

BOARD OF YAKIMA COUNTY COMMISSIONERS

ORDINANCE NO. 9-2009

IN THE MATTER OF AMENDING THE YAKIMA COUNTY CODE TITLE 16B (YCC TITLE 16B) SPECIFICALLY CHAPTER 10 - COMPREHENSIVE PLAN AMENDMENT PROCEDURES.

WHEREAS, RCW 36.70A.130(4) requires that Yakima County, a “fully planning” county, shall update its comprehensive plan and development regulations, as necessary, to reflect local needs, new data, and current laws; and,

WHEREAS, under RCW 36.70A.130, the plan and development regulations are subject to continuing review and evaluation, but the plan may be amended no more than one time per year; and,

WHEREAS, as part of its comprehensive plan and development regulations update process, Yakima County adopted a public participation program in June of 2000, as Chapter 10 - Comprehensive Plan Amendment Procedures of the Yakima County Code Title 16B - Project Permit Administration; and,

WHEREAS, the adopted chapter, 16B.10, sets forth minimum requirements for ensuring adequate public notification and opportunities for comment and participation in the amendment process and outlines the schedule and procedures for amending the comprehensive plan and implementing development regulations; and,

WHEREAS, over the past nine years Yakima County has identified a number of deficiencies with YCC 16B.10, specifically the schedule and procedures for amending the comprehensive plan and implementing development regulations; and,

WHEREAS, the Board of Yakima County Commissioners adopted Resolution 401-2009, on August 25, 2009, which outlines their intent to formally withdraw Yakima County from the Yakima Urban Area Regional Planning Agreement, effective January 1, 2010; and,

WHEREAS, the Board of Yakima County Commissioners deems it to be in the public interest for Yakima County to withdraw from the Yakima Urban Area Regional Planning Agreement and that such action would further the goal of cooperative and coordinated planning within the Yakima urban area; and,

WHEREAS, Yakima County’s withdrawal from the Yakima Urban Area Regional Planning Agreement requires specific textual changes to YCC 16B.10 to allow the Yakima County Planning Commission to serve as the planning commission for the county within the unincorporated portions of the county located within the Yakima urban area; and,

WHEREAS, such commission shall have full authority and jurisdiction within such area to perform all acts, duties and functions which are either required of or imparted or conferred on a planning commission by state law and YCC 2.16; and,

WHEREAS, Yakima County's withdrawal from the Yakima Urban Area Regional Planning Agreement requires specific textual changes to YCC 16B.10 to allow the Board of Yakima County Commissioners to amend Yakima County's adopted versions of the Yakima Urban Area Comprehensive Plan 2025 and Yakima Urban Area Zoning Ordinance Title 15A; and,

WHEREAS, as part of Yakima County Planning Division's 2009 work program, staff developed a list of proposed amendments to YCC 16B.10; and,

WHEREAS, The SEPA Responsible Official has reviewed the proposed amendments and has determined that they are categorically exempt from environmental review, as set forth in WAC 197-11-800; and,

WHEREAS, the Board of Yakima County Commissioners reviewed the proposed amendments to YCC 16B.10 at a study session on November 4, 2009; and,

WHEREAS, the Board of Yakima County Commissioners held a properly advertised public hearing on December 1, 2009 to hear testimony on the proposed amendments; and,

WHEREAS, the Board of Yakima County Commissioners, having carefully considered the staff recommendation, and the written and oral testimony in its deliberations on this legislative matter; and,

WHEREAS, those changes are incorporated into the YCC 16B.10 attached hereto as Exhibit 1; and,

WHEREAS, the Board of Yakima County Commissioners considers the adoption of the amendments to YCC Title 16B.10 to be in the public interest to clarify procedures for amendments of comprehensive plans and official controls; now, therefore,

BE IT HEREBY RESOLVED by the Board of Yakima County Commissioners that the proposed amendments to YCC 16B.10, attached hereto (Exhibit 1), be executed by the Board.

BE IT HEREBY ORDAINED BY THE BOARD OF YAKIMA COUNTY COMMISSIONERS:

Section 1. Findings. The Board of Yakima County Commissioners (the Board) finds that all RCW 36.70A (the Growth Management Act or GMA) and YCC Title 16B.10 prerequisites for the continuing review and evaluation of the comprehensive plan and

implementing development regulations, as well as the minimum requirements for ensuring adequate public notification and opportunities for comment and participation in the amendment process, have been met. The Board makes the following findings:

- A. State Environmental Policy Act (SEPA). The SEPA Responsible Official has determined that the proposed changes to YCC 16B.10, which constitutes amendments to legislation, rules, regulations, resolutions or ordinances relates solely to governmental procedures, and containing no substantive standards respecting use or modification of the environment are categorically exempt from environmental review (SEPA), as set forth in WAC 197-11-800. The Board finds that environmental review is complete and adequate.
- B. Legislative Intent. The Board finds that the current amendment schedule and procedures as outlined in YCC 16B.10 are inadequate and provide little flexibility for Yakima County to address complex non-project actions in one calendar year as required by RCW 36.70A.130 (2)(a). The current amendment schedule is a six-month review process, with the application deadline for site-specific plan map or text amendments ending in June of each year. Proposed amendments or revisions of the comprehensive plan are considered by the governing body of the county no more frequently than once every year, however with the application deadline being in June, the six-month amendment schedule places extraordinary burden on staff, the Planning Commission and the Board of Yakima County Commissioners to adopt or deny amendment proposals by December 31st. The Board also finds that accepting application for plan amendments, both map and text, every year, limits Yakima County's ability to evaluate the cumulative impacts of yearly amendments to the Comprehensive Plan. Moving the deadline to the last work day in January will give Yakima County eleven months to review and make a decision on the proposed amendments and by having a bi-annual amendment schedule also gives the County greater flexibility in evaluating the cumulative impacts of the amendments recently adopted.

The Board of Yakima County Commissioners adopted Resolution 401-2009, on August 25, 2009, which outlines their intent to formally withdraw Yakima County from the Yakima Urban Area Regional Planning Agreement, effective January 1, 2010. This decision requires specific textual changes to YCC 16B.10 to authorize the Yakima County Planning Commission to review; and the Board of Yakima County Commissioners to take testimony and ultimately adopt or deny proposed amendments to the County's adopted versions of the Yakima Urban Area Comprehensive Plan 2025 and the Yakima Urban Area Zoning Ordinance Title 15A.

Section 2. YCC Title 16B - Project Permit Administration. The Yakima County Code Title 16B - Project Permit Administration specifically Chapter 10 - Comprehensive Plan Amendment Procedures and subsequently amended, is hereby amended as depicted by the following (see attached Exhibit 1).

Section 3. Severability. The provisions of this ordinance are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, sections, or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the ordinance, or the validity of its application to any other persons or circumstances.

Section 4. Ratification. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and affirmed.

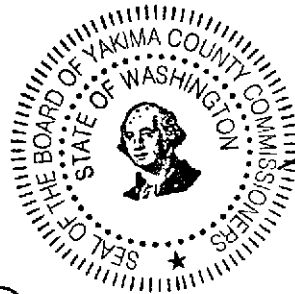
Section 5. Effective Date. This ordinance shall be effective at 11:59 PM on December 31, 2009.

ADOPTED this 15th day of December, 2009.


Attest: Christina Steiner



Clerk of the Board



J. Rand Elliott, Chairman

Michael D. Leita, Commissioner

Kevin J. Bouchey, Commissioner
*Constituting the Board of County
Commissioners for Yakima County,
Washington*

Attachments:

Exhibit 1: Amended version of YCC 16B.10 (strikethrough and underlined version)

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EXHIBIT 1 - Proposed changes to YCC 16B.10

1 **Chapter 16B.10**

2 **COMPREHENSIVE PLAN AND REGULATORY AMENDMENT PROCEDURES**

3
4 **Sections:**

- 5
6 16B.10.010 Purpose.
7 16B.10.020 Applicability.
8 16B.10.030 Procedures.
9 16B.10.040 Approval criteria.
10 16B.10.050 Submittal requirements.
11 16B.10.060 Timing of amendments.
12 16B.10.070 Public process and notice.
13 16B.10.080 Major rezones.
14 16B.10.090 Development regulation amendments.
15
16

17 **16B.10.010 Purpose.**

18
19 The purpose of this chapter is to provide procedures and criteria for adopting, amending
20 and updating the Yakima County Comprehensive Plan and the Yakima Urban Area
21 Comprehensive Plan, and as well as their respective implementing development
22 regulations. Plan amendments may involve changes in the written text or policies of the
23 plan, to the Policy Plan Maps, or to supporting documents, including capital facilities
24 plans. Plan amendments will be reviewed in accordance with this chapter, the state
25 Growth Management Act (GMA), the Yakima County-Wide Planning Policy, the goals
26 and policies of the Yakima County Comprehensive Plan, local city comprehensive plans,
27 inter-local agreements, applicable capital facilities plans, official population growth
28 forecasts and growth indicators. Nothing in this chapter shall be construed to limit the
29 legislative authority of the county to consider and adopt amendments and revisions to the
30 Yakima County Comprehensive Plan or the county's development regulations.
31

32 **16B.10.020 Definitions.**

- 33
34 (1) "Administrative Official" - is the Yakima County Planning Director. Synonymous
35 with "director" or "administrator".
36 (2) "Plan Maps" - are those regulatory and non-regulatory maps located in a
37 comprehensive plan or development regulation that have the force of policy and
38 require legislative approval for amending.
39 (3) "Policy Plan Map" - refers to the official Future Land Use Map.
40
41

42 **16B.10.020030 Applicability.**

- 43
44 (1) The criteria and requirements of this chapter shall apply to all applications or
45 proposals for changes to the comprehensive plan text; policies, map designations,
46 major rezones or supporting documents and all implementing ordinances, in the

47 | unincorporated areas of Yakima County, unless specifically exempted. The
48 | following types of plan amendment actions may be considered through the plan
49 | amendment process set forth in this section:

- 50 | (a) Site-specific plan policy map changes including land use, urban growth
51 | boundaries, and mineral resources;
52 | ~~(b) Area-wide plan policy map changes;~~
53 | ~~(c) Minor technical plan policy map corrections;~~
54 | ~~(db) Changes to plan maps other than the plan policy Policy Plan maps;~~
55 | ~~(ec) Plan policy or other text changes.~~
56 | (d) Changes to regulationsofficial controls intended to implement the goals and
57 | policies of the comprehensive plan.

58 |
59 | (2) The criteria, but not the timing requirements, of this chapter shall apply to plan
60 | amendments that are exempted from requirements for annual concurrent review of
61 | plan amendments, per RCW 36.70A.130. These include:

- 62 | (a) The initial adoption of a sub-area plan;
63 | (b) The adoption or amendment of a shoreline master program under the
64 | procedures set forth in Chapter 90.58 RCW;
65 | (c) The amendment of the capital facilities element of a comprehensive plan that
66 | occurs concurrently with the adoption or amendment of a county or city
67 | budget;
68 | (d) Amendments necessary to address an emergency situation;
69 | (e) Amendments required to ~~resolve~~ resolve a comprehensive plan appeal
70 | decision filed with a growth management hearings board or with the court.

71 |
72 | (3) Site-specific plan map amendments apply to a limited geographical area
73 | controlled either by an individual property owner or all property owners within
74 | the designated area. A proposal which modifies or develops policies yet directly
75 | affects relatively few individuals or a limited geographical area is considered a
76 | site-specific amendment.

77 |
78 |
79 | **16B.10.030040 Procedures.**

80 |
81 | (1) The ~~p~~Planning cCommission ~~shall~~ may hold a ~~public~~ meeting in ~~March~~ of each
82 | year to report to the public on progress in implementing the comprehensive plan.
83 | At that time, the ~~p~~Planning eCommission will receive public comments and
84 | suggestions regarding changes needed in the comprehensive plan and
85 | development regulations.

86 |
87 | (2) ~~Applications for all pPlan and development regulation amendments shall be~~
88 | ~~considered legislative actions and subject to the procedures in this section, except~~
89 | ~~as noted above.~~

90 |
91 | (3) Applications for plan amendments, with the exception of Urban Growth Areas
92 | (~~16B.10.050 (2)(D)~~), will be accepted on a bi-annual basis starting 2010 and must

93 shall be submitted in writing, to the Planning Division, in writing no later than
94 January 31 ~~by June 1~~ in order to be considered for that year's amendment process.
95

96 (4) Site-specific policy plan map changes may be initiated by the property owner(s)
97 through a fee-paid application process. All site-specific plan map amendment
98 requests will be docketed for further staff review and consideration by the
99 eCounty pPlanning eCommission and the bBoard of eCounty eCommissioners.

100
101 (5) Applications for amendments to Urban Growth Area boundaries will only be
102 considered at five-year intervals, after the Washington State Office of Financial
103 Management's 20-year GMA population projections for the eCounty have been
104 issued. After the OFM projections are issued, the population projections will be
105 allocated to the cities and towns within Yakima County in accordance with the
106 County-Wide Planning Policy after which the Administrative Official will
107 conduct an analysis of all Urban Growth Areas within the County to determine
108 their ability to accommodate the urban growth projected to occur during the
109 OFM's population projection period. Consideration of the analysis and any
110 applications to amend Urban Growth Area boundaries may occur in the next
111 possible plan amendment cycle as determined by the Administrative Official;
112 provided that any city or town may postpone consideration of its Urban Growth
113 Area boundary to a subsequent plan amendment cycle by notifying the
114 Administrative Official in writing no later than January 31.
115

116 (6) All other area wide map and Comprehensive plan text amendments may be
117 suggested-proposed by any party, including pPlanning departmentDivision staff.
118 All such amendments, except those initiated by the Yakima County, must be
119 submitted without a fee a signed agreement to pay fees and the required deposit,
120 per the adopted fee schedule, using the appropriate forms, but shall be initiated
121 docketed at the discretion of the pPlanning eCommission, unless an amendment is
122 determined by the Board of County Commissioners necessary to remain
123 consistent with state requirements. If the Planning Commission fails to docket the
124 proposed amendment, the unexpended portion of the submitted deposit will be
125 refunded to the applicant.
126

127 (67) Development regulation text amendments may be proposed by any party. All
128 such amendments, except those initiated by the Yakima County, must be
129 submitted with a signed agreement to pay fees and the required deposit, per the
130 adopted fee schedule, using the appropriate forms, but shall be forwarded to the
131 Planning Commission for the docketing consideration at the discretion of the
132 Administrative Official, unless an amendment is determined by the Board of
133 County Commissioners necessary to remain consistent with state requirements. If
134 the Planning Commission fails to docket the proposed amendment, the
135 unexpended portion of the submitted deposit will be refunded to the applicant.
136

137 (8) The pPlanning eCommission shall provide an opportunity for public comment
138 regarding the suggested text and area wide map changes, and review them to

- 139 determine whether they should be docketed to receive further review and
140 consideration as part of the current year's amendment cycle. A suggested
141 amendment will not be docketed for further processing if the pPlanning
142 eCommission determines one or more of the following:
- 143 (a) The suggested amendment would likely cause environmental impacts that
144 have not previously been analyzed or require additional review to determine
145 impacts that can not be completed within the required time frame.
 - 146 (b) The suggested amendment would require additional analysis to determine
147 capital facilities impacts and amendments that cannot be completed within the
148 required time frame.
 - 149 (c) The suggested amendment would require additional analysis to determine the
150 appropriate land use designation that cannot be completed within the required
151 time frame.
 - 152 (d) The suggested amendment would involve an area that will be part of a sub-
153 area planning process in the next two years.
 - 154 (e) The suggested amendment has been previously reviewed by the pPlanning
155 eCommission or bBoard of eCounty eCommissioners, and circumstances have
156 not substantially changed to support an additional review prior to a general
157 plan update.
 - 158 (f) The suggested amendment clearly violates a provision of the county-wide
159 planning policies, a city comprehensive plan, the Yakima County
160 Comprehensive Plan, the Yakima Urban Area Comprehensive Plan or the
161 GMA such that no further review is necessary or warranted.
 - 162 (g) The suggested amendment is not sufficiently clear or well-defined to merit
163 further review.
 - 164 (h) The comprehensive plan is not the appropriate place to deal with this
165 suggestion.
 - 166 (i) It is not in the public interest to pursue ~~this~~the suggested amendment at ~~this~~
167 the time.
- 168
- 169 (79) Either the bBoard of eCounty eCommissioners or the pPlanning eCommission
170 may initiate items for docketing and consideration as part of the bi-annual plan
171 amendment cycle.
- 172
- 173 (810) The decision of the pPlanning eCommission on whether to docket a suggested
174 proposed area-wide plan, area-wide map or text amendment for additional review
175 is not subject to appeal.
- 176
- 177 (11) The decision of the Administrative Official on whether to present to the Planning
178 Commission a proposed development regulation text amendment for their
179 docketing consideration is not subject to appeal.
- 180
- 181 (912) After the docket is set, the pPlanning ~~department~~ Division shall conduct its
182 review of the docketed plan amendments, including analysis of how the proposed
183 amendment meets the criteria for the existing and proposed designation, as well as
184 environmental review. No amendments shall be docketed after the publication of

185 the notice of public hearing and environmental review. If the ~~department~~ Planning
186 Division or SEPA Responsible Official determines that any of the proposed
187 amendments would require review of environmental impacts beyond the analysis
188 in the Environmental Impact Statement for the comprehensive plan, such that
189 additional analysis is required that cannot be completed within the amendment
190 schedule, the proposed amendment shall be deferred until the next plan
191 amendment cycle, and the ~~Planning~~ Commission and the applicant shall be so
192 notified, in writing. Any unused fee deposit will be returned to the applicant at
193 that time, and a new deposit will be required prior to ~~June 1~~ the January 31
194 deadline of the following ~~year-cycle~~ to continue the application process.

195
196 **16B.10.040050 Approval criteria.**

- 197
198 (1) The following criteria shall be considered in any review and approval of
199 amendments to Yakima County Comprehensive Plan Policy Plan Maps:
- 200 (a) The proposed amendment is consistent with the Growth Management Act and
201 requirements, the county-wide planning policies, the Yakima County
202 Comprehensive Plan, applicable sub-area plans, applicable city
203 comprehensive plans, applicable capital facilities plans and official population
204 growth forecasts and allocations;
 - 205 (b) The site ~~or area~~ is more consistent with the criteria for the proposed map
206 designation than it is with the criteria for the existing ~~plan map~~ designation;
 - 207 (c) The map amendment or site is suitable for the proposed designation and there
208 is a lack of appropriately designated alternative sites within the vicinity;
 - 209 (d) For an ~~area-wide~~ map amendment, substantial evidence or a special study has
210 been furnished ~~which that~~ compels the planning commission to a finding that
211 the proposed designation is more consistent with ~~the Yakima County~~
212 Comprehensive Plan policies than the current designation;
 - 213 (e) To change a resource designation, the plan map amendment must be found to
214 do one of the following: ~~In the case of agricultural resource lands, the~~
215 ~~"Agricultural Resource Areas De-designation Analytical Process" in the~~
216 ~~mapping criteria portion of the agricultural resource areas in the land use~~
217 ~~subchapter of Plan 2015, Volume 1, Chapter I, must be followed. If the result~~
218 ~~is eight impacts to agriculture or higher, then that should be considered~~
219 ~~conclusive evidence that one of the four following criteria is met:~~
 - 220 (i) Respond to a substantial change in conditions beyond the property owner's
221 control applicable to the area within which the subject property lies; or
 - 222 (ii) Better implement applicable comprehensive plan policies than the current
223 map designation; or
 - 224 (iii) Correct an obvious mapping error; or
 - 225 (iv) Address an identified deficiency in the plan.
- 226 In the case of Resource Lands, the applicable de-designation criteria in the
227 mapping criteria portion of the land use subchapter of Plan 2015 Yakima
228 County Comprehensive Plan, Volume 1, Chapter I, shall be followed. If the
229 result of the analysis shows that the applicable de-designation criteria has
230 been met, then it will be considered conclusive evidence that one of the four

231 criteria in paragraph (e) has been met. The de-designation criteria are not
232 intended for and shall not be applicable when resource lands are proposed for
233 re-designation to another *Plan 2015* Economic Resource land use designation.

234 (f) A full range of necessary public facilities and services can be adequately
235 provided in an efficient and timely manner to serve the proposed designation.
236 Such services may include water, sewage, storm drainage, transportation, fire
237 protection and schools.

238 (g) The proposed plan map amendment will not prematurely cause the need for
239 nor increase the pressure for additional plan map amendments in the
240 surrounding area.

241

242 (2) The following criteria shall be considered in any review and approval of
243 expansions of the Urban Growth Boundaries Areas for residential and local
244 commercial purposes:

245 (a) There is insufficient land suitable for development within the Urban
246 Growth Boundary to accommodate the adopted population allocation
247 that has not yet been accommodated;

248 (b) There is a lack of suitable lands within the boundary for the proposed land
249 use;

250 (c) The provision of urban services to the area is prescribed, and funding
251 responsibilities delineated, in conformity with the comprehensive plan,
252 including applicable capital facilities, utilities, and transportation elements, of
253 the municipality to which the property will be added or whose urban growth
254 boundary is to be expanded;

255 (d) Designated resource lands, except for mineral resource lands that will be
256 reclaimed for urban uses, may not be included unless it is shown that there are
257 no practicable alternatives;

258 (e) The extension of the Urban Growth Boundary incorporates the amount of
259 land deemed appropriate by the municipality to which the property will be
260 added or whose urban growth boundary is to be expanded, in order to
261 accommodate the proposed use; and

262 ~~(f) If the urban growth boundary has accommodated the adopted population~~
263 ~~allocation prior to the adoption of revised population forecasts, the urban~~
264 ~~growth boundary shall not be expanded until updated regional population~~
265 ~~forecasts and allocations have been adopted, unless the party seeking~~
266 ~~expansion of the urban growth boundary has otherwise established a~~
267 ~~need, expansions to each city and town as provided by the Yakima County-~~
268 ~~Wide Planning Policy to accommodate such expansion.~~

269

270 (3) The following criteria shall be considered in any review and approval of
271 expansions of Urban Growth Boundaries for other purposes:

272 (a) There is insufficient land ~~compatible with~~ suitable for the proposed
273 development within the existing urban growth boundary to accommodate the
274 proposed development;

275 (b) The provision of urban services is prescribed, and funding responsibilities
276 delineated, in conformity with the comprehensive plan, including capital

277 facilities, utilities, and transportation elements, of the municipality to which
278 the property will be added or whose urban growth boundary is to be
279 expanded;

280 (c) Designated resource lands, except for mineral resource lands that will be
281 reclaimed for urban uses, may not be included unless it is shown that there are
282 no practicable alternatives; and

283 (d) The extension of the urban growth boundary incorporates the amount of land
284 deemed appropriate by the municipality to which the property will be added or
285 whose urban growth boundary is to be expanded, in order to accommodate the
286 proposed use; and

287 ~~(e) Unless the party seeking expansion of the urban growth boundary otherwise~~
288 ~~establishes a need, expansions~~Amendments to Urban Growth Boundaries will
289 only be considered at five year intervals, after the Washington State Office of
290 Financial Management's 20 year GMA population projections for the County
291 have been allocated to each city and town as provided by the Yakima County
292 Wide Planning Policy.

293
294 (4) Cumulative impacts of all plan amendments, including those approved since the
295 original adoption of the plan, shall be considered in the evaluation of proposed
296 plan amendments.

297
298 (5) Plan policy and other text amendments including capital facilities plans must be
299 consistent with the GMA, CWPP, other Yakima County ~~C~~comprehensive Pplan
300 goals and policies, and, where applicable, city comprehensive plans and adopted
301 inter-local agreements.

302
303 ~~(6) Prior to forwarding a proposed development regulation text amendment to the~~
304 ~~Planning Commission for their docketing consideration, the Administrative~~
305 ~~Official must make a determination that the proposed amendment is consistent~~
306 ~~with the GMA, CWPP, other comprehensive plan goals and policies, and, where~~
307 ~~applicable, city comprehensive plans and adopted inter-local agreements.~~

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309

310 **16B.10.050060 Submittal requirements.**

311

312 All requests for plan amendments shall be made in writing using the official application
313 submittal documents provided by the Yakima County Planning Division and shall include
314 the following information. Applications not containing the required information will not
315 be accepted:

316

317 (1) Site specific plan map amendments:

318 (a) Completed application form and any other documents deemed necessary by
319 the Administrative Official, provided by the pPlanning departmentDivision,
320 signed by the legal owner or by a representative authorized to do so by written
321 instrument submitted with the form.

- 322 (b) Signed agreement to pay fees and the required deposit per the adopted fee
 323 schedule.
- 324 (c) Parcel number(s) and legal description(s) of the subject property.
- 325 (d) Site plan — Map or map(s) of the subject property which indicate the
 326 approximate location of all existing buildings, vegetation, roads, critical areas,
 327 and the land use of adjacent properties.
- 328 ~~(e) — Information regarding the property including existing and historic land~~
 329 ~~use, soil types, sewage disposal, water supply, suitability as resource lands (if~~
 330 ~~currently designated as such), any known cultural resources, previous permit~~
 331 ~~activity and the availability of public facilities including water, sewer,~~
 332 ~~schools, fire service, etc.~~
- 333 (fc) Written narrative stating the reasons for the plan amendment and how the
 334 proposed plan amendment meets the applicable criteria in Section
 335 16B.10.040(1).
- 336 (gf) Completed and signed SEPA checklist.
- 337
- 338 (2) ~~Area wide plan map amendments:~~
- 339 ~~(a) Completed and signed request form provided by the planning department.~~
- 340 ~~(b) ap(s) of the subject area which indicate existing buildings, vegetation, roads,~~
 341 ~~critical areas, parcel lines, and the land use of adjacent properties.~~
- 342 ~~(c) Information regarding the subject area including existing and historic land~~
 343 ~~use, soil types, sewage disposal, water supply, suitability as resource lands (if~~
 344 ~~currently designated as such), any known cultural resources, and the~~
 345 ~~availability of public facilities including water, sewer, schools, fire service,~~
 346 ~~etc.~~
- 347 ~~(d) Substantial evidence or special study supporting the change that was not~~
 348 ~~presented at plan adoption or plan updates.~~
- 349 ~~(e) Written narrative indicating the proponent's interest in the subject property,~~
 350 ~~the reasons for the plan amendment and how the suggested area wide plan~~
 351 ~~map amendment meets the applicable criteria in Section 16B.10.040(1).~~
- 352 ~~(f) Completed and signed SEPA checklist.~~
- 353
- 354 (3) Plan or development regulation text amendments:
- 355 (a) Completed application form and any other documents deemed necessary by
 356 the Administrative Official, provided by the Planning Division, signed by the
 357 applicant.
- 358 (b) A signed agreement to pay fees and the required deposit per the adopted fee
 359 schedule.
- 360 (a) ~~Completed and signed request form.~~
- 361 (bc) Suggested amendment.
- 362 (ed) Written narrative including the reasons for the suggested amendment and
 363 how it meets the applicable criteria in Section 16B.10.040(52).
- 364 (de) Any supporting documentation.
- 365
- 366

367 16B.10.060070

Timing of amendments.

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- (1) The comprehensive plan shall ~~only~~ be amended no more frequently than once per every year in accordance as set forth by RCW 36.70A.130(2)(a). Applications for site-specific or text amendments to the comprehensive plan must adhere to with the time periods and procedures established in this chapter except in the circumstances as described in Section 16B.10.020040(23).
- (2) The plan amendment process may be suspended by the board during a general plan update process.
- (3) ~~Proposals, suggestions or a~~ Early assistance meetings or pre-application conferences can be held at any time; however, applications for plan amendments to plan map, text or development regulations will only be accepted before 4:30 pm on the last business day in the January at any time. Items received after June the January deadline 1st of each year will be processed in the next bi-annual amendment cycle.
- (4) At its ~~first~~ March meeting following ~~June~~ the January deadline, the ~~p~~ Planning eCommission will review the suggested plan ~~text and area-wide changes for~~ docketing and those development regulation text changes recommended by Administrative Official for docketing consideration. When the pPlanning eCommission has completed its review, it will set the docket of proposed amendments.
- (5) The ~~department~~ Planning Division shall establish timelines for additional review and consideration by the ~~p~~ Planning eCommission and ~~b~~ Board of eCounty eCommissioners to ensure that the plan amendment process is finished ~~by~~ prior to December 31st of each year.

16B.10.070080 Public process and notice.

To provide for the opportunity of citizens to suggest and make comments on proposed docketed plan amendments, the following public notice and outreach provisions shall be completed during each plan amendment process.

- (1) Notice of the plan amendment process deadlines shall be publicized through a general mailing to
 - a. ~~i~~Interested parties,
 - b. ~~p~~Posting on the ~~planning department's~~ Public Services web site,
 - c. ~~n~~Notice in the county's newspaper of record and other print media as appropriate,
 - d. ~~p~~Press releases to the media, and
 - e. ~~p~~Posting of information at the ~~p~~ Planning department Division and other office areas of the eCounty where interested parties may conduct business.

- 413 (2) Initial notice of submitted applications will be posted on the planning
414 department's Yakima County Public Services web site and in the pPlanning
415 department Division's offices.
416
- 417 (3) Policy plan map amendments, ~~whether site specific or otherwise,~~ shall follow the
418 notification procedures below; provisions for Type III reviews set forth in
419 Chapter 16B.05.
420

421 **First Class Mailing.**

- 422 a. Written notice of the proposed amendment will be sent through first-class
423 mail by the Planning Division to the following parties:
- 424 i. Adjacent property owners (APO) of real property, as listed on the most
425 current Yakima County assessor records, located within 300 feet of any
426 portion of the boundary of the affected area. If an owner within the
427 affected area also owns another adjacent parcel or parcels of real property,
428 notice shall be given to owners of real property located within 300 feet of
429 any portion of the boundaries of such adjacently located parcels of real
430 property.
 - 431 ii. The contact person for the proposed amendment;
 - 432 iii. Interested or affected public agencies with jurisdiction;
 - 433 iv. Affected Indian tribes; and
 - 434 v. Cities or towns within one mile of the proposal.
- 435 b. If the open record hearing date is not specified in the notice of the proposed
436 amendment, a second notification listing the open record hearing date must be
437 sent through first-class mail at least ten days prior to the first public hearing.
438 This notice must be sent to those parties who were originally mailed a notice.
439 Only those who comment or request to remain on the mailing list will be
440 notified of additional public hearings.
441

442 **Posting of Site.**

443 Posting of the site is required prior to an open record public hearing on site
444 specific plan amendment proposals. Site posting is not required for urban growth
445 area amendments. Posting shall consist of signs provided by the Planning
446 Division that shall be placed at least ten days prior to the date of the public
447 hearing. Signs shall be posted on the subject property so as to be clearly seen from
448 each right-of-way providing primary vehicular access to the subject property. The
449 posted notice shall identify the proposed amendment; describe the extent of the
450 site, comment period dates, hearing dates, and a location where the complete
451 application or proposal may be reviewed. The applicant shall be responsible for
452 posting the site and removal of the posted notice upon the conclusion of the
453 hearing. If the applicant fails to post the property within the required time period
454 set forth in this section, the applicant will be responsible for all costs associated
455 with re-noticing for a new hearing.
456

457 **Publication Notice.**

458 Notice of the proposed amendment shall be published in a newspaper of general
459 circulation in the general area of the proposal. The notice shall be published once,
460 at least ten days prior to the date of the first public hearing. This notice shall
461 include the proposal location in other than a legal description, a brief description
462 of the proposed amendment, comment period dates, hearing dates if applicable,
463 and a location where the complete application or proposal may be reviewed.
464

- 465 (4) Additional public notification may be undertaken by the ~~p~~Planning
466 ~~department~~Division, if it determines that it is in the public interest to do so.
467

468 **16B.10.080090 Major rezones.**
469

470 Legislative rezones necessary to maintain consistency between the comprehensive plan
471 policy map and the official zoning map shall be completed concurrently with the plan
472 amendment process wherever appropriate. Major rezones shall not require additional fees
473 or review processes. Rezones completed as part of the plan amendment process shall be
474 reviewed against the criteria as for plan amendments in Section 16B.10.040, ~~and~~ Section
475 15.76.036 and/or Section 15A.23 and must be consistent with the requested plan
476 designation as shown pursuant to Table 15.76. Rezones not requiring a plan amendment
477 involving the County Zoning Ordinance and are subject to Section 15.76.050 and those
478 for Yakima Urban Area Zoning Ordinance are subject to Section 15A.23.
479

480
481 **16B.10.090100 Development regulation amendments.**
482

- 483 (1) Any interested party may ~~suggest~~propose amendments to ~~development~~
484 ~~regulations~~official controls at any time, ~~in writing,~~ to the ~~a~~Administrative
485 ~~e~~Official. If the Planning Commission fails to docket the proposed amendment,
486 the unexpended portion of the submitted deposit will be refunded to the applicant.
487

488 All requests for amendments to development regulations shall be made in writing
489 and shall include the following information. Applications not containing the
490 required information will not be accepted:

- 491 (a) Completed application form and any other documents deemed necessary by
492 the Administrative Official, provided by the Planning Division, signed by the
493 applicant.
494 (b) A signed agreement to pay fees and the required deposit, per the adopted fee
495 schedule.
496 (c) Suggested amendment.
497 (d) Written narrative including the reasons for the suggested amendment and how
498 it meets the applicable criteria in Section 16B.10.050(5).
499 (e) Any supporting documentation.
500

501 All such amendments, except those initiated by the Yakima County, shall be
502 forwarded to the Planning Commission for the docketing consideration at the
503 discretion of the Administrative Official, unless an amendment is determined by

504 | the Board of County Commissioners necessary to remain consistent with state
505 | requirements.

506 |
507 | (2) At its annual public meeting to review progress in implementing the Yakima
508 | County Comprehensive Plan, held ~~the fourth Wednesday in March~~ each year, the
509 | planning eCommission will accept oral and written comments from any
510 | interested party.

511 |
512 | (3) Following the annual meeting, the aAdministrative eOfficial will compile a list of
513 | suggested changes, and will recommend to the planning eCommission which
514 | should be docketed for further consideration during the current amendment cycle,
515 | deferred for future research and consideration, or not pursued. The
516 | aAdministrative eOfficial shall provide the bBoard of eCounty eCommissioners
517 | with the planning eCommission's recommendations regarding deferred items
518 | when setting the planning Division ~~department~~ work program for the next budget
519 | cycle.

520 |

521 |

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