

ORDINANCE NO. 2018-____

AN ORDINANCE amending the Zoning Map of the City of Yakima to Rezone one parcel of property located at 513 West Washington Ave. from Two-Family Residential (R-2) to Multifamily Residential (R-3)

WHEREAS, Tom Durant, on behalf of Diep Miller, submitted an application requesting that the classification of parcel 181336-14039, which is legally described as Exhibit "A" and located at 513 West Washington Avenue be rezoned from Two-Family residential (R-2) to Multifamily Residential (R-3) (hereinafter "RZ#004-17"); and

WHEREAS, the request is for a project specific rezone for the purpose of operating a clinic at an existing building, a Class (3) permitted use in the R-3 zoning district, on the subject property (hereinafter "CL3#010-17"); and

WHEREAS, on November 8, 2017, the City of Yakima Planning Division issued a Notice of Application, Environmental Review, and Public Hearing pursuant to YMC § 16.05.050. No comments were received during the required 20 day public comment period; and

WHEREAS, pursuant to YMC 6.88, the State Environmental Policy Act (SEPA) Administrative Official issued a Determination of Nonsignificance on November 29, 2017, for the rezone request in accordance with WAC 197-11-355, as required under SEPA; and

WHEREAS, an open record public hearing was held on January 11, 2018, and no comments were received from the general public during the public hearing; and

WHEREAS, the Hearing Examiner for the City of Yakima issued a recommendation on January 30, 2018, (the "recommendation"), recommending that the City approve the rezoning of the one parcel of property as more fully described herein; and

WHEREAS, the City Council held a public meeting on April 3, 2018, at its general business meeting, on the proposed rezone and evaluated the Hearing Examiner's recommendation and all associated documents and public comment; and

WHEREAS, the City Council finds that the findings of the Hearing Examiner set forth in the recommendation in response to the requirements of Yakima Municipal Code ("YMC") § 15.23.030(D) are correct and appropriate, and that the same should be adopted by the City Council as its findings herein; and

WHEREAS, the City Council finds that it is in the best interest of the City to rezone the property as outlined by the Hearing Examiner in his recommendation; now therefore

BE IT ORDAINED BY THE CITY OF YAKIMA:

Section 1. The following parcel of property located 513 West Washington Ave. shall be rezoned from Two-Family Residential (R-2) to Multifamily Residential (R-3), Tax parcel number 181336-14039. The legal description of the property is as follows: Plat of Section 36, T. 13 N., R. 18 E.W.M: East 75 feet of West 358.7 feet of South 225 feet of Block 31 and South 247.5 feet of Block 31 EXCEPT East 150 feet and EXCEPT West 358.7 feet and EXCEPT South County road right-of-way.

Section 2. The findings of the Hearing Examiner's recommendation in this matter dated January 25, 2018, are hereby adopted by the City Council as its findings in support hereof pursuant to YMC § 15.23.030(E), and are incorporated herein by this reference as if fully set forth herein.

Section 3. Any and all zoning, land use, and other similar maps maintained by the City of Yakima shall be amended or modified to reflect this rezone. The City Clerk is hereby authorized and directed to file a certified copy of this ordinance with the Yakima County Auditor.

Section 4. Severability: If any section, subsection, paragraph, sentence, clause or phrase of this ordinance is declared invalid or unconstitutional for any reason, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 5. This ordinance shall be in full force and effect 30 days after its passage, approval, and publication as provided by law and by the City Charter.

PASSED BY THE CITY COUNCIL, signed and approved this 3rd day of April, 2018.

ATTEST:

Kathy Coffey, Mayor

Sonya Claar Tee, City Clerk

Publication Date:_____

Effective Date:_____

Exhibit A

Legal Description: Plat of Section 36, T. 13 N., R. 18 E.W.M: East 75 feet of West 358.7 feet of South 225 feet of Block 31 and South 247.5 feet of Block 31 EXCEPT East 150 feet and EXCEPT West 358.7 feet and EXCEPT South County road right-of-way.