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Yakima County Planning Commission
Findings of Fact and Recommendation
September 23, 2015

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IN THE MATTER OF CONSIDERING MAP) **FINDINGS OF FACT AND**
9 AND TEXT AMENDMENTS TO YAKIMA) **RECOMMENDATION**
10 COUNTY COMPREHENSIVE PLAN - **PLAN**) File No: ZON10-001/SEP15-023, ZON2015-
11 **2015**, UGA BOUNDARIES AND YAKIMA) 004/SEP15-025, TXT2015-004/SEP2015-041,
12 COUNTY CODE (YCC) TITLE 19 ZONING) TXT2015-005/SEP2015-042, ZON2015-
13 ORDINANCE AND OFFICIAL ZONING) 006/SEP2015-0053
14 MAP

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18 WHEREAS, in compliance with the Washington State Growth Management Act,
19 Chapter 36.70A RCW, the Board of Yakima County Commissioners adopted the
20 comprehensive plan - **Plan 2015**, on May 20, 1997, and adopted development
21 regulations on May 5, 2015; and

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24 WHEREAS, RCW 36.70A.130 requires that Yakima County be a "fully planning"
25 county; shall update its comprehensive plan and development regulations, as
26 necessary, to reflect local needs, new data, and current laws; and

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29 WHEREAS, under RCW 36.70A.130, the plan and development regulations are
30 subject to continuing review and evaluation, but the plan may be amended no more
31 than one time per year; and

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34 WHEREAS, as part of its comprehensive plan and development regulations
35 update process, the County has established a public participation program, YCC
36 16B.10, which sets forth minimum requirements for ensuring adequate public notification
37 and opportunities for comment and participation in the amendment process; and

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40 WHEREAS, the public was informed of the opportunity to submit formal
41 applications for site-specific map amendments to **Plan 2015** up to May 15, 2015; and

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43 WHEREAS, prior to the deadline, applications for two proposed site-specific map
44 amendments (ZON2010-001, ZON2015-004) to **Plan 2015** and YCC Title 19 were
45 submitted to the county for consideration; and

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48 WHEREAS, on or around June 12, 2015 notices of application and environmental
49 review were mailed to adjacent property owners within 300 feet of the proposed
50 amendment properties and those agencies with environmental expertise; and

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53 WHEREAS, the two proposed site-specific map amendments to **Plan 2015** and
54 YCC Title 19, were presented to the Planning Commission for their review on June 24,
55 2015 and August 26, 2015; and

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58 WHEREAS, on August 27, 2015 Yakima County provided a 60-Day notice to the
59 Department of Commerce, as required by RCW 36.70A.106 on the proposed site-
60 specific map amendments; and

1 WHEREAS, Yakima County Planning Staff initiated a comprehensive plan text
2 amendment (TXT2015-004) to accommodate new urban land use designations in the
3 land use element; and

5 WHEREAS, the proposed text amendments to **Plan 2015**, were presented to the
6 Planning Commission for their review on June 10, 2015 and June 24, 2015; and

8 WHEREAS, on August 27, 2015 Yakima County provided a 60-Day notice to the
9 Department of Commerce, as required by RCW 36.70A.106 on the proposed
10 comprehensive plan text amendments; and

12 WHEREAS, on May 5, 2015 the Board of Yakima County Commissioners adopted
13 YCC Title 19 - Unified Land Development Code, effective October 1, 2015; and

15 WHEREAS, Yakima County Planning Staff identified a number of minor text errors
16 in the new YCC 19 during the code's five-month implementation phase; and

18 WHEREAS, on August 27, 2015 Yakima County provided a 60-Day notice to the
19 Department of Commerce, as required by RCW 36.70A.106 on the proposed
20 development regulation text amendments; and

22 WHEREAS, the proposed text amendments to YCC Title 19, were presented to the
23 Planning Commission for their review on September 9, 2015; and

25 WHEREAS, the Growth Management Act, RCW 36.70A.130(3), requires Yakima
26 County to review its designated UGAs every 10 years and revise them, if necessary, to
27 accommodate the urban growth projected to occur in the succeeding 20-year period;
28 and

30 WHEREAS, Yakima County last reviewed its UGAs in 2007 when **Plan 2015** was last
31 updated; and

33 WHEREAS, both the Growth Management Act and **Plan 2015** both require
34 Yakima County to conduct a land capacity analysis to analyze the growth needs for all
35 14 cities and towns in Yakima County as part of the required update; and

37 WHEREAS, five of the fourteen cities and towns (ZON2015-006, Grandview,
38 Harrah, Mabton, Naches and Sunnyside) requested early UGA review as part of the
39 2015 amendments; and

41 WHEREAS, on August 27, 2015 Yakima County provided a 60-Day notice to the
42 Department of Commerce, as required by RCW 36.70A.106 on the proposed UGA
43 amendments; and

46 WHEREAS, the proposed UGA map amendments to **Plan 2015** and Title 19 were
47 presented to the Planning Commission for their review on September 9, 2015; and

1 WHEREAS, the Planning Commission conducted a properly advertised public
2 hearing on September 23, 2015 to hear testimony on the proposed site-specific map
3 amendments, plan and development regulation text amendments and UGA map
4 amendments; and

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6 WHEREAS, the Planning Commission held their deliberations on September 23,
7 2015 immediately after the close of the open record public hearing; and

8
9 WHEREAS, Yakima County staff prepared a *Notice of Adoption of Existing*
10 *Environmental Documents and Mitigated Determination of Non-Significance for 2015*
11 *Comprehensive Plan and Zoning Amendments* which analyzed the environmental and
12 growth management impacts of all proposed actions and included individual reports
13 on each of the remaining proposed amendments; and

14
15 WHEREAS, the Planning Commission, having carefully considered the applicant's
16 justification, the staff recommendation, and the written and oral testimony in its
17 deliberations, moved to accept, reject, or forward to the Board of County
18 Commissioners without recommendation, each of the proposed map amendments to
19 **Plan 2015** and YCC Title 15; and,

20
21 NOW, THEREFORE, the Yakima County Planning Commission hereby makes and
22 enters the following

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24 I. **REASONS FOR ACTION**

25
26 The 2015 amendments before the Planning Commission are as follows:

27
28 1. Two fee-paid site-specific comprehensive map amendments that are
29 considered part of the normal Yakima County biennial plan amendment cycle.
30 2. The proposed plan text amendment to Yakima County Comprehensive Plan -
31 **Plan 2015** is staff initiated and is a result of changes to the Master Interlocal
32 Agreement between Yakima County and each of the fourteen cities and towns
33 in the County.
34 3. The proposed development regulation text amendments to Yakima County
35 Code Title 19 is necessary to correct minor text errors identified by Yakima
36 County Planning staff during Title 19's five month implementation phase.
37 4. Five proposed Urban Growth Boundary changes are considered part of our 2017
38 Growth Management Act required comprehensive plan and UGA update. The
39 remaining nine cities were not far enough along in their GMA update to
40 adequately address urban growth development or land use. They will be
41 reviewed separately later in 2016 or by the deadline in 2017.

42
43 Staff reports for the each of docketed amendment requests were provided to the
44 Planning Commission that identified specific issues and recommended approval,
45 modification or denial of the proposed amendments. Following public testimony and
46 deliberations the Planning Commission has determined which of the proposed
47 amendments are needed to correct errors, address deficiencies or more closely
48 correspond to the goals, policies and intent of **Plan 2015**.

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3 **II. FINDINGS OF FACT**
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14 Yakima County adopted **Plan 2015** on May 20, 1997. The plan was designed to
15 integrate SEPA and GMA consistent with the provisions of WAC 197-11- 210 through 197-
16 11-235. **Plan 2015**'s Volume 1, Chapter I, the Policy Plan and Chapter III, the
17 Environmental Analysis Element along with Volume 3 Appendices, along with the
18 *Notice of Adoption of Existing Environmental Documents and Mitigated Determination*
19 *of Non-Significance for 2015 Comprehensive Plan and Zoning Amendments*, provide
20 the environmental evaluation and documentation required under SEPA.
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23 -2-
24
25 In February, 2015 notice of availability of comprehensive plan map amendment
26 applications was published in the Yakima Herald and Yakima County Public Services
27 webpage and posted at the Planning Division. Applications were due to the Planning
28 Division by May 15, 2015 for consideration in the 2015 amendment cycle.
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31 -3-
32 The Planning Commission reviewed suggested docket items at public meetings on June
33 10 and 24, 2015, July 8, 2015, August 26, 2015 and September 9, 2015. Two site-specific
34 plan and zoning map amendments (ZON2010-001, ZON2015-004), plan text
35 amendments (TXT2015-004), development regulation text amendments (TXT2015-005)
36 and UGA boundary amendments (ZON2015-006) are being considered.
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39 -4-
40 Notice of applications and requests for comment on the fee-paid site-specific map
41 amendments were mailed to surrounding property owners and agencies on or around
42 June 12, 2015.
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45 -5-
46 Notice of environmental review and requests for comment on the fee-paid site-specific
47 map amendments were mailed to surrounding property owners and agencies on or
48 around June 12, 2015.
49
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51 -6-
52 Yakima County staff prepared a *Notice of Adoption of Existing Environmental*
53 *Documents and Mitigated Determination of Non-Significance for 2015 Comprehensive*
54 *Plan and Zoning Amendments* which analyzed the environmental and growth
55 management impacts of all proposed actions and included individual reports on each
56 of the proposed amendments.
57
58

59 -7-
60 On September 11, 2015 notice of the public hearing scheduled for September 23, 2015
61 was posted and mailed to the applicant, surrounding property owners, agencies and
62 those commenting on the applications. Notice was published in the Yakima Herald on
63 September 13, 2015.
64
65

The Planning Commission conducted a public hearing on the proposed amendments on September 23, 2015. Minutes of the hearings were taken and are on file.

The hearing was closed on September 23, 2015 and the Planning Commission immediately moved to deliberate and make recommendations on the proposed amendments.

The findings for the Site-Specific fee paid amendments (see Exhibit 1).

ZON10-001/SEP15-023/PRJ10-CPA: Ron Anderson - 41 Rocky Top Road, Yakima, WA. The subject property is located ½ mile south of Pioneer Way about ¾ of a mile west of Summitview Road and approximately 2.5 miles northwest of the City of Yakima. The subject property is identified as Assessor Parcel(s): 171309-33001, 171309-34001 and 171310-31003. Land Use: The Subject Property (Parcel 171310-31003) is designated Rural Self-Sufficient and the proposal is to de-designate by transferring add the Mineral Resource Overlay (MRO) designation by transferring it from two nearby parcels (Parcels 171309-33001, 171309-34001) and to apply it to the Subject Property. Zoning: The Subject Property is currently zoned Valley Rural and the proposal is for a rezone to the Mining Zoning District - approximately 80 acres.

Seven Planning Commissioners voted to recommend APPROVAL of the application.

Therefore, the Commission recommends in a 7 to 0 vote that the proposed transfer of Mineral Resource Overlay from the two 40 acre parcels (171309-33001, 171309-34001) to the 80 acre parcel (171310-31003) and a concurrent rezone on the 80 acre parcel (171310-31003) from Valley Rural to Mining should be approved.

ZON15-004/SEP15-025/PRJ15-475: Gary Bos - The subject property is located on the north side of Hwy 24 at the intersection of State Route 24 and State Route 241, approximately 7 miles north of the city of Sunnyside, WA. The Subject Property is identified as Assessor Parcel 231212-43900. Address: 30501 Hwy 24, Sunnyside, WA. Land Use: Agricultural Resource to Rural Self-Sufficient (RSS). Zoning: Agriculture to Highway/Tourist Commercial - approximately 17.91 acres.

Seven Planning Commissioners voted to recommend APPROVAL of the application because the site fails to meet the designation criteria for agricultural of long-term commercial significance, and should not have been designated agriculture. .

Therefore, the Commission recommends in a 7 to 0 vote that the current land use designation of Agricultural Resource be changed to the proposed Rural Self-Sufficient designation on parcel 231212-43900 and a concurrent rezone from Agriculture to Highway/Tourist Commercial also be approved.

1 The findings for the Staff Initiated Plan Text amendments (see Exhibit 2).

2
3 TXT2015-004/SEP2015-0041 - New Urban Land Use Designations - Proposed text
4 amendments to Yakima County Comprehensive Plan - **Plan 2015** (TXT15-04) to
5 accommodate new urban land use designations in the land use element. The current
6 land use designation of "URBAN" covers all 14 city's urban land use designations, these
7 proposed six new urban land use designations for Plan 2015 are intended to be more
8 specific and to better accommodate the cities land use designations: Urban
9 Residential, Urban Commercial, Urban Industrial, Urban Public, Urban Parks/Open
10 Space, and Urban Tribal.

11
12 Seven Planning Commissioners voted to recommend APPROVAL of the proposed plan
13 text amendments based upon the findings contained in the Staff Report.

14
15 **Therefore, the Commission recommends in a 7 to 0 vote that the text amendment**
16 **(TXT2015-004) be approved.**

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18 -12-

19 The findings for the Staff Initiated Development Regulation Text amendments (see
20 Exhibit 3).

21
22 TXT2015-05/SEP2015-0042 - Minor Edits/Fix of Bad References (YCC Title 19) - Yakima
23 County adopted a new unified land development code YCC Title 19, in May of 2015.
24 The new YCC Title 19 becomes effective on October 1, 2015 to allow the Planning
25 Division to develop an implementation strategy for the new code. As part of that
26 implementation process a number of errors have been identified in the new code.
27 Many were simple non-substantive errors that the codifier was unable to fix, requiring
28 the legislative process to resolve.

29
30 Seven Planning Commissioners voted to recommend APPROVAL of the proposed text
31 amendments to YCC Title 19 based upon the findings contained in the Staff Report.

32
33 **Therefore, the Commission recommends in a 7 to 0 vote that the text amendment**
34 **(TXT2015-005) be approved.**

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36 -13-

37 The findings for the 2017 GMA Required UGA update amendments for five of the
38 County's fourteen cities and towns (see Exhibit 4).

39
40 ZON2015-006 - Countywide Urban Growth Area Update (**Plan 2015** Future Land Use
41 Map and Title 19 Official Zoning Map) - Yakima County must periodically review and, if
42 needed, revise its comprehensive plan and development regulations - every eight
43 years - to ensure that they comply with the GMA, as per the schedule provided in RCW
44 36.70A.130. This review also requires Yakima County to evaluate the County's fourteen
45 designated urban growth areas (UGAs) by using the Washington State Office of
46 Financial Management's population forecasts, the County's 20-year population
47 allocations and a detailed land capacity analysis process. UGAs for the following five
48 cities/towns are being reviewed in 2015 and are the subject of the public hearing:

1 Grandview, Harrah, Mabton, Naches, and Sunnyside. The UGAs for the County's
2 remaining nine cities will be reviewed at a later date.

4 Grandview - would delete the existing URBAN land use designation language
5 found in the Land Use Element of Plan 2015 and replace it with new language
6 that creates 6 new specific urban land use designations and expand the urban
7 growth boundary by adding two half parcels that are split-designated/split-
8 zoned and re-designate and zone them as depicted on Exhibit 4.

10 Seven Planning Commissioners voted to recommend APPROVAL of the
11 application based upon the findings contained in the Staff Report contingent on
12 the submittal of a city adopted capital facilities plan or addendum acceptable
13 to Yakima County prior to BOCC approval.

15 **Therefore, the Planning Commission recommends in a 7 to 0 vote that the
16 proposed UGA boundary, land use designations and zoning changes be
17 approved contingent on the submittal of a city adopted capital facilities plan or
18 addendum acceptable to Yakima County prior to BOCC approval.**

20 Harrah - would delete the existing URBAN land use designation language found
21 in the Land Use Element of **Plan 2015** and replace it with new language that
22 creates 6 new specific urban land use designations and expand the urban
23 growth boundary by adding a 35.01 acre parcel in the UGA and designate the
24 land Urban Residential and zone it R-1, as well as add 8.25 acre parcel with a
25 private school into the UGA. The parcel is currently being served with Harrah
26 water and sewer. The school property is currently zoned AG by Yakima County
27 and if approved will be designated Urban Public as depicted on Exhibit 4.

29 Seven Planning Commissioners voted to recommend APPROVAL of the
30 application based upon the findings contained in the Staff Report contingent on
31 the submittal of a city adopted capital facilities plan or addendum acceptable
32 to Yakima County prior to BOCC approval.

34 **Therefore, the Planning Commission recommends in a 7 to 0 vote that the
35 proposed UGA boundary, land use designations and zoning changes be
36 approved contingent on the submittal of a city adopted capital facilities plan or
37 addendum acceptable to Yakima County prior to BOCC approval.**

39 Mabton - would delete the existing URBAN land use designation language found
40 in the Land Use Element of **Plan 2015** and replace it with new language that
41 creates 6 new specific urban land use designations and remove 274 acres of
42 Industrial zoned land and to add 241 acres to the UGA for Industrial purposes.
43 This results in a net reduction of 33 acres of Industrial land outside the city.
44 Mabton is proposing a reduction of residential land in its UGA by 82 acres. A
45 map showing the proposed changes is included as Exhibit 4.

47 Seven Planning Commissioners voted to recommend APPROVAL of the
48 application based upon the findings contained in the Staff Report and submitted
49 Capital Facilities Plan addendum.

1
2 **Therefore, the Planning Commission recommends in a 7 to 0 vote that the**
3 **proposed UGA boundary, land use designations and zoning changes be**
4 **approved.**

5
6 Naches - would delete the existing URBAN land use designation language found
7 in the Land Use Element of **Plan 2015** and replace it with new language that
8 creates 6 new specific urban land use designations and expand the UGA to
9 incorporate 11 industrial acres currently developed, add 21 acres of commercial
10 land, an increase residential land by roughly 8 acres and 5 acres towards
11 community facilities. A map showing the proposed changes are depicted on
12 Exhibit 4.

13
14 Seven Planning Commissioners voted 3 to 3 with 1 abstention to recommend
15 APPROVAL of the application based upon the findings contained in the Staff
16 Report and contingent on the submittal of a city adopted capital facilities plan
17 or addendum acceptable to Yakima County prior to BOCC approval. Failure to
18 reach a quorum of votes for approval or denial results in no recommendation to
19 the BOCC regarding this proposal.

20
21 **Therefore, as a result of the 3 to 3 vote with 1 abstention, the Planning**
22 **Commission has no recommendation on Naches' proposal.**

23
24 Sunnyside - would delete the existing URBAN land use designation language
25 found in the Land Use Element of **Plan 2015** and replace it with new language
26 that creates 6 new specific urban land use designations and the removal of
27 approximately 22 acres of residential land from an area west of the city that has
28 potential critical area limitations while also providing for the reallocation of some
29 residential land to the north of town for residential and community facilities
30 including for future school and cemetery use. Accept Sunnyside's proposal to
31 remove 39 acres of land from commercial, and 218 acres of industrial land from
32 its UGA. A map showing the proposed changes are depicted on Exhibit 4.

33
34 Seven Planning Commissioners voted to recommend APPROVAL of the
35 application based upon the findings contained in the Staff Report and
36 contingent on the submittal of a city adopted capital facilities plan or
37 addendum acceptable to Yakima County prior to BOCC approval.

38
39 **Therefore, the Planning Commission recommends in a 7 to 0 vote that the**
40 **proposed UGA boundary, land use designations and zoning changes be**
41 **approved contingent on the submittal of a city adopted capital facilities plan or**
42 **addendum acceptable to Yakima County prior to BOCC approval.**

III. RECOMMENDATION

- 1) By motion and vote described in II. Findings of Fact, the Planning Commission recommends that the Board of Yakima County Commissioners approve this years proposed amendments, except the Town of Naches proposal under ZON2015-006 due to no recommendation resulting from a 3 to 3 to 1 vote.

Voting in favor of the findings and recommendation:

Zella West, Chair

Ed Burns, Vice Chair

Michael Shuttleworth

Nancy Charron

Ashley Garza

John Crawford

Jerry Craig

Attest:

of the findings and recommendation:

Chair
worth

Mary C

~~Also~~ John Stanford

John Clegg

Mr. III

Voting against the findings and recommendation:

Dated: October 12, 2015