



City of Yakima

Variance

Application Packet

City of Yakima, Planning Division
129 North 2nd Street, 2nd Floor, Yakima, WA 98901
Phone#: (509) 575-6183 Email: ask.planning@yakimawa.gov

Check <https://www.yakimawa.gov/services/planning/land-use-application-forms/>
for the most current version of this application form.

VARIANCE

A Variance is a modification of the specific regulations in accordance with the terms of YMC Title 15 for the purpose of assuring that no property, because of special circumstances applicable to it, shall be deprived of privileges commonly enjoyed by other properties in the same vicinity and zoning district. It is the intent that the variance be used only to overcome some exceptional physical condition of land that prevents any reasonable use of the property. A Variance shall be granted only when the applicant demonstrates that the Variance will not be contrary to the public interest, is not self-created, and that practical difficulty and unnecessary hardship will result if it is not granted.

Development Standards that are Applicable for a Variance: The following standards can only be adjusted through the Variance process: lot size and building height. Sign and Critical Areas standards may require a Variance rather than an Administrative Adjustment.

You are encouraged to discuss your proposal with your neighbors prior to submitting your application. Often, neighbors will respond more openly with the applicant on a preliminary and private basis outside of the formal review process. While this is not a requirement, it is very helpful to address any of the neighbor's concerns.

Talk to a City Planner: Before preparing your application, you may wish to have a City Planner review your proposal. The City offers "Pre-Application" meetings in which you can gain a better understanding of the review process and potential requirements for your project from various City departments before you formally submit your land use application and pay the application fee. More information and instructions for applying for a Pre-Application meeting can be found online: <https://www.yakimawa.gov/services/planning/pre-application/>.

Submit Your Application: A completed application on forms provided by the Planning Department is required along with an application fee, a written narrative, and a general site plan. Once you have submitted an application, a Planner will be assigned as your contact person and will assist you through the review process. To expedite the process, be sure that all parts of the application package are completed. All narratives must be completed with each question answered separately. All items on the site plan checklist must be shown on the site plan, and the completed checklist submitted with your application. Any items that are not applicable should be so noted. And, please don't forget to sign your application and site plan. If you have any questions about your application please ask to speak with a Planner.

Development Service Team (DST): Representatives from City departments, State agencies, and private utility companies will review your proposal. Should significant concerns arise during the DST meeting, a conference may be scheduled between you and the appropriate agency in order to discuss possible application modifications. After the DST meeting, you may have an opportunity to change aspects of your proposal to address any concerns raised.

Additional Information: During the review process, the Administrative Official may request additional/more detailed information. The Administrative Official may defer his decision until the requested information is provided.

Notice of Application and Public Hearing: A copy of your application, written narrative, the preliminary site plan, and other pertinent information will be provided to the applicant/owner and all property owners within 300 feet of the subject property by postcard or paper notice. A notice of the application and hearing date will be published in the Yakima Herald Republic. The applicant must post the property with City supplied signs prior to the City sending the Notice of Application. This notice provides the public an opportunity to submit written comments which may be submitted up to the hearing date and at the public hearing.

Attend Public Hearing: The Hearing Examiner will conduct the Public Hearing. Hearings are generally scheduled on the second and fourth Thursday of the month beginning at 9:00 AM in the City of Yakima Council Chambers. These hearings are televised on the Yakima Public Access Channel (YPAC). You or your representative must attend the hearing; however, representation by an attorney is not required.

Notice of Decision: Within ten working days after the close of the public hearing, the Examiner will issue a written decision. Notice of the Hearing Examiner's decision will be mailed to you and all parties of record.

Appeal the Decision?: The Hearing Examiner's Decision is final unless appealed to City Council. If you are not satisfied with the decision, discuss your concerns with a Planner. YMC Ch. 16.08 allows for appeals of all or part of the Decision. Appeals of a Hearing Examiner Decision must be filed within 14 days of the date of mailing of the Decision on forms provided by the City of Yakima along with an appeal fee.



LAND USE APPLICATION

CITY OF YAKIMA, DEPARTMENT OF COMMUNITY DEVELOPMENT

129 NORTH SECOND STREET, 2ND FLOOR, YAKIMA, WA 98901

VOICE: (509) 575-6183 EMAIL: ask.planning@yakimawa.gov

INSTRUCTIONS – PLEASE READ FIRST Please type or print your answers clearly.

Answer all questions completely. If you have any questions about this form or the application process, please ask a Planner. Remember to bring all necessary attachments and the required filing fee when the application is submitted. The Planning Division cannot accept an application unless it is complete and the filing fee paid. Filing fees are not refundable. This application consists of four parts. PART I - GENERAL INFORMATION AND PART V - CERTIFICATION are on this page. PART II, III and IV contain additional information specific to your proposal and MUST be attached to this page to complete the application.

PART I – GENERAL INFORMATION

| | | | | | | | |
|-----------------------------|------------------|-----|------|--------|-----|--|--|
| 1. Applicant's Information: | Name: | | | | | | |
| | Mailing Address: | | | | | | |
| | City: | St: | Zip: | Phone: | () | | |
| | E-Mail: | | | | | | |

| | | | | | |
|--------------------------------------|------------|--------------------------------|--------------------------------|------------------------------------|--------------------------------------|
| 2. Applicant's Interest in Property: | Check One: | <input type="checkbox"/> Owner | <input type="checkbox"/> Agent | <input type="checkbox"/> Purchaser | <input type="checkbox"/> Other _____ |
|--------------------------------------|------------|--------------------------------|--------------------------------|------------------------------------|--------------------------------------|

| | | | | | | | |
|--|------------------|-----|------|--------|-----|--|--|
| 3. Property Owner's Information (If other than Applicant): | Name: | | | | | | |
| | Mailing Address: | | | | | | |
| | City: | St: | Zip: | Phone: | () | | |
| | E-Mail: | | | | | | |

4. Subject Property's Assessor's Parcel Number(s):

5. Legal Description of Property. (if lengthy, please attach it on a separate document)

6. Property Address:

7. Property's Existing Zoning:
 SR R-1 R-2 R-3 B-1 B-2 HB SCC LCC CBD GC AS RD M-1 M-2

8. Type Of Application: (Check All That Apply)
 Variance Other: _____ Other: _____
 Master Application
(select if submitting two or more applications under Title 15)

PART II – SUPPLEMENTAL APPLICATION, PART III – REQUIRED ATTACHMENTS, & PART IV – NARRATIVE SEE ATTACHED SHEETS

PART V – CERTIFICATION

I certify that the information on this application and the required attachments are true and correct to the best of my knowledge.

Property Owner's Signature Date

Applicant's Signature Date

FILE/APPLICATION(S)#

| | | | |
|----------------|--------------|--------------|-------------|
| DATE FEE PAID: | RECEIVED BY: | AMOUNT PAID: | RECEIPT NO: |
| | | | |



Supplemental Application For:

VARIANCE

YAKIMA URBAN AREA ZONING ORDINANCE, CHAPTER 15.21

PART II - APPLICATION INFORMATION

1. TYPES OF VARIANCE (✓ at least one)

Lot Size Building Height Sign Critical Areas

Other

Variance Is From YMC _____ . _____ . _____

2. AMOUNT OF ADJUSTMENT

_____ ± _____ = _____
Zoning Standard Proposed Standard Amount of Variance

3. PROPOSED USE: (Must Be Taken From YMC Ch. 15.05, Table 5-1) _____

4. LEGAL DESCRIPTION OF THE SUBJECT PROPERTY: (Attach if lengthy)

PART III - REQUIRED ATTACHMENTS

SITE PLAN REQUIRED: (Please use the City of Yakima Site Plan Checklist, attached)

PART IV - WRITTEN NARRATIVE: (Please submit a written response to the following items)

A variance shall be granted only when the applicant demonstrates that the variance will not be contrary to the public interest, is not self-created, and that practical difficulty and unnecessary hardship will result if it is not granted. The applicant must clearly establish and substantiate that the request for variance conforms to all the requirements:

1. Would granting the variance be consistent with the general purpose and intent and not be injurious to the neighborhood or otherwise detrimental to the public welfare?

2. Would granting the variance permit the establishment of a use not permitted in a particular zoning district?

3. Does a unique circumstance exist that is not generally applicable to land or structures in the neighborhood?

4. Would the strict application of the provisions deprive the applicant of reasonable use of such land or structure?

PART IV - WRITTEN NARRATIVE (CON'T): (Please submit a written response to the following items)

5. Does an unnecessary hardship exist?

6. What is the minimum variance needed?

7. Is the property located in the Floodplain or Airport Overlay?

THE BELOW QUESTIONS ARE APPLICABLE ONLY TO VARIANCES LOCATED IN THE FLOODPLAIN AND AIRPORT OVERLAYS

8. Will the proposed variance or development result in an increase of danger to life and property due to flooding or airport conflicts?

9. Please provide an explanation of the importance of the services provided by the proposed use to the community.

10. Please provide an explanation of why the proposed development needs a waterfront or airport location.

11. Are there other locations for the proposed use, which are not subject to flooding or airport hazards?

12. Please provide an explanation of how the proposed use is compatible with existing and anticipated development in the area.

13. Please explain the relationship of the proposed use to the airport master plan and floodplain management program.

SITE PLAN CHECKLIST & INSTRUCTIONS

A Detailed Site Plan Is Required: On August 8, 1996, the City Council passed a resolution (No. R-96-91) adopting a requirement that all site plans submitted in conjunction with any building permit application, land use application, and environmental application shall contain certain information and be approved by the appropriate Division Manager. All information that is applicable to your proposal shall be checked off and clearly displayed on the site plan. It is in the applicant's best interest to provide a carefully drawn and scaled site plan with all required information. The decision on whether or not to grant approval of your development proposal is largely based on the information you provide. **An application cannot be processed until an adequate site plan is submitted.**

Please complete this checklist and include it with your site plan. The site plan must contain all pertinent information. Items not applicable to the proposed project shall be noted.

- 1) **Use Ink:** Use blue or black permanent ink. It may be helpful to draft the site plan in pencil then trace over in ink. Ink is necessary for adequate duplication.
- 2) **Use A Straight Edge:** All lines must be straight and done with the aid of a ruler or other straight edge. Use a compass when delineating circular drawings such as cul-de-sacs. Computer drafted site plans are acceptable.
- 3) **Draw To Scale:** Site plans shall be drawn to scale. The site plan template has a suggested map scale of one inch equaling twenty feet (1"=20'). Distances on the map must be as representative of reality as possible. For example, if the distance from a structure to a property line is 20 feet, the distance on the site plan will be 1 inch.
- 4) **Use Site Plan Checklist:** Use the site plan checklist and provide all applicable information on the site plan.
- 5) **Fill In Information On The Site Plan Template.** The template is available online on the Planning Division webpage (<https://www.yakimawa.gov/services/planning/>) in the "application forms and fees" section, and also at the permits counter on the 2nd floor of City Hall. If you choose not to use the city's site plan template, please provide the information listed on the site plan template (background info, lot coverage, parking, etc.) on your site plan.

Note: You may benefit from the aid of a professional in the preparation of a site plan.

DETAILED SITE PLAN CHECKLIST

Check all boxes as: (✓ or X) Included or (-) Not Applicable

| | |
|--------------------------|--|
| <input type="checkbox"/> | The site plan shall be legibly drawn in ink on paper of sufficient size to contain the required information, but not less than 8.5" X 11" for Class (1) projects and 11" X 17" for Class (2) and Class (3) projects. |
| <input type="checkbox"/> | All site plans shall be drawn to a standard engineering scale and indicated on the site plan. The scale selected shall best fit the paper. Planning staff recommends 1"=20'. |
| <input type="checkbox"/> | Site address, parcel number(s) and zoning designation of subject property. |
| <input type="checkbox"/> | Property boundaries and dimensions. |
| <input type="checkbox"/> | Names and dimensions of all existing streets bounding the site. |
| <input type="checkbox"/> | Dimensions, location and use of proposed and existing structures including loading docks. |
| <input type="checkbox"/> | Structure setbacks. |
| <input type="checkbox"/> | North Arrow. |
| <input type="checkbox"/> | Lot coverage with calculations shown on site plan. |
| <input type="checkbox"/> | Location and size of any easements. |
| <input type="checkbox"/> | Location and type of existing and proposed landscaping including landscaping within the public right-of-way. |
| <input type="checkbox"/> | Location and size of existing and proposed side sewer and water service lines. |
| <input type="checkbox"/> | Adjacent land uses and zoning designations. |
| <input type="checkbox"/> | Location and size of all parking spaces shown on the site plan. |
| <input type="checkbox"/> | Location and dimensions of proposed or existing driveway approaches. |
| <input type="checkbox"/> | Vision clearance triangles at street intersections and where driveways and curb cuts intersect with streets. |
| <input type="checkbox"/> | Location and size of proposed or existing signs. |
| <input type="checkbox"/> | Location and size of required site drainage facilities including on-site retention. |
| <input type="checkbox"/> | Location, type, and description of required sitescreening. |
| <input type="checkbox"/> | Location and size of existing or proposed public sidewalks that are within 200-feet of the subject property. |
| <input type="checkbox"/> | Proposed improvements located within the public right-of-way. |
| <input type="checkbox"/> | Name, address, phone number, and signature of the owner or person responsible for the property. |

Note: Planning Division or reviewing official may require additional information to clarify the proposal, assess its impacts, or determine compliance with the YMC and other laws and regulations.