



The City of Othello

500 East Main Street OTHELLO, WASHINGTON 99344 Telephone (509) 488-5686
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Type III Development Review Staff Report & Recommendation

Project Name: Sand Hill Estates #3 Preliminary Plat

Case Types: Major Subdivision and SEPA review

Location: North of Sand Hill Estates #1 & 2, north of Olympia Street, between 7th and 14th Avenue, described as portions of Tax #2658, 2659, 2660, and 2661.

Project Description: Subdivide 17.5 acres into 60 residential lots in the R-1 and R-2 Zones. The subdivision will be served by City sanitary sewer, potable water, irrigation water, streets, and storm water infrastructure. Neighboring and internal streets will be extended/constructed generally in conformance with City Streets Standards.

Applicant(s): Palos Verdes LLC

Contact Person: Angel Garza, Palos Verdes LLC
509-989-0555
angel@palosverdesllc.com

Property Owner(s): Palos Verdes LLC
PO Box 464
Othello, WA 99344

Zoning: R-1 on the south side of Mt. Baker St. from 9th Ave. to 14th Ave.
R-2 from 7th Ave. to 9th Ave. (both sides of street) and the north side of Mt. Baker St. from 9th Ave. to 14th Ave.

Parcel Number: Portions of 152903068-2658, -2659, -2660, & -2661

Recommendation: Approve Subject to Conditions

By: Anne Henning, Community Development Director

Date issued: January 22, 2021

AGENCY REVIEW

Agency Notified	Response Date	Agency Notified	Response Date
Building Dept	None	Century Link Telephone	None
City Engineer	1-19-21	East Columbia Basin Irrigation District	1-14-21
Public Works	None	US Bureau of Reclamation	1-5-21
Police	None	Adams County Development Council	None
Parks	None	Port of Othello	None
Fire Dept	1-22-21	WA Dept of Archaeology & Historic Preservation	1-13-21
County Assessor	None	WA Dept of Ecology	1-13-21
County Auditor	None	WA Dept of Transportation	None
County Bldg/Planning	None	WA Dept of Fish & Wildlife	1-4-21
County Public Works	None	US Fish & Wildlife	None
Health Dept	None	Colville Confederated Tribes	None
Avista Energy	None	Nez Perce Tribe	None
Big Bend Electrical Co-op	None	Spokane Tribe	None
Northland Cable	None	Wanapum Tribe	None
Cascade Natural Gas	None	Yakama Nation	None

Applicable Codes: Title 11 (Streets & Sidewalks); Title 12 (Water & Sewer); 13.04 (SEPA); Title 16 (Subdivisions); 17.20 (Residential Zones); 17.56 (General Provisions); 17.74 (Landscaping and Screening); Title 19 (Development Code); City of Othello Public Works Design Standards, and City of Othello Comprehensive Plan.

Public Notice:

- Notice of application and public hearing was posted on the City’s website and emailed to agencies and departments December 30, 2020.
- Two land use notice signs with the notice of application and public hearing were posted on the subject property by the applicant on December 30, 2020.
- Notice of application and public hearing was published in the Sun Tribune on January 6, 2020.
- Notice of public hearing was posted on the City website December 30, 2020 and mailed to property owners within 350 feet of the site on January 15, 2021.
- Notice of issuance of the MDNS was posted on the City’s website and emailed to agencies January 15, 2021. It was posted by the applicant onsite January 15, 2021. It was published in the Sun Tribune January 20, 2021.

PUBLIC COMMENT

The following comments were submitted in response to public notice:

None as of the date of this report

PROJECT OVERVIEW

The subject property is 17.5 acres out of a larger property, located north of Sand Hill Estates #1 & 2. Sand Hill Estates #1 is one row of lots abutting the north side of Olympia Street between 7th and 14th Avenues, and Sand Hill Estates #2 contains Mt. Adams Street parallel to Olympia with lots on both sides of Mt. Adams. Sand Hill Estates #1 & 2 have been built out over the last three years. The Sand Hill Estates #3 site has previously been used for agriculture and slopes gradually from elevation 1111' at the west side to 1118' at the east side. No environmentally sensitive areas have been identified on or adjacent to the site.

The applicant proposes to divide the property into 60 residential lots on both sides of a new street the developer will construct, Mt. Baker Street, bounded by 7th and 14th Avenues at each end. The developer will also extend 9th, 11th, and 13th Avenues through the development to the north boundary. Sand Hill Estates #3 is the third development of a concept plan with eventual full build-out of about 248 lots. Each plat is independent, so no approvals for development beyond the current plat #3 have been applied for.

The zoning and uses for both the subject and surrounding properties are noted in the following table:

Compass	Zoning	Current Land Use
Site	R-1 & R-2	Vacant/Former Agriculture
North	R-2	Vacant/Former Agriculture
East	General Agriculture (Outside City Limits)	USBR canal & Agriculture
South	R-1 & R-2	Residential (Sand Hill Estates #2)
West	R-4	Agriculture

ENVIRONMENTAL REVIEW

As lead agency under the State Environmental Policy Act (SEPA) Rules [Chapter 197-11, Washington Administrative Code (WAC)], the City of Othello must determine if there are possible significant adverse environmental impacts associated with this proposal. On January 15, 2021, the City issued an **MDNS – Mitigation Determination of Non-Significance** with 13 conditions related to deleterious materials spills, stormwater, track-out, fill, site stabilization, street and utility improvements, fire hydrants, parks and open space, water rights, cultural resources, and agricultural chemicals. The conditions of the MDNS automatically become conditions of the project approval.

SUBDIVISION REVIEW

After the SEPA review, staff then reviewed the proposal for compliance with applicable code criteria and standards in order to determine whether all potential impacts could be mitigated by the requirements of the code.

Staff's analysis also reflects review of agency and public comments received during the comment period.

Major Issues

Only the major issues, errors in the development proposal, and/or justification for any conditions of approval are discussed below. Staff finds that all other aspects of this proposal not discussed below comply with the applicable code requirements.

Comprehensive Plan:

The following Comprehensive Plan Goals, Objectives, and Policies are relevant to this proposal:

Finding 1 – Land Use Goal 1.6: Provide a land use pattern that can be efficiently provided with services.

Finding 2 – Land Use Objective 1.8.3: Encourage new growth to locate in or near the built-up area of Othello or where utilities are readily available for extension.

Finding 3 – Housing Goal 2.1: Provide for a diverse mix in housing types, density, location, and affordability.

Finding 4 – Transportation Goal 4.1: Provide a safe and reliable transportation system with the City of Othello.

Conclusion (Comprehensive Plan): Staff concludes that the proposed project is consistent with the relevant portions of the Comprehensive Plan by constructing in a grid network which is the most efficient way to provide services, located next to existing development where utilities are available, providing a mix of lot sizes which will encourage a mix of housing sizes and affordability, and expanding the transportation system in a safe and reliable manner.

Land Use and Subdivision Codes:

Finding 1 - Permitted Use – The R-1 portion of the plat is from 9th Avenue to 14th Avenue, on the south side of Mt. Baker Street. The R-2 portion is both sides of the street from 7th Avenue to 9th Avenue, then the north side of the street from 9th Avenue to 14th Avenue. The zoning boundary runs near to the centerline of Mt. Baker Street. The R-1 Zone allows one-family dwellings as a permitted use, and the R-2 Zone allows one- and two-family dwellings as a permitted use (OMC 17.20.030 Table 1). Setbacks, lot coverage, parking, height, etc. will be reviewed when a building permit is submitted.

Finding 2 – Lot Size – The minimum lot size is 8000 square feet in R-1 and 7000 square feet in R-2 (OMC 17.20.060 Table 2). Blocks 2, 3, and 4 are within the R-1 Zone. Per the Lot Area Table on Sheet 7 of the plat, 7 of the 9 lots in Block 2 have lot areas of 7,993.68 square feet. In addition, the plat shows a 60'-wide right-of-way (ROW) for the street, instead of the required 66'. Increasing the ROW to 66' will decrease the lot area more. **Block 2 will need to be reconfigured to meet the minimum standard for lot area.** The lots at each end of Block 2 are much larger than the minimum requirement (11,134.04 SF for Lot 1 and 9,367.04 SF for Lot 9) so staff does not have a concern that there is not sufficient space in this block to make a reconfiguration work. The side lot

lines in Block 2 will be slightly offset from the side lot lines of the corresponding block of the plat to the south. All other blocks meet the minimum lot sizes, even with the increased ROW needed.

Finding 3 – Water Rights – OMC 16.05.080 requires residential subdivisions to transfer any water rights associated with the property, or pay a fee in lieu of dedication, sufficient to supply the subdivision. This condition was included in the MDNS.

Finding 4 - Open Space and Parks – Subdivisions are required to dedicate 5% of the gross project area for public open space or pay a fee in lieu of dedication (OMC 16.20.040). This condition was included in the MDNS.

Finding 5 – General Subdivision Requirements – Improvements – OMC 16.17.030(a)(1), (2), and (6) require the subdivision to make adequate provisions for roads, streets, curbs, gutters, sidewalks, street lighting circuits, alleys, the extension of municipal utilities (sewer, water, and irrigation), irrigation water rights-of-way, drainage ways, other public ways, public access, and any other municipal improvements deemed necessary. Improvements shall conform to community street and utility standards and city design standards in effect at the time of plat approval. Streets shall be improved to city standards. Street lighting shall be provided. The street lighting plan must be approved by the electric utility. All of these issues will be verified when the street and utility construction plans are reviewed after approval of the preliminary plat. The street and utility improvements will need to be completed or bonded for before the final plat is accepted for review. Some exceptions to the Municipal Code standards for streets were requested but then withdrawn so are not being considered here.

Finding 6 – General Subdivision Requirements - Layout – OMC 16.17.030(a)(2) requires that the subdivision shall front on public streets. There shall be adequate access to all parcels. OMC 16.17.030(b)(4) requires that rights-of-way dedicated for streets and utilities shall be consistent with the comprehensive right-of-way and transportation plans of the city. These layout requirements are met by the proposed plat layout.

Finding 7 – General Subdivision Requirements – OMC 16.17.030(a) requires compliance with all zoning, fire, and health regulations, consistency with the comprehensive plan, submittal of environmental information, payment of review fees, written decisions, processing under state timelines, a plat certificate to confirm ownership, and no certificate of occupancy until the final plat has been recorded. Once the lot area and right-of-way width issues are corrected, the proposed plat will comply with zoning, fire, and health regulations and will be consistent with the comprehensive plan. The procedural requirements related to environmental information, fees, written decisions, timelines, plat certificate, and certificate of occupancy will all be met.

Finding 8 – Specific Subdivision Requirements – OMC 16.17.030(b) includes the specific standards of the preliminary plat drawing. The drawing submitted 12-7-20 was reviewed for compliance by the City Engineering Department. On 1-21-21, the developers engineer emailed that a revised drawing to address lot size and right-of-way

width issues would be submitted; however, it has not been received as of the date of this staff report, and even if it is received before the public hearing, there likely will not be time for a complete review before the public hearing.

Finding 9 – Cost sharing – OMC 16.17.030(b)(6) requires the subdivider to submit in writing any requests for potential reimbursements, latecomer contracts, or city involvement in the cost sharing of any improvements. The subdivider submitted a request for city participation in the cost of improving 7th and 14th Avenues, but that request will be decided by the City Council in a separate process from the preliminary plat approval.

Finding 10 - Preliminary Approval – Preliminary approvals for major plats shall expire and become null and void three (3) years after the date of preliminary approval per OMC 16.17.100(a). One twelve-month extension may be requested per OMC 16.17.100(b). Application for an extension must be received 30-calendar days prior to expiration and the applicant must show they have made a good faith attempt to submit the final plat within the three-year approval period.

Finding 11 - Final Plat – An application meeting the standards of OMC 16.17.130 must be submitted in order to request final plat approval. In order to obtain approval of the final plat, the subdivision must conform to these conditions of approval and meet the standards of OMC 16.17.

Finding 12 – Design Standards – OMC 16.29.010 requires plats to conform to the requirements of this chapter, OMC 16.33 (Improvements), city design standards, and the fire code. Sections of OMC 16.29 include street alignment in conformity with the master plan, continuation/extension of existing streets, discouragement of through traffic, limits on dead-end streets, access to improved streets, street curves, intersection angles, street grades, street widths, the requirement to dedicate and complete any street along the boundary of a subdivision, street names, curbs, alleys not required for residential lots, easements for hydrants, water mains, sewer mains, and unusual facilities such as high-voltage electric lines, irrigation canals, and pond areas; block length ordinarily between 300 and 1200', block depth sufficient for two tiers of lots between streets, mid-block crosswalks when needed to provide access to community facilities, lots that meet the width and area requirements of the zoning code, extra width for corner lots in order to meet side setbacks, residential lots no deeper than 150' unless rear fire access provided, conditions for double frontage lots, street planting plans, disposal of storm drainage, connection to sanitary sewer, connection to City water, fire hydrants, street lighting, electrical, telephone, and cable service; street signs and traffic control signs, improvements to City standards, and monuments and lot corners. The plat as proposed complies with the standards of OMC 16.29, except for OMC 16.29.100 which requires 66'-wide street right-of-way instead of the 60' shown on the plat. **Since no deviation was granted, the plat must be modified to 66' right-of-way for Mt. Baker Street, and 9th, 11th, and 13th Avenues.**

Finding 13 – Improvements – OMC 16.30 sets some requirements for the plat improvements. Improvement plans will be reviewed by City Engineering and Public

Works for compliance with OMC 16.30 and the Public Works Design Standards after the preliminary plat has been approved.

Finding 14 – Landscaping – OMC 17.74, Landscaping and Screening, sets specific requirements for new development, including residential subdivisions. Per OMC 17.74.020(c), a residential subdivision requires street trees and residential landscaping at the time of construction of each house. The street tree requirement consists of a medium or large tree for every 75’ of street frontage. Residential landscaping is trees, shrubs, lawn, and other natural and decorative features within at least 50% of the front yard setback, installed within one year of Certificate of Occupancy. Landscaping will be addressed lot-by-lot as each house is built.

Conclusion (Land Use): Staff concludes that a condition is needed for minimum lot size and right-of-way width, which will require minor redesign of the proposed project. The project otherwise meets applicable OMCs and the City’s Comprehensive Plan, and makes adequate provisions for public health, safety, and welfare.

Public Works and Engineering:

Finding 1 – The standard for a Neighborhood Street as shown on the City of Othello Public Works Design Standards, Figure S1, Minimum Street Standards and also OMC 16.29.100 is 66’ of right-of-way. However, the right-of-way for the new Mt. Baker Street and the extension of existing 9th, 11th, and 13th Avenues were all shown on the 12-7-20 plat submittal as 60’. On 1-21-21, the developer’s engineer emailed the intention to modify these to 66’.

Finding 2 - The 12-7-20 plat submittal shows 40’ of right-of-way from centerline on 7th Avenue and 38’ from centerline on 14th Avenue. This matches what has been done in Sand Hill Estates #1 and #2. On January 11, 2021, City Council adopted a Street Classification Map which clarified that 7th and 14th Avenues are classified as Collectors rather than Arterials. It is possible that less right-of-way would be needed for these streets. This adjustment could be made between the preliminary and final plats.

Finding 3 - OMC 16.29 “Design Standards” – Full width street improvements are required by OMC 16.29.140 within the subdivision and along the boundary of the subdivision. Street lighting will be required in accordance with OMC 16.29.330.

Finding 4 – The additional right-of-way abutting the plat side of both 7th and 14th Avenues is needed for the irrigation mains. The 10’ public utility easement abutting the right-of-way is used for other utilities such as gas, fiber, telephone, and electric. In order to extend these utilities, including irrigation, the property owner may need to grant easements and/or right-of-way on his property to the north, and may need to acquire additional right-of-way and/or easements to the north.

Finding 5 – The location of fire hydrants is subject to review and approval by the Fire Chief, but must also meet the minimum requirement of OMC 16.33.030, spacing at 500’ intervals.

Finding 6 – Construction Plan Review – Prior to construction, plans and profiles of the proposed infrastructure shall be submitted to the City. Plans must meet City of Othello Public Works Design Standards.

Finding 7 –City Engineering provided comments dated January 19, 2021 that spell out specific corrections needed on the 12-7-20 plat drawing or additional information that is needed. Although the developer’s engineer emailed that he would provide an updated plat, it has not been received as of the date of this report, and there may not be enough time for a thorough review of any revised drawing prior to the public hearing.

Finding 8 - A traffic impact analysis for the full build-out of all Sand Hill Estates phases was required and accepted with the previous phase. No further traffic information was found to be required for this phase.

Conclusion (Public Works and Engineering): Conditions are needed for right-of-way width and addressing the comments from City Engineering. The proposed project is otherwise able to meet the standards set forth in the applicable Othello Municipal Code and Public Works Design Standards.

Fire Protection:

Finding 1 –Hydrant spacing and location must be approved by Adams County Fire District 5. Lots shall not exceed 150’ in depth from the curb line.

Conclusion (Fire Protection): The plat as proposed does not have lots that exceed 150’ in depth from the curb line. Provided the condition about hydrant spacing and location is included in the decision, the proposed development should meet the standards necessary for an approval of the project by Adams County Fire District 5.

East Columbia Basin Irrigation District

Finding 1 – This property is within a Columbia Basin Project farm unit; therefore, approval of the final plat by the East District and US Bureau of Reclamation (Bureau) will be necessary pursuant to RCW 58.17.310. The property is entitled to receive Columbia Basin Project irrigation water and is obligated to pay East District irrigation assessments whether water is used or not. A release of allotment can be requested, and if approved, would relieve the property from future assessments.

Finding 2 – There is a \$300 plat fee that must be paid prior to signing the plat.

Finding 3 –The note on Sheet 7 “This land is included...” should say “when this plat is served by city streets, irrigable land within the street right of way...”

Conclusion (East Columbia Basin Irrigation District): Provided the recommended conditions of approval are included in the decision, the proposed development should meet the standards necessary for an approval of the project by the East Columbia Basin Irrigation District.

Bureau of Reclamation:

Finding 1 – This project is located within Farm Units 87 and 88 in Block 45, Othello. The Bureau of Reclamation currently has a surface irrigation facility, the EL68 Lateral, on the eastern boundary of the proposed project site. The lateral is for diversion of irrigation water for the Columbia Basin Project (Project). The proponent should be aware of issues that could impact Project objectives.

Finding 2 – Construction storm water or runoff of any type from a construction site or developed property should not enter any of Reclamation’s lands or facilities at any time and must be contained on site. Surface water runoff resulting from construction activities can potentially enter Project facilities and adversely affect water quality. A General Construction Storm Water Permit from the Washington State Department of Ecology may be needed for any project one acre or greater. Construction should be conducted in a manner that minimizes adverse effects to the lands, operations, waters, facilities, and resources of the Project. Upon completion of construction activities, no connections to Project facilities will be allowed that would collect or discharge storm water or any other non-agricultural discharges.

Finding 3 – Landowners should be aware of existing Reclamation and East Columbia Basin Irrigation District (ECBID) rights to construct, reconstruct, operate, and maintain Project facilities as necessary. Reclamation and ECBID must review and approve any work that will involve these facilities or the existing rights-of-way prior to commencing such work. Structures are prohibited from encroaching upon existing rights-of-way corridors without prior approval from Reclamation and ECBID. This includes, but is not limited to, temporary improvements such as on-site sewage disposal systems, drain fields, domestic wells, paving, fencing, and landscaping. It is important to note that Reclamation's concurrence to this proposal is conditioned upon the assurance that there are no encroachments upon Project facilities or rights-of-way.

Finding 4 – Should the proponent develop the property with the intent of installing a well for public or private use, please be advised that such a well providing groundwater to the public will typically have a wellhead protection zone delineated on the development plans. Wellhead protection zones cannot overlap Reclamation’s rights-of-way or interfere with Project operations, since they would constrain the ECBID’s ability to apply aquatic and terrestrial herbicides needed to maintain Project facilities. The ECBID must be able to operate and maintain Project facilities in order to accomplish Project objectives.

Finding 5 – The agricultural water that supports FU 87 and 88 in Block 45 must only be used for agricultural purposes that do not include the production of marijuana. The proposed project may render the land ineligible for the agricultural water entitlement authorized by the Project. The proponent is advised to initiate discussions regarding the release of agricultural water entitlement, by contacting the ECBID headquarters in Othello. The proponent would be relieved of the future obligations for payment of annual assessments to the ECBID for these acres if determined ineligible.

Finding 6 – Generally, all survey data on the Reclamation Farm Unit Maps pertaining to Reclamation facilities, associated rights-of-way, and Farm Unit boundaries within the area being subdivided must be included on the plat. The plat recorded with the county is considered the official Reclamation record. Our review of the preliminary plat indicates that the proponent has furnished this required information.

Finding 7 – The following language will be required on the final plat prior to approval.

Bureau of Reclamation concurrence for this plat is limited to the extent of the plat’s compliance with the requirements of RCW 58.17.310.

Drain Construction: Rising ground water tables are common in irrigation projects. Federal drain construction funds are not available for draining of subdivisions and other areas not in a commercial agricultural use, unless such drainage is incidental to the required drainage of adjacent agricultural land and meets Federal technical and economic feasibility requirements.

This land is included within the East Columbia Basin Irrigation District and is subject to the laws of the United States and the State of Washington relative to the Columbia Basin Project and is liable for further assessments, if any, levied by said District. It is also understood and agreed that when this plat is served by City Streets, irrigable land within the Road right-of-way or isolated by said dedication will not become a charge assessable to the City of Othello and payable to the East Columbia Basin Irrigation District for construction, operation and maintenance of the Project.

East Columbia Basin Irrigation District

Bureau of Reclamation

IRRIGATION APPROVAL:

Water Supply: Concurrence by the Bureau of Reclamation for this plat does not assure the availability of a water supply, nor does it bind the United States to issue a permanent right for a Federal water supply. A supply of Federal project water to this land is assured only upon full compliance with corollary Federal and State legislation.

Bureau of Reclamation

Finding 8 – All distances and bearings must be shown exactly as displayed on the Reclamation Farm Unit Map for Reclamation facilities, associated rights-of-way, and Farm Unit boundaries.

Finding 9 – Reclamation’s Plat for Farm Unit 87 and 88 in Block 45 is available on the Web.

Finding 10 – Sheet 1, 2, & 6 of 7: Add the name of the facility (EL68 Lateral), Farm Unit data, and the width for the right-of-way.

Finding 11 – Sheet 3, 4, 5, & 7 of 7: No errors spotted.

Conclusion (Bureau of Reclamation): Provided the recommended conditions of approval are included in the decision, the proposed development should meet the standards necessary for an approval of the project by the Bureau of Reclamation.

Washington State Department of Ecology:

Finding 1 – If the property has been historically used for agricultural purposes, then the applicant may need a site assessment to ensure that possible residues from agricultural chemicals do not pose a threat to human health and the environment.

Finding 2 – Ecology requires the applicant to obtain a Construction Stormwater General Permit for the Sand Hill Estates #3 Major Plat project.

Finding 3 – 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.

Conclusion (Department of Ecology): The project can address Department of Ecology concerns subject to the attached conditions of approval for platting the property.

Washington State Department of Archaeology & Historic Preservation (DAHP):

Finding 1 – DAHP’s statewide predictive model indicates that there is a high probability of encountering cultural resources within the proposed project area. Further, the scale of the proposed ground disturbing actions would destroy any archaeological resources present. Identification during construction is not a recommended detection method because inadvertent discoveries often result in costly construction delays and damage to the resource. Therefore, we recommend a professional archaeological survey of the project area be conducted prior to ground disturbing activities. We also recommend consultation with the concerned Tribes’ cultural committees and staff regarding cultural resource issues.

Finding 2 – These comments are based on the information available at the time of this review and on behalf of the State Historic Preservation Officer in conformance with

Washington State law. Should additional information become available, our assessment may be revised.

Conclusion (DAHP): A condition was placed in the MDNS to address DAHP's concerns.

Washington State Department of Fish & Wildlife (WDFW):

Finding 1 – After review of the parcels that will be impacted by the project, utilizing WDFW's Priority Habitats and Species Maps and aerial photos, it has been determined that the proposal will be constructed on land that has previously been converted and used for agricultural purposes. Therefore, WDFW has no environmental concerns regarding this proposed development at the proposed location.

Conclusion (WDFW): WDFW has no environmental concerns for this project.

Recommended Conditions of Approval

1. Conditions in the Mitigated Determination of Non-Significance (MDNS) are conditions of approval of this subdivision.
2. Block 2 must be reconfigured to meet the minimum lot size of 8000 square feet.
3. The plat must be reconfigured to provide the minimum street right-of-way of 66' for all interior streets, including Mt. Baker Street, and 9th, 11th, and 13th Avenues.
4. Street and utility development on the subject parcels shall be coordinated with all utility providers serving the site and general area. Utility easements on adjacent parcels that are required for development of the subject property shall be in place prior to development of the subject property.
5. If needed to extend infrastructure, including irrigation, to the property, the property owner may need to grant easements and/or right-of-way on his property to the north, and may need to acquire additional right-of-way and/or easements to the north.
6. The comments of City Engineering dated 1-19-21 must be addressed.
7. Hydrant spacing and location shall be approved by Adams County Fire District 5 and City of Othello.
8. Before a final plat application can be accepted, the following are required (OMC 16.17.120):
 - A. Construction plans for all required street and utility improvements must be approved, and
 - B. The street and utility improvements must be completed by the developer and accepted by the City Council, or guaranteed by a bond or other security.
9. An application meeting the standards of OMC 16.17.130 must be submitted to request final plat approval. In order to obtain approval of the final plat, the subdivision must conform to these conditions of approval and meet the standards of OMC 16.17.
10. All requirements of the East Columbia Basin Irrigation District and US Department of the Interior, Bureau of Reclamation shall be met prior to final plat recording.
11. All requirements of Washington State Department of Ecology shall be met, including Construction Stormwater General Permit for Stormwater Discharges Associated with Construction Activities and Stormwater Pollution Prevention Plan.
12. Except as noted, all proposals of the applicant shall be considered conditions of approval.

13. Preliminary approval for a major plat expires and becomes null and void three years after the date of preliminary approval unless a 12-month extension has been approved. See OMC 16.17.100.

PROCESS AND APPEALS

This report to the Hearings Examiner is a recommendation from the Building and Planning Department for the City of Othello, Washington.

The examiner may adopt, modify or reject this recommendation. The examiner will render a decision within 14 calendar days of closing the public hearing. The City will mail a copy of the decision to the applicant and all parties of record within 7 days of receipt of the decision from the examiner.

The decision may be appealed to the superior court of Adams County by the applicant or any “Party of Record”. To qualify as a party of record, you must have submitted written comments or a written request to be identified as a Party of Record prior to the closing of the record.

An accurate mailing address for those submitting comments must be included or they will not qualify as a “Party of Record” and, therefore, will not have standing to appeal the decision. An appellant must submit an appeal to the superior court of Adams County within 30 calendar days after the written decision is mailed.

Refer to OMC 16.17.110 Appeals, for the appeal of Major Plats and OMC 19.11.020 for the appeal of hearing examiner decisions.

EXHIBITS

Exhibit #	Document	Pages
Exhibit 1	Staff Report	14
Exhibit 2	Land Use Application Submittals: <ul style="list-style-type: none"> • Land Use Application rec’d 12-3-20 & receipt • 12-7-20 Plat drawing • 12-15-20 Plat Certificate rec’d 12-18-20 • 12-30-20 email from Angel Garza clarifying ownership • 1-21-21 email from Scott McArthur (developer’s engineer) about revised plat drawing 	17
Exhibit 3	Public Notice documentation: <ul style="list-style-type: none"> • 12-30-20 Notice of Application & Public Hearing document • 12-30-20 Agency routing email • Newspaper notice & newspaper confirmation • Affidavit of Publication • Affidavit of Posting • Letter mailed 1-15-21 to property owners within 350’ • List of names and addresses of owners within 350’ as determined by the City based on Adams County Assessor records 	17

Exhibit #	Document	Pages
	<ul style="list-style-type: none"> • Map of area letters were sent 	
Exhibit 4	Comments received: <ul style="list-style-type: none"> • WDFW 1-4-21 • USBR 1-5-21 • DAHP 1-13-21 • Ecology 1-13-21 • East Columbia Basin Irrigation District 1-14-21 • City Engineering 1-19-21 • Fire Department 1-22-21 	12
Exhibit 5	Environmental review documents: <ul style="list-style-type: none"> • MDNS issued 1-15-21 • SEPA Environmental Checklist submitted 12-3-20 • MDNS agency routing email • MDNS newspaper notice • Confirmation email from newspaper about publishing MDNS • 1-15-21 Letter to proponent about MDNS • 1-15-21 Email from proponent’s representative, confirming on-site posting of the MDNS 	20
Exhibit 6	Other relevant documents from file of record: <ul style="list-style-type: none"> • 12-9-20 email from Anne Henning about lot sizes • 12-10-20 email from Anne Henning about documents still needed • 12-17-20 Notice of Incomplete • 12-29-31 Email from Anne Henning following up NOI • 12-30-20 Notice of Completeness • 1-21-20 Email from Anne Henning about ROW width 	6