

BOARD OF YAKIMA COUNTY COMMISSIONERS
ORDINANCE NO. 6 – 2017

**IN THE MATTER OF ADOPTING TEXT AMENDMENTS TO YAKIMA COUNTY
CODE TITLE 19 – UNIFIED LAND DEVELOPMENT CODE (ZON2016-00003)**

WHEREAS, on May 5, 2015 the Board of Yakima County Commissioners, through Ordinance 7-2013, adopted Yakima County Code (YCC) Title 19, the Unified Land Development Code (ULDC), and repealed YCC Titles 14 (Subdivision Code), 15 (Zoning Code) and 15A (Urban Zoning Code); and

WHEREAS, the Board of Yakima County Commissioners made YCC Title 19 effective on October 1, 2015 to allow the Yakima County Planning Division 120 days from the May 5, 2015 adoption to implement the new code; and

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

WHEREAS, during the first year of utilization of YCC Title 19, the Yakima County Planning Division determined that there were a number of minor revisions needed to the code, such as: reference errors, clarifying existing language, and inconsistent language with other local and state regulations; and

WHEREAS, staff determined that the proposed changes to YCC Title 19 (ZON2016-00003) were not categorically exempt from SEPA Review and a Determination of Non-Significance (DNS) was issued on March 22, 2017 by the SEPA Responsible Official under SEP2017-00009; and

WHEREAS, on March 21, 2017 Yakima County submitted the Notice of Intent to Adopt Amendment under the 60-Day notice to the Department of Commerce, as required by RCW 36.70A.106 on the proposed text amendments to YCC Title 19; and

WHEREAS, the Planning Commission held an advertised study session on the proposed changes to YCC Title 19 on Wednesday March 22, 2017 at the Yakima County Resource Center Conference Room, 2403 South 18th Street, Union Gap, WA., starting at 5:30 PM; and

WHEREAS, the Planning Commission held a properly advertised and noticed open record public hearing on the proposed changes to YCC Title 19 on Wednesday April 12, 2017 at the Yakima County Resource Center Conference Room, 2403 South 18th Street, Union Gap, WA., starting at 6:00 PM; and

WHEREAS, the Planning Commission held their deliberations on April 12, 2017 immediately after the close of the open record public hearing; and

WHEREAS, the Planning Commission after having carefully considered the staff recommendation, and the written and oral testimony in its deliberations presented to the Board of Yakima County Commissioners on Monday May 2, 2017 their Findings and Recommendations (see Exhibit 2) on the proposed text amendments; and

WHEREAS, the Board of Yakima County Commissioners conducted a properly advertised public hearing on June 6, 2017 to hear testimony on the proposed text amendments outlined in the Planning Commission recommendations; and

WHEREAS, the Board of Yakima County Commissioners held their deliberations on June 6, 2017 immediately after the close of the open record public hearing and did adopt motions approving the proposed text amendments; and

WHEREAS, the Board has determined that proposed text amendments are internally consistent; and

NOW, THEREFORE, Yakima County does hereby ordain as follows:

Section 1. Reasons for Action.

The proposed development regulation text amendments before the Board of Yakima County Commissioners are as follows:

- A. The proposed development regulation text amendment (ZON2016-00003) to Yakima County Code Title 19 is necessary to correct the minor revisions consisting of correcting reference errors, clarifying existing language, and correcting wording which conflicts with other local and state regulations identified by Yakima County Planning staff during first year of YCC Title 19.

Section 2. Findings.

- A. Compliance with Growth Management Act. The Board of Yakima County Commissioners find that the proposed text amendments to YCC Title 19, adopted by this ordinance are in substantial compliance with RCW 36.70A (the Growth Management Act, or GMA).
- B. Compliance with Yakima County's Public Participation Process. The Board of Yakima County Commissioners finds that Yakima County Planning Division followed the adopted public participation requirements of YCC Title 16B.
- C. The Board of Yakima County Commissioners adopts the proposed development regulation text amendments to YCC Title 19 (ZON2016-00003) as detailed in the findings and recommendations of the Planning Commission dated May 10, 2017, which includes:

ZON2016-00003 (see Exhibit 1) – Proposed Text Amendments to YCC Title 19 - Yakima County adopted a new unified land development code YCC Title 19, in May of 2015. The new YCC Title 19 became effective on October 1, 2015 to allow the Planning Division to

develop an implementation strategy for the new code. During the first year of utilization of YCC Title 19, the Yakima County Planning Division determined that there were a number of minor revisions consisting of correcting reference errors, clarifying existing language, and correcting wording which conflicts with other local and state regulations. These text amendments adopted by this ordinance corrects and clarifies this language.

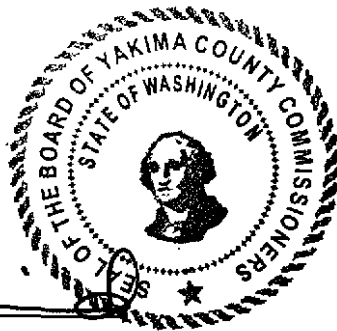
Section 3. Severability. The provisions of this ordinance are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the resolution, or the validity of its application to any other persons or circumstances.

Section 4. Effective Date. Pursuant to the Growth Management Act (RCW 36.70A), Yakima County must publish a Notice of Adoption within 10 days after the Board's approval of this ordinance, thus starting the required 60 appeal period. Therefore, this ordinance becomes effective on the 61st day after posting of the Notice of Adoption, unless successfully appealed.


DONE this 27th day of June, 2017



Attest: Tiera Girard
Clerk of the Board



J. Rand Elliott, Chairman

Ron Anderson, Commissioner

Michael D. Leita, Commissioner
*Constituting the Board of County Commissioners
for Yakima County, Washington*

Exhibit 1 – ULDC Title 19 BOCC Adopted Edits
Exhibit 2 – Planning Commission Findings