



DEPARTMENT OF COMMUNITY DEVELOPMENT
Joan Davenport, AICP, Director

Planning Division

Joseph Calhoun, Manager

129 North Second Street, 2nd Floor, Yakima, WA 98901

ask.planning@yakimawa.gov · www.yakimawa.gov/services/planning

YAKIMA PLANNING COMMISSION

**RECOMMENDATION TO THE YAKIMA CITY COUNCIL
R-3 MORATORIUM**

March 24, 2021

WHEREAS, On November 17, 2020 the Yakima City Council adopted a six-month moratorium on the establishment of or conversion from any use, or part of a use of R-3 development to a Class 2 or 3 use in the R-3 zone; and

WHEREAS, a Public Hearing on the moratorium was held by City Council on December 8, 2020; and

WHEREAS, The moratorium directed the Planning Commission to review existing city codes and zoning regulations; further study the effects resulting from Class 2 and Class 3 uses in the R-3 zone; and

WHEREAS, On January 13, 2021 the Planning Commission held a study session to discuss the moratorium, review the purpose of the R-3 zone, identify R-3 locations in the city, analyze the permitted Class 2 and 3 uses in YMC Table 4-1, and review Type 2 and 3 projects submitted in the last five years; and

WHEREAS, On March 2, 2021 a notice of public hearing was sent to SEPA reviewing agencies and interested parties, a legal ad was posted in the newspaper; and

WHEREAS, The Yakima Planning Commission held an open record public hearing on March 24, 2021 to hear testimony from the public, consider the Class 2 and 3 uses in the R-3 zone, and provide a recommendation to the Yakima City Council;

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

FINDINGS OF FACT

1. The Planning Commission has reviewed the permitted Class 2 and 3 uses in the R-3 zoning district, as codified in YMC Ch. 15.04, Table 4-1 for consistency with the R-3 zoning district.
2. There are approximately 1,292 acres of land zoned R-3 in the City Limits.
3. In the past five years projects have been submitted in the R-3 zone as follows:
 - a. Type 2 Review: 9 applications
 - b. Type 3 Review: 8 applications
 - c. Rezone to R-3: 7 applications
4. Public Testimony during the hearing: The following testimony was submitted during the March 24, 2021 hearing:

- a. Andrew Sawyer: Mr. Sawyer provided comments related to the effect of zoning decisions on neighborhoods; the need for more housing; concerns with traffic resulting from a mini-storage use; the purpose of the R-3 zone to exclude activities that are not compatible; and concerns with the public process.
 - b. Tracy Sawyer: Ms. Sawyer provided comments related to the R-3 district purpose; the need of the R-3 zone to include the full range of urban services; noted that with a non-project rezone a neighborhood can't make an informed decision; and concerns with affordable housing and infill.
 - c. Tom Durant: Mr. Durant provided comments in favor of not making changes to the permitted land use table; non-residential uses allowed in the R-3 zone are intended to provide support for residential uses and that supporting land uses should not be disallowed; and noted that specific projects are considered on a case-by-case basis to consider if they fit with the surrounding uses.
 - d. Bill Hordan: Mr. Hordan provided comments requesting no change in Class 2 and 3 uses in the R-3 zone; that existing uses are determined to be appropriate with Type 2 and 3 review; concern that if uses are removed from the land use table then existing uses will be rendered as legal-nonconforming; and that uses need to be examined on a case-by-case basis to determine compatibility.
5. The Type 2 and Type 3 processes provide adequate opportunity and public process to determine the compatibility of submitted land use projects with the underlying zoning district and the surrounding neighborhood.

CONCLUSIONS

1. The Planning Commission held a public hearing after notice was lawfully provide; and
2. The Planning Commission had enough information after studying the matter and receiving testimony at the public hearing to make a recommendation to the City Council.

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 to retain the allowed Class 2 and Class 3 uses in the R-3 zone as currently codified by Ordinance to the Yakima City Council. The motion passed 3-2.

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 retain the allowed Class 2 and 3 uses in the R-3 zone as currently codified in YMC Ch. 15.04, Table 4-1.

SIGNED this 25 day of March 2021.

By: 
Lisa Wallace, Vice-Chair
Yakima Planning Commission