

## 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 31<sup>st</sup>. 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.

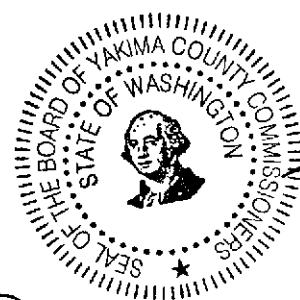
**Section 4. Ratification.** Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and affirmed.

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

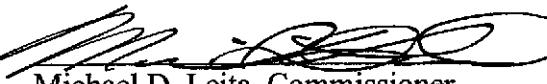
ADOPTED this 15<sup>th</sup> day of December, 2009.

Attest: Christina Steiner

Clerk of the Board



  
J. Rand Elliott, Chairman

  
Michael D. Leita, Commissioner

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

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.10.020030      **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

47 | unincorporated areas of Yakima County, unless specifically exempted. The  
48 | following types of ~~plan amendments~~~~actions~~ may be considered through the ~~plan~~  
49 | ~~amendment process set forth in this section~~:

50 | (a) Site-specific plan policy map changes including land use, urban growth  
51 | boundaries, and mineral resources;  
52 | (b) Area-wide plan policy map changes;  
53 | (c) Minor technical plan policy map corrections;  
54 | (d~~b~~) Changes to plan maps other than the ~~plan policy~~ Policy Plan maps;  
55 | (e~~c~~) Plan policy or other text changes.  
56 | (d) Changes to ~~regulations~~~~official~~ controls intended to implement the goals and  
57 | policies of the comprehensive plan.

58 |  
59 | (2) The criteria, but not the timing requirements, of this chapter shall apply to plan  
60 | amendments that are exempted from requirements for annual concurrent review of  
61 | plan amendments, per RCW 36.70A.130. These include:  
62 | (a) The initial adoption of a sub-area plan;  
63 | (b) The adoption or amendment of a shoreline master program under the  
64 | procedures set forth in Chapter 90.58 RCW;  
65 | (c) The amendment of the capital facilities element of a comprehensive plan that  
66 | occurs concurrently with the adoption or amendment of a county or city  
67 | budget;  
68 | (d) Amendments necessary to address an emergency situation;  
69 | (e) Amendments required to ~~resolve~~ to resolve a comprehensive plan appeal  
70 | decision filed with a growth management hearings board or with the court.

71 |  
72 | (3) Site-specific plan map amendments apply to a limited geographical area  
73 | controlled either by an individual property owner or all property owners within  
74 | the designated area. A proposal which modifies or develops policies yet directly  
75 | affects relatively few individuals or a limited geographical area is considered a  
76 | site-specific amendment.

77 |  
78 | 16B.10.030040      **Procedures.**

79 |  
80 | (1) The ~~p~~Planning ~~c~~Commission ~~shall~~ ~~may~~ hold a public meeting in March of each  
81 | year to report to the public on progress in implementing the comprehensive plan.  
82 | At that time, the ~~p~~Planning ~~e~~Commission will receive public comments and  
83 | suggestions regarding changes needed in the comprehensive plan and  
84 | development regulations.  
85 |  
86 | (2) Applications for all ~~p~~Plan and development regulation amendments shall be  
87 | considered legislative actions and subject to the procedures in this section, except  
88 | as noted above.  
89 |  
90 | (3) Applications for plan amendments, with the exception of Urban Growth Areas  
91 | (16B.10.050 (2)(D)), will be accepted on a bi-annual basis starting 2010 and must

93 shall be submitted in writing, to the Planning Division, in writing no later than  
94 January 31by June 1 in order to be considered for that year's amendment process.  
95

96 (4) Site-specific policy plan map changes may be initiated by the property owner(s)  
97 through a fee-paid application process. All site-specific plan map amendment  
98 requests will be docketed for further staff review and consideration by the  
99 eCounty pPlanning eCommission and the bBoard of eCounty eCommissioners.  
100

101 (5) Applications for amendments to Urban Growth Area boundaries will only be  
102 considered at five-year intervals, after the Washington State Office of Financial  
103 Management's 20-year GMA population projections for the eCounty have been  
104 issued. After the OFM projections are issued, the population projections will be  
105 allocated to the cities and towns within Yakima County in accordance with the  
106 County-Wide Planning Policy after which the Administrative Official will  
107 conduct an analysis of all Urban Growth Areas within the County to determine  
108 their ability to accommodate the urban growth projected to occur during the  
109 OFM's population projection period. Consideration of the analysis and any  
110 applications to amend Urban Growth Area boundaries may occur in the next  
111 possible plan amendment cycle as determined by the Administrative Official;  
112 provided that any city or town may postpone consideration of its Urban Growth  
113 Area boundary to a subsequent plan amendment cycle by notifying the  
114 Administrative Official in writing no later than January 31.  
115

116 (6) All other area wide map and Comprehensive plan text amendments may be  
117 suggested proposed by any party, including pPlanning departmentDivision staff.  
118 All such amendments, except those initiated by the Yakima County, must be  
119 submitted without a fee a signed agreement to pay fees and the required deposit,  
120 per the adopted fee schedule, using the appropriate forms, but shall be initiated  
121 docketed at the discretion of the pPlanning eCommission, unless an amendment is  
122 determined by the Board of County Commissioners necessary to remain  
123 consistent with state requirements. If the Planning Commission fails to docket the  
124 proposed amendment, the unexpended portion of the submitted deposit will be  
125 refunded to the applicant.  
126

127 (67) Development regulation text amendments may be proposed by any party. All  
128 such amendments, except those initiated by the Yakima County, must be  
129 submitted with a signed agreement to pay fees and the required deposit, per the  
130 adopted fee schedule, using the appropriate forms, but shall be forwarded to the  
131 Planning Commission for the docketing consideration at the discretion of the  
132 Administrative Official, unless an amendment is determined by the Board of  
133 County Commissioners necessary to remain consistent with state requirements. If  
134 the Planning Commission fails to docket the proposed amendment, the  
135 unexpended portion of the submitted deposit will be refunded to the applicant.  
136

137 (8) The pPlanning eCommission shall provide an opportunity for public comment  
138 regarding the suggested text and area wide map changes, and review them to

139 determine whether they should be docketed to receive further review and  
140 consideration as part of the current year's amendment cycle. A suggested  
141 amendment will not be docketed for further processing if the ~~p~~Planning  
142 ~~e~~Commission determines one or more of the following:

- 143 (a) The suggested amendment would likely cause environmental impacts that  
144 have not previously been analyzed or require additional review to determine  
145 impacts that can not be completed within the required time frame.
- 146 (b) The suggested amendment would require additional analysis to determine  
147 capital facilities impacts and amendments that cannot be completed within the  
148 required time frame.
- 149 (c) The suggested amendment would require additional analysis to determine the  
150 appropriate land use designation that cannot be completed within the required  
151 time frame.
- 152 (d) The suggested amendment would involve an area that will be part of a sub-  
153 area planning process in the next two years.
- 154 (e) The suggested amendment has been previously reviewed by the ~~p~~Planning  
155 ~~e~~Commission or ~~b~~Board of ~~e~~County ~~e~~Commissioners, and circumstances have  
156 not substantially changed to support an additional review prior to a general  
157 plan update.
- 158 (f) The suggested amendment clearly violates a provision of the county-wide  
159 planning policies, a city comprehensive plan, the Yakima County  
160 Comprehensive Plan, the Yakima Urban Area Comprehensive Plan or the  
161 GMA such that no further review is necessary or warranted.
- 162 (g) The suggested amendment is not sufficiently clear or well-defined to merit  
163 further review.
- 164 (h) The comprehensive plan is not the appropriate place to deal with this  
165 suggestion.
- 166 (i) It is not in the public interest to pursue ~~this~~ the suggested amendment at ~~this~~  
167 the time.

168  
169 (79) Either the ~~b~~Board of ~~e~~County ~~e~~Commissioners or the ~~p~~Planning ~~e~~Commission  
170 may initiate items for docketing and consideration as part of the bi-annual plan  
171 amendment cycle.

172  
173 (810) The decision of the ~~p~~Planning ~~e~~Commission on whether to docket a suggested  
174 proposed area-wide plan, area-wide map or text amendment for additional review  
175 is not subject to appeal.

176  
177 (11) The decision of the Administrative Official on whether to present to the Planning  
178 Commission a proposed development regulation text amendment for their  
179 docketing consideration is not subject to appeal.

180  
181 (912) After the docket is set, the ~~p~~Planning ~~department~~ ~~d~~Division shall conduct its  
182 review of the docketed plan amendments, including analysis of how the proposed  
183 amendment meets the criteria for the existing and proposed designation, as well as  
184 environmental review. No amendments shall be docketed after the publication of

185 the notice of public hearing and environmental review. If the department Planning  
186 Division or SEPA Responsible Official determines that any of the proposed  
187 amendments would require review of environmental impacts beyond the analysis  
188 in the Environmental Impact Statement for the comprehensive plan, such that  
189 additional analysis is required that cannot be completed within the amendment  
190 schedule, the proposed amendment shall be deferred until the next plan  
191 amendment cycle, and the Planning eCommission and the applicant shall be so  
192 notified, in writing. Any unused fee deposit will be returned to the applicant at  
193 that time, and a new deposit will be required prior to June 1the January 31  
194 deadline of the following year cycle to continue the application process.

195

196 **16B.10.040050 Approval criteria.**

197

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

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

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

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

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

213 (e) To change a resource designation, the plan map amendment must be found to  
214 do one of the following: In the case of agricultural resource lands, the  
215 "Agricultural Resource Areas De-designation Analytical Process" in the  
216 mapping criteria portion of the agricultural resource areas in the land use  
217 subchapter of Plan 2015, Volume 1, Chapter I, must be followed. If the result  
218 is eight impacts to agriculture or higher, then that should be considered  
219 conclusive evidence that one of the four following criteria is met:  
220 (i) Respond to a substantial change in conditions beyond the property owner's  
221 control applicable to the area within which the subject property lies; or  
222 (ii) Better implement applicable comprehensive plan policies than the current  
223 map designation; or  
224 (iii) Correct an obvious mapping error; or  
225 (iv) Address an identified deficiency in the plan.

226 In the case of rResource Lands, the applicable de-designation criteria in the  
227 mapping criteria portion of the land use subchapter of Plan 2015 Yakima  
228 County Comprehensive Plan, Volume 1, Chapter I, shall be followed. If the  
229 result of the analysis shows that the applicable de-designation criteria has  
230 been met, then it will be considered conclusive evidence that one of the four

231 criteria in paragraph (e) has been met. The de-designation criteria are not  
232 intended for and shall not be applicable when resource lands are proposed for  
233 re-designation to another **Plan 2015** Economic Resource land use designation.

234 (f) A full range of necessary public facilities and services can be adequately  
235 provided in an efficient and timely manner to serve the proposed designation.  
236 Such services may include water, sewage, storm drainage, transportation, fire  
237 protection and schools.  
238 (g) The proposed plan map amendment will not prematurely cause the need for  
239 nor increase the pressure for additional plan map amendments in the  
240 surrounding area.

241  
242 (2) The following criteria shall be considered in any review and approval of  
243 expansions of the ~~Urban Growth Boundaries~~ Areas for residential and local  
244 commercial purposes:

245 (a) There is insufficient land suitable for development within the ~~Urban~~  
246 ~~Growth~~ ~~Boundary~~ to accommodate the adopted population allocation  
247 that has not yet been accommodated;  
248 (b) There is a lack of suitable lands within the boundary for the proposed land  
249 use;  
250 (c) The provision of urban services to the area is prescribed, and funding  
251 responsibilities delineated, in conformity with the comprehensive plan,  
252 including applicable capital facilities, utilities, and transportation elements, of  
253 the municipality to which the property will be added or whose urban growth  
254 boundary is to be expanded;  
255 (d) Designated resource lands, except for mineral resource lands that will be  
256 reclaimed for urban uses, may not be included unless it is shown that there are  
257 no practicable alternatives;  
258 (e) The extension of the ~~Urban~~ ~~Growth~~ ~~Boundary~~ incorporates the amount of  
259 land deemed appropriate by the municipality to which the property will be  
260 added or whose urban growth boundary is to be expanded, in order to  
261 accommodate the proposed use; and  
262 (f) If the urban growth boundary has accommodated the adopted population  
263 allocation prior to the adoption of revised population forecasts, the urban  
264 growth boundary shall not be expanded until updated regional population  
265 forecasts and allocations have been adopted, unless the party seeking  
266 expansion of the urban growth boundary has otherwise established a  
267 need, expansions to each city and town as provided by the Yakima County  
268 Wide Planning Policy to accommodate such expansion.

269  
270 (3) The following criteria shall be considered in any review and approval of  
271 expansions of ~~Urban~~ ~~Growth~~ ~~Boundaries~~ for other purposes:

272 (a) There is insufficient land ~~compatible with~~ suitable for the proposed  
273 development within the existing urban growth boundary to accommodate the  
274 proposed development;  
275 (b) The provision of urban services is prescribed, and funding responsibilities  
276 delineated, in conformity with the comprehensive plan, including capital

277 | facilities, utilities, and transportation elements, of the municipality to which  
278 | the property will be added or whose urban growth boundary is to be  
279 | expanded;

280 | (c) Designated resource lands, except for mineral resource lands that will be  
281 | reclaimed for urban uses, may not be included unless it is shown that there are  
282 | no practicable alternatives; and  
283 | (d) The extension of the urban growth boundary incorporates the amount of land  
284 | deemed appropriate by the municipality to which the property will be added or  
285 | whose urban growth boundary is to be expanded, in order to accommodate the  
286 | proposed use; and  
287 | (e) Unless the party seeking expansion of the urban growth boundary otherwise  
288 | establishes a need, expansions Amendments to Urban Growth Boundaries will  
289 | only be considered at five year intervals, after the Washington State Office of  
290 | Financial Management's 20 year GMA population projections for the County  
291 | have been allocated to each city and town as provided by the Yakima County  
292 | Wide Planning Policy.

293 | 294 | (4) Cumulative impacts of all plan amendments, including those approved since the  
295 | original adoption of the plan, shall be considered in the evaluation of proposed  
296 | plan amendments.

297 | 298 | (5) Plan policy and other text amendments including capital facilities plans must be  
299 | consistent with the GMA, CWPP, other Yakima County Comprehensive Plan  
300 | goals and policies, and, where applicable, city comprehensive plans and adopted  
301 | inter-local agreements.

302 | 303 | (6) Prior to forwarding a proposed development regulation text amendment to the  
304 | Planning Commission for their docketing consideration, the Administrative  
305 | Official must make a determination that the proposed amendment is consistent  
306 | with the GMA, CWPP, other comprehensive plan goals and policies, and, where  
307 | applicable, city comprehensive plans and adopted inter-local agreements.

309 | 310 | **16B.10.050060 Submittal requirements.**

311 | 312 | All requests for plan amendments shall be made in writing using the official application  
313 | submittal documents provided by the Yakima County Planning Division and shall include  
314 | the following information. Applications not containing the required information will not  
315 | be accepted:

316 | 317 | (1) Site specific plan map amendments:

318 | (a) Completed application form and any other documents deemed necessary by  
319 | the Administrative Official, provided by the Planning departmentDivision,  
320 | signed by the legal owner or by a representative authorized to do so by written  
321 | instrument submitted with the form.

322 (b) Signed agreement to pay fees and the required deposit per the adopted fee  
323 schedule.  
324 (c) Parcel number(s) and legal description(s) of the subject property.  
325 (d) Site plan — Map or map(s) of the subject property which indicate the  
326 approximate location of all existing buildings, vegetation, roads, critical areas,  
327 and the land use of adjacent properties.  
328 (e) Information regarding the property including existing and historic land  
329 use, soil types, sewage disposal, water supply, suitability as resource lands (if  
330 currently designated as such), any known cultural resources, previous permit  
331 activity and the availability of public facilities including water, sewer,  
332 schools, fire service, etc.  
333 (f) Written narrative stating the reasons for the plan amendment and how the  
334 proposed plan amendment meets the applicable criteria in Section  
335 16B.10.040(1).  
336 (g) Completed and signed SEPA checklist.

338 (2) Area wide plan map amendments:  
339 (a) Completed and signed request form provided by the planning department.  
340 (b) Map(s) of the subject area which indicate existing buildings, vegetation, roads,  
341 critical areas, parcel lines, and the land use of adjacent properties.  
342 (c) Information regarding the subject area including existing and historic land  
343 use, soil types, sewage disposal, water supply, suitability as resource lands (if  
344 currently designated as such), any known cultural resources, and the  
345 availability of public facilities including water, sewer, schools, fire service,  
346 etc.  
347 (d) Substantial evidence or special study supporting the change that was not  
348 presented at plan adoption or plan updates.  
349 (e) Written narrative indicating the proponent's interest in the subject property,  
350 the reasons for the plan amendment and how the suggested area wide plan  
351 map amendment meets the applicable criteria in Section 16B.10.040(1).  
352 (f) Completed and signed SEPA checklist.

353 (32) Plan or development regulation text amendments:  
354 (a) Completed application form and any other documents deemed necessary by  
355 the Administrative Official, provided by the Planning Division, signed by the  
356 applicant.  
357 (b) A signed agreement to pay fees and the required deposit per the adopted fee  
358 schedule.  
359 (a) Completed and signed request form.  
360 (b) Suggested amendment.  
361 (c) Written narrative including the reasons for the suggested amendment and  
362 how it meets the applicable criteria in Section 16B.10.040(52).  
363 (d) Any supporting documentation.

364 | **16B.10.060070      Timing of amendments.**

368  
369 (1) The comprehensive plan shall only be amended no more frequently than once  
370 ~~per~~every year in accordance as set forth by RCW 36.70A.130(2)(a). Applications  
371 for site-specific or text amendments to the comprehensive plan must adhere to  
372 with the time periods and procedures established in this chapter except in the  
373 circumstances as described in Section 16B.10.020040(23).  
374  
375 (2) The plan amendment process may be suspended by the board during a general  
376 plan update process.  
377  
378 (3) ~~Proposals, suggestions or a~~ Early assistance meetings or pre-application  
379 conferences can be held at any time; however, applications for plan amendments  
380 to plan map, text or development regulations will only be accepted before 4:30  
381 pm on the last business day in the January at any time. Items received after June  
382 the January deadline 1st of each year will be processed in the next bi-annual  
383 amendment cycle.  
384  
385 (4) At its first March meeting following June the January deadline, the pPlanning  
386 eCommission will review the suggested plan text and area-wide changes for  
387 docketing and those development regulation text changes recommended by  
388 Administrative Official for docketing consideration. When the pPlanning  
389 eCommission has completed its review, it will set the docket of proposed  
390 amendments.  
391  
392 (5) The department Planning Division shall establish timelines for additional review  
393 and consideration by the pPlanning eCommission and bBoard of eCounty  
394 eCommissioners to ensure that the plan amendment process is finished by prior to  
395 December 31st of each year.  
396

397 **16B.10.070080 Public process and notice.**

398  
399 To provide for the opportunity of citizens to suggest and make comments on proposed  
400 docketed plan amendments, the following public notice and outreach provisions shall be  
401 completed during each plan amendment process.

402  
403 (1) Notice of the plan amendment process deadlines shall be publicized through a  
404 general mailing to  
405 a. Interested parties,  
406 b. pPosting on the planning department's Public Services web site,  
407 c. aNotice in the county's newspaper of record and other print media as  
408 appropriate,  
409 d. pPress releases to the media, and  
410 e. pPosting of information at the pPlanning department Division and other office  
411 areas of the eCounty where interested parties may conduct business.  
412

413 (2) Initial notice of submitted applications will be posted on the planning  
414 department's Yakima County Public Services web site and in the Planning  
415 Department Division's offices.  
416

417 (3) Policy plan map amendments, whether site specific or otherwise, shall follow the  
418 notification procedures below; provisions for Type III reviews set forth in  
419 Chapter 16B.05.

421 **First Class Mailing.**

422 a. Written notice of the proposed amendment will be sent through first-class  
423 mail by the Planning Division to the following parties:

424 i. Adjacent property owners (APO) of real property, as listed on the most  
425 current Yakima County assessor records, located within 300 feet of any  
426 portion of the boundary of the affected area. If an owner within the  
427 affected area also owns another adjacent parcel or parcels of real property,  
428 notice shall be given to owners of real property located within 300 feet of  
429 any portion of the boundaries of such adjacently located parcels of real  
430 property.

431 ii. The contact person for the proposed amendment;  
432 iii. Interested or affected public agencies with jurisdiction;  
433 iv. Affected Indian tribes; and  
434 v. Cities or towns within one mile of the proposal.

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

441

442 **Posting of Site.**

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

456

457 **Publication Notice.**

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

464

465 (4) Additional public notification may be undertaken by the ~~p~~Planning  
466 ~~department~~Division, if it determines that it is in the public interest to do so.

467

468 **16B.10.080090 Major rezones.**

469

470 Legislative rezones necessary to maintain consistency between the comprehensive plan  
471 policy map and the official zoning map shall be completed concurrently with the plan  
472 amendment process wherever appropriate. Major rezones shall not require additional fees  
473 or review processes. Rezones completed as part of the plan amendment process shall be  
474 reviewed against the criteria as for plan amendments in Section 16B.10.040, ~~and Section~~  
475 ~~15.76.036 and/or Section 15A.23 and~~ must be consistent with the requested plan  
476 designation ~~as shown pursuant to Table 15.76~~. Rezones not requiring a plan amendment  
477 involving the County Zoning Ordinance ~~and~~ are subject to Section 15.76.050 ~~and those~~  
478 for Yakima Urban Area Zoning Ordinance are subject to Section 15A.23.

479

480

481 **16B.10.090100 Development regulation amendments.**

482

483 (1) Any interested party may ~~suggest~~propose amendments to ~~development~~  
484 ~~regulations~~official controls at any time, ~~in writing~~, to the ~~a~~Administrative  
485 ~~e~~Official. ~~If the Planning Commission fails to docket the proposed amendment,~~  
486 ~~the unexpended portion of the submitted deposit will be refunded to the applicant.~~

487

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

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

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

496 (c) Suggested amendment.

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

499 (e) Any supporting documentation.

500

501 All such amendments, except those initiated by the Yakima County, shall be  
502 forwarded to the Planning Commission for the docketing consideration at the  
503 discretion of the Administrative Official, unless an amendment is determined by

504 | the Board of County Commissioners necessary to remain consistent with state  
505 | requirements.  
506 |

507 | (2) At its annual public meeting to review progress in implementing the Yakima  
508 | County Comprehensive Plan, held ~~the fourth Wednesday in March~~ each year, the  
509 | ~~p~~Planning ~~e~~Commission will accept oral and written comments from any  
510 | interested party.  
511 |

512 | (3) Following the annual meeting, the ~~a~~Administrative ~~e~~Official will compile a list of  
513 | suggested changes, and will recommend to the ~~p~~Planning ~~e~~Commission which  
514 | should be docketed for further consideration during the current amendment cycle,  
515 | deferred for future research and consideration, or not pursued. The  
516 | ~~a~~Administrative ~~e~~Official shall provide the ~~b~~Board of ~~e~~County ~~e~~Commissioners  
517 | with the ~~p~~Planning ~~e~~Commission's recommendations regarding deferred items  
518 | when setting the ~~p~~Planning Division~~department~~ work program for the next budget  
519 | cycle.  
520 |

521 | 522 | G:\Long Range\Projects\16B\_Work Folder\16.10\16B with tables\_BOCC adopted\_16B.10.doc