

**ORDINANCE NO. 2018-\_\_\_\_**

**AN ORDINANCE** rezoning parcel 181319-34010 from Single Family Residential (R-1) to Multifamily Residential (R-3) and amending the Zoning Map of the City of Yakima.

**WHEREAS**, on September 28, 2017, Bill Hordan submitted an application requesting the zoning classification of parcel 181319-34010, located at 408 S. 88th Ave, to be rezoned from Single-Family Residential (R-1) to Multifamily Residential (R-3) on the official zoning map (hereinafter "RZ#003-17"); and

**WHEREAS**, pursuant to YMC 6.88, the SEPA Administrative Official issued a Determination of Nonsignificance on November 14, 2017; and

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

**WHEREAS**, in accordance with YMC 15.23, the Yakima Hearing Examiner held an open record public hearing on December 14, 2017 to review and consider the rezone request; and

**WHEREAS**, pursuant to YMC 15.23.030(D), the Yakima Hearing Examiner made a recommendation that the requested Rezone be approved, subject to conditions, on December 29, 2017; and

**WHEREAS**, pursuant to YMC 15.23.030(E), on February 6, 2018 a public hearing regarding the rezone request was held before a meeting of the City Council; and

**WHEREAS**, the City Council finds that the findings of the Yakima Planning Commission set forth in the recommendation and conditions in response to the requirements of the YMC 15.23.030(D) and public testimony are correct and appropriate, and that the same should be adopted by the City Council as its findings herein; and

**WHEREAS**, it is in the best interest of the City of Yakima to enact the following and to approve the requested rezone described above; now, therefore

**BE IT ORDAINED BY THE CITY OF YAKIMA:**

**Section 1.** Subject to the specific terms of this ordinance, the Yakima City Council adopts the December 29, 2017, findings, conclusions, recommendations and conditions of the Yakima hearing Examiner for RZ#003-17. A copy of said recommendation is attached as Exhibit "A" and is incorporated herein by this reference.

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

**Section 4.** Severability: 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.** 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 6th day of February, 2018.

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ATTEST:

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Kathy Coffey, Mayor

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Sonya Claar Tee, City Clerk

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

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