

Board of Yakima County Commissioners

Ordinance No. 1-2013

IN THE MATTER OF AMENDING THE YAKIMA COUNTY COMPREHENSIVE PLAN'S POLICY PLAN MAP AND THE OFFICIAL ZONING MAP OF YAKIMA COUNTY

WHEREAS, Yakima County adopted *Plan 2015, A Blueprint for Yakima County Progress* pursuant to RCW 36.70A (Growth Management Act) as an official comprehensive plan for Yakima County by Ordinance No. 4-1997 and has amended the ordinance's Policy Plan Map in subsequent legislation; and

WHEREAS, Yakima County adopted the zoning ordinance of Yakima County by Ordinance No. 1-2000 and has also amended the ordinance's official Zoning Map in subsequent legislation; and

WHEREAS, the Growth Management Act, RCW 36.70A.130(2)(a), requires Yakima County to establish procedures and schedules whereby comprehensive plan amendments are considered by the board; and

WHEREAS, Yakima County's procedures and schedules are established by YCC 16B.10, which provides that applications to amend UGA boundaries will only be considered at five-year intervals, and after a specific sequence of steps is accomplished; and

WHEREAS, the Growth Management Act, RCW 36.70A.130(2)(b), allows counties to adopt comprehensive plan amendments whenever an emergency exists with appropriate public participation; and

WHEREAS, the board adopted Resolution No. 275-2012, which declared the existence of an emergency in the matter of the City of Granger's application (File No. ZON2012-03) to amend Yakima County's comprehensive plan and its official zoning map; and

WHEREAS, the board held a duly advertised public hearing on April 16, 2013 to consider public testimony and the planning division's recommendation for approval concerning Granger's application; and

WHEREAS, after considering the written record in this matter and all testimony provided at the public hearing, the board deliberated and determined that Granger's application should be approved; now, therefore

BE IT HEREBY ORDAINED:

Section 1. Findings. The board hereby makes the following findings:

- A. Findings and Recommendation of the Planning Division. The board hereby adopts the Findings and Analysis, Conclusions, Recommendations, attachments, and other information included in *Findings and Recommendation of the Planning Division* dated March 28, 2013, which is attached hereto as Exhibit A.
- B. State Environmental Policy Act (SEPA). The proposed amendments to said comprehensive plan and official zoning map are subject to environmental review under SEPA, RCW 43.21C. Yakima County's SEPA responsible official reviewed the proposed amendments in accordance with the provisions of YCC 16.04 and determined that approval of Granger's application is not likely to have a probable significant adverse environmental impact. Accordingly he issued a Determination of Non-Significance on March 27, 2013, which was not appealed to superior court within the prescribed time limits. The board finds that environmental review is complete and adequate.
- C. Analysis of Cumulative Impacts. The cumulative impacts of the *Plan 2015* map amendments were evaluated as part of the *Findings and Recommendation of the Planning Division* referenced in Subsection "A" above. The resulting comprehensive plan changes are set forth in Attachment 1 thereto. The board finds that the cumulative impacts to *Plan 2015* of approving Granger's application have been considered as part of the legislative review process in reaching the decision in this ordinance.

Section 2. Comprehensive Plan Amendment – Policy Plan Map. The Policy Plan Map (Figures I-1A, I-1B, and I-1C) of *Plan 2015*, as adopted by Ordinance No. 4-1997 and subsequently amended, is hereby amended as depicted by the map in Exhibit B attached hereto.

Section 3. YCC Title 15 Official Zoning Map Amendment. The official zoning map, as adopted by YCC 15.16.010(1) and subsequently amended, is hereby amended as depicted by the map in Exhibit B attached hereto.

Section 4. 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 5. Ratification. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and affirmed.

Section 6. Effective Date. This ordinance shall be effective immediately.

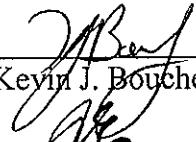
DONE this 7th day of May, 2013

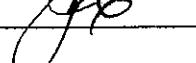


Tiera L. Girard

Attest: Tiera Girard
Clerk of the Board


Michael D. Leita, Chairman


Kevin J. Bouchey, Commissioner


J. Rand Elliott, Commissioner

*Constituting the Board of County Commissioners for
Yakima County, Washington*

Attachments to Ordinance:

Exhibit A: *Findings and Recommendation of the Planning Division*, dated March 28, 2013.
Exhibit B: *Granger UGA Reduction* – map depicting amendments to the comprehensive plan's Policy Plan Map and to the official zoning map.

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**FINDINGS AND RECOMMENDATION
OF THE
PLANNING DIVISION
DEPARTMENT OF PUBLIC SERVICES**

March 28, 2013

Project Name: "Granger Urban Growth Area Reduction"
Yakima County Comprehensive Plan Amendment & Major Rezone

File Numbers: ZON2012-03, SEP2012-21, PRJ2012-644

Proponent: City of Granger
102 Main St
PO Box 1100
Granger WA 98932
(509) 854-1725

Representative: Shawn Conrad
Yakima Valley Conference of Governments
311 North 4th Street
Yakima, WA 98901
(509) 574-1550

Staff Contact: Phil Hoge, Project Planner
(509) 574-2300

Recommendation: Approval

INTRODUCTION

The City of Granger submitted an application to amend **Plan 2015** (the Yakima County Comprehensive Plan) by removing six parcels and adjacent road rights-of way from its Urban Growth Area. The application also requests that the subject property be rezoned from Industrial to Valley Rural. Five maps attached to this staff report indicate the subject area and the proposed changes:

1. Parcels Proposed for Removal from UGA (Urban Growth Area)
2. Current Comprehensive Plan Designations
3. Proposed Comprehensive Plan Designations
4. Current Zoning
5. Proposed Zoning

After the application was submitted, the Board of County Commissioners adopted Resolution No. 275-2012 that declared an emergency, as provided by the Growth Management Act, and directed that the application be considered as soon as possible

in accordance with RCW 36.70A.130(2)(b)¹. Without the emergency declaration, YCC 16B.10.040(5) provides that the application would have to be considered several years in the future during the next interval for considering UGA boundary amendments.

Based on a review of the information contained in the application file, prior application files, comments received during review under the State Environmental Policy Act (SEPA), the determination of non-significance issued pursuant to SEPA, RCW 36.70A (Growth Management Act), **Plan 2015** (Yakima County Comprehensive Plan), YCC 15 (Yakima County Zoning Ordinance), and YCC 16B (Project Permit Administration), the following findings, analysis, and conclusions are entered in support of the recommendation for approval:

FINDINGS AND ANALYSIS

1. **BACKGROUND:** In 2004 the City of Granger submitted an application to amend **Plan 2015** by adding 12 parcels and adjacent road and railroad rights-of-way (87 acres), including the six parcels that are the subject of the current application, to its UGA. The 2004 application also requested that the 87 acres be rezoned from Agriculture to Industrial. The purpose of the 2004 application was to support a possible additional I-82 interchange serving Granger at the Hudson Road overpass. This interchange would have fostered needed industrial development in the area and help Granger meet its economic development goals. The Board of County Commissioners approved the UGA expansion and rezone in 2005 by adopting Ordinance No. 10-2005.

Granger's current application to reduce the size of the UGA provides the following rationale: After the UGA was expanded in 2005, WSDOT informed Granger that the anticipated interchange at the Hudson Road overpass cannot be built because it would be too close to the existing interchange to the south. Without the interchange, industrial development in the area is stymied due to limited access appropriate for industrial development. With little possibility of redevelopment, the low-density residential/agricultural nature of the subject parcels is better suited for **Plan 2015's** Rural Self-Sufficient designation and Valley Rural zone. Due to the current Industrial zoning, the existing residential uses are nonconforming. This has resulted in the inability of property owners to obtain financing or refinancing. While the presence of nonconforming uses can help spur land use change, in this case the City has determined that a change from residential to industrial uses is highly unlikely due to the inability to obtain an I-82 interchange at Hudson Road.

2. **JURISDICTION:** This application proposes an amendment to **Plan 2015's** policy plan map and a simultaneous legislative rezone necessary to maintain consistency between the comprehensive plan and the official zoning map². Pursuant to YCC 16B.10.030(c) the Administrative Official has determined that this proposal is area-wide in scope rather than site-specific.

¹ RCW 36.70A.130(2)(b) provides that "...after appropriate public participation a county... may adopt amendments or revisions to its comprehensive plan ...whenever an emergency exists..."

² YCC 16B.10.090

YCC 16B.10.040(5) provides that amendments to UGA boundaries will only be considered at five-year intervals. However, after receiving this application, the Board of County Commissioners adopted Resolution No. 275-2012 that declared an emergency and directed that the application be considered as soon as possible in accordance with RCW 36.70A.130(2)(b).

As interpreted by Growth Management Hearing Board decisions, the GMA provides that emergency amendments can only be considered "after appropriate public participation"³. However, the public participation requirements of RCW 36.70A.140, which are implemented by YCC 16B, do not apply to emergency amendments⁴; and local governments have discretion to determine what "appropriate public participation" will be taken before taking action on emergency amendments⁵. When emergencies are declared, review by the Planning Commission is not required⁶. Accordingly, the Board may find that appropriate public participation will be achieved by following the County's normal SEPA review, public notice, and public hearing processes, but excluding review by the Planning Commission. The Board of Yakima County Commissioners may hold a public hearing after notice, as provided by YCC 16B, and afterwards make the final decision on this application.

3. **PROJECT PROPOSAL:** The proposal is to amend **Plan 2015** (the Yakima County Comprehensive Plan) by removing six parcels and adjacent road rights-of-way from Granger's Urban Growth Area and changing **Plan 2015's** designation of these six parcels from UGA to Rural Self-Sufficient (RSS). The application also requests that the subject property be rezoned from Industrial (I) to Valley Rural (VR).
4. **PROJECT LOCATION:** The subject property is located north of W. Hudson Road, on the east and west sides of I-82, adjacent to and outside of the city limits of Granger, WA. Parcel numbers: 211008-44003, 211009-33011, 211009-33012, 211009-33007, 211009-34002, and 211009-34004.
5. **PROPERTY DESCRIPTION:** The project area is approximately 40 acres, consisting of 27 acres in six privately-owned parcels and 13 acres in adjacent road rights-of-way (including I-82). No critical areas are known to exist on the property.

Quincy loamy fine sand is the soil type throughout the site. These soils are considered suitable for home sites, crops, and wildlife habitat.

6. COMPREHENSIVE PLAN DESIGNATION:

- a. Subject property. The Yakima County Comprehensive Plan (**Plan 2015**) designates the parcels as "Urban (Urban Growth Area)." The adjacent road rights-of-way are not designated.
- b. Adjacent property. Properties to the north and east are designated "Agricultural Resource." Properties to the west and south are designated "Urban (Urban Growth Area)" and "Urban (City Limits)."

³ CPSGMHB: Bear Creek, 95-3-0008c, 11-3-00 Order, at 9-10

⁴ CPSGMHB: Wallack I, 96-3-0025, FDO, at 12

⁵ CPSGMHB: McVittie V, 00-3-0016, FDO, at 23-24

⁶ CPSGMHB: Sno-King, 06-3-0005, FDO, at 10

7. ZONING:

- a. Subject property. The subject property, including the unincorporated road rights-of-way, are zoned "Industrial" by the Yakima County Zoning Ordinance (YCC 15).
- b. Adjacent property. Properties to the north and east are zoned "Agriculture" by the Yakima County Zoning Ordinance (YCC 15). Unincorporated properties to the west and south are zoned "Industrial." Properties to the south that are within Granger's city limits are zoned "Light Industrial" by the City of Granger.

8. EXISTING LAND USE:

- a. Subject property. The three parcels east of I-82 are 2.15 acres, 12.92 acres, and 3.67 acres. Each parcel has a house is growing agricultural crops. A billboard facing westbound I-82 traffic was placed on parcel 211009-33007 in or after 2008 (CUP2008-00003). It is a permitted use in the Industrial zone and would become a legal nonconforming use if the property is rezoned to Valley Rural.

The three parcels west of I-82 are 1.71 acres, 7.45 acres, and 0.44 acres and are owned by one couple. One house and agricultural crops exist on these three parcels.

Each of the four houses uses wells and septic systems.

- b. Adjacent property.

Properties to the north, east, and south have houses and agricultural crops.

The property to the west has a transportation trans-shipping facility that transfers livestock feed between trains and trucks. This property was added to the UGA in 2005 and rezoned to Industrial along with the subject property. The property owners elected not to be included in the current application because they wish to remain in the UGA and zoned Industrial, so that their current use remains a permitted use. If their zoning were changed from Industrial to Valley Rural, their trans-shipping facility would become a legal nonconforming use.

9. PUBLIC NOTICE / ENVIRONMENTAL REVIEW:

On July 27, 2012 Yakima County, pursuant to RCW 36.70A.106, sent "60-day" notice of Granger's application to Washington State Department of Commerce, which acknowledged receipt on July 30, 2012. No comments have been received from Commerce as of the date of this staff report, and particularly during the 60-day comment period that ended on September 28, 2012.

On January 28, 2013, after reviewing the application and pursuant to YCC 16.04, Yakima County's SEPA Responsible Official issued a Determination of Non-Significance (DNS) on the proposal and issued a notice requesting comments on the proposal's probable significant adverse environmental impacts during a 14-day public comment period ending on February 11, 2013. The DNS, environmental checklist, and request for comments were mailed to interested or affected

agencies, agencies with jurisdiction or expertise, Yakama Nation, the applicant, and the owners of the subject properties. A notice of the DNS and a request for public comments was also published in the Yakima Herald-Republic on February 1, 2013. Pursuant to YCC 16B, notice of the DNS and a request for public comments was also posted on the County's website and on the public bulletin board in the Public Services Department. Comments received by the end of the public comment period are summarized below:

- a. Department of Ecology Comments. The site might contain residual concentrations of pesticides based on historical agriculture use. Ecology recommends the soils be sampled and analyzed for lead, arsenic, and organochlorine pesticides and that potential buyers be notified of any concentrations above the Model Toxics Control Act cleanup levels.

Staff finding: The applicant or property owners should contact the Department of Ecology if they would like more information or to have the soils tested.

- b. Sunnyside Valley Irrigation District Comments. SVID does have facilities within the parcels that may hinder the proposed development. SVID requests contact as to the location and specific information about crossing and/or encroaching on these facilities. Runoff and/or crossings into or across SVID facilities will not be allowed unless it is approved through the permitting process. Building will not be allowed within SVID easements or right-of-way. Obstructions will not be allowed within SVID easements or right-of-way without permits.

Staff finding: No development is proposed by the current application. Property owners should contact SVID if they plan future developments that would impact SVID facilities.

- c. Subject Property Owner Comments. One of the subject property owners requested that the application be approved so that the zoning will better reflect the correct and foreseeable usage.

Staff finding: Granger's application included letters from all owners of the subject properties. All owners support the application to reduce Granger's UGA, to change **Plan 2015's** designation from UGA to RSS, and to rezone their land from Industrial to Valley Rural.

On March 26, 2013 the SEPA Responsible Official completed SEPA review by retaining the DNS issued on January 28, 2013.

Notices of the Board of County Commissioners' public hearing on this matter should be provided in accordance with YCC 16B immediately after the Board sets its hearing date. Written comments received will be provided to the Board at or prior to the hearing.

10. APPROVAL CRITERIA:

The criteria that are to be considered when deciding whether or not to approve the request are provided in:

- (a) YCC 16B.10.090 (Major Rezones);
- (b) YCC 16B.10.095 (Approval Criteria for Comprehensive Plan Policy Map Amendments); and
- (c) YCC 15.76.036(3) (Decision Criteria for Major Rezones).

The applicable text from the three ordinances listed above is *shown below in italics*, followed by staff analysis:

(a) YCC 16B.10.090 (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. ... Rezones completed as part of the plan amendment process shall be reviewed against the criteria as for plan amendments in Section 16B.10.095 (Approval Criteria for Comprehensive Plan Policy Map Amendments) and Section 15.76.036 (Major Rezone Review Process) ... and must be consistent with the requested plan designation...⁷.

Staff analysis: The criteria in Section 16B.10.095 and in YCC 15.76.036 are shown in *italics* below and followed by staff analysis. According to Table 15.76 in the Yakima County Zoning Ordinance (YCC 15) the proposed Valley Rural zone is consistent with the requested Rural Self-Sufficient **Plan 2015** designation.

(b) 16B.10.095 (Approval Criteria for Comprehensive Plan Policy Map Amendments)

- (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 Yakima County Comprehensive Plan, the Yakima Urban Area Comprehensive Plan and applicable sub-area plans, applicable city comprehensive plans, applicable capital facilities plans and official population growth forecasts and allocations;*

Staff analysis: The proposed amendment is consistent with the stated documents.

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

Staff analysis: The mapping criteria for Urban Growth Areas (UGA) and Rural Self-Sufficient Areas (RSS) are found in the Land Use Element of **Plan 2015**. Due to the current lack of municipal water and sewer services and road infrastructure to serve the subject area for urban industrial uses and the lack of capital facilities plans for same, the area is more consistent with RSS than with UGA.

- (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;*

⁷ References in YCC 16B.10.090 to the Yakima County Urban Growth Area and to rezones not requiring a plan amendment are not applicable to the subject request and have therefore been omitted.

Staff analysis: The parcel sizes and current land uses make the subject area suitable for RSS. The vicinity lacks neither RSS nor UGA in the vicinity.

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

Staff analysis: The subject area was originally included in Granger's UGA to facilitate the development of a new freeway interchange and industrial development. Granger's application provides evidence that WSDOT is unable to construct an interchange at this location because it would be too close to the existing interchange to the south. Additionally, there are no plans to provide urban services to this area. Therefore, the current UGA designation is inconsistent with the UGA mapping criterion that states, "The County and the respective city or town have mutually determined that urban services will be present within the 20-year time frame of the plan." The parcel sizes and their current land uses make the area more consistent with the RSS plan designation than with the UGA designation.

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

- (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 Lands, the applicable de-designation criteria in the mapping criteria portion of the land use subchapter of Yakima County Comprehensive Plan, Volume 1, Chapter I, 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 Economic Resource land use designation;*

Staff analysis: Not applicable. This application does not propose to change a resource 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;*

Staff analysis: There are no urban services or plans for urban services in the subject area. However, it currently has the necessary public facilities and services for the proposed RSS plan designation.

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

Staff analysis: The owners of the parcels to the west and south of the subject area that were added to the UGA in 2005 were asked by Granger if they wanted their properties to be included in this application. Both indicated that they preferred to remain in the UGA. Therefore, additional policy plan map amendments in the surrounding area are not anticipated.

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

(a) *Land Supply:*

- (i) *The amount of buildable land suitable for residential and local commercial development within the incorporated and the unincorporated portions of the Urban Growth Areas will accommodate the adopted population allocation and density targets;*
- (ii) *The amount of buildable land suitable for purposes other than residential and local commercial development within the incorporated and the unincorporated portions of the Urban Growth Areas will accommodate the adopted forecasted urban development density targets within the succeeding twenty-year period;*
- (iii) *The Planning Division will use the definition of buildable land in YCC 16B.02.045, the criteria established in RCW 36.70A.110 and .130 and applicable criteria in the Comprehensive Plan and development regulations;*
- (iv) *The Urban Growth Area boundary incorporates the amount of land determined to be appropriate by the County to support the population density targets;*

Staff analysis: The proposed UGA reduction does not affect residential and local commercial development because the subject area's zoning does not allow such uses due to being zoned Industrial. The lack of plans for urban infrastructure, particularly a freeway interchange, makes the subject area unsuitable for "purposes other than residential and local commercial development." In 2007 Yakima County reviewed the appropriate amount of land in Granger's UGA to support population density targets and revised the UGA accordingly. The issue of buildable lands is being addressed in the next periodic UGA review required by the GMA to be completed by 2017.

(b) *Utilities and services:*

- (i) *The provision of urban services for the Urban Growth Area is prescribed, and funding responsibilities delineated, in conformity with the comprehensive plan, including applicable capital facilities, utilities, and transportation elements, of the municipality;*
- (ii) *Designated Ag. resource lands, except for mineral resource lands that will be reclaimed for urban uses, may not be included within the UGA unless it is shown that there are no practicable alternatives and the lands meet the de-designation criteria set forth in the comprehensive plan.*

Staff analysis: No plans for capital facilities, utilities, or transportation exist to provide urban level services to the subject area. Therefore, removal of the subject area from the UGA is consistent with this consideration. Designated Agricultural Resource lands are not involved with the application.

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

Staff analysis: Based on existing parcel sizes and land uses in the subject area, the most appropriate plan designation and zoning after removal from the UGA would be RSS and Valley Rural, respectively. The property owners all support the proposed change to RSS and VR.

(4) *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.*

Staff analysis: A table showing the cumulative impacts is Attachment 1 to this staff report.

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

Staff analysis: Not applicable. The application does not change plan policy or text.

(6) *Prior to forwarding a proposed development regulation text amendment to the Planning Commission for its 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.*

Staff analysis: Not applicable. The application does not propose to amend text of a development regulation.

(c) YCC 15.76.036(3) (Decision Criteria for Major Rezones)

The Planning Commission shall issue a written recommendation to approve, approve subject to a development or concomitant agreement, modify or deny the proposed comprehensive plan amendment/major rezone. The recommendation shall include the following considerations:

(a) *The extent to which the proposed amendment/major rezone is consistent with and/or deviates from the goals, objectives, mapping criteria and policies adopted in the comprehensive plan and the intent of this title;*

Staff analysis: The proposed amendment/major rezone is very consistent with the goals, objectives, mapping criteria and policies in **Plan 2015** and with the intent of YCC 15.

(b) *The adequacy of public facilities, such as roads, sewer, water and other public services required to meet urban or rural needs;*

Staff analysis: The current public facilities are adequate to meet rural needs and do not meet urban industrial needs. There are no plans to provide urban public facilities. Therefore the subject area's plan designation is more appropriately RSS than UGA.

(c) *The public need for the proposed change. Public need shall mean that a valid public purpose, for which the comprehensive plan and this title have been adopted, is served by the proposed application. Findings that address public need shall, at a minimum, document:*

(i) *Whether additional land for a particular purpose is required in consideration of the amount already provided by the plan map designation or current zoning district within the area as appropriate; and,*

Staff analysis: Because a new freeway interchange will not be built as earlier anticipated, the subject area will not be able to accommodate future industrial development. A public need is therefore served by changing the existing land uses from nonconforming uses to permitted uses. Keeping these properties as nonconforming land uses serves no public purpose, now that it has been determined that the freeway interchange will not be built.

(ii) *Whether the timing is appropriate to provide additional land for a particular use.*

Staff analysis: The timing is appropriate to eliminate these properties as being nonconforming uses.

(d) *Whether substantial changes in circumstances exist to warrant an amendment to the current designation or zone.*

Staff analysis: The absence of plans to build a freeway interchange is a substantial change in circumstances that warrants amending **Plan 2015** and rezoning the subject area as proposed.

(e) *The testimony at the public hearing; and*

Staff analysis: A public hearing has not yet been held. The Board should conduct a hearing and consider all testimony prior to making a decision on this application.

(f) *The compatibility of the proposed zone change and associated uses with neighboring land uses; and,*

Staff analysis: The proposed VR zone and existing rural homes will be compatible with neighboring land uses.

(g) *The suitability of the property in question for uses permitted under the proposed zoning; and,*

Staff analysis: The subject property is very suitable for the existing homes and agriculture being conducted. It is also generally suitable for the possible uses that could be permitted in the VR zone.

(h) *The recommendation from interested agencies and departments.*

Staff analysis: Neither the Department of Ecology nor SVID made a recommendation concerning the rezone.

CONCLUSIONS

1. The proposal meets the approval criteria and is consistent with the considerations as provided and analyzed above.
2. No probable significant adverse environmental impacts have been identified. An EIS is not required at this time.

RECOMMENDATION

The Yakima County Planning Division recommends **APPROVAL** of the City of Granger's application to amend **Plan 2015's** policy plan map and major rezone, subject to consideration of testimony received at the Board's public hearing.

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Attachment 1: Cumulative Impacts - County-wide *Plan 2015* Designation Changes 1998-2013*

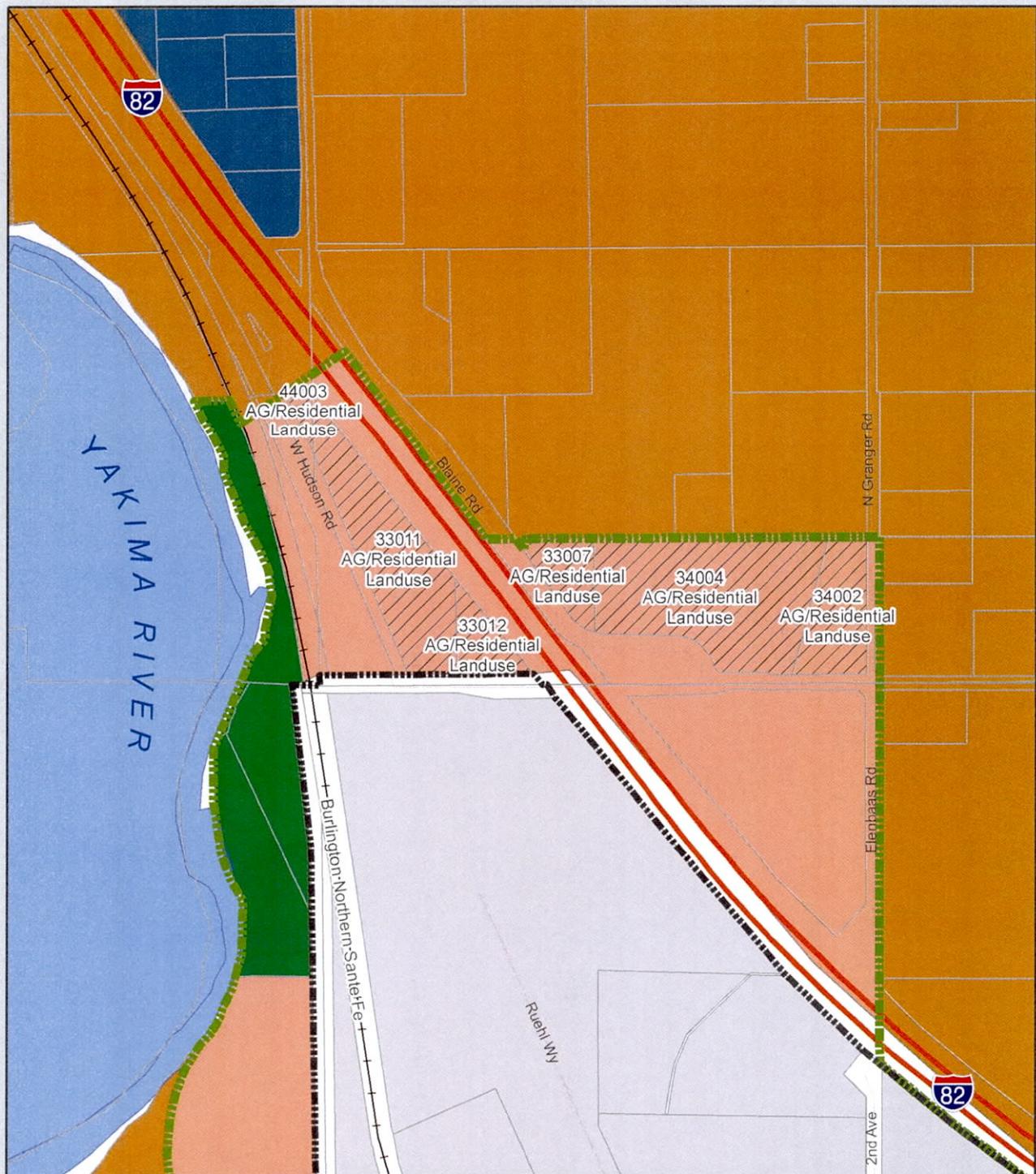
Adopted Changes in Plan 2015 Land Use Designations (in acres)	1998 Amend- ments	1999 Amend- ments	2000 Amend- ments	2001 Amend- ments**	2002 Emer- gency: Wal- Mart	2003 Amend- ments***	2005 Three Emer- gencies	2007 Amend- ments: Update	2008 Amend- ments	2010 Amend- ments	2011 Amend- ments	2013 Emer- gency: Granger	1998-2013 Total	
Agricultural Resource														
New areas designated AR		110.00	28.40	250.00		79.22			42.32	45.58	20.68		576.20	
Areas removed from AR	-90.40	-305.60	-436.80	-1,789.00	-12.60	-3,500.00	-189.00	-830.00	-118.26	-120.97	-14.59		-7,407.22	
Net change in areas designated AR	-90.40	-195.60	-408.40	-1,539.00	-12.60	-3,420.78	-189.00	-830.00	-75.94	-75.39	6.09	0.00	-6,831.02	
Rural Transitional														
New areas designated RT	88.30	34.60	190.20						12.00	9.75			334.85	
Areas removed from RT		-9.80					-2.00	-324.23	-315.81		-0.50		-652.34	
Net change in areas designated RT	88.30	24.80	190.20	0.00	0.00	0.00	-2.00	-324.23	-303.81	9.75	-0.50	0.00	-317.49	
Rural Self-Sufficient														
New areas designated RSS		237.10	432.30	1,416.00		3,500.00		370.00	405.87	111.22	214.96	27.44	6,714.89	
Areas removed from RSS	-15.90							-298.00	-12.00		-37.56		-363.46	
Net change in areas designated RSS	-15.90	237.10	432.30	1,416.00	0.00	3,500.00	0.00	72.00	393.87	111.22	177.40	27.44	6,351.43	
Urban Growth Area														
New areas designated UGA	18.00	9.80	94.80	373.00	12.60		243.00	1,907.00					2,658.20	
Areas removed from UGA		-110.00	-28.40	-250.00				-814.00				-27.44	-1,229.84	
Net change in areas designated UGA	18.00	-100.20	66.40	123.00	12.60	0.00	243.00	1,093.00	0.00	0.00	0.00	-27.44	1,428.36	
Rural Settlement														
New areas designated RS		33.90	7.80								52.65		94.35	
Areas removed from RS								-11.13			-251.03		-262.16	
Net change in areas designated RS	0.00	33.90	7.80	0.00	0.00	0.00	0.00	-11.13	0.00	0.00	-198.38	0.00	-167.81	
Remote Rural/Extremely Limited Development Potential														
New areas designated RR									9.54	67.00		15.39		91.93
Areas removed from RR			-288.30			-79.22	-52.00	-8.58	-372.73	-45.58				-846.41
Net change in areas designated RR	0.00	0.00	-288.30	0.00	0.00	-79.22	-52.00	0.96	-305.73	-45.58	15.39	0.00	-754.48	
Mineral Resources Overlay														
New areas designated MRO		341.00	680.00			119.00	79.00	8,991.00					10,210.00	
Areas removed from MRO						-99.00		-23.00					-122.00	
Net change in areas designated MRO	0.00	341.00	680.00	0.00	0.00	20.00	79.00	8,968.00	0.00	0.00	0.00	0.00	10,088.00	

*Note: County-wide changes to **Plan 2015**'s "Policy Plan Map" designations approved by the Board of Yakima County Commissioners from 1998-2013.

**Note: Includes the final net change for ZON2001-17 (Walkenhauer), made by Ord. No. 13-2002 and Ord. No. 6-2003, in compliance with the Growth Board's decision.

***Note: Changes in agricultural resource designations were a result of a 2-year county-wide agricultural resource land comp plan update.

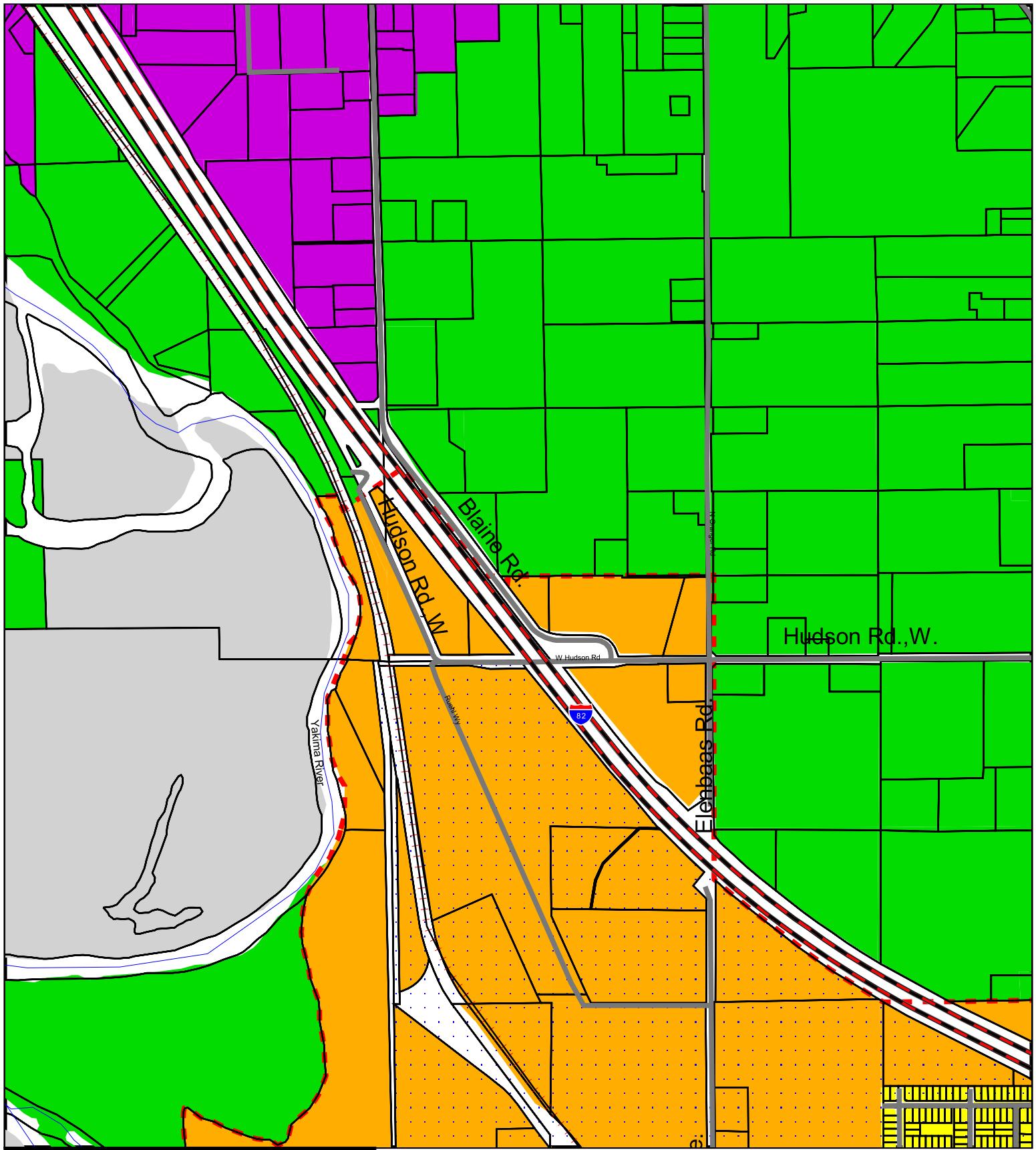
City of Granger, WA
Parcels Proposed for Removal from UGA
Land Use



Yakima Valley Conference of Governments
311 North 4th Street, Suite 202
Yakima, WA 98902
(509) 574-1550
21 June 2012

	Subject Parcel	City Zoning	County Zone
	Subject Parcel		
	Granger City Limits	M-1	AG
	Granger UGA		I
	Parcels Other		RLDP
	Primary Hydrography		VR





Current Comp Plan Designations (7-27-12)

Yakima County
Comp Plan

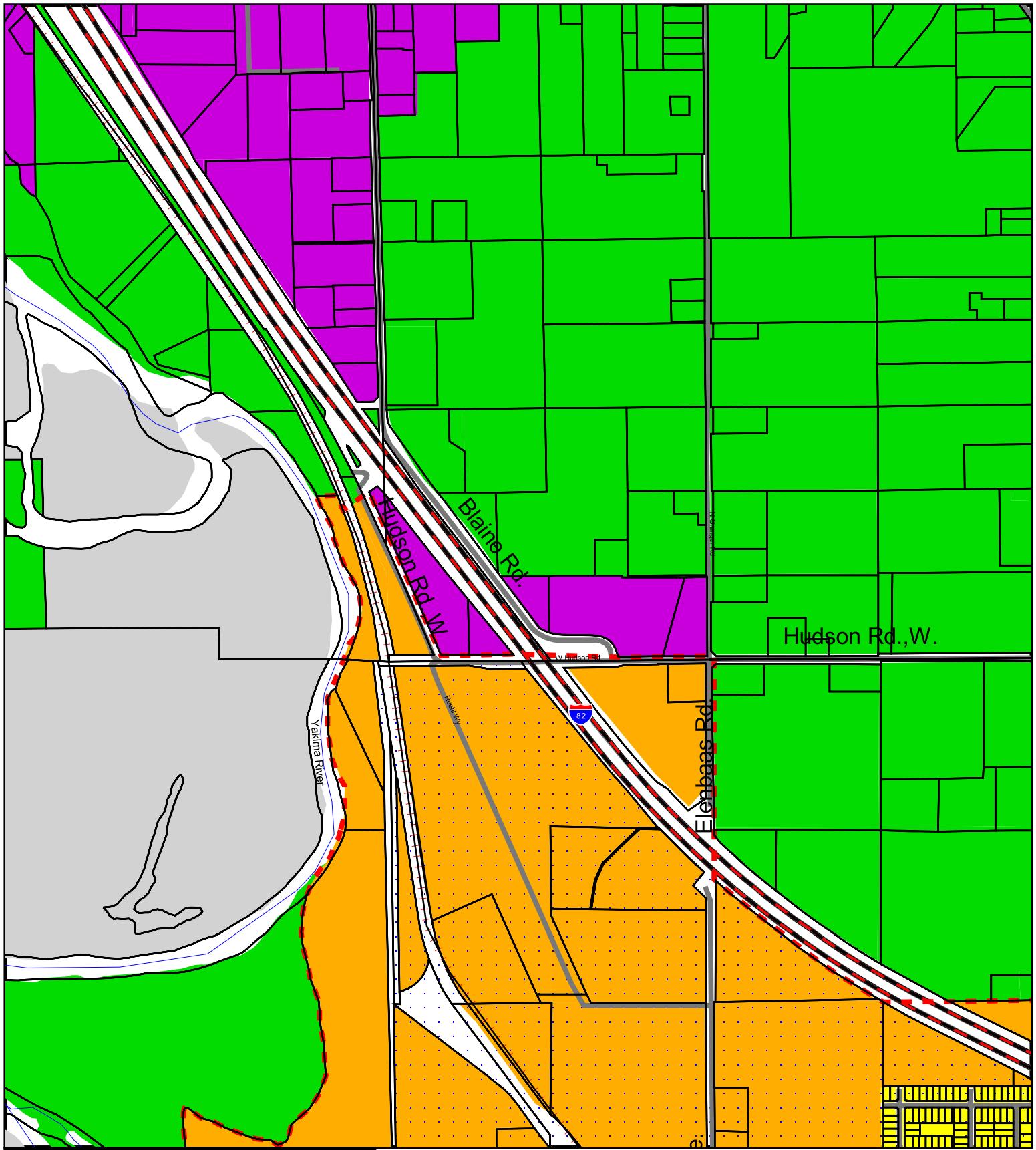
	Perennial Stream	
	Railroads	
	State & Fed Roads	
	All Roads	
	Tax Lots	
	Plot Designations	
		Rural Settlement LAMIRD
		Rural Self-Sufficient
		Rural Remote/Ltd. Dev.
		Rural Transitional
		Forest Resource
		Agricultural Resource
		UGA (Incorporated)
		UGA (Unincorporated)
		Fed/Trust Lands/Closed Area
		Urban Growth Boundary
		City of Granger (Incorporated area)



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Plot date: Jul 27, 2012; Granger Current Comp Plan Designation



GEOGRAPHIC INFORMATION SERVICES

Parcel Lot lines are for visual display only. Do not use for legal purposes.

0 500 1000 Feet

1" = 1000 feet

YAKIMA COUNTY

Proposed Comp Plan Designations (7-27-12)

Yakima County Comp Plan

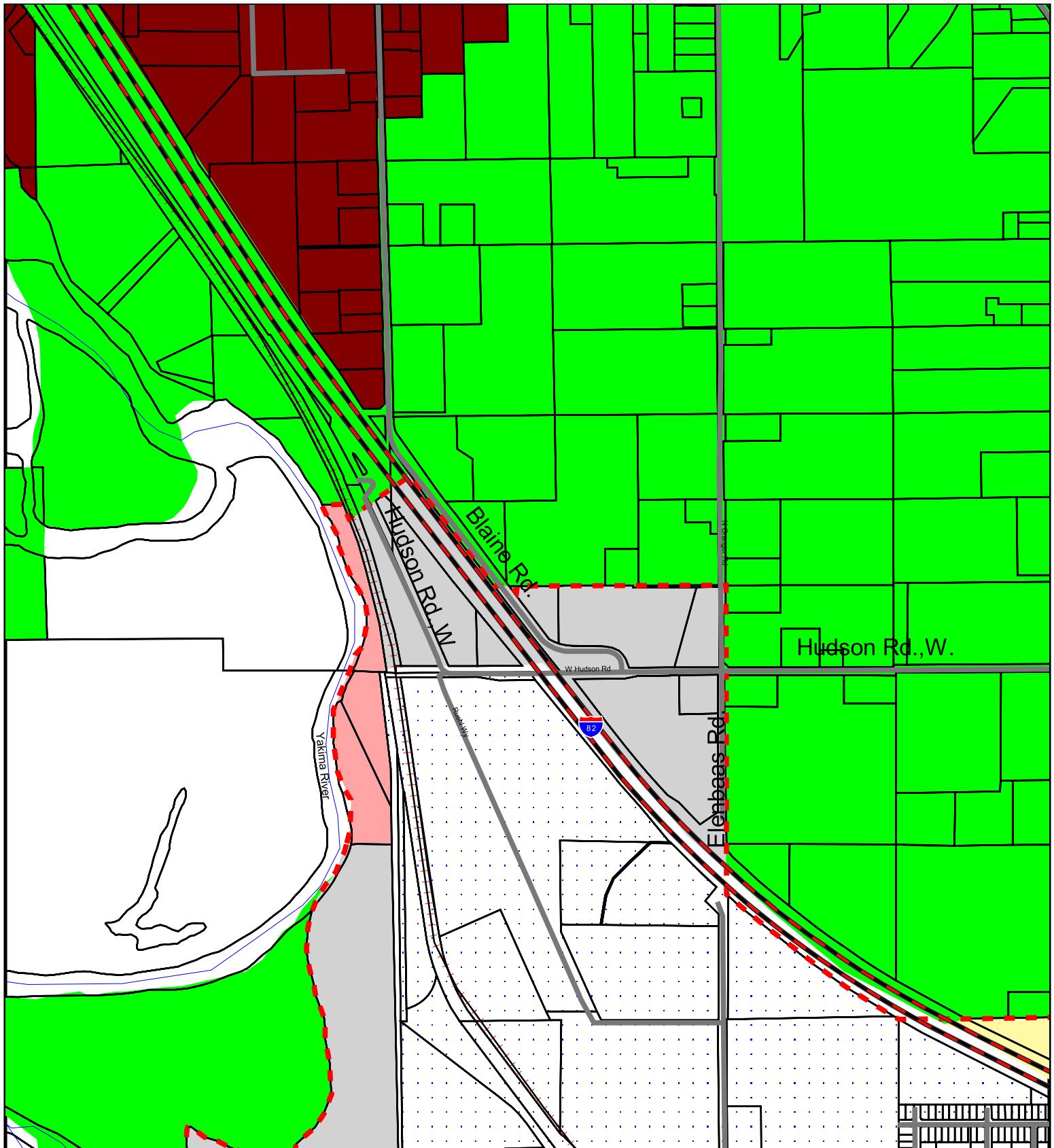
Perennial Stream	Rural Settlement LAMIRD
Railroads	Rural Self-Sufficient
State & Fed Roads	Rural Remote/Ltd. Dev.
All Roads	Rural Transitional
Tax Lots	Forest Resources
	Agricultural Resource
	Urban/City Limits
	Urban/Urban Growth Area
	Fed/Trust Lands/Closed Area
	Urban Growth Boundary
	City of Granger (incorporated area)



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Current Zoning (7-27-12)

Yakima County
Zoning Ordinance

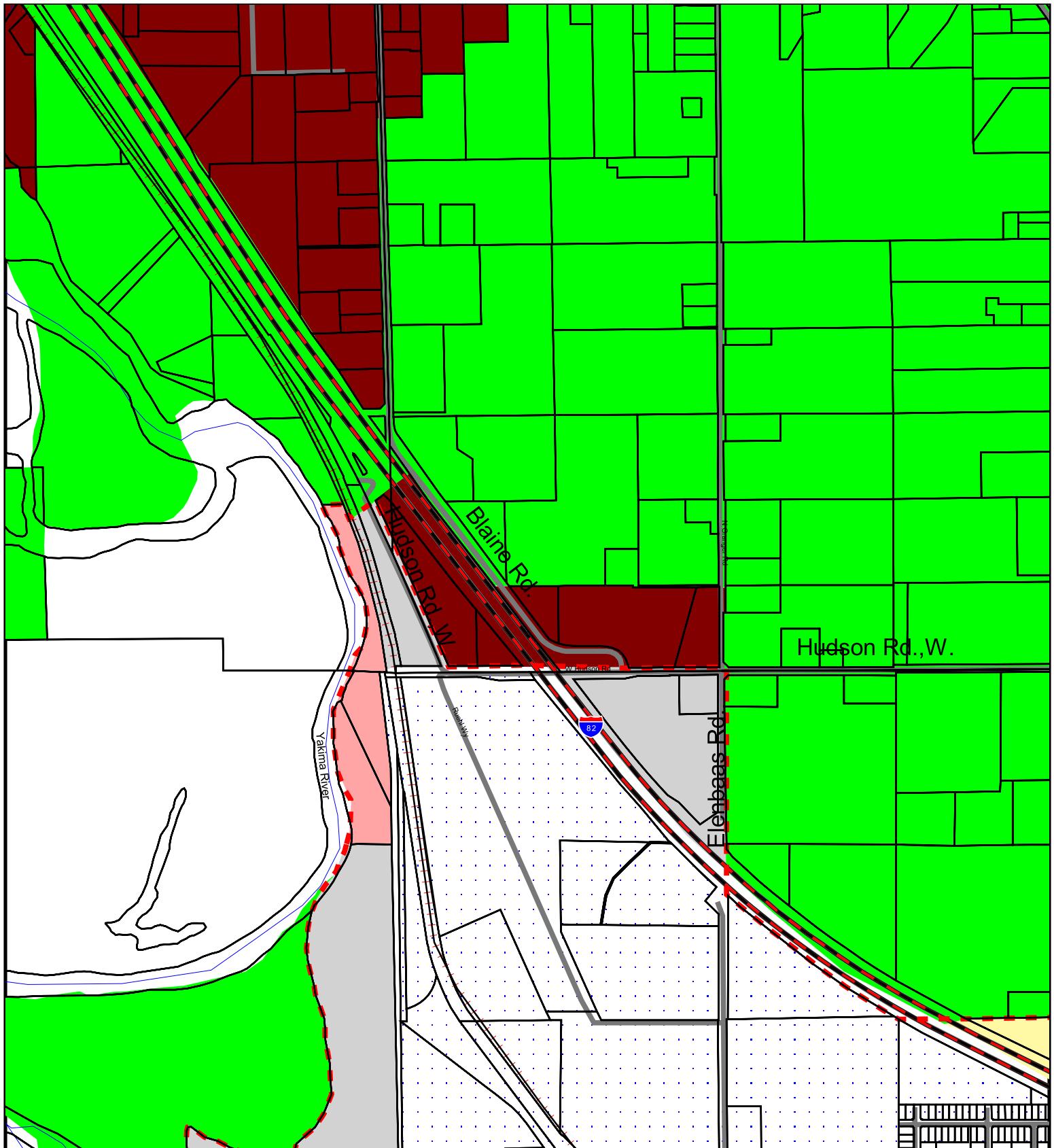
Perennial Stream	Industrial
Railroads	Agriculture
State & Fed Roads	Remote/Extremely Limited
All Roads	Valley Rural
Tax Lots	Single-Family Residential
	Federal Land/Tribal Trust
	Urban Growth Boundary
	City of Granger (incorporated area)



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YAKIMA COUNTY

Proposed Zoning
(7-27-12)

Yakima County
Zoning Ordinance

Perennial Stream	Industrial
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Exhibit B

