

Walla Walla County Community Development Department

310 W. Poplar Street, Suite 200, Walla Walla, WA 99362 / 509-524-2610 Main

File No. SUB22-011

CAP22-028

SEPA22-029

NOTICE OF APPLICATION / ODNS

Notice is hereby given on this date, 1/5/2023, that the application/proposal described in this notice has been filed with the Walla Walla County Community Development Department (CDD). The application/proposal may be reviewed at the CDD office at 310 W Poplar St., Suite 200, Walla Walla, WA 99362. All interested persons and parties may comment on the application, appeal rights are outlined in Walla Walla County Code Chapter 14.11.

The Department is using the optional threshold determination process under the State Environmental Policy Act (SEPA) authorized by WAC 197-11-355. The application comment period may be the only opportunity to comment on the environmental impacts of the proposal. A copy of the SEPA determination on the proposal may be obtained upon request. The proposal may include mitigation measures under applicable codes, and the project review process may incorporate or require mitigation measures regardless of whether an environmental impact statement is prepared. The SEPA Responsible Official has preliminarily determined that the proposal is:

- categorically exempt under SEPA
- subject to SEPA threshold determination requirements and the responsible official expects to issue the following determination: Determination of Non Significance (DNS).

The following identified existing environmental documents are hereby incorporated by reference, and all or part of the documents may be used to evaluate the application/proposal:

- SEPA Checklist (SEPA22-017), signed 12/19/2022
- Subdivision Application form (SUB22-011), submitted 12/21/2022
- Critical Areas Application form (CAP22-028), submitted 12/21/2022
- Subdivision Preliminary Map, dated November 2022
- Short Plat Certificate, issued by Land Title of Walla Walla County, issue date 12/12/2022
- Critical Areas Report prepared by Anderson Perry and Associates, dated November 2022

These documents are located at the office of the CDD at 310 W Poplar St., Suite 200, Walla Walla, WA, and shall be made available for public review during all applicable comment periods on the application/proposal. Preliminary determinations and information contained herein shall not bind the County and are subject to continuing review and modification.

1. Applicant: JUSTIN DESTITO; 2728 CASTLE STONES CT; WALLA WALLA WA, 99362
2. Property Owners: LEGACY ACRES, LLC; 1712 PIONEER AVE, SUITE 1674; CHEYENNE WY, 82001
3. Application filing date: 12/21/2022
4. Date that application was determined to be substantially complete: 12/28/2022
5. Location and description of proposed action: The applicant has submitted a 2-lot short plat application for a 21.674-acre site east of 1898 OLD MILTON HIGHWAY (APN 350601420041). The proposed Lot 1 will be approximately 16.674-acres and Lot 2 will be approximately 5.00-acres. The following mapped critical areas are located within or adjacent to the property area: fish and wildlife habitat (Yellowhawk Creek with a riparian buffer area of 50-feet), geologically hazardous area (seismic hazard areas with moderate to high liquefaction susceptibility), 100-year (1%) floodplain, floodway, wetlands associated with Yellowhawk Creek riparian buffer area, critical aquifer recharge area (Walla Walla River Shallow Gravel Aquifer area of High Recharge Vulnerability and the City of College Place's 10-year Wellhead Protection Area), and areas within the Walla Walla County Shoreline Master Plan (SMP) Jurisdictional Area (Rural Residential designation).
6. Comprehensive plan map designation for the location: Rural Residential-5
7. Zoning map designation for the location: Rural Residential-5
8. Shoreline Environment: Rural Residential
9. Required Permits: Critical Areas Application
10. Development Regulations: Walla Walla County Code Chapter 18.08 – Critical Area Protection; Chapter 18.12 – Flood Damage Prevention; Chapter 17.18 – Development Standards – Density and Dimensions; Title 16 – Subdivisions; Walla Walla County Shoreline Master Plan
11. Comments on this application must be submitted in writing to the CDD at 310 W Poplar St., Suite 200, Walla Walla, WA 99362. Any person desiring to submit written comments concerning an application, or desiring to receive notification of the final decision concerning the proposal as expeditiously as possible after the issuance of decision, may submit the comments or requests for decisions to the department within fourteen days following the date of final publication of the notice of application. **Comments must be received by the CDD before 5:00 PM on the following date: 1/19/2023.**
12. A public hearing will not be held on the proposal.
13. The decision on this application will be made by the CDD Director.
14. The Director's decision may be appealed by the applicant(s) or parties of record to the Walla Walla County Hearing Examiner pursuant to WWCC 14.11.010 and 14.11.030.

For additional information please contact the CDD at 310 W Poplar St., Suite 200, Walla Walla, WA 99362; 509-524-2610; planning@co.walla-walla.wa.us. **Staff Contact: Don Sims, Associate Planner, 509-524-2618.** This Notice of Application is required by RCW 36.70B.110 and Walla Walla County Code 14.07.080.

LEGACY ACRES PRELIMINARY SHORT PLAT
 LOCATED IN THE S.E. 1/4 OF SECTION 1, TOWNSHIP 6 NORTH, RANGE 35 EAST,
 WILLAMETTE MERIDIAN, WALLA WALLA COUNTY, WASHINGTON

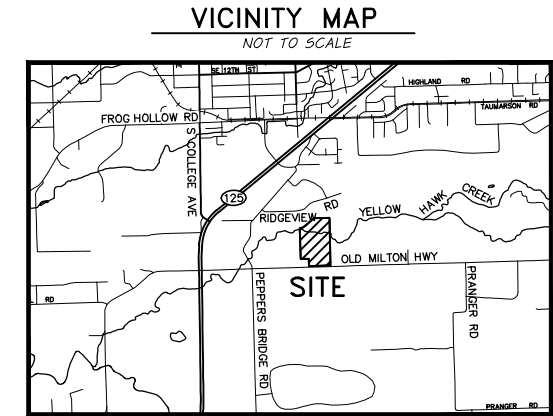
WALLA WALLA COUNTY
 SHORT PLAT SUB22-XXX

ZONING:
 RURAL RESIDENTIAL 5

OWNERS
 LEGACY ACRES, LLC
 (PER QCD AFN# 2011-07880)

DEDICATION:
 KNOW ALL MEN BY THESE PRESENTS, LEGACY ACRES, LLC IS THE OWNER OF THE
 LANDS DEPICTED ON THE ATTACHED PLAT, HAVE CAUSED SAID LANDS TO BE
 SURVEYED AND SUBDIVIDED AS SHOWN HEREON.

JUSTIN DESTITO, GOVERNOR _____ DATE _____
 LEGACY ACRES, LLC A WYOMING LIMITED LIABILITY COMPANY



RECORD DESCRIPTIONS:

LEGACY ACRES, LLC
 (PER BOUNDARY LINE ADJUSTMENT BOOK 13, PAGE 94)

A PORTION OF THAT PARCEL OF LAND DESCRIBED IN QUIT CLAIM DEED
 RECORDED OCTOBER 7, 2011 UNDER AUDITOR FILE NUMBER 2011-07880
 AND AS SHOWN ON RECORD OF SURVEY RECORDED AUGUST 23, 2016
 UNDER AUDITOR FILE NUMBER 2016-06753 IN BOOK 12 OF SURVEYS AT
 PAGE 276 RECORDS OF WALLA WALLA COUNTY, LOCATED IN THE
 SOUTHEAST ONE-QUARTER (SE1/4) OF SECTION 1, TOWNSHIP 6 NORTH,
 RANGE 35 EAST, WILLAMETTE MERIDIAN, WALLA WALLA COUNTY,
 WASHINGTON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER ONE-QUARTER CORNER OF SAID SECTION 1:
 THENCE ALONG THE NORTHERLY BOUNDARY OF SAID SOUTHEAST
 ONE-QUARTER (SE1/4) N.89°58'06"E., 809.16 FEET TO A POINT ON THE
 NORTHERLY BOUNDARY OF SAID PARCEL, SAID POINT BEING THE TRUE
 POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE THE FOLLOWING SIX
 (6) COURSES ALONG SAID PARCEL BOUNDARY, N.89°58'06"E., 419.08 FEET;
 THENCE S.00°03'33"W., 1293.36 FEET; THENCE S.89°43'41"W., 587.06
 FEET; THENCE N.00°08'37"E., 199.55 FEET; THENCE S.89°45'46"W., 224.00
 FEET; THENCE N.00°08'33"E., 830.24 FEET; THENCE DEPARTING SAID
 BOUNDARY N.58°32'38"E., 20.60 FEET; THENCE N.81°12'40"E., 57.88 FEET;
 THENCE N.59°11'40"E., 90.60 FEET TO A POINT ON THE NORTHERLY
 BOUNDARY OF SAID PARCEL; THENCE ALONG SAID BOUNDARY
 N.49°49'39"E., 311.69 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 944140.58 SQUARE FEET, OR 21.674 ACRES MORE OR LESS
 AND BEING SUBJECT TO ALL EASEMENTS, RIGHT-OF-WAYS, COVENANTS OR
 RESTRICTIONS EXISTING, OF RECORD OR IN VIEW.

POWER SERVICE NOTE:
 PACIFIC POWER PROVIDES POWER TO THIS SUBDIVISION.

ACKNOWLEDGEMENT:

COUNTY OF _____
 STATE OF _____

BEFORE ME THIS ____ DAY OF _____, 2022 APPEARED, JUSTIN
 DESTITO, TO ME PERSONALLY KNOWN, WHO ACKNOWLEDGED THE FOREGOING
 SUBDIVISION TO BE A FREE AND VOLUNTARY ACT AND DEED.

WITNESS MY HAND AND SEAL THIS ____ DAY OF _____, 2022

NOTARY PUBLIC _____
 FOR THE _____
 STATE OF _____
 RESIDING IN _____
 MY COMMISSION EXPIRES _____

WATER/SEWER SERVICE NOTE:
 FUTURE WATER SERVICE TO BE ON-SITE WELL FUTURE
 SEPTIC SERVICE TO BE ON-SITE SEPTIC

CRITICAL AREAS NOTE
 THE FOLLOWING CRITICAL AREAS ARE LOCATED ON OR
 ADJACENT TO THE SITE:
 1. AREAS WITHIN THE SPECIAL FLOOD HAZARD AREA
 2. DEVELOPMENT BUFFER FROM YELLOW HAWK CREEK
 3. MODERATE TO HIGH LIQUEFACATION POTENTIAL
 4. EROSION HAZARD

FUTURE DEVELOPMENT WITHIN THESE AREAS IS SUBJECT TO
 REGULATION UNDER WALLA WALLA COUNTY CODE CHAPTER
 18.08; SUBMITTAL OF A CRITICAL AREAS PERMIT APPLICATION
 AND CRITICAL AREAS REPORTS MAY BE REQUIRED.

APPROVALS:
 APPROVED IN ACCORDANCE WITH CHAPTER 17.18 AND 16.36 OF WALLA WALLA
 COUNTY CODE.

LAUREN PRENTICE, DIRECTOR _____ DATE _____
 WALLA WALLA COUNTY COMMUNITY DEVELOPMENT DEPARTMENT

I HEREBY CERTIFY THAT _____ TAXES FOR THE YEAR _____
 AGAINST THE PROPERTY SHOWN HAVE BEEN PAID.

WALLA WALLA COUNTY TREASURER _____ DATE _____

AUDITOR'S CERTIFICATE
 FILED FOR RECORD THIS ____ DAY OF _____, 20____,
 AT ____ M. IN BOOK ____ OF _____ AT PAGE ____ AT THE
 REQUEST OF ANDERSON-PERRY & ASSOCIATES, INC.

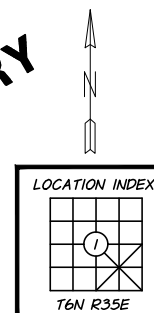
 COUNTY AUDITOR

SURVEYOR'S CERTIFICATE
 THIS MAP CORRECTLY REPRESENTS A
 SURVEY MADE BY ME OR UNDER MY
 DIRECTION IN CONFORMANCE WITH THE
 REQUIREMENTS OF THE SURVEY
 RECORDING ACT AND AT THE REQUEST
 OF TIMBER RIDGE DEVELOPMENT, LLC &
 LEGACY ACRES, LLC.

ERIK J. GREEN, P.L.S. 43411



DATE 11-30-2022

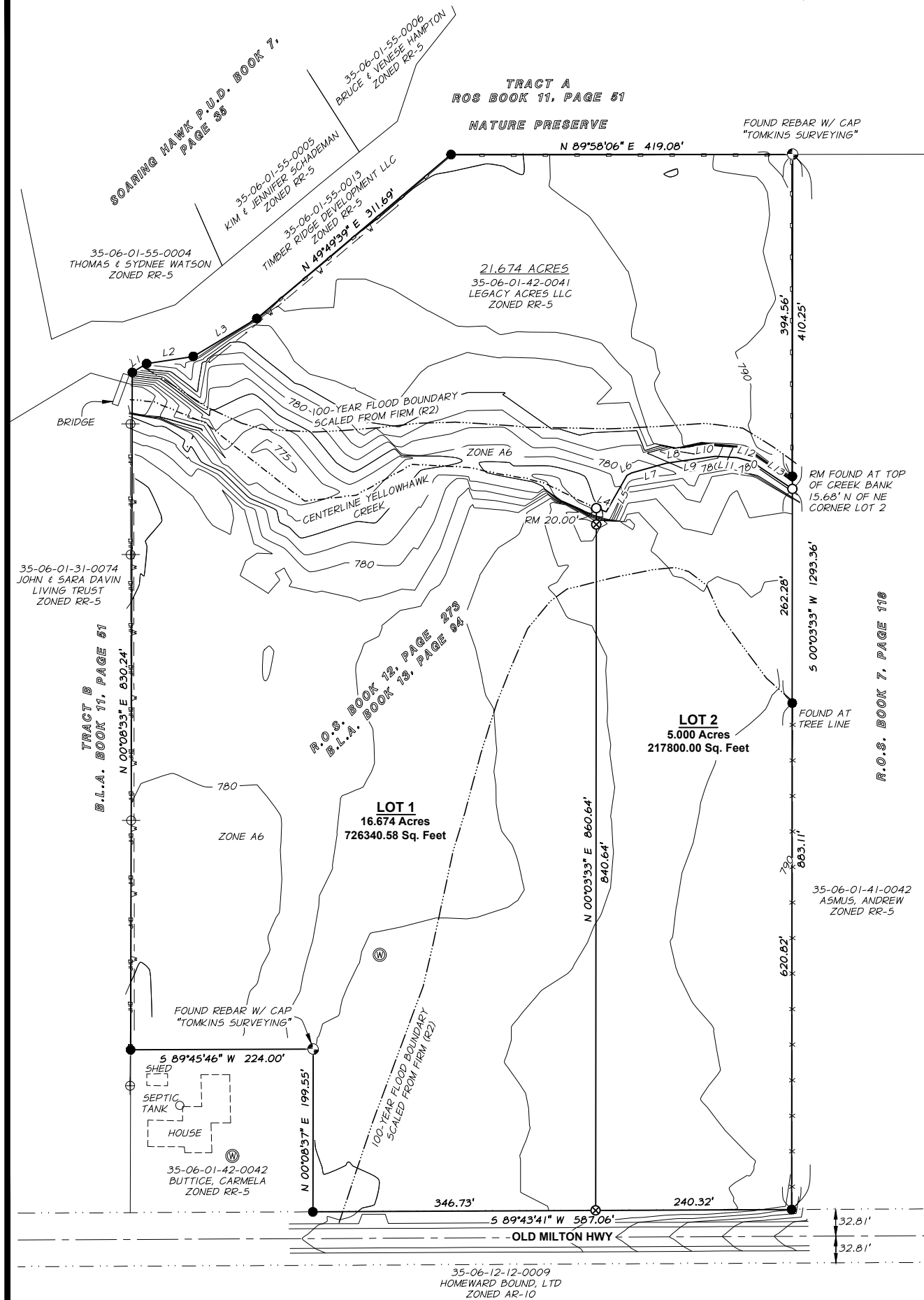


LEGACY ACRES PRELIMINARY SHORT PLAT		
FOR LEGACY ACRES, LLC		
FILE:Z:\Legacy Acres LLC\7521-521 Old Milton Highway\DWG\7521-521-100V-SP0001.dwg		
SCALE: N/A	 ENGINEERING • SURVEYING • NATURAL RESOURCES LA GRANDE, OR. WALLA WALLA, WA.	SHEET 1/1
DATE: NOVEMBER 2022		
JOB NO. 7521-521		
214 EAST BIRCH STREET • WALLA WALLA, WA 99362 • (509) 529-9260		

LEGACY ACRES PRELIMINARY SHORT PLAT

LOCATED IN THE S.E. 1/4 OF SECTION 1, TOWNSHIP 6 NORTH, RANGE 35 EAST,
WILLAMETTE MERIDIAN, WALLA WALLA COUNTY, WASHINGTON

WALLA WALLA COUNTY
SHORT PLAT SUB22-XXX



LINE	BEARING	DISTANCE
L1	N 58°32'38" E	20.60'
L2	N 81°12'40" E	57.88'
L3	N 59°11'40" E	90.60'
L4	S 70°30'38" E	12.65'
L5	N 29°51'24" E	51.50'
L6	N 61°56'53" E	6.58'
L7	N 74°41'11" E	43.77'
L8	N 81°26'34" E	20.51'
L9	N 81°54'15" E	15.90'
L10	N 82°12'37" E	24.80'
L11	S 86°21'37" E	26.56'
L12	S 74°47'44" E	17.83'
L13	S 56°17'52" E	60.72'

LEGEND

- ⊕ = FOUND MONUMENT AS NOTED
- = FOUND 1-1/2" ALUMINUM CAP MARKED "APA WA 43411 OR 87604"
- ⊗ = SET 5/8" X 30" REBAR W/ 1-1/2" ALUMINUM CAP STAMPED "APA WA 43411 OR 87604", SET OCTOBER 2022
- = CALCULATED POINT, NOTHING FOUND OR SET
- ⊙ = WELL
- ⊖ = POWER POLE
- = 100-YEAR FLOOD BOUNDARY SCALED FROM FIRM
- - - - - = APPROXIMATE CENTERLINE YELLOWHAWK CREEK
- x— = CHAIN LINK FENCE
- x— = WIRE FENCE
- - - - - = IRRIGATION LINE
- RM = REFERENCE MONUMENT

SURVEY NARRATIVE

THIS SURVEY WAS PERFORMED AT THE REQUEST OF LEGACY ACRES, LLC TO SUBDIVIDE THE DESCRIBED PROPERTY. SEE RECORD OF SURVEY BOOK 12, PAGE 273 AND BOUNDARY LINE ADJUSTMENT BOOK 13, PAGE 94 FOR ADDITIONAL BOUNDARY INFORMATION.

BASIS OF BEARING

N.00°03'30"E. ALONG THE EAST LINE OF PARCEL 35-06-01-42-0041 PER ROS AFN: 2016-06753

VERTICAL DATUM

NGVD 1929 BASED ON TIES TO FEMA ELEVATION REFERENCE MARKS RM6, RM9, AND RM16. NOTE CONTOURS SHOWN ARE 2 FOOT CONTOURS WITH INDEX CONTOURS AT 10 FOOT

REFERENCES

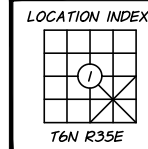
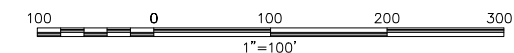
- (R) RECORD OF SURVEY BOOK 12, PAGE 273 (AFN: 201606753), GREEN, PL543411
- (R1) BOUNDARY LINE ADJUSTMENT, BOOK 13, PAGE 94 AFN: 2018-04879), E. GREEN PL5 43411
- (R2) FEMA FIRM 5301940445B AND 530194044B DATED 12-1-1983

METHOD OF SURVEY AND EQUIPMENT USED

THIS SURVEY WAS PERFORMED AT THE REQUEST OF LEGACY ACRES, LLC DURING SEPTEMBER 2022. THIS SURVEY WAS CONDUCTED USING A TRIMBLE GPS SYSTEM CONSISTING OF R12 AND R10 RECEIVERS AND A TRIMBLE S6 TOTAL STATION. RESULTS MEET OR EXCEED WASHINGTON STATE SURVEY STANDARDS PER WAC. 332-130-090.

OWNERS

LEGACY ACRES, LLC
(PER QCD AFN# 2011-07880)



LEGACY ACRES PRELIMINARY SHORT PLAT		
FOR LEGACY ACRES, LLC		
FILE:Z:\Legacy Acres LLC\7521-521 Old Milton Highway\DWG\7521-521-100V-5P0001.dwg		
SCALE: 1" = 100'	 Anderson Perry & Associates, Inc. ENGINEERING • SURVEYING • NATURAL RESOURCES LA GRANDE, OR. WALLA WALLA, WA.	SHEET 2/2
DATE: NOVEMBER 2022		
JOB NO. 7521-521		
214 EAST BIRCH STREET • WALLA WALLA, WA 99362 • (509) 529-9260		

DATE 11-30-2022