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**Yakima County Planning Commission**  
**Findings of Fact and Recommendation**  
**November 7, 2018**

IN THE MATTER OF CONSIDERING ) **FINDINGS OF FACT AND**  
EMERGENCY AMENDMENTS TO THE ) **RECOMMENDATION**  
YAKIMA COUNTY COMPREHENSIVE )  
PLAN (**HORIZON 2040**) FUTURE LAND USE ) File Nos:  
MAP AND TO THE COUNTY'S OFFICIAL ) LRN2018-00009 / SEP2018-00050  
ZONING MAP ESTABLISHED BY YCC TITLE )  
19 )

6 WHEREAS, in compliance with the Washington State Growth Management Act  
7 (GMA), Chapter 36.70A RCW, the Board of Yakima County Commissioners adopted the  
8 Yakima County Comprehensive Plan (**Horizon 2040**) on June 27, 2017, and adopted  
9 implementing development regulations (Yakima County Code Title 19) on May 5, 2015;  
10 and

11  
12 WHEREAS, RCW 36.70A.130 requires that Yakima County, as a “fully planning”  
13 county, shall update its comprehensive plan and development regulations as  
14 necessary, to reflect local needs, new data, and current laws; and

15  
16 WHEREAS, under RCW 36.70A.130, the plan and development regulations are  
17 subject to continuing review and evaluation, but the plan may be amended no more  
18 than one time per year; and

19  
20 WHEREAS, YCC 16B.10.040(5) establishes that applications for amendments to  
21 Urban Growth Area (UGA) boundaries will only be considered at five-year intervals and  
22 the most recent UGA boundary amendments were adopted by the Board in June 2017;  
23 and

24  
25 WHEREAS, Section II.E.1.a. of the **Master Interlocal Agreement for Growth**  
26 **Management Act Implementation in Yakima County**, last revised on December 29, 2015  
27 by the Board and the County's 14 Cities, provides for Cities to request amendments to  
28 UGA boundaries outside of the 5-year schedule by requesting the emergency  
29 amendment process allowed under RCW 36.70A.130(2)(b); and

30  
31 WHEREAS, the Mabton City Council adopted Resolution 2018-10 on April 24, 2018  
32 authorizing its Mayor and staff to secure an amendment to its UGA boundary and  
33 expressing support for the project that would be enabled by such amendment; and

34  
35 WHEREAS, Bill Hordan, of Hordan Planning Services, submitted a letter to Yakima  
36 County dated August 7, 2018 describing the details of Mabton's proposal to amend its  
37 UGA and the reasons for it; and

38  
39 WHEREAS, the Board, after considering Mabton's proposal, adopted Resolution  
40 288-2018 on August 21, 2018 finding that an emergency exists and directing the

1 Planning Services Division to initiate consideration of Mabton's request as soon as  
2 possible in accordance with RCW 36.70A.130(2)(b); and

3  
4 WHEREAS, as part of its comprehensive plan and development regulations  
5 amendment process, the County has established a public participation program at  
6 YCC 16B.10, which sets forth minimum requirements for ensuring adequate public  
7 notification and opportunities for comment and participation in the amendment  
8 process; and

9  
10 WHEREAS, in accordance with said public participation program, a combined  
11 Notice of Completeness, Application, Environmental Review, and Public Hearing on  
12 November 7, 2018 was mailed on October 24, 2018 to property owners within 300 feet  
13 of the proposed amendment property and to agencies with environmental expertise,  
14 and was published in the Yakima Herald-Republic on October 24, 2018;

15  
16 NOW, THEREFORE, the Yakima County Planning Commission hereby makes and  
17 enters the following:

## 18 19 I. REASONS FOR ACTION

- 20  
21 1. RCW 36.70.580, YCC 16B.10, and YCC 19.36.040 require the Planning Commission to  
22 hold an open record public hearing on proposed amendments to the  
23 comprehensive plan and amendments to the zoning map that are contingent upon  
24 legislative approval of a comprehensive plan amendment before providing a  
25 recommendation to the Board of County Commissioners.
- 26  
27 2. The Planning Commission reviewed Mabton's proposed emergency UGA map  
28 amendment to **Horizon 2040** and associated rezone at its regular meeting on  
29 October 10, 2018.
- 30  
31 3. The Planning Commission conducted a public hearing on November 7, 2018, to  
32 hear testimony and review written comments on the UGA map amendment and  
33 associated rezone.
- 34  
35 4. The Planning Commission held its deliberations immediately following the public  
36 hearing on November 7, 2018.
- 37  
38 5. The Planning Commission carefully considered the recommendation in the Staff  
39 Report dated Nov. 7, 2018 and all oral testimony and written comments received at  
40 and prior to its public hearing concerning the proposed map amendment to  
41 **Horizon 2040** and the YCC Title 19 zoning map amendment.

## 42 43 II. FINDINGS OF FACT

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46 Mabton proposes that Yakima County:

- 47 1) Add parcel no. 220801-12002 (consisting of 9.97 acres as depicted in  
48 Attachment 1) to its Urban Growth Area,



1 (c) The map amendment or site is suitable for the proposed designation  
2 and there is a lack of appropriately designated alternative sites within  
3 the vicinity;  
4

5 **Findings:** The proposal is for a mixed-use development to service  
6 Mabton, which includes: a medical facility, a housing component (low  
7 income/senior) and recreational opportunities. To accomplish this, the  
8 property needed to be approximately 10-acres in size with public  
9 utilities available. Although other parcels would meet the size  
10 requirement that were already in the city, they would not meet the  
11 requirements of public utilities and road infrastructure to the site.  
12

13 (d) For a map amendment, substantial evidence or a special study has  
14 been furnished that compels a finding that the proposed designation  
15 is more consistent with comprehensive plan policies than the current  
16 designation;  
17

18 **Findings:** No specific study was provided regarding the need for the  
19 inclusion of this land into the UGA; however, the applicants have  
20 provided information that there is no other land available in the UGA  
21 that would suit the needs of their project that would provide enough  
22 land and the necessary public facilities. Additionally, as described  
23 above, this property was previously in the UGA; zoned for residential  
24 use.  
25

26 (e) To change a resource designation, the policy plan map amendment  
27 must be found to do one of the following:

- 28 (i) Respond to a substantial change in conditions beyond the  
29 property owner's control applicable to the area within which  
30 the subject property lies; or  
31 (ii) Better implement applicable comprehensive plan policies than  
32 the current map designation; or  
33 (iii) Correct an obvious mapping error; or  
34 (iv) Address an identified deficiency in the plan. In the case of  
35 Resource Lands, the applicable de-designation criteria in the  
36 mapping criteria portion of the land use subchapter of Yakima  
37 County Comprehensive Plan, Volume 1, Chapter I, shall be  
38 followed. If the result of the analysis shows that the applicable  
39 de-designation criteria has been met, then it will be considered  
40 conclusive evidence that one of the four criteria in paragraph  
41 (e) has been met. The de-designation criteria are not intended  
42 for and shall not be applicable when resource lands are  
43 proposed for re-designation to another Economic Resource  
44 land use designation;  
45

46 **Findings:** The agricultural de-designation analysis (provided in  
47 Attachment 8 of the staff report) indicates sufficient impacts to  
48 agriculture as to allow removal from the AR plan designation.  
49 Therefore, the proposal meets criterion (iv).

1  
2 (f) A full range of necessary public facilities and services can be  
3 adequately provided in an efficient and timely manner to serve the  
4 proposed designation. Such services may include water, sewage,  
5 storm drainage, transportation, fire protection and schools;  
6

7 **Findings: Public utilities such as water and sewer are adjacent to the**  
8 **property. Hwy 241 (Boundary Road) is adjacent to the eastern property**  
9 **line and State Highway 22 is to the south of the property. The City of**  
10 **Mabton also has paved city roadways that lead to the subject**  
11 **property.**  
12

13 (g) The proposed policy plan map amendment will not prematurely cause  
14 the need for nor increase the pressure for additional policy plan map  
15 amendments in the surrounding area.  
16

17 **Findings: The Yakima County Planning Commission does not foresee**  
18 **that this UGA update will increase pressure for additional UGA**  
19 **boundary changes. It will more likely spur infill development in the**  
20 **smaller, vacant parcels within the City of Mabton.**  
21

22 **Overall Findings: The proposal is mostly consistent with the above criteria.**  
23

24 (2) The following criteria shall be considered in any review and approval of  
25 changes to Urban Growth Area (UGA) boundaries:

26 (a) Land Supply:

27 (i) The amount of buildable land suitable for residential and local  
28 commercial development within the incorporated and the  
29 unincorporated portions of the Urban Growth Areas will  
30 accommodate the adopted population allocation and density  
31 targets;

32 (ii) The amount of buildable land suitable for purposes other than  
33 residential and local commercial development within the  
34 incorporated and the unincorporated portions of the Urban  
35 Growth Areas will accommodate the adopted forecasted  
36 urban development density targets within the succeeding  
37 twenty-year period;

38 (iii) The Planning Division will use the definition of buildable land in  
39 YCC 16B.02.045, the criteria established in RCW 36.70A.110 and  
40 .130 and applicable criteria in the Comprehensive Plan and  
41 development regulations;

42 (iv) The Urban Growth Area boundary incorporates the amount of  
43 land determined to be appropriate by the County to support  
44 the population density targets;

45 (b) Utilities and services:

46 (i) The provision of urban services for the Urban Growth Area is  
47 prescribed, and funding responsibilities delineated, in  
48 conformity with the comprehensive plan, including applicable

1 capital facilities, utilities, and transportation elements, of the  
2 municipality;

- 3 (ii) Designated Ag. resource lands, except for mineral resource  
4 lands that will be reclaimed for urban uses, may not be  
5 included within the UGA unless it is shown that there are no  
6 practicable alternatives and the lands meet the de-designation  
7 criteria set forth in the comprehensive plan.  
8

9 **Findings:** The analysis in the Yakima County staff report supports the  
10 conclusion that this proposal is consistent with the above criteria. The  
11 proposal has also been reviewed under the agricultural resource de-  
12 designation process, outlined in Horizon 2040 Chapter 5.10.3. That analysis is  
13 found in Attachment 8 of the staff report.  
14

- 15 (3) Land added to or removed from Urban Growth Areas shall be given  
16 appropriate policy plan map designation and zoning by Yakima County,  
17 consistent with adopted comprehensive plan(s).  
18

19 **Findings:** The proposed UC plan designation and GC zoning for the site are  
20 appropriate and consistent with Yakima County land use designations and  
21 County zoning.  
22

- 23 (4) Cumulative impacts of all plan amendments, including those approved since  
24 the original adoption of the plan, shall be considered in the evaluation of  
25 proposed plan amendments.  
26

27 **Findings:** The impacts of the proposed use will be reviewed as part of the SEPA  
28 process.  
29

- 30 (5) Plan policy and other text amendments including capital facilities plans must  
31 be consistent with the GMA, SMA, CWPP, other comprehensive plan goals  
32 and policies, and, where applicable, city comprehensive plans and adopted  
33 inter-local agreements.  
34

35 **Findings:** Not applicable. The changes to Mabton's UGA are map  
36 amendments rather than policy or text amendments.  
37

- 38 (6) Prior to forwarding a proposed development regulation text amendment to  
39 the Planning Commission for its docketing consideration, the Administrative  
40 Official must make a determination that the proposed amendment is  
41 consistent with the GMA, CWPP, other comprehensive plan goals and  
42 policies, and, where applicable, city comprehensive plans and adopted  
43 inter-local agreements.  
44

45 **Findings:** Not applicable. The changes to Mabton's UGA are map  
46 amendments rather than policy or text amendments.  
47  
48  
49

1 The SEPA threshold determination has not yet been issued for this proposal. The initial  
2 SEPA comment period ended at 4:00 pm, November 7, 2018, one comment was  
3 received from SVID, and the Planning Commission reviewed and considered this  
4 comment during its deliberations.

5  
6 **III. RECOMMENDATION**  
7

8 The Planning Commission, in view of the above Reasons for Action and Finding of Fact,  
9 hereby recommends as follows:

10  
11 Subject to Mabton submitting evidence showing sufficient system capacity of its  
12 water and sewer systems to serve the site, that the Board of Yakima County  
13 Commissioners approve Mabton's proposal (LRN2018-00009), consisting of:

- 14  
15 1. Adding parcel no. 220801-12002 (consisting of 9.97 acres, as depicted in  
16 Attachment 1) and the adjacent SR 22 right-of-way to Mabton's UGA;  
17 2. Changing the comprehensive plan designation of said area from AR to UC;  
18 and  
19 3. Rezoning said area from AG to GC.

20  
21  
22 Voting: 5 in favor; 0 against; 0 abstaining.

23 Motion made by: Doug Mayo

24 Seconded by: Doug Miller  
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IV. MOTION

By motion and vote described in **Section III Recommendation** above, the Planning Commission affirms the motion made at the November 7, 2018 Planning Commission deliberations, as follows:

Ashley Garza, Chair Ashley Garza

Doug Mayo, Co-Vice Chair Doug Mayo

Doug Miller, Co-Vice Chair Doug Miller

Michael Shuttleworth, Co-Vice Chair ABSENT

Jerry Craig ABSENT

Jerry Mellen Jerry Mellen

Joe Walsh Joe Walsh

Attest:

Thomas D. Carroll  
Thomas D. Carroll, Secretary

Dated: November 7, 2018



