

**ORDINANCE NO. 2024-\_\_\_\_\_**

**AN ORDINANCE** amending Yakima Municipal Code Title 14 – Subdivisions 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 YMC Title 14 – Subdivisions; and

**WHEREAS**, notice of all amendments to YMC Sections 14.05.200, 14.20.130, 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 January 31, 2024; and

**WHEREAS**, the Planning Commission held an open record public hearing on February 14, 2024 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 16, 2024; and

**WHEREAS**, the City Council held a public hearing on February 14, 2024 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 14.05.200 and 14.20.130, 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 16, 2024 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 § 14.05.070, 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 2nd day of April, 2024.

ATTEST:

\_\_\_\_\_  
Patricia Byers, Mayor

\_\_\_\_\_  
Rosalinda Ibarra, City Clerk

Publication Date: \_\_\_\_\_

Effective Date: \_\_\_\_\_

## Exhibit "A"

### **14.05.200 Allowance of bond in lieu of actual construction of improvements prior to approval of short plat or final plat.**

A. The subdivision or short subdivision applicant may request, as an alternative to actual construction of any required improvements, that they be allowed to provide a surety bond or other secure method providing for and securing to the city the actual construction of required improvements within a specified period of time and expressed in a bond or other appropriate instrument establishing such security. Any bond or other method of securing actual construction of required improvements authorized and approved pursuant to subsection B herein shall specify the improvements covered and the schedule for completion.

B. In cases of subdivision or short subdivision, the request for bond or other method of securing actual construction of required improvements shall be subject to approval by the city engineer and city attorney prior to approval of the final plat by the administrator. The decision to approve or deny the request for the bond or other method of securing actual construction of required improvements by the city engineer and city attorney cannot be appealed. In no case shall the amount of the bond or other method of securing actual construction of required improvements be less than one hundred fifteen percent of the estimated actual cost of the improvements based upon the approved civil engineering design of the required improvements.

### **14.20.130 Preliminary plat—Allowance of bond in lieu of actual improvements prior to approval of final plat.**

As an alternative to construction of required improvements prior to final plat approval, the subdivision applicant may request that they be allowed to provide a surety bond or other secure method acceptable to the city engineer and city attorney pursuant to YMC 14.05.200.