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Yakima County Planning Commission
Findings of Fact and Recommendation
November 10, 2021

IN THE MATTER OF CONSIDERING THE) **FINDINGS OF FACT AND**
TOWN OF NACHES EMERGENCY URBAN) **RECOMMENDATION**
GROWTH AREA (UGA) AMENDMENT TO)
THE YAKIMA COUNTY COMPREHENSIVE) File Nos: LRN2021-00001/SEP2021-00010
PLAN – **HORIZON 2040** FUTURE LAND USE)
MAP AND TO THE COUNTY'S OFFICIAL)
ZONING MAP ESTABLISHED BY YAKIMA)
COUNTY CODE (YCC) TITLE 19)

6 **WHEREAS**, in compliance with the Washington State Growth Management Act
7 (GMA), Chapter 36.70A RCW, the Board of Yakima County Commissioners (Board)
8 adopted the Yakima County Comprehensive Plan – **Horizon 2040** on June 27, 2017, and
9 adopted implementing development regulations – YCC Title 19 on May 5, 2015; **and**,

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

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

16 **WHEREAS**, YCC 16B.10.040(5) establishes that applications for amendments to
17 UGA boundaries will only be considered at 5-year intervals and the most recent UGA
18 boundary amendments were adopted by the Board in December 2016 and 2017; **and**,

19 **WHEREAS**, Section II.E.1.a. of the *Master Interlocal Agreement for Growth*
20 *Management Act Implementation in Yakima County*, last revised on December 29,
21 2015 by the Board and the County's 14 Cities and Towns, provides for Cities and Towns
22 to request amendments to UGA boundaries outside of the 5-year schedule by
23 requesting the emergency amendment process allowed under RCW 36.70A.130(2)(b);
24 **and**,

25 **WHEREAS**, the Town of Naches urgently insists that the lack of vacant
26 developable residential land in their town limits and existing UGA constitutes an
27 emergency and needs to be considered by the County prior to the next county 5-year
28 review of the Naches UGA boundary scheduled to take place in 2022; **and**,

29 **WHEREAS**, the Board, after considering the Naches proposal, adopted Resolution
30 085-2021 on March 31, 2021, finding that an emergency exists and directed the
31 Planning Division to initiate consideration of the Naches request (LRN2021-
32 00001/SEP2021-00010) as soon as possible in accordance with RCW 36.70A.130(2)(b);
33 **and**,

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WHEREAS, as part of its comprehensive plan and development regulations amendment process, the County has established a public participation program under YCC 16B.10, which sets forth minimum requirements for ensuring adequate public notification and opportunities for comment and participation in the amendment process; **and**,

WHEREAS, in accordance with said public participation program, a combined Notice of Environmental Review and Future Public Hearing was mailed on August 2, 2021 to property owners within 300 feet of the proposed UGA amendment properties and to agencies with environmental expertise; **and**,

WHEREAS, on August 2, 2021, Yakima County submitted a 60-Day Notice of Intent to Adopt Amendment to the Department of Commerce, as required by RCW 36.70A.106 on the proposed UGA amendment; **and**,

WHEREAS, LRN2021-00001/SEP2021-00010 was presented to the Planning Commission on August 11, 2021 for a Study Session and their review; **and**,

WHEREAS, the Planning Commission conducted a properly advertised and noticed public hearing on September 8, 2021 and continued the hearing on October 13, 2021, to hear testimony on the proposed UGA amendment; **and**,

WHEREAS, the Planning Commission held their deliberations on October 13, 2021; and,

WHEREAS, the Planning Commission, having carefully considered the staff recommendation, written, and oral testimonies in its deliberations, moved to make the recommendations described below (III. RECOMMENDATION) to the Board of Yakima County Commissioners concerning the proposed UGA amendment to **Horizon 2040** and YCC Title 19;

NOW, THEREFORE, the Yakima County Planning Commission hereby makes and enters the following:

I. REASONS FOR ACTION

1. The Town of Naches requested Yakima County to consider a new Urban Growth Area proposal prior to the 5-year UGA review cycle.
2. A staff report for the Naches UGA amendment request was provided to the Planning Commission that included a land capacity analysis, major rezone review criteria, and AG De-designation review criteria.
3. RCW 36.70.580, YCC 16B.10, and YCC 19.36.040 requires the Planning Commission to hold an open record public hearing on the proposed amendment to the comprehensive plan and zoning map that are contingent upon legislative approval of a comprehensive plan amendment before providing a recommendation to the Board of Yakima County Commissioners.

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2 4. Following public testimony and deliberations, the Planning Commission made
3 recommendations on the proposed amendment.
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6 II. FINDINGS OF FACT 7

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10 Naches proposes that Yakima County:
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- 12 a. Add parcel nos. 171533-43005, 171404-12404, 171404-12403, 171404-12402,
13 171404-12401, 171403-42004, 171403-42005, and 171403-42023 for a total of
14 40.17 acres to its Urban Growth Area,
15 b. Change the comprehensive plan designations of parcel no. 171533-43005
16 from Rural Self-Sufficient (RSS) to Urban Residential (UR) and parcel nos.
17 171404-12404, 171404-12403, 171404-12402, 171404-12401, 171403-42004,
18 171403-42005, and 171403-42023 from Agricultural Resource (AR) to Urban
19 Residential (UR), and
20 c. Rezone parcel no. 171533-43005 from Rural-10/5 (R-10/5) to Single-Family
21 Residential (R-1) and parcel nos. 171404-12404, 171404-12403, 171404-12402,
22 171404-12401, 171403-42004, 171403-42005, and 171403-42023 from
23 Agriculture (AG) to Single-Family Residential (R-1).
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25 The Board, after considering the Naches proposal, adopted Resolution 085-2021 on
26 March 31, 2021, finding that an emergency exists and directed the Planning Division to
27 initiate consideration of the Naches request (LRN2021-00001/SEP2021-00010) as soon as
28 possible in accordance with RCW 36.70A.130(2)(b).
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30 Yakima County must periodically review and, if needed, revise its comprehensive plan
31 and development regulations to ensure that they comply with the GMA, as per the
32 schedule provided in RCW 36.70A.130. This review also requires Yakima County to
33 evaluate the County's fourteen designated UGAs by using the Washington State Office
34 of Financial Management's population forecasts, the County's 20-year population
35 allocations, and a detailed land capacity analysis process.
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37 YCC 19.36.040 provides that amendments to the zoning map that are contingent upon
38 legislative approval of a comprehensive plan amendment shall be considered a major
39 rezone; and YCC 16B.10.090 requires that major rezone shall be reviewed against the
40 approval criteria as for plan amendments in Section 16B.10.095.
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42 The Naches agriculture designated parcels have met the minimum requirements of the
43 **Horizon 2040** Agricultural Resource (AG) De-designation Analytical Process to be de-
44 designated from agriculture.
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On August 2, 2021, a combined Notice of Environmental Review and Future Public Hearing was mailed to property owners within 300 feet of the proposed UGA amendment properties and to agencies with environmental expertise.

Yakima County staff submitted a 60-Day Notice of Intent to Adopt Amendment to the Department of Commerce on August 2, 2021, for the Naches UGA amendment.

On August 11, 2021, the Yakima County Planning Commission held a Study Session on the proposed changes to the Naches UGA boundary.

Yakima County staff prepared a SEPA Threshold Determination and issued a Final Determination of Non-Significance (DNS) for the Naches request which analyzed the environmental impact of the proposed action.

The Planning Commission accepted oral and written comments at a properly advertised public hearing on September 8, 2021 and continued the hearing on October 13, 2021 on the proposed UGA boundary amendment to Naches.

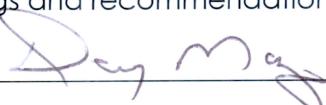
The hearing was closed on October 13, 2021 and the Planning Commission immediately moved to deliberate and made recommendations on the proposed amendment.

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III. RECOMMENDATION

Therefore, the Planning Commission recommended in a 4 to 1 vote to APPROVE adding proposed Areas 1 and 2 as identified in the Town's request (as shown in Exhibit 1). Secondly, the Planning Commission recommended in a 3 to 2 vote to NOT APPROVE adding proposed Area 3 as identified in the Town's request (as shown in Exhibit 1). However, according to the Yakima County Planning Commission "Rules of Procedure," Section IX: Voting, 9.3, a majority vote (4 of 7) of the total Planning Commission members must be obtained to make an official recommendation to the Board. In the absence of obtaining this majority, the recommendation of the Planning Commission for Area 3 is a NO RECOMMENDATION.

Voting in favor of the findings and recommendations:

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44 Doug Mayo, Chair 

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46 Kyle Curtis, Vice Chair _____

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48 Michael Shuttleworth _____

1 Jerry Craig _____

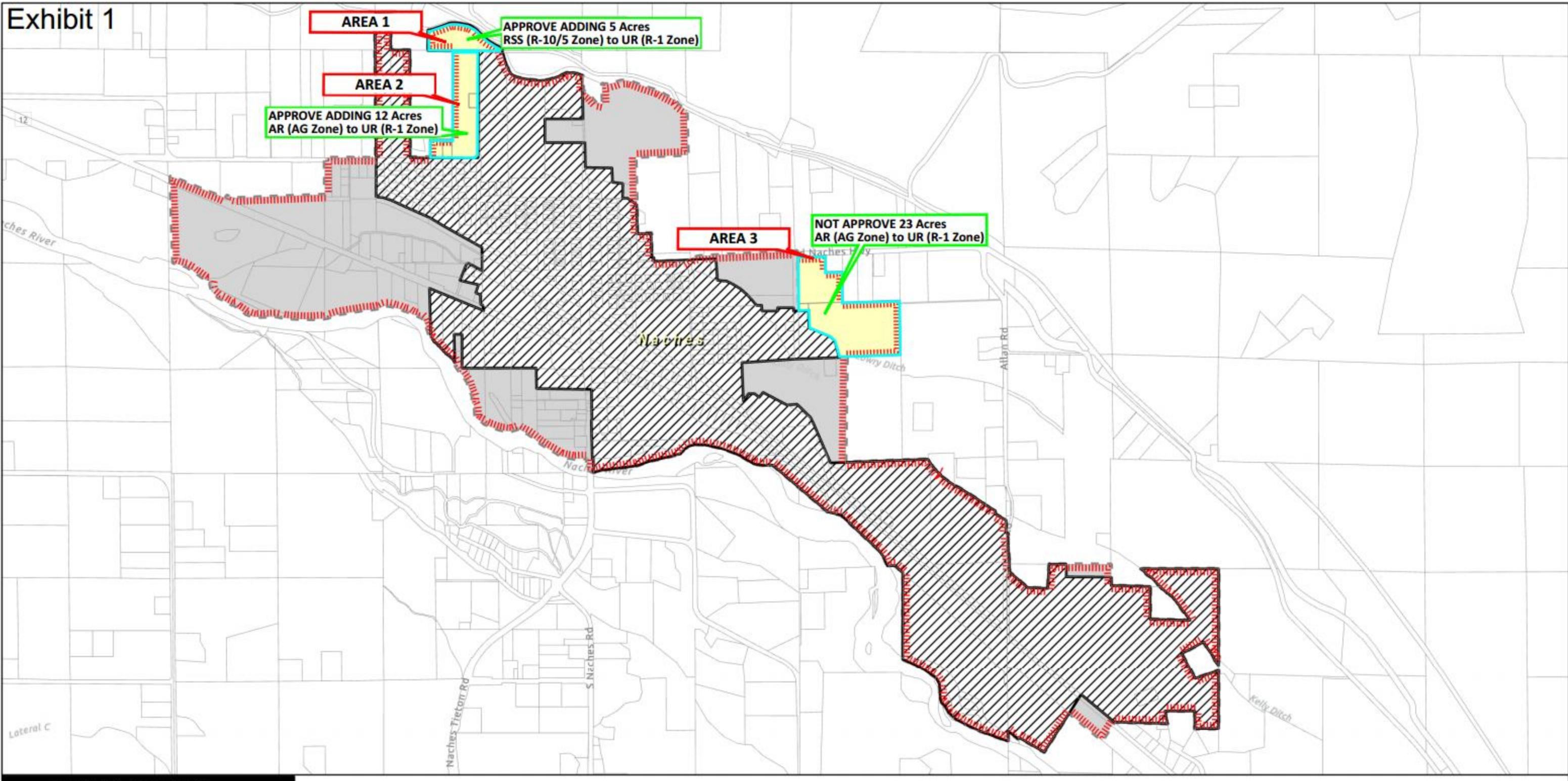
2 Jerry Mellen _____

3
4 Attest:


Thomas D. Carroll, Secretary

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7 Dated: November 10, 2021
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Exhibit 1



YAKIMA COUNTY

GEOGRAPHIC INFORMATION SYSTEM

Naches UGA PC Recommendation

Note: The changes are to the UGA boundary,
to comp plan designations, and to zoning.

- Naches City Limits
- Urban Growth Boundary
- Proposed Urban Growth Boundary
- Proposed Changes to Urban Growth Area
- Parcels



Parcel Lot lines are for visual display only.
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