

ORDINANCE NO. 2023-_____

AN ORDINANCE amending Yakima Municipal Code Title 16 – Administration of Development Permit Regulations to incorporate text amendments recommended by the City of Yakima Planning Commission

WHEREAS, the Planning Commission of the City of Yakima has considered amendments to modify Title 16 – Administration of Development Permit Regulations; and

WHEREAS, notice of all amendments to YMC Sections 16.05.020 and 16.05.030, hereinafter “Amendments,” to fulfill the requirements of RCW 36.70A.130 was sent to the Washington State Department of Commerce and received by the same on April 13, 2023; and

WHEREAS, the Planning Commission held eleven study sessions for these amendments on August 24, 2022; September 28, 2022; October 12, 2022; October 26, 2022; December 14, 2022; January 11, 2023; February 8, 2023; February 22, 2023; March 8, 2023; March 22, 2023; and April 12, 2023; and

WHEREAS, the Planning Commission held an open record public hearing on May 10, 2023 pursuant to notice and has received and considered all evidence and testimony presented; and

WHEREAS, the Planning Commission, having conducted such public hearing, found, determined, and recommended that the City Council approve such amendments as indicated in the signed recommendation dated May 15, 2023; and

WHEREAS, the City Council held a public hearing on June 20, 2023 pursuant to notice to consider such amendments as recommended by the Planning Commission; and

WHEREAS, the City Council of the City of Yakima, having considered the record herein, the testimony provided at the public hearing, and the recommendation from the Planning Commission, hereby finds and determines that approval of these amendments is in the best interests of 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. Amendments to Replace and Supersede. The proposed amendments to YMC Sections 16.05.020 and 16.05.030, as contained in Exhibit “A” respectively attached hereto and fully incorporated herein, shall replace and supersede previous versions of the referenced documents.

Section 2. Adoption of Planning Commission Findings. The findings within the May 15, 2023 signed Yakima Planning Commission’s Recommendation, regarding this proposed text amendments are hereby adopted by the Yakima City Council as its findings in support thereof pursuant to YMC § 16.10.095, and are incorporated herein by this reference as if fully set forth herein.

Section 3. 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 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 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 20th day of June, 2023.

ATTEST:

Janice Deccio, Mayor

Rosalinda Ibarra, City Clerk

Publication Date:_____

Effective Date:_____

Exhibit “A”

16.05.020 Contents of notice of application.

The notice of application shall comply with the notice requirements specified in YMC 16.05.010 and shall include:

- A. The date of the application, the date of the notice of completion for the application, the date the notice of application is issued;
- B. A brief description of the proposed project action, including the project location and city file number;
- C. The location where the application and any studies can be reviewed, including the city website information;
- D. The date when the public comment period ends, which shall be the fourteenth day following the date of notice of application (except projects requiring a public hearing – comments can be submitted up to the hearing date and at the public hearing), and a statement of the right of any person to comment on the application and become a party of record for the application;
- E. The date, time, place and type of hearing, if applicable and scheduled at the date of notice of the application;
- F. Any other information determined appropriate by the director.

16.05.030 Public comment on the notice of application.

All public comments on the notice of application must be received in the department of community development not later than five p.m. on the fourteenth day after the notice of application is issued. If the fourteen-day public comment period ends on a weekend or holiday, it shall be automatically extended to the end of the next business day. Comments may be mailed, personally delivered or sent by facsimile. Comments should be as specific as possible. Any public comment received by the city of Yakima planning division requesting to become a party of record shall be added to the record and shall be entitled to receive any future notices and/or decisions associated with the application.