

ORDINANCE NO. 2019-____

AN ORDINANCE rezoning parcels 181309-41006, 181309-44003, and 181309-44009 from Two-Family Residential (R-2) to Multifamily Residential (R-3) and amending the Zoning Map of the City of Yakima.

WHEREAS, on October 19, 2018, Hordan Planning Services submitted an application requesting the zoning classification of parcels 181309-41006, -44003, and -44009, located at 5231 W Powerhouse Rd., to be rezoned from Two-Family Residential (R-2) to Multifamily Residential (R-3) on the official zoning map (hereinafter "RZ#010-18"); and

WHEREAS, pursuant to YMC 6.88, the SEPA Administrative Official issued a Determination of Nonsignificance on December 13, 2018; and

WHEREAS, the Future Land Use designation of the subject property is Mixed Residential, which is consistent with the proposed R-3 zoning district; and

WHEREAS, notice of the Yakima Planning Commission open record public hearing was properly provided; and

WHEREAS, in accordance with YMC 15.23, the Yakima Planning Commission held an open record public hearing on January 9, 2019 to hear testimony from the public, consider the Rezone, and provide a recommendation to the Yakima City Council; and

WHEREAS, after testimony and a review of the record, pursuant to the approval criteria set forth in YMC § 15.23.030, the YPC unanimously recommended approval of the Rezone from Two-Family Residential (R-2) to Multifamily Residential (R-3); and

WHEREAS, the YPC recommendation was signed by the Chair on January 23, 2019, a copy of which is found in Exhibit "A" attached hereto and incorporated herein by this reference; and

WHEREAS, pursuant to YMC 15.23.030(E), and after the required notice was properly provided, the Yakima City Council held a public hearing on March 5, 2019, regarding the rezone request; and

WHEREAS, the City Council of the City of Yakima, having considered the record herein, the comments received at the public meeting held March 5, 2019, and the recommendation from the Planning Commission, hereby finds and determines that approval of the requested Rezone is in the best interest of the residents of the City of Yakima and will promote the general health, safety and welfare; now, therefore

BE IT ORDAINED BY THE CITY OF YAKIMA:

Section 1. Findings, Analysis and Conclusions. Subject to the specific terms of this ordinance, the Yakima City Council adopts the January 23, 2019, findings, conclusions, recommendations and conditions of the Yakima Planning Commission for RZ#010-18. A copy of said recommendation is attached as Exhibit "A".

Section 2. Any and all official Zoning or other similar maps shall be amended or modified to reclassify the subject real property set forth herein consistent with the above sections of this ordinance.

Section 3. Authorization to File. The City Clerk is hereby authorized and directed to file a certified copy of this ordinance with the Yakima County Auditor.

Section 4. Severability/Validity. 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. Effective Date. 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 5th day of March, 2019.

ATTEST:

Kathy Coffey, Mayor

Sonya Claar Tee, City Clerk

Publication Date:_____

Effective Date:_____

Exhibit “A” YPC Recommendation



DEPARTMENT OF COMMUNITY DEVELOPMENT
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YAKIMA PLANNING COMMISSION

RECOMMENDATION TO THE YAKIMA CITY COUNCIL FOR REZONE RZ#010-18 & SEPA#027-18

January 23, 2019

WHEREAS, The City of Yakima adopted the Yakima Comprehensive Plan 2040 in June 6, 2017; and

WHEREAS, The City of Yakima last amended its Title 15 Zoning Ordinance on November 13, 2018; and

WHEREAS, Under the provisions of YMC Ch. 15.23 a change in circumstances or conditions may warrant a change in the zoning text or map to better align to be more consistent with the goals, policies, and intent of the Yakima Comprehensive Plan 2040 ; and

WHEREAS, Under the provisions of YMC Ch. 1.42 the Yakima Planning Commission (YPC) is responsible for the review of these applications and for recommending the approval, modification or denial of each request; and

WHEREAS, On October 19, 2018 an application for a Rezone was submitted by Hordan Planning Services, on behalf of Squire-Ingham Co., to change the zoning designation of Two-Family Residential (R-2) to Multifamily Residential (R-3), parcels: 181309-41006, 181309-44003, & 181309-44009 (City File RZ#010-18 & SEPA#027-18); and

WHEREAS, The applications were considered complete for processing November 8, 2018 and public notice was provided, in accordance with the provisions of YMC Ch. 16.10, on November 15, 2018; and

WHEREAS, SEPA Environmental Review was completed with a Determination of Nonsignificance issued on December 13, 2018, which was not appealed (City File SEPA#027-18); and

WHEREAS, The Yakima Planning Commission held an open record public hearing on January 9, 2019 to hear testimony from the public, consider the Rezone request, and provide a recommendation to the Yakima City Council; and

Now therefore, the Yakima City Planning Commission presents the following findings of fact, conclusions, and recommendation to the Yakima City Council:

APPLICATION # RZ#010-18 & SEPA#027-18
APPLICANT: Hordan Planning Services on behalf of Squire-Ingham Co.
APPLICANT ADDRESS: 410 N 2nd St., Yakima, WA 98901
PROJECT LOCATION: 5231 Powerhouse Rd.
PARCEL(S): 181309-41006, 181309-44003, & 181309-44009

FINDINGS OF FACT

1. The applicant requests to change the zoning of the subject parcels from Two-Family Residential (R-2) to Multifamily Residential (R-3).
2. The subject parcels are approximately 43 acres in size and are surrounded by residential/vacant property.
3. The City of Yakima Planning Division provided a detailed staff report to the Planning Commission and recommended approval during their January 9, 2019 public hearing.
4. The proposed Rezone from Two-Family Residential (R-2) to Multifamily Residential (R-3) is consistent with the applicable approval criteria in YMC § 15.23.030(D), as follows:
 - a. Bill Hordan from Hordan Planning Services and Larry Hull testified on behalf of the applicant in favor of the proposed rezone. No testimony was provided in opposition.
 - b. The property is suitable for uses within the R-3 zoning district and will facilitate a variety of future development options for the subject site.
 - c. No agencies or departments provided testimony in opposition to the request.
 - d. The R-3 zoning district is an implementing zone of the Mixed Residential Future Land Use Designation.
 - e. The property is currently served or capable of being served by all necessary public utilities and can be accessed by public streets.
 - f. The proposed Rezone is considered compatible with the surrounding neighborhood and no mitigation is proposed at this time.
 - g. The public need for this Rezone is to provide additional area for high density residential development.

CONCLUSIONS

1. The Rezone is minor in nature;
2. No adverse impacts have been identified;
3. No written comments or testimony was received in opposition to the request;
4. This proposal underwent Environmental Review;
5. The proposed Rezone from Two-Family Residential (R-2) to Multifamily Residential (R-3) is consistent with the Yakima Urban Area Zoning Ordinance and Yakima Comprehensive Plan 2040.

MOTION

Based on the testimony and evidence presented during the public hearing, it was moved and seconded that the City of Yakima Planning Commission draft findings of fact and forward a recommendation of approval to the Yakima City Council. The motion carried unanimously.

RECOMMENDATION TO CITY COUNCIL

The Planning Commission of the City of Yakima, having received and considered all evidence and testimony presented at the public hearing, and having received and reviewed the record herein, hereby recommends that the City Council of the City of Yakima APPROVE the proposed Rezone from Two-Family Residential (R-2) to Multifamily (R-3) for file RZ#010-18.

RECOMMENDED this 23rd day of January 2019.

By: 
Patricia Byers, Chair
Yakima Planning Commission