

CITY OF SELAH

**DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT
2021 COMBINED COMPREHENSIVE PLAN MAP AMENDMENT AND REZONE STAFF
REPORT**

SUMMARY OF RECOMMENDATIONS

Staff recommends to the Selah City Planning Commission that this request be approved due to a change in the subject properties Future Land Use from Moderate Density Residential to High Density Residential, and zoning from Residential, Two-Family (R-2) to Residential, Multi-Family (R-3). Additionally, the City's 2017 Comprehensive Plan identifies that there is an identified need for additional vacant developable property.

SUMMARY OF REQUEST

APPLICANT: THOMAS R. DURANT, PLSA ENGINEERING AND SURVEYING
PROPERTY OWNER: 310 Partners, LLC
LOCATION: 310 W. Selah Ave., Selah, WA 98942
PARCEL NO(S): 181302-11436, and 181302-11437
FILE NUMBERS: COMP-2021-003, 914-2021-002, & SEPA-2021-006

COMPREHENSIVE PLAN FUTURE LAND USE MAP REQUEST: Medium Density Residential to High Density Residential

REZONE REQUEST: Residential, Two-Family (R-2) to Residential, Multi-Family (R-3)

APPLICATION BACKGROUND

The two subject properties are located on the southwest corner of W. Selah Ave. and N. 4th St., directly south of Wixon Park. These two properties are currently developed with older single-family dwellings constructed in the 1950's. The surrounding neighborhood is comprised of primarily (21) single-family dwellings, (3) two-family dwellings, along with several (3) four-to-five-unit multi-family residential dwellings. All between Selah Ave. to Valleyview Ave. and S. 3rd St. to S. 6th St.

The City's 1997 Comprehensive Plan established the two subject properties Future Land Use Map designations as Moderate Density Residential, and was left unchanged in both the City's 2005 and 2017 Comprehensive Plans. Zoning of the subject properties occurred around 1994 with the property being designated Residential, Two-Family. No rezoning of the subject properties has occurred since initial zoning occurred around 1994. The surrounding neighborhood as described above also has a Comprehensive Plan Designation of Moderate Density Residential, and corresponding Residential, Two-Family zoning.

The subject properties were purchased by 310 Partners in 2018 from the previous property owners. On November 26, 2019, 310 Partners submitted an application for a Preliminary Short Plat application, which requested subdivision of the two properties into four lots of record that meet the minimum lot size of 9,000 sq. ft. for the R-2 zone, and showing three vacant duplex lots with the preservation of the existing single-family home. On March 12, 2020, the City of Selah approved the preliminary short plat which is valid for five years from the date of approval.

On July 29, 2021, Thomas Durant of PLSA Engineering & Surveying on behalf of the property owners submitted the proposed Comprehensive Plan Map Amendment and Rezone application. It is the intent of this application to change the underlying Comprehensive Plan's Future Land designation of Tax Parcel Numbers: 181302-11436, and 181302-11437 from Moderate Density to High Density Residential and the zoning from R-2 to R-3 to better allow development of the subject property.

CURRENT ZONING AND LAND USE

The project site is composed of two parcels with a Comprehensive Plan designation of Moderate Density Residential and a Zoning designation of Residential, Two-Family (R-2).

Adjacent properties have the following characteristics:

<u>Location</u>	<u>Zoning</u>	<u>Comprehensive Plan</u>	<u>Land Use</u>
North	R-1	Park	Wixon Park
South	R-2	Moderate Density Residential	Vacant/Single-Family Home
East	R-2	Moderate Density Residential	Duplexes/Single-Family Homes
West	R-1	Low Density Residential	Single-Family Homes/Multi-Family

PUBLIC AND PRIVATE AGENCY COMMENTS

No comments were received from public agencies and private companies with interest in the development herein being reviewed.

PUBLIC COMMENTS RECEIVED

One public comment was received from a member of the public in regard to this application. The commenter's concerns are summarized as follows: The zoning change is incompatible with the neighborhood, the use is incompatible with the neighborhood, there are insufficient city services, there is potentially insufficient electrical services, there will be traffic congestion, the roads are insufficient, there is insufficient area for parking, there will be an increase in ambient noise, there will be increased crime, R-3 zoning allows for increased lot coverage and no building height limitation, and R-3 property brings three to five times more people.

ENVIRONMENTAL REVIEW (SEPA)

The Environmental Checklist prepared and circulated by the City of Selah identified that there are likely no direct significant adverse environmental impacts as a result of approval of the non-project Comprehensive Plan and Rezone applications.

On August 27, 2021, the City of Selah issued a Notice of Application, Environmental Review, and Public Hearing indicating that the City was inclined towards the issuance of a Determination of Nonsignificance (DNS) for this application. Following the required 15-day public comment period where all interested parties and agencies had the right to comment, and no public comments were received, a DNS was issued on September 13, 2021. The 5-day appeal period for this environmental determination lapsed on September 20, 2021, with no appeals filed.

PUBLIC NOTICE

Notice of Application and Public Hearing
 Legal Ad Publication
 Posting of Subject Property

Date Accomplished

August 27, 2021
 August 27, 2021
 September 31, 2021

COMPREHENSIVE PLAN AMENDMENT APPROVAL CRITERIA

In accordance with the provisions of the Selah Municipal Code (SMC), the following criteria must be considered in the review of any proposed amendment to the Selah Comprehensive Plan.

SMC 10.40.050: To alter the Future Land Use Map or other plan policy map, or effect a Comprehensive Plan text amendment, the proposed amendment must meet one or more of the following:

(a) Address circumstances that have changed since the last time the relevant Comprehensive Plan or text was considered:

Applicant Narrative Response: “Events that have occurred in the past two years have resulted in an already tight housing market becoming even more acute”.

Staff Response: *The circumstances that have changed since the 2017 Comprehensive Plan was adopted is the large amount of High Density Residential properties that have been developed over the past four years. This increase in development has greatly reduced the amount of developable High Density Residential, R-3 property within city limits that is available for future development.*

The City conducted a land use analysis of its developable properties by zoning district in July 20, 2020, which concluded that the City of Selah has 24 parcels of developable Moderate Density Residential, R-2 zoned property totaling four acres, and six parcels of High Density Residential, R-3 property totaling 16.63 acres (both developable acreages account for reductions due to Critical Areas). Following completion of the City’s land use analysis, five parcels and 16.58 acres of property underwent development by Graf Investment with the Crusher Canyon apartments. This resulted in 11 acres of developable property being removed from the City’s buildable lands inventory for the R-3 zoning district (after accounting for six acres of unbuildable Critical Areas). The remaining buildable 4.63 acres of R-3 property is located within one tax parcel in the vicinity of Southern Ave. and S. 5th St. There is one other R-3 parcel located directly next to the previously identified property, however due to the steepness of the property it was excluded from the analysis as unbuildable.

When the lot coverage development standards are taken into account for these two zoning districts (50% and 80%), the result is that the total number of acres available for construction of duplexes and multi-family dwellings is reduced to two acres for the R-2 zoning district, and 3.7 acres for the R-3 zoning district.

(b) Better implement applicable Comprehensive Plan policies than the current relevant Comprehensive Plan map or text;

Applicant Narrative Response: “The proposal better implements Goals 5.1 and 5.2 of the comprehensive plan to encourage the availability of affordable housing and promote a variety of densities and housing stock.”

Staff Response: *The current proposal will change the property’s Future Land Use designation from Medium Density Residential to High Density Residential and Zoning from Residential, Two-Family (R-2) to Residential, Multi-Family (R-3).*

The Comprehensive Plan goals and policies which further support this request are as follows:

Objective: 2.2.1 – Encourage economic growth while maintaining quality development and controlling the cost of public improvements in Selah’s UGA.

Policies: 2.2.1.2 – Encourage development to areas where infrastructure (water, sewer, stormwater, and streets) is either present, can be easily extended, or is planned to be extended.

2.2.1.3 – Conserve land, energy and financial resources by minimizing urban sprawl.

Goal: 5.1 – Encourage the availability of affordable housing to all economic segments of the population, while maintaining the character of the community.

Objective: 5.1.2 – Maintain and upgrade the character of existing residential neighborhoods.

Goal: 5.2 – Promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.

Objective: 5.2.1 – Maintain and upgrade the character of existing residential neighborhoods.

Policies: 5.2.1.4 – Ensure codes and ordinances that promote and allow for a compatible mix of housing types in residential areas.

5.2.1.6 – Support reinvestment in deteriorating neighborhoods through strict code enforcement.

Objective: HSG 5.2.2 – Encourage new residential construction to be compatible with existing residential development.

Objective: 5.2.3 – Minimize the negative impacts of medium and high-density residential projects on adjacent low-density residential areas, but encourage mixed use/density projects.

Policies: 5.2.3.1 – Encourage multi-family dwellings to locate in areas where increased density can be used as a tool to discourage urban sprawl.

5.2.3.2 – Require high density multi-family residential projects to meet minimum site design criteria including: 1. Adequate traffic access, 2. Landscaping, 3. Off-street parking, and 4. A suburban character.

(c) Correct an obvious mapping error;

Applicant Narrative Response: “No.”

Staff Response: *This application does not involve correction of a mapping error, or other Comprehensive Plan error.*

(d) Address an identified deficiency in the Comprehensive Plan;

Applicant Narrative Response: “A shortage of property designated High Density Residential, especially with few development constraints.”

Staff Response: *City staff agrees with the statement made in the applicant’s narrative. As described in question (a) above, the identified Comprehensive Plan deficiency is that the 2017 Comprehensive Plan does not currently provide a sufficient number of R-3 zoned properties for the development community to purchase and develop which are not in some way environmentally constrained. Additionally, as the City did not anticipate the Crusher Canyon properties developing as rapidly or completely as have been proposed, the issue of an insufficient number of R-3 properties is further compounded by the reduction of developable acreage of R-3 property resulting in a mere 4.63 acres of environmentally constrained property left for development. If Tax Parcel: 181302-13410 is included in this calculation this improves the overall acreage to 8.2 acres. However, it should be noted that both properties although zoned R-3 are located on the toe of the slope for Hillcrest Drive, have challenging topography, and have environmental constraints discouraging development.*

(e) Is the proposed Comprehensive Plan Amendment coordinated with, and take into consideration, the comprehensive plans adopted by Yakima County or cities with which the City of Selah has, in part, common borders or related regional issues as may be required by RCW 36.70A.100?

Applicant Narrative Response: “The proposal addresses the need for affordable housing and housing variety, a regional issue. Otherwise, the site is too small and the location too far away from other cities or the County to affect them.”

Staff Response: *This proposal is consistent with RCW 36.70A.100. This application is part of the annual Comprehensive Plan Amendment process for the City of Selah Comprehensive Plan. In this process the City of Selah coordinates this update with Yakima County for consistency between the jurisdictions.*

(f) Proposed Comprehensive Plan amendments must be consistent with the Growth Management Act (GMA), Ch. 36.70A RCW, and the Yakima County Wide Planning Policy (CWPP).

Applicant Narrative Response: “Providing for higher density development in the center of a city with available urban services is consistent with the GMA and County-wide policy.”

Staff Response: *This proposal is consistent with the Growth Management Act and the Yakima County-wide Planning Policy because the proposal directs urban growth to an existing urban area and encourages infill in an area where all urban level services and facilities are currently provided. The subject properties are currently provided with an adequate transportation system, and utilities are capable of being extended by a future developer to serve the subject properties. Additionally, this application is consistent with the County Wide Planning Policies adopted within the City of Selah’s Comprehensive Plan Land Use Element pages 2-2 thru 2-7.*

- (g) Cumulative impacts of all Comprehensive Plan amendments, including those approved since the original adoption of the Comprehensive Plan, shall be considered in the evaluation of any proposed amendments.**

Applicant’s Narrative Response: “Due to a lack of R-3 property, the cumulative impact of this and other plan amendments to increase its availability would be positive.”

Staff Response: *The cumulative impacts of all comprehensive plan amendments are determined by the jurisdiction processing the proposed amendment. In this situation, there is no cumulative impact from the approval of this application as the proposal is to change two properties Comprehensive Plan Map Designations from Moderate Density Residential to High Density Residential, and Zoning from R-2 to R-3. All other amendments are commercial or are to recognize an existing use.*

- (h) For Future Land Use Map changes, please provide descriptive information regarding the property, including the status of existing land use, access to sewer and water, as well as the availability of public facilities such as schools, fire and police services.**

Applicant Narrative Response: “The site has an existing single-family residence. Adequate sewer and water are available. It is accessed by paved streets. A city park directly across the street. Other public services are available.”

Staff Response: *The subject properties consist of two parcels and the status of the site would be best described as a single-family home and accessory structure. The subject properties are served by the following utilities: public sewer, and water, and private power and gas. Other public services which serve the site are police, fire, and transit. Public sewer and water area available to serve the subject properties from W. Selah Ave. Wixon Park is directly N. of the subject property, as well as, Lince Elementary School.*

REZONE APPROVAL CRITERIA

In accordance with the provisions of Selah Municipal Code 10.40.050, recommendations to approve or deny proposed rezones shall include the following considerations:

- (1) Testimony at public hearing.**

Staff Response: *There is no applicant narrative response for this review criteria. Neighboring property owners within 600 feet of the subject property have been mailed a Notice of Application, Environmental Review, and Public Hearing, and have been invited to submit written and oral comments on the proposed application up to and through the public hearing. Based upon the one negative public comment received prior to the public hearing, City staff's recommendation for approval is still warranted. However, after consideration of both the written and oral public comments at the public hearing it may be appropriate for the City Planning Commission to modify the staff's recommendation.*

(2) The suitability of property in question for uses permitted under the proposed zoning.

Applicant Narrative Response: "Flat developable site with available services and access. Surrounding area is characterized by moderate to high density residential use. City Park is available to future residents". The status of the existing land use is "Single-family residence".

Staff Response: *The current status of the subject properties is that they are partially developed as a single-family home on one lot of record, and an accessory building on the second lot of record. The properties total approximately .86 acres in size.*

The subject property is well suited for the proposed zoning of Residential, Multi-Family (R-3) as the property's Comprehensive Plan Future Land Use designation is being changed from Moderate Density Residential to High Density Residential, which directly supports the Residential, Multi-Family zoning district. The City of Selah's Comprehensive Plan 2017 states that the High Density Residential Future Land Use designation provides for "...areas of high-density residential development, up to 24 dwelling units per gross acre. Mixed use development may also be allowed where supported by adopted Comprehensive Plan or Sub-Area Plan policies. Each development is intended to provide usable open space for the enjoyment of the residents therein. The primary use is multi-family (i.e., apartments, townhouse and condominium) dwellings. The High Density Residential Future Use category is designed to accommodate compact development served by municipal utility services. Additionally, the City's Zoning Ordinance Title 10 provides that the purpose of the R-3 zoning district is to, "...provide for and protect for high density residential development. The zoning district is designated to be used in areas where urban governmental services are currently available or will be extended by the proponent to facilitate development at no public cost. Full urban services area required for R- 3 developments."

As described in the above Application Background section of this report, the surrounding block is comprised of (21) single-family dwellings, (3) two-family dwellings, along with several (3) four-to-five-unit multi-family residential dwellings. Per the above-described R-3 purpose statements, the R-3 zoning district development standards require that each new development will have 20 percent of the property left in open space greenspace/landscaping for the enjoyment of the residents, two parking stalls per dwelling unit, four percent of the total parking area landscaped, and a maximum of 21 dwelling units can be built on the subject properties. The subject properties have all urban services including water, sewer, stormwater, gas, and electrical available in Selah Ave. which are capable of being extended to serve the subject properties. Police and Fire serve within the City of Selah, and public transit is provided at the Selah Civic Center, and Wixon park and the Selah pool are just across the street to provide additional recreation area for this high-density development.

Therefore, based upon the above mix of dwelling unit types, age, transition of the surrounding neighborhood from single-family to multi-family dwellings, required development standards, and

availability of public utilities and services, the City Planning department finds that the subject properties are suitable for R-3 zoning, and the permitted use of multi-family housing.

(3) The recommendations from interested agencies and departments.

Staff Response: *There is no applicant narrative response for this review criteria. No agencies or departments have registered any opposition to this rezone request.*

(4) How is the rezone request in compliance with and/or how does the request deviate from the Selah Urban Area Comprehensive Plan.

Applicant Response: “Consistent with encouraging the availability of affordable housing and promotes a variety of residential densities. Comprehensive plan does not restrict rezoning to high density in existing moderate density residential areas as it does in low density areas.”

Staff Response: *This rezone request is in compliance with the City of Selah 2017 Comprehensive Plan because the applicant is proposing to amend the subject property’s Comprehensive Plan Future Land Use designation to High Density Residential. Provided the Comprehensive Plan Map Amendment is approved, the future use of the subject property as multi-family dwellings and R-3 zoning will implement the Comprehensive Plan’s definition of the High Density Residential Land Use designation. The High Density Residential Future Land Use designation provides for “...areas of high-density residential development, up to 24 dwelling units per gross acre. Mixed use development may also be allowed where supported by adopted comprehensive plan or sub-area plan policies. Each development is intended to provide usable open space for the enjoyment of the residents therein. The primary use is multi-family (i.e., apartments, townhouse and condominium) dwellings. The High Density Residential Future Use category is designed to accommodate compact development served by municipal utility services.”*

See question 10.40.040 (b) above for a list of supporting Comprehensive Plan Goals and Policies.

(5) The adequacy of public facilities, such as roads, sewer, water, and other required public services.

Applicant Response: “Yes.” “Public facilities area capable of supporting the most intensive use of the R-3 zone.”

Staff Response: *This development can or is served by all public utilities and services.*

(6) The compatibility of the proposed zone change and associated uses with neighboring land uses.

Applicant Response: “Potential land use is consistent with existing land use of the surrounding area.” No mitigating measures are planned to address incompatibilities as “we are asking for a non-project rezone. These will be addressed at the project stage.”

Staff Response: *Although the subject properties are located in an established mixed dwelling type neighborhood, with the majority of the dwellings being single-family, the rezoning of the two properties to R-3 can be considered compatible with their surroundings as there is clear evidence that the previous R-1 neighborhood has been transitioning to higher densities since*

the neighborhood was zoned R-2 by the City of Selah, and older homes have been demolished and replaced with multi-family dwellings. Furthermore, the one public comment in opposition to this application is a strong indicator to the City Planning Department that the proposed rezone request is largely accepted by the surrounding neighborhood, and that little to no incompatibility exists to deny this requested application.

(7) The public need for the proposed change.

Applicant Response: “Selah has very little R-3 zoned property. This will allow for a better balance of growth for the future of the City of Selah.”

Staff Response: *The public need for the proposed change is documented above in 10.40.050 (d), which explains that due to recent high-density development within the City, there is no longer a sufficient amount of R-3 zoned properties or acreage of property to meet the City’s Multi-Family housing projections for its 2037 population. While the subject parcels are small in size, approval of this rezone to R-3 would add .86 acres of developable R-3 property to the City’s zoning map.*

DETERMINATION OF CONSISTENCY

During project review it has been determined that this request is in compliance with SMC for making a Determination of Consistency as follows:

- a) The Residential, Multi-Family zoning district is fully supported by the subject properties High Density Residential Comprehensive Plan Future Land Use designation.
- b) The density of the development is not a factor with this application as the application is a non-project Comprehensive Plan Map Amendment and Rezone.
- c) Adequate public facilities are available to serve the site.

CONCLUSIONS

1. The amendment and rezone are minor in nature.
2. No adverse impacts have been identified by the approval of this amendment request.
3. The requested Comprehensive Plan Map Amendment and Rezone will provide additional High Density Residential, and Residential, Multi-Family designated property to better meet the housing needs of the City’s 2037 Comprehensive Plan.
4. The property is served by all necessary public utilities.
5. Domestic water and sanitary sewer are provided by City of Selah.
6. All criteria for approval of Comprehensive Plan Map Amendments and Rezones have been satisfied by this application.

RECOMMENDATIONS

The City of Selah Planning Department recommends **APPROVAL** of this map amendment request and rezone from Moderate Density Residential to High Density Residential to accommodate a concurrent rezone from Residential, Two-Family (R-2) to Residential, Multi-Family (R-3).