

# ORDINANCE 2139

## ORDINANCE

### AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP AND ZONING MAP OF THE CITY OF SELAH FOR PARCELS 181302-11436 AND 181302-11437 AS FOLLOWS: FUTURE LAND USE MAP FROM MODERATE DENSITY RESIDENTIAL TO HIGH DENSITY RESIDENTIAL AND ZONING MAP FROM RESIDENTIAL, TWO-FAMILY (R-2) TO RESIDENTIAL, MULTI-FAMILY (R-3)

WHEREAS, the City of Selah is required to plan under the Washington State Growth Management Act (GMA), RCW 36.70A.040; and,

WHEREAS, RCW 36.70A.130 provides for continuing review and evaluation of comprehensive plans and development regulations at least every five years and for the revision or amendments to such plans not more than once a year but at least once every five years, with certain exceptions; and,

WHEREAS, RCW 36.70A.470 requires that counties and cities planning under RCW 36.70A.040 include in their development regulations a procedure for any interested person, including applicants, citizens, hearing examiners, and staff of other agencies, to suggest comprehensive plan amendment (CPA) or development regulation amendments; and,

WHEREAS, RCW Ch. 36.70A further requires that the suggested amendments be docketed and considered not more often than once a year, consistent with the provisions of RCW 36.70A.130; and,

WHEREAS, in 2004, the City Council adopted Ordinance 1634 enacting Ch. 10.40 SMC to provide procedures and criteria for amending and updating the City of Selah Comprehensive Plan Future Land Use and Zoning Maps; and,

WHEREAS, on July 29, 2021, the applicant Thomas R. Durant, PLSA Engineering and Surveying, on behalf of the property owner 310 Partners, LLC, and Environmental Review (COMP-2021-003, 914-2021-002, & SEPA-2021-006) requesting to change the Future Land Use Map designation for parcels 181302-11436 and 181302-11437, from Moderate Density Residential to High Density Residential, and to concurrently rezone from Residential, Two-Family (R-2) to Residential, Multi-Family (R-3); and,

WHEREAS, the applications were considered complete for processing on August 23, 2021, and public notice was provided, in accordance with the provisions of SMC Ch. 10.40, and Title 21, on August 27, 2021; and,

WHEREAS, SEPA Environmental Review was completed with a Determination of Nonsignificance issued on September 13, 2021, which was not appealed; and,

WHEREAS, after proper notice, on October 5, 2021, the Selah Planning Commission (SPC) heard the staff presentation regarding the proposed CPA and Rezone, held a public hearing, considered

the public testimony; and,

WHEREAS, after proper notice, on October 5, 2021, the Selah Planning Commission (SPC) heard the staff presentation regarding the proposed CPA and Rezone, held a public hearing, considered the public testimony; and,

WHEREAS, pursuant to the approval criteria set forth in SMC § 10.40.050, the SPC unanimously recommended approval of the proposal; and,

WHEREAS, the SPC recommendation and findings was signed by the Chair on October 5, 2021, a copy of which is found in Exhibit "A" attached hereto and incorporated herein by this reference; and,

WHEREAS, pursuant to SMC § 10.40.050, and after the required notice was provided, the Selah City Council held a public hearing on October 26, 2021, to receive public comments on the Planning Commission's recommended findings on the proposed CPA and Rezone; and,

WHEREAS, the City Council of the City of Selah, having considered the record herein and the recommendation from the Planning Commission, the comments received at the public hearing held October 26, 2021, hereby finds and determines that approval of the requested CPA and Rezone is in the best interest of residents and the City of Selah and will promote the general health, safety and welfare.

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, ORDAINS AS FOLLOWS:

Section 1. Findings, Analysis and Conclusions. Subject to the specific terms of this Ordinance, the Selah City Council adopts the October 5, 2021 findings, conclusions, and recommendation of the Selah Planning Commission for COMP-2021-003, 914-2021-002, and SEPA-2021-006. A copy of said recommendation is attached as Exhibit "A".

Section 2. Amendment. The following described real properties are hereby reclassified from a Comprehensive Plan Future Land Use Map designation of Moderate Density Residential to High Density Residential, and Zoning District of Residential, Two-Family (R-2) to Residential, Multi-Family (R-3):

**Abbreviated Legal Descriptions:**

**Assessor's Parcel Number 181302-11436:** SOUTH SELAH ACRE TRACTS W1/2 LOT 3 BLK 2

**Assessor's Parcel Number 181302-11437:** Section 02 Township 13 Range 18 Quarter NE Plat SOUTH SELAH TRACTS Block 2 The East Half of Lot 3

Section 3. Any and all official Zoning, Future Land Use, or similar maps shall be amended to reclassify the subject real properties set forth herein consistent with the above sections of this Ordinance.

Section 4. Severability Invalidation. 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.

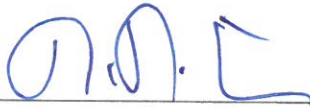
Section 5. Ratification. Any act consistent with the authority, and prior to the effective date of this ordinance is hereby ratified and affirmed.

Section 6. This ordinance, implementing a Comprehensive Plan Future Land Use Map (COMP-2021-003) and Zoning Map Amendment (914-2021-002) shall become effective five (5) days following legal publication of this ordinance or a summary of this ordinance.

Done this 26<sup>th</sup> day of October 2021

  
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Sherry Raymond, Mayor

ATTEST:  
  
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Dale E. Novobielski, Clerk-Treasurer

APPROVED AS TO FORM:  
  
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Rob Case, City Attorney