narrative, forms and plans) submitted with the application referenced as file number CUP2024-00011. Any changes may require a modification to this authorization or result in the revocation of this permit. If changes are planned in the future, please contact the Yakima County Public Services Department: Planning Division at (509) 574-2300 for assistance with the permitting process.
12. Exterior lighting shall be directed downward and otherwise arranged, shaded, screened, shielded, and of a design that results in the light being directed onto the site and of an intensity or brightness that does not reflect or cause glare into any adjacent residential use or interfere with the safe operation of motor vehicles. This includes any exterior lighting associated with the sign.
13. Stormwater must be retained on site. Any natural drainageways must not be altered or impeded. Upland drainage, if any, must be conveyed through the property in accordance with criteria found at YCC 12.10.250.
14. The applicants shall ensure all Washington Department of Ecology and United States Department of Agriculture permits are up-to-date.
15. The applicants shall ensure all structures adhere to the required Vision Clearance Triangle requirements stated in YCC19.10.040(7).

ADU Conditions

The following conditions must be met prior to the issuance of Building Permits. Failure to comply with these conditions can result in the revocation of this permit.

16. The applicant shall apply for all Building and Fire Life Safety permits for the proposed and existing structures.
17. The structure for the ADU shall meet the current standards of the residential, building, mechanical, electrical and energy codes as required for a single-family dwelling.
18. The property must be reviewed and approved by the Yakima Health District for septic suitability and/or drain field replacement area(s). Please contact the Yakima Health District at (509) 249-6508 and submit a copy of the Yakima Health District's approval letter to the Planning Division.
19. The applicants shall obtain all necessary permits from the Yakima Health District to connect the ADU to the two, two-party shared wells. The applicants shall submit Yakima Health District documentation indicating the wells have been installed to their satisfaction and shall be submitted to the Planning Division.

The following conditions must be met prior to the issuance of the Certificate of Occupancy or Final Inspection. Failure to comply with these conditions can result in the revocation of this permit.

20. The applicants shall ensure all Yakima County Water Resource Permit (WRS2024-00134) is completed to the satisfaction of the Yakima County Utilities Division, the Yakima County Planning Division, and the Yakima Health District.
21. The applicants shall provide a minimum of 4 parking spaces. The parking spaces shall comply with applicable local, state, and federal standards regarding accessible parking for disabled persons (YCC 19.22.050 and RCW 19.27.031.). The applicants shall build all new parking spaces, driveway, travel ways, and parking aisles to the standards outlined in YCC 19.22.070, as follows:
 - a. Parking facilities shall be surfaced with a minimum of screened gravel or crushed rock, or better. Any paved portion of the parking area, the parking facilities shall be paved with two inches thick asphaltic surfacing on an aggregate base, or an equivalent surfacing acceptable to the Reviewing Official, to eliminate dust and/or mud.
 - b. All accessible parking spaces shall be marked and signed in compliance with the currently adopted International Building Code.
22. The ADU shall be smaller than the primary residence.
23. **All** permits for the proposed and existing structures must be issued, inspected, and finalized prior to occupancy. The applicant shall ensure that the project meets all Americans with Disabilities (ADA) requirements. Please contact the Yakima County Public Services Department: Building and Fire Safety Division at (509) 574-2300.

The following are ongoing conditions that apply for the life of the permitted use. Failure at any time to comply with these conditions can result in the revocation of this permit.

24. The project shall be completed in conformance with the application materials (which include but is not limited to site plan, narrative, forms and plans) submitted with the application referenced as file number ADU2024-00013. Any changes may require a modification to this authorization or result in the revocation of this permit. If changes are planned in the future, please contact the Yakima County Public Services Department: Planning Division at (509) 574-2300 for assistance with the permitting process.
25. Exterior lighting shall be directed downward and otherwise arranged, shaded, screened, shielded, and of a design that results in the light being directed onto the site and of an intensity or brightness that does not reflect or cause glare into any adjacent residential use or interfere with the safe operation of motor vehicles. This includes any exterior lighting associated with the sign.
26. Stormwater must be retained on site. Any natural drainageways must not be altered or impeded. Upland drainage, if any, must be conveyed through the property in accordance with criteria found at YCC 12.10.250.

27. The applicants shall ensure all structures adhere to the required Vision Clearance Triangle requirements stated in YCC19.10.040(7).
28. The Reviewing Official retains the right with reasonable notice to withdraw occupancy approval if any of the requirements under Subsections (1)(b) and (c) of YCC 19.18.020 are violated. If the County withdraws occupancy, the property owner may use the detached building for an approved use only or remove the structure from the premises
29. No additional approaches for the ADU shall be established without the approval of the Yakima County Roads Department.

Attachments:

- A. YCC 16B.07.050 – Compliance, Extension, Expiration and Reinstatement
- B. Approved Site Plan
- C. Internal Comments
- D. Comment from the Washington Department of Ecology, dated June 28, 2024
- E. Comment from the Sunnyside-Valley Irrigation District, dated July 2, 2024
- F. Email from the Yakima Health District indicating the well sites for the wells are approved
- G. Email from the Water Resources and Utilities Divisions indicating that a Yakima County water right is available
- H. Exterior Lighting Figures
- I. Signs Exempted from land-use review stated in YCC19.20.040
- J. Sign internal and external illumination standards

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, nation 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)

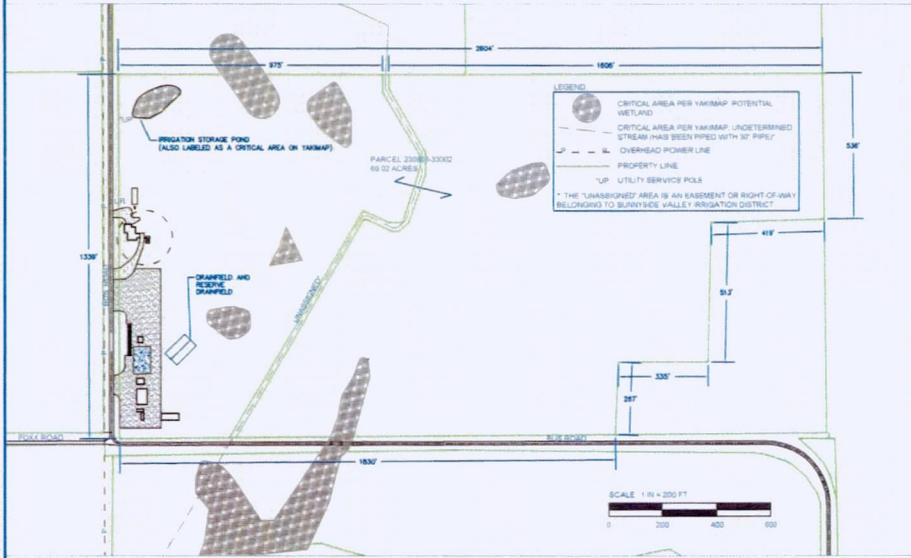
- (1) Compliance with Conditions and Safeguards of Project Permit. It is the affirmative duty of a project permit holder and the land owner (as applicant) to comply with any conditions made a part of the terms under which the approval of a project permit was granted as authorized by Yakima County Code. 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.

2/2

HORSE HEAVEN CATTLE FEEDERS SITE MAP, 1070 BUS ROAD, MABTON, WA



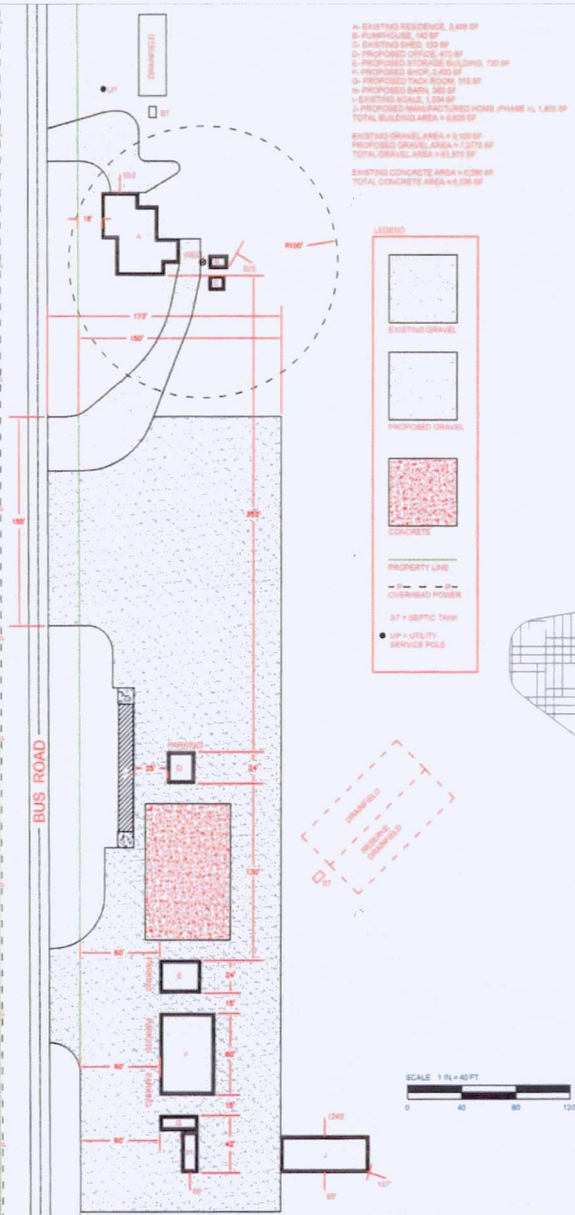
LOT DIMENSIONS AND FEATURES SHOWN, INCLUDING PROPERTY LINES HAVE BEEN OBTAINED BY TOTAL STATION SURVEYING AND SURFACE EARTH AND FILL MEASUREMENTS. PAVED, BRUSH, AND OTHER FEATURES ARE NOT SHOWN. AREAS AND DIMENSIONS SHOWN MAY VARY FROM THAT SHOWN. KNOWN EASEMENTS ARE SHOWN.



Know what's below.
Call before you dig.

UTILITY LOCATE NOTE
Location of all underground utilities shown herein are approximate and are based on field location of visible structures such as catch basins, manholes, water gates, etc. and/or computer information from plans supplied by various utility companies. All contractors should call 811 or 1-800-424-6000 at least 48 hours prior to any excavation.

LOCATION MAP



HORSE HEAVEN CATTLE FEEDERS
1070 BUS ROAD
MABTON, WA
PARCEL #230603-33002

Attachment: B

Sheet: 1 of 1	Drawn by: SAM	Revisions: February 16, 2024	Horse Heaven Cattle Feeders Site Map, 1070 Bus Road, Mabton, WA	Job# 24004
B7 ENGINEERING PO Box 487 1614 Eastway Drive Sunnyside, WA 98944 (509) 837-8600				

COPY

APPROVED
BY: MC DATE: 7/15/24



Yakima County Public Services

Workflow Comments

ADU2024-00013

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

Date Printed: 7/15/2024

Workflow History

Task	Status	Comment	Date	Staff
Address Review	Complete	Parcel is addressed 1161 Bus Road. Yakima County assigns only one (1) address per parcel; for parcels with multiple habitable structures the applicant may submit an address permit requesting unit identifiers but this is not a requirement of the ADU, CUP or any associated permits of this application.	6/4/2024	Jamie West
Building Review	Complete	<p>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, S.R105.1). All construction is required to comply with all applicable provisions of the current adopted International Building Codes (IRC, S.R101.2) with Washington State Amendments and Washington State Energy Code-Residential (WSEC-R, S.R101.2). Building permits and Building Codes are based on the building's use and construction type. A complete building code compliance plan review will be performed when construction drawings are submitted for building permits.</p> <p>Adopted applicable Washington State and Yakima County Amended Codes: Residential: International Residential Code (IRC); Mechanical: International Mechanical Code (IMC); Plumbing: Uniform Plumbing Code; Fire: International Fire Code (IFC); Existing Buildings.</p> <p>Energy Codes: Residential: Washington State Energy Code-Residential (WSEC-R).</p> <p>Electrical: Washington State Department of Labor and Industries.</p>	6/3/2024	Richard Hembree
Code Enforcement Review	Comments Not Required		5/28/2024	Janna Jackson
Current Planning Review	Complete		6/4/2024	Aaron Cohen
Env. Planning Review	Complete		6/4/2024	Aaron Cohen
Fire Review	Complete	FIRE: Based on the information submitted, all new construction and modifications to existing structures	5/29/2024	Douglas Werts

Attachment: C

1/8

require fire permits. All construction or use changes must 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 Codes are based on the building's use and construction type.

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.	6/3/2024	Richard Hembree
Health Dist. Review	Complete w/ Conditions	Applicants well site inspection has been complete. Please finish second step of the shared well review. Septic permit has been paid.	6/3/2024	Carina Gonzalez
Health Dist. Review	Complete w/ Conditions	Applicant needs to complete the Group B well review. Septic permit has been paid for.	5/28/2024	Carina Gonzalez
Long Range Review	Comments Not Required		5/30/2024	Olivia Story
PC Building Review	Complete w/ Conditions	Based upon the information submitted, Building permits are required for the proposed structures on the property. All construction is required to comply with all applicable provisions of the current adopted International Building Codes with Washington State Amendments and Washington State Energy Codes at the time of building permit submittal. Any groundwork prior to the issuance of building permits will require Grading & Excavation Permits. Additional Building research: Currently, the following permits have been applied for and are deemed incomplete: BLD2023-00717 - Ag Equipment Storage BLD2024-00016 - Hickory Shed for Tack Room BLD2024-00017 - Office BLD2024-00018 - Ag Storage (Misc) BLD2024-00110 – Truck Scale Please contact the building division @ buildinginfo@co.yakima.wa.us or 509-574-2300. No other structures/permits were researched. If you want additional research on permits for the Parcel, please submit a Public Disclosure Request.	5/29/2024	Amber Savala
Transportation Review	Complete	RAP2024-00005 was issued for CUP2024-00011 for all accesses for this parcel. No additional access is being proposed or permitted in conjunction with this application.	5/28/2024	Victor Shaul
Utilities Review	Complete	See email from Utilities Division. AMC 5/28/2024	5/28/2024	Aaron Cohen
Water Resources Review	Complete	Ongoing Conditions: * Stormwater must be retained on site. * Any natural drainageways must not be altered or impeded. Upland drainage, if any, must be conveyed through the property in accordance with criteria found at YCC 12.10.250.	5/28/2024	Carolyn Ehlis

Related Record Workflow History

ADU2024-00013

RECORD ID	Task	Status	Comment	Date	Staff
CUP2024-00011	Address Review	Comments Not Required	No change in address associated with a CAFO	3/8/2024	JAMIEW
CUP2024-00011	Awaiting Payment	Paid - route to CEP		2/21/2024	DAVID.LUKACZER
CUP2024-00011	Building Review	Complete	Based upon the information submitted, all new construction, modifications to existing structures and changes of building use and/or changes of building occupancy including the change of use for the existing dairy barn to break room and livestock processing require building permits. All construction is required to comply with all applicable provisions of the current adopted International Building Codes with Washington State Amendments and Washington State Energy Codes at time of building permit submittal. Building permits and Building Codes are based upon the buildings use and construction type. A complete building code compliance plan review will be performed when construction drawings are submitted for building permits.	2/28/2024	RICHARDH
CUP2024-00011	CEP Prep	Route to Scanning	2/23/24: Routed to scanning. - MM	2/23/2024	MARLENEM
CUP2024-00011	Code Enforcement Review	Comments Not Required		2/27/2024	JANNAJ
CUP2024-00011	Current Planning Review	Complete	The application is complete for review. AMC	3/8/2024	AARONMC
CUP2024-00011	Division Assignment	Assign Divisions		2/26/2024	JASONE
CUP2024-00011	Division Review Period	Complete		3/14/2024	AARONMC
CUP2024-00011	Env. Planning Review	Complete	The application is complete for review. AMC	3/8/2024	AARONMC
CUP2024-00011	Fire Review	Complete	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	2/29/2024	DOUGLASEW

State Amendments and the currently adopted Yakima County Ordinances. Fire Permits and Fire Codes are based on the building's use and construction type. The occupancy use of a building must meet the classification. When it does not, a change of use is required.

CUP2024-00011	Flood/Hazard Review	Complete	Based on current FEMA mapping and gis overlay, the entire parcel is outside the FEMA designated 100yr floodplain/floodway. Flood-resistive materials and construction methods are not required.	2/28/2024	RICHARDH
CUP2024-00011	Health Dist. Review	Complete	Applicant needs to complete the Group B well review. Septic permit has been paid for.	3/8/2024	ANDREWMR
CUP2024-00011	Intake	Fees Invoiced		2/21/2024	DAVID.LUKACZER
CUP2024-00011	Intake	Routed to Manager		2/23/2024	KEILA.MENDOZA
CUP2024-00011	Long Range Planning Review	Comments Not Required		3/4/2024	PHILH
CUP2024-00011	PC Building Review	Complete w/Conditions	Building permits are required for the proposed structures on the property. Currently, the following permits have been applied for and are deemed incomplete: BLD2023-00717 - Ag Equipment Storage BLD2024-00016 - Hickory Shed for Tack Room BLD2024-00017 - Office BLD2024-00018 - Ag Storage (Misc) BLD2024-00110 - Truck Scale Per applicant, cow shade/lean to to be demolished - demo permit required. SFR was constructed in 1920 per Assessor site and database.	3/11/2024	JESSICAP
CUP2024-00011	Scanning	Route to File Prep		2/23/2024	KEILA.MENDOZA
CUP2024-00011	Technical Review	Combined Notice		6/18/2024	AARONMC
CUP2024-00011	Technical Review	Complete		3/14/2024	AARONMC
CUP2024-00011	Technical Review	Legal Notice		6/18/2024	AARONMC
CUP2024-	Technical	Notice of Public		6/18/2024	AARONMC

418

00011	Review	Hearing			
CUP2024-00011	Technical Review	Request for Additional Info	I am advancing the workflow today, 3/22/2024, when it should have been advanced on 3/21/2024. AMC	3/21/2024	AARONMC
CUP2024-00011	Technical Review	Request for Additional Info	I am advancing the workflow today, 4/1/2024, when it should have been advanced on 3/27/2024. AMC	3/27/2024	AARONMC
CUP2024-00011	Technical Review	Complete For Review	Received all required information for the RFAI on 6/3/2024. AMC	6/3/2024	AARONMC
CUP2024-00011	Transportation Review	Complete w/Conditions	<p>Conditions</p> <p>1 Apply for a road approach permit for parcel 23080333002.</p> <p>Comments</p> <p>RAP2002-00053 was issued for parcel 23080333002. This RAP was for one agricultural access. There are two agricultural access, one residential access and one shared access for this parcel. These need to be permitted. The applicant will need to apply for a road approach permit for parcel 23080333002.</p> <p>This parcel is currently an operating agricultural business. The proposed project will have minimal impact to the public roads. Yakima County Roads has no concerns with this project.</p>	2/27/2024	VICTOR.SHAUL
CUP2024-00011	Water Resources Review	Complete	<p>Ongoing Conditions:</p> <p>* Stormwater must be retained on site.</p> <p>* Any natural drainageways must not be altered or impeded. Upland drainage, if any, must be conveyed through the property in accordance with criteria found at YCC 12.10.250.</p> <p>Notes - Any new construction should be included the existing Dairy Nutrient Management plan.</p>	2/27/2024	CAROLYNE

Aaron Cohen

From: Jack Wells
Sent: Wednesday, July 10, 2024 10:26 AM
To: Aaron Cohen
Subject: RE: CUP2024-00011 CAFO/ADU

Aaron,
Yes, you are correct. However, I am going to dig into this a little further to see if we have required and received a stormwater site plan for the main CAFO operation across Bus Rd. If so, we may ask them to add this to their original site plan. I will get back with you shortly on that aspect.
Jack

From: Aaron Cohen <Aaron.Cohen@co.yakima.wa.us>
Sent: Wednesday, July 10, 2024 10:22 AM
To: Jack Wells <jack.wells@co.yakima.wa.us>
Subject: CUP2024-00011 CAFO/ADU

Hi Jack,

I am following up on our earlier conversation regarding the CAFO/ADU. We spoke about a track off plan being submitted and approved by the Water Resources Division prior to the issuance of building permits. From your understanding is this correct? Are there any other specifics you wish to add?

All the best,

Aaron

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

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Aaron Cohen

From: Aaron Cohen
Sent: Wednesday, July 10, 2024 10:32 AM
To: Jack Wells
Subject: RE: CUP2024-00011 CAFO/ADU

Hi Jack,

Thank you for getting back to me quickly, I greatly appreciate it!

All the best,

Aaron

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

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From: Jack Wells <jack.wells@co.yakima.wa.us>
Sent: Wednesday, July 10, 2024 10:31 AM
To: Aaron Cohen <Aaron.Cohen@co.yakima.wa.us>
Subject: RE: CUP2024-00011 CAFO/ADU

I could not find any land use permit that required a stormwater site plan, so please go with a track out plan.
Thanks.

From: Aaron Cohen <Aaron.Cohen@co.yakima.wa.us>
Sent: Wednesday, July 10, 2024 10:22 AM

7/8

To: Jack Wells <jack.wells@co.yakima.wa.us>

Subject: CUP2024-00011 CAFO/ADU

Hi Jack,

I am following up on our earlier conversation regarding the CAFO/ADU. We spoke about a track off plan being submitted and approved by the Water Resources Division prior to the issuance of building permits. From your understanding is this correct? Are there any other specifics you wish to add?

All the best,

Aaron

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

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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

June 28, 2024

Aaron M. Cohen
Yakima County Public Services
128 North Second Street
Yakima, WA 98901

Yakima County Public Services (AHC)

JUN 28 2024

Case No.: CUP24-011 / SEP24-007
Assigned To: Aaron

ADU24-03

RE: 202402623; SEP2024-00007, CUP2024-00011, ADU2024-00013

Dear Aaron Cohen:

Thank you for the opportunity to comment during the Optional Determination of Nonsignificance process for the Goeckner Concentrated Animal Feeding Operation Expansion & Accessory Dwelling Unit. We have reviewed the documents and have the following comments.

Water Resources Program

In Washington State, prospective water users must obtain authorization from the Department of Ecology before diverting surface water or withdrawing ground water, with one exception. Ground water withdrawals for a project up to 5,000 gallons per day used for single or group domestic supply, up to 5,000 gallons per day used for industrial purposes, stock watering, and for the irrigation of up to one-half acre of non-commercial lawn and garden are exempt from the permitting process. Water use under the RCW 90.44.050 exemption establishes a water right that is subject to the same privileges, restrictions, laws and regulations as a water right permit or certificate obtained directly from Ecology. If you have any questions or would like to respond to these Water Resources comments, please contact Nathan Longoria at (509) 907-1752 or email at Nathan.Longoria@ecy.wa.gov.

Sincerely,

Amber Johnson

Amber Johnson
SEPA Coordinator
Central Regional Office
509-723-5677

crosepacoordinator@ecy.wa.gov

Attachment: D

COPY





JUL 02 2024

Case No.: CUP2024-00011

Assigned To: Axon

June 25, 2024

Yakima County Planning Division
128 North 2nd Street
4th Floor Courthouse
Yakima, WA 98901

Subject: CUP2024-00011/SEP2024-00007/ADU2024-00013**Owner:** Neil Goeckner**Applicant:** Gerard Grandi, Horse Heaven Cattle Feeders**Location:** 1161 Bus Rd, Mabton WA 98935**Parcel No.:** 230803-33002 & 230804-44003

To whom it may concern,

This office has reviewed the proposed project. Sunnyside Valley Irrigation District (SVID) has the following comments:

SVID's Lateral MB 6.40 is a 27-inch diameter irrigation pipeline which conveys water through parcel 230803-33002. In order to achieve the required 3-feet of cover over the lateral pipeline, the soil over the pipe is built up higher than the surrounding ground elevation. Regrading or removal of soil within the SVID easement is prohibited.

The project, as proposed, is outside of the SVID easement/right of way and will not impact the SVID pipeline.

Thank you for the opportunity to comment. If you have any questions, please contact Diane Weber at (509) 837-6980 or weberd@svid.org.

Sincerely,



Ron Cowin, P.E.

Assistant Manager – Engineering

Attachment: Vicinity Map

COPY

Attachment: E

1/2

VICINITY MAP



VICINITY MAP IS FOR VISUAL REFERENCE ONLY.
ACCURACY IS NOT GUARANTEED.

COPY

2/2

FW: CUP2024-00011

Aaron Cohen <Aaron.Cohen@co.yakima.wa.us>

Mon 6/3/2024 10:29 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

Hi Olivia,

Can you see if you can print this out?

All the best,

Aaron

Aaron M Cohen

Planner III

Yakima County Public Services, Planning Division

128 North Second Street

4th Floor, County Courthouse

Yakima, WA, 98901

(509) 574-2300

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From: Aaron Cohen

Sent: Monday, June 3, 2024 10:24 AM

To: Carina Gonzalez <Carina.Gonzalez@co.yakima.wa.us>

Subject: RE: CUP2024-00011

Hi Carina,

Thank you for getting back to me, I greatly appreciated it!

All the best,

Yakima County Public Services (AMC)

JUN 03 2024

Case No. CUP24-011/SEP24-007/ADU24-03

Assigned To: Aaron

Attachment: F

1/2

Aaron

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

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From: Carina Gonzalez <Carina.Gonzalez@co.yakima.wa.us>
Sent: Monday, June 3, 2024 10:08 AM
To: Aaron Cohen <Aaron.Cohen@co.yakima.wa.us>
Subject: CUP2024-00011

Aaron,

The applicant has applied for two shared well site inspections and they have been approved. The applicant needs to complete the second step to finalize the shared well process. Please let me know if you need anything else.

Sincerely,



Carina Gonzalez

Environmental Health Specialist

Office: 509-249-6545

Mobile: 509-945-5790

1210 Ahtanum Ridge Drive
Union Gap, WA 98903



212

Aaron Cohen

From: Aaron Cohen
Sent: Monday, March 25, 2024 3:56 PM
To: Joe Stump; Luke Stilwater
Cc: David Haws
Subject: RE: CUP2024-00011/SEP2024-00007 Water Right

Hi Luke and Joe,

Thank you for getting back to me quickly, I greatly appreciate it!

From what I got, YCWRS is possible, but the entire project is limited to the 5,000 gpd requirement, there is no separation between commercial and residential.

All the best,

Aaron

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

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From: Joe Stump <joe.stump@co.yakima.wa.us>
Sent: Monday, March 25, 2024 3:16 PM
To: Luke Stilwater <luke.stilwater@co.yakima.wa.us>; Aaron Cohen <Aaron.Cohen@co.yakima.wa.us>
Cc: David Haws <David.Haws@co.yakima.wa.us>
Subject: RE: CUP2024-00011/SEP2024-00007 Water Right

Hi Aaron,

I think the uses could be served by YCWRS if the project does not exceed 5000 gpd. If the combined uses exceed 5000 gpd, then it may no longer be considered an exempt use even if the use of each well is less than 5000 gpd.

I think Luke is correct that individual meters will be needed. Below is a section from the County Code regarding individual meters.

12.08.140 Separate Connection Required for Each Unit.

(1) Each residence, residential unit, individual business, business enterprise or business unit, or industrial enterprise or unit connecting to the domestic water system or using a YCWRS domestic well, shall be considered an individual customer and shall be supplied through a separate service connection, unless modified by the public services director.

(2) Multiple dwelling units, such as apartment complexes, mobile home parks, and duplexes, may be served by a single service connection with a master meter, provided they are on a single tax lot. Multiple dwelling units served by a single meter that later convert to condominiums shall first install individual meters to each dwelling unit.

(3) Individual businesses, business enterprises or business units, or industrial enterprises or units connecting to the domestic water system that are located on more than one tax lot, shall have a separate connection for each tax lot where water is being used, unless modified by the public services director.

(Ord. 13-2017 (Exh. A) (part), 2017).

Thanks.

Joe

From: Luke Stilwater <luke.stilwater@co.yakima.wa.us>

Sent: Monday, March 25, 2024 9:20 AM

To: Aaron Cohen <Aaron.Cohen@co.yakima.wa.us>

Cc: David Haws <David.Haws@co.yakima.wa.us>; Joe Stump <joe.stump@co.yakima.wa.us>

Subject: RE: CUP2024-00011/SEP2024-00007 Water Right

Hi Aaron,

It seems like when we talked last week the development was less extensive than you've outlined here. I think they will need a meter to serve each connection from the shared wells and a WRS for each building permit required. I think the uses could be served by YCWRS under those conditions. I'm going to loop David and Joe in on this one as it approaches the maximum allowable uses of YCWRS water rights with the commercial aspect.

Regards,

Luke Stilwater

Yakima County Public Services

Natural Resource Specialist

Desk: (509) 574-2354

Email: luke.stilwater@co.yakima.wa.us

From: Aaron Cohen <Aaron.Cohen@co.yakima.wa.us>

Sent: Monday, March 25, 2024 8:48 AM

To: Luke Stilwater <luke.stilwater@co.yakima.wa.us>

Subject: CUP2024-00011/SEP2024-00007 Water Right

Hi Luke,

I am emailing you regarding our conversation on the water associated with the development under review within CUP2024-00011/SEP2024-00007.

To quickly recap, the applicants are currently proposing to place offices, sheds, and storage structures on the property, which are associated with the CAFO across the street. The offices/shops will hold approximately 15 employees. There is a current residence on the property placed before January 1, 2018.

The applicants are now looking to place a second home on the property under our ADU requirements. Additionally, the applicants are looking to place new wells to serve the development. One new two-party shared well to serve one residence and the shop/structures, and a second two-party shared well to serve the second home and the offices.

This email is to confirm YCWRS is available to serve this proposal. We discussed that there may need to be separate meters for the commercial and residential uses. As the applicants may be splitting those uses between two wells, four meters could be required. Additionally, can this be done all under one WRS or are two WRS applications needed (an application for the commercial uses and an application for the residential uses)?

I greatly appreciate your assistance at your earliest convenience,

All the best,

Aaron

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

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Lighting Figures from YCC 19.10.040

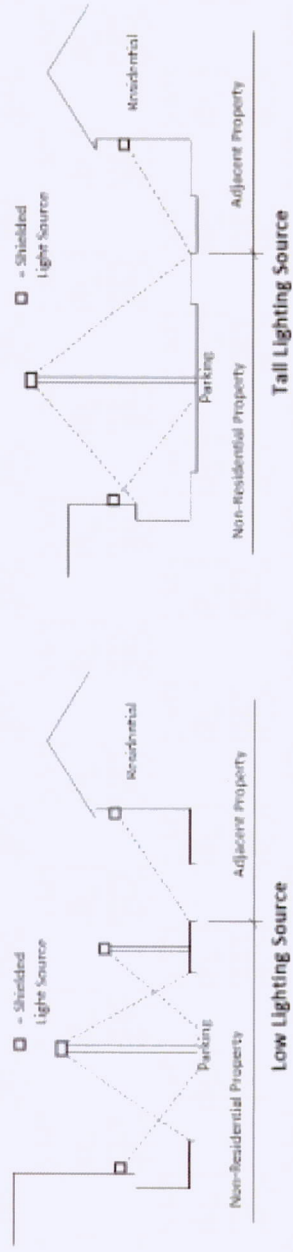


Figure 19.10.040-3. Lighting sources shielded to minimize light pollution and intrusion onto neighboring uses.

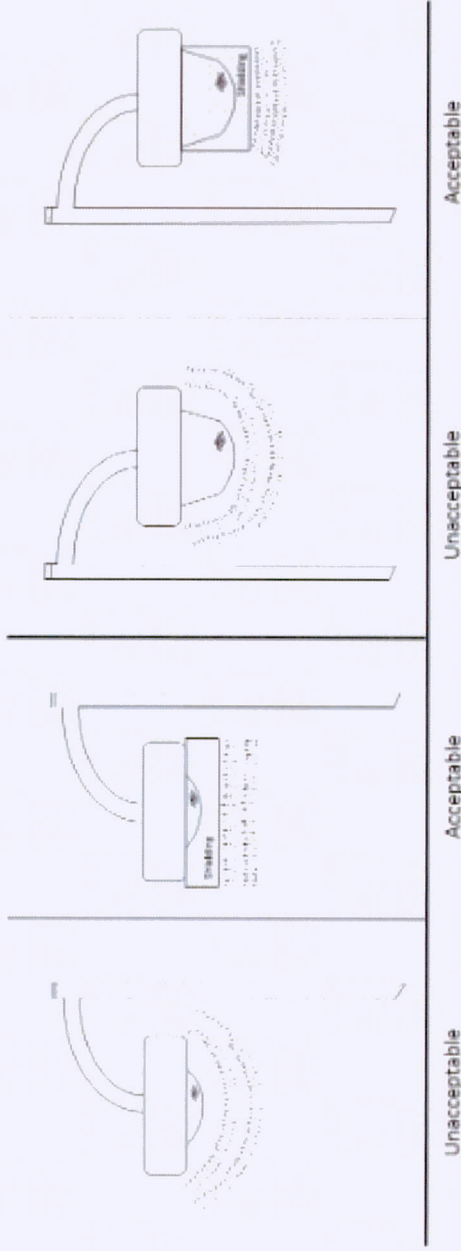


Figure 19.10.040-4. Examples of acceptable and unacceptable fixtures for shielding of exterior light.

Attachment: H

19.20.040 Non-Reviewed Signs.

Except when otherwise prohibited, the following signs are exempt from the application, permit and fee requirements of this Title when the standards of this Chapter are met:

- (1) Window signs;
- (2) Point of purchase displays, such as product dispensers;
- (3) Gravestones;
- (4) Barber poles;
- (5) Historical site plaques;
- (6) Structures intended for a separate use such as phone booths, Goodwill containers, etc.;
- (7) Official and/or legal notices issued by any government agency or body, court, public body, person or officer in performance of a public duty required or provided for under adopted statute, ordinance, or regulation;
- (8) Directional, warning or information signs or structures required or authorized by law, or by federal, state, county or city authority;
- (9) Flags;
- (10) All temporary signs (See Section 19.20.110);
- (11) On-premises signs not readable from the public right-of-way, i.e. menu boards, etc.;
- (12) On-premises directional signs conforming to the requirements of Subsection 19.20.120;
- (13) Nameplates less than two square feet, such as those for home businesses; and
- (14) Portable sandwich board signs not to exceed 12 square feet per face up to 1 sign per frontage.

(Ord. 9-2019 (Exh. 3) (part), 2019: Ord. 7-2013 § 1 (Exh. A) (part), 2015).

Attachment: I

19.20.095 Sign Illumination.

- (1) General. No temporary or portable sign may be illuminated. No signs located in a residential zone may be illuminated, except that on parcels two (2) acres in size or greater signs may be halo illuminated or illuminated as necessary for allowable digital signs. Permanent signs allowed by this Chapter may be non-illuminated, illuminated by internal light fixtures, halo illuminated, or have external indirect illumination, unless otherwise specified.
- (2) Externally illuminated signs.
 - (a) Except as provided in this Subsection, externally illuminated signs shall be illuminated only with steady, stationary, fully shielded light sources directed solely onto the sign without causing glare. Light shielding shall ensure that the lamp or light source is not visible beyond the premises and shall further ensure that the light is contained with the sign face.
 - (b) A light fixture mounted above the sign face may be installed with its bottom opening tilted towards the sign face, provided:
 - (i) The bottom opening of the light fixture is flat; and
 - (ii) The uppermost portion of the fixture's opening is located no higher than the top of the sign face. Light fixtures aimed and installed in this fashion shall be considered fully shielded.
- (3) Internally illuminated signs.
 - (a) Internally illuminated signs shall be constructed with an opaque background and translucent text and symbols. If the sign owner desires to have the entire sign face visible at night, an external light source may be used to illuminate the sign, subject to this Chapter.
 - (b) The difference between the off and solid-message measurements using the Electronic Message Centers (EMC) Measurement Criteria shall not exceed 0.3 footcandles at night, utilizing the recommended International Sign Association (ISA) methodology to determine compliance.
 - (c) All permitted EMCs shall be equipped with a sensor or other device that automatically determines the ambient illumination and be programmed to automatically

Attachment: 5

dim according to ambient light conditions, or that can be adjusted to comply with the 0.3 footcandle measurements.

(4) Billboards. This Section does not apply to billboards, which are regulated under Section 19.20.130.

(Ord. 9-2019 (Exh. 3) (part), 2019).

JUL 12 2024 ADU24-03
Case No. CUP24-011/SEP24-007

SIGN POSTING PROCEDURES AND CERTIFICATION

Assigned To: Aaron

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, FEEDERS HORSE HEADED CATTLE (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 *Aaron*Date 7/12/24

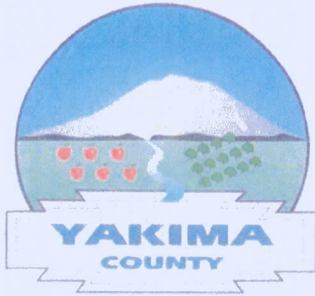
For Official Use Only:

Case Number: CUP2024-00011/SEP2024-00007/ADU2024-00013 Date Received: 7/12/24
Planner: Aaron M. Cohen

FILED

HEARING EXAMINER

EXH # 1 DATE 7/12/2024
FILE NO. CUP24-011/SEP24-007/ADU24-013



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

LISA H. FREUND Director

DATE: July 9, 2024

TO: Neil Goeckner, Gerard Grandi, and Parties of Record

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

SUBJ: CUP2024-00011/SEP2024-00007/ADU2024-00013 — Goeckner
Concentrated Animal Feeding Operation Expansion & Accessory
Dwelling Unit
Notice of Final Threshold Determination

Enclosed is the Final Threshold Determination - Determination of Non-Significance for a concentrated animal feeding operation expansion and an accessory dwelling unit. Please review the attached documents for appeal options. If you have any questions on the project or the appeal process, please contact Aaron M. Cohen, Planner III at (509) 574-2300.

Encl DNS

FILED 3
HEARING EXAMINER
EXH # 2 DATE 7/9/2024
FILE NO CUP24-011/SEP24-007/
ADU24-013

FINAL
DETERMINATION OF NON-SIGNIFICANCE
(Notice of Action)

1. **Description of Proposal:** All developments under review within this proposal are within the southwestern corner of the Parcel 230803-33002. The applicants are seeking to expand the Concentrated Animal Feeding Operation (CAFO) that is on Parcel 230804-44003 onto Parcel 230803-33002. The expansion includes administrative offices and maintenance sheds for equipment. The only cattle expected to be on Parcel 230803-33002 are those being transferred between feedlots. Any other structures associated with animals on Parcel 230803-33002 are associated with the transfer of animals between feedlots or those with existing animals. Tanks with feed and feed supplements for the cows associated with the CAFO also will be stored on Parcel 230803-33002 and the tanks have a total capacity of 8,050 gallons. The feed and feed supplements will also be mixed on Parcel 230803-33002. The applicants have indicated 15 employees are to staff the offices and maintenance shops and 15 gravel parking spots are proposed for staff. A total of 9,829 square feet of buildings associated with the CAFO will be on the property once the proposed development is complete.

The applicants are also seeking to place an Accessory Dwelling Unit (ADU) on the property. The existing primary residence is 2,458 square feet and the proposed ADU is 1,800 square feet. The primary residence is proposed to be connected to a new two-party shared well that is shared with the offices for the CAFO. The proposed ADU is expected to be connected to a new two-party shared well that is shared with the maintenance shop. Individual septic systems for both residences as well as for the offices and shops are proposed. All vehicles are expected to utilize existing approaches.

2. **File Number:** CUP2024-00011/SEP2024-00007/ADU2024-00013

3. **Owner:** Neil and Stephanie Goeckner
19179 Red Bird Road
Lewiston, Idaho, 83501

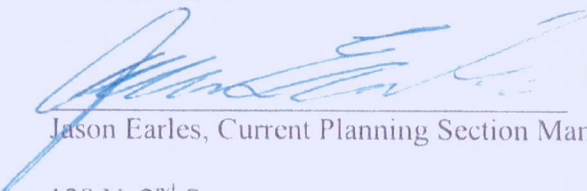
Proponent: Geard Grandi, Horse Heaven Cattle Feeders
1070 Bus Road
Mabton, Washington, 98935

4. **Location of Proposal:** 1161 Bus Road, Mabton, Washington, 98935. The subject properties are located on the northwest and northeast corners of the Bus Road and Foxx Road intersection, directly southwest of the City of Grandview's sewage treatment facility. (Parcel Nos. 230804-44003 & 230803-33002)

5. **Lead Agency:** Yakima County Planning Division

4

FILED
HEARING EXAMINER
EXH # 2 DATE 7/9/2024
FILE NO. CUP24-011/SEP24-007/
ADU24-013

6. **Determination:** The lead agency for this proposal has determined that it will not have a probable significant adverse impact on the environment and an Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after a careful review of the completed environmental checklist, and other information on file with the lead agency. To view the application materials online to go <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 determination at the Planning Division on the 4th floor of the Courthouse. Environmental documents include the SEPA checklist, this threshold determination, and submittal materials.
7. **Comment and Appeal Information:** This Final DNS is issued under WAC 197-11-355. There is no further comment on it. You may appeal this SEPA threshold determination to Yakima County Hearings Examiner within 14 days. For information on the appeal processes, or on other issues relating to this proposal, contact Aaron M. Cohen, Planner III, at (509) 574-2300.
8. **SEPA Responsible Official:** Thomas Carroll
9. **Designee:** 
Jason Earles, Current Planning Section Manager
10. **Address:** 128 N. 2nd St.
4th Floor Courthouse
Yakima, WA 98901
11. **Date:** July 9, 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.

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HEARING EXAMINER
EXH # 2 DATE 7/9/2024
FILE NO. C0924-b11/S1824-0071
ADU 24-013

Neil Goeckner
Horse Heaven Cattle Feeders
19179 Red Bird Rd
Lewiston, ID 83501

S.V.I.D.
P.O. Box 239
Sunnyside, WA 98944

Gerard Grandi
gerard@horseheavencattlefeeders.com

Department of Ecology
Attn: Amber Johnson
crosepacoordinator@ecy.wa.gov

6
FILED
HEARING EXAMINER
EXH # 2 DATE 7/9/2024
FILE NO. CUP24-011/SEP24-027
A0024-013

Casey Dunbar

From: Casey Dunbar
Sent: Tuesday, July 9, 2024 10:38 AM
To: crosepacoordinator@ecy.wa.gov; gerard@horseheavencattlefeeders.com
Subject: CUP2024-00011/SEP2024-00007/ADU2024-00013 Notice of Final Threshold Determination
Attachments: CUP2024-00011-SEP2024-00007-ADU2024-00013 Notice of Final Threshold Determination.pdf

Casey Dunbar

SHE/HER/MS.

Planning Office Specialist

128 N 2nd St, 4th Floor

Yakima, WA 98901

(509)574-2300

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: NoReply@ecy.wa.gov
Sent: Tuesday, July 9, 2024 10:39 AM
To: Casey Dunbar
Subject: Your SEPA Record Has Been Submitted!

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

The Department of Ecology has received a new SEPA record from Casey Dunbar at Yakima County with a File Number of: SEP2024-00007, CUP2024-00011, ADU2024-00013.
Your record is being reviewed by an administrator.

From: Casey Dunbar
Email: casey.dunbar@co.yakima.wa.us
Phone number: (509) 574-2300 Ext. 2362

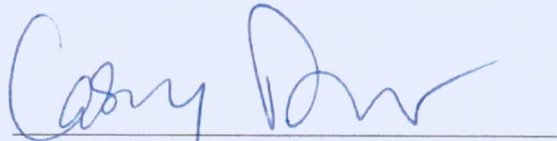
FILE NO.: CUP2024-00011/SEP2024-00007/ADU2024-00013
NOTICE OF FINAL THRESHOLD DETERMINATION

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 FINAL THRESHOLD DETERMINATION, a true and correct copy of which is enclosed here-with; that a NOTICE OF FINAL THRESHOLD DETERMINATION 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 9th day of July, 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 9th day of July, 2024.



Casey Dunbar
Office Specialist

FILED
HEARING EXAMINER
3 DATE 7/9/2024
FILED CUP24-011/SEP24-007/
ADU24-013

9



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

LISA H. FREUND - Director

DATE: June 18, 2024

TO: Neil Goeckner, Gerard Grandi, Adjacent Property Owners, and Interested Agencies

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

SUBJ: CUP2024-00011/SEP2024-00007/ADU2024-00013 -- Goeckner Concentrated Animal Feeding Operation Expansion & Accessory Dwelling Unit
Notice of Application, Notice of Completeness, Notice of Environmental Review, and Notice of Hearing

DESCRIPTION OF PROPOSAL

Owner: Neil Goeckner

Applicant: Gerard Grandi, Horse Heaven Cattle Feeders

Location: 1161 Bus Road, Mabton, Washington, 98935. The subject properties are located on the northwest and northeast corners of the Bus Road and Foxx Road intersection, directly southwest of the City of Grandview's sewage treatment facility.

Tax Parcel No.: 230804-44003 & 230803-33002

Application Submittal Date: February 21, 2024

Completeness Date: June 4, 2024

Proposal: All developments under review within this proposal are within the southwestern corner of the Parcel 230803-33002. The applicants are seeking to expand the Concentrated Animal Feeding Operation (CAFO) that is on Parcel 230804-44003 onto Parcel 230803-33002. The expansion includes administrative offices and maintenance sheds for equipment. The only cattle expected to be on Parcel 230803-33002 are those being transferred between feedlots. Any other structures associated with animals on Parcel 230803-33002 are associated with the transfer of animals between feedlots or those with existing animals. Tanks with feed and feed supplements for the cows associated with the CAFO also will be stored on Parcel 230803-33002 and the tanks have a total capacity of 8,050 gallons. The feed and feed supplements will also be mixed on Parcel 230803-33002. The applicants have indicated 15 employees are to staff the offices and maintenance shops and 15 gravel parking spots are proposed for staff. A total of 9,829 square feet of buildings associated with the CAFO will be on the property once the proposed development is complete.

The applicants are also seeking to place an Accessory Dwelling Unit (ADU) on the

FILED 16
HEARING EXAMINER
EXH # 4 DATE 6/18/2024
FILE NO. CUP24-011/SEP24-007/
ADU24-013

property. The existing primary residence is 2,458 square feet and the proposed ADU is 1,800 square feet. The primary residence is proposed to be connected to a new two-party shared well that is shared with the offices for the CAFO. The proposed ADU is expected to be connected to a new two-party shared well that is shared with the maintenance shop. Individual septic systems for both residences as well as for the offices and shops are proposed. All vehicles are expected to utilize existing approaches.

ENVIRONMENTAL REVIEW & COMMENT INFORMATION

This proposal is subject to environmental review. The Planning Division is the lead agency for this proposal. Yakima County expects to issue a DNS for this proposal. The optional process authorized by WAC 197-11-355 is being used. This may be your only opportunity to comment on the environmental impacts of the proposal. The proposal may include mitigation measures under applicable codes, and the project review process may incorporate or require mitigation measures regardless of whether an EIS is prepared. After all comments have been received and considered, a final threshold determination will be made without an additional comment period.

A land use application has been submitted near your property. To view the application materials and SEPA checklist 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 materials at the Planning Division on the 4th floor of the Courthouse. **Any person may provide written comments on issues related to the proposal. All written comments must be received by 4:00 p.m., July 2, 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. 2nd St., 4th Floor Courthouse, Yakima, WA 98901. Be sure to reference the above case number in your correspondence**

FUTURE HEARING

An open record public hearing is scheduled before the Hearing Examiner on Thursday, August 1, 2024, at 9:30am. 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.

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 issues related to the CAFO and ADU. Written comments or other exhibits to be received at or prior to the hearing may be submitted as follows:

- o Via email to: planning_info@co.yakima.wa.us
- o Via mail to: Aaron M. Cohen, Room 110 County Courthouse, 128 North Second Street,

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 11
HEARING EXAMINER
EXH # 4 DATE 6/18/2024
FILE NO. CUP24-011/SEP24-007/
ADU 24-013

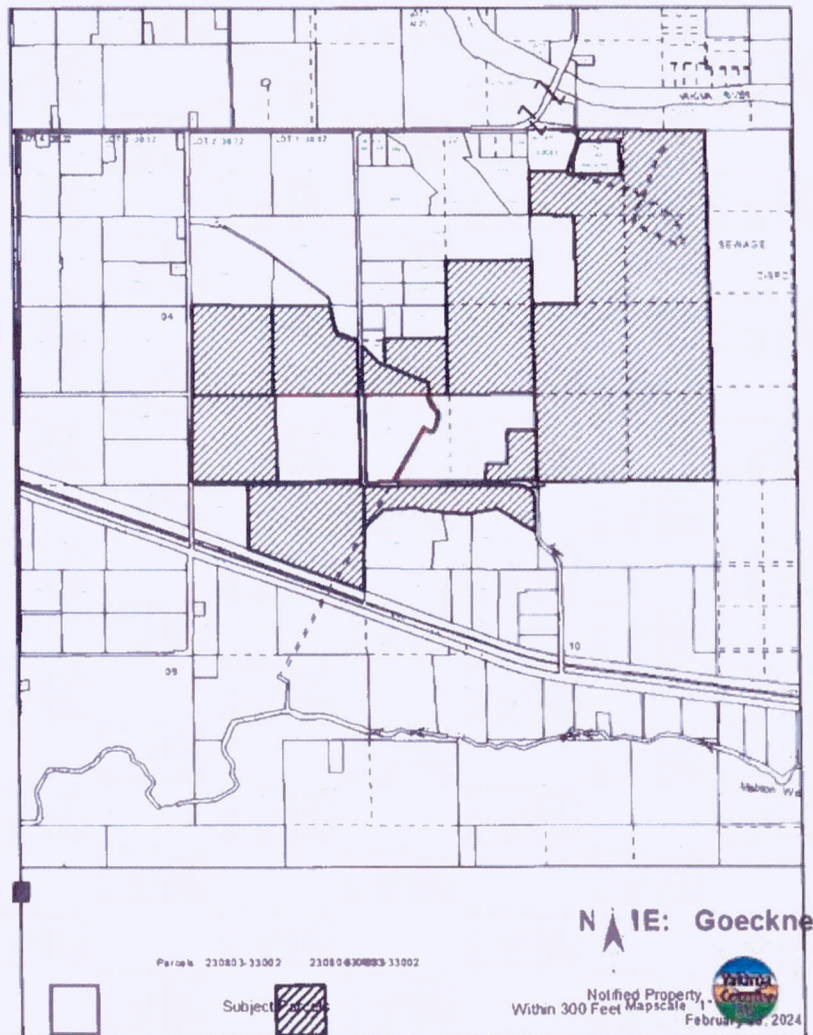
Yakima WA 98901.

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.

NOTICE MAP (for reference purposes only):



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.

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HEARING EXAMINER
EXH # 4 DATE 6/18/2024
FILE NO. CUP24-011/SEP24-007/
AD24-013

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

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

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

Bureau of Indian Affairs
Nichole.pebeahsy@bia.gov

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

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

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

WA Dept. of Fish & Wildlife
Janel Shah and Scott Downes
Janel.shah@dfw.wa.gov
Scott.downes@dfw.wa.gov

sepa@dahp.wa.gov

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

S.V.I.D.
P.O. Box 239
Sunnyside, WA 98944

Fire Chief
Fire District #5
P.O. Box 447
Zillah, WA 98953

Mabton School District # 120
Attn: Joey Castilleja
P.O. Box 37
Mabton, WA 98935

Grandview City Hall
207 W. 2nd Street
Grandview, WA 98930

WA State Dept. of Health
Office of Drinking Water &
Wastewater/Shellfish
EROADMIN@doh.wa.gov

Washington Dept. of Fish &
Wildlife - South Central Region
1701 S 24th Ave
Yakima, WA 98902

Kyrre Flege
Washington State Dept. of Agri.
kflege@agr.wa.gov

Steven Potokar
U.S. EPA, Region 10
1200 Sixth Ave, Suite 155
Seattle, WA 98101

Nick Peak
U.S. EPA, Region 10
950 W. Bannock St. Suite 900
Boise, ID 83702

South Yakima Conservation Dist.
P.O. Box 1766
Zillah, WA 98953

Neil Goeckner
Horse Heaven Cattle Feeders
19179 Red Bird Rd
Lewiston, ID 83501

Gerard Grandi
gerard@horseheavencattlefeeders.co

AGENCY MAILING LIST

HIGHLIGHTED = EMAILED

CUP2024-00011/SEP2024-
00007/ADU2024-00013
6/18/2024
11 LABELS

FILED 13
HEARING EXAMINER
EXH # 4 DATE 6/18/2024
FILE NO. CUP24-011/SEP24-007/
ADU24-013

Casey Dunbar

From: Casey Dunbar
Sent: Tuesday, June 18, 2024 8:48 AM
To: gerard@horseheavencattlefeeders.com
Subject: CUP2024-00011/SEP2024-00007/ADU2024-00013 Notice of Application, Notice of Completeness, Notice of Environmental Review & Notice of Future Hearing
Attachments: CUP2024-00011-SEP2024-00007-ADU2024-00013 Notice of Application, Notice of Completeness, Notice of Environmental Review & Notice of Future Hearing.pdf

Casey Dunbar

SHE/HER/MS.
Planning Office Specialist
128 N 2nd St, 4th Floor
Yakima, WA 98901
(509)574-2300
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).

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Casey Dunbar

From: NoReply@ecy.wa.gov
Sent: Tuesday, June 18, 2024 9:00 AM
To: Casey Dunbar
Subject: Your SEPA Record Has Been Submitted!

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

The Department of Ecology has received a new SEPA record from Casey Dunbar at Yakima County with a File Number of: SEP2024-00007.
Your record is being reviewed by an administrator.

From: Casey Dunbar
Email: casey.dunbar@co.yakima.wa.us
Phone number: (509) 574-2300 Ext. 2362

Casey Dunbar

From: Casey Dunbar
Sent: Tuesday, June 18, 2024 8:45 AM
To: David Haws; Ivan Klingele; Jack Wells; Jase Testerman; Jason Earles; Joe Stump; Marivel García; Nellie Soptich; Troy Havens; Tua Vang
Subject: CUP2024-00011/SEP2024-00007/ADU2024-00013 Notice of Application, Notice of Completeness, Notice of Environmental Review & Notice of Future Hearing
Attachments: CUP2024-00011-SEP2024-00007-ADU2024-00013 Notice of Application, Notice of Completeness, Notice of Environmental Review & Notice of Future Hearing.pdf

Casey Dunbar

SHE/HER/MS.

Planning Office Specialist

128 N 2nd St, 4th Floor

Yakima, WA 98901

(509)574-2300

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).

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Casey Dunbar

From: Casey Dunbar
Sent: Tuesday, June 18, 2024 8:48 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); Shah, J (DFW); Downes, Scott G (DFW); r3planning@dfw.wa.gov; DAHP SEPA (DAHP); eroadmin@doh.wa.gov; Flege, Kyrre (AGR)
Subject: CUP2024-00011/SEP2024-00007/ADU2024-00013 Notice of Application, Notice of Completeness, Notice of Environmental Review & Notice of Future Hearing
Attachments: CUP2024-00011-SEP2024-00007-ADU2024-00013 Notice of Application, Notice of Completeness, Notice of Environmental Review & Notice of Future Hearing.pdf

Casey Dunbar

SHE/HER/MS.
Planning Office Specialist
128 N 2nd St, 4th Floor
Yakima, WA 98901
(509)574-2300
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).

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23080441002
FRANCISCO & CARMEN M CISNEROS
3014 5TH ST
UNION GAP, WA 98903

23080332403
GILBERTO CHAVEZ
1463 BUS RD
MABTON, WA 98935

23080311002
GRANDVIEW CITY
207 W 2ND ST
GRANDVIEW, WA 98930

23080332403
HILDA GRACIANO
1463 BUS RD
MABTON, WA 98935

23080332404
JOSE M & ROSA AMEZCUA
PO BOX 704
MABTON, WA 98935

23080333002
NEIL A. & STEPHANIE A. GOECKNER
19179 RED BIRD RD
LEWISTON, ID 83501

23080442001
SIMPSON BROTHERS LLC
391 MILLER RD
MABTON, WA 98935

23080334001
STATE OF WASHINGTON DEPARTMENT OF
FISH & WILDLIFE
600 CAPITOL WAY N
OLYMPIA, WA 98501

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HEARING EXAMINER
EXH # 4 DATE 6/18/2024
FILE NO. CWP24-011/SEP24-007
AD24-013

AFFIDAVIT OF MAILING

FILED 19
HEARING EXAMINER
EXH # 5 DATE 6/18/2024
FILE NO. WP24-011/SEP24-007/
ADJ24-013

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 #:	80481
Order Ref #:	
Date:	6/13/2024
Advertiser #:	23402
Advertiser Name:	Yakima County Planning Division
Agency #:	
Agency Name:	
Account Manager:	Simon Sizer ssizer@yakimaherald.com

\$ 340.40

Ad No.	Date	Description	Position	Format
434512	6/18/2024	Yakima County Public Services Planning Division Notice of Application, Notice of Completeness, Notice of Environmental Review, N	Yakima Herald Republic Broadsheet - CL-Legals	3.46 x 11.46 in x 2.0000 col.
434513	6/18/2024	Yakima County Public Services Planning Division Notice of Application, Notice of Completeness, Notice of Environmental Review, N	Yakima Herald Republic CL Online - CL-Legals	3.46 x 11.46 in x 2.0000 col.

Summary

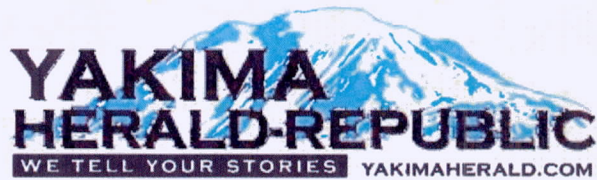
Total Net Amount	\$ 340.40
Taxes	\$ 0.00
Total Amount	\$ 340.40

Remittance Address:

Yakima Herald-Republic
PO Box 3667
Seattle, WA 98124
Tel: (206) 464-2550

Yakima Herald-Republic

PO Box 9668
Yakima, WA 98909



Classified Category: Legals|Public Notices

Yakima County Public Services
Planning Division
Notice of Application, Notice of Completeness, Notice of
Environmental Review,
Notice of Hearing

File No.: CUP2024-00011/SEP2024-00007/ADU2024-00013
Goeckner Concentrated Animal Feeding Operation
Expansion & Accessory Dwelling Unit

Description of Proposal: The applicants are seeking to expand the Concentrated Animal Feeding Operation (CAFO) that is on Parcel 230804-44003 onto Parcel 230803-33002, and a second home (ADU) onto Parcel 230803-33002. The CAFO expansion includes administrative offices and maintenance sheds for equipment. The only cattle expected to be on Parcel 230803-33002 are those being transferred between feedlots and existing animals. The existing residence is proposed to be connected to a new two-party shared well that is shared with the offices for the CAFO. The proposed ADU is expected to be connected to a new two-party shared well that is shared with the maintenance shop. Individual septic systems for both residences as well as for the offices and shops are proposed. All vehicles are expected to utilize existing approaches.

Location of Proposal: 1161 Bus Road, Mabton, Washington, 98935. The subject properties are located on the northwest and northeast corners of the Bus Road and Fox Road intersection, directly southwest of the City of Grandview's sewage treatment facility. Parcel no. 230804-44003 & 230803-33002

Determination: This proposal is subject to environmental review. The Planning Division is the lead agency for this proposal. Yakima County expects to issue a DNS for this proposal. The optional process authorized by WAC 197-11-355 is being used. ~~This may be your only opportunity to comment on the environmental impacts of the proposal.~~ The proposal may include mitigation measures under applicable codes, and the project review process may incorporate or require mitigation measures regardless of whether an EIS is prepared. After all comments have been received and considered, a final threshold determination will be made without an additional comment period.

An open record public hearing is scheduled before the Yakima County Hearing Examiner on Thursday, August 1, 2024. 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 application materials at the Planning Division on the 4th floor of the courthouse. Your views on the proposal are welcome, and any person may provide written comments on issues related to the proposal. Mail your comments on this project to Yakima County Planning Division, 128 N. 2nd St., 4th Floor Courthouse, Yakima, WA 98901. 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. Be sure to reference the above case number in your correspondence. All written comments received by 4:00 p.m., July 2, 2024, will be considered prior to making the final decision. 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 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.

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 18th day of June 2024

(80481) June 18, 2024

Page 2 of 2

FILED

HEARING EXAMINER

EXH # 6 DATE 6/13/2024
FILE NO. CUP24-011/SEP24-007/
ADU24-013

Casey Dunbar

From: Casey Dunbar
Sent: Thursday, June 13, 2024 9:01 AM
To: Simon Sizer
Subject: CUP2024-00011/SEP2024-00007/ADU2024-00013 Notice of Application, Notice of Completeness, Notice of Environmental Review & Notice of Future Hearing
Attachments: CUP24-011_Legal Notice_NOH_Final.docx

Publish: Tuesday, 6/18/2024
Bill: Acct # 10826, Planning

Casey Dunbar

SHE/HER/MS.
Planning Office Specialist
128 N 2nd St, 4th Floor
Yakima, WA 98901
(509)574-2300
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.





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

LISA H. FREUND – Director

March 27, 2024

Gerard Grandi
Horse Heaven Cattle Feeders
1070 Bus Road
Mabton, Washington, 98935

Re: Request for Additional Information: Goeckner Concentrated Animal Feeding Operation
File Number: CUP2024-00011/SEP2024-00007

Dear Mr. Grandi,

The Conditional Use Permit (CUP) and State Environmental Policy Act (SEPA) applications submitted on February 21, 2024, were determined complete on March 14, 2024. As we discussed on the phone on March 22, 2024, we can add the second proposed home to the current application. This will make the second home go through the same review process as the current CAFO, therefore, not requiring any additional fees. From what we discussed on the phone as well, one new two-party shared well is intended serve one residence and the shop/structures, and a second two-party shared well is intended serve the second home and the offices. The additional forms required are the following:

1. The Accessory Dwelling Unit form (see Attachment A).
2. Documentation of the legal water right for the second home.
3. Confirmation of the legal water right for the scope of the project.
4. Documentation from the Yakima Health District that they have no objections to the proposed water systems serving the proposed development, and a written statement of the newly proposed water systems for the proposed development.

Regarding the documentation of the legal water right, as we discussed on the phone as well, utilizing a Yakima County Water Right is possible for the second home. If a Yakima County Water Right is utilized, then the water from the well would be metered. I have included the application to utilize a Yakima County Water Right in this letter (see Attachment B) and there is no application fee. Multiple Yakima County Water Right permits could be required for the combined commercial and domestic water uses. If a new well is required for the existing residence, a new water right could also be required, which can be a Yakima County Water Right.

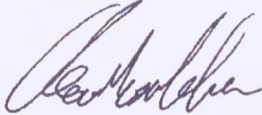
We are required to notify you that processing has been placed on hold until we receive the described required information. You have up to **45 days (May 13, 2024)** to return the required

FILED 23
HEARING EXAMINER
EXH # 7 DATE 3/27/2024
FILE NO. CUP24-011/SEP24-00011
ADU24-013

submittals after which the file will lapse and become null and void. Once we receive the information, we have 14 days to review the submitted information and determine if the application is complete or if additional information is needed.

If you have any questions pertaining to this letter, please feel free to contact me at (509) 574-2300.

Sincerely,



Aaron M. Cohen
Planner III

Attachments:

- A. ADU Form
- B. Yakima County Water Right Application

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 24
HEARING EXAMINER
EXH # 7 DATE 3/27/24
FILE NO. WRP24-011/SEP24-001
ADU24-013



ACCESSORY DWELLING UNIT (ADU) FORM

FINAL
Revised: 11/1/23

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

Please answer all of the following questions as completely as possible. (If a question is not applicable, write N/A.) In your narrative, please describe your project in detail to help reviewers understand what you want to accomplish.

An Accessory Dwelling Unit (ADU) is a residential structure that is secondary to the primary residence or dwelling on a parcel. ADUs must be compatible with the existing neighborhood and must conform to the standards established in YCC 19.18.020(1) "Accessory Housing."

Annotation by Planner

Complete the following questions (if not applicable, explain why):

1. How many dwellings are currently located on the subject parcel: _____

2. What is the square footage of the ADU? _____

Note: The ADU's floor area shall be smaller than the primary residence. On the site plan, please indicate the floor area of the living area and the floor area of any garages or shops.

3. What is the square footage of the primary residence? _____

4. Is the structure to be used as the ADU: ☐ New ☐ Existing

Note: Both new and existing structures must meet the current residential, building, mechanical, electrical, and energy code standards as required for a single-family residence.

5. Will the ADU be attached to: (Check one)

- ☐ House ☐ Existing Garage or Shop
☐ Freestanding ☐ Proposed Garage or Shop

6. For ADUs proposed to be on the second floor of a garage or shop, will there be any exterior stairs accessing a second floor for this ADU?

☐ No ☐ Yes

Note: The proposed access to the ADU cannot be open to a garage. For questions, contact our Building and Fire Life Safety Division at (509) 574-2300.

7. A minimum of three (3) parking spaces are required. Two (2) for the primary residence and one (1) for the ADU. Are you able to provide a minimum of three parking spaces? (Please show on site plan.) ☐ Yes ☐ No

8. Are you proposing a new fence? ☐ No ☐ Yes, answer the following:

a. Fence Material: _____

b. Is the fence a view obscuring fence? ☐ Yes ☐ No

Attachment: **A**

HEARING EXAMINER

EXH # 7 DATE 3/27/2024
FILE NO. WP24-011/SEP24-007/
ADU24-013

c: what is the total height of the fence? _____

Note: Fences and walls may be placed on or behind property lines. Fence height includes the fence, and attachments such as barbed wire installed at the top of the fence.

9. Is any outdoor lighting being proposed for this ADU? ☐ Yes ☐ No

If yes, indicate type of lighting proposed and show locations on the site plan:

10. How are you proposing to manage your stormwater runoff? If you have questions pertaining to stormwater runoff you can talk with our Water Resources Division.

11. The ADU must share a common driveway with the primary residence unless the two units are allowed to access different roads. Will the ADU share a common driveway with the primary residence? (Please show on site plan.)

☐ Yes ☐ No

(If no, submit documentation with your application from our Transportation Division for allowing a second driveway for the ADU.)

12. What type of road serves the property?

☐ Public Road (County, City or State Highway)

☐ Private Road ☐ Shared Driveway

- a. If you are on a Private Road or Shared Driveway, is there an existing Road Maintenance Agreement?

☐ No ☐ Yes (*if yes, provide a copy of agreement with your application.*)

b. What is the name of the Private Road? _____

c. Is the road paved, gravel, dirt? _____

d. What is the width of the road? _____

13. How will you provide the ADU with domestic water?

Note: In all zoning districts, the primary residence and ADU shall both connect to a public water system (such as a shared well, community, or regional water system) as defined in Section 19.01.070, and shall meet the Yakima Health District requirements. An existing individual well may be converted to a two-party shared well if approved by the Yakima Health District. Please contact the Yakima Health District at (509) 575-4040.

a. ☐ Regional water supply (water system operated by a city, county, Nob Hill, etc.):

I. Name of water provider: _____

b. ☐ Community Well (3 or more connections):

I. What is the well ID number? _____

II. On Lot/Parcel Number: _____

III. Is there an existing Well Maintenance Agreement?

☐ No ☐ Yes (Attach a copy of the agreement with this application.)

c. ☐ Shared Well (2 connections):

I. Is there an existing Well Maintenance Agreement?

☐ No ☐ Yes (Attach a copy of the agreement with this application.)

14. Within the Urban Growth Area, the primary residence and the proposed ADU shall both be connected to a public sewer system (such as a city sewer system or a community onsite septic system) as defined in Section 19.01.070 and required in YCC19.25-2 for two connections. Outside of the UGA, the requirements of YCC 19.25-2 for two connections shall apply.

☐ Regional sewer provided by: _____

☐ Community on-site septic system with primary residence

☐ Individual, on-site septic system separate from primary residence

15. An ADU must adhere to the existing neighborhood character and stability. Explain how the proposed ADU is compatible with the neighborhood (examples include location of ADU to neighboring property lines, type construction or architecture, landscaping, etc.):

Use this form to answer the questions. Use additional pages as needed.

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.



YCWRS – Water Availability

Yakima County Water Resource System

Application and Checklist

Ordinance 13-2017 (Section 12.08.390)

Revised:
May 12, 2021

Yakima County Water Resource System (YCWRS) is a water system organized pursuant to RCW 36.94.140 which provides service to the public in the form of "mitigated" or "water budget neutral" water supplies for domestic use through the withdrawal of domestic supply from a groundwater permit exempt well. The service area of the water system is all of the privately held property in Yakima County within the Yakima River watershed except those areas within the corporate limits of a City, within the exterior boundaries of the Yakama Reservation, or within the service areas of a Group A and Group B water systems in existence prior to January 1, 2018. The YCWRS holds senior water rights and allows the use of such rights by the public when wells are constructed and metered according to YCWRS procedures.

Check when Completed

- ☐ **Step 1:** Complete the Water Availability Application and submit to Yakima County Public Services to determine well depth/and or water bearing unit standard.
- ☐ **Step 2:** Submit a copy of your **Water Well Report** to Public Services following construction of the well to verify the well meets the well depth standard. Maintain a copy of the updated form. When completed, see Step 3.
- ☐ **Step 3: (Well depth has been confirmed).** Submit an Adequate Water Determination (AWD) application to Yakima Health District with your Water Well Report and Water Test results and associated fees. When completed, see Step 4.
- ☐ **Step 4:** Property owner must complete **Water Metering Agreement** and pay associated fees. Provide a copy of the properties unabbreviated full legal description (attach a separate page) to Yakima County Public Services. When completed, see Step 5.
- ☐ **Step 5:** Prior to occupancy, the meter box and meter setter must be installed. After installation, call Public Services Utilities at (509) 574-2360 to schedule the installation of the Yakima County water meter and transmitter.

There are several steps through the process to obtain approval for domestic water / potable water for construction of a residence or land use action.

Throughout the process at each step, always maintain a copy of the documents as they are updated for your records.

The forms will need to be reviewed by several departments signed and re-submitted. Please clearly print your information on the application form to ensure the review documents will be returned to the appropriate address.

Agency contact information or required documents:

Department of Ecology - Intent to drill a well or Water Well Report	(509) 575-2490	Yakima County Water Resources or Utilities Division	(509) 574-2300
Yakima Health District Adequate Water Determination	(509) 249 6508	Yakama Nation Water Code Permit 214 Ivy Street, Wapato WA 98951	(509) 865-5121 Ext. 6121 or 6122

Attachment: B

Retain this cover page for your records. All steps above must be completed prior to occupancy.

My WRS Case is: WRS _____ - _____

My assigned Project Coordinator or Planner is: _____



YCWRS Water Availability Application

STEP
1

Revised
March 1, 2021

REQUIRED: Tax Parcel Number: (11 digits)

(Reference WWW.YAKIMAP.COM for assistance)

Example: 18 13 23 --- 12345

Parcel #: _____ - _____

Subdivision or Short Plat Number

Lot #

(Road name or address if assigned)

Site address:

City: _____

(print clearly)

Applicant Name:

Phone: _____

☐ Check if you are the property owner

Mailing Address:

City, State, ZIP:

E-mail:

Signature:

Date:

Has the well been drilled (constructed)?

☐ No (Begin at Step 1)

☐ Yes (Begin at Step 2)

PLEASE CHECK BELOW THE TYPE OF BUILDING OR LAND USE PERMIT YOU ARE APPLYING FOR:

_____ Number of connections requested

☐ SINGLE FAMILY RESIDENCE

☐ MULTI-FAMILY RESIDENCE (Number of Units) _____

☐ ACCESSORY DWELLING UNIT

☐ COMMERCIAL

☐ INDUSTRIAL

☐ LAND USE PERMIT OR OTHER – Please Describe:

Statements of Understanding

- I understand a YCWRS domestic well permit for a permit exempt well may only be obtained concurrent with a building permit or a land use permit and is provided as mitigation to senior water rights.
- I understand a YCWRS Well Permit will not be issued until I receive an approved Water Availability Review by Yakima County and an approved Water Adequacy Determination by the Yakima Health District. I also understand I must provide a completed Water Metering Agreement to Yakima County before receiving a YCWRS Well Permit.
- I understand the amount of water withdrawal permitted from a YCWRS well shall not exceed 5,000 gallons per day.
- I understand a YCWRS well must be metered and that I am responsible for installing a meter box and meter setter in accordance with Yakima County standards.
- I understand once I have installed a meter box and meter setter that Yakima County will install the meter and transmitter.
- I understand once installed, the meter and transmitter will remain the property of Yakima County and all other materials required for the water service including but not limited to the well, pump, service line, meter box and meter setter will remain my property.
- I understand the County's cost to install the meter and transmitter is not included in the connection permit charge and that the actual meter and transmitter installation cost will be billed when charges have been finalized. Please check www.yakimacounty.us/Faq.aspx?QID=476 for estimated associated fees.
- I understand YCWRS wells are subject to quarterly *Ready to Serve Charges* and *Water Consumption Charges* in accordance with Yakima County Code 12.08.
- I understand I am granting access to the meter on this parcel by Yakima County and its contractors for reading, repair, or replacement.
- I understand Yakima County is not responsible for the quality or quantity of water provided from the well.
- I understand water from the well is for use on the parcel within this application only and is not transferable for use at other locations or additional connections.
- I understand if I am later required to connect to a municipal water source, the YCWRS water right with the parcel will be returned to Yakima County Water Resource System. Yakima County will pay for decommissioning of the well on the parcel as provided in Yakima County Code 12.08.
- I understand that should I not comply in the statements above and all requirements, enforcement action may be taken in accordance with Yakima County Code 12.08.
- I understand Yakima County shall be held harmless for misinterpretation or misrepresentation of documents I provide to obtain my permits.

I (print name) _____ have read and understand the Statements of Understanding listed above.

Property Owner Signature _____ Date: _____

Note: In accordance with the Fair and Accurate Credit Transactions Act of 2003 (Red Flag Rule), and Yakima County Resolution 207-2009 Identity Theft Prevention Program, all new water system applicants must apply in person to permit the validation of the identity of the person opening the account.

Gerard Grandi
Horse Haven Cattle Feeders
1070 Bus Rd
Mabton, WA 98935

Neil Goeckner
Horse Haven Cattle Feeders
19179 Red Bird Rd
Lewiston, ID 83501

FILED 31
HEARING EXAMINER
EXH # 7 DATE 3/27/2024
FILE NO. WPR24-011/SEP24-001
APR24-013

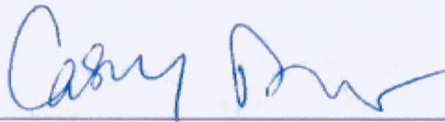
FILE NO.: CUP2024-00011/SEP2024-00007
REQUEST FOR ADDITIONAL INFORMATION

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 REQUEST FOR ADDITIONAL INFORMATION, a true and correct copy of which is enclosed here-with; that a REQUEST FOR ADDITIONAL INFORMATION 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 27th day of March, 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 27th day of March, 2024.



Casey Dunbar
Office Specialist

FILED 32
HEARING EXAMINER
E 114 # 8 DATE 3/27/2024
FILE NO. WP24-011/SEP24-071
AP24-013



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

LISA H. FREUND – Director

March 21, 2024

Gerard Grandi
Horse Heaven Cattle Feeders
1070 Bus Road
Mabton, Washington, 98935

**Re: Notice of Completeness & Request for Additional Information: Goeckner
Concentrated Animal Feeding Operation
File Number: CUP2024-00011/SEP2024-00007**

Dear Mr. Grandi,

The Conditional Use Permit (CUP) and State Environmental Policy Act (SEPA) applications submitted on February 21, 2024, were determined complete on March 14, 2024. Upon further review, additional clarification is required regarding the size of food tanks. The following information is requested:

1. A document indicating the size of the proposed food tanks.

We are required to notify you that processing has been placed on hold until we receive the described required information. You have up to **45 days (May 6, 2024)** to return the required submittals after which the file will lapse and become null and void. Once we receive the information, we have 14 days to review the submitted information and determine if the application is complete or if additional information is needed.

If you have any questions pertaining to this letter, please feel free to contact me at (509) 574-2300.

Sincerely,

Aaron M. Cohen
Planner III

CC: File

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 33
HEARING EXAMINER
EXH # 9 DATE 3/21/2024
FILE NO. CUP24-011/SEP24-0071
ADU24-013

Gerard Grandi
Horse Heaven Cattle Feeders
1070 Bus Rd
Mabton, WA 98935

FILED 34
HEARING EXAMINER
EXH # 9 DATE 3/21/2024
FILE NO. WP24-011/SEP24-007/
ADJ24-013

FILE NO.: CUP2021-00011/SEP2024-00007

NOTICE OF COMPLETENESS & REQUEST FOR ADDITIONAL INFORMATION

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 COMPLETENESS & REQUEST FOR ADDITIONAL INFORMATION, a true and correct copy of which is enclosed here-with; that a NOTICE OF COMPLETENESS & REQUEST FOR ADDITIONAL INFORMATION 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 21st day of March, 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 21st day of March, 2024.



Casey Dunbar
Office Specialist

FILED 35
HEARING EXAMINER
EXH # 10 DATE 3/21/2024
FILE NO. CUP24-011/SEP24-0007
ADU 24-013

FEB 21 2024

FINAL
Received By
Revised 6/05/2019

MM



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

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

Zoning District: AG/R 19/5 Reviewed By: David

Proposed Land Use: CAPO Expansion Case #(s): CVP2024-00011 Date Submitted: _____

Overlay: Airport / Greenway / Floodplain N/A SEP2024-00007

UGA: N/A CAO/Shoreline: Yes

Sewer: Septic Clearance / As Built _____

Potable Water: N/A or Exempt _____

Purveyor: _____ 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 # _____

Planning Forms for Project: _____

Please Tell Us About Your Proposal: (If you need assistance call us at (509) 574-2300 or come into the office)

Parcel Numbers(s): A. 230804-44003 B. 230803-33002Property Owner's Name: NEIL GOECKNERDay Phone: 509-780-1554 Company (if any): Harvest Heaven Cattle FeedersMailing Address: 19179 Red Bird Rd. City: Lewiston State: ID Zip: 83501Subject Property Address: (if Different) 1070 Bus Rd. MARTIN, WA 98935

E-mail Address: _____

Scope of Work: CATTLE FEEDING OPERATIONAre 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: _____ Total: _____ Size/Dimensions: _____ Square Footage: _____

Number of Bathrooms: _____ 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
- ☐ Yakima Nation Water Code permit for properties located within the exterior boundaries of the Yakima 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.

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HEARING EXAMINEREXH # 11 DATE 2/21/2024 CONTINUE ON BACK
FILE NO. CVP24-011/SEP24-007/AD24-013

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- 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:** Neil P. [Signature] (required) Date: 1/29/24
☐ Check If You Are Acting As Your Own Contractor – (Signature required at declaration at bottom of page)

☐ **Applicant/Agent:** GERARD GERARDI
 Day Phone: (768) 899-0964 Company (if any) _____
 Mailing Address: Gerard R Horscheaven cattle City: GERARDVIEW State: WA ZIP: 98930
 E-mail Address: 172582@53 PRRW Feeders.com
 Signature: Gerard Gerardi Date: 2/1/30/24

☐ **Contractor Name:** _____
 Day Phone: () _____ 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: _____

☐ 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) _____ certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Owner Signature: _____ Date: _____

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 509-554-2211 or on an accessible 711 number later than 48 hours before the scheduled event.

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 EX-14 # 11 DATE 2/21/2024
 FILE NO. CWP24-011/SEP24-007/
 ADU24-013

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ANIMAL FEEDING OPERATION 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

Please Answer the Following Questions:

1. Are you proposing an: ☐ Animal Feeding Operation (AFO)
☒ Concentrated Animal Feeding Operation (CAFO)
☐ Dairy
2. Is this a: ☐ New Facility or ☒ An expansion of an existing facility?
If this is a new facility, how many gallons of water are expected to be used per day? _____
3. Will you be expanding the size of the herd? ☒ Yes ☒ No *GG.*
If yes, how many gallons of water are expected to be used per day? 100,000
4. When was your Dairy Nutrient Management Plan last updated and approved? UNKNOWN
5. How many employees: Full Time: 15 Part Time: 0
6. Describe the type of deliveries to and from the property: CATTLE & Commodities
7. What type of vehicles will be visiting the site? SEMI TRUCKS + 10 WHEELER TRUCKS
8. How many vehicle trips will be made to the property per day? 6-8 / per day
9. What sign(s) are planned to be installed on the site? TRUCK CROSSING, Restricted Feeding AREA.
10. Where will the sign(s) be located? Entrance
11. Are you proposing any off-site sign(s) ☐ Yes ☒ No If yes, describe their location: _____
12. How many parking spaces are: Existing: 10 Proposed: 15
13. What is the existing/proposed surface type for the parking spaces? ☐ Paved ☒ Gravel
14. Where will the loading zone be located? CATTLE WEST SIDE OF BUILDING, Commodities both east + west side
15. How will storm water runoff be managed? Existing ponds
16. What type of fencing, screening or landscaping is proposed? all metal sucker red fencing
17. Is any outdoor lighting proposed? ☒ Yes ☐ No
If yes, describe the type and location: 2 over mixing area, 3 over loading and processing area.

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18. Indicate the source of irrigation.

SWD

19. What is the proposed source of domestic water?

☐ Public Water System (City, Nob Hill Water, County)

☒ On-site individual well

☐ On-site shared or community well Name: _____

ID#: _____

Location: 2 Wells West of Bjo Rd., 1 East of Bjo Rd.

☐ Other: _____

20. What is the proposed method of domestic sewage disposal?

☐ Public Sewer System (City, County)

☒ On-site individual septic system

☐ On-site shared or community septic system Location: _____

☐ Other: _____

21. Please provide the following information in your attached narrative:

- ☒ Proposed methods of waste management
- ☒ Odor Control
- ☐ Vector Control
- ☐ Silage Management
- ☒ Track-Out Control
- ☒ How the waste water systems/lagoons are lined

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.



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

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.

Horse Heaven Catttle Feeders

Feb. 20,2024

1070 Bus Rd.

Mabton, WA 98935

Yakima County,

Horse Heaven Cattle Feeders is currently using parcel 230804 44003 for a cattle feeding area and corn production . There is an existing dairy barn 30X60 feet that has been converted into a break room and livestock processing area. There is an older commodity building 20X70 feet. We have two stationary mixers with conveyers coming off of them for mixing feed. There are seven tanks that supply liquids to the mixers. There is a four post cover/shelter 16X16 feet not being used. There is a home on the parcel 1500 square feet for one of the companies employees. HHFC is custom cattle feeding operation. The cattle are fed two times a day seven days a week. HHCF employs fourteen full-time employees. There are trucks that deliver commodities, approximately twenty loads per day. There are very few guests or outside people on the property. We have added an access driveway to accommodate the semi-trucks hauling commodities. There will be a new commodity building to replace the older small building. There are pens, alley ways, shipping / receiving and processing area in place. There will be parking on both side of Bus for employees and quest. Parking areas will be all graveled for employees and quest. There are plans to plant more trees and grassy areas. All parking areas and work areas will be lit. There will be two access points off Bus Rd. and Fox Rd. There are restricted cattle feeding areas and truck crossing signs at each entrance. The

trucks delivering commodities will enter off the southeast corner of Bus Rd. and exiting on the northwest corner of Bus Rd. Trucks hauling cattle will enter the southeast corner of Bus Rd. and exit the southeast corner of Fox Rd. We are hoping to be completed with this project by late summer of 2024. We have good employees, hoping to keep them employed and continue paying county taxes but most important is join with all of agriculture to help feed the world.

Thanks,

Gerard Grandi/ HHCF

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ADU24-013

Lined area for text entry.

Please use additional pages as needed

Horse Heaven Cattle Feeders

March 15, 2024

1070 Bus Rd.

Mabton, Wa. 98935

Yakima County,

We have plans to put in a second residence for one of our employees. This is to be added on to parcel # 230803-33002. This will aid in helping protect our livestock and equipment.

Thank you,

Gerard Grandi/HHCF

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EXH # 11 DATE 2/21/2024
FILE NO. WP24-011/SEP24-007/
ADJ24-013



CWRS – Water Availability
Yakima County Water Resource System
Application, Checklist and Procedure
Ordinance 13-2017 (Section 12.08.390)

STEP
1 & 2

Revised:
October 30, 2018

REQUIRED: Tax Parcel Number: (11 digits) (Reference WWW.YAKIMAP.COM for assistance) Example: 18 13 23 --- 12345	Office Use Only: DATE:
Subdivision or Short Plat Number	YCWRS Case: WRS
Lot #	BLD / PLN Case:
	County Staff:

(Road name or address if assigned)
Site address: 1070 Bus Rd **City:** Mabton, WA 98935
(print clearly)
Applicant Name: HORSE HEAVEN CATTLE FEEDERS **Phone:** 208-899-0964
☐ Please check only if you are the Property Owner
Mailing Address: Lot 1070 Bus Rd
City, State, ZIP: Mabton, WA 98935
E-mail: gerard@horseheavencattlefeeders.com
Signature: Gerard Grandi **Date:** 2-21-24
☐ 1 Residence/1 Connection ☒ 2 Residence/ADU or 2 Party Well ☐ Other
Has the well been drilled (constructed)? ☒ No (Begin at Step 1) ☒ Yes (Begin at Step 2)

Statements of Understanding	
1. (Step 1)	I understand the well depth standard varies from location to location and that Yakima County will provide me with the well depth/and or water bearing unit standard for my property following their review of my properties eligibility.
2. (Step 2)	I understand that <u>following construction of the well</u> I must re-submit this form with a Water Well Report to Yakima County verifying the well meets the well depth standard.
3. (Step 3)	I understand that following construction of the well I must file an Adequate Water Determination Application with the Yakima Health District verifying the well provides an adequate quantity and quality of water. Please contact the Yakima Health District (509 249-6508 or 575-4040) for application, fees and requirements. (A completed copy of this form with your well report must accompany your AWD application, water test documentation, and the AWD associated fees).
4. (Step 4)	I understand a YCWRS well must be metered in accordance with Yakima County standards.
5.	I understand I must provide Yakima County with a completed Well Permit Application , (and associated permit fee) and a Water Metering Agreement before receiving a YCWRS Well Permit. <u>(Please provide a copy of your property legal description on a separate sheet of paper along with the signed water agreement.)</u>
6.	I understand Yakima County is not responsible for the quality or quantity of water provided from the well.
7.	I understand water from the well is for use on the parcel within this application only and is not transferable for use at other locations or additional connections.
8.	I understand Yakima County shall be held harmless for misinterpretation or misrepresentation of documents I provide to obtain my permits.
I <u>GERARD GRANDI</u> have read and understand the YCWRS Provisions and Statements of Understanding. (print name)	
Owner/Applicant Signature <u>Gerard Grandi</u> Date: <u>2-21-24</u>	