

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

**AN ORDINANCE** rezoning parcels 181328-41405 and 181328-41427 from Professional Business (B-1) to Local Business (B-2) and amending the Zoning Map of the City of Yakima.

**WHEREAS**, on October 5, 2023, William F. Almon submitted an application requesting the zoning classification of parcels 181328-41405 and 181328-41427, located at 1104 and 1112 S. 48th Ave., to be rezoned from Professional Business (B-1) to Local Business (B-2) on the official zoning map (hereinafter “RZ#002-23”); and

**WHEREAS**, pursuant to YMC 6.88, the SEPA Administrative Official issued a Determination of Nonsignificance on December 27, 2023, which was not appealed; and

**WHEREAS**, the Future Land Use designation of the subject property is Community Mixed-Use, which is consistent with the proposed B-2 zoning district; and

**WHEREAS**, in accordance with YMC 15.23, the Yakima Planning Commission held an open record public hearing on January 24, 2024 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 Yakima Planning Commission recommended approval of the Rezone from Professional Business (B-1) to Local Business (B-2); and

**WHEREAS**, the Yakima Planning Commission recommendation was signed by the Chair on February 5, 2024, 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 April 2, 2024 regarding the rezone request; and

**WHEREAS**, the City Council of the City of Yakima, having considered the record herein and the testimony received at the public hearing held April 2, 2024, 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 February 5, 2024 findings, conclusions, recommendations and conditions of the Yakima Planning Commission for RZ#002-23. The legal description of the property is as follows: Parcel # 181328-41408: Lot 24, YAKIMA VALLEY ORCHARD TRACTS, as recorded in Volume "A" of Plats,

page 75, records of Yakima County, Washington. Parcel # 181328-31427: Lot 4 of that certain short plat recorded under Auditor's File No. 7709450, records of Yakima County, Washington; And Lot 3 of that certain short plat recorded under Auditor's File No. 7655477, records of Yakima County, Washington; EXCEPT the South 89.58 feet of said Lot 3.

**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 2nd day of April, 2024.

ATTEST:

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

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

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

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



DEPARTMENT OF COMMUNITY DEVELOPMENT  
Joan Davenport, AICP, Director

**EXHIBIT A**

Planning Division  
Joseph Calhoun, Manager  
129 North Second Street, 2<sup>nd</sup> Floor, Yakima, WA 98901  
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**NOTIFICATION OF THE YAKIMA PLANNING COMMISSION'S  
RECOMMENDATION TO THE YAKIMA CITY COUNCIL**

**DATE:** February 27, 2024  
**TO:** Applicant, Adjoining Property Owners & Parties of Record  
**SUBJECT:** Notice of the Yakima Planning Commission's Recommendation to the Yakima City Council  
**FILE #(S):** RZ#002-23, SEPA#0010-23  
**APPLICANT:** William F. Almon  
**PROJECT LOCATION:** 1104 & 1112 S. 48th Ave.

On February 5, 2024, the City of Yakima Planning Commission rendered its written recommendation on **RZ#002-23, and SEPA#010-23**. A proposal to rezone two parcels from Professional Business (B-1) to Local Business (B-2).

A copy of the Planning Commission's Findings and Recommendation is enclosed.

The Planning Commission's Recommendation will be considered by the Yakima City Council in a public hearing to be scheduled. The City Clerk will notify you of the date, time, and place of the public hearing.

For further information or assistance, you may contact the City of Yakima Planning Division at (509) 575-6183 or email: [ask.planning@yakimawa.gov](mailto:ask.planning@yakimawa.gov)

A handwritten signature in blue ink, appearing to read "Eva Rivera".

Eva Rivera  
Planning Technician

Date of Mailing: **February 27, 2024**  
Enclosures: Planning Commission's Recommendation



DEPARTMENT OF COMMUNITY DEVELOPMENT  
Joan Davenport, AICP, Director

Planning Division  
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## **YAKIMA PLANNING COMMISSION**

### **RECOMMENDATION TO THE YAKIMA CITY COUNCIL FOR REZONE RZ#002-23 & SEPA#010-23**

**February 5, 2024**

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

**WHEREAS**, The City of Yakima last amended its Title 15 Zoning Ordinance on July 23, 2023; and

**WHEREAS**, Under the provisions of YMC Ch. 15.23 a change in circumstances or conditions may warrant a change in the zoning map 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 5, 2023 an application for a Rezone was submitted by William F. Almon, to Rezone from Professional Business (B-1) to Local Business (B-2), parcel 181328-41405 & 181328-41427 (City File RZ#002-23); and

**WHEREAS**, The applications were considered complete for processing on November 17, 2023 and public notice was provided, in accordance with the provisions of YMC Ch. 15.23, on November 21, 2023; and

**WHEREAS**, SEPA Environmental Review was completed with a Determination of Nonsignificance issued on December 27, 2023, which was not appealed (City File SEPA#010-23); and

**WHEREAS**, The Yakima Planning Commission held an open record public hearing on January 24, 2024 to hear testimony from the public, consider the Rezone, and provide a recommendation to the Yakima City Council;

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

**APPLICATION #:** RZ#002-23, SEPA#010-23  
**APPLICANT:** William F. Almon  
**APPLICANT ADDRESS:** 132 Indian Cabin Rd., Stevenson, WA 98648  
**PROJECT LOCATION:** 1104 & 1112 S. 48th Ave.  
**PARCEL(S):** 181328-41405 & -41427

**FINDINGS OF FACT:**

1. The applicant requests to Rezone from Professional Business (B-1) to Local Business (B-2).
2. The subject parcels are approximately 6.06 acres in size and are surrounded by residential and commercial uses and zoning.
3. The City of Yakima Planning Division provided a detailed staff report to the Planning Commission for review during their January 24, 2024 public hearing, with the recommendation of APPROVAL of the proposed rezone.
4. The proposed Rezone from Professional Business (B-1) to Local Business (B-2) is consistent with the applicable approval criteria in YMC § 15.23.030, as follows:
  - a. Bill Almon Jr., representing the applicant, testified in favor of the proposed rezone.
  - b. The property is suitable for uses within the B-2 zoning district and will facilitate future commercial development.
  - c. The B-2 zoning district is an implementing zone of the Community Mixed-Use Future Land Use Designation.
  - d. The property is currently capable of being served by all necessary public utilities, or have utilities extended, and can be accessed by public streets.
  - e. The proposed Rezone is considered compatible with the surrounding neighborhood and no mitigation is proposed at this time.
  - f. The public need for this Rezone is to provide for additional developable commercial land.
5. During YPC deliberation, it was decided to adopt the recommendation as presented by the Planning Division.

**CONCLUSIONS**

1. The Rezone is minor in nature;
2. No adverse impacts have been identified;
3. No written comments were received from the public;
4. This proposal underwent Environmental Review;
5. The proposed Rezone from Professional Business (B-1) to Local Business (B-2) is consistent with the Yakima Urban Area Zoning Ordinance and Yakima Comprehensive Plan 2040;
6. Parcels 181328-41405 & -41427 are recommended to change from Professional Business (B-1) to Local Business (B-2).

**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**

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 Professional Business (B-1) to Local Business (B-2) for file RZ#002-23.

RECOMMENDED this 5th day of February, 2024.

By: \_\_\_\_\_

**Jacob Liddicoat, Chair  
Yakima Planning Commission**