

Agenda Summary Report (ASR)

Franklin County Board of Commissioners

DATE SUBMITTED: June 14, 2022	PREPARED BY: Aaron Gunderson
Meeting Date Requested: June 21, 2022	PRESENTED BY: Derrick Braaten
ITEM: (Select One) <input type="checkbox"/> Consent Agenda <input checked="" type="checkbox"/> Brought Before the Board Time needed: 10 minutes	
SUBJECT: Preliminary Approval of SUB 2022-02, Kohler Subdivision, a subdivision application to subdivide one (1) parcel, totaling approx. 26.44 acres into twenty-two (22), 1 acre, single-family lots. The lots are all 1 acre or more in size. The land is zoned Rural Community 1 (RC-1). The property is generally located North of Dent Rd., West of Richview Dr., South of Fanning Rd. and East of the Columbia River. (Parcel Numbers: 126-150-015) The proposed subdivision will be accessed via Dent Road (soon to be renamed Fraser Road), from the east. All lots will be accessed by a proposed internal road system connecting to Dent Road (Fraser Road). The site is situated in a portion of the Southeast 1/4 of the Southwest 1/4 of Section 36, Township 10, Range 28, W.M. in Franklin County, WA.	
FISCAL IMPACT: None	
BACKGROUND: A SEPA threshold determination (MDNS) was issued March 3, 2022 under file #SEPA 2022-03 with several findings and mitigation measures. All public notification requirements were fulfilled. At a regularly scheduled Planning Commission meeting, the Planning Commission heard and considered testimony in an open-record public hearing. An amended MDNS was later sent out to agencies on May 4, 2022 who had commented on the project earlier. This was due to mitigation #1 having to be amended, based on response of applicant.	
RECOMMENDATION: The Planning Commission voted to forward a positive recommendation to the Board for preliminary approval of SUB 2022-02, based on six findings of fact and four conditions of approval, as proposed. <i>Suggested Motion: I move to Pass Resolution #_____, granting preliminary approval of SUB 2022-02, adopting the six findings of fact and four conditions of approval, as recommended by the Planning Commission.</i>	
COORDINATION: Franklin County Planning and Building Department; Franklin County Assessor's Office; Franklin County GIS/ E911; Franklin County Public Works Department; Benton-Franklin Health District; Pasco School District; Fire Dist. #3. Franklin PUD, SCBID, US Bureau of Reclamation.	
ATTACHMENTS: (Documents you are submitting to the Board) (1) Draft Resolution Granting Preliminary Approval for SUB 2022-02; (2) Planning Commission Packet; (3) DRAFT minutes - Planning Commission meeting	
HANDLING / ROUTING: (Once document is fully executed it will be imported into Document Manager. Please list <u>name(s)</u> of parties that will need a pdf) To the Clerk of the Board: 1 Original Resolution To Planning: 1 Copy Resolution	

I certify the above information is accurate and complete.

 Derrick Braaten

FRANKLIN COUNTY RESOLUTION _____
BEFORE THE BOARD OF COUNTY COMMISSIONERS OF
FRANKLIN COUNTY, WASHINGTON

RE: ***Preliminary Approval for SUB 2022-02 Kohler Subdivision, to subdivide approximately 26.44 acres (net) into 22 single-family residential lots.***

WHEREAS, this Board has reviewed the recommendation by the Franklin County Planning Commission for the preliminary subdivision application by **Big Sky Development, LLC**, and has granted preliminary approval of the preliminary subdivision subject to the following findings of fact, conclusions of law, and conditions of approval:

FINDINGS OF FACT:

1. Adequate provisions **have** been made for the public health, safety and general welfare and for open spaces, drainage ways, roads, alleys, or other public ways, water supplies, sanitary wastes, parks, playgrounds and other public needs;
 - a. Comprehensive Plan: The application is in compliance with the Franklin County Comprehensive Plan.
 - i. The property is zoned Rural Community Zone (RC-1)
 - ii. The Comprehensive Plan designation for the property is "Rural Shoreline Development."
 - iii. The property is located outside of the City of Pasco Urban Growth Area.
 - b. Health:

The public health will not be negatively impacted by this proposal as current state requirements require compliance with septic standards.
 - c. Water Supplies:

The applicant is required to comply with current state requirements for construction and operation of private wells.
 - d. Roads/Access:

The property is located near Columbia River Road, southeast of the Columbia River Road and W Sagemoor Rd. intersection. The proposed subdivision will be accessed via the new extension of Fraser Road (currently the north/south oriented portion of Dent Road) proposed along the east boundary of the property, and internal access roads.

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e. **Septic System:**

The applicant is required to comply with local Health Department standards as it relates to the sanitary wastes (i.e. septic systems). The Health District has determined the following findings, and set forth conditions for the use of on-site septic systems.

- i. There are 22 proposed lots.
- ii. Proposed land use is for single family dwellings.
- iii. All proposed lots are to be provided by a Single Family Well.
- iv. Soil logs excavated throughout the property found predominately Type 4 soils (sandy loams, and loamy med sands), to varying depths of Type 2 (coarse black sand, with occasional cobbles).
- v. Most lots are relatively flat throughout the property.

f. **School/School grounds:**

The project is located within the Pasco School District boundaries. Appropriate provisions for schools/school grounds are provided through public approved levies and general obligation bond measures. These funding mechanisms fund property acquisitions, fulfill maintenance and operations obligations, and fund new school construction. Washington state capital construction funds are commonly available on a match basis for school related construction.

No school impact fees have been implemented by Franklin County, but a voluntary agreement has been entered into between the applicant and PSD regarding the projects likely impacts to the PSD system.

g. **Storm water:**

Current county code requires that storm water be adequately addressed at the time of road construction and development. It is typical that engineered drainage swales are developed that will assist in compliance with storm water standards/requirements.

h. **Parks:**

Providing for adequate parks or other recreational facilities is necessary at the time of subdivision approval. Current county code requires that land be dedicated or a cash payment in lieu of dedication be provided.

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i. Irrigation:

The project is located within the boundaries of the South Columbia Basin Irrigation District. The applicant has indicated that irrigation water will be provided to each lot via a private irrigation network that is supplied by South Columbia Basin Irrigation District. The project land does not currently have an irrigation water allotment; for irrigation water to be supplied, a Municipal and Industrial (M&I) Water Service Contract must be obtained from the United States Bureau of Reclamation.

j. Fire Protection:

The project is in the boundaries of Franklin County Fire District #3. The Plat will be utilize an underground water tank that will maintain year-round full storage. The County has adopted the 2015 International Fire Code. FD#3 is the reviewing agency during the subdivision review and processing to ensure compliance with fire protection standards. The applicant has proposed the use of a "standardized onsite water storage" for fire prevention / suppression to be in the form of a "20,000 gal underground tank, meeting FCC 8.40.080 requirements."

2. The proposed subdivision **does** contribute to the orderly development and land use patterns in the area;

- a. The property is zoned Rural Community Zone (RC-1) and the development is consistent with the land use patterns in the area. The Franklin County Comprehensive Plan designates this area for Rural Shoreline Development.
- b. All lots comply with the required width/depth and lot frontage standards for new lots.

3. The public use and interest **will** be served by permitting the proposed subdivision;

- a. The development, as conditioned, complies with the County Development Regulations.
- b. Payment of park dedication fees benefit the public use and interest of this area.

4. The proposed subdivision **does** conform to the general purposes of any applicable policies or plans which have been adopted by the Board of County Commissioners;

- a. The proposed subdivision conforms to the minimum lot size requirements of the Franklin County Zoning Ordinance.
- b. The proposed subdivision conforms to the requirements of the Franklin County Subdivision Ordinance, including the minimum lot dimensions, lot requirements, and width/depth standards.

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- c. The site contains critical erosion hazard areas and a Geotech report is being prepared meeting the requirement of FCMC Chapter 18.08, which includes recommendations for development and construction on the site.
 - d. A State Environmental Policy Act (SEPA) review has been completed for this project.
- 5. The proposed subdivision **does** conform to the comprehensive plan and zoning requirements;
 - a. The Franklin County Comprehensive Plan designates this area for Rural Shoreline Development.
 - b. The average lot size in the new development is approximately 44,990 square feet. The new lots comply with the minimum lot size requirement of the zoning district.
 - c. The development conforms to both the current zoning designation and the Comprehensive Plan.
- 6. The proposed subdivision **does** conform to the general purposes of the Subdivision Ordinance.
 - a. This development does comply with the purpose of the County Subdivision code. The purpose of the code is to regulate the division of land within unincorporated Franklin County. This Ordinance is to also further the purpose of promoting the health, safety, convenience, comfort, prosperity, and general welfare of the present and future inhabitants of Franklin County, and to:
 - i. Prevent the overcrowding of land;

Each lot in the development is 45,042 square feet or greater in size, which complies with the zoning ordinance and comprehensive plan.
 - ii. Lessen congestion and promote safe and convenient travel by the public on roads and highways;

The proposal effectively adds 21 new homes to the development potential of the site, which will produce additional trips on the highway system but will not result in detrimental effects.
 - iii. Promote the effective use of land;

The development utilizes the existing landscape and fulfils the intent of the County Zoning code.

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- iv. Provide for adequate light and air;

The proposed sizes of the new lots in the development are of a size to provide adequate light and air to new homes and the surrounding lands.

- v. Facilitate adequate provision for water, sewerage, drainage, parks and recreational areas, and other public requirements;

Adequate provisions are being proposed and required for this development as it relates to water, sewerage, drainage, parks and recreational areas, and other public requirements. These provisions are addressed specifically in Findings of Fact #1.

- vi. Provide for proper ingress and egress;

Proper ingress and egress are provided for this development. The Franklin County Public Works Department has reviewed the proposal for proper ingress and egress and have determined that a prohibition for direct access to the new Fraser Road is necessary for public safety purposes.

- vii. Provide for the expeditious review and approval of proposed land divisions which comply with this Ordinance, the Franklin County Zoning Standards, other County Plans, policies and land use controls, and Chapter 58.17 R.C.W.;

The land development process for this project complies with all applicable County Ordinances, R.C.W.'s, and associated timelines for development review.

- viii. Adequately provide for the housing, commercial, and industrial needs of the citizens of the State and County;

This 22-lot development is located in an area zoned Rural Community Zone (RC-1) which has a rural residential environment intent.

- ix. Require uniform monumenting of land divisions and conveyance by accurate legal descriptions;

The development proposal complies with the provisions of the County Subdivision Ordinance as it relates to monumenting and legal description development.

- x. Implement the goals, objectives and policies of the Comprehensive Plan;

The Franklin County Comprehensive Plan designates this property for Rural Shoreline Development.

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The proposed development proposes an average lot size of 44,990 square feet, is in compliance and consistent with local land use controls, and is compatible with the surrounding residential area.

CONCLUSIONS OF LAW:

1. An application was received for the **Kohler Subdivision** preliminary plat on February 1, 2022, supplemented with attachments in February, and the application was deemed complete on February 1, 2022.
2. The SEPA process has been completed and a MDNS was issued. Amended MDNS was issued on May 4, 2022 and sent to agencies who had commented on previous MDNS, along with posting the amended MDNS in the SEPA registry.
3. Following an open record pre decision hearing on a proposed preliminary plat, the Planning Commission shall render a recommendation to the board of county commissioners as to whether the proposal based on the findings shall be denied, approved or approved with medications or conditions.
4. The review criteria of FCC 16.20.070 were used to develop the findings of fact.

CONDITIONS OF APPROVAL:

1. Applicant shall comply with the **County Public Works Department** requirements including:
 - a. The final plat shall be accompanied with closure notes conforming to Franklin County Subdivision Ordinance Section 7.10 (C)(4) for the subdivision boundary and all lots.
 - b. The following notes are required on the final plat:
 1. All new approaches to County Roads will require an approach permit at the time of building permit application.
 2. No lot within this subdivision shall have direct access to Fraser Road.
 3. Lot owners shall agree to participate in any future L.I.D./R.I.D.'s for roads, drainage, curb & gutters, streetlights, storm sewers, water and/or sanitary sewers.
 4. Lot owners shall be responsible for the maintenance of drainage ditches or swales per the design as shown on the road construction plans for this development, unless they are no longer necessary due to an alternate drainage system being installed.

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- 5. Lot owners shall provide landscaping within the unimproved portion of the right-of-way between the property line and the edge of pavement and/or curb. This shall consist of grass/lawn, river rock, basalt rock, gravel (less than three inches in diameter), or other traditional residential landscaping material. Maintenance of the landscaping is the requirement of each individual lot owner.
- c. All utilities serving the subdivision must be installed underground, per Franklin County Code Chapter 7, Section 7.9A.
- d. Permanent control monuments shall be installed in accordance with Franklin County Standard Plans H-6 and H-7 (brass cap in monument case) for centerline monuments when the road is constructed.
- e. This development shall comply with the Franklin County Comprehensive Parking Ordinance, as defined in Franklin County Code Section 10.12, except that provisions for "on-street parking on one side of County roads" will not be permitted.
- f. Cul-de-sacs shall be designed with a 47 foot minimum radius, per Franklin County Design Standards, Division 1-03.4. The cul-de-sac shall be a hard surface, per Franklin County Code Section 16.12.020(D)(2). The minimum right-of-way shall be 55 feet or larger to accommodate the hard surface and allow for proper drainage ditches or swales.
- g. Reference primary survey control points to section corners and monuments conforming to Franklin County Code Section 16.28.100(B).
- h. Prior to final plat approval, all roads must be completed to county standards.
- i. The final plat shall be accompanied with State Plane Coordinates conforming to Franklin County Subdivision Ordinance Section 7.10 (C)(1) and as set forth by state statutes for recording coordinates as described in RCW 58.20.180.
- j. The developer shall provide landscape fabric and river rock, basalt rock, gravel (less than three inches in diameter), or other traditional residential landscaping material within the unimproved portion of the right-of-way between the property line/estate wall and the edge of pavement and/or curb to assist in weed control along future Fraser Road.
- k. Per the Engineers Report dated 4/18/2016, titled Dent Road Future Extension, a full width roadway is to be constructed to current county standards for Fraser Road.

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- l. The developer shall provide landscape fabric and river rock, basalt rock, gravel or other traditional residential landscaping material within the unimproved portion of the right-of-way between the property line and the edge of pavement and/or curb to assist in weed control along Columbia River Road and W Sagemoor Road.
2. The plat must have irrigation water delivery and therefore must meet conditions set forth by the **South Columbia Basin Irrigation District**:
 - a. Conditions are listed within their agency comment letter dated March 15, 2022 and is included within the agency comment section of the packet.
3. **Benton-Franklin Health District**: The applicant shall meet and comply with the standards and adopted rules of the Health District:
 - a. All lots within the plat must be a minimum of 1 acre and contain a minimum of 18,000 square feet of usable land area after all easements and encumbrances are subtracted.
 - b. Each lot must be configured to allow a 100 foot radius water supply protection zone to fit within the lot lines.
 - c. A 100 foot protection zone must be established around each proposed well site.
 - d. All irrigation lines, canals, and surface waters within 150ft of the plat are shown on the plat map.
 - e. The following statements shall be placed on the final plat:

"This plat appears to have suitable conditions for the use of on-site sewage disposal systems. However, because of the nature of the testing methods used, we have no way of determining whether each lot can comply with Benton- Franklin District Board of Health Rules and Regulations at the time of permit issuance."

"Further be advised this department's approval of any lot within this plat for the use of on-site sewage disposal systems may be contingent upon that lot passing additional soil inspections/percolation tests, and/or other requirements at a later date."

"The lots within this plat may have specific limitations and/or restrictions for the placement of on-site sewage disposal systems. The Benton-Franklin Health Department should be contacted for further information."
 - f. Prior to issuance of on-site sewage disposal permits, additional test holes may be required to verify acceptable area for initial and replacement sewage disposal system and design criteria such as trench depth on each lot.

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- g. Prior to final approval, a long plat final review fee (code 54.37 for \$200) must be submitted to this office for the final walk through review of the plat for compliance with Benton-Franklin Health Department Rules and Regulations No. 2 and WAC 246-272A, and for the issuance of appropriate comments to the Franklin County Planning Department.
4. **County Planning and Building Department:** Applicant shall meet and comply with the following requirements and standards, in addition to the SEPA conditions / mitigation measures:
- a. A geotechnical report is in process and the recommendations of the report, along with any addendums, shall be adhered to by the developer.
 - b. Future development on the site will be subject to standards and requirements in effect at the time that the building permits are applied for. Currently, the following applies, among other requirements, included in Title 17 (Zoning): Residential Design Standards of FCC 17.66.180, Landscape and Screening Design Standards of FCC 17.74.050, and Outdoor Residential Lighting Standards of FCC 17.66.150.
 - c. Developer shall comply with fire code standards contained in Franklin County Code Ch. 8.40.
 - d. **The following language shall be listed on the final plat under notes**, in addition to the fire separation standards and the park dedication fees notes (unless the park dedication fees are pre-paid):
 - Irrigation Requirements: "An outside or dedicated irrigation system shall be provided to each lot for the life of this development. No more than one-half (1/2) acre of land shall be irrigated from each exempt residential well."
 - "Collectively, no more than 5,000 gallons of water per day, including for irrigation purposes, may be used from exempt wells in this development."
 - "During construction on each property, all construction debris shall be maintained on-site and properly disposed of. Dust control measures including an adequate water supply shall be provided."
 - The County is not responsible for the maintenance of the private access road nor any associated facilities inside the easement.
 - **Franklin County is a Right to Farm area.** The Franklin County Right to Farm Ordinance, as amended, shall apply to activities in this area.

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- e. All of the statements that are required to be on the face of the plat shall be either: **1)** recorded as a restrictive covenant on each applicable parcel with the County Auditor **OR 2)** described in detail in the developer's covenants that is recorded and provided to each lot owner, prospective landowner, and the Planning Department at the time of final plat approval and recording.
- f. The applicant shall coordinate with the Planning and Building Department and County GIS Manager for the designation of **addresses and road names** for the development. **Both addresses and road names shall be shown on the final plat.**
- g. The applicant shall coordinate with the **Post Office** regarding centralized box unit (CBU) locations for the development.
- h. The land shall be in compliance with the County Fire and Nuisance codes at all times.
- i. Preliminary plat approval is valid for a **five (5) year period** following approval by the Board of County Commissioners.
- j. As proposed by the applicant this project will occur in one (1) phase and is not a phased development.
- k. Prior to obtaining the County Treasurer's Signature on the final plat, the applicant shall visit the County **Assessor's Office** to receive a Treasurer's Verification Form for the property.

Further, the applicant is encouraged to contact the **Assessor's Office and/or Treasurer's Office** to discuss potential property tax implications of the platting process. Items such as the removal of an open space designation and/or an advanced tax payment requirement for the property may be applicable.

- l. The Final Plat:
 - i. The Final Plat shall be developed by a licensed Surveyor.
 - ii. The Final Plat shall be developed in accordance with the County Subdivision Ordinance. See Franklin County Code Title 16 for specifications. The Planning and Building Department may be contacted at (509) 545-3521. The County Subdivision Ordinance may be found on-line at:
http://www.co.franklin.wa.us/planning/subdivision_ordinance.html.

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- iii. The Final Plat Signature Blocks shall be provided for the following: Big Bend Electric Coop; Chair, Franklin County Planning Commission; Chair, Board of County Commissioners; Benton Franklin Health District; USBR and SCBID (see specifications for the Bureau's signature block statement); County Engineer; County Treasurer; County Assessor; and County Auditor.
- iv. The final five (5) signatures (for final plat approval) to be obtained by the applicant are: #5 County Assessor; #4 County Treasurer (Ensure taxes are paid accordingly; Also see RCW 58.05.040); #3 County Planning Commission Chair (See Planning and Building Department for assistance in obtaining signature); #2 Chairman of Board of County Commissioners (County Commissioners typically sign final approval resolutions during a regularly scheduled public meeting date); #1 County Auditor's Office (Recording of the final plat).
- m. After final plat recording, one (1) paper copy and one (1) electronic copy (disk, cd, or e-mail-pdf) of the recorded plat shall be distributed to the Planning Director and one (1) paper copy to the County Assessor.

AND, WHEREAS, the public use and interest will be served by granting preliminary approval to the application;

NOW, THEREFORE, BE IT RESOLVED that the application be given preliminary approval in accordance with the provisions of the Franklin County Subdivision ordinance, codified in Title 16 of the Franklin County Code.

APPROVED THIS 21th DAY OF JUNE, 2022.

**BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON**

Chair

Chair Pro-Tem

Attest:_____
Clerk of the Board

Member

**PC Meeting Summary, April 12, 2022 PC Minutes,
Power Point Presentation**

SUB 2022-02

Kohler

FACT SHEET/STAFF SUMMARY
Meeting before the Franklin County Planning Commission

THIS IS A QUASI-JUDICIAL ACTION
PLEASE AVOID, AND DISCLOSE, ANY EX-PARTE COMMUNICATIONS (CH 42.36 RCW)

Case file: SUB 2022-02 (Subdivision) and SEPA 2022-03

PC Meeting Date: April 12, 2022

See the staff report for the application details, description, explanation of public notice, etc.

BACKGROUND/APPLICATION SUMMARY:

The proposal is for a Preliminary Plat (subdivision), to divide one parcel (total of 26.44 acres (net) in size) into 22 single-family residential lots (averaging one acre) in the RC-1 Zoning District. The subject parcels are designated as Rural Shoreline Development by the County's Comprehensive Plan.

The developer is proposing for the new parcels to be served with exempt on-site wells and on-site septic, with on-site water storage for fire prevention and suppression. The sites are located in the South Columbia Basin Irrigation District (SCBID) service area for irrigation service. The proposed plat is located within the Franklin PUD service area for electrical/ power service. The Pasco School District serves the area included in the plat.

The proposed plat includes the removal of an existing gravel road and the development of a new access road (paved) further east. The access to the site is via the north/south orientation of Dent Rd. (soon to be renamed Fraser Road).

Preliminary plat approval, if granted, will allow the applicant five years to complete and record the final subdivision plat.

SUMMARY OF THE PUBLIC HEARING:

Staff presented a summary of the application. The applicant's agent attended the public hearing. Staff recommended that the Planning Commission recommend to the Board of County Commissioners that it approve the request, based on six (6) suggested findings of fact, and four (4) conditions of approval. The Planning Commission recommended approval of the subdivision, with six (6) suggested findings of fact, and four (4) conditions of approval, and there were no appeals filed regarding the PC recommendation.

Findings of Fact Criteria Used by Planning Commission: The Planning Commission made and entered findings from the record and conclusions thereof as to whether or not:

1. The proposal is in accordance with the goals, policies, objectives, maps and/or narrative text of the comprehensive plan;
2. The proposal will adversely affect public infrastructure;

3. The proposal will be constructed, maintained and operated to be in harmony with the existing or intended character of the general vicinity;
4. The location and height of proposed structures and the site design will discourage the development of permitted uses on property in the general vicinity or impair the value thereof;
5. The operation in connection with the proposal will be more objectionable to nearby properties by reason of noise, fumes, vibrations, dust, traffic, or flashing lights than would be the operation of any permitted uses within the district;
6. The proposal will endanger the public health or safety if located and developed where proposed, or in any way will become a nuisance to uses permitted in the district.

At the April 12, 2022 meeting, the Planning Commission discussed the proposal, the record as provided, and suggested findings of fact.

The Planning Commission determined that, as proposed, the subdivision meets the intent and requirements of Franklin County Code, and the Franklin County Comprehensive Plan. A motion was made for a recommendation that the Franklin County Board of Commissioners approve the request regarding application SUB 2022-02, with six (6) findings of fact, and four (4) conditions of approval (as provided below).

Findings of Fact – Planning Commission: The Planning Commission (with assistance from Planning Staff) made and entered the following findings from the record, and conclusions thereof:

Suggested Findings of Fact:

1. Adequate provisions **have** been made for the public health, safety and general welfare and for open spaces, drainage ways, roads, alleys, or other public ways, water supplies, sanitary wastes, parks, playgrounds and other public needs;
 - a. Comprehensive Plan: The application is in compliance with the Franklin County Comprehensive Plan.
 - i. The property is zoned Rural Community Zone (RC-1)
 - ii. The Comprehensive Plan designation for the property is “Rural Shoreline Development.”
 - iii. The property is located outside of the City of Pasco Urban Growth Area.
 - b. Health:

The public health will not be negatively impacted by this proposal as current state requirements require compliance with septic standards.

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The applicant is required to comply with current state requirements for construction and operation of private wells.

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The property is located near Columbia River Road, southeast of the Columbia River Road and W Sagemoor Rd. intersection. The proposed subdivision will be accessed via the new extension of Fraser Road (currently the north/south oriented portion of Dent Road) proposed along the east boundary of the property, and internal access roads.

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The applicant is required to comply with local Health Department standards as it relates to the sanitary wastes (i.e. septic systems). The Health District has determined the following findings, and set forth conditions for the use of on-site septic systems.

- i. There are 22 proposed lots.
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- iii. All proposed lots are to be provided by a Single Family Well.
- iv. Soil logs excavated throughout the property found predominately Type 4 soils (sandy loams, and loamy med sands), to varying depths of Type 2 (coarse black sand, with occasional cobbles).
- v. Most lots are relatively flat throughout the property.

f. School/School grounds:

The project is located within the Pasco School District boundaries. Appropriate provisions for schools/school grounds are provided through public approved levies and general obligation bond measures. These funding mechanisms fund property acquisitions, fulfill maintenance and operations obligations, and fund new school construction. Washington state capital construction funds are commonly available on a match basis for school related construction.

No school impact fees have been implemented by Franklin County, but a voluntary agreement has been entered into between the applicant and PSD regarding the projects likely impacts to the PSD system.

g. Storm water:

Current county code requires that storm water be adequately addressed at the time of road construction and development. It is typical that engineered drainage swales are developed that will assist in compliance with storm water standards/requirements.

h. Parks:

Providing for adequate parks or other recreational facilities is necessary at the time of subdivision approval. Current county code requires that land be dedicated or a cash payment in lieu of dedication be provided.

i. Irrigation:

The project is located within the boundaries of the South Columbia Basin Irrigation District. The applicant has indicated that irrigation water will be provided to each lot via a private irrigation network that is supplied by South Columbia Basin Irrigation District. The project land does not currently have an irrigation water allotment; for irrigation water to be supplied, a Municipal and Industrial (M&I) Water Service Contract must be obtained from the United States Bureau of Reclamation.

j. Fire Protection:

The project is in the boundaries of Franklin County Fire District #3. The Plat will be utilize an underground water tank that will maintain year-round full storage. The County has adopted the 2015 International Fire Code. FD#3 is the reviewing agency during the subdivision review and processing to ensure compliance with fire protection standards. The applicant has proposed the use of a "standardized onsite water storage" for fire prevention / suppression to be in the form of a "20,000 gal underground tank, meeting FCC 8.40.080 requirements."

2. The proposed subdivision **does** contribute to the orderly development and land use patterns in the area;
 - a. The property is zoned Rural Community Zone (RC-1) and the development is consistent with the land use patterns in the area. The Franklin County Comprehensive Plan designates this area for Rural Shoreline Development.
 - b. All lots comply with the required width/depth and lot frontage standards for new lots.
3. The public use and interest **will** be served by permitting the proposed subdivision;
 - a. The development, as conditioned, complies with the County Development Regulations.
 - b. Payment of park dedication fees benefit the public use and interest of this area.
4. The proposed subdivision **does** conform to the general purposes of any applicable policies or plans which have been adopted by the Board of County Commissioners;
 - a. The proposed subdivision conforms to the minimum lot size requirements of the Franklin County Zoning Ordinance.

- b. The proposed subdivision conforms to the requirements of the Franklin County Subdivision Ordinance, including the minimum lot dimensions, lot requirements, and width/depth standards.
 - c. The site contains critical erosion hazard areas and a Geotech report is being prepared meeting the requirement of FCMC Chapter 18.08, which includes recommendations for development and construction on the site.
 - d. A State Environmental Policy Act (SEPA) review has been completed for this project.
5. The proposed subdivision **does** conform to the comprehensive plan and zoning requirements;
- a. The Franklin County Comprehensive Plan designates this area for Rural Shoreline Development.
 - b. The average lot size in the new development is approximately 44,990 square feet. The new lots comply with the minimum lot size requirement of the zoning district.
 - c. The development conforms to both the current zoning designation and the Comprehensive Plan.
6. The proposed subdivision **does** conform to the general purposes of the Subdivision Ordinance.
- a. This development does comply with the purpose of the County Subdivision code. The purpose of the code is to regulate the division of land within unincorporated Franklin County. This Ordinance is to also further the purpose of promoting the health, safety, convenience, comfort, prosperity, and general welfare of the present and future inhabitants of Franklin County, and to:
 - i. Prevent the overcrowding of land;

Each lot in the development is 45,042 square feet or greater in size, which complies with the zoning ordinance and comprehensive plan.
 - ii. Lessen congestion and promote safe and convenient travel by the public on roads and highways;

The proposal effectively adds 21 new homes to the development potential of the site, which will produce additional trips on the highway system but will not result in detrimental effects.
 - iii. Promote the effective use of land;

The development utilizes the existing landscape and fulfils the intent of the County Zoning code.

- iv. Provide for adequate light and air;

The proposed sizes of the new lots in the development are of a size to provide adequate light and air to new homes and the surrounding lands.

- v. Facilitate adequate provision for water, sewerage, drainage, parks and recreational areas, and other public requirements;

Adequate provisions are being proposed and required for this development as it relates to water, sewerage, drainage, parks and recreational areas, and other public requirements. These provisions are addressed specifically in Findings of Fact #1.

- vi. Provide for proper ingress and egress;

Proper ingress and egress are provided for this development. The Franklin County Public Works Department has reviewed the proposal for proper ingress and egress and have determined that a prohibition for direct access to the new Fraser Road is necessary for public safety purposes.

- vii. Provide for the expeditious review and approval of proposed land divisions which comply with this Ordinance, the Franklin County Zoning Standards, other County Plans, policies and land use controls, and Chapter 58.17 R.C.W.;

The land development process for this project complies with all applicable County Ordinances, R.C.W.'s, and associated timelines for development review.

- viii. Adequately provide for the housing, commercial, and industrial needs of the citizens of the State and County;

This 22-lot development is located in an area zoned Rural Community Zone (RC-1) which has a rural residential environment intent.

- ix. Require uniform monumenting of land divisions and conveyance by accurate legal descriptions;

The development proposal complies with the provisions of the County Subdivision Ordinance as it relates to monumenting and legal description development.

- x. Implement the goals, objectives and policies of the Comprehensive Plan;

The Franklin County Comprehensive Plan designates this property for Rural Shoreline Development.

The proposed development proposes an average lot size of 44,990 square feet, is in compliance and consistent with local land use controls, and is compatible with the surrounding residential area.

Suggested Conclusions of Law:

1. An application was received for the Kohler Subdivision preliminary plat on February 1, 2022 and the application was deemed complete on February 1, 2022.
2. The SEPA process has been completed and a MDNS was issued. Amended MDNS was issued on May 4, 2022 and sent to agencies who had commented on previous MDNS, along with posting the amended MDNS in the SEPA registry.
3. Following an open record pre decision hearing on a proposed preliminary plat, the Planning Commission shall render a recommendation to the board of county commissioners as to whether the proposal based on the findings shall be denied, approved or approved with medications or conditions.
4. The review criteria of FCC 16.20.070 were used to develop the findings of fact.

Suggested Conditions of Approval:

1. Applicant shall comply with the **County Public Works Department** requirements including:
 - a. The final plat shall be accompanied with closure notes conforming to Franklin County Subdivision Ordinance Section 7.10 (C)(4) for the subdivision boundary and all lots.
 - b. The following notes are required on the final plat:
 - i. All new approaches to County Roads will require an approach permit at the time of building permit application.
 - ii. No lot within this subdivision shall have direct access to Fraser Road.
 - iii. Lot owners shall agree to participate in any future L.I.D./R.I.D.'s for roads, drainage, curb & gutters, streetlights, storm sewers, water and/or sanitary sewers.
 - iv. Lot owners shall be responsible for the maintenance of drainage ditches or swales per the design as shown on the road construction plans for this development, unless they are no longer necessary due to an alternate drainage system being installed.
 - v. Lot owners shall provide landscaping within the unimproved portion of the right-of-way between the property line and the edge of pavement and/or curb. This shall consist of grass/lawn, river rock, basalt rock, gravel (less than three inches in diameter), or other traditional residential landscaping material. Maintenance of the landscaping is the requirement of each individual lot owner.

- c. All utilities serving the subdivision must be installed underground, per Franklin County Code Chapter 7, Section 7.9A.
 - d. Permanent control monuments shall be installed in accordance with Franklin County Standard Plans H-6 and H-7 (brass cap in monument case) for centerline monuments when the road is constructed.
 - e. This development shall comply with the Franklin County Comprehensive Parking Ordinance, as defined in Franklin County Code Section 10.12, except that provisions for "on-street parking on one side of County roads" will not be permitted.
 - f. Cul-de-sacs shall be designed with a 47 foot minimum radius, per Franklin County Design Standards, Division 1-03.4. The cul-de-sac shall be a hard surface, per Franklin County Code Section 16.12.020(D)(2). The minimum right-of-way shall be 55 feet or larger to accommodate the hard surface and allow for proper drainage ditches or swales.
 - g. Reference primary survey control points to section corners and monuments conforming to Franklin County Code Section 16.28.100(B).
 - h. Prior to final plat approval, all roads must be completed to county standards.
 - i. The final plat shall be accompanied with State Plane Coordinates conforming to Franklin County Subdivision Ordinance Section 7.10 (C)(1) and as set forth by state statutes for recording coordinates as described in RCW 58.20.180.
 - j. The developer shall provide landscape fabric and river rock, basalt rock, gravel (less than three inches in diameter), or other traditional residential landscaping material within the unimproved portion of the right-of-way between the property line/estate wall and the edge of pavement and/or curb to assist in weed control along future Fraser Road.
 - k. Per the Engineers Report dated 4/18/2016, titled Dent Road Future Extension, a full width roadway is to be constructed to current county standards for Fraser Road.
 - l. The developer shall provide landscape fabric and river rock, basalt rock, gravel or other traditional residential landscaping material within the unimproved portion of the right-of-way between the property line and the edge of pavement and/or curb to assist in weed control along Columbia River Road and W Sagemoor Road.
2. The plat must have irrigation water delivery and therefore must meet conditions set forth by the **South Columbia Basin Irrigation District**:
- a. Conditions are listed within their agency comment letter dated March 15, 2022 and is included within the agency comment section of the packet.

3. **Benton-Franklin Health District:** The applicant shall meet and comply with the standards and adopted rules of the Health District:
 - a. All lots within the plat must be a minimum of 1 acre and contain a minimum of 18,000 square feet of usable land area after all easements and encumbrances are subtracted.
 - b. Each lot must be configured to allow a 100 foot radius water supply protection zone to fit within the lot lines.
 - c. A 100 foot protection zone must be established around each proposed well site.
 - d. All irrigation lines, canals, and surface waters within 150ft of the plat are shown on the plat map.
 - e. The following statements shall be placed on the final plat:
"This plat appears to have suitable conditions for the use of on-site sewage disposal systems. However, because of the nature of the testing methods used, we have no way of determining whether each lot can comply with Benton- Franklin District Board of Health Rules and Regulations at the time of permit issuance."
"Further be advised this department's approval of any lot within this plat for the use of on-site sewage disposal systems may be contingent upon that lot passing additional soil inspections/percolation tests, and/or other requirements at a later date."

"The lots within this plat may have specific limitations and/or restrictions for the placement of on-site sewage disposal systems. The Benton-Franklin Health Department should be contacted for further information."
 - f. Prior to issuance of on-site sewage disposal permits, additional test holes may be required to verify acceptable area for initial and replacement sewage disposal system and design criteria such as trench depth on each lot.
 - g. Prior to final approval, a long plat final review fee (code 54.37 for \$200) must be submitted to this office for the final walk through review of the plat for compliance with Benton-Franklin Health Department Rules and Regulations No. 2 and WAC 246-272A, and for the issuance of appropriate comments to the Franklin County Planning Department.
4. **County Planning and Building Department:** Applicant shall meet and comply with the following requirements and standards, in addition to the SEPA conditions / mitigation measures:
 - a. A geotechnical report is in process and the recommendations of the report, along with any addendums, shall be adhered to by the developer.
 - b. Future development on the site will be subject to standards and requirements in effect at the time that the building permits are applied for. Currently, the following applies, among other requirements, included in Title 17 (Zoning): Residential Design Standards of FCC 17.66.180, Landscape and Screening Design Standards of FCC 17.74.050, and Outdoor Residential Lighting Standards of FCC 17.66.150.

- c. Developer shall comply with fire code standards contained in Franklin County Code Ch. 8.40.
- d. **The following language shall be listed on the final plat under notes**, in addition to the fire separation standards and the park dedication fees notes (unless the park dedication fees are pre-paid):
 - Irrigation Requirements: "An outside or dedicated irrigation system shall be provided to each lot for the life of this development. No more than one-half (1/2) acre of land shall be irrigated from each exempt residential well."
 - "Collectively, no more than 5,000 gallons of water per day, including for irrigation purposes, may be used from exempt wells in this development."
 - "During construction on each property, all construction debris shall be maintained on-site and properly disposed of. Dust control measures including an adequate water supply shall be provided."
 - The County is not responsible for the maintenance of the private access road nor any associated facilities inside the easement.
 - **Franklin County is a Right to Farm area.** The Franklin County Right to Farm Ordinance, as amended, shall apply to activities in this area.
- e. All of the statements that are required to be on the face of the plat shall be either: **1)** recorded as a restrictive covenant on each applicable parcel with the County Auditor **OR 2)** described in detail in the developer's covenants that is recorded and provided to each lot owner, prospective landowner, and the Planning Department at the time of final plat approval and recording.
- f. The applicant shall coordinate with the Planning and Building Department and County GIS Manager for the designation of **addresses and road names** for the development. **Both addresses and road names shall be shown on the final plat.**
- g. The applicant shall coordinate with the **Post Office** regarding centralized box unit (CBU) locations for the development.
- h. The land shall be in compliance with the County Fire and Nuisance codes at all times.
- i. Preliminary plat approval is valid for a **five (5) year period** following approval by the Board of County Commissioners.
- j. As proposed by the applicant this project will occur in one (1) phase and is not a phased development.
- k. Prior to obtaining the County Treasurer's Signature on the final plat, the applicant shall visit the County **Assessor's Office** to receive a Treasurer's Verification Form for the property.

Further, the applicant is encouraged to contact the **Assessor's Office and/or Treasurer's Office** to discuss potential property tax implications of the platting process. Items such as the removal of an open space designation and/or an advanced tax payment requirement for the property may be applicable.

- I. The Final Plat:
 - i. The Final Plat shall be developed by a licensed Surveyor.
 - ii. The Final Plat shall be developed in accordance with the County Subdivision Ordinance. See Franklin County Code Title 16 for specifications. The Planning and Building Department may be contacted at (509) 545-3521. The County Subdivision Ordinance may be found on-line at:
http://www.co.franklin.wa.us/planning/subdivision_ordinance.html.
 - iii. The Final Plat Signature Blocks shall be provided for the following: Big Bend Electric Coop; Chair, Franklin County Planning Commission; Chair, Board of County Commissioners; Benton Franklin Health District; USBR and SCBID (see specifications for the Bureau's signature block statement); County Engineer; County Treasurer; County Assessor; and County Auditor.
 - iv. The final five (5) signatures (for final plat approval) to be obtained by the applicant are: #5 County Assessor; #4 County Treasurer (Ensure taxes are paid accordingly; Also see RCW 58.05.040); #3 County Planning Commission Chair (See Planning and Building Department for assistance in obtaining signature); #2 Chairman of Board of County Commissioners (County Commissioners typically sign final approval resolutions during a regularly scheduled public meeting date); #1 County Auditor's Office (Recording of the final plat).
- m. After final plat recording, one (1) paper copy and one (1) electronic copy (disk, cd, or e-mail-pdf) of the recorded plat shall be distributed to the Planning Director and one (1) paper copy to the County Assessor.

Suggested Motion: I move that the Board of County Commissioners adopt the recommendation of the Planning Commission and approve the preliminary plat, SUB 2022-02, based upon the six (6) written findings of fact, and four (4) conditions of approval.

ITEM UNDER REVIEW FROM APRIL 12TH PC MEETING

ITEM #4 – SUB 2022-02/SEPA 2022-03

Proposal for a preliminary subdivision of one parcel (total of 26.44 acres (net) in size) into 22 single-family residential lots (averaging one acre) in the RC-1 Zoning District..

APPLICANT/OWNER: Big Sky Developers, LLC.

SURVEYOR/ENGINEER: Aqtera Engineering, LLC.

OPEN PUBLIC HEARING:

Chair Corrales opened hearing at 8:10 PM.

STAFF REPORT:

Mr. Braaten presented the staff report to the commission, lasted approximately 13 minutes.

COMMISSIONER QUESTIONS FOR STAFF:

- Commissioner Vincent has a question regarding fire suppression with this type of development.
 - Mr. Braaten responded to the question

APPLICANT/REPRESENTATIVE PRESENTATION:

- Caleb Stromstad of Aqtera Engineering presented on behalf of Big Sky Developers, LLC.
 - Addressed one of the public comments that staff received during the public comment period.
 - Commented on that Aqtera did a cultural survey for DAHP, and determined there is a known archaeological site near the river.
 - He further addressed Commissioner Vincent's comment to staff about the fire suppression for the subdivision.

COMMISSIONER QUESTIONS FOR APPLICANT:

- Commissioner Vincent commented about the proposed stop sign at Dent Road.
 - Mr. Stromstad answered the question and Mr. Braaten further explained the different scenarios.
 - There was further discussion between Commissioner Vincent and Mr. Braaten regarding the stop sign situation and concerns about accidents and fatalities.

PUBLIC COMMENTS:

- No public or email comments, for, against, or neutral about the agenda item.

CLOSING PUBLIC HEARING ITEM:

Chair Corrales closed the public hearing portion of this item at 8:30 PM.

Commissioner Kniveton made a motion to forward to the Board of County Commissioners a recommendation of approval for SUB 2022-02/SEPA 2022-03 with the six (6) adopted findings of fact and four (4) conditions of approval.

Commissioner Vincent seconded the motion.

ITEM UNDER REVIEW FROM APRIL 12TH PC MEETING

ROLL CALL VOTE:

Mike Corrales:	Yes
Melinda Didier:	Yes
Mike Vincent:	Yes
Layton Lowe:	Absent
Peter Harpster:	Recused/Cannot vote on this agenda item
Manny Gutierrez:	Yes
Stacy Kniveton:	Yes

The motion is approved for SUB 2022-02 at 8:31 PM.

The remainder of the meeting minutes are being EXCLUDED, as the next part of the meeting addressed an item will go to the Board of County Commissioners at a future date, which is subject to the state Appearance of Fairness Doctrine.

AGENDA ITEM # 4

SUB 2022-02 **SUBDIVISION DEVELOPMENT KOHLEK SUBDIVISION**



FRANKLIN COUNTY PLANNING COMMISSION
Tuesday, April 12, 2022

SUB 2022-02

- **Parcel Number:** 126-150-015
- **Location:** The property is generally located North of Dent Road, West of Richview Drive, South of Fanning Road, and East of the Columbia River.
- **Comp. Plan:** Rural Shoreline Development
- **Zoning:** Rural Community 1 (RC-1) Zone

SUB 2022-02

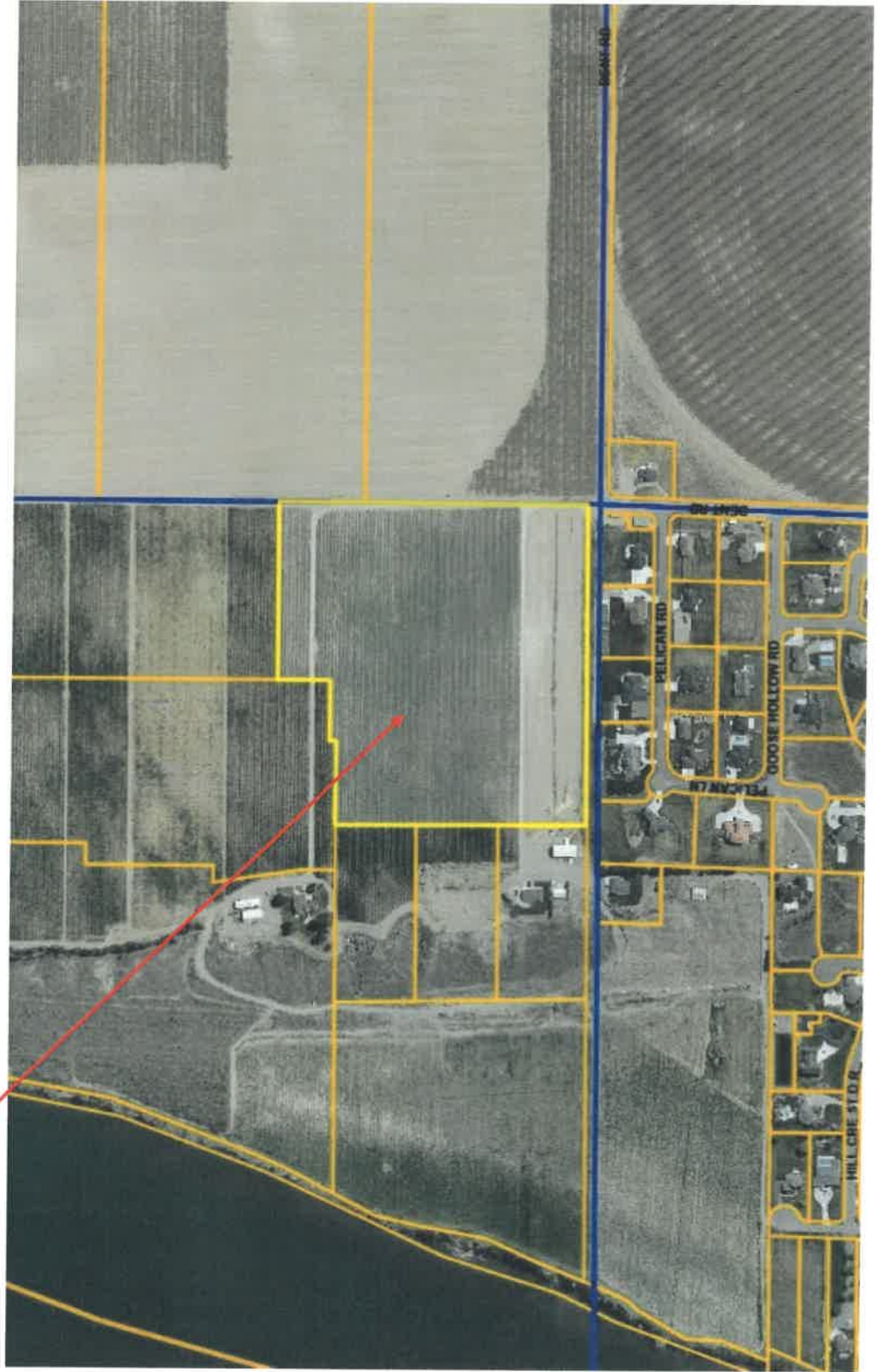


- ☐ **Request:** Applicant is seeking to allow for the development of a single-family residential subdivision, comprising of twenty-two (22), one (1) acre average, lots.
- ☐ **Property size:** The current property size of the parcel is approximately 29.45 acres.

SUB 2022-02

VICINITY MAP

SUBJECT AREA



DEPARTMENT OF AGRICULTURE, WASHINGTON, D. C.

SUB 2022-02

ASSESSOR PHOTOS



SUB 2022-02

SITE PHOTOS



SUB 2022-02

PUBLIC NOTICE

- ☐ Staff notified agencies on March 03, 2022.
- ☐ Staff mailed notices to property owners within one (1) mile on March 03, 2022.
- ☐ Sign was posted on the property on, or about, March 03, 2022.
- ☐ Public notice was published in the Franklin County Graphic on March 03, 2022.

SUB 2022-02

SEPA REVIEW



- SEPA Mitigated Determination of Non-Significance (MDNS) was issued on March 03, 2022.
 - SEPA Registry #202200891
- Based on findings, the SEPA responsible official determined additional mitigation measures for the proposal.

SUB 2022-02

PUBLIC COMMENTS

Received two (2) comments from the public regarding this proposal:

From: ROBERT CAROSINO <bobcar@msn.com>
Sent: Wednesday, March 30, 2022 10:44 AM
To: Derrick Braaten; planninginquiry
Subject: [EXTERNAL] Kohler Subdivision Preliminary Plat SUB2022-02

CAUTION: This email originated from outside of Franklin County. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I wish to comment on the above plat approval and submit a request for review of County Policy on parkland set-aside in the River Corridor area of Franklin County south of Segemoor.

This plat of another portion of the former Kohler Vineyards, continues a process of urbanization of the Franklin County shoreline within the river corridor area. None of the former Kohler residential plats, and this current proposal, provide no dedicated areas for parks. While that may be reasonable for isolated residential development in the farming portions of Franklin County, it is obvious that the river corridor area, out North to Segemoor farms, is rapidly undergoing conversion to residential development, paced only by the rate at which "farmer developers, wish to monetize their holdings. I have no objection to acre residential plats, but these subdivisions should include suburban/urban amenities such as dedicated parklands for the thousands of new residents that will soon live in this area. The parks should include access to the Columbia River, which is of course the crown jewel of the Tri-Cities, and the reason that the County allowed suburban residential development in this area. It is not a long term farming area. Yet the piecemeal subdivision of these farms has been allowed to continue without any set-aside of lands for parks, and no waterfront parks. The fee charged to developers for platting lands without parks has not been adjusted for extraordinary increase in residential land values in this area, and therefore will not provide sufficient funds to acquire park lands in this area in the future.

Therefore I request that the Planning Commission and the County Commissioners change the policy on parkland in the river corridor area up to Segemoor, and establish and acquire lands for future parks, either by dedication of lands to such purposes by developers in residential plats, or by increasing the fee paid in lieu of such dedication to make it a reasonable sum considering the hugely increased residential land values in this area.

Future residents of this part of Franklin County are going to be very dissatisfied with the lack of park and waterfront access that the current policies of the County are fostering. The County need not develop these parks now, but the land should be in public ownership for that future use, as it will be demanded when the area is all residential.

As to this current subdivision proposal, I would ask the Planning Commission to seek a set-aside of some parkland, and an access easement to the public that would in the future allow access to the Corp of Engineers waterfront on the remaining parts of the old Kohler farms to the west. Planning for such access will make the subdivision even more valuable to the developer, and will therefore not increase the developers costs. It will however start the process of making the transition of the river corridor area more appropriate for the transition to residential development that is now taking place.

Please share my comments with the County Commissioners and the Planning Commission.

Thank you

Aaron Gunderson

From: Gabo Suarez <gabo1suarez@gmail.com>
Sent: Monday, March 14, 2022 7:08 PM
To: planninginquiry
Subject: [EXTERNAL] Comments - SUB2022-02 and SEP A 2022-03

CAUTION: This email originated from outside of Franklin County. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

My name is Gabriel Suarez and my wife and I live on the corner of Dent Road and Pelican Road. In the last 6 years of living here we have had our fence ran into 3 times by vehicle's driving to fast on the sharp 90 degree turn on Dent. I have concerns with more traffic being introduced with the new housing development, what is going to be done on the turn to make it safe for our family and children?

Thanks,
Gabriel

SUB 2022-02

AGENCY COMMENTS

□ Received comments from the following agencies, during the comment period:

- South Columbia Basin Irrigation District
- Franklin County Irrigation District
- WA Dept. of Transportation
- City of Pasco
- Dept. of Archaeology & Historic Preservation
- Franklin County Public Works
- Franklin County Assessor's Office
- Dept. of Ecology
- Benton-Franklin Health District

SUB 2022-02

SUGGESTED RECOMMENDATION



- The Franklin County Planning Department recommends that the Planning Commission forward a **POSITIVE** recommendation to the Franklin County Board of County Commissioners for **SUB 2022-02**. This recommendation may be forwarded with the suggested findings of fact, conclusions of law, and conditions of approval.

Agenda Item #4

STAFF REPORT

SUB 2022-02

Kohler Subdivision

FACT SHEET/STAFF REVIEW

Hearing before the Franklin County Planning Commission

NOTE TO PLANNING COMMISSIONERS:
THIS IS A QUASI-JUDICIAL PUBLIC HEARING
PLEASE AVOID, AND DISCLOSE, ANY EX-PARTE COMMUNICATIONS (CH 42.36 RCW)

Case file: SUB 2022-02/ SEPA 2022-03
"Kohler Estates" (Preliminary Plat of 22 Single-Family Residential Lots)

Hearing Date: April 12, 2022

Applicant: Big Sky Development, LLC

Owner(s): Debra Kohler

Location: The properties are generally located North of Dent Rd., West of Richview Dr., South of Fanning Rd. and East of the Columbia River. The site is situated in a portion of the Southeast 1/4 of the Southwest 1/4 of Section 36, Township 10, Range 28, W.M. in Franklin County, WA.

Legal Description: 126-150-015: THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 10 NORTH, RANGE 28 EAST, W.M., FRANKLIN COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS: ALL THOSE PORTIONS OF 'REVISED PARCEL PARCELS C AND D', SHOWN ON RECORD OF SURVEY RECORDED UNDER AUDITOR'S FILE NUMBER 1934236, LYING SOUTHERLY OF THE FOLLOWING DESCRIBED LINES: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE NORTH 00°46'25" WEST ALONG THE EAST LINE OF SAID QUARTER AND ALONG THE EAST LINE OF SAID 'REVISED PARCEL C' A DISTANCE OF 1001.96 FEET TO THE TRUE POINT OF BEGINNING; THENCE LEAVING SAID EAST LINE, SOUTH 89°13'35" WEST A DISTANCE OF 891.21 FEET; THENCE SOUTH 00°46'25" EAST A DISTANCE OF 25.00 FEET; THENCE SOUTH 89°13'35" WEST A DISTANCE OF 312.52 FEET TO AN ANGLE POINT IN THE WEST LINE OF SAID 'REVISED PARCEL D' AND THE END OF THIS DESCRIPTION.

Property size: The project comprises of 1 parcel approximately 29.45 acres in size.

Area to be used: Approx. 29.45 acres

Land Use: Vacant

Comp Plan: Rural Shoreline Development

Zoning: RC-1 Rural Community 1 acre

SEPA

Determination: The applicant provided a SEPA checklist and the County planning staff made some additions/ corrections to the checklist. The County issued a Mitigated Determination of Non-Significance (MDNS) on March 3, 2022 with several findings and mitigation measures.

Suggested

Recommendation: Positive recommendation with six findings of fact, conclusions of law, and four conditions of approval.

APPLICATION DESCRIPTION:

The proposal is for a Preliminary Plat (subdivision), to divide one parcel (total of 29.45 acres in size) into 22 single-family residential lots (averaging one acre) in the RC-1 Zoning District. The subject parcels are designated as Rural Shoreline Development by the County's Comprehensive Plan.

The developer is proposing for the new parcels to be served with exempt on-site wells and on-site septic, with an on-site water storage for fire prevention and suppression. The sites are located in the South Columbia Basin Irrigation District (SCBID) service area for irrigation service. The proposed plat is located within the Franklin PUD service area for electrical/ power service. The Pasco School District serves the area included in the plat.

The proposed plat includes the removal of an existing gravel road and the development of a new access road (paved) further east. The access to the site is via Dent Rd.

Preliminary plat approval, if granted, will allow the applicant five years to complete and record the final subdivision plat.

STAFF ANALYSIS

This property is outside of the City of Pasco's UGA, located within the Franklin County Rural Shoreline Development area. However, the City of Pasco provided agency comments covering various topics ranging from intergovernmental agreements to fire management. Intergovernmental agreements are a public policy matter. If the City desires to enter into an intergovernmental agreement with the County, they will need to discuss matters with the Board of County Commissioners (BOCC). This is not the responsibility of the applicant to resolve, or within the purview of a Planning Commission recommendation.

City of Pasco's Fire Division indicated that Franklin County Code (FCC) Ch. 8.40 and the International Fire Code requires the installation of fire hydrant/water system. FCC 8.40.080 provides the option of either having on-site water storage or increased structural setbacks in situations "...where adequate and reliable water sources do not exist or where the development of full fire-flow requirements [are] impractical." The applicant has indicated they will be installing an on-site water storage system with a 20,000 Gal tank, which will meet the requirements contained in FCC 8.40.080.

City of Pasco's Planning Division indicated the plat creates at least one landlocked parcel (parcel #126-230-062). Staff is unsure about how this parcel is landlocked, considering it has access to Fraser Dr. from the southeastern corner of the property.

VICINITY MAP:



PUBLIC NOTICE:

1. A SEPA DNS notice was distributed to agencies on March 3, 2022 and posted to the online SEPA Register under file #202200891.
2. A joint Public Hearing Notice and SEPA Notice of MDNS was published in the **Franklin County Graphic** on March 3, 2022.
3. Property Owners within 1 mile were mailed notice regarding the public hearing and the SEPA threshold decision around March 3, 2022.
4. County staff e-mailed review packets to Technical Agencies on March 3, 2022.
5. County staff posted a sign on the property on March 3, 2022.

APPLICABLE STANDARDS/ORDINANCES:

1. Franklin County Code Chapter 17.18 RC-1 Rural Community Zone
2. Franklin County Code Chapter 18.04 State Environmental Policy Act Guidelines
3. Franklin County Code Chapter 18.08 Critical Areas/ Resource Area Protection Standards
4. Franklin County Code Title 16 Subdivisions
5. Franklin County Comprehensive Plan

SEPA ENVIRONMENTAL REVIEW

The proposal was not exempt from SEPA, as the number of lots proposed and the volume of grading triggered the requirement for environmental review. Based on findings, the SEPA responsible official determined the following mitigation measures for the proposal, which apply to the plat and are in addition to any Preliminary Plat conditions determined by the County Board of Commissioners:

1. Recommendations for earthwork (including removal of vegetation and deleterious debris, subgrade preparation, material reuse, slope stability, compaction, wet weather construction, etc.), contained in the "Columbia River Road Residential Development, Franklin County Washington by Baer Testing Inc. (dated November 4, 2020) and addendums to the report shall all be adhered to.
2. Applicant is required by the Department of Ecology to apply for a Construction Stormwater General Permit. This is based upon comments received by the Department of Ecology dated March 16, 2022. For more information, please see agency letter contained in the agency comment section.
3. Best Management Practices (BMP) to minimize dust during construction shall be used, such as watering the site in accordance with local air-quality requirements. Vegetative cover or a tackifier shall be provided as soon as practicable following clearing and grading. Dust control shall comply with applicable local standards.
4. Should archaeological materials (*e.g. bones, shell, stone tools, beads, ceramics, old bottles, hearths, etc.*) or human remains be observed during project activities, all work in the immediate vicinity shall stop. The State Department of Archaeology and Historic Preservation (360-586-3065), the Franklin County Planning and Building Department, the affected Tribe(s) and the county coroner (if applicable) shall be contacted immediately in order to help assess the situation and determine how to preserve the resource(s). Compliance with all applicable laws pertaining to archaeological resources (RCW 27.53, 27.44 and WAC 25-48) is required.
5. Project shall comply with fire code provisions as expressed in Franklin County Code Ch. 8.40.
6. A drainage system shall be designed to capture and dispose of stormwater runoff onsite.
7. A source of irrigation water shall be implemented and provided during the life of the project. If no outside irrigation service is available, a note shall be placed on the plat stating that no more than one-half (1/2) acre of land shall be irrigated from each exempt residential well.
8. No more than 5,000 gallons per day may be withdrawn from groundwater to serve the development. A note shall be placed on the face of the plat regarding this limitation.

AGENCY COMMENTS/CRITERIA FOR FINDINGS OF FACT:

1. **County Public Works Department:** The public works department issued the following comments on March 11, 2022:

- a. The final plat shall be accompanied with closure notes conforming to Franklin County Subdivision Ordinance Section 7.10 (C)(4) for the subdivision boundary and all lots.
- b. The following notes are required on the final plat:
 - 1. All new approaches to County Roads will require an approach permit at the time of building permit application.
 - 2. No lot within this subdivision shall have direct access to Fraser Road.
 - 3. Lot owners shall agree to participate in any future L.I.D./R.I.D.'s for roads, drainage, curb & gutters, streetlights, storm sewers, water and/or sanitary sewers.
 - 4. Lot owners shall be responsible for the maintenance of drainage ditches or swales per the design as shown on the road construction plans for this development, unless they are no longer necessary due to an alternate drainage system being installed.
 - 5. Lot owners shall provide landscaping within the unimproved portion of the right-of-way between the property line and the edge of pavement and/or curb. This shall consist of grass/lawn, river rock, basalt rock, gravel (less than three inches in diameter), or other traditional residential landscaping material. Maintenance of the landscaping is the requirement of each individual lot owner.
- c. All utilities serving the subdivision must be installed underground, per Franklin County Code 16.28.090.
- d. Permanent control monuments shall be installed in accordance with Franklin County Standard Plans H-6 and H-7 (brass cap in monument case) for centerline monuments when the road is constructed.
- e. This development shall comply with the Franklin County Comprehensive Parking Ordinance, as defined in Franklin County Code Section 10.12, except that provisions for "on-street parking on one side of County roads" will not be permitted.
- f. Cul-de-sacs shall be designed with a 47 foot minimum radius, per Franklin County Design Standards, Division 1-03.4. The cul-de-sac shall be a hard surface, per Franklin County Code Section 16.12.020(D)(2). The minimum right-of-way shall be 55 feet or larger to accommodate the hard surface and allow for proper drainage ditches or swales.
- g. Reference primary survey control points to section corners and monuments conforming to Franklin County Code Section 16.28.100(B).
- h. Prior to final plat approval, all roads must be completed to county standards.

- i. The final plat shall be accompanied with State Plane Coordinates conforming to Franklin County Subdivision Ordinance Section 7.10 (C)(1) and as set forth by state statutes for recording coordinates as described in RCW 58.20.180.
 - j. The developer shall provide landscape fabric and river rock, basalt rock, gravel or other traditional residential landscaping material within the unimproved portion of the right-of-way between the property line and the edge of pavement and/or curb to assist in weed control along future Fraser Road.
 - k. Per the Engineers Report dated 4/18/2016, titled Dent Road Future Extension, a full width roadway is to be constructed to current county standards for Fraser Road.
 - l. A signature must be obtained from the Public Works office. To expedite the process, the applicant shall address all comments and email a final copy for review along with any additional documents (i.e. closure notes). A field check will be scheduled if needed. Once complete, Public Works will notify the applicant if any conditions remain or if all the conditions have been met and a signature can be obtained.
2. **South Columbia Basin Irrigation District:**
 - a. Received comments dated March 15, 2022. For more information, please see agency letter contained in agency comments section of packet.
3. **Franklin County Irrigation District (FCID):**
 - a. Property is outside of Franklin County Irrigation service area. No comments.
4. **WSDOT:**
 - a. Received comments dated March 10, 2022. For more information, please see agency letter contained in agency comments section of packet.
5. **City of Pasco:**
 - a. Received comments dated March 17, 2022. For more information, please see agency letter contained in agency comments section of packet.
6. **Pasco School District 1:** No comments received.
7. **US Army Core of Engineers:** No comments received.
8. **Department of Archaeology & Historic Preservation (DAHP):**
 - a. Received comments dated March 29, 2022. For more information, please see agency letter contained in agency comments section of packet.
9. **Confederated Tribes of Umatilla Indian Reservation:** No comments received.
10. **Colville Confederated Tribes:** No comments received.

11. **Yakama Valley Nation:** No comments received.
12. **Benton-Franklin Health District (BFHD):** Applicant shall meet and comply with the standards of the Benton-Franklin Health Department (See letter dated January 11, 2022 from BFHD to Applicant).

The Health District made the following findings:

- a. There are 22 proposed lots.
- a. Proposed land use is for single family dwellings.
- b. All proposed lots are to be provided by a Single Family Well.
- c. Soil logs excavated throughout the property found predominately Type 4 soils (sandy loams, and loamy med sands) to varying depths of Type 2 (coarse black sand, with occasional cobbles).
- d. Most lots are relatively flat throughout the property.

The Health district further states these findings indicate the plat generally meets their requirements for plats utilizing on-site sewage disposal systems and Single Family Wells provided the following conditions are met:

- a. All lots within the plat must be a minimum of 1 acre and contain a minimum of 18,000 square feet of usable land area after all easements and encumbrances are subtracted.
- b. Each lot must be configured to allow a 100 foot radius water supply protection zone to fit within the lot lines.

Or

- c. A 100 foot protection zone must be established around each proposed well site.
- c. All irrigation lines, canals, and surface waters within 150ft of the plat are shown on the plat map.
- d. Prior to issuance of on-site sewage disposal permits, additional test holes may be required to verify acceptable area for initial and replacement sewage disposal system and design criteria such as trench depth on each lot.
- e. Prior to final approval, a long plat final review fee (code 54.37 for \$200) must be submitted to this office for the final walk through review of the plat for compliance with Benton-Franklin Health Department Rules and Regulations No. 2, and WAC 246-272A, and for the issuance of appropriate comments to the Franklin County Planning Department.
- f. The following statements shall be placed on the final plat:

"This plat appears to have suitable conditions for the use of on-site sewage disposal systems. However, because of the nature of the testing methods used, we have no way of determining whether each lot can comply with Benton- Franklin District Board of Health Rules and Regulations at the time of permit issuance."

"Further be advised this department's approval of any lot within this plat for the use of on-site sewage disposal systems may be contingent upon that lot passing additional soil inspections/percolation tests, and/or other requirements at a later date."

"The lots within this plat may have specific limitations and/or restrictions for the placement of on-site sewage disposal systems. The Benton-Franklin Health Department should be contacted for further information."

- g. It is recommended that some provisions be made to facilitate future connection to a municipal sewer utility at such time as said utility becomes available.

The district further indicated in there agency notice response that prior to final approval, a long plat final review fee (Code 54.37 for \$200) must be submitted to BFHD for the final walk through review of the plat for compliance with Benton-Franklin Health Department Rules and Regulations No. 2, and WAC 246- 272A, and for the issuance of appropriate comments to the Franklin County Planning Department. This shall be done after all road and utilities have been constructed and completed.

- 13. **Franklin PUD:** No comments received.
- 14. **Franklin County Assessor's Office:** No comments received.
- 15. **US Bureau of Reclamation:** No comments received.
- 17. **Department of Ecology:**
 - a. Received comments dated March 16, 2022. For more information, please see agency letter contained in agency comments section of packet.
- 18. **County Planning and Building Department:** The County Planning and Building Department has determined the following for this application:
 - a. The application is to subdivide one parcel totaling approximately 29.45 acres into twenty-two (22) single-family residential lots. There will be a potential increase of twenty-one (21) more homes to be developed, over what was currently entitled from a recorded record of survey.
 - b. The land is zoned RC-1 and lies within an area designated as "Rural Shoreline Development" in the County Comprehensive Plan.
 - c. The developer is proposing that the development will be served by septic and that each lot will be eligible for an on-site septic system.
 - d. The developer is proposing that the development will be served by private wells and that each lot will be eligible for an on-site well.
 - g. Applicant shall comply with fire code standards contained Franklin County Code Ch. 8.40.
 - h. Applicant has indicated that a geotechnical report is in the middle of being prepared. Any recommendations made in this report, along with any addendums to said report shall all be adhered to.
 - i. Future development on the site will be subject to standards and requirements in effect at the time that the building permits are applied for. Currently, the following applies, among other requirements, included in Title 17 (Zoning): Residential

Design Standards of FCC 17.66.180, Landscape and Screening Design Standards of FCC 17.74.050, and Outdoor Residential Lighting Standards of FCC 17.66.150.

- j. **The department recommends the following language should be listed on the final plat under Notes:**
- Irrigation Requirements: "An outside or dedicated irrigation system shall be provided to each lot for the life of this development. No more than one-half (1/2) acre of land shall be irrigated from each exempt residential well."
 - "Collectively, no more than 5,000 gallons of water per day, including for irrigation purposes, may be used from exempt wells in this development."
 - "During construction on each property, all construction debris shall be maintained on-site and properly disposed of. Dust control measures including an adequate water supply shall be provided."
 - "During construction on each property, all construction debris shall be maintained on-site and properly disposed of. Dust control measures including an adequate water supply shall be provided."
 - "All lots in the development are subject to **Park Dedication Fees** (\$50.00 per new lot/expected new dwelling unit). These fees may be paid prior to recording the final subdivision plat or at the time when a building permit is to be issued for the applicable lot(s). If the applicant chooses to not pay the fees prior to recording, then a statement shall be placed on the final plat stating that Park Dedication Fees apply to all lots in the development and shall be paid prior to building permit issuance for a new home on each applicable lot."
- k. The applicant should coordinate with the Planning and Building Department and County GIS Manager for the designation of **addresses and road names** for the development. **Both addresses and road names shall be shown on the final plat.**
- l. The applicant should coordinate with the **Post Office** regarding centralized box unit (CBU) locations for the development, if necessary.
- m. The land should be in compliance with the County Fire and Nuisance codes at all times.
- m. Preliminary plat approval is valid for a **five (5) year period** following approval by the Board of County Commissioners.
- o. As proposed by the applicant this project will occur in one (1) phase and is not a phased development.
- p. A State Environmental Policy Act (SEPA) review has been completed for this project. A Mitigated Determination of Non-Significance (MDNS) was issued on March 3,

2022. Interested public and agencies were allowed to submit comments by March 17, 2022. **The MDNS contains 8 mitigation measures.**

PUBLIC COMMENTS / ADDITIONAL BASIS FOR FINDINGS:

The Planning Department received two emails from members of the public prior to the preparation of this report. Any additional written comments or testimony received prior to, or at, the Planning Commission Public Hearing may be entered into the record at the meeting.

The two written comments submitted were neutral in nature concerning the development. One comment expressed concern about increase in traffic and wanted to know steps are being done to mitigate potential impacts.

Second comment expressed desire on the County's part to require the applicant to set aside land for a park and access easement to the river. The County does indeed not have a policy requiring set asides for parks and public access easements in the nature described by the commenter.

RECOMMENDATION: (SUB 2022-02)

According to **Chapter 16.20 (Preliminary Plat)** of the Franklin County Code, the Planning Commission shall:

1. Make and enter findings of fact from the record and conclusions thereof.
2. Render a recommendation to the Board of Commissioners as to whether the proposal be denied, approved, or approved with modifications and/or conditions.

Findings of Fact Criteria by Planning Commission: The planning commission shall make and enter findings from the record and conclusions thereof as to whether or not:

1. Adequate provisions are made for the public health, safety and general welfare and for open spaces, drainage ways, roads, alleys, or other public ways, water supplies, sanitary wastes, parks, playgrounds and other public needs;
2. The proposed subdivision contributes to the orderly development and land use patterns in the area;
3. The public use and interest will be served by permitting the proposed subdivision;
4. The proposed subdivision conforms to the general purposes of any applicable policies or plans which have been adopted by the Board of County Commissioners;
5. The proposed subdivision conforms to the comprehensive plan and zoning requirements;
6. The proposed subdivision conforms to the general purposes of the Subdivision Ordinance.

Staff: The Franklin County Planning Department staff recommends that the Planning Commission forward a **POSITIVE RECOMMENDATION** to the Board of County Commissioners for application SUB 2022-02. This **POSITIVE RECOMMENDATION** may be forwarded with the following suggested findings of fact, conclusions of law, and suggested conditions of approval:

Suggested Findings of Fact:

1. Adequate provisions **have** been made for the public health, safety and general welfare and for open spaces, drainage ways, roads, alleys, or other public ways, water supplies, sanitary wastes, parks, playgrounds and other public needs;
 - a. Comprehensive Plan: The application is in compliance with the Franklin County Comprehensive Plan.
 - i. The property is zoned Rural Community Zone (RC-1)
 - ii. The Comprehensive Plan designation for the property is "Rural Shoreline Development."
 - iii. The property is located outside of the City of Pasco Urban Growth Area.
 - b. Health:

The public health will not be negatively impacted by this proposal as current state requirements require compliance with septic standards.
 - c. Water Supplies:

The applicant is required to comply with current state requirements for construction and operation of private wells.
 - d. Roads/Access:

The property is located near Columbia River Road, southeast of the Columbia River Road and W Sagemoor Rd. intersection. The proposed subdivision will be accessed via the new extension of Fraser Road proposed along the east boundary of the property, and internal private roads.
 - e. Septic System:

The applicant is required to comply with local Health Department standards as it relates to the sanitary wastes (i.e. septic systems). The Health District has determined the following findings, and set forth conditions for the use of on-site septic systems.

 - i. There are 22 proposed lots.
 - ii. Proposed land use is for single family dwellings.
 - iii. All proposed lots are to be provided by a Single Family Well.
 - iv. Soil logs excavated throughout the property found predominately Type 4 soils (sandy loams, and loamy med sands), to varying depths of Type 2 (coarse black sand, with occasional cobbles).
 - v. Most lots are relatively flat throughout the property.

f. School/School grounds:

The project is located within the Pasco School District boundaries. Appropriate provisions for schools/school grounds are provided through public approved levies and general obligation bond measures. These funding mechanisms fund property acquisitions, fulfill maintenance and operations obligations, and fund new school construction. Washington state capital construction funds are commonly available on a match basis for school related construction.

No school impact fees have been implemented by Franklin County.

g. Storm water:

Current county code requires that storm water be adequately addressed at the time of road construction and development. It is typical that engineered drainage swales are developed that will assist in compliance with storm water standards/requirements.

g. Parks:

Providing for adequate parks or other recreational facilities is necessary at the time of subdivision approval. Current county code requires that land be dedicated or a cash payment in lieu of dedication be provided.

h. Irrigation:

The project is located within the boundaries of the South Columbia Basin Irrigation District. The applicant has indicated that irrigation water will be provided to each lot via a private irrigation network that is supplied by South Columbia Basin Irrigation District. The project land does not currently have an irrigation water allotment; for irrigation water to be supplied, a Municipal and Industrial (M&I) Water Service Contract must be obtained from the United States Bureau of Reclamation.

i. Fire Protection:

The project is in the boundaries of Franklin County Fire District #3. The Plat will be utilize an underground water tank that will maintain year-round full storage. The County has adopted the 2015 International Fire Code. FD#3 is the reviewing agency during the subdivision review and processing to ensure compliance with fire protection standards. The applicant has proposed the use of a "standardized onsite water storage" for fire prevention / suppression to be in the form of a "20,000 gal underground tank, meeting FCC 8.40.080 requirements."

2. The proposed subdivision **does** contribute to the orderly development and land use patterns in the area;
 - a. The property is zoned Rural Community Zone (RC-1) and the development is consistent with the land use patterns in the area. The Franklin County Comprehensive Plan designates this area for Rural Shoreline Development.
 - b. All lots comply with the required width/depth and lot frontage standards for new lots.
3. The public use and interest **will** be served by permitting the proposed subdivision;
 - a. The development, as conditioned, complies with the County Development Regulations.
 - b. Payment of park dedication fees benefit the public use and interest of this area.
4. The proposed subdivision **does** conform to the general purposes of any applicable policies or plans which have been adopted by the Board of County Commissioners;
 - a. The proposed subdivision conforms to the minimum lot size requirements of the Franklin County Zoning Ordinance.
 - b. The proposed subdivision conforms to the requirements of the Franklin County Subdivision Ordinance, including the minimum lot dimensions, lot requirements, and width/depth standards.
 - c. The site contains critical erosion hazard areas and a Geotech report is being prepared meeting the requirement of FCMC Chapter 18.08, which includes recommendations for development and construction on the site.
 - d. A State Environmental Policy Act (SEPA) review has been completed for this project.
5. The proposed subdivision **does** conform to the comprehensive plan and zoning requirements;
 - a. The Franklin County Comprehensive Plan designates this area for Rural Shoreline Development.
 - b. The average lot size in the new development is approximately 48,939 square feet. The new lots comply with the minimum lot size requirement of the zoning district.
 - c. The development conforms to both the current zoning designation and the Comprehensive Plan.

6. The proposed subdivision **does** conform to the general purposes of the Subdivision Ordinance.

- a. This development does comply with the purpose of the County Subdivision code. The purpose of the code is to regulate the division of land within unincorporated Franklin County. This Ordinance is to also further the purpose of promoting the health, safety, convenience, comfort, prosperity, and general welfare of the present and future inhabitants of Franklin County, and to:

- i. Prevent the overcrowding of land;

Each lot in the development is 45,042 square feet or greater size which complies with the zoning ordinance and comprehensive plan.

- ii. Lessen congestion and promote safe and convenient travel by the public on roads and highways;

The proposal effectively adds six new homes to the development potential of the site, which will produce additional trips on the highway system but will not result in detrimental effects.

- iii. Promote the effective use of land;

The development utilizes the existing landscape and fulfils the intent of the County Zoning code.

- iv. Provide for adequate light and air;

The proposed sizes of the new lots in the development are of a size to provide adequate light and air to new homes and the surrounding lands.

- v. Facilitate adequate provision for water, sewerage, drainage, parks and recreational areas, and other public requirements;

Adequate provisions are being proposed and required for this development as it relates to water, sewerage, drainage, parks and recreational areas, and other public requirements. These provisions are addressed specifically in Findings of Fact #1.

- vi. Provide for proper ingress and egress;

Proper ingress and egress are provided for this development. The Franklin County Public Works Department has reviewed the proposal for proper ingress and egress and have determined that a limitation on direct highway access is necessary for public safety purposes.

- vii. Provide for the expeditious review and approval of proposed land divisions which comply with this Ordinance, the Franklin County Zoning Standards, other County Plans, policies and land use controls, and Chapter 58.17 R.C.W;

The land development process for this project complies with all applicable County Ordinances, R.C.W.'s, and associated timelines for development review.

- viii. Adequately provide for the housing, commercial, and industrial needs of the citizens of the State and County;

This 9-lot development is located in an area zoned Rural Community Zone (RC-1) which has a rural residential environment intent.

- ix. Require uniform monumenting of land divisions and conveyance by accurate legal descriptions;

The development proposal complies with the provisions of the County Subdivision Ordinance as it relates to monumenting and legal description development.

- x. Implement the goals, objectives and policies of the Comprehensive Plan;

The Franklin County Comprehensive Plan designates this property for Rural Shoreline Development.

The proposed development proposes an average lot size of 48,939 square feet, is in compliance and consistent with local land use controls, and is compatible with the surrounding residential area.

Suggested Conclusions of Law:

1. An application was received for the **Kohler Subdivision** preliminary plat on February 1, 2022, supplemented with a Geotechnical report and attachments in February, and the application was deemed complete on February 1, 2022.
2. The SEPA process has been completed and a MDNS was issued.
3. Following an open record pre decision hearing on a proposed preliminary plat, the Planning Commission shall render a recommendation to the board of county commissioners as to whether the proposal based on the findings shall be denied, approved or approved with medications or conditions.
4. The review criteria of FCC 16.20.070 were used to develop the findings of fact.

Suggested Conditions of Approval:

1. Applicant shall comply with the **County Public Works Department** requirements including:
 - a. The final plat shall be accompanied with closure notes conforming to Franklin County Subdivision Ordinance Section 7.10 (C)(4) for the subdivision boundary and all lots.
 - b. The following notes are required on the final plat:
 1. All new approaches to County Roads will require an approach permit at the time of building permit application.
 2. No lot within this subdivision shall have direct access to Fraser Road.
 3. Lot owners shall agree to participate in any future L.I.D./R.I.D.'s for roads, drainage, curb & gutters, streetlights, storm sewers, water and/or sanitary sewers.
 4. Lot owners shall be responsible for the maintenance of drainage ditches or swales per the design as shown on the road construction plans for this development, unless they are no longer necessary due to an alternate drainage system being installed.
 5. Lot owners shall provide landscaping within the unimproved portion of the right-of-way between the property line and the edge of pavement and/or curb. This shall consist of grass/lawn, river rock, basalt rock, gravel (less than three inches in diameter), or other traditional residential landscaping material. Maintenance of the landscaping is the requirement of each individual lot owner.
 - c. All utilities serving the subdivision must be installed underground, per Franklin County Code Chapter 7, Section 7.9A.
 - d. Permanent control monuments shall be installed in accordance with Franklin County Standard Plans H-6 and H-7 (brass cap in monument case) for centerline monuments when the road is constructed.
 - e. This development shall comply with the Franklin County Comprehensive Parking Ordinance, as defined in Franklin County Code Section 10.12, except that provisions for "on-street parking on one side of County roads" will not be permitted.
 - f. Cul-de-sacs shall be designed with a 47 foot minimum radius, per Franklin County Design Standards, Division 1-03.4. The cul-de-sac shall be a hard surface, per Franklin County Code Section 16.12.020(D)(2). The minimum right-of-way shall be 55 feet or larger to accommodate the hard surface and allow for proper drainage ditches or swales.

- g. Reference primary survey control points to section corners and monuments conforming to Franklin County Code Section 16.28.100(B).
 - h. Prior to final plat approval, all roads must be completed to county standards.
 - i. The final plat shall be accompanied with State Plane Coordinates conforming to Franklin County Subdivision Ordinance Section 7.10 (C)(1) and as set forth by state statutes for recording coordinates as described in RCW 58.20.180.
 - j. The developer shall provide landscape fabric and river rock, basalt rock, gravel (less than three inches in diameter), or other traditional residential landscaping material within the unimproved portion of the right-of-way between the property line/estate wall and the edge of pavement and/or curb to assist in weed control along future Fraser Road.
 - k. Per the Engineers Report dated 4/18/2016, titled Dent Road Future Extension, a full width roadway is to be constructed to current county standards for Fraser Road.
 - l. The developer shall provide landscape fabric and river rock, basalt rock, gravel or other traditional residential landscaping material within the unimproved portion of the right-of-way between the property line and the edge of pavement and/or curb to assist in weed control along Columbia River Road and W Sagemoor Road.
2. The plat must have irrigation water delivery and therefore must meet conditions set forth by the **South Columbia Basin Irrigation District**:
- a. Conditions are listed within their agency comment letter dated March 15, 2022 and is included within the agency comment section of the packet.
3. **Benton-Franklin Health District**: The applicant shall meet and comply with the standards and adopted rules of the Health District:
- a. All lots within the plat must be a minimum of 1 acre and contain a minimum of 18,000 square feet of usable land area after all easements and encumbrances are subtracted.
 - b. Each lot must be configured to allow a 100 foot radius water supply protection zone to fit within the lot lines.
 - c. A 100 foot protection zone must be established around each proposed well site.
 - d. All irrigation lines, canals, and surface waters within 150ft of the plat are shown on the plat map.
 - e. The following statements shall be placed on the final plat:
"This plat appears to have suitable conditions for the use of on-site sewage disposal systems. However, because of the nature of the testing methods used, we have no way of determining whether each lot can comply with Benton- Franklin District Board of Health Rules and Regulations at the time of permit issuance."

"Further be advised this department's approval of any lot within this plat for the use of on-site sewage disposal systems may be contingent upon that lot passing additional soil inspections/percolation tests, and/or other requirements at a later date."

"The lots within this plat may have specific limitations and/or restrictions for the placement of on-site sewage disposal systems. The Benton-Franklin Health Department should be contacted for further information."

- f. Prior to issuance of on-site sewage disposal permits, additional test holes may be required to verify acceptable area for initial and replacement sewage disposal system and design criteria such as trench depth on each lot.
 - g. Prior to final approval, a long plat final review fee (code 54.37 for \$200) must be submitted to this office for the final walk through review of the plat for compliance with Benton-Franklin Health Department Rules and Regulations No. 2 and WAC 246-272A, and for the issuance of appropriate comments to the Franklin County Planning Department.
4. **County Planning and Building Department:** Applicant shall meet and comply with the following requirements and standards, in addition to the SEPA conditions / mitigation measures:
- a. The application is to subdivide one (1) parcel totaling approximately 29.45 acres into twenty-two (22) single-family residential lots. There will be a potential increase of Twenty-one (21) more homes to be developed, over what is currently entitled from existing recorded lots.
 - b. The land is zoned RC-1 and lies within an area designated as "Rural Shoreline Development" in the Franklin County Comprehensive plan.
 - c. The developer is proposing that the development will be served by septic and that each lot will be eligible for an on-site septic system.
 - d. The developer is proposing that the development will be served by exempt wells.
 - e. A geotechnical report is the middle of being processed and the report, along with an addendums will need to be abided by the developer.
 - f. Future development on the site will be subject to standards and requirements in effect at the time that the building permits are applied for. Currently, the following applies, among other requirements, included in Title 17 (Zoning): Residential Design Standards of FCC 17.66.180, Landscape and Screening Design Standards of FCC 17.74.050, and Outdoor Residential Lighting Standards of FCC 17.66.150.
 - g. Developer shall comply with fire code standards contained in Franklin County Code Ch. 8.40.

- h. **The following language shall be listed on the final plat under notes**, in addition to the fire separation standards and the park dedication fees notes (unless the park dedication fees are pre-paid):
- Irrigation Requirements: "An outside or dedicated irrigation system shall be provided to each lot for the life of this development. No more than one-half (1/2) acre of land shall be irrigated from each exempt residential well."
 - "Collectively, no more than 5,000 gallons of water per day, including for irrigation purposes, may be used from exempt wells in this development."
 - "During construction on each property, all construction debris shall be maintained on-site and properly disposed of. Dust control measures including an adequate water supply shall be provided."
 - The County is not responsible for the maintenance of the private access road nor any associated facilities inside the easement.
 - **Franklin County is a Right to Farm area.** The Franklin County Right to Farm Ordinance, as amended, shall apply to activities in this area.
- c. All of the statements that are required to be on the face of the plat shall be either: **1)** recorded as a restrictive covenant on each applicable parcel with the County Auditor **OR 2)** described in detail in the developer's covenants that is recorded and provided to each lot owner, prospective landowner, and the Planning Department at the time of final plat approval and recording.
- d. The applicant shall coordinate with the Planning and Building Department and County GIS Manager for the designation of **addresses and road names** for the development. **Both addresses and road names shall be shown on the final plat.**
- e. The applicant shall coordinate with the **Post Office** regarding centralized box unit (CBU) locations for the development.
- f. The land shall be in compliance with the County Fire and Nuisance codes at all times.
- g. Preliminary plat approval is valid for a **five (5) year period** following approval by the Board of County Commissioners.
- h. As proposed by the applicant this project will occur in one (1) phase and is not a phased development.
- i. Prior to obtaining the County Treasurer's Signature on the final plat, the applicant shall visit the County **Assessor's Office** to receive a Treasurer's Verification Form for the property.

Further, the applicant is encouraged to contact the **Assessor's Office and/or Treasurer's Office** to discuss potential property tax implications of the platting

process. Items such as the removal of an open space designation and/or an advanced tax payment requirement for the property may be applicable.

- j. The Final Plat:
 - i. The Final Plat shall be developed by a licensed Surveyor.
 - ii. The Final Plat shall be developed in accordance with the County Subdivision Ordinance. See Franklin County Code Title 16 for specifications. The Planning and Building Department may be contacted at (509) 545-3521. The County Subdivision Ordinance may be found on-line at:
http://www.co.franklin.wa.us/planning/subdivision_ordinance.html.
 - iii. The Final Plat Signature Blocks shall be provided for the following: Big Bend Electric Coop; Chair, Franklin County Planning Commission; Chair, Board of County Commissioners; Benton Franklin Health District; USBR and SCBID (see specifications for the Bureau's signature block statement); County Engineer; County Treasurer; County Assessor; and County Auditor.
 - iv. The final five (5) signatures (for final plat approval) to be obtained by the applicant are: #5 County Assessor; #4 County Treasurer (Ensure taxes are paid accordingly; Also see RCW 58.05.040); #3 County Planning Commission Chair (See Planning and Building Department for assistance in obtaining signature); #2 Chairman of Board of County Commissioners (County Commissioners typically sign final approval resolutions during a regularly scheduled public meeting date); #1 County Auditor's Office (Recording of the final plat).
- k. After final plat recording, one (1) paper copy and one (1) electronic copy (disk, cd, or e-mail-pdf) of the recorded plat shall be distributed to the Planning Director and one (1) paper copy to the County Assessor.

Agenda Item #4

PUBLIC NOTICE

AGENCY/PUBLIC COMMENT

SUB 2022-02

Kohler Subdivision



FRANKLIN COUNTY

PLANNING AND BUILDING DEPARTMENT

NOTICE OF OPEN RECORD PUBLIC HEARING

NOTICE IS HEREBY GIVEN that there has been proposed to the Franklin County Planning Commission an application by **Big Sky Development, LLC**, 5426 N. Road 68, Box D-113, Pasco, WA, 99301, seeking to develop a single-family residential subdivision, file # **SUB 2022-02** and **SEPA 2022-03**.

Said application is to allow for the development of a single-family residential subdivision, comprising one (1), totaling approximately 29.45-acres, and creating twenty-two (22), minimum 1 acre sized lots. The area where the project is proposed has a zoning designation of Rural Community 1 Zone (RC-1), with a comprehensive plan designation of Rural Shoreline Development.

The subject parcels are described as follows:

LEGAL DESCRIPTION(S):

126-150-015: THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 10 NORTH, RANGE 28 EAST, W.M., FRANKLIN COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS: ALL THOSE PORTIONS OF 'REVISED PARCEL C AND D', SHOWN ON RECORD OF SURVEY RECORDED UNDER AUDITOR'S FILE NUMBER 1934236, LYING SOUTHERLY OF THE FOLLOWING DESCRIBED LINES: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE NORTH 00°46'25" WEST ALONG THE EAST LINE OF SAID QUARTER AND ALONG THE EAST LINE OF SAID 'REVISED PARCEL C' A DISTANCE OF 1001.96 FEET TO THE TRUE POINT OF BEGINNING; THENCE LEAVING SAID EAST LINE, SOUTH 89°13'35" WEST A DISTANCE OF 891.21 FEET; THENCE SOUTH 00°46'25" EAST A DISTANCE OF 25.00 FEET; THENCE SOUTH 89°13'35" WEST A DISTANCE OF 312.52 FEET TO AN ANGLE POINT IN THE WEST LINE OF SAID 'REVISED PARCEL D' AND THE END OF THIS DESCRIPTION.

NON-LEGAL DESCRIPTION:

The properties are generally located North of Dent Rd., West of Richview Dr., South of Fanning Rd. and East of Columbia River (Parcel Numbers: 126-150-015).

NOTICE IS FURTHER GIVEN that said application will be considered by the Franklin County Planning Commission. A public hearing will be held on **April 12, 2022 at 6:30 PM**. **Due to the Covid-19 emergency declaration**, the public may not attend in person. Written comments are accepted prior to public hearing and those comments shall be submitted by either email at planninginquiry@franklincountywa.gov, or by regular mail to Franklin County Planning Department, 502 W. Boeing Street, Pasco, WA 99301. Written Comments shall be submitted by **4:00 PM, March 17, 2021**. Further information on how to participate in the meeting is provided below.

NOTICE IS FURTHER GIVEN that said proposal has been reviewed under the requirements of the State Environmental Policy Act, as amended, along with the Environmental Checklist and other information. A determination has been made as to the environmental impacts of the proposal and a **Mitigated Determination of Non-Significance (MDNS)** has been issued. Accordingly, an Environmental Impact Statement is **not** required. This determination was made on **March 3, 2022** and comment period for determination and environmental impacts of proposal will close on **March 17, 2022**.

HOW TO WATCH/PARTICIPATE ONLINE: You can watch the proceeding on YouTube Live, by going to the Franklin County, WA agenda page at <https://www.co.franklin.wa.us/planning/agenda.html>. To participate online, more information will be posted to the agenda page, by the Friday proceeding the meeting.

Information concerning the proposal can be obtained by email at planninginquiry@franklincountywa.gov or by calling 509-545-3521.

PUBLISH:

Franklin County Graphic: March 3, 2022

SUBJECT PARCEL





FRANKLIN COUNTY

PLANNING AND BUILDING DEPARTMENT

NOTICE OF OPEN RECORD PUBLIC HEARING

NOTICE IS HEREBY GIVEN that there has been proposed to the Franklin County Planning Commission an application by **Big Sky Development, LLC**, 5426 N. Road 68, Box D-113, Pasco, WA, 99301, seeking to develop a single-family residential subdivision, file # **SUB 2022-02** and **SEPA 2022-03**.

Said application is to allow for the development of a single-family residential subdivision, comprising one (1), totaling approximately 29.45-acres, and creating twenty-two (22), minimum 1 acre sized lots. The area where the project is proposed has a zoning designation of Rural Community 1 Zone (RC-1), with a comprehensive plan designation of Rural Shoreline Development.

The subject parcels are described as follows:

LOCATION:

The properties are generally located North of Dent Rd., West of Richview Dr., South of Fanning Rd. and East of Columbia River (Parcel Numbers: 126-150-015).

NOTICE IS FURTHER GIVEN that said application will be considered by the Franklin County Planning Commission. A public hearing will be held on **April 12, 2022 at 6:30 PM**. **Due to the Covid-19 emergency declaration**, the public may not attend in person. Written comments are accepted prior to public hearing and those comments shall be submitted by either email at planninginquiry@franklincountywa.gov, or by regular mail to Franklin County Planning Department, 502 W. Boeing Street, Pasco, WA 99301. Written Comments shall be submitted by **4:00 PM, March 17, 2021**. Further information on how to participate in the meeting is provided below.

NOTICE IS FURTHER GIVEN that said proposal has been reviewed under the requirements of the State Environmental Policy Act, as amended, along with the Environmental Checklist and other information. A determination has been made as to the environmental impacts of the proposal and a **Mitigated Determination of Non-Significance (MDNS)** has been issued. Accordingly, an Environmental Impact Statement is **not** required. This determination was made on **March 3, 2022** and comment period for determination and environmental impacts of proposal will close on **March 17, 2022**.

HOW TO WATCH/PARTICIPATE ONLINE: You can watch the proceeding on YouTube Live, by going to the Franklin County, WA agenda page at <https://www.co.franklin.wa.us/planning/agenda.html>. To participate online, more information will be posted to the agenda page, by the Friday proceeding the meeting.

Information concerning the proposal can be obtained by email at planninginquiry@franklincountywa.gov or by calling 509-545-3521.

DATED AT PASCO, WASHINGTON ON THIS 3rd DAY OF MARCH 2022.

PUBLISH:

Franklin County Graphic: March 3, 2022

From: ROBERT CAROSINO <bobbcar@msn.com>
Sent: Wednesday, March 30, 2022 10:44 AM
To: Derrick Braaten; planninginquiry
Subject: [EXTERNAL] Kohler Subdivision Preliminary Plat SUB2022-02

CAUTION: This email originated from outside of Franklin County. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I wish to comment on the above plat approval and submit a request for review of County Policy on parkland set-aside in the River Corridor area of Franklin County south of Sagemoor.

This plat of another portion of the former Kohler Vineyards, continues a process of urbanization of the Franklin County shoreline within the river corridor area. None of the former Kohler residential plats, and this current proposal, provide no dedicated areas for parks. While that may be reasonable for isolated residential development in the farming portions of Franklin County, it is obvious that the river corridor area, out North to Sagemoor farms, is rapidly undergoing conversion to residential development, paced only by the rate at which "farmer developers, wish to monetize their holdings. I have no objection to 1 acre residential plats, but these subdivisions should include suburban/urban amenities such as dedicated parklands for the thousands of new residents that will soon live in this area. The parks should include access to the Columbia River, which is of course the crown jewel of the Tri-Cities, and the reason that the County allowed suburban residential development in this area. It is not a long term farming area. Yet the piecemeal subdivision of these farms has been allowed to continue without any set-aside of lands for parks, and no waterfront parks. The fee charged to developers for platting lands without parks has not been adjusted for extraordinary increase in residential land values in this area, and therefore will not provide sufficient funds to acquire park lands in this area in the future.

Therefore I request that the Planning Commission and the County Commissioners change the policy on parkland in the river corridor area up to Sagemoor, and establish and acquire lands for future parks, either by dedication of lands to such purposes by developers in residential plats, or by increasing the fee paid in lieu of such dedication to make it a reasonable sum considering the hugely increased residential land values in this area.

Future residents of this part of Franklin County are going to be very dissatisfied with the lack of park and waterfront access that the current policies of the County are fostering. The County need not develop these parks now, but the land should be in public ownership for that future use, as it will be demanded when the area is all residential.

As to this current subdivision proposal, I would ask the Planning Commission to seek a set-aside of some parkland, and an access easement to the public that would in the future allow access to the Corp of Engineers waterfront on the remaining parts of the old Kohler farms to the west. Planning for such access will make the subdivision even more valuable to the developer, and will therefore not increase the developers cost. It will however start the process of making the transition of the river corridor area more appropriate for the transition to residential development that is now taking place.

Please share my comments with the County Commissioners and the Planning Commission.

Thank you

Robert Carosino
Franklin County, WA

Sent from [Mail](#) for Windows

Aaron Gunderson

From: Gabe Suarez <gabe1suarez@gmail.com>
Sent: Monday, March 14, 2022 7:08 PM
To: planninginquiry
Subject: [EXTERNAL] Comments - SUB2022-02 and SEP A 2022-03

CAUTION: This email originated from outside of Franklin County. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

My name is Gabriel Suarez and my wife and I live on the corner of Dent Road and Pelican Road. In the last 6 years of living here we have had our fence ran into 3 times by vehicle's driving to fast on the sharp 90 degree turn on Dent. I have concerns with more traffic being introduced with the new housing development, what is going to be done on the turn to make it safe for our family and children?

Thanks,
Gabriel



FRANKLIN COUNTY

PLANNING AND BUILDING DEPARTMENT

AGENCY COMMENTS (SUBDIVISION 2022-02, Kohler)

DATE: March 3, 2022

RE: SUB 2022-02/SEPA 2022-03

TO:	County Engineer	Irr. Dist.(FCID <u>X</u> SCBID <u>X</u>)
	Benton-Franklin Health Dist.	Fire Dist. # <u>3</u>
	Fire Code Official	Elec.Utility (PUD <u>X</u> BBEC <u> </u>)
	Assessor/GIS	U.S. Bureau of Reclamation
	County E-911	County Building Official
	WSDOT	WA DAHP
	WA Department of Ecology	WDFW
	Pasco School District #1	City of Pasco

CC: Aaron Gunderson, Rebeca Gilley, Derrick Braaten, Ryan Nelson

Agency Representative:

Enclosed is a a copy of a proposed rezone application for your review. This SUB is for the development of 22, 1-acre minimum, residential lots.

We would appreciate your review and comments by **March 17, 2021 at 4:30 pm.**

Sincerely,

Derrick Braaten
Director, Planning & Building

See attached for additional information

REPLY:

Signed: _____
Title: _____

Date: _____

Ryan Nelson

From: Michael Morgan
Sent: Monday, March 21, 2022 5:38 PM
To: Aaron Gunderson; Craig Erdman; John Christensen
Cc: Derrick Braaten; Rebeca Gilley; Ryan Nelson; Robin Moug
Subject: RE: Request for Review and Comment & Notice of MDNS (SUB 2022-02)

Addressing for this plat will be filed in the addressing/2022 folder.

Potential addressing on *Fraser Road* will start at 1001 (odd) and increase by mileage. This addressing will merge with addressing farther north on Fraser Road in the River Ranch subdivisions.

Each road labeled Road A-C will need a unique road name. None of these proposed roads A-C are currently in line with any existing roads, so cannot use any existing road names in the county. *Road C* appears to be stubbed northward, so it could possibly continue if there is further development northward. Addressing on these roads will also use mileage, as this plat is just outside of the newly expanded urban growth area.

After Fraser Road is completed, there would be 5 structures that would need a change of address to be on *Fraser Road*. One of these structures is a cell tower (2266) farther north of the Dent/Fraser intersection. The other 4 are homes, including one (2270) that is currently being inspected for occupancy. There are two access easements from the proposed Fraser Road, each accessing two of these properties. These address changes can be worked on further into the development of the subdivision.

Michael Morgan

GIS Manager

Franklin County, WA

509-545-3585

Web map: <https://franklingis.org>

From: Aaron Gunderson <agunderson@franklincountywa.gov>

Sent: Thursday, March 3, 2022 5:01 PM

To: Craig Erdman <cerdman@franklincountywa.gov>; John Christensen <jchristensen@franklincountywa.gov>; Deana Chiodo <deanac@bfhd.wa.gov>; Rick Dawson <Rickd@bfhd.wa.gov>; Snow, Charlotte M <csnow@usbr.gov>; Bates, Gregory D <gbates@usbr.gov>; bor-efo-mailroom@usbr.gov; Porter, Michele E <mporter@usbr.gov>; Hoff, Gina M <GHoff@usbr.gov>; ocallaghan@scbid.org; Eric Dixon <edixon@scbid.org>; bscott@scbid.org; tpoe@scbid.org; cenww-pa@usace.army.mil; CENWW-RD@usace.army.mil; dale.j.jordan@usace.army.mil; rnunamaker@psd1.org; sthornton@psd1.org; mpost@psd1.org; mharris@fcfd3.org; Rick White <WHITER@pasco-wa.gov>; adamsj@pasco-wa.gov; manningm@pasco-wa.gov; Andrew Hattori <hattoria@pasco-wa.gov>; gonzalezjb@pasco-wa.gov; bhooper@franklinpud.com; rrichmond@franklinpud.com; glinden@franklinpud.com; Michael Morgan <mmorgan@franklincountywa.gov>; Robin Moug <rmoug@franklincountywa.gov>; freuded@wsdot.wa.gov; SCPlanning@WSDOT.WA.GOV; kaiserM@wsdot.wa.gov; sepa@dahp.wa.gov; fcid1@pocketinet.com; jburn@pocketinet.com

Cc: Derrick Braaten <dbraaten@franklincountywa.gov>; Rebeca Gilley <rgilley@franklincountywa.gov>; Ryan Nelson <ryann@franklincountywa.gov>

Subject: Request for Review and Comment & Notice of MDNS (SUB 2022-02)

NOTICE OF APPLICATION / REQUEST FOR REVIEW AND COMMENTS

Please find attached an application and a request for review & comments on a Subdivision (SUB 2022-02).

NOTICE OF SEPA DNS

A SEPA DNS has been issued for the proposal. (Franklin County File # SEPA 2022-03)

The Public Notice, MDNS and SEPA Environmental Checklist are attached for your records and review. Comments on the MDNS are due by March 17, 2022.

Thank you,

Aaron Gunderson

Planner I

Franklin County, WA | Planning & Building Dept.

509-545-3521

agunderson@franklincountywa.gov





REVIEW

FRANKLIN COUNTY

PLANNING AND BUILDING DEPARTMENT

AGENCY COMMENTS (SUBDIVISION 2022-02, Kohler)

DATE: March 3, 2022

RE: SUB 2022-02/SEPA 2022-03

TO: County Engineer
Benton-Franklin Health Dist.
Fire Code Official
Assessor/GIS
County E-911
WSDOT
WA Department of Ecology
Pasco School District #1

Irr. Dist. (FCID X SCBID X)
Fire Dist. # 3
Elec. Utility (PUD X BBEC)
U.S. Bureau of Reclamation
County Building Official
WA DAHP
WDFW
City of Pasco

CC: Aaron Gunderson, Rebeca Gilley, Derrick Braaten, Ryan Nelson

Agency Representative:

Enclosed is a copy of a proposed rezone application for your review. This SUB is for the development of 22, 1-acre minimum, residential lots.

We would appreciate your review and comments by **March 17, 2021 at 4:30 pm.**

Sincerely,

Derrick Braaten
Director, Planning & Building

See attached for additional information

REPLY:

Let's copy of Final Plat to
Review

Signed: Rmy
Title: als

Date: 3/2/22



Community Development Department
PO Box 293, 525 N 3rd Ave, Pasco, WA 99301
P: 509.545.3441 / F: 509.545.3499

MEMORANDUM

DATE: March 17, 2022
TO: Aaron Gunderson, Planner I
FROM: Andrew Hattori, Planner I
SUBJECT: Kohler Subdivision

Statement from the City of Pasco:

The Franklin County County-Wide Planning Policies - a requirement of the Franklin County 2018-2038 Comprehensive Plan as adopted via Ordinance No 07-2021 (June 2021) contain the following: Policy III-15 related to the "Policies for promotion of contiguous and orderly development and the provision of urban services to such development [RCW36.70A.210 (3)b]" and specifically calls out the establishment of: "joint county/city standards for development within each individual urban growth boundary, but beyond corporate limits of cities. It is in the public interest that joint standards be developed to preclude the creation of development patterns without municipal utilities and substandard infrastructure and property division that would burden the public with unnecessary costs."

The City of Pasco submitted comments to Franklin County on March 1, 2019 during public comment period of the County Wide Planning Policies, providing practical approaches to utilize the Pasco Urban Growth Area in an efficient manner, in alignment with both the Franklin County and Pasco Comprehensive Plans. Specifically, Pasco provided comments that stated development patterns without municipal services and substandard infrastructure, will compromise the ability of the UGA to accommodate the municipality's 20 - year population forecast. Pasco provided recommendations for minimum densities with the Pasco Urban Growth Area that would satisfy the intent of the Franklin County County-Wide Planning Policies. The comments from the City of Pasco were not included in the adopted Planning Policies, and no initiation of a process to implement joint development standards has occurred. The approval of on-site wells and on-site septic systems within the adopted Pasco Urban Growth Area continue to deteriorate the ability for both Franklin County and the City of Pasco to accommodate our growth with sufficient municipal services.

The Franklin County Planning and Building Department and current and future residents should be made aware that the City of Pasco will not annex lands and/or developments approved by the County



Community Development Department
PO Box 293, 525 N 3rd Ave, Pasco, WA 99301
P: 509.545.3441 / F: 509.545.3499

that are not in conformance with the Goals and Policies of the Franklin County Comprehensive Plan and the City of Pasco Comprehensive Plan. The construction and/or extension of non- municipal infrastructure that cannot achieve our adopted level of service standards place an inequitable financial burden to our existing rate payers. Franklin County should be informed of the potential of significant financial liabilities in terms of infrastructure maintenance and replacement and level of service standards associated with safety/emergency response and traffic mitigation if there is a failure to conform with existing and/or new regulations ensuring future developments that provide the densities required of our Comprehensive Plans within or adjacent to the Pasco Urban Growth Area.

References:

- Franklin County 2018-2038 Comprehensive Plan
 - Adopted June 2021 – Ordinance No 07-2021
- Franklin County County-Wide Planning Policies
 - Adopted 2019 – Resolution No 2019-312
- Franklin County, Washington – Municipal Code
 - FMC 14.10.020(a) – Purpose and intent
 - Adopted January 2020 – Ordinance 01-2020

Fire Department

- 1) Plans for new developments must include plans and information as to connections with other streets showing maintained continuity of traffic flow for emergency response. Continuity of traffic flow is critical.
- 2) Fire Apparatus Access roads IFC Section 503.1. Where required. Fire Apparatus access roads shall be provided and maintained in accordance with locally adopted street, road, and access standards.
- 3) Fire Apparatus access roads shall have a turnaround on Dead ends exceeding 150 feet per IFC Appendix D. Hammerheads are not approved.
- 4) Fire hydrants typically will be installed on alternating sides of the street on five hundred foot spacing in residential areas. Cul-de-sacs that are greater than two hundred feet in length, as measured from the main street entrance to the bulb, shall have a hydrant placed prior to the curb return entering the turnaround. Cul-de-sacs over three hundred feet shall have hydrants at the entrance and at the turnaround prior to the curb return. Hydrants shall be installed and maintained so that the hydrant has not less than a radius of forty-eight inches of clearance around the hydrant. The hydrants shall be visible within a distance of fifty feet in any direction of fire Apparatus approach to the hydrant. Fire hydrants shall meet the required fire flow and duration per IFC Appendix B and C.
- 5) Premise Identification shall be maintained or provided in accordance with IFC Section 505.1. Approved address numbers shall be placed on all buildings in such a position as to be plainly visible and legible from the road or street fronting the property.



Community Development Department
PO Box 293, 525 N 3rd Ave, Pasco, WA 99301
P: 509.545.3441 / F: 509.545.3499

Planning Division

- 1) Plat creates at least one landlocked parcel (126230062).



Allyson Brooks Ph.D., Director
State Historic Preservation Officer

March 29, 2022

Aaron Gunderson
Planner I
Franklin County
502 W. Boeing St.
Pasco, WA 99301

In future correspondence please refer to:
Project Tracking Code: 2022-01-00026
Property: Franklin County_Kohler Subdivision (SUB 2022-02)
Re: Concur with Survey

Dear Aaron Gunderson:

Thank you for contacting the Washington State Historic Preservation Officer (SHPO) and Department of Archaeology and Historic Preservation (DAHP) and providing documentation regarding the above referenced project. These comments are based on the information available at the time of this review and on behalf of the SHPO in conformance with Washington State law. Should additional information become available, our assessment may be revised.

We concur with the results and recommendations made in the survey report. Specifically, as no cultural resources were found during the survey, we do not recommend direct archaeological supervision of the project. However, we ask that an Inadvertent Discovery Plan (IDP) be included as part of the construction permit.

Please note that the recommendations provided in this letter reflect only the opinions of DAHP. Any interested Tribes may have different recommendations. We appreciate receiving any correspondence or comments from Tribes or other parties concerning cultural resource issues that you receive.

Thank you for the opportunity to comment on this project. Please ensure that the DAHP project Tracking Number is attached to any future communications about this project.

Should you have any questions, please feel free to contact me.

Sincerely,

Sydney Hanson
Transportation Archaeologist
(360) 280-7563
Sydney.Hanson@dahp.wa.gov





STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

4601 N. Monroe Street • Spokane, Washington 99205-1295 • (509) 329-3400
711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

March 16, 2022

Aaron Gunderson
Planner I
Franklin County Planning and Building Department
502 Boeing Street
Pasco, WA 99301

Re: Kohler Subdivision
File: SUB 2022-02 (SEPA 2022-03)

Dear Aaron Gunderson:

Thank you for the opportunity to comment on the Mitigated Determination of Nonsignificance regarding the Kohler Subdivision project (Proponent: Big Sky Developers, LLC). After reviewing the documents, the Department of Ecology (Ecology) submits the following comments:

Water Quality Program-Shannon Adams (509) 329-3610

This project will require a Construction Stormwater General Permit.

For more information or technical assistance, please contact Shannon Adams at (509) 329-6310 or via email at Shannon.Adams@ecy.wa.gov.

Water Resource Program-Herm Spangle (509) 329-3448

Any ground water development proposal that will withdraw water in excess of 5,000 gallons per day for single or group domestic supply, or for industrial purpose, or for the irrigation of more than ½ acre of lawn or non-commercial garden will require a permit from the Department of Ecology.

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 of up to 5,000 gallons per day used for single or group domestic supply, industrial purposes, stock watering or for the irrigation of up to one-half acre of 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.

Aaron Gunderson
March 16, 2022
Page 2

On March 28, 2002 the Washington State Supreme Court ruled that the RCW 90.44.050 permit exemption does not apply where a developer of a residential subdivision proposes multiple wells to serve each lot in the development if in combination, the withdrawal will exceed the exemption criteria.

Use of water under the groundwater exemption has been interpreted in two Attorney General Opinions (AGO 1997 and AGO 2005) and by the Supreme Court in the Campbell & Gwinn decision. The 1997 AGO states that a group of wells drilled by the same person or group of persons, at or about the same time, in the same area, for the same purpose or project should be considered a single withdrawal and would not be exempt from the permitting requirement contained in RCW 90.44.050, if the total amount withdrawn for domestic purposes exceeds 5,000 gallons per day or if a total of more than 0.5 acre of lawn and garden are irrigated.

For more information or technical assistance, please contact Herm Spangle at (509) 329-3488 or via email at Herm.Spangle@ecy.wa.gov.

State Environmental Policy Act (SEPA)-Cindy Anderson (509) 329-3442

Ecology bases comments upon information submitted for review. As such, comments made do not constitute an exhaustive list of the various authorizations you may need to obtain, nor legal requirements you may need to fulfill in order to carry out the proposed action. Applicants should remain in touch with their Local Responsible Officials or Planners for additional guidance.

For information on the SEPA Process, please contact Cindy Anderson at (509) 329-3442 or via email at Cindy.Anderson@ecy.wa.gov.

To receive more guidance on or to respond to the comments made by Ecology, please contact the appropriate staff listed above at the phone number or email provided.

Department of Ecology
Eastern Regional Office
(Ecology File: 202200891)

cc: Caleb Stromstad, Aqtera Engineering (for Big Sky Developers, LLC)

Aaron Gunderson

From: John Burn <jburn@pocketinet.com>
Sent: Wednesday, March 16, 2022 9:47 AM
To: Aaron Gunderson
Subject: [EXTERNAL] RE: Request for Review and Comment & Notice of MDNS (SUB 2022-02)

CAUTION: This email originated from outside of Franklin County. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Aaron:

This property is outside of Franklin County Irrigation service area. No comments

John Burns
Operations Manager FCID#1

From: Aaron Gunderson <agunderson@franklincountywa.gov>
Sent: Friday, March 04, 2022 8:12 AM
To: planning@ctuir.org; squj@yahamafish-nsn.gov; William.marchand@colvilletribes.com; derek@yakamanation-olc.org; ethan@yakamanation-olc.org; fcid1@pocketinet.com; jburn@pocketinet.com
Cc: Derrick Braaten <dbraaten@franklincountywa.gov>; Rebeca Gilley <rgilley@franklincountywa.gov>; Ryan Nelson <ryann@franklincountywa.gov>
Subject: FW: Request for Review and Comment & Notice of MDNS (SUB 2022-02)

Hi everyone,
I realized I had forgot to include some agencies in my initial send out.

My apologies,

Aaron Gunderson

Planner I
Franklin County, WA | Planning & Building Dept.
509-545-3521
agunderson@franklincountywa.gov



From: Aaron Gunderson
Sent: Thursday, March 3, 2022 5:00 PM
To: Craig Erdman <cerdman@franklincountywa.gov>; John Christensen <jchristensen@franklincountywa.gov>; 'Deana Chiodo' <deanac@bfhd.wa.gov>; 'Rick Dawson' <Rickd@bfhd.wa.gov>; 'Snow, Charlotte M' <csnow@usbr.gov>; 'Bates, Gregory D' <gbates@usbr.gov>; 'bor-efo-mailroom@usbr.gov' <bor-efo-mailroom@usbr.gov>; 'Porter, Michele E' <mporter@usbr.gov>; 'Hoff, Gina M' <GHoff@usbr.gov>; 'ocallaghan@scbid.org' <ocallaghan@scbid.org>; 'Eric Dixon' <edixon@scbid.org>; bscott@scbid.org; tpoe@scbid.org <tpoe@scbid.org>; 'cenww-pa@usace.army.mil' <cenww-pa@usace.army.mil>; 'CENWW-RD@usace.army.mil' <CENWW-RD@usace.army.mil>; 'dale.j.jordan@usace.army.mil'

<dale.j.jordan@usace.army.mil>; 'rnnamaker@psd1.org' <rnnamaker@psd1.org>; 'sthornton@psd1.org' <sthornton@psd1.org>; 'mpost@psd1.org' <mpost@psd1.org>; 'mharris@fcfd3.org' <mharris@fcfd3.org>; 'Rick White' <WHITER@pasco-wa.gov>; 'adamsj@pasco-wa.gov' <adamsj@pasco-wa.gov>; 'manningm@pasco-wa.gov' <manningm@pasco-wa.gov>; 'Andrew Hattori' <hattoria@pasco-wa.gov>; 'gonzalezjb@pasco-wa.gov' <gonzalezjb@pasco-wa.gov>; 'bhooper@franklinpud.com' <bhooper@franklinpud.com>; 'rrichmond@franklinpud.com' <rrichmond@franklinpud.com>; 'glinden@franklinpud.com' <glinden@franklinpud.com>; Michael Morgan <mmorgan@franklincountywa.gov>; Robin Moug <rmoug@franklincountywa.gov>; 'freuded@wsdot.wa.gov' <freuded@wsdot.wa.gov>; 'SCPlanning@WSDOT.WA.GOV' <SCPlanning@WSDOT.WA.GOV>; 'kaiserM@wsdot.wa.gov' <kaiserM@wsdot.wa.gov>; 'sepa@dahp.wa.gov' <sepa@dahp.wa.gov>; 'fcid1@pocketinet.com' <fcid1@pocketinet.com>; 'jburn@pocketinet.com' <jburn@pocketinet.com>

Cc: Derrick Braaten <dbraaten@franklincountywa.gov>; Rebeca Gilley <rgilley@franklincountywa.gov>; Ryan Nelson <ryann@franklincountywa.gov>

Subject: Request for Review and Comment & Notice of MDNS (SUB 2022-02)

NOTICE OF APPLICATION / REQUEST FOR REVIEW AND COMMENTS

Please find attached an application and a request for review & comments on a Subdivision (SUB 2022-02).

NOTICE OF SEPA DNS

A SEPA DNS has been issued for the proposal. (Franklin County File # SEPA 2022-03)

The Public Notice, MDNS and SEPA Environmental Checklist are attached for your records and review. Comments on the MDNS are due by March 17, 2022.

Thank you,

Aaron Gunderson

Planner I

Franklin County, WA | Planning & Building Dept.
509-545-3521

agunderson@franklincountywa.gov



Aaron Gunderson

From: Deana Chiodo <deanac@bfhd.wa.gov>
Sent: Wednesday, March 9, 2022 10:20 AM
To: Aaron Gunderson
Subject: [EXTERNAL] RE: Request for Review and Comment & Notice of MDNS (SUB 2022-02)

CAUTION: This email originated from outside of Franklin County. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Aaron,

The above referenced plat appears to meet all of our conditions asked for. Prior to BFHD final plat signature, the applicant will need to submit for a Long Plat Final Plat Review with a fee of \$200. This shall be done after all roads and utilities have been constructed and completed.

Please let me know if you have any questions or concerns, thank you.

Deana Chiodo

Environmental Health Specialist II

Benton-Franklin Health District

7102 W. Okanogan Place,

Kennewick, WA 99336

p: 509.460.4316

www.bfhd.wa.gov Deanac@bfhd.wa.gov



Follow us on   

From: Aaron Gunderson <agunderson@franklincountywa.gov>

Sent: Thursday, March 3, 2022 5:01 PM

To: Craig Erdman <cerdman@franklincountywa.gov>; John Christensen <jchristensen@franklincountywa.gov>; Deana Chiodo <deanac@bfhd.wa.gov>; Rick Dawson <Rickd@bfhd.wa.gov>; Snow, Charlotte M <csnow@usbr.gov>; Bates, Gregory D <gbates@usbr.gov>; bor-efo-mailroom@usbr.gov; Porter, Michele E <mporter@usbr.gov>; Hoff, Gina M <GHoff@usbr.gov>; ocallaghan@scbid.org; Eric Dixon <edixon@scbid.org>; bscott@scbid.org; tpoe@scbid.org; cenww-pa@usace.army.mil; CENWW-RD@usace.army.mil; dale.j.jordan@usace.army.mil; rnunamaker@psd1.org; sthornton@psd1.org; mpost@psd1.org; mharris@fcfd3.org; Rick White <WHITER@pasco-wa.gov>; adamsj@pasco-wa.gov; manningm@pasco-wa.gov; Andrew Hattori <hattoria@pasco-wa.gov>; gonzalezjb@pasco-wa.gov; bhooper@franklinpud.com; rrichmond@franklinpud.com; glinden@franklinpud.com; Michael Morgan <mmorgan@franklincountywa.gov>; Robin Moug <rmoug@franklincountywa.gov>; freuded@wsdot.wa.gov; SCPlanning@WSDOT.WA.GOV; kaiserM@wsdot.wa.gov; sepa@dahp.wa.gov; fcid1@pocketinet.com; jburn@pocketinet.com

Cc: Derrick Braaten <dbraaten@franklincountywa.gov>; Rebeca Gilley <rgilley@franklincountywa.gov>; Ryan Nelson <ryann@franklincountywa.gov>

Subject: Request for Review and Comment & Notice of MDNS (SUB 2022-02)

NOTICE OF APPLICATION / REQUEST FOR REVIEW AND COMMENTS

Please find attached an application and a request for review & comments on a Subdivision (SUB 2022-02).

NOTICE OF SEPA DNS

A SEPA DNS has been issued for the proposal. (Franklin County File # SEPA 2022-03)

The Public Notice, MDNS and SEPA Environmental Checklist are attached for your records and review. Comments on the MDNS are due by March 17, 2022.

Thank you,

Aaron Gunderson

Planner I

Franklin County, WA | Planning & Building Dept.

509-545-3521

agunderson@franklincountywa.gov



****This email was sent from outside the BFHD Network****

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Memo



Public Works Department

To: Derrick Braaten, Planning & Building Director
From: John Christensen, County Surveyor
cc: Craig Erdman, County Engineer / Public Works Director
Date: March 11, 2022
Re: SUB 2022-02 Kohler Subdivision

Derrick,

We have reviewed the above referenced preliminary subdivision and find the following:

- 1 The final plat shall be accompanied with closure notes conforming to Franklin County Subdivision Ordinance Section 7.10 (C)(4) for the subdivision boundary and all lots.
- 2 The following notes are required on the final plat:
 - a. All new approaches to County Roads will require an approach permit at the time of building permit application.
 - b. No lot within this subdivision shall have direct access to Fraser Road.
 - c. Lot owners shall agree to participate in any future L.I.D. / R.I.D.'s for roads, drainage, curb & gutters, streetlights, storm sewers, water and/or sanitary sewers.
 - d. Lot owners shall be responsible for the maintenance of drainage ditches or swales per the design as shown on the road construction plans for this development, unless they are no longer necessary due to an alternate drainage system being installed.
 - e. Lot owners shall provide landscaping within the unimproved portion of the right-of-way between the property line and the edge of pavement and/or curb. This shall consist of grass/lawn, river rock, basalt rock, gravel (less than three inches in diameter), or other traditional residential landscaping

material. Maintenance of the landscaping is the requirement of each individual lot owner.

- 3 All utilities serving the subdivision must be installed underground, per Franklin County Code Chapter 7, Section 7.9A.
- 4 Permanent control monuments shall be installed in accordance with Franklin County Standard Plans H-6 and H-7 (brass cap in monument case) for centerline monuments when the road is constructed.
- 5 This development shall comply with the Franklin County Comprehensive Parking Ordinance, as defined in Franklin County Code Section 10.12, except that provisions for "on-street parking on one side of County roads" will not be permitted.
- 6 Cul-de-sacs shall be designed with a 47 foot minimum radius, per Franklin County Design Standards, Division 1-03.4. The cul-de-sac shall be a hard surface, per Franklin County Code Section 16.12.020(D)(2), . The minimum right-of-way shall be 55 feet or larger to accommodate the hard surface and allow for proper drainage ditches or swales.
- 7 Reference primary survey control points to section corners and monuments conforming to Franklin County Code Section 16.28.100(B).
- 8 Prior to final plat approval, all roads must be completed to county standards.
- 9 The final plat shall be accompanied with State Plane Coordinates conforming to Franklin County Subdivision Ordinance Section 7.10 (C)(1) and as set forth by state statues for recording coordinates as described in RCW 58.20.180.
- 10 The developer shall provide landscape fabric and river rock, basalt rock, gravel (less than three inches in diameter), or other traditional residential landscaping material within the unimproved portion of the right-of-way between the property line/estate wall and the edge of pavement and/or curb to assist in weed control along future Fraser Road.
- 11 Per the Engineers Report dated 4/18/2016, titled Dent Road Future Extension, a full width roadway is to be constructed to current county standards for Fraser Road.
- 12 A signature must be obtained from the Public Works office. To expedite the process, the applicant shall address all comments and email a final copy for review along with any additional documents (i.e. closure notes). A field check will be scheduled if needed. Once complete, Public Works will notify the applicant if any conditions remain or if all the conditions have been met and a signature can be obtained.

If you have any questions or concerns please let me know.



South Columbia Basin Irrigation District

OFFICE: 1135 E. HILLSBORO, SUITE A

TELEPHONE 509/547-1735, FAX 509/547-8669 • P.O. BOX 1006 • PASCO, WASHINGTON 99301

March 15th, 2022

ATTN: Mr. Derrick Braaten
Director, Planning & Building
Franklin County Planning and Building Department
502 W. Boeing St.
Pasco, WA 99301

Re: Proposed Subdivision SUB 2022-02 and SEPA 2022-03, Kohler

Dear Mr. Braaten,

The District has reviewed the proposed Subdivision SUB 2022-02 and SEPA 2022-03 for Big Sky Development, LLC and has the following comments:

- Sheet 1 of the Preliminary Plat Map has the parcel to the south of the proposed subdivision labeled as "40' USBR Irrigation ROW". This is not a ROW, but rather a parcel owned by USBR in Fee Title.
- The following language will be required on the final plat and must be signed by the landowner prior to approval:

Irrigation and Owner's Certificate

The property described herein is located wholly or in part within the boundaries of the South Columbia Basin Irrigation District ("District"). The District hereby certifies that the irrigation easements and rights of way shown on the Plat are adequate to serve all lots located within the Plat and other adjacent lands which are entitled to District irrigation water. A separate written agreement for completed irrigation facilities ___ has been approved; or ___ will not be required. (Check one)

The owner acknowledges the use and existence of irrigation water and delivery systems must comply with all District rules and regulations and may cause damage or be a hazard to property and persons. The owner assumes all risk associated with the use and delivery of irrigation water and holds the District harmless and waives on behalf of themselves and their successors in interests any claims for damages of any kind against the District which may be caused by the construction, operation, or maintenance of the irrigation facilities; or from the delivery, leakage, or seepage of water.

South Columbia Basin Irrigation District

Owner

If you have any questions, please do not hesitate to contact me at 509-547-1735 or by email at bscott@scbid.org.

Thank you,

Brian Scott, P.E.
Chief Engineer
South Columbia Basin Irrigation District

CC: B1 U67 File



South Central Region
2809 Rudkin Road
Union Gap, WA 98903-1648
509-577-1600 / FAX: 509-577-1603
TTY: 1-800-833-6388
www.wsdot.wa.gov

March 10, 2022

Franklin County Planning and Building Department
502 Boeing Street
Pasco, WA 99301

Attn: Derrick Braaten, Planning and Building Director

RE: SUB 2022-02/SEPA 2022-03 – Kohler Subdivision
I-182 Exit 7 (Road/100/Broadmoor) vicinity

We have reviewed the proposed subdivision and have the following comment.

The proposed subdivision may generate up to 220 vehicle trips per day and WSDOT anticipates the majority of these trips will utilize Interstate 182 (I-182) and the Exit 7 interchange. We are not opposed to the proposed project; however, this interchange is the sole point of access to I-182 in the area and we are concerned with the cumulative impact development in this area is having on this facility. Therefore, in order to mitigate this project's impact, we recommend the county require the proponent to contribute towards the city of Pasco's planned improvements to the interchange, in proportion to their impact.

Thank you for the opportunity to review and comment on this proposal. If you have any questions regarding this letter, please contact Jacob Prilucik at (509) 225-0637.

Sincerely,

A handwritten signature in black ink that reads 'Paul Gonseth'.

Paul Gonseth, P.E.
Region Planning Engineer

PG: jjp

cc: SR 182, File#2022_004

Agenda Item #4

APPLICATION, SEPA DETERMINATION & SEPA CHECKLIST

SUB 2022-02

Kohler Subdivision



FRANKLIN COUNTY

PLANNING AND BUILDING DEPARTMENT

GENERAL LAND DEVELOPMENT APPLICATION

FOR STAFF USE ONLY:	FILE #:	<i>S T A M P H E R E:</i>
	Total Fees: \$	Reviewed by:
	Receipt #:	Hearing Date:
	Date of Pre-App meeting:	
	Date deemed complete:	

CHECK ALL THAT APPLY AND ATTACH THE SUPPLEMENTAL FORM(S):	<input type="checkbox"/> Comprehensive Plan Amendment	<input type="checkbox"/> Boundary Line Adjustment
	<input type="checkbox"/> Conditional Use Permit	<input type="checkbox"/> Shoreline Substantial Development
	<input type="checkbox"/> Variance	<input type="checkbox"/> Shoreline Conditional Use Permit
	<input type="checkbox"/> Rezone	<input type="checkbox"/> Shoreline Variance
	<input type="checkbox"/> Non-Conforming Use Determination	<input type="checkbox"/> Shoreline Exemption
	<input type="checkbox"/> Zoning Interpretation / Administrative Decision	<input type="checkbox"/> Shoreline Non-Conforming
	<input type="checkbox"/> Short Plat	<input checked="" type="checkbox"/> SEPA Environmental Checklist
	<input checked="" type="checkbox"/> Subdivision (Long Plat)	<input type="checkbox"/> Appeal (<i>File # of the item appealed</i> _____)
	<input type="checkbox"/> Binding Site Plan	<input type="checkbox"/> Critical Areas Determination / Review / Reasonable Use Exemption
	<input type="checkbox"/> Lot Segregation Request	<input type="checkbox"/> Temporary Use Permit
	<input type="checkbox"/> Alteration / Vacation	<input type="checkbox"/> Home Occupation
	<input type="checkbox"/> Planned Unit Development	<input type="checkbox"/> H2A Farm Worker Housing (zoning review)
	<input type="checkbox"/> Other:	

<input checked="" type="checkbox"/> for contact person:	CONTACT INFORMATION
<input type="checkbox"/>	Property Owner Name: Debra Kohler Mailing Address: 2262 Dent Rd, Pasco, WA 99301 Phone: 509-366-4468 Email: kohlerpasc@yahoo.com
<input type="checkbox"/>	Applicant / Agent / Contractor (if different) Company: Big Sky Developers, LLC Name: Dave Greeno Address: 5426 N Road 68, Box D-113, Pasco, WA 99301 Phone: 509-521-4834 Email: ccolre@aol.com
<input checked="" type="checkbox"/>	Surveyor / Engineer Company: Aqtera Engineering Name: Caleb Stromstad Address: 2705 Saint Andrews Loop, Suite C, Pasco WA 99301 Phone: 509-845-0208 Email: caleb@aqtera.com

BRIEF DESCRIPTION OF PROJECT OR REQUEST:

Subdivide 26.44 acres from parcel 1 of AFN 1952578 (parcel 126150015) into 22 lots (minimum of 1 acre) for single family homes. Install necessary infrastructure and utilities to support development.

PROPERTY INFORMATION:

Parcel number(s) (9-digit tax number):

126150015

Legal Description of Property:

See preliminary plat map

Site Address (*describe location if no address is assigned*):

The site lies directly to the northwest of the future extension of Fraser Rd to Dent Rd.

- All appropriate fees must accompany this application. Fees are non-refundable and subject to change. Please contact the Planning Department for current fee totals.
- This application, including attachments, must be completed in its entirety for all items applicable to your project.
- Supplemental information is generally required for land use approvals. Ensure that all required information is submitted along with this application form.
- If the property is owned by a corporation or LLC please attach documentation showing that the person signing as the "owner" has the authority to sign on behalf of the corporation or LLC. If there are multiple owners, provide an attachment in the same format and with the same declarations.

I, the undersigned, hereby authorize the filing of this application and certify under penalty of perjury that the information contained in this application is complete and correct to the best of my knowledge. Further, I hereby grant Franklin County staff or representatives to enter my property during the course of this review to inspect my property as needed.

I understand that any information submitted to the Franklin County Planning/Building Department is subject to public records disclosure laws for the State of Washington (RCW Chapter 42.17) and all other applicable laws that may require the release of the documents to the public.

☒ This authorizes the designated Applicant's representative (if applicable) to act on behalf of the applicant for the processing of this request.

 1/25/2022
Owner Date

 1/25/2022
Applicant/Representative Date

Print Name: Debbie Kohler

Print Name: Caleb Stromstad



FRANKLIN COUNTY

PLANNING AND BUILDING DEPARTMENT

PRELIMINARY PLAT (SUBDIVISION) (SUB) APPLICATION PACKET

In Franklin County, Washington there are two (2) types of subdivisions:

1. Short Subdivision (also known as short plats) and;
2. Subdivision (also known as a long plat).

Subdivision type is determined by the number of lots proposed and the properties location.

When a division of land is proposed and is located outside of an urban growth boundary, four (4) or less lots constitutes a short subdivision (short plat) while a proposal inside an urban growth boundary, nine (9) or less lots constitutes a short subdivision (short plat). Anything exceeding these numbers constitutes a subdivision (long plat).

Please note that subdivision (long plat) developments are not permitted in the Agricultural Production-20 and the Agricultural Production-40 Zoning Districts. To determine if a property is located within an Urban Growth Area or its zoning designation, please call the Planning and Building Department at 509-545-3521, visit our office or access the County's GIS Mapping Program online.

FREQUENTLY ASKED QUESTIONS:

What is a subdivision?

A subdivision or long plat is the division or re-division of land into lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership.

What is the difference between a short subdivision (short plat) and a subdivision (long plat) in Franklin County?

The subdivision type is determined by the number of lots proposed and the properties' location.

Specifically, a subdivision (long plat) is a request to divide property into ten (10) or more lots for lands within a designated urban growth area and five (5) or more lots for lands outside a designated urban growth area. A short subdivision (short plat) consists of 9 (nine) or less lots for land inside an urban growth area and 4 (four) or less lots for property outside an urban area.

Is a subdivision allowed in the Agricultural Production 20 or Agricultural Production 40 Zoning Districts?

Only a short subdivision (4 or less lots) which meets certain criteria is allowed in the AP-20 and AP-40 Zoning Districts. A subdivision (long plat) is not permitted.

What is a preliminary plat?

The purpose of a preliminary plat is [to] establish specific review procedures and approval criteria for the division of land. A preliminary plat provides the county an opportunity to review the overall concept prior to initial development and is applicable when owner(s) wish to divide their property into ten (10) or more lots for

lands within a designated urban growth area and five (5) or more lots for lands outside a designated urban growth area. The intent of the preliminary plat process is to promote orderly and efficient community growth within the framework of RCW 58.17.035.

What is a final plat?

A Final Plat means a map of a subdivision of land made up in final form ready for approval and filing.

If I want to subdivide my property, where do I start?

Planning and Building Department staff will assist you through the application, review and decision-making process of a subdivision. The County Planning Commission reviews and will make a recommendation regarding the request. The Board of County Commissioners will make the final decision. In this decision-making process, all established standards, criteria, and policies regarding the long plat within the zoning district will be reviewed.

Call the Planning and Building Department at 509-545-3521, visit our office at 502 W. Boeing Street, Pasco, WA 99301 or review Title 16 Subdivisions in the County Code which may be accessed at <http://www.co.franklin.wa.us/>.

How do I apply for a subdivision?

A pre-application meeting with the Planning and Building Department staff is required for all subdivision applications. Applications are submitted to the Planning and Building Department. The following minimum application requirements shall be submitted:

1. Land Development Application;
2. Fees (see application checklist);
3. SEPA Review (see application checklist);
4. Written approval from the Benton Franklin Health Department;
5. 2 copies and an electronic copy of a preliminary plat developed by a registered surveyor; and
6. A plat certificate from a licensed title company showing the vested owner and others that have interest in the property.

What happens after I apply?

During the time prior to the public hearing, the Planning and Building Department staff will notify in writing (copy of public hearing notice) all the property owners of record within 500 feet of your property (if within an Urban Growth Area) or 1 mile of your property (if located outside an Urban Growth Area).

Additionally, the staff will conduct a review of your request and will do the following:

1. Establish a hearing date for the request;
2. Send notification of the hearing to local newspapers;
3. Send notification of the request to applicable technical agencies for comments;
4. Send notification of the request to neighboring landowners (see above); and
5. Compile public and agency comments to help develop a Staff Report for the hearing.

What happens at the public hearing?

An open record hearing (public hearing) is held to review your request. The applicant or representative is strongly encouraged to be present to discuss and answer any questions the Planning Commission or public may have. Anyone who wants to testify for or against your request will be allowed to do so.

When do I find out if my division of land was approved or denied?

At conclusion of this public hearing, the Planning Commission will make a recommendation to the County Commissioners to approve, approve with conditions, or deny the subdivision request. This recommendation is processed through an appeal time period prior to appearing before the Board of County Commissioners for a decision. For additional information regarding the timely filing of an appeal, closed record hearings, and Commissioner review and decision, please see Title 17.82 of the Franklin County Code or contact the Planning and Building Department for details and specifications.

After I receive preliminary plat approval, how long do I have to comply with the approval (conditions) and prepare a final plat?

A preliminary plat approval is valid for a period of 5 years.

Who should I discuss Advanced Property Taxes with as it relates to subdivision applications in Franklin County?

All applicants are encouraged to discuss the Advanced Property Tax requirements for subdivisions with the Franklin County Treasurer's Office.

*-- Keep this section for your records --
-- Return the following completed pages with your application --*



FRANKLIN COUNTY PRELIMINARY PLAT (SUBDIVISION) (SUB) APPLICATION SUPPLEMENT

Subdivision Submittal Checklist:

<input checked="" type="checkbox"/>	General Land Development Application
<input checked="" type="checkbox"/>	SUBDIVISION FEE: \$800.00 plus \$25.00 per lot. Check made payable to the Franklin County Planning and Building Department.
<input checked="" type="checkbox"/>	\$150.00 SEPA Fee: Check made payable to the Franklin County Planning and Building Department.
<input checked="" type="checkbox"/>	SEPA Checklist: A completed State Environmental Policy Checklist shall be completed and submitted with this application.
<input checked="" type="checkbox"/>	<p>\$80.00 Variance Report Fee: Check made payable to the Franklin County Assessor's Office. An applicant <u>does not</u> need to contact the Assessor's Office to obtain this report. At the time of application, the Planning Division will request the report from the Assessor's Office. The report includes the Adjoining Property Owners' Names and Addresses (500 feet within an Urban Growth Area or one (1) mile outside an Urban Growth Boundary). As an alternative to the Assessor's Office, an applicant may also obtain this report from a licensed title company.</p> <p><i>Please note....the review period will not begin until this Variance Report is completed.</i></p>
<input checked="" type="checkbox"/>	Proof of Water Availability: Provide evidence of <u>legal availability</u> of water (Water right permit, letter from an approved water purveyor, domestic well permit, etc.) as well as evidence of <u>quality of water</u> (A letter from an approved water provider stating the ability to provide water OR notification from the Health District that the water is potable, for wells)
<input checked="" type="checkbox"/>	Preliminary Plat Map: 2 copies of the plat map from a registered surveyor and 1 copy in a digital or electronic format (PDF on a disk, cd, or e-mail) meeting the requirements of FCC 16.20.040.
<input checked="" type="checkbox"/>	Narrative: Provide an attachment with a written explanation of the project (the who, what, where, when and how of the proposal). Please be as detailed as possible. Items to include: If you are requesting any deviations to standards, Access to the property and route of travel to the site, Timelines for completion, Presence of critical areas, Any proposed pre-development demolition / septic tank removal, etc., Any proposed or pledged impact mitigation agreements.
<input type="checkbox"/>	Attach Property information: <u>Proposed or recorded</u> Covenants, Conditions and Restrictions (CC&Rs) or deed restrictions pertaining to or affecting the property (if any), Latecomers agreements.
<input checked="" type="checkbox"/>	Written approval from the Benton-Franklin Health District. The Health District is located at 7102 West Okanogan Place, Kennewick, WA – (509) 460-4205.

PRELIMINARY PLAT SUPPLEMENTAL INFORMATION**ZONING: RC-1**IS THE PROPERTY LOCATED WITHIN A FLOODPLAIN? YES ☐ NO ☒IS THE PROPERTY LOCATED WITHIN AN AIRPORT SAFETY OVERLAY? YES ☐ NO ☒**PROPOSED SUBDIVISION NAME:**

Kohler Subdivision

PARENT LOT/PARCEL SIZE (GROSS ACREAGE):

26.44 acre

PRESENT USE OF THE LAND AND STRUCTURES, IF ANY:

Untended grape vineyard.

ARE YOU PROPOSING TO PHASE THE DEVELOPMENT? ☐ YES ☒ NOIF YES, HOW MANY PHASES ARE YOU PROPOSING AND HOW MANY YEARS UNTIL THE DEVELOPMENT
WILL BE FULLY BUILT- OUT?**AVERAGE LOT SIZE:** 44,490 sf**SMALLEST LOT SIZE:** 43,560 sf**LARGEST LOT SIZE:** 50,224 sf**TOTAL NUMBER OF PROPOSED LOTS:** 22**TOTAL NUMBER OF PROPOSED DWELLING UNITS:** 22**TYPES OF BUILDINGS TO BE CONSTRUCTED (SINGLE FAMILY, DUPLEX, COMMERCIAL, ETC.):**

Single Family Residential

ARE YOU PROPOSING TO INCLUDE DESIGNATED OPEN SPACES, PARKS OR RECREATIONAL AREAS?☐ YES ☒ NO

IF YES, DESCRIBE ACREAGE AND TYPES:

DESCRIBE HOW STORMWATER DRAINAGE WILL BE HANDLED:

Roadside swales/ditches, surface and/or subsurface infiltration.

**ARE ANY OF THE FOLLOWING FEATURES (NATURAL OR MAN-MADE) LOCATED ON THE PROPERTY (CHECK ALL
THAT APPLY AND INCLUDE ON A SITE PLAN):**☐ PONDS ☐ LAKES ☐ STREAMS / RIVERS ☐ WETLANDS ☐ FLOODPLAIN ☐ FLOODWAY ☐ STEEP SLOPES
(EXCEEDS 15% GRADE) ☐ IRRIGATION DITCHES / CANALS**None****DO YOU PROPOSE THE ON-SITE ROADWAY(S) TO BE PUBLIC OR PRIVATE?**

Public

**DESCRIBE ANY HOMEOWNER'S OR MAINTENANCE ASSOCIATION THAT MAINTAINS ANY EXISTING PRIVATE
ROADS:****N/A**

DESCRIBE THE PROPOSED METHOD OF FIRE PREVENTION/ SUPPRESSION: Standardized On-site water storage: 20,000 gal underground tank, meeting FCC 8.40.080 requirements
ARE YOU PROPOSING SIDEWALKS? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
IRRIGATION SOURCE: <input type="checkbox"/> NONE <input type="checkbox"/> PRIVATE <input checked="" type="checkbox"/> SCBID <input type="checkbox"/> FCID
DOMESTIC WATER SUPPLY: <input checked="" type="checkbox"/> ON-SITE WELL <input type="checkbox"/> COMMUNITY WELL (Well ID # and location): _____ <input type="checkbox"/> OTHER (SPECIFY): _____
SEWAGE DISPOSAL: <input checked="" type="checkbox"/> ON-SITE SEPTIC <input type="checkbox"/> OTHER (SPECIFY): _____
LIST EXISTING OR PROPOSED UTILITY PROVIDERS: Power – Franklin PUD Telephone – Charter Communications Natural Gas – Cascade Natural Gas Company Cable / Broadband – Charter Communications Sanitary waste disposal - On-site sewage system

I, the undersigned, hereby authorize the filing of this application and certify under penalty of perjury that the information contained in this application is complete and correct to the best of my knowledge. Further, I hereby grant Franklin County staff or representatives to enter my property during the course of this review to inspect my property as needed.

☒ **This authorizes the designated Applicant's representative (if applicable) to act on behalf of the applicant for the processing of this request.**

 _____ 1/25/2022
 Owner Date

 _____ 1/25/2022
 Applicant/Representative Date

Print Name: Debbie Kohler

Print Name: Caleb Stromstad

Rev. Jan 2019



Written Narrative for Kohler - Preliminary Plat

Big Sky Developers, LLC is seeking to develop the proposed preliminary plat (subdivision) known as the Kohler Subdivision. The project site is 26.44 acres of RC-1 zoning and was previously used as farmland. The site is made up of parcel 126150015 in Franklin County, with no existing site address. It is located directly Northwest of the intersection of Dent Road and the future Fraser Road extension.

The proposed 26.44-acre subdivision consists of 22 single-family residential lots, ranging from 1.0 to 1.15 acres, with an average lot size of 1.03 acres. It is anticipated that the subdivision will be constructed in a single phase (pending plat conditions), with 3.71 acres of parcel 126150015 being dedicated to County right-of-way and constructed per Franklin County code and construction standards. Access to the site will be from the extension of Fraser Road, at its intersection with Dent Road. A 30' access and utility easement on parcels 124310111 and 124310085 will be dedicated prior to final plat approval (see preliminary plat map).

The proposed subdivision will utilize private onsite sewage systems (OSS) for sewage disposal, individual exempt wells for potable water, a static water tank for fire suppression, and a private irrigation network that is supplied by South Columbia Basin Irrigation District (SCBID). Stormwater runoff generated onsite will be collected and disposed of onsite via roadside swales and underground infiltration.

Presently there are no areas of the site classified as critical areas, per Franklin County critical areas maps. There are existing vineyards on portions of the site that will be demolished as part of this project.

Assuming the project will be completed in a single phase, construction activities for this project are expected to start in the summer of 2022 and conclude in the winter of 2022. Upon final plat approval, single-family housing will begin construction within the development.

DATE DOWN ENDORSEMENT
Issued By **Benton Franklin Title Company**
acting as agent for
Old Republic National Title Insurance Company

Endorsement No: 1
Order No.: BF12376
Ref: Brian E Duran / BIG SKY DEVELOPERS

The Company hereby assures the Assured that there are no matters shown by the public records which affect the estate or interest described in Schedule A, other than those shown in Schedule B, except:

PARAGRAPH 1 OF SPECIAL EXCEPTIONS HAS BEEN ELIMINATED

The effective date for the Guarantee is hereby extended to the date shown herein, subject, however, to any additional matters shown above.

The total liability of the Company under said Guarantee and under this endorsement thereto shall not exceed, in the aggregate, the amount stated in said Guarantee. This endorsement is made a part of said Guarantee and is subject to the exclusions from coverage, the limits of liability and other provisions of the Conditions and Stipulations therein, except as modified by the provisions hereof.

Dated: **December 27, 2021 at 8:00 a.m.**

**Benton Franklin Title Company, as agent for
Old Republic National Title Insurance Company**

Countersigned



Authorized Signatory

Note: This endorsement shall not be valid or binding
Until countersigned by an authorized signatory.

**Date-Down Endorsement
CLTA Form (6-24-70)**

Order No. BF12376



510 N. COLORADO ST., STE B, KENNEWICK, WA 99336
Phone: 509-783-0661 Fax: 509-783-2256

Limited Liability Certificate

Order No. BF12376

Prepared for:

AHBL INC.
TYLER DUNCAN: TDUNCAN@AHBL.COM
JOHN BECKER: JBECKER@AHBL.COM
BRUCE DUNCAN: WINDOWROCKRAND@GMAIL.COM

THIS IS A REPORT AS OF January 14, 2021, COVERING THE PROPERTY HEREINAFTER DESCRIBED. THE INFORMATION CONTAINED HEREIN IS MADE SOLELY FOR THE PURPOSE OF DETERMINING THE STATUS OF THE PROPERTY DESCRIBED HEREIN, IS RESTRICTED TO THE USE OF THE ADDRESSEE, AND IS NOT TO BE USED AS A BASIS FOR CLOSING ANY TRANSACTION AFFECTING TITLE TO SAID PROPERTY.

VESTED IN:

Brian E Duran, a married man as his separate estate

BENTON FRANKLIN TITLE COMPANY

A handwritten signature in dark ink, appearing to read "Mark A. [unclear]", is written over a horizontal line.

Authorized Signatory

LEGAL DESCRIPTION

**LOT 2, SHORT PLAT 2018-20, ACCORDING TO THE SURVEY THEREOF RECORDED UNDER
AUDITOR'S FILE NO. 1881873, RECORDS OF FRANKLIN COUNTY, WASHINGTON.**

Order No. BF12376

EXCEPTIONS:

1. GENERAL TAXES FOR 2021, PAYABLE FEBRUARY 15, 2021, THE AMOUNT OF WHICH IS NOT NOW ASCERTAINABLE. TAX ACCOUNT NO. 126-150-020. (AREA CODE 106) FIRST HALF TAXES ARE DELINQUENT MAY 1. LAST HALF TAXES ARE DELINQUENT NOVEMBER 1.

NOTE: GENERAL TAXES FOR 2020 IN THE SUM OF \$276.54 ARE PAID IN FULL.

2. IRRIGATION AND LOCAL IMPROVEMENT DISTRICT ASSESSMENTS, IF ANY, LEVIED BY SOUTH COLUMBIA BASIN IRRIGATION DISTRICT FOR THE CURRENT AND PRIOR YEARS, AMOUNTS OF WHICH ARE UNAVAILABLE TO THIS OFFICE.

PARCEL NO.: 126-150-020

PLEASE CALL 509-547-1735, FOR AMOUNT(S).

NOTE: UNLESS THIS OFFICE IS PROVIDED WITH A PAID RECEIPT FROM SOUTH COLUMBIA BASIN IRRIGATION DISTRICT PRIOR TO CLOSING, SAID PARAGRAPH WILL APPEAR "AS SHOWN ABOVE" ON THE FINAL POLICY.

3. THIS LAND IS INCLUDED WITHIN SOUTH COLUMBIA BASIN IRRIGATION DISTRICT AND IS SUBJECT TO LAWS AND REGULATIONS OF THE UNITED STATES AND THE STATE OF WASHINGTON APPLICABLE TO THE COLUMBIA BASIN PROJECT AND IS LIABLE FOR FURTHER ASSESSMENTS, IF ANY, LEVIED BY SAID DISTRICT.
4. EXCEPTIONS AND RESERVATIONS CONTAINED IN DEED WHEREBY THE GRANTOR EXCEPTS AND RESERVES ALL OILS, GASES, COAL, ORES, MINERALS, FOSSILS, ETC., AND THE RIGHT OF ENTRY FOR OPENING, DEVELOPING AND WORKING MINES, ETC., PROVIDED THAT NO RIGHTS SHALL BE EXERCISED UNTIL PROVISION HAS BEEN MADE FOR FULL PAYMENT OF ALL DAMAGES SUSTAINED BY REASON OF SUCH ENTRY;
FROM: THE STATE OF WASHINGTON
RECORDING NO.: 28451

RIGHT OF THE STATE OF WASHINGTON OR ANY GRANTEE OR LESSEE THEREOF, UPON PAYING REASONABLE COMPENSATION, TO ACQUIRE RIGHTS OF WAY FOR PRIVATE RAILROADS, SKID ROADS, FLUMES, CANALS, WATER COURSES OR OTHER EASEMENTS FOR TRANSPORTING AND MOVING TIMBER, STONE, MINERALS, OR OTHER PRODUCTS FROM THIS AND OTHER PROPERTY, AS RESERVED IN THE DEED REFERRED TO ABOVE.

THE PRESENT OWNERSHIP OR ENCUMBRANCES UPON THE ESTATE OR INTEREST REFERRED TO IN THIS EXCEPTION ARE NOT INCLUDED HEREIN AND NO INVESTIGATION HAS BEEN MADE THERETO.

5. TERMS AND CONDITIONS CONTAINED IN QUIT CLAIM DEED RECORDED DECEMBER 27, 1989 UNDER AUDITOR'S FILE NO. 468787.
6. NOTES AS CONTAINED ON THE FACE OF SAID SHORT PLAT.
7. EASEMENTS AS DELINEATED ON THE FACE OF SAID SHORT PLAT.
8. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:
GRANTEE: DAVID C KOHLER AND DEBRA J KOHLER
PURPOSE: INGRESS AND EGRESS AND UTILITY
RECORDED: June 27, 2016
AUDITOR'S FILE NO.: 1847084

Order No. BF12376

9. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

GRANTEE: PUBLIC UTILITY DISTRICT NO 1 OF FRANKLIN COUNTY
PURPOSE: RIGHT OF WAY
RECORDED: March 08, 1960
AUDITOR'S FILE NO.: 211985

10. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

GRANTEE: PUBLIC UTILITY DISTRICT NO 1 OF FRANKLIN COUNTY
PURPOSE: RIGHT OF WAY
RECORDED: February 03, 1960
AUDITOR'S FILE NO.: 216875

11. SUBORDINATION AGREEMENT REALTY INTERESTS AND THE TERMS AND CONDITIONS THEREOF:

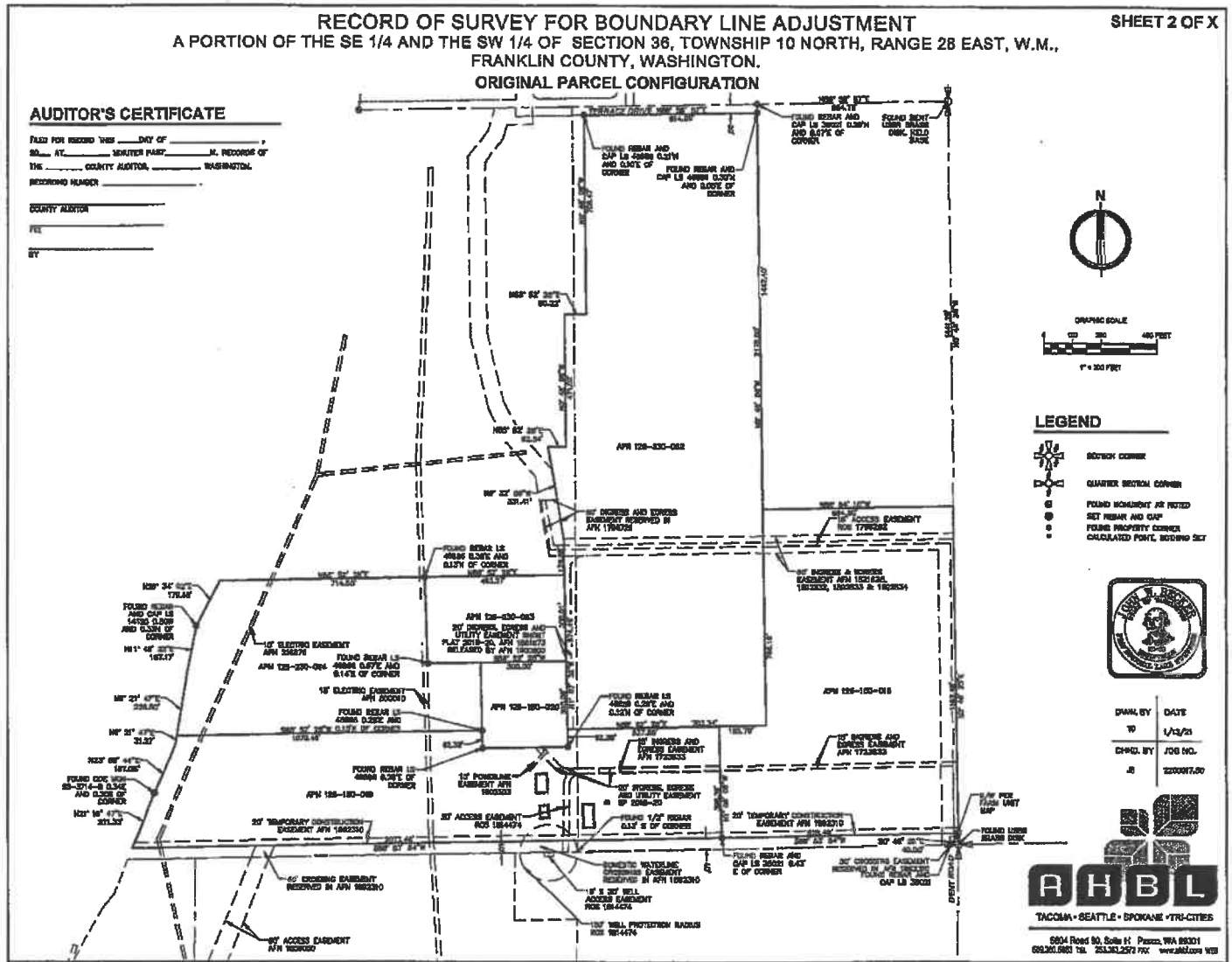
BETWEEN: BRIAN E DURAN AND THE UNITED STATES OF AMERICA
RECORDED: March 26, 2019
AUDITOR'S FILE NO.: 1892332

12. DEED OF TRUST AND THE TERMS AND CONDITIONS THEREOF:

GRANTOR: BRIAN E DURAN, A MARRIED MAN AS HIS SEPARATE PROPERTY
TRUSTEE: CASCADE TITLE COMPANY
BENEFICIARY: YAKIMA FEDERAL SAVINGS AND LOAN ASSOCIATION
AMOUNT: \$350,000.00
DATED: August 08, 2019
RECORDED: August 09, 2019
AUDITOR'S FILE NO.: 1898723

NOTES:

A. LIABILITY IS LIMITED TO THE CHARGE MADE FOR THIS CERTIFICATE.



RECORD OF SURVEY FOR BOUNDARY LINE ADJUSTMENT
A PORTION OF THE SE 1/4 AND THE SW 1/4 OF SECTION 38, TOWNSHIP 10 NORTH, RANGE 28 EAST, W.M.,
FRANKLIN COUNTY, WASHINGTON.

SHEET 1 OF X



ORIGINAL LEGAL DESCRIPTIONS

PARCEL A (C18-252-044)

LOT 4, SHORT PLAT NO. 2018-25, RECORDED UNDER ALBERT'S FILE NO. 180070, RECORDS OF FRANKLIN COUNTY, WASHINGTON;

EXCEPT THAT PORTION COMVECTED IN THE DEED RECORDED UNDER ALBERT'S FILE NO. 180070.

PARCEL B (C18-252-045)

LOT 1, SHORT PLAT NO. 2018-25, RECORDED UNDER ALBERT'S FILE NO. 180070, RECORDS OF FRANKLIN COUNTY, WASHINGTON;

EXCEPT THAT PORTION COMVECTED TO THE UNITED STATES IN THE DEED RECORDED UNDER ALBERT'S FILE NO. 180070.

PARCEL C (C18-252-046)

LOT 2, SHORT PLAT NO. 2018-25, RECORDED UNDER ALBERT'S FILE NO. 180070, RECORDS OF FRANKLIN COUNTY, WASHINGTON;

PARCEL D AND E (C18-252-047 AND C18-252-048)

FARM UNIT 47, PRODUCTION BLOCK 1, COLUMBIA BASIN PROJECT, RECORDS OF FRANKLIN COUNTY, WASHINGTON;

EXCEPT THOSE PORTIONS PLATTED AS SHORT PLAT NO. 2018-25 AND SHORT PLAT NO. 2018-26 AND EXCEPT THAT PORTION COMVECTED TO THE UNITED STATES IN THE DEED RECORDED UNDER ALBERT'S FILE NO. 180070.

BASIS OF BEARING

NAD 83/11
WASHINGTON STATE PLANE SOUTH PROJECTION, BASED ON GPS
OBSERVATIONS USING WGS 84 AND GRS 80. UNITS OF MEASUREMENT
ARE IN SURVEY FEET.

AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS _____ DAY OF _____
20____ AT _____ MINUTES PAST _____ A.M. RECORDS OF
THE _____ COUNTY AUDITOR, WASHINGTON.

RECORDING NUMBER _____

COUNTY AUDITOR _____

FILE _____

BY _____

SURVEY FOR

CEMETERIAL MONUMENT
2022 SOUTH WASH
FARMS, WA 98001

EQUIPMENT USED

3" TOTAL STATION USING STRONG FIELD
WAVELENGTH METHODS FOR CONTROL AND STATIONING.

SURVEYOR'S CERTIFICATE

I, JOHN W. BECKER, A PROFESSIONAL LAND SURVEYOR IN THE
STATE OF WASHINGTON, HEREBY CERTIFY THAT THIS MAP
CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY
DIRECT SUPERVISION IN JANUARY 2022, IN COMPLIANCE WITH THE
REQUIREMENTS OF THE SURVEY RECORDING ACT CHAPTER 24.05
RCW AND 24.05-020 WAC, AT THE REQUEST OF DEBBIE ROBERTS.

JOHN W. BECKER, PLS 35450

DATE



9904 Road 95, Suite H, Puyallup, WA 98001
253.861.8881 MO, 253.861.2272 FAX www.ahbl.com WED



DRAWN BY _____ DATE _____
TO 1/13/21
CHECKED BY _____ JOB NO. _____
BY 2200017.00

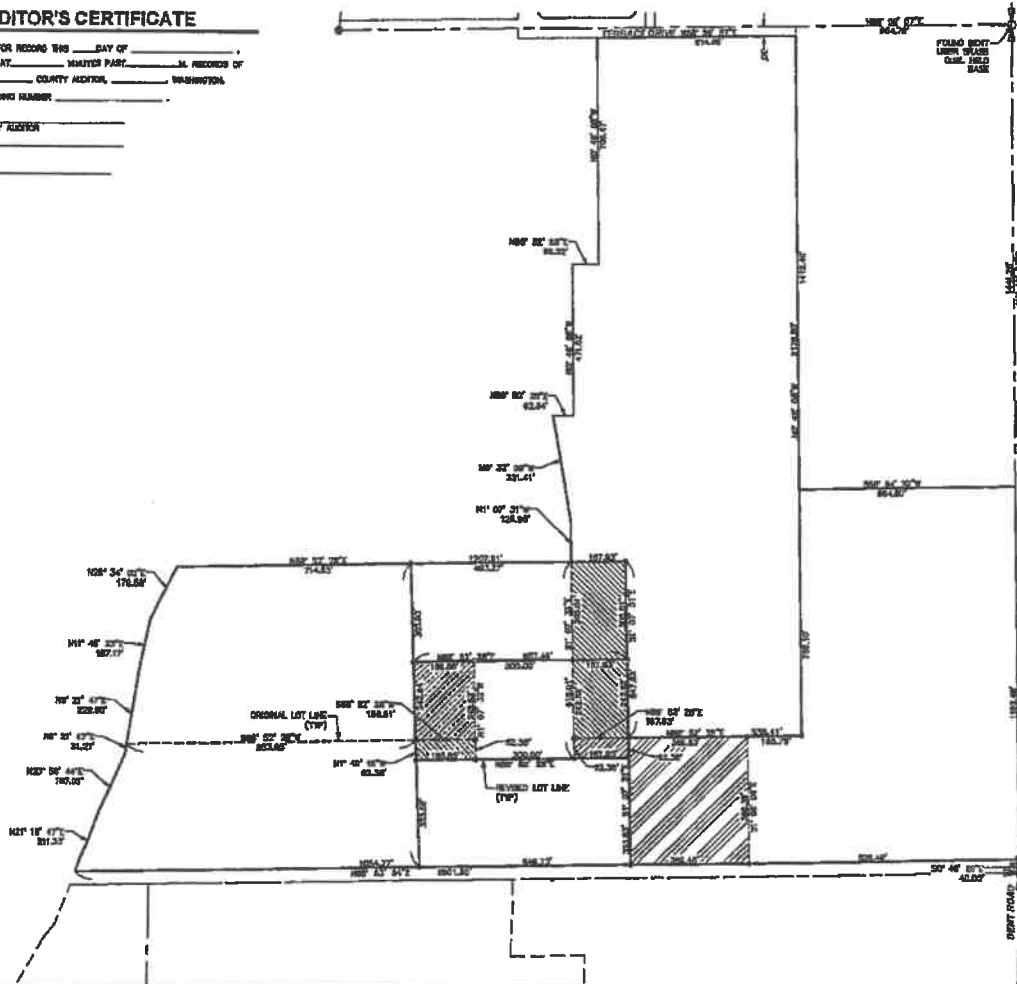
RECORD OF SURVEY FOR BOUNDARY LINE ADJUSTMENT
A PORTION OF THE SE 1/4 AND THE SW 1/4 OF SECTION 36, TOWNSHIP 10 NORTH, RANGE 28 EAST, W.M.,
FRANKLIN COUNTY, WASHINGTON.
TRANSFER AREA DETAIL

SHEET 3 OF X

AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS _____ DAY OF _____
IN _____ COUNTY, WASHINGTON.
RECORDED NUMBER _____

COUNTY ASSessor _____
FILE _____
BY _____



LEGEND

- SECTION CORNER
- QUARTER SECTION CORNER
- FOUND MONUMENT AS NOTED
- SET BEAR AND CAP
- FOUND PROPERTY CORNER
- CALCULATED POINT, MONUMENT SET



DRAWN BY _____ DATE 1/13/21
BY _____ JOB NO. 1200071.00

AHBL
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5204 First St., Suite H, Puyallup, WA 99001
253.363.5953 Fax: 253.363.2572 Fax: www.ahbl.com web

Columbia-Snake River Irrigators Association Technical Review Memorandum

DATE: April 5, 2022
TO: Interested Parties
FROM: Darryll Olsen, Ph.D., Board Representative
SUBJECT: Overview of Domestic-Exempt Well Water Right Use

Several questions have been recently raised regarding the application of the exempt well (exempt permit) use for domestic water supply; and the limitations affecting new developments and construction. The following serves as CSRIA's assessment of the current water code provisions and related case law, and technical practices currently in force or under evaluation.

Statutory Provisions, Attorney General's Opinion, and Case Law:

- The "baseline" water code, RCW 90.44.050, is specific to water allocations from exempt permit wells: up to 5,000g/Day may be used for domestic water use. Other uses are allowed as well (like small acreage irrigation, small industrial use, or livestock watering).
- Exempt wells are subject to other provisions of the groundwater code, like impairment to other water rights. This is usually evaluated by conducting hydrologic impact model studies, required by some building jurisdictions (county building/planning departments).
- Given recent litigation and state water code changes, restrictions have been placed on exempt wells under rural water supply protection programs, affecting stream flows (and enforced by counties). For example, along the Yakima River Basin drainage area, in Benton County, "mitigated" exempt well usage for inside domestic use sets a threshold use of 200g/Day (combined average/peak water use annually). Other outside water use must be secured from secondary irrigation water supply sources.
- Much of the focus on exempt well use for multiple home developments has centered on the total number of units allowed per development or developer built. The WA State Attorney General's Office (1997) and State Supreme Court (*Campbell, Gwinn* 2002) have clearly defined the parameters of "developer," and limited single ownership developments to 5,000g/Day. Independent ownership of the housing sites is required to build an exempt well, for 5,000 g/Day; the wells/land cannot be developed/built and then sold as each having an exempt well, with 5,000 g/Day. Separate ownership of land and actual development activity is required. A developer only gets one *exempt well permit* for their project, limited to 5,000g/Day. This may include multiple points of withdrawal.

Domestic Water Supply Use g/Day:

- Given the limitations of housing units per development (project), the question regarding average g/Day per unit becomes significant, because this defines the total units per exempt well (or separate development). Also, this unit number only pertains to inside water use.

3030 W. Clearwater, Ste 205-A, Kennewick, WA 99336
509-783-1623, DolsenEcon@aol.com

- There are relevant examples of currently allowed, domestic water use that can set empirically based criteria. For example, the water use for water service districts that provide both domestic use and irrigation use (principally for landscaping, lawns, small pastures, etc.) are the best source of information (with separate water systems). Districts that are currently in a growth stage are very pertinent for review as well.
- Serving areas in Richland and Benton County, Badger Mountain Irrigation District (BMID) is a relatively young water service district. It provides domestic (inside) and irrigation (outside) water service using two separate sets of water rights and delivery systems. The domestic use relies on groundwater sources. In its most recent Domestic Water System Plan (2021), the District establishes its current, average water use at about 220g/Day, per historical data. This number translates into actual acre-ft. usage (domestic water use) in the District per year. The peak use affecting system capacity varies year-to-year.
- In reviewing BMID's multiple groundwater rights for domestic use, the previous water right change/transfers (mid-2000s) authorized use at about 257g/Day (Ecology-DOH reviewed). The lower g/Day measures currently observed likely reflect some efficiency improvements to inside water use during the past decades (many new homes in the district built since 2010).
- The WA DOH Water System Design Manual (2020) includes a great deal of information regarding domestic water use per system and how to estimate water use for designing new water systems. Among other water use estimation practices, the Manual notes:

3.2.3 Analogous Water Systems

Lacking metered water-use records, engineers may use comparable water use data from an analogous water system (WAC 246-290-221(3)) to design a new water system. Because existing water systems **must** have and read source meters (WAC 246-290-221), there is generally no need to look elsewhere for appropriate production or demand information. We consider analogous system information, when available, the best information to use when designing a new water system.

Default water use system values included in the manual are very high (350g/Day). But this value appears to have not been updated (for at least 30 years), and it does not appear to be consistent with more recent domestic water use (empirical data); and it likely takes into account some leakage factor that is not consistent with current system construction regulations. It may reflect maximum design factors for pumps/pipes capacity, but not actual water use—for either average or peak use.

- It should be observed that average daily use is tied back to the actual acre-ft. used by the system (all units) during a one-year period; while maximum daily demand (MDD) relates principally to delivery system capacity (physical pumps/pipes). MDD is actually embedded in average daily use (measured) estimates for a water right, with varying MDD levels. Also, it is improbable for all units within a system to experience the same MDD, at the same time—internal fluctuations with the system, with multiple hook-ups, will occur.
- All things considered, the most reliable estimate for future domestic water use, per unit, is likely in the 220g/Day to 257g/Day range (including consideration for unit peak days). This estimate range should also take into account other design/site factors inherent to the new project.

Infrastructure Use for Exempt Wells:

- It is not uncommon for water right permits or certificates, held by separate parties, to own interests in the same point(s) of withdrawal (well or wells). So too, similar joint ownership could occur, where totally separate parties owning land for separate developments, and are funding separately development infrastructure, exists. Under this arrangement, separate developments should be allowed joint well and (initial) mainline ownership, where the well-mainline are funded-built under a joint water service agreement contract (also see attached legal opinion on joint well ownership among separate parties). This arrangement will legally separate developers, their land holdings, financial sources, and infrastructure funding (all separate).

Attachment: Legal Opinion

Murphy & Buchal LLP

P.O. Box 86620
Portland, Oregon 97286

telephone: (503) 227-1011
fax: (503) 573-1939
e-mail: jbuchal@mbllp.com

MEMORANDUM

To: Dr. Darryll Olsen
Pacific Northwest Project

From: James L. Buchal

Date: September 15, 2021

Re: Separate Infrastructure Ownership and the RCW 90.44.100 Exemption

You have asked me to offer an opinion as to whether two developers may each utilize the 5,000 gallon per day exemption from permitting in RCW 90.44.050 through a single well constructed for adjacent developments. Specifically, you have told me that the two parcels of land are independently owned, will be independently developed, but that the developers will execute a water service agreement, where a well and portions of the upper mainline will be jointly owned (50% cost sharing).

Water service agreements are common, and the plain language of RCW 90.44.050 should not prevent Ecology from viewing each developer as engaged in a separate “withdrawal” of water within the meaning of the statute. The law provides that “any withdrawal . . . for single or group domestic uses in an amount not exceeding five thousand gallons per day . . . is and shall be exempt [from the permitting requirement].” Here, the developers each propose their own, different withdrawals from the same well. With two developers, each planning for a separate group use in his own development, the plain language of the statute supports treating the two group uses as separate withdrawals.

Nothing in case law (*Dep’t of Ecology v. Campbell & Gwinn, L.L.C.*, 146 Wash. 2d 1 (2002)) or the relevant Opinion of the Attorney General (AGO 1997 No. 6) forbids treating the two developments as separate withdrawals for group domestic uses. Even so, there is a non-negligible risk that Ecology, which is generally hostile to any exemptions from permitting (and, really, any grant of water rights whatsoever), will seek to leverage language in these documents to suggest that the one developer drilling the well is somehow responsible for the second withdrawal by the other developer, so there is only

one “withdrawal” and one “group domestic use”. While this is not a reasonable construction of RCW 90.44.050, Washington courts generally defer to Ecology’s unreasonable constructions of the Water Code.

Another alternative is for each developer to just drill his own well, and construct his own mainline infrastructure. This would avoid any fight with Ecology about dual use of the exemption with a single well.

CULTURAL RESOURCES REPORT COVER SHEET

Author(s): Stacie J. Sexton and Molly E. Swords, GRAM Northwest, LLC

Title of Report: *Cultural Resource Survey Report for the Kohler Subdivision – Pasco, Washington (DAHP Project #2022-01-00026)*

Date of Report: December 2021

County(ies): Benton **Section:** 36 **Township:** 10N **Range:** 29E

Quad: Columbia Point WA 7.5 **Acres:** 26

PDF of report submitted (REQUIRED): ☐ Yes

Historic Property Inventory Forms to be Approved Online? ☐ Yes ☒ No

Archaeological Site(s)/Isolate(s) Found or Amended? ☐ Yes ☒ No

TCP(s) found? ☐ Yes ☒ No

Replace a draft? ☐ Yes ☒ No

Satisfy a DAHP Archaeological Excavation Permit requirement?

☐ Yes (# _____) ☒ No

Were Human Remains Found?

☐ Yes (DAHP Case # _____) ☒ No

DAHP Archaeological Site #: None

- Submission of PDFs is required.
- Please be sure that any PDF submitted to DAHP has its cover sheet, figures, graphics, appendices, attachments, correspondence, etc., compiled into one single PDF file.
- Please check that the PDF displays correctly when opened.

Cultural Resource Survey Report for the Kohler Subdivision – Pasco, Washington (DAHP Project #2022-01-00026)

Cultural Resource Report for Kohler Subdivision – Pasco, Washington
December 2021

Preface

This cultural resource review report (survey report) has been prepared by GRAM Northwest, LLC, for the construction of a housing development on a tract of land located in Pasco, Washington. The project will not involve state or federal funding; however, the project is subject to compliance with the Washington State Environmental Policy Act (RCW 43.21, "State Environmental Policy").

This report includes a literature review, a geomorphologic review, data from geographic information systems, and archaeological fieldwork. A pedestrian survey and installation of shovel test units throughout the project area were conducted on December 14 and 15, 2021. No cultural resources were identified during fieldwork.

Cultural Resource Report for Kohler Subdivision – Pasco, Washington
December 2021

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Cultural Resource Report for Kohler Subdivision – Pasco, Washington
December 2021

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Cultural Resource Report for Kohler Subdivision – Pasco, Washington
December 2021

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1 Introduction

This cultural resource review (survey report) has been prepared by GRAM Northwest, LLC, for the construction of the Kohler Subdivision on a tract of land located in Pasco, Washington. The project will not involve state or federal funding; however, the project is subject to compliance with the Washington State Environmental Policy Act (SEPA) (RCW 43.21, “State Environmental Policy”).

1.1 Project Activities

The project includes the construction of a housing development on approximately 10.5 hectares (26 acres) of land located north of Dent Road in Pasco, Washington. Project activities including excavation and grading, as well as other general construction activities, will take place throughout the project area. The anticipated maximum depth of excavation for this project is approximately 4 meters (12 feet).

The property is located in Franklin County, Section 36 of Township 10N, Range 29E, on a parcel of land uniquely identified as Franklin County tax lots #126150015, #126150019, and #126230062 (Figures 1 and 2).

1.2 Regulatory Background

This survey report is intended to meet SEPA requirements (RCW 43.21).

1.3 Survey Personnel

The principal investigators for this project were Stacie Sexton and Molly Swords of GRAM Northwest, LLC. Ms. Sexton and Ms. Swords both meet the Secretary of the Interior’s professional qualification standards and oversaw the completion of all elements of this cultural resource survey.

1.4 Availability of Survey and Inventory Forms

Digital copies of the report and any additional documents (e.g., site and/or isolate forms) associated with this project will be available via the Washington Information System for Architectural & Archaeological Records Data (WISAARD) (<https://fortress.wa.gov/dahp/wisaardp3/>), which is maintained by the Department of Archaeology and Historic Preservation (DAHP).

Cultural Resource Report for Kohler Subdivision – Pasco, Washington
December 2021

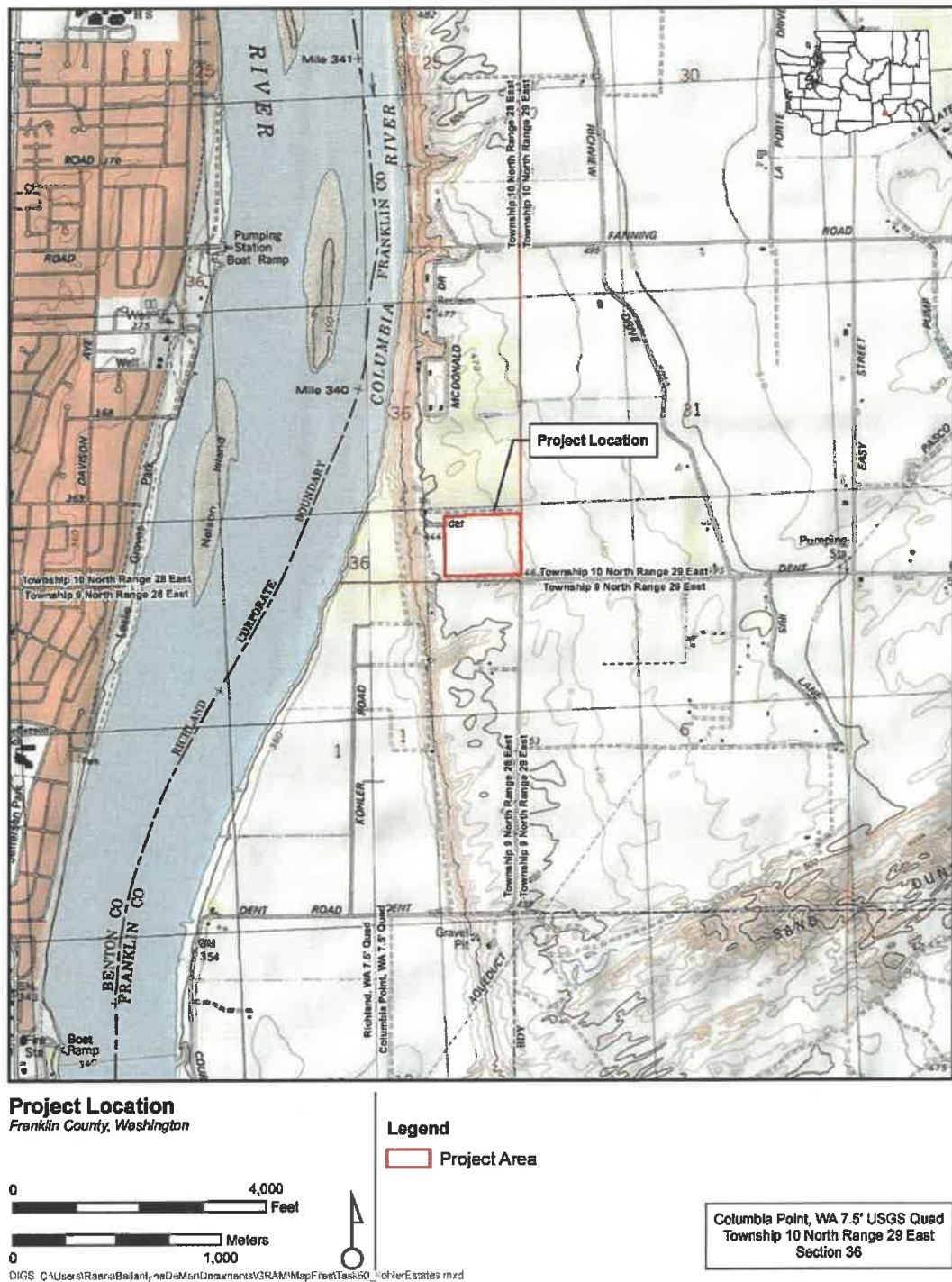


Figure 1. Project Area on USGS Quad Topography Map

Cultural Resource Report for Kohler Subdivision – Pasco, Washington
December 2021

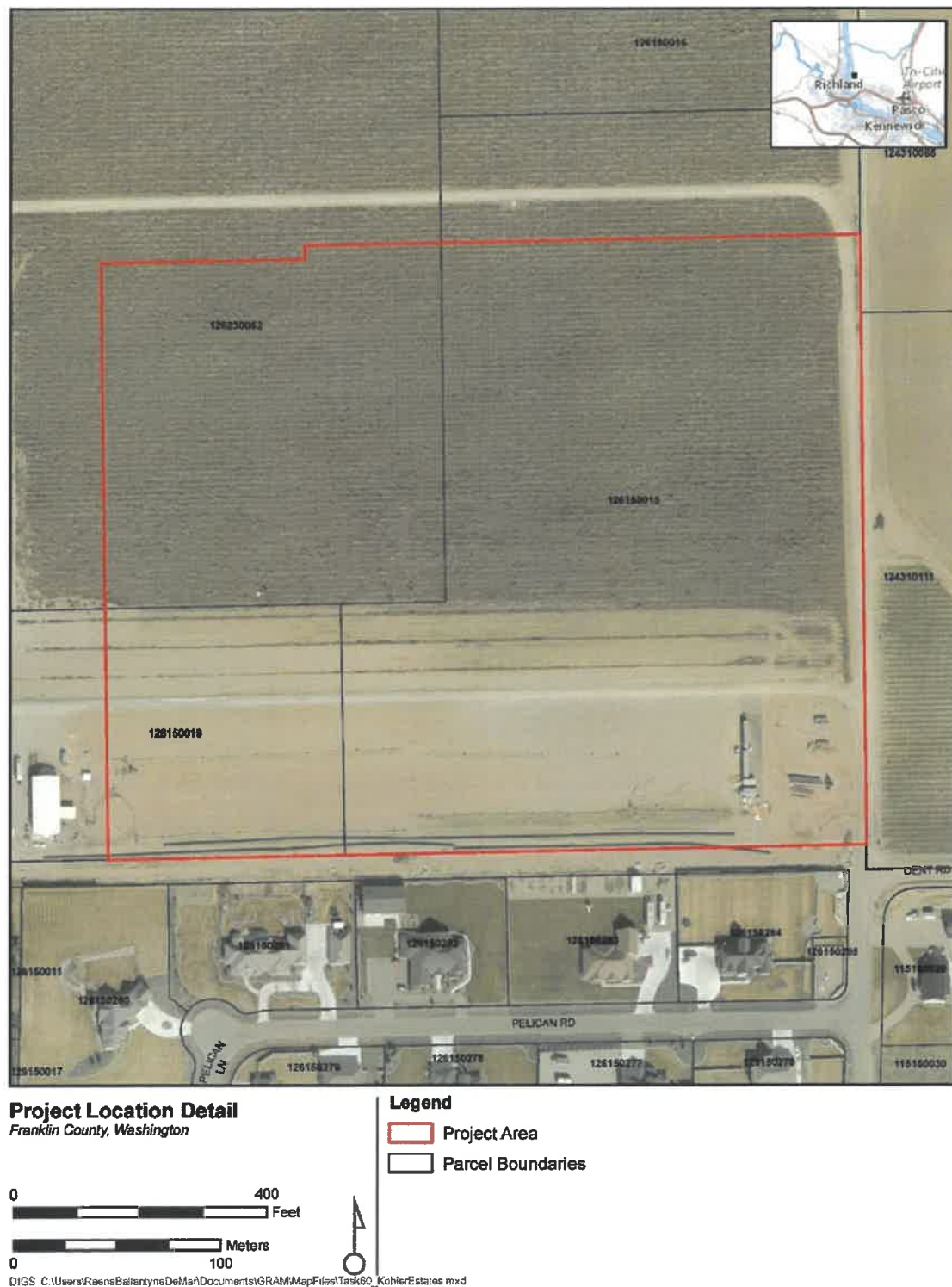


Figure 2. Project Area – Aerial Imagery

2 Environmental Setting

2.1 Climate and Vegetation

The project area is located within the Columbia Plateau, a region characterized by a shrub-steppe ecosystem. This semiarid environment typically consists of perennial grasses and shrubs, including the following: Great Basin wild rye (*Leymus cinereus*), needle and thread grass (*Stipa comata*), antelope bitterbrush (*Purshia tridentate*), sagebrush (*Artemisia* sp.), and rabbitbrush (*Chrysothamnus* sp.). Native wildflowers include balsamorhiza (*Balsamorhiza* sp.), buckwheat (*Eriogonum* sp.), phloxes, desert parsleys, and lupines (Franklin and Dyrness, 1973). This area receives approximately 20 centimeters (8 inches) of rainfall annually, primarily during the winter months (Morgan et al., 2001).

2.2 Geomorphology

The geomorphology within and around the project area is composed largely of Pleistocene gravel and sandy gravel deposits with interbedded silt lenses that were deposited as benches along the main stem of the Snake River as a result of rapid draining of glacial Lake Bonneville and Quaternary unconsolidated or semiconsolidated alluvial deposits (clay, silt, sand, and/or gravel). The area also has widespread silt, sand, gravel, and boulder deposits deposited during multiple catastrophic drainings of glacial Lake Missoula, including glaciolacustrine deposits. These geological units are described as observed in the Washington Department of Natural Resources geologic information portal (<https://geologyportal.dnr.wa.gov/>).

3 Cultural Setting

3.1 Pre-Contact Cultural Sequence

Archaeological investigations conducted on the Columbia Plateau have enabled the creation of a cultural chronology dating to the end of the Pleistocene epoch. Table 1 summarizes the cultural sequence for the area (from Sharpe and Demaris, 2012 [used with permission]).

Table 1. Pre-Contact Cultural Sequence for Southeast Washington

Cultural Period	Years Before Present	Site Types	Architecture	Subsistence
General Columbia Plateau				
Windust Phase	11,000 – 8,000	Rock shelters, caves, game processing sites, lithic reduction sites; isolated lithic tools Examples include Marmes Rockshelter, Bernard Creek, Lind Coulee, Kirkwood Bar, Deep Gully, Granite Point, Fivemile Rapids, and Bobs Point	Rock shelters and caves; open habitation sites No evidence of constructed dwellings or storage features	Large mammals supplemented with small mammals and fish Toolset: Windust, Clovis, Folsom, and Scottsbluff points; contracting stemmed points and/or lanceolate points; cobble tools

Cultural Resource Report for Kohler Subdivision – Pasco, Washington
December 2021

Table 1. Pre-Contact Cultural Sequence for Southeast Washington

Cultural Period	Years Before Present		Site Types	Architecture	Subsistence
Mid-Columbia Region — Vantage Area					
Cascade/ Vantage Phase	8,000 – 4,500		Lithic scatters, quarry sites, resource processing sites, and temporary camps	Rock shelters and caves; open habitation sites	Mobile, opportunistic foragers subsisting on fish, mussels, seeds, and mammals Basalt leaf-shaped Cascade and stemmed projectile points, ovate knives, edge-ground cobble tools, microblades, hammerstones, core tools, and scrapers
Frenchman Springs Period	4,500 – 2,500		Habitation sites along major rivers, confluences, tributaries, canyons, and rapids Lithic scatters, quarry sites, resource processing sites, seasonal round of upland to lowland travel for resource procurement, and seasonal camps	House dwellings, including semi-subterranean	As earlier, but with increased use of upland resources, seeds, and roots Groundstone and cobble tools, mortars, pestles, contracting stemmed, corner notched, and stemmed projectile points, hopper mortar bases and pestles, knives, scrapers, and graters Wider tool material variety
Cayuse Phase	I	2,500 – 1,200	Habitation sites at major rivers, confluences, tributaries, canyons, and rapids Lithic scatters, quarry sites, resource processing sites, and seasonal round camps Ideological and spiritual sites	Pithouses with wall benches	Reliance on riverine resources, fish, and botanicals; basal-notched and corner-notched projectile points (most corner-notched) Variety of tools including groundstone, scrapers, lanceolate and pentagonal knives, net weights, cobble tools, drills, etc.

Cultural Resource Report for Kohler Subdivision – Pasco, Washington
December 2021

Table 1. Pre-Contact Cultural Sequence for Southeast Washington

Cultural Period	Years Before Present		Site Types	Architecture	Subsistence
	II	1,200 – 900	Same as Cayuse Phase I	Pithouses without wall benches	Same as Cayuse Phase I
	III	900 – 250	Increased mobility and hunting ability due to horse introduction Large village habitation sites along rivers, seasonal round camps Same site types as Cayuse Phases I & II	Pit longhouse village sites	Decrease in corner notched points, increase in stemmed and side-notched projectile points, fine pressure flaked tools Increase in trade goods
Sources: Morgan et al. (2001); Walker (1998); Sharpe and Marceau (2001); Swanson (1962); Nelson (1969); Galm et al. (1981); Benson et al. (1989); Thoms et al. (1983); Green (1975); and Rice (1980).					

3.2 Ethnographic Period

Native American groups in the region include the Wanapum, Yakama, Umatilla, Nez Perce, Walla Walla, Cayuse, Palouse, and other neighboring groups (Fagan, 2000; Schuster, 1998; Stern, 1998). The Southern Plateau groups did not have formal political unity under a permanent central influence; instead, they formed smaller, politically self-governing groups (villages). The groups were joined by bordering territory, language (Sahaptin), common culture, and frequent social interaction. Although the different groups within the Southern Plateau presided and had power over a specific territory, hunting and fishing grounds were shared amongst all, as cooperation between these groups was common.

During this period, local residents moved seasonally. Seasonal rounds included semi-permanent winter villages along major waterways, including the Columbia and Snake Rivers. In the spring, small groups would travel into canyons and river valleys in temporary camps to gather roots and other spring provisions. Summer food gathering centered on collecting berries and other mountain-based foods in the late summer and early fall (Chatters, 1980).

The *Handbook of North American Indians* (Walker, 1998) summarizes the ethnohistoric cultural pattern of the Columbia Plateau as follows:

- Riverine settlement patterns
- Reliance on a diverse subsistence base of anadromous fish and extensive game and root resources
- Mutual cross-utilization of subsistence resources among the various groups comprising the populations of the area
- Extension of kinship ties through extensive intermarriage
- Limited political integration, primarily at the village and band levels, until adoption of the horse

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- Relatively uniform mythology, art styles, and religious beliefs and practices focused on the vision quest, shamanism, lifecycle observances, and seasonal celebrations of the annual subsistence cycle

Čáw Pawá Láakni, They Are Not Forgotten: Sahaptian Place Names Atlas of the Cayuse, Umatilla, and Walla Walla (Hunn et al., 2015)

Review of the project area described in *Čáw Pawá Láakni, They Are Not Forgotten: Sahaptian Place Names Atlas of the Cayuse, Umatilla, and Walla Walla* (Hunn et al., 2015) indicated that the project area is approximately 0.32 kilometers (0.2 miles) east of Tamántawla (“water pulls down”), one of several villages clustered along the Columbia River. All other named places within 1.6 kilometers (1.0 mile) of the project area are located on the opposite side of the Columbia River.

No named places overlap the project area.

3.3 Euro-American Period

The Lewis and Clark Expedition of 1805 prompted large-scale Euro-American exploration and settlement of the region. Early explorers sought trade with Native Americans, and trade routes were established. Other settlers including miners, livestock producers, and homesteaders soon followed. By the 1860s, the discovery of gold north and east of the mid-Columbia region resulted in an influx of miners traveling through the area. The mining industry created a demand for beef, and the Columbia Basin was ideal for livestock production (Grundy et al., 1998).

Eastern Washington saw an increase in Euro-American settlement in the late 1800s, beginning with livestock producers. Ranchers relied on the abundant bunchgrass and open rangeland to graze thousands of cattle, and later sheep and horses. The open range lasted from the 1880s until about 1910, when homesteaders settled the area and plowed the rangeland to plant crops. However, livestock remained an important economic commodity to the area’s agricultural producers (Fridlund, 1985). The *Homestead Act of 1862* enabled legal land ownership to those 21 years of age or older who were willing to live on and develop the land. Around 1900, homesteaders moved west, and agricultural producers gradually replaced the open-range livestock operations that had dominated the area in the latter part of the 1800s and early 1900s. The Northern Pacific Railroad entered the area in the 1880s, creating transportation routes for agricultural commodities and an increase in settler traffic (Lewty, 1987).

In 1943, the Columbia Basin Project was authorized by the U.S. federal government as a project to control floods, regulate stream flow, improve navigation, and provide storage and delivery for irrigation water to approximately 202,343 hectares (500,000 acres) of land (Callum et al., 2005). The project began with the construction of Grand Coulee Dam, which provided irrigation water to convert large areas of desert into productive farmland (Meinig, 1995). The Columbia Basin Project initially authorized water management for 443,131 hectares (1,095,000 acres); however, by the mid-1980s, only around half of this area was receiving irrigation water (Alwin, 1994).

3.4 City of Pasco

A summary of the history of the city of Pasco, Washington is described by Kershner (2008), as well as the Confluence Library (2019). The developmental history of Pasco, as described in those texts, is summarized below:

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- **1877:** The Nez Perce War ended and Colonel Nelson Miles (disregarding promises made) displaced local tribes to Kansas and Oklahoma.
- **1879:** The *Palouse Gazette* announced plans for the railroad construction town of Ainsworth at the mouth of the Snake River. A sawmill was constructed there in late summer, and fluctuating water levels in the Yakima River led to log jams and damage because wood was imported to build the railroad (Confluence Library, 2019).
- **Early 1885:** As construction of a railroad bridge over the Snake River was completed, and the town and many of its buildings were relocated to a more permanent site located 3.2 kilometers (2 miles) to the northwest. This new townsite was given the name “Pasco,” which became the Franklin County seat by December of that year. Pasco was declared an incorporated town on August 31, 1891. At the time, the city was home to several brick buildings, a church, a hotel, a small Chinese district, and a school with 117 students. This remained an important depot for transportation because of its location at the converging rivers (Columbia, Snake, and Yakima) and railroads (Kershner, 2008).

Irrigation projects in this region encouraged rapid expansion of settler agricultural activity and accompanying population growth. In 1910, Pasco was the largest of the Tri-Cities with a population of 2,083 and already had acres of irrigated farms, including asparagus, strawberries, and orchards of fruit trees (Kershner, 2008).

- **1919:** A major fire destroyed many buildings in Pasco, leaving some areas in the town damaged for several decades. The Great Depression followed, reducing agricultural prices and impairing growth in the region. The population continued to grow slowly nonetheless, reaching 3,913 by 1940 (Kershner, 2008).
- **1942:** The Naval Air Station, an Army depot, and a lend-lease distribution center were set up in Pasco. This brought hundreds of training Naval pilots and mechanics to the area, as well as 70 new buildings. The Hanford Project was also established in Richland, bringing thousands of workers to the area. The population of Pasco increased to over 9,000, in addition to 7,500 Navy and Army servicemen, making Pasco the largest of the Tri-Cities. Trailers, rapidly built housing, and hotels were used to accommodate the mass of incoming residents (Kershner, 2008).
- **1953:** The McNary Dam was constructed. The dam raised the water levels in the Columbia River by 6.9 meters (22.5 feet) and formed Lake Wallula. The water levels remain elevated to this day (Confluence Library, 2019).
- **Post-World War II era:** The Hanford Project continued to contribute to rapid population growth in the region. Pasco soon became home to major chemical industry, petroleum, and fertilizer tank farms (Kershner, 2008).

Pasco remains a significant location for agri-business and industrial facilities, with an estimated current population of 77,326 as of 2021 (World Population Review, 2021) .

4 Literature Review

A literature review was conducted for all land within a 1.6-kilometer (1-mile) radius of the project area using the WISAARD and available historical maps.

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4.1 Previously Recorded Archaeological Sites/Isolates

A review of WISAARD identified no previously reported sites within the project area. There were nine sites/isolates that were identified within 1.6 kilometers (1 mile) of the project area (Table 2).

Table 2. Previously Recorded Archaeological Sites/Isolates

Site Number	Type	Relative Age	Eligibility ^a	Description	In Project Area? ^a
45BN25 ^b	Site	Pre-contact	Unevaluated	Campsite, cobble flake scrapers, five cobble chopper tools, fire cracked rock	No
45BN45 ^b	Site	Pre-contact	Unevaluated	Burial evidence, house pits, possible horse burial (combined with 45BN186)	No
45BN186 ^b	Site	Pre-contact	Unevaluated	Burial evidence, house pits, possible horse burial (combined with 45BN45)	No
45BN191 ^b	Site	Pre-contact	Unevaluated	Nelson Island site; primarily fire cracked rock and broken cobbles	No
45FR19	Site	Pre-contact	Unevaluated	House pits, cobble artifacts, probable slide burials in talus slope north of site	No
45FR648	Isolate	Pre-contact	Not eligible	Chert flake	No
45FR649	Isolate	Pre-contact	Not eligible	Isolated projectile point	No
45DT39	Historic district	Multi-component	Unevaluated	Tri-Cities Archaeological District	No
45DT41	Historic district	Multi-component	Unevaluated	Hanford South Archaeological District	No
a. As identified in WISAARD.					
b. Located on an island in or on the opposite bank of the Columbia River from the Project Area					

4.2 Previously Conducted Archaeological Surveys

A review of WISAARD identified no previously conducted archaeological surveys within the project area. Seven additional surveys were identified within 1.6 kilometers (1 mile) of the project area (Table 3).

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Table 3. Previously Conducted Archaeological Survey

Report Number	Title	Reference	In Project Area?*
1340747	<i>Evaluation of 23 Cultural Properties Along the McNary Reservoir, Umatilla County, Oregon, and Benton, Franklin, and Walla Walla Counties, Washington</i>	Hanum (2001)	No
1345461	<i>Cultural Resource Inventory Report Tri-Cities Encroachments</i>	Keith (1999)	No
1347501	<i>McNary Reservoir Cultural Resource Inventory Survey Report</i>	Dickson (1999)	No
1682065	<i>A Literature Review of the Ice Harbor, Little Goose, Lower Granite, Lower Monumental, McNary, and Mill Creek Dam Reaches and Cultural Resources Inventory of Selected Parcels in the McNary and Ice Harbor Dam Reaches</i>	Van Galder (2011)	No
1684043	<i>Inventory of Unsurveyed Lands within the McNary Project Area, Umatilla County, Oregon, Benton, Franklin, and Walla Walla Counties, Washington</i>	Dickson (2011)	No
1688047	<i>Traditional Cultural Property and Archaeological Monitoring at McNary and Little Goose Projects 2013, 2014, 2015</i>	Shellenberger (2015)	No
1695171	<i>Cultural Resources Survey Report for the Barker Ranch Development Project, Franklin County, Washington</i>	Fitzpatrick (2021)	No
*As identified in WISAARD.			

4.3 Historic Property Inventories

A review of WISAARD identified over 70 historic property inventories that have been completed for standing structures within 1.6 kilometers (1 mile) of the project area. This includes residences, barns, irrigation features, and other standing structures. Nearly all historic property inventories evaluate structures located in Richland, Washington, on the opposite side of the Columbia River from the current project area.

No previously completed inventories overlap the project area.

4.4 Cemeteries

A review of WISAARD identified no cemeteries within the project area. Three recorded cemeteries/burials are within a 1.6-kilometer (1-mile) radius of the project area:

- Death Island Burial (45BN45)
- Death Island Burial (45BN186)
- Slide Burials (probable) (45FR19)

None of these cemeteries overlap the project area.

4.5 Historic Maps

4.5.1 1881 General Land Office Map

Review of the 1881 General Land Office map (Figure 3) shows that the area had been surveyed, but no features fall within or near the project area.

4.5.2 1917 U.S. Geological Survey Topographic Map

Review of the 1917 U.S. Geological Survey (USGS) topographic map (Figure 4) shows no development within the project area. The project area exists to the north and west of two section line roads. A southwest/northeast-trending road crosses through the intersection of the section line roads but does not enter the project area.

4.5.3 Additional Maps

Additional USGS topographic maps were reviewed digitally as part of this project. Reviewed maps include the following:

- Pasco, Washington (1917)
- Walla Walla, Washington (1953)
- Walla Walla, Washington (1958)
- Eltopia, Washington (1965)
- Columbia Point, Washington (1978)
- Columbia Point, Washington (1992)
- Columbia Point, Washington (2011)
- Columbia Point, Washington (2014)
- Columbia Point, Washington (2017)
- Columbia Point, Washington (2020)

Review of historical USGS topographic maps indicates that there has been development in or around the project area. Agricultural fields or orchards were observed west of the project area in 1965, and a dirt road had been constructed extending north and then west of the section line roads around the project area. No development was noted on previous or subsequent topographic maps.

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Figure 3. Map of Project Location and 1880 General Land Office Map

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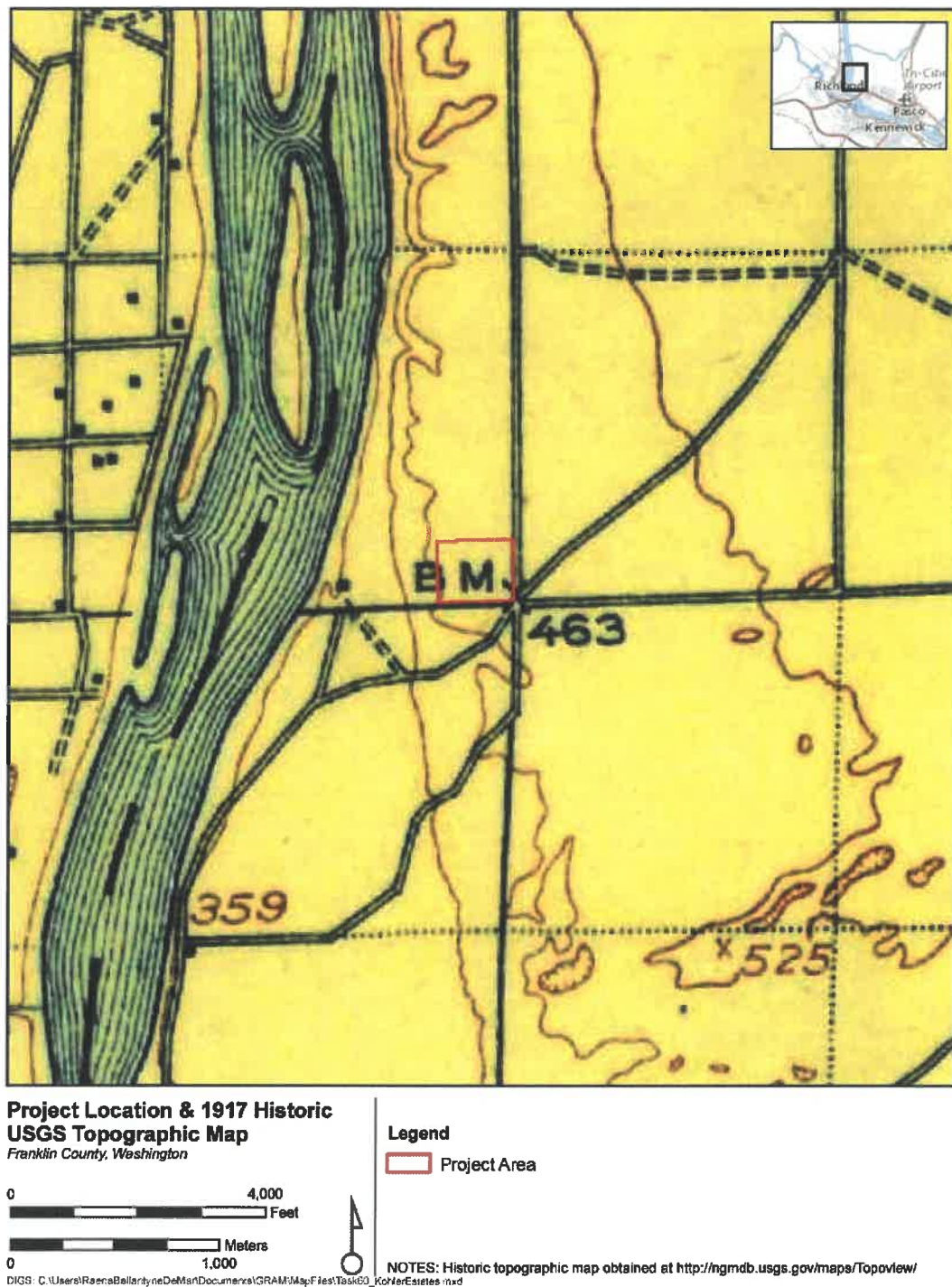


Figure 4. Map of Project Location and 1917 USGS Topographic Map

4.6 Google Earth Historical Imagery

Google Earth contained historical imagery for the project area from 1985, 1996, 2003, 2004, 2005, 2006, 2009, 2011, 2012, 2013, 2015, and 2019.

The project area shows virtually no development throughout the available historical imagery. The project area and adjacent area have been in continuous use as agricultural land with very little notable development, construction, or demolition activities. A barn was installed in the southwest corner of the project area between 2006 and 2009. During this time, an agricultural field south of the project area was cleared, and roads were installed to support a housing development. Homes can be viewed throughout the former field by 2015. The area southwest of the project area also noted increased residential construction throughout historical imagery.

5 Research Design

5.1 Objectives and Expectations

The scope of this survey is limited to providing the client with relevant information to meet the requirements of SEPA (RCW 43.21) (checklist question 13). The components of question 13 are as follows:

- Are there any buildings, structures, or sites located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.
- Are there any landmarks, features, or other evidence of Native American or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.
- Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with the Tribes and DAHP, archaeological surveys, historic maps, geographic information system data, etc.
- Discuss proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

The goal of this research design was to determine if there are any constraints on development of the project area by identifying cultural resources, determining their extent, and evaluating their eligibility for listing in state or national historic registers.

Based on the information obtained from the literature review, there is a potential for both pre-contact and historic cultural materials. Pre-contact, the potential exists for isolated finds and small sites. Previous cultural resource investigations and a literature search in the general area have identified isolated finds and small sites (primarily near water sources). Historically, the project area has the potential to contain early settlement and agricultural-related items such as can scatters, roads, or isolated finds.

5.2 Proposed Field and Laboratory Methods

Current project activities will occur throughout the project area. No previous archaeological fieldwork has been conducted at this location; therefore, pedestrian survey and subsurface testing are recommended to evaluate the potential for cultural resources to exist within the project area. A pedestrian survey and subsurface testing will occur throughout the project area.

5.2.1 Pedestrian Survey

A pedestrian survey will be conducted throughout the project area using transects spaced no more than 10 meters (32.8 feet) apart. Any potential cultural resources encountered will be recorded in the field and evaluated to determine eligibility as a recorded archaeological site. Recorded data will include a description of the items encountered (including dimensions), photographs, global positioning system (GPS) coordinates, environmental context, and any other relevant observations. All observations and data will be recorded in the field. Artifacts will not be collected as part of fieldwork.

5.2.2 Subsurface Testing

Given the absence of previously conducted fieldwork and the unknown extent of excavations within the project area, subsurface testing will use shovel test probes (STPs) to provide a systematic sample of the project area. A total of 25 STPs are planned within the project area. Appendix A presents a summary of data recovered from each STP.

Each STP will be hand-dug to approximately 30 centimeters (12 inches) in diameter and will be excavated to approximately 1 meter (39.3 inches) deep, if possible. All excavated soil will be screened through 1/4-inch hardware cloth. An STP may be moved or abandoned if environmental conditions (e.g., geologic conditions, construction activities, or other environmental hazards) prevent excavation. If an STP cannot be moved within an approximately 10-meter (30-foot) radius of the original location, that unit will be removed from the excavation plan.

If any artifacts are identified during the survey or shovel testing, they will be documented in accordance with DAHP excavation reporting standards. The documentation will include careful descriptions of soil types and natural/cultural stratigraphic layers. For each STP, photographs and GPS coordinates will be collected. Artifacts will not be collected. Information obtained from this activity will be included in the survey report.

If positive shovel tests occur, additional STPs will be completed to determine if an archaeological site is present and to identify the spatial boundaries of the site, if possible. Shovel testing will only be conducted within the project area. Any artifacts identified during shovel testing will be documented for size, form, and function (if possible); will be photographed; and will then be returned to the STP. All observations and data will be recorded in the field. Artifacts will not be collected as part of fieldwork.

Subsurface testing at a depth greater than 1 meter (39.3 inches) (hand auger) was considered but was ultimately not included as part of the research design for this project because local geomorphology primarily consists of Pleistocene outburst flood deposits that will likely not extend beyond 1 meter (39.3 inches) in depth. Additionally, subsurface deposits are likely to relate to agricultural use of the property, which typically do not extend beyond 1 meter (39.3 inches) below ground surface. However, should artifacts be encountered near the termination depth of an STP, use of a hand auger will be reconsidered as a means of confirming the extent of cultural deposits at that location.

An inadvertent discovery plan was compiled for the fieldwork component of this project and is provided in Appendix B of this report.

6 Survey Results

6.1 Survey

A pedestrian survey and subsurface testing within the project area were conducted December 15 and 16, 2021 (Figure 5). Fieldwork was led by Stacie Sexton (principal investigator for GRAM Northwest, LLC). Field conditions were generally overcast, with high temperatures reaching approximately 5°C (40°F).

6.1.1 Pedestrian Survey

A pedestrian survey was conducted on December 15, 2021. Survey transects were spaced 10 meters (32.8 feet) apart throughout the surveyed project area (Figure 5). The survey area consisted of an empty rectangular field in the south and a former vineyard in the north. The survey was generally conducted in east-west transects, parallel to the former vineyard rows.

The former vineyard included vertical support posts and PVC irrigation. While the support wire had been removed from the vineyard, and canes, trunks, and roots of the grapes were still in place. The bare land in the south of the project area included mobile irrigation equipment and appeared to have been recently farmed. Very little modern debris not related to agricultural use was observed within the project area. An approximately 30-meter (100-foot) swath of land in the southern portion of the vineyard could not be surveyed due to the concentration of tumbleweeds in that area (Figure 5). A row of STPs was excavated as close as possible to the southern border of the unsurveyed area to assist in evaluation of this area.

No potential cultural resources were identified during the field survey for this project. Representative photos of the project area are provided in Figures 6 through 9.

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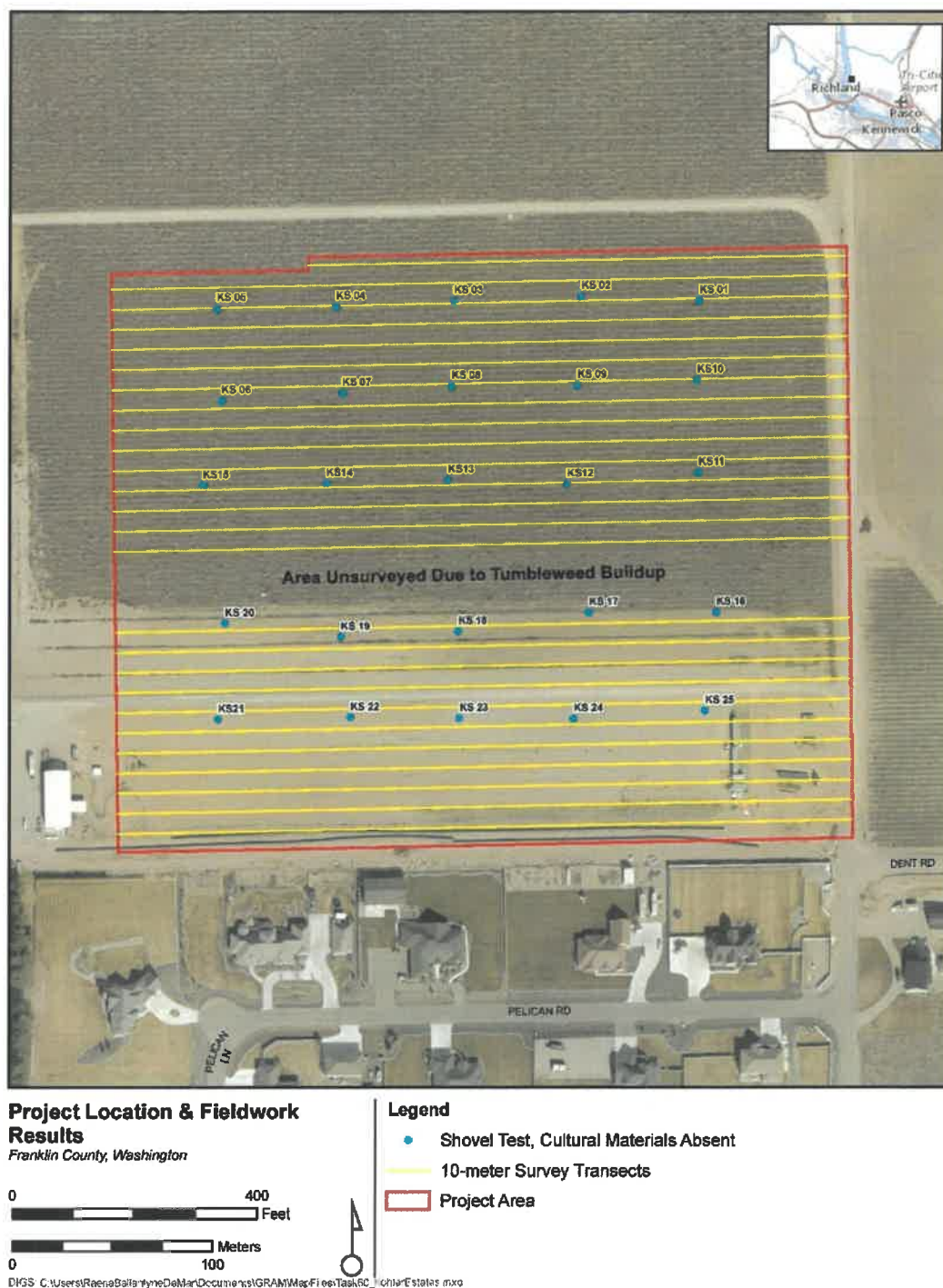


Figure 5. Surveyed Project Area

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Figure 6. Overview from Southeast Corner of Project Area (Aspect: West)



Figure 7. Overview from Southeast Corner of Project Area (Aspect: North)

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Figure 8. Overview from Northeast Corner of Project Area (Aspect: West)



Figure 9. Overview from Northeast Corner of Project Area (Aspect: Southwest)

6.1.2 Subsurface Testing

A total of 25 STPs were excavated within the project area. Field conditions at the site consisted of very fine- to medium-grained, grayish-brown sands with no gravel component. Some micaceous clasts were noted in the sunlight. Several units were truncated prior to target depth due to hardpan or cave-in conditions.

Appendix A provides a summary of data recovered from each STP.

7 Analysis

Background research (including a review of archaeological site and survey data available in the WISAARD), analysis of historical maps and geographic information system data, and an assessment of local geology were conducted to identify any previously recorded cultural resources within the project area.

Sediments observed throughout the project area consisted of very fine- to medium-grained, grayish-brown sands with no gravel component. These sediments are consistent with those observed in the Washington Department of Natural Resources geologic information portal (<https://geologyportal.dnr.wa.gov/2d-view>) and with agricultural use as a vineyard.

A review of literature via WISAARD identified no archaeological sites, isolates, or previously conducted surveys within the project area. Additionally, a review of historical USGS topographic maps indicates little development within the project area.

A pedestrian survey and subsurface testing within the project area were conducted on December 15 and 16, 2021. No potential cultural resources were identified during the fieldwork to support this project.

8 Conclusions and Recommendations

The findings of the literature review and archaeological investigation indicate that the project area has a low potential to contain archaeological materials. Based on the results of the archaeological survey and shovel testing, cultural resources monitoring is not recommended for this project.

This survey report was developed to answer all of the components of question 13 of the SEPA checklist (RCW 43.21). The components of question 13 are as follows:

- Are there any buildings, structures, or sites located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.
 - No. Background research and fieldwork to support that this project did not identify any historic buildings, structures, or sites within the project area.
- Are there any landmarks, features, or other evidence of Native American or historical use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

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- A professional archaeological survey, including pedestrian survey and subsurface testing, was conducted to identify any cultural resources located within the project area. A review of archaeological site and survey data available in the WISAARD, analysis of historical maps and geographic information system data, and archaeological fieldwork conducted to support this project did not identify any cultural resources overlapping the project area.
- Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with the Tribes and the DAHP, archaeological surveys, historic maps, geographic information system data, etc.
 - A professional archaeological review (including archaeological site and survey data available in the WISAARD), analysis of historical maps and geographic information system data, and archaeological fieldwork were conducted as part of this survey report.
- Discuss proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.
 - The findings of the literature review and archaeological investigation did not identify any cultural resources within the project area. As such, no additional measures were recommended for this project.

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Appendix A – Shovel Test Probe Data

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Table A-1. Data for STP 01


Photo	Depth	Soil Description	Artifacts/Features
	0 to 98 cm	Very fine- to medium-grained, grayish-brown sands with no gravel component Some micas noted in sunlight	None
	Reason terminated:		Hardpan

Table A-2. Data for STP 02



Photo	Depth	Soil Description	Artifacts/Features
	0 to 100 cm	Very fine- to medium-grained, grayish-brown sands with no gravel component Some micas noted in sunlight	None
	Reason terminated:		Hardpan

Table A-3. Data for STP 03

Photo	Depth	Soil Description	Artifacts/Features
	0 to 100 cm	Very fine- to medium-grained, grayish-brown sands with no gravel component Some micas noted in sunlight	None
	Reason terminated:		Hardpan

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Table A-4. Data for STP 04


Photo	Depth	Soil Description	Artifacts/Features
	0 to 100 cm	Very fine- to medium-grained, grayish-brown sands with no gravel component Some micas noted in sunlight	None
	Reason terminated: Hardpan		

Table A-5. Data for STP 05



Photo	Depth	Soil Description	Artifacts/Features
	0 to 98 cm	Very fine- to medium-grained, grayish-brown sands with no gravel component Some micas noted in sunlight	None
	Reason terminated: Cave in		

Table A-6. Data for STP 06

Photo	Depth	Soil Description	Artifacts/Features
	0 to 100 cm	Very fine- to medium-grained, grayish-brown sands with no gravel component Some micas noted in sunlight	None
	Reason terminated: Hardpan		

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Table A-7. Data for STP 07


Photo	Depth	Soil Description	Artifacts/Features
	0 to 100 cm	Very fine- to medium-grained, grayish-brown sands with no gravel component Some micas noted in sunlight	None
	Reason terminated: Hardpan		

Table A-8. Data for STP 08



Photo	Depth	Soil Description	Artifacts/Features
	0 to 100 cm	Very fine- to medium-grained, grayish-brown sands with no gravel component Some micas noted in sunlight	None
	Reason terminated: Hardpan		

Table A-9. Data for STP 09

Photo	Depth	Soil Description	Artifacts/Features
	0 to 75 cm	Very fine- to medium-grained, grayish-brown sands with no gravel component Some micas noted in sunlight	None
	Reason terminated: Hardpan		

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Table A-10. Data for STP 10


Photo	Depth	Soil Description	Artifacts/Features
	0 to 95 cm	Very fine- to medium-grained, grayish-brown sands with no gravel component Some micas noted in sunlight	None
	Reason terminated:		Hardpan

Table A-11. Data for STP 11



Photo	Depth	Soil Description	Artifacts/Features
	0 to 55 cm	Very fine- to medium-grained, grayish-brown sands with no gravel component Some micas noted in sunlight	None
	Reason terminated:		Hardpan

Table A-12. Data for STP 12

Photo	Depth	Soil Description	Artifacts/Features
	0 to 55 cm	Very fine- to medium-grained, grayish-brown sands with no gravel component Some micas noted in sunlight	None
	Reason terminated:		Hardpan

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Table A-13. Data for STP 13


Photo	Depth	Soil Description	Artifacts/Features
	0 to 100 cm	Very fine- to medium-grained, grayish-brown sands with no gravel component Some micas noted in sunlight	None
	Reason terminated:	Rocks and hardpan	

Table A-14. Data for STP 14



Photo	Depth	Soil Description	Artifacts/Features
	0 to 75 cm	Very fine- to medium-grained, grayish-brown sands with no gravel component Some micas noted in sunlight	None
	Reason terminated:	Hardpan	

Table A-15. Data for STP 15

Photo	Depth	Soil Description	Artifacts/Features
	0 to 50 cm	Very fine- to medium-grained, grayish-brown sands with no gravel component Some micas noted in sunlight	None
	Reason terminated:	Hardpan	

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Table A-16. Data for STP 16


Photo	Depth	Soil Description	Artifacts/Features
	0 to 80 cm	Very fine- to medium-grained, grayish-brown sands with no gravel component Some micas noted in sunlight	None
	Reason terminated:		Hardpan

Table A-17. Data for STP 17



Photo	Depth	Soil Description	Artifacts/Features
	0 to 100 cm	Very fine- to medium-grained, grayish-brown sands with no gravel component Some micas noted in sunlight	None
	Reason terminated:		Hardpan

Table A-18. Data for STP 18

Photo	Depth	Soil Description	Artifacts/Features
	0 to 100 cm	Very fine- to medium-grained, grayish-brown sands with no gravel component Some micas noted in sunlight	None
	Reason terminated:		Hardpan

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Table A-19. Data for STP 19


Photo	Depth	Soil Description	Artifacts/Features
	0 to 100 cm	Very fine- to medium-grained, grayish-brown sands with no gravel component Some micas noted in sunlight	None
	Reason terminated:		Hardpan

Table A-20. Data for STP 20



Photo	Depth	Soil Description	Artifacts/Features
	0 to 100 cm	Very fine- to medium-grained, grayish-brown sands with no gravel component Some micas noted in sunlight	None
	Reason terminated:		Hardpan

Table A-21. Data for STP 21

Photo	Depth	Soil Description	Artifacts/Features
	0 to 95 cm	Very fine- to medium-grained, grayish-brown sands with no gravel component Some micas noted in sunlight	None
	Reason terminated:		Hardpan

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Table A-22. Data for STP 22


Photo	Depth	Soil Description	Artifacts/Features
	0 to 100 cm	Very fine- to medium-grained, grayish-brown sands with no gravel component Some micas noted in sunlight	None
	Reason terminated: Hardpan		

Table A-23. Data for STP 23




Photo	Depth	Soil Description	Artifacts/Features
	0 to 100 cm	Very fine- to medium-grained, grayish-brown sands with no gravel component Some micas noted in sunlight	None
	Reason terminated: Hardpan		

Table A-24. Data for STP 24

Photo	Depth	Soil Description	Artifacts/Features
	0 to 100 cm	Very fine- to medium-grained, grayish-brown sands with no gravel component Some micas noted in sunlight	None
	Reason terminated: Hardpan		

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Table A-25. Data for STP 25

Photo	Depth	Soil Description	Artifacts/Features
	0 to 65 cm	Very fine- to medium-grained, grayish-brown sands with no gravel component Some micas noted in sunlight	None
	Reason terminated:	Hardpan	

Appendix B – Inadvertent Discovery Plan

Kohler Subdivision Project Inadvertent Discovery Plan

December 29, 2021

Project Location

USGS Quadrangle: Pasco, Washington 7.5'
Township: 9 N, Range: 30 E
Section: 21

Project Description

The project includes the construction of a housing development on approximately 10.5 hectares (26 acres) of land located north of Dent Road in Pasco, Washington. Project activities including excavation and grading, as well as other general construction activities, will take place throughout the project area. The anticipated maximum depth of excavation for this project is approximately 4 meters (12 feet).

The property is located in Franklin County, Section 36 of Township 10N, Range 29E, on a parcel of land uniquely identified as Franklin County tax lots 126150015, 126150019, and 126230062 (Figures 1 and 2).

Project Area

The project area contains approximately 10.5 hectares (26 acres) located in Franklin County, in Section 36 of Township 10 North, Range 29 East of the Pasco, WA 7.5' USGS Quadrangle.

Inadvertent Discovery Plan

This inadvertent discovery plan (IDP) was prepared to support project activities described above. This plan was prepared to provide field personnel a process for the inadvertent discovery of cultural resources and/or human remains identified during fieldwork for the project.

Recognizing Cultural Resources

A cultural resource discovery could be prehistoric or historic. Examples include the following:

- An accumulation of shell, burned rocks, or other food-related materials
- Bones or small pieces of bone
- An area of charcoal or very dark-stained soil with artifacts
- Stone tools or waste flakes (i.e. an arrowhead, or stone chips)
- Clusters of tin cans or bottles, logging or agricultural equipment that appears to be older than 50 years
- Buried railroad tracks, decking, or other industrial materials

When in doubt, assume the material is a cultural resource.

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Onsite Responsibilities

STEP 1: Stop Work

If any employee, contractor or subcontractor believes that he or she has uncovered a cultural resource at any point in the project, all work must stop immediately in the vicinity of the find. Notify the appropriate party(ies) as outlined in steps 2 through 4. The area surrounding the find must be secured using pin flags, stanchions and rope, or other appropriate delineation to provide for the security and protection of the discovery.

STEP 2: Notify the Archaeological Monitor

If there is an archaeological monitor for the project, notify that person. If there is a monitoring plan in place, the monitor will follow the procedure as described. If there is no archaeological monitor present, proceed to Step 3.

STEP 3: Notify the Project Manager

Notify the identified project manager of this project or other applicable contacts:

Project Manager

TBD

Alternate Project Contact

TBD

Project manager responsibilities include the following:

- **Protect the Find:** The project manager is responsible for ensuring that the project takes appropriate steps to protect the discovery site while all necessary assessments and notifications are completed. As stated in steps 1 and 2, all work will stop immediately in the surrounding area, and the area will be secured to protect the integrity of the resource. Vehicles, equipment, and unauthorized personnel will not be permitted to enter the area of the discovery. See the section of this plan titled "Resuming Work" for further instruction on how and when work may resume.
- **Direct Project Activities Elsewhere Onsite:** The project manager may direct project activities to continue in areas away from cultural resources for working in other areas prior to contacting the concerned parties.
- **Contact the Project Archaeologist:** If the assigned project archaeologist has not yet been contacted, the project manager must do so.

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STEP 4: Notify the Professional Archaeologist

Notify the identified professional archaeologist serving as the archaeologist for this project (if a monitor is not present)

Professional Archaeologist(s)

Stacie Sexton, Professional Archaeologist, GRAM Northwest, LLC
1201 Jadwin Ave., Richland, WA 99352
Phone: (509) 713-6806
Email: stacie.sexton@gramnorthwest.com

Molly Swords, Professional Archaeologist, GRAM Northwest, LLC
1201 Jadwin Ave., Richland, WA 99352
Phone: (703) 283-5175
Email: molly.swords@gramnorthwest.com

The professional archaeologist's responsibilities include the following:

- **Identify Find:** The professional archaeologist will examine the area to determine if there is an archaeological find.
 - If it is determined not to be a cultural resource/archaeological find or human remains, work may proceed with no further delay.
 - If it is determined to be a cultural resource/archaeological find or human remains, the professional archaeologist will continue with all notifications.

If the find may be human remains or funerary objects, the Project Archaeologist will ensure that a qualified physical anthropologist examines the find. **If the find is determined to be human remains, the procedure described in the section of this plan titled "DISCOVERY OF HUMAN REMAINS" will be followed.**
- **Notify Appropriate Parties:** If the find is determined to be a cultural resource, the professional archaeologist will notify the appropriate parties. Notifications may include the following:
 - **Agency Contact:** The professional archaeologist will contact the designated point of contact for the City of Pasco.
 - **Washington Department of Archaeology (DAHP):** The professional archaeologist will contact DAHP.
 - **Tribes:** If the discovery may be of interest to Native American Tribes, the professional archaeologist, the Agency point of contact, and the DAHP will coordinate with the interested and/or affected Tribes.
- **Record the Find:** The project archaeologist will work with DAHP and the consulting parties as appropriate to determine how to record the find. Methods for recording will likely require completion of a Washington State Archaeological Site or Isolate Form.

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Resuming Work

Work outside of the discovery location may continue while documentation and assessment of the cultural resources proceed. The professional archaeologist must determine the final boundaries of the discovery location.

Work may continue at the discovery location only after the process outlined in this plan is followed and the project manager, DAHP, and any affected Tribes (if applicable) determine that appropriate documentation has been completed.

Discovery of Human Remains

The inadvertent discovery of human skeletal remains on non-federal and non-Tribal land in the state of Washington is implemented under RCW 68.50.645, 27.44.055, and 68.60.055. The information below in italics for the inadvertent discovery of human remains was obtained from the Washington State Department of Archaeology and Historic Preservation web page (<http://www.dahp.wa.gov/programs/human-remains-program/idp-language>).

In the event that human remains are encountered during field-related project activities, the following steps will be implemented.

Step 1: Stop Work Immediately

If ground disturbing activities encounter human skeletal remains during the course of data collection or construction, then all activity will cease that may cause further disturbance to those remains. The area of the find will be secured and protected from further disturbance.
(<http://www.dahp.wa.gov/programs/human-remains-program/idp-language>)

In order to secure the discovery, a temporary fencing system such as posts and rope or similar protection measures will be placed around the discovery. Work in the immediate area of the discovery will be discontinued, however; work outside the discovery area may continue.

When an inadvertent discovery is encountered, staff will take measures to avoid further disturbance of the area. Any human skeletal remains, regardless of antiquity or ethnic origin, will at all times be treated with dignity and respect. Cultural materials shall not be moved from the location of the discovery. Photographs shall not be taken of bones unless photographs are needed to assist in the determination of the remains to be human or animal.

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Step 2: Notification Process

The finding of human skeletal remains will be reported to the county medical examiner/coroner and local law enforcement in the most expeditious manner possible. The remains will not be touched, moved, or further disturbed. The county medical examiner/coroner will assume jurisdiction over the human skeletal remains and make a determination of whether those remains are forensic or nonforensic.
(<http://www.dahp.wa.gov/programs/human-remains-program/idp-language>)

In the event of the discovery of human remains, the following individuals will be contacted:

Franklin County Coroner
Curtis McGary, Coroner
1016 N. 4th Ave., Pasco, WA 99301
Phone: (509) 546-5585
Email: cmcgary@co.franklin.wa.us

Franklin County Sheriff
Address: 1016 N. 4th Ave, Pasco, WA 99301
Phone: (509) 545-3501

City of Pasco Point of Contact
Mike Manning, Community and Economic Development Director
255 N 3rd Ave Pasco, WA 99301
Phone: (509) 545-3441
Email: manningm@pasco-wa.gov

Step 3: Jurisdictional Authority

If the county medical examiner/coroner determines the remains are non-forensic, then they will report that finding to the Department of Archaeology and Historic Preservation (DAHP) who will then take jurisdiction over the remains. The DAHP will notify any appropriate cemeteries and all affected tribes of the find. The State Physical Anthropologist will make a determination of whether the remains are Indian or Non-Indian and report that finding to any appropriate cemeteries and the affected tribes. The DAHP will then handle all consultation with the affected parties as to the future preservation, excavation, and disposition of the remains.
(<http://www.dahp.wa.gov/programs/human-remains-program/idplanguage>)

DAHP Contact
Guy Tasa, State Physical Anthropologist
Phone: (360) 586-3534
Email: Guy.Tasa@dahp.wa.gov

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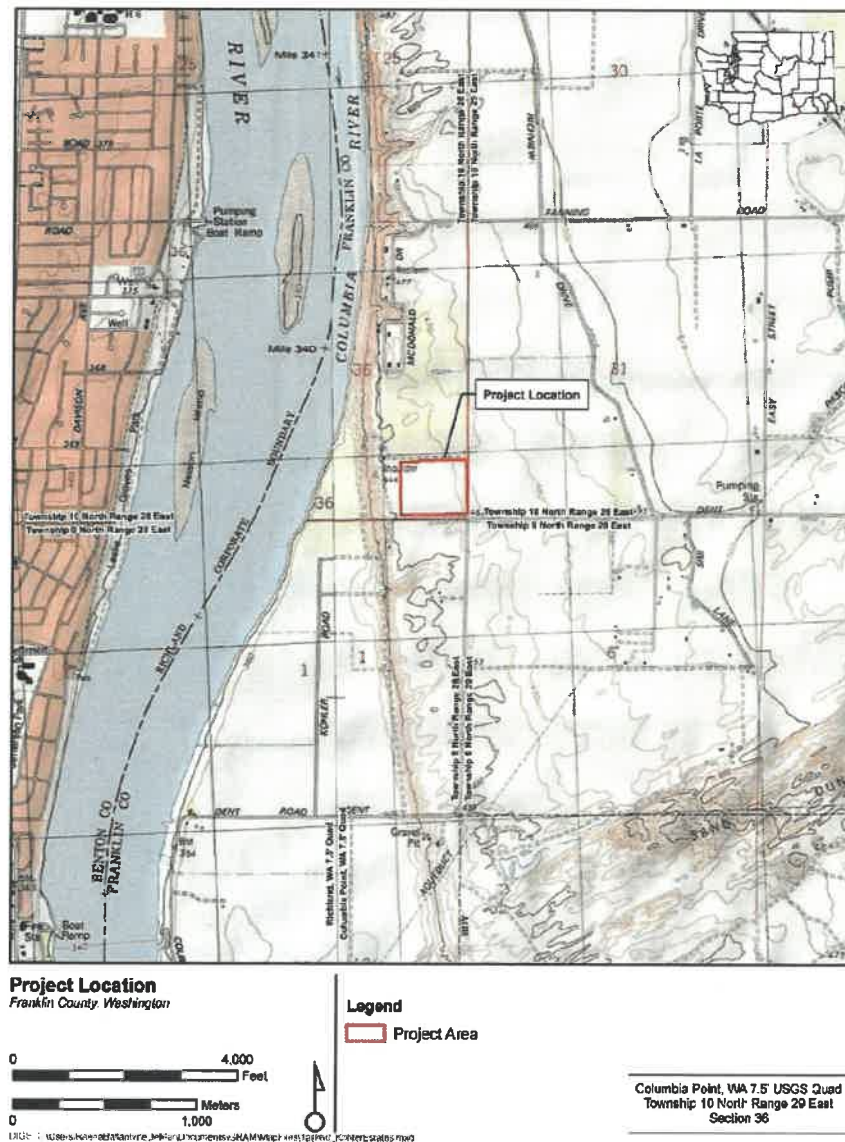


Figure 1. Project Area and USGS Topographic Map



FRANKLIN COUNTY, WASHINGTON

STATE ENVIRONMENTAL POLICY ACT (SEPA)

MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS)

Description of proposal: Said application is to allow for a subdivision, comprising one (1) parcel (126-150-015) with approximately 29.45-acres, and creating twenty-two (22), minimum 1 acre sized lots. The area where the project is proposed has a zoning designation of Rural Community 1 Zone (RC-1), with a comprehensive plan designation of Rural Shoreline Development.

File Number: SEPA 2022-03 (SUB 2022-02)

Proponent: Big Sky Developers, LLC

Legal Description(s):

126-150-015: THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 10 NORTH, RANGE 28 EAST, W.M., FRANKLIN COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS: ALL THOSE PORTIONS OF 'REVISED PARCEL PARCELS C AND D', SHOWN ON RECORD OF SURVEY RECORDED UNDER AUDITOR'S FILE NUMBER 1934236, LYING SOUTHERLY OF THE FOLLOWING DESCRIBED LINES: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE NORTH 00°46'25" WEST ALONG THE EAST LINE OF SAID QUARTER AND ALONG THE EAST LINE OF SAID 'REVISED PARCEL C' A DISTANCE OF 1001.96 FEET TO THE TRUE POINT OF BEGINNING; THENCE LEAVING SAID EAST LINE, SOUTH 89°13'35" WEST A DISTANCE OF 891.21 FEET; THENCE SOUTH 00°46'25" EAST A DISTANCE OF 25.00 FEET; THENCE SOUTH 89°13'35" WEST A DISTANCE OF 312.52 FEET TO AN ANGLE POINT IN THE WEST LINE OF SAID 'REVISED PARCEL D' AND THE END OF THIS DESCRIPTION.

Location: The properties are generally located North of Dent Rd., West of Richview Dr., South of Fanning Rd. and East of Columbia River (Parcel Numbers: 126-150-015). The site is situated in a portion of the Southeast 1/4 of the Southwest 1/4 of Section 36, Township 10, Range 28, W.M., Franklin County, WA.

Lead Agency: Franklin County, Washington

Findings:

1. Earth (grading) impacts:
 - a. Soil Erosion: There is a potential for soil erosion during construction. Mature and young trees and roots will be removed.
 - b. Dust: Topsoil will be removed, which could result in a nuisance and result in impacts due to fugitive dust if not properly managed.
2. Air Quality impacts:
 - a. Short-term: There will be impacts to air quality from construction.
 - b. Long-term basis: There will be impacts to air quality from increased traffic volumes, which result in carbon emissions.

3. Transportation impacts: This proposal will result in additional vehicle, bicycle, and pedestrian trips to, from, and within the development site.
4. Impacts to surrounding land uses: There are potential impacts to surrounding land uses (including existing residential homes located to the north, south and east) by increased traffic, noise, and dust on a short-term basis from construction activities and on a long-term basis from future development.
5. Aesthetic impacts: There is a potential that views from properties to the east of the site may be affected.
6. Public service impacts: The development will result in an increased demand for public services, as twenty-one (21) homes may be added upon platting.
7. Stormwater impacts: Residential development and roadway improvements at the site will result in stormwater impacts, as there will be increased run-off from additional impervious surfaces and increased pollutants in the run-off from roads, parking areas, and landscaping.

Mitigation Measures:

1. Recommendations for earthwork (including removal of vegetation and deleterious debris, subgrade preparation, material reuse, slope stability, compaction, wet weather construction, etc.), as contained in the "Spencer Estates Phase 4 Residential Development Franklin County, Washington" by Baer Testing, Inc. (dated May 24, 2021) and addendums to the report shall all be adhered to.
2. A Construction Storm Water Pollution Prevention Plan (SWPPP) shall be provided, with measures to mitigate for potential erosion caused by onsite storm water runoff, and the plan shall be implemented by the Contractor.
3. Best Management Practices (BMP) to minimize dust during construction shall be used, such as watering the site in accordance with local air-quality requirements. Vegetative cover or a tackifier shall be provided as soon as practicable following clearing and grading. Dust control shall comply with applicable local standards.
4. Recommendations from the Cultural Resources Report, prepared for the Kohler Subdivision (*December 2021, DAHP Project #2022-01-00026*), shall be adhered to. At a minimum, should archaeological materials (e.g. bones, shell, stone tools, beads, ceramics, old bottles, hearths, etc.) or human remains be observed during project activities, all work in the immediate vicinity shall stop. The State Department of Archaeology and Historic Preservation (360-586-3065), the Franklin County Planning and Building Department, the affected Tribe(s) and the county coroner (if applicable) shall be contacted immediately in order to help assess the situation and determine how to preserve the resource(s). Compliance with all applicable laws pertaining to archaeological resources (RCW 27.53, 27.44 and WAC 25-48) is required.
5. Project shall comply with fire code provisions as expressed in Franklin County Code Ch.8.40.
6. A drainage system shall be designed to capture and dispose of storm water runoff onsite.
7. A source of irrigation water shall be implemented and provided during the life of the project. If no outside irrigation service is available, a note shall be placed on the plat stating that no more than one-half (1/2) acre of land shall be irrigated from each exempt residential well.
8. No more than 5,000 gallons per day may be withdrawn from groundwater to serve the development. A note shall be placed on the face of the plat regarding this limitation.

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This MDNS is issued under WAC 197-11-350; the Lead Agency will not act on this proposal for 14 days from the date of publication (March 3, 2022). Comments must be submitted by: March 17, 2022.

Responsible official: **Derrick Braaten**

Position/title/Phone: **Planning and Building Director — (509) 545-3521**

Address: **502 Boeing Street, Pasco, WA 99301**

Date/Signature:

2/3/2022 

Any agency or person may appeal this SEPA determination by filing a written appeal to the responsible official no later than **March 17, 2022**. Contact the responsible official to read or ask about the procedure for SEPA appeals.

–SEPA ENVIRONMENTAL CHECKLIST FRANKLIN COUNTY, WASHINGTON

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

**For guidance on completing this form or assistance in understanding a question, visit
<http://www.ecy.wa.gov/programs/sea/sepa/ChecklistGuidance.html>**

**The SEPA Handbook is available online at:
<http://www.ecy.wa.gov/programs/sea/sepa/handbk/hbintro.html>**

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the supplemental sheet for nonproject actions (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

To Be Completed by Applicant:

***Evaluation for
Agency Use
Only:***

A. Background

1. Name of proposed project, if applicable:

Kohler Subdivision

2. Name of applicant:

Big Sky Developers, LLC

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

Applicant:

Big Sky Developers, LLC

c/o Dave Greeno

5426 N Road 68, Box D-113, Pasco, WA 99301

(509) 521-4834

Applicant Representative:

Aqtera Engineering

c/o Caleb Stromstad

2705 St Andrews Lp, Ste C

Pasco, WA 99301

(509) 845-0208

4. Date checklist prepared:

01/27/2021

5. Agency requesting checklist:

Franklin County.

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

As soon as permitted.

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

No. Any future adjacent development will be done as a separate proposal/project.

To Be Completed by Applicant:

***Evaluation for
Agency Use
Only:***

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

- A storm drainage report will be developed outlining the designed system used to handle stormwater runoff from the proposed development site.
- Benton-Franklin Health District Approval Letter.
- A Geotechnical Report is being prepared by Baer Testing Inc.
- A culture review has been completed by Gram NW, dated December 2021 and submitted with this application.

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

Yes.

- USBR wasteway crossing permit under review.
- M&I application w/ USBR for irrigation water.

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

- Subdivision OSS Review: Benton-Franklin Health District
- Construction right of way permit for street and utility improvements: Franklin County
- Building Permits: Franklin County
- Municiple & Industrial Water Service Contract: U.S. Bureau of Reclamation

To Be Completed by Applicant:

**Evaluation for
Agency Use
Only:**

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

This proposal is to subdivide 26.44 acres from parcel 1 of AFN 1952578 (parcel 126150015) into 22 single family residential lots. Zoning is RC-1, requiring a minimum lot area of one acre. Typical street and utility improvements will be installed to support subdivision.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The site is covered by abandoned grape vineyards, no site address is available. The southern boundary of the site is west of the future extension of Fraser Rd to Dent Rd.

Parcel #: 126150015

The site is located in a portion of the South ½ of Section 36, Township 10 N, Range 28 E, W.M. and the North ½ of Section 1, Township 9 N, Range 28 E, W.M. in Franklin County, WA

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site:

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other

To Be Completed by Applicant:

**Evaluation for
Agency Use
Only:**

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

The site is generally flat with average grades of approximately 2%, with the steepest slopes approximately 6%.

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

Majority of soil is Chedehap fine sandy loam (south and east), Qunicy loamy fine sand (north and west), and Winchester loamy coarse sand (west), per NRCS soils data.

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

No, there is no history or indication of unstable soils on the site. The properties west of the site contain erosion hazard areas (15-39% slopes), per Franklin County's erosion/landslide hazard map. This is confirmed by the topographic survey.

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

Grading quantities have yet to be determined, but are estimated to be relatively minor given the existing grade of the site. The site will be graded to balance onsite material.

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

Soil erosion is a potential during the construction phase. The site is covered by an abandoned grape vineyard which will be removed during construction. Grading of the site will strip vegetation which will increase the potential for wind and stormwater erosion.

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

It is anticipated that approximately 10% of the overall site will be covered with impervious surfaces for roadways after construction. County RC-1 zoning standards provide for a maximum lot coverage of 40%.

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

- Adhering to geotechnical recommendations for slope stability and compaction.
- Construction Stormwater Pollution Prevention Plan (SWPPP) implemented by the Contractor will provide measures to mitigate for potential erosion caused by onsite stormwater runoff.
- Compliance with Franklin County's Clean Air and dust control ordinances during construction.
- Subdivision drainage system will be designed to capture and dispose of stormwater runoff onsite.

2. Air

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

General exhaust from construction vehicles will occur. Post development emissions typical from residential subdivisions will occur, such as vehicle exhaust.

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

No off-site sources of emissions or odor are expected to affect this proposal.

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

During construction the shutting off of equipment when not in use will help reduce emissions.

3. Water

a. Surface Water:

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

- The Columbia River is approximately 1,500 ft west of the project site.

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

No construction activities will occur within 200 feet of the Columbia River. Construction activities for this proposal will remain outside of the Shoreline Jurisdiction.

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

N/A

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

An irrigation diversion box from the SCBID pipe north of the subdivision will be utilized to divert irrigation water to serve the subdivision.

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

Based on FEMA Flood Insurance Rate Map (FIRM) panels 530044-0690-B, the site is entirely within Zone C. It is not within a 100-year floodplain.

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No, the proposed development will not involve discharge of waste materials to surface waters.

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

Yes, the proposed development will utilize exempt wells on each individual lot for domestic water use. There will be no discharge of well water directly to groundwater.

The project total withdrawal will be less than 5,000 gpd. Assuming average daily domestic use per dwelling at 220 gpd, the project will draw 4,840 gpd.

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

Domestic sewage material will be discharged to onsite sewage systems. All proposed lots will utilize individual onsite sewage systems. Location and size of each system will be determined by the standards adopted by the Benton Franklin Health District.

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c. Water runoff (including stormwater):

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

On site runoff will be generated primarily from new impervious road surfaces. The runoff generated from these surfaces will be captured and infiltrated on site, via roadside swales and other infiltration methods.

- 2) Could waste materials enter ground or surface waters? If so, generally describe.

Stormwater runoff coming in contact with contamination sources could cause waste materials to enter the ground. Improperly working or installed onsite sewage disposal systems have the potential to discharge untreated waste into the ground.

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

The drainage patterns within the site will remain largely unchanged, as runoff will continue to sheet flow west. Onsite retention and disposal of stormwater is proposed with the subdivision improvements. As the site exists, stormwater runoff sheet flows west and likely infiltrates. It is unknown if the existing site discharges stormwater offsite during a significant rain event.

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

Measures to reduce and control surface runoff will be met following SWMMEW and Franklin County standards. Engineered stormwater design calculations will be submitted to the County for review.

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4. Plants

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

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

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

Existing vegetation on the site will be cleared for development purposes.

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

No known threatened or endangered plant species are located on or near the proposed site.

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

Landscaping will include typical residential vegetation, with the lots being landscaped in compliance with FCC 17.74 Landscaping and Screening.

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

None are known.

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5. Animals

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

Examples include:

birds: hawk, heron, eagle, songbirds, other:
mammals: deer, bear, elk, beaver, other:
fish: bass, salmon, trout, herring, shellfish, other _____

Robins, Starlings, Magpie, Kestrel Hawk, Seagull, Dove, Quail,
Deer, Mice

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

None are known.

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

Yes, the entire Columbia Basin is part of a migration route.

FCP: Pacific Flyway 2/16/2022

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

None proposed.

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

None are known.

6. Energy and Natural Resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Electrical, wood stove, and propane/natural gas utilities will be utilized to meet the proposed developments energy needs.

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

The proposed development will not impact the potential uses of solar energy by adjacent properties.

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- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

The proposed development will meet applicable state and local energy codes.

7. Environmental Health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

No, the proposed development will not pose any environmental health hazards. Any waste that is generated will be disposed of consistent with county and state regulations.

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

There are no known contamination areas at the site.

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

There are no known underground hazardous chemicals or gas pipelines within the project area.

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

Aside from equipment fueling during the construction phase, there are no other known toxic or hazardous chemicals that will be stored onsite during the life of the project.

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

None are known.

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

Compliance with the Department of Ecology and state standards for wells and compliance with the Benton Franklin Health District standards for onsite sewage disposal.

b. Noise

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

Typical farm equipment, traffic, and residential use noises exist near the site. These noises will not affect the proposal.

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Short-term noise will be generated during the construction phase of the proposed development. Long-term noise will be typical of residential use.

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

Noise impacts produced during the construction phase will be limited in durations. To minimize noise impact, construction equipment will utilize mufflers and quieting devices. Compliance with the Franklin County Municipal code with regards to noise will be followed.

8. Land and Shoreline Use

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

The site is presently an abandoned grape vineyard. There is residential development south and west of the site. Irrigated ag land to the north and east. Current land uses will be unaffected by the proposal.

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- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

The site is zoned RC-1 and was a working grape vineyard. The entire 26.44 acres will be converted to residential use. This project does not convert any agricultural lands of long-term commercial significance.

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

Building Fraser Rd centered on the property line will require an easement from the neighboring property owner. A portion of the existing vineyard will be removed and the irrigation circle track modified. Farming operations will continue. Unincorporated areas of Franklin County are protected by the Right to Farm ordinance FCC 5.12.

- c. Describe any structures on the site.

No existing structures are onsite.

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

Not applicable.

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

RC-1 Rural Community 1 Acre.

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

Rural Shoreline Development

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

Not Applicable.

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

No.

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

22 single-family dwellings x 3 persons per dwelling = 66

Total: 66 persons

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

Zero people will be displaced.

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

None proposed.

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

Proposed land use is compatible with the existing land use and zoning designations.

- m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

None proposed.

9. Housing

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

22 dwelling units provided for middle to high income housing.

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

Zero units will be eliminated.

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

None proposed.

10. Aesthetics

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

All structures will be built in accordance with the Franklin County Zoning District and building standards. The height of structures will not exceed the maximum height allowed for in the Franklin County Zoning District standards.

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

The construction of the proposed development will alter the site's appearance. The change in views from outside the property will be limited.

- b. Proposed measures to reduce or control aesthetic impacts, if any:

The proposed development will improve the aesthetics of the area by providing new streets and landscaping within the development site. The site will conform to the County's Residential Design Standards.

11. Light and Glare

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

Exterior building lighting will be generated by the completed project and occur during the evening and night hours.

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

Unlikely. Typical residential lighting anticipated.

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

No off-site sources of light or glare will affect this proposal.

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

The site will comply with FCC 17.66.150 Outdoor Residential Lighting.

12. Recreation

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

The Columbia River is located to the west and is commonly used for recreational purposes such as boating or fishing.

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

The proposed development will not displace existing recreational uses.

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

Park fees (if applicable) as determined by the County will be paid at time of building permit.

13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers ? If so, specifically describe.

None are known to exist on or near the proposed development site.

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- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

None are known to exist on the proposed development site.

In 2020, USBR performed cultural investigations as artifacts were discovered near the river west of the site during the installation of their irrigation wasteway.

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

Cultural survey completed by GRAM NW, dated December 2021.

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

Contractor shall have an inadvertent discovery protocol in place prior to ground disturbing activities.

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

The site will be accessed by Dent Road and the Fraser Road extension from the south.

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

No. The nearest public transit route is located along Sandifur Parkway in Pasco, approximately 3 miles southeast of the proposed development.

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

With 22 proposed units, and a minimum of 2 parking spaces per unit, a minimum total of 44 off street parking spaces will be created. No existing parking spaces will be eliminated as part of this proposal.

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

The proposed development will extend Fraser Road, creating a T-intersection with Dent Road. There will also be local streets within the interior of the development site.

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

No. The proposed development is over 5 miles from the Pasco Airport and development will not obstruct air or rail traffic.

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

ITE Manual, Trip Generation 9th Edition was used to estimate the vehicle trips per day.

Category 210 – Single-Family Detached Housing
Average weekday rate: 9.52 trips/unit
 $9.52 \text{ trips/unit} \times 22 \text{ units} = 209 \text{ vehicle trips per day.}$

Total average trips generated per day by this proposal: 209 trips.

Negligible percentage of commercial and non-passenger vehicles.

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Peak volumes anticipated to occur between 4:00pm-6:00pm weekdays.

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

No, the proposed development will not affect the movement of agricultural or forest products.

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

Traffic impact fees (if applicable) will be paid at time of building permit.

15. Public Services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

The proposed development is not expected to result in an increased need for public safety services such as police and fire, or for health care and educational services, beyond that which is typical of single family residential development.

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

Design and development will occur per County public works and planning standards.

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16. Utilities

- a. Circle utilities currently available at the site:
electricity, natural gas, water, refuse service, telephone sanitary sewer,
septic system other _____
- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

Water: Domestic Well

Sewer: Onsite Sewage System (Private)

Irrigation: Private onsite distribution

Electricity: Franklin PUD

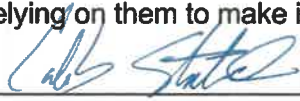
Refuse Service: Basin Disposal Inc.

Communication: PocketiNet, Charter, Lumen

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: _____



Name of signee Caleb Stromstad, PE

Position and Agency/Organization Principal Engineer, Aqtera Engineering / Applicant Representative

Date Submitted: 1/27/22

D. supplemental sheet for nonproject actions

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?
Proposed measures to avoid or reduce such increases are:

Not Applicable.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?
Proposed measures to protect or conserve plants, animals, fish, or marine life are:

Not Applicable.

3. How would the proposal be likely to deplete energy or natural resources?
Proposed measures to protect or conserve energy and natural resources are:

Not Applicable.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?
Proposed measures to protect such resources or to avoid or reduce impacts are:

Not Applicable.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?
Proposed measures to avoid or reduce shoreline and land use impacts are:

Not Applicable.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?
Proposed measures to reduce or respond to such demand(s) are:

Not Applicable.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

Not Applicable.

Agenda Item #4

MAPS & SITE PHOTOS

SUB 2022-02

Kohler Subdivision

