BOARD OF YAKIMA COUNTY COMMISSIONERS

ORDINANCE NO. 9-2009

IN THE MATTER OF AMENDING THE YAKIMA COUNTY CODE TITLE 16B (YCC TITLE 16B) SPECIFICALLY CHAPTER 10 - COMPREHENSIVE PLAN AMENDMENT PROCEDURES.

WHEREAS, RCW 36.70A.130(4) requires that Yakima County, 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, under RCW 36.70A.130, the plan and development regulations are subject to continuing review and evaluation, but the plan may be amended no more than one time per year; and,

WHEREAS, as part of its comprehensive plan and development regulations update process, Yakima County adopted a public participation program in June of 2000, as Chapter 10 - Comprehensive Plan Amendment Procedures of the Yakima County Code Title 16B - Project Permit Administration; and,

WHEREAS, the adopted chapter, 16B.10, sets forth minimum requirements for ensuring adequate public notification and opportunities for comment and participation in the amendment process and outlines the schedule and procedures for amending the comprehensive plan and implementing development regulations; and,

WHEREAS, over the past nine years Yakima County has identified a number of deficiencies with YCC 16B.10, specifically the schedule and procedures for amending the comprehensive plan and implementing development regulations; and,

WHEREAS, the Board of Yakima County Commissioners adopted Resolution 401-2009, on August 25, 2009, which outlines their intent to formally withdraw Yakima County from the Yakima Urban Area Regional Planning Agreement, effective January 1, 2010; and,

WHEREAS, the Board of Yakima County Commissioners deems it to be in the public interest for Yakima County to withdraw from the Yakima Urban Area Regional Planning Agreement and that such action would further the goal of cooperative and coordinated planning within the Yakima urban area; and,

WHEREAS, Yakima County’s withdrawal from the Yakima Urban Area Regional Planning Agreement requires specific textual changes to YCC 16B.10 to allow the Yakima County Planning Commission to serve as the planning commission for the county within the unincorporated portions of the county located within the Yakima urban area; and,
WHEREAS, such commission shall have full authority and jurisdiction within such area to perform all acts, duties and functions which are either required of or imparted or conferred on a planning commission by state law and YCC 2.16; and,

WHEREAS, Yakima County’s withdrawal from the Yakima Urban Area Regional Planning Agreement requires specific textual changes to YCC 16B.10 to allow the Board of Yakima County Commissioners to amend Yakima County’s adopted versions of the Yakima Urban Area Comprehensive Plan 2025 and Yakima Urban Area Zoning Ordinance Title 15A; and,

WHEREAS, as part of Yakima County Planning Division’s 2009 work program, staff developed a list of proposed amendments to YCC 16B.10; and,

WHEREAS, The SEPA Responsible Official has reviewed the proposed amendments and has determined that they are categorically exempt from environmental review, as set forth in WAC 197-11-800; and,

WHEREAS, the Board of Yakima County Commissioners reviewed the proposed amendments to YCC 16B.10 at a study session on November 4, 2009; and,

WHEREAS, the Board of Yakima County Commissioners held a properly advertised public hearing on December 1, 2009 to hear testimony on the proposed amendments; and,

WHEREAS, the Board of Yakima County Commissioners, having carefully considered the staff recommendation, and the written and oral testimony in its deliberations on this legislative matter; and,

WHEREAS, those changes are incorporated into the YCC 16B.10 attached hereto as Exhibit 1; and,

WHEREAS, the Board of Yakima County Commissioners considers the adoption of the amendments to YCC Title 16B.10 to be in the public interest to clarify procedures for amendments of comprehensive plans and official controls; now, therefore,

BE IT HEREBY RESOLVED by the Board of Yakima County Commissioners that the proposed amendments to YCC 16B.10, attached hereto (Exhibit 1), be executed by the Board.

BE IT HEREBY ORDAINED BY THE BOARD OF YAKIMA COUNTY COMMISSIONERS:

Section 1. Findings. The Board of Yakima County Commissioners (the Board) finds that all RCW 36.70A (the Growth Management Act or GMA) and YCC Title 16B.10 prerequisites for the continuing review and evaluation of the comprehensive plan and
implementing development regulations, as well as the minimum requirements for ensuring adequate public notification and opportunities for comment and participation in the amendment process, have been met. The Board makes the following findings:

A. **State Environmental Policy Act (SEPA).** The SEPA Responsible Official has determined that the proposed changes to YCC 16B.10, which constitutes amendments to legislation, rules, regulations, resolutions or ordinances relates solely to governmental procedures, and containing no substantive standards respecting use or modification of the environment are categorically exempt from environmental review (SEPA), as set forth in WAC 197-11-800. The Board finds that environmental review is complete and adequate.

B. **Legislative Intent.** The Board finds that the current amendment schedule and procedures as outlined in YCC 16B.10 are inadequate and provide little flexibility for Yakima County to address complex non-project actions in one calendar year as required by RCW 36.70A.130 (2)(a). The current amendment schedule is a six-month review process, with the application deadline for site-specific plan map or text amendments ending in June of each year. Proposed amendments or revisions of the comprehensive plan are considered by the governing body of the county no more frequently than once every year, however with the application deadline being in June, the six-month amendment schedule places extraordinary burden on staff, the Planning Commission and the Board of Yakima County Commissioners to adopt or deny amendment proposals by December 31st. The Board also finds that accepting application for plan amendments, both map and text, every year, limits Yakima County’s ability to evaluate the cumulative impacts of yearly amendments to the Comprehensive Plan. Moving the deadline to the last work day in January will give Yakima County eleven months to review and make a decision on the proposed amendments and by having a bi-annual amendment schedule also gives the County greater flexibility in evaluating the cumulative impacts of the amendments recently adopted.

The Board of Yakima County Commissioners adopted Resolution 401-2009, on August 25, 2009, which outlines their intent to formally withdraw Yakima County from the Yakima Urban Area Regional Planning Agreement, effective January 1, 2010. This decision requires specific textual changes to YCC 16B.10 to authorize the Yakima County Planning Commission to review; and the Board of Yakima County Commissioners to take testimony and ultimately adopt or deny proposed amendments to the County’s adopted versions of the Yakima Urban Area Comprehensive Plan 2025 and the Yakima Urban Area Zoning Ordinance Title 15A.

**Section 2. YCC Title 16B - Project Permit Administration.** The Yakima County Code Title 16B - Project Permit Administration specifically Chapter 10 - Comprehensive Plan Amendment Procedures and subsequently amended, is hereby amended as depicted by the following (see attached Exhibit 1).
Section 3. Severability. The provisions of this ordinance are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, sections, 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 ordinance, or the validity of its application to any other persons or circumstances.

Section 4. Ratification. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and affirmed.

Section 5. Effective Date. This ordinance shall be effective at 11:59 PM on December 31, 2009.

ADOPTED this 15th day of December, 2009.

J. Rand Elliott, Chairman

Michael D. Leita, Commissioner

Kevin J. Bouchey, Commissioner
Constituting the Board of County Commissioners for Yakima County, Washington

Attest: Christina Steiner

Clerk of the Board

Attachments:
Exhibit 1: Amended version of YCC 16B.10 (strikethrough and underlined version)
EXHIBIT 1 - Proposed changes to YCC 16B.10
Chapter 16B.10

COMPREHENSIVE PLAN AND REGULATORY AMENDMENT PROCEDURES

Sections:

16B.10.010 Purpose.
16B.10.020 Applicability.
16B.10.030 Procedures.
16B.10.040 Approval criteria.
16B.10.050 Submittal requirements.
16B.10.060 Timing of amendments.
16B.10.070 Public process and notice.
16B.10.080 Major rezones.
16B.10.090 Development regulation amendments.

16B.10.010 Purpose.

The purpose of this chapter is to provide procedures and criteria for adopting, amending and updating the Yakima County Comprehensive Plan and the Yakima Urban Area Comprehensive Plan, and as well as their respective implementing development regulations. Plan amendments may involve changes in the written text or policies of the plan, to the Policy Plan Maps, or to supporting documents, including capital facilities plans. Plan amendments will be reviewed in accordance with this chapter, the state Growth Management Act (GMA), the Yakima County-Wide Planning Policy, the goals and policies of the Yakima County Comprehensive Plan, local city comprehensive plans, inter-local agreements, applicable capital facilities plans, official population growth forecasts and growth indicators. Nothing in this chapter shall be construed to limit the legislative authority of the county to consider and adopt amendments and revisions to the Yakima County Comprehensive Plan or the county's development regulations.

16B.10.020 Definitions.

(1) “Administrative Official” - is the Yakima County Planning Director. Synonymous with “director” or “administrator”.
(2) “Plan Maps” - are those regulatory and non-regulatory maps located in a comprehensive plan or development regulation that have the force of policy and require legislative approval for amending.
(3) “Policy Plan Map” - refers to the official Future Land Use Map.

16B.10.020.030 Applicability.

(1) The criteria and requirements of this chapter shall apply to all applications or proposals for changes to the comprehensive plan text, policies, map designations, major rezones or supporting documents and all implementing ordinances, in the
The following types of plan amendments may be considered through the plan amendment process set forth in this section:

(a) Site-specific plan policy map changes including land use, urban growth boundaries, and mineral resources;
(b) Area-wide plan policy map changes;
(c) Minor technical plan policy map corrections;
(d) Changes to plan maps other than the plan policy Policy Plan maps;
(e) Plan policy or other text changes.

(2) The criteria, but not the timing requirements, of this chapter shall apply to plan amendments that are exempted from requirements for annual concurrent review of plan amendments, per RCW 36.70A.130. These include:

(a) The initial adoption of a sub-area plan;
(b) The adoption or amendment of a shoreline master program under the procedures set forth in Chapter 90.58 RCW;
(c) The amendment of the capital facilities element of a comprehensive plan that occurs concurrently with the adoption or amendment of a county or city budget;
(d) Amendments necessary to address an emergency situation;
(e) Amendments required to resolve a comprehensive plan appeal decision filed with a growth management hearings board or with the court.

(3) Site-specific plan map amendments apply to a limited geographical area controlled either by an individual property owner or all property owners within the designated area. A proposal which modifies or develops policies yet directly affects relatively few individuals or a limited geographical area is considered a site-specific amendment.

16B.10.030040 Procedures.

(1) The Planning Commission shall hold a public meeting in March of each year to report to the public on progress in implementing the comprehensive plan. At that time, the Planning Commission will receive public comments and suggestions regarding changes needed in the comprehensive plan and development regulations.

(2) Applications for all plan and development regulation amendments shall be considered legislative actions and subject to the procedures in this section, except as noted above.

(3) Applications for plan amendments, with the exception of Urban Growth Areas (16B.10.050(2)(d)), will be accepted on a bi-annual basis starting 2010 and must
shall be submitted in writing to the Planning Division, in writing no later than January 31, in order to be considered for that year's amendment process.

(4) Site-specific policy plan map changes may be initiated by the property owner(s) through a fee-paid application process. All site-specific plan map amendment requests will be docketed for further staff review and consideration by the County Planning Commission and the Board of County Commissioners.

(5) Applications for amendments to Urban Growth Area boundaries will only be considered at five-year intervals, after the Washington State Office of Financial Management's 20-year GMA population projections for the County have been issued. After the OFM projections are issued, the population projections will be allocated to the cities and towns within Yakima County in accordance with the County-Wide Planning Policy after which the Administrative Official will conduct an analysis of all Urban Growth Areas within the County to determine their ability to accommodate the urban growth projected to occur during the OFM's population projection period. Consideration of the analysis and any applications to amend Urban Growth Area boundaries may occur in the next possible plan amendment cycle as determined by the Administrative Official, provided that any city or town may postpone consideration of its Urban Growth Area boundary to a subsequent plan amendment cycle by notifying the Administrative Official in writing no later than January 31.

(6) All other area-wide map and Comprehensive plan text amendments may be suggested/proposed by any party, including Planning department Division staff. All such amendments, except those initiated by the Yakima County, must be submitted without a fee a signed agreement to pay fees and the required deposit, per the adopted fee schedule, using the appropriate forms, but shall be initiated docketed at the discretion of the Planning Commission, unless an amendment is determined by the Board of County Commissioners necessary to remain consistent with state requirements. If the Planning Commission fails to docket the proposed amendment, the unexpended portion of the submitted deposit will be refunded to the applicant.

(67) Development regulation text amendments may be proposed by any party. All such amendments, except those initiated by the Yakima County, must be submitted with a signed agreement to pay fees and the required deposit, per the adopted fee schedule, using the appropriate forms, but shall be forwarded to the Planning Commission for the docketing consideration at the discretion of the Administrative Official, unless an amendment is determined by the Board of County Commissioners necessary to remain consistent with state requirements. If the Planning Commission fails to docket the proposed amendment, the unexpended portion of the submitted deposit will be refunded to the applicant.

(8) The Planning Commission shall provide an opportunity for public comment regarding the suggested text and area-wide map changes, and review them to
determine whether they should be docketed to receive further review and
consideration as part of the current year's amendment cycle. A suggested
amendment will not be docketed for further processing if the Planning
Commission determines one or more of the following:
(a) The suggested amendment would likely cause environmental impacts that
have not previously been analyzed or require additional review to determine
impacts that can not be completed within the required time frame.
(b) The suggested amendment would require additional analysis to determine
capital facilities impacts and amendments that cannot be completed within the
required time frame.
(c) The suggested amendment would require additional analysis to determine the
appropriate land use designation that cannot be completed within the required
time frame.
(d) The suggested amendment would involve an area that will be part of a sub-
area planning process in the next two years.
(e) The suggested amendment has been previously reviewed by the Planning
Commission or Board of County Commissioners, and circumstances have
not substantially changed to support an additional review prior to a general
plan update.
(f) The suggested amendment clearly violates a provision of the county-wide
planning policies, a city comprehensive plan, the Yakima County
Comprehensive Plan, the Yakima Urban Area Comprehensive Plan or the
GMA such that no further review is necessary or warranted.
(g) The suggested amendment is not sufficiently clear or well-defined to merit
further review.
(h) The comprehensive plan is not the appropriate place to deal with this
suggestion.
(i) It is not in the public interest to pursue the suggested amendment at this
time.

Either the Board of County Commissioners or the Planning Commission
may initiate items for docketing and consideration as part of the biennial plan
amendment cycle.

The decision of the Planning Commission on whether to docket a suggested
proposed area-wide plan, area-wide map or text amendment for additional review
is not subject to appeal.
The decision of the Administrative Official on whether to present to the Planning
Commission a proposed development regulation text amendment for their
docketing consideration is not subject to appeal.
After the docket is set, the Planning Department Division shall conduct its
review of the docketed plan amendments, including analysis of how the proposed
amendment meets the criteria for the existing and proposed designation, as well as
environmental review. No amendments shall be docketed after the publication of
the notice of public hearing and environmental review. If the Planning Division or SEPA Responsible Official determines that any of the proposed amendments would require review of environmental impacts beyond the analysis in the Environmental Impact Statement for the comprehensive plan, such that additional analysis is required that cannot be completed within the amendment schedule, the proposed amendment shall be deferred until the next amendment cycle, and the Planning Commission and the applicant shall be so notified, in writing. Any unused fee deposit will be returned to the applicant at that time, and a new deposit will be required prior to June 1, the January 31 deadline of the following year cycle to continue the application process.

16B.10.040050 Approval criteria.

1. The following criteria shall be considered in any review and approval of amendments to Yakima County Comprehensive Plan Policy Plan Maps:

(a) The proposed amendment is consistent with the Growth Management Act and requirements, the county-wide planning policies, the Yakima County Comprehensive Plan, applicable sub-area plans, applicable city comprehensive plans, applicable capital facilities plans and official population growth forecasts and allocations;

(b) The site or area is more consistent with the criteria for the proposed map designation than it is with the criteria for the existing map designation;

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

(d) For an area-wide map amendment, substantial evidence or a special study has been furnished which compels the planning commission to finding that the proposed designation is more consistent with the Yakima County Comprehensive Plan policies than the current designation;

(e) To change a resource designation, the plan map amendment must be found to do one of the following: In the case of agricultural resource lands, the "Agricultural Resource Areas De-designation Analytical Process" in the mapping criteria portion of the agricultural resource areas in the land use subchapter of Plan 2015, Volume 1, Chapter 1, must be followed. If the result is higher or agricultural, then that should be considered conclusive evidence that one of the four following criteria is met:

(i) Respond to a substantial change in conditions beyond the property owner's control applicable to the area within which the subject property lies; or

(ii) Better implement applicable comprehensive plan policies than the current map designation; or

(iii) Correct an obvious mapping error; or

(iv) Address an identified deficiency in the plan.

In the case of Resource 1 Lands, the applicable de-designation criteria in the mapping criteria portion of the land use subchapter of Plan 2015 Yakima County Comprehensive Plan, Volume 1, Chapter 1, shall be followed. If the result of the analysis shows that the applicable de-designation criteria has been met, then it will be considered conclusive evidence that one of the four
criteria in paragraph (e) has been met. The de-designation criteria are not
intended for and shall not be applicable when resource lands are proposed for
re-designation to another Plan 2015 Economic Resource land use designation.
(f) A full range of necessary public facilities and services can be adequately
provided in an efficient and timely manner to serve the proposed designation.
Such services may include water, sewage, storm drainage, transportation, fire
protection and schools.
(g) The proposed plan map amendment will not prematurely cause the need for
nor increase the pressure for additional plan map amendments in the
surrounding area.

(2) The following criteria shall be considered in any review and approval of
expansions of \textit{Urban Growth Boundary Areas} for residential and local
commercial purposes:

(a) There is insufficient land suitable for development within the \textit{Urban
Growth Boundary} to accommodate the adopted population allocation
that has not yet been accommodated;

(b) There is a lack of suitable lands within the boundary for the proposed land
use;

(c) The provision of urban services to the area is prescribed, and funding
responsibilities delineated, in conformity with the comprehensive plan,
including applicable capital facilities, utilities, and transportation elements, of
the municipality to which the property will be added or whose urban growth
boundary is to be expanded;

(d) Designated resource lands, except for mineral resource lands that will be
reclaimed for urban uses, may not be included unless it is shown that there are
no practicable alternatives;

(e) The extension of the \textit{Urban Growth Boundary} incorporates the amount of
land deemed appropriate by the municipality to which the property will be
added or whose urban growth boundary is to be expanded, in order to
accommodate the proposed use; and

(f) If the urban growth boundary has accommodated the adopted population
allocation prior to the adoption of revised population forecasts, the urban
growth boundary shall not be expanded until updated regional population
forecasts and allocations have been adopted, unless the party seeking
expansion of the urban growth boundary has otherwise established a
need, expansion to such city and town as provided by the Yakima County-
Wide Planning Policy to accommodate such expansion.

(3) The following criteria shall be considered in any review and approval of
expansions of \textit{Urban Growth Boundaries} for other purposes:

(a) There is insufficient land compatible with suitable for the proposed
development within the existing urban growth boundary to accommodate the
proposed development;

(b) The provision of urban services is prescribed, and funding responsibilities
delineated, in conformity with the comprehensive plan, including capital
facilities, utilities, and transportation elements, of the municipality to which the property will be added or whose urban growth boundary is to be expanded;

c Designated resource lands, except for mineral resource lands that will be reclaimed for urban uses, may not be included unless it is shown that there are no practicable alternatives; and

d The extension of the urban growth boundary incorporates the amount of land deemed appropriate by the municipality to which the property will be added or whose urban growth boundary is to be expanded, in order to accommodate the proposed use; and

e Unless the party seeking expansion of the urban growth boundary otherwise establishes a need, expansions Amendments to Urban Growth Boundaries will only be considered at five-year intervals, after the Washington State Office of Financial Management’s 20-year GMA population projections for the County have been allocated to each city and town as provided by the Yakima County Wide-Planning Policy.

Cumulative impacts of all plan amendments, including those approved since the original adoption of the plan, shall be considered in the evaluation of proposed plan amendments.

Plan policy and other text amendments including capital facilities plans must be consistent with the GMA, CWPP, other Yakima County Comprehensive Plans goals and policies, and, where applicable, city comprehensive plans and adopted inter-local agreements.

Prior to forwarding a proposed development regulation text amendment to the Planning Commission for their docketing consideration, the Administrative Official must make a determination that the proposed amendment is consistent with the GMA, CWPP, other comprehensive plan goals and policies, and, where applicable, city comprehensive plans and adopted inter-local agreements.

Submittal requirements.

All requests for plan amendments shall be made in writing using the official application submittal documents provided by the Yakima County Planning Division and shall include the following information. Applications not containing the required information will not be accepted:

Site specific plan map amendments:

(a) Completed application form and any other documents deemed necessary by the Administrative Official, provided by the Planning department Division, signed by the legal owner or by a representative authorized to do so by written instrument submitted with the form.
(b) Signed agreement to pay fees and the required deposit per the adopted fee schedule.

(c) Parcel number(s) and legal description(s) of the subject property.

(d) Site plan — Major map(s) of the subject property which indicate the approximate location of all existing buildings, vegetation, roads, critical areas, and the land use of adjacent properties.

(e) Information regarding the property including existing and historic land use, soil types, sewage disposal, water supply, suitability as resource lands (if currently designated as such), any known cultural resources, previous permit activity and the availability of public facilities including water, sewer, schools, fire service, etc.

(f) Written narrative stating the reasons for the plan amendment and how the proposed plan amendment meets the applicable criteria in Section 16B.10.040(1).

(g) Completed and signed SEPA checklist.

(2) Area-wide plan map amendments:

(a) Completed and signed request form provided by the planning department.

(b) Map(s) of the subject area which indicate existing buildings, vegetation, roads, critical areas, parcel lines, and the land use of adjacent properties.

(e) Information regarding the subject area including existing and historic land use, soil types, sewage disposal, water supply, suitability as resource lands (if currently designated as such), any known cultural resources, and the availability of public facilities including water, sewer, schools, fire service, etc.

(d) Substantial evidence or special study supporting the change that was not presented at plan adoption or plan updates.

(e) Written narrative indicating the proponent's interest in the subject property, the reasons for the plan amendment and how the suggested area-wide plan map amendment meets the applicable criteria in Section 16B.10.040(1).

(f) Completed and signed SEPA checklist.

(32) Plan or development regulation text amendments:

(a) Completed application form and any other documents deemed necessary by the Administrative Official, provided by the Planning Division, signed by the applicant.

(b) A signed agreement to pay fees and the required deposit per the adopted fee schedule.

(a) Completed and signed request form.

(b) Suggested amendment.

(ed) Written narrative including the reasons for the suggested amendment and how it meets the applicable criteria in Section 16B.10.040(52).

(d) Any supporting documentation.
(1) The comprehensive plan shall only be amended no more frequently than once per year in accordance as set forth by RCW 36.70A.130(2)(a). Applications for site-specific or text amendments to the comprehensive plan must adhere to with the time periods and procedures established in this chapter except in the circumstances as described in Section 16B.10.070(04)(23).

(2) The plan amendment process may be suspended by the board during a general plan update process.

(3) Proposals, suggestions or a Early assistance meetings or pre-application conferences can be held at any time; however, applications for plan amendments to plan map, text or development regulations will only be accepted before 4:30 pm on the last business day in the January at any time. Items received after June the January deadline of each year will be processed in the next bi-annual amendment cycle.

(4) At its first March meeting following June the January deadline, the Planning Commission will review the suggested plan text and area-wide changes for docketing and those development regulation text changes recommended by Administrative Officer for docketing consideration. When the Planning Commission has completed its review, it will set the docket of proposed amendments.

(5) The department - Planning Division shall establish timelines for additional review and consideration by the Planning Commission and Board of County Commissioners to ensure that the plan amendment process is finished by prior to December 31st of each year.

16B.10.070(08) Public process and notice.

To provide for the opportunity of citizens to suggest and make comments on proposed docketed plan amendments, the following public notice and outreach provisions shall be completed during each plan amendment process.

(1) Notice of the plan amendment process deadlines shall be publicized through a general mailing to

a. Interested parties,

b. Posting on the planning department's Public Services website,

c. Notice in the county's newspaper of record and other print media as appropriate,

d. Press releases to the media, and

e. Posting of information at the planning department-Division and other office areas of the County where interested parties may conduct business.
Initial notice of submitted applications will be posted on the planning department's Yakima County Public Services website and in the Planning Department Division's offices.

Policy plan map amendments, whether site-specific or otherwise, shall follow the notification procedures below: provisions for Type III reviews set forth in Chapter 16B.05.

**First Class Mailing.**

a. Written notice of the proposed amendment will be sent through first-class mail by the Planning Division to the following parties:
   i. Adjacent property owners (APO) of real property, as listed on the most current Yakima County assessor records, located within 300 feet of any portion of the boundary of the affected area. If an owner within the affected area also owns another adjacent parcel or parcels of real property, notice shall be given to owners of real property located within 300 feet of any portion of the boundaries of such adjacently located parcels of real property.
   ii. The contact person for the proposed amendment;
   iii. Interested or affected public agencies with jurisdiction;
   iv. Affected Indian tribes; and
   v. Cities or towns within one mile of the proposal.

b. If the open record hearing date is not specified in the notice of the proposed amendment, a second notification listing the open record hearing date must be sent through first-class mail at least ten days prior to the first public hearing. This notice must be sent to those parties who were originally mailed a notice. Only those who comment or request to remain on the mailing list will be notified of additional public hearings.

**Posting of Site.**

Posting of the site is required prior to an open record public hearing on site specific plan amendment proposals. Site posting is not required for urban growth area amendments. Posting shall consist of signs provided by the Planning Division that shall be placed at least ten days prior to the date of the public hearing. Signs shall be posted on the subject property so as to be clearly seen from each right-of-way providing primary vehicular access to the subject property. The posted notice shall identify the proposed amendment; describe the extent of the site, comment period dates, hearing dates, and a location where the complete application or proposal may be reviewed. The applicant shall be responsible for posting the site and removal of the posted notice upon the conclusion of the hearing. If the applicant fails to post the property within the required time period set forth in this section, the applicant will be responsible for all costs associated with re-noticing for a new hearing.

**Publication Notice.**
Notice of the proposed amendment shall be published in a newspaper of general
circulation in the general area of the proposal. The notice shall be published once,
at least ten days prior to the date of the first public hearing. This notice shall
include the proposal location in other than a legal description, a brief description
of the proposed amendment, comment period dates, hearing dates if applicable,
and a location where the complete application or proposal may be reviewed.

(4) Additional public notification may be undertaken by the Planning
Department, if it determines that it is in the public interest to do so.

16B.10.080000  Major rezones.

Legislative rezones necessary to maintain consistency between the comprehensive plan
policy map and the official zoning map shall be completed concurrently with the plan
amendment process wherever appropriate. Major rezones shall not require additional fees
or review processes. Rezones completed as part of the plan amendment process shall be
reviewed against the criteria as for plan amendments in Section 16B.10.0400 and Section
15.76.036 and/or Section 15A.23 and must be consistent with the requested plan
designation as shown pursuant to Table 15-76. Rezones not requiring a plan amendment
involving the County Zoning Ordinance and are subject to Section 15.76.050 and those
for Yakima Urban Area Zoning Ordinance are subject to Section 15A.23.

16B.10.090100  Development regulation amendments.

(1) Any interested party may suggest amendments to development
regulations to the Administrative Officer. If the Planning Commission fails to docket the proposed amendment,
the unexpended portion of the submitted deposit will be refunded to the applicant.

All requests for amendments to development regulations shall be made in writing
and shall include the following information. Applications not containing the
required information will not be accepted:

(a) Completed application form and any other documents deemed necessary by
the Administrative Officer, provided by the Planning Division, signed by the
applicant.

(b) A signed agreement to pay fees and the required deposit, per the adopted fee
schedule.

(c) Suggested amendment.

(d) Written narrative including the reasons for the suggested amendment and how
it meets the applicable criteria in Section 16B.10.050(5).

(e) Any supporting documentation.

All such amendments, except those initiated by the Yakima County, shall be
forwarded to the Planning Commission for the docketing consideration at the
discretion of the Administrative Official, unless an amendment is determined by
the Board of County Commissioners necessary to remain consistent with state requirements.

(2) At its annual public meeting to review progress in implementing the Yakima County Comprehensive Plan, held the fourth Wednesday in March each year, the Planning Commission will accept oral and written comments from any interested party.

(3) Following the annual meeting, the Administrative Official will compile a list of suggested changes, and will recommend to the Planning Commission which should be docketed for further consideration during the current amendment cycle, deferred for future research and consideration, or not pursued. The Administrative Official shall provide the Board of County Commissioners with the Planning Commission’s recommendations regarding deferred items when setting the Planning Department work program for the next budget cycle.