



COMMUNITY DEVELOPMENT DEPARTMENT

Bill Preston, P.E., Director

Trevor Martin, AICP, Manager

Planning Division

129 North Second Street, 2nd Floor Yakima, Washington 98901

Phone (509) 575-6183 • Fax (509) 575-6105 • Email: ask.planning@yakimawa.gov

NOTICE OF APPLICATION, ENVIRONMENTAL REVIEW, & PUBLIC HEARING

DATE: January 23, 2025
TO: SEPA Reviewing Agencies, Applicant, and Adjoining Property Owners
FROM: Bill Preston, Community Development Director
APPLICANT: City of Yakima Planning Division (129 N. 2nd St., Yakima, WA 98901)
FILE NUMBER: TXT#001-25, SEPA#001-25
LOCATION: Citywide
TAX PARCEL NUMBER(S): N/A
DATE OF APPLICATION: January 10, 2025

PROJECT DESCRIPTION The City of Yakima Planning Division is proposing non-project amendments to Title 14 and 15 of the Yakima Municipal Code.

NOTICE OF ENVIRONMENTAL REVIEW This is to notify all the public and private agencies with jurisdiction and environmental expertise that the City of Yakima Planning Division has been established as the lead agency, pursuant to the Washington State Environmental Policy Act (SEPA) for the above stated project. **The City of Yakima is issuing a Preliminary Determination of Non- Significance (DNS) on this project.** WAC 197-11-340 is being used. The following conditions have been identified that may be used to mitigate the adverse environmental impacts of the proposal: No impacts identified.

Required Permits: The following local, state, and federal permits/approvals may or will be needed for this project: None

Required Studies: N/A

Existing Environmental Documents: Comprehensive Plan 2040 – Final Supplemental Environmental Impact Statement (June 13, 2017)

Preliminary determination of the development regulations that will be used for project mitigation and consistency: Future projects will require compliance with the International Building Code, City of Yakima Urban Area Zoning Ordinance, City of Yakima Comprehensive Plan and City of Yakima Title 12 Development Standards.

REQUEST FOR WRITTEN COMMENT AND NOTICE OF PUBLIC HEARING The public is encouraged to review and comment on the proposed application. Written comments may be submitted prior to or at the public hearing. The public hearing before the City of Yakima Planning Commission has been scheduled for Wednesday, **February 26, 2025**, beginning at **3:00 p.m.** in the Council Chambers – 129 N 2nd St, Yakima WA, 98901. Any person desiring to express their views on this matter is invited to attend the public hearing or to submit their written comments to: City of Yakima, Planning Division, 129 N 2nd St., Yakima, WA 98901. **A separate public notice will be provided for the public hearing before the Yakima City Council.** You can mail your comments to:

Bill Preston, Community Development Director
City of Yakima, Department of Community Development
129 N. 2nd St.; Yakima, WA 98901

NOTICE OF RECOMMENDATION Following the public hearing, the Planning Commission will issue its recommendation within ten (10) business days. When available, a copy of the recommendation will be mailed to parties of record and entities who were provided this notice once it is rendered.

The file containing the complete application is available for public review at the City of Yakima Planning Division, City Hall – 2nd Floor, 129 North 2nd Street, Yakima, Washington. If you have questions regarding this proposal, please call Trevor Martin, AICP, Planning Manager, at (509) 575-6042, or e-mail to trevor.martin@yakimawa.gov.



DEPARTAMENTO DE DESARROLLO COMUNITARIO
Bill Preston, P.E., Director

Trevor Martin, AICP, Gerente

Division de Planificación

129 Norte Calle 2ª, 2º Piso, Yakima, WA 98901

Tel. (509) 575-6183 • Fax (509) 575-6105 • Email: ask.planning@yakimawa.gov

AVISO DE APLICACIÓN, REVISIÓN AMBIENTAL, Y AUDIENCIA PÚBLICA

El Departamento de Desarrollo Comunitario de la Ciudad de Yakima ha recibido una aplicación por parte de un propietario/solicitante y este es un aviso sobre esa solicitud. Información sobre la ubicación de la propiedad en cuestión y la solicitud es la siguiente:

FECHA OTORGADA:	23 de enero, 2025
PARA:	Agencias de Revisión Ambiental, Solicitante y Propietarios Adyacentes
DE:	Bill Preston, Director de Desarrollo Comunitario
SOLICITANTE:	Ciudad de Yakima División de Planificación (129 N. 2nd St., Yakima, WA 98901)
No. DE ARCHIVO:	TXT#001-25, SEPA#001-25
UBICACIÓN:	Cubre toda la ciudad
No. DE PARCELA(S):	N/A
FECHA DE APLICACIÓN:	10 de enero, 2025

DESCRIPCIÓN DEL PROYECTO: La División de Planificación de la Ciudad de Yakima propone enmiendas no relacionadas con proyectos a los Títulos 14 y 15 del Código Municipal de Yakima.

AVISO DE REVISIÓN AMBIENTAL: Esto es para notificar a las agencias públicas y privadas con jurisdicción y conocimiento ambiental que la Ciudad de Yakima, División de Planificación, se establece como la agencia principal, de acuerdo con la Ley Estatal de Política Ambiental de Washington (SEPA) para el proyecto mencionado anteriormente. **La Ciudad de Yakima está emitiendo una Determinación Preliminar de No-Significancia (DNS) para este proyecto.** La ley bajo WAC §197-11-340 se está utilizando. Se han identificado las siguientes condiciones que pueden utilizarse para mitigar los impactos ambientales adversos de la propuesta: no se identificaron impactos.

Permisos Requeridos: Los siguientes permisos/aprobaciones locales, estatales, y federales pueden o serán necesarios para este proyecto: ninguno

Estudios Requeridos: ninguno

Documentos Ambientales Existentes: Plan Integral 2040 – Declaración Final de Impacto Ambiental Suplementario (13 de junio, 2017)

Determinación preliminar de las regulaciones de desarrollo que se utilizarán para la mitigación y la consistencia del proyecto: Los proyectos futuros requerirán el cumplimiento del Código Internacional de Construcción, La Ordenanza de Zonificación del Área Urbana de la Ciudad de Yakima, el Plan Integral de la Ciudad de Yakima y los Estándares de Desarrollo del Título 12 de la Ciudad de Yakima.

SOLICITUD DE COMENTARIOS ESCRITOS Y AVISO DE AUDIENCIA PÚBLICA: Se anima al público a revisar la solicitud y comentar sobre la propuesta. Los comentarios escritos pueden presentarse antes de o en la audiencia pública. La audiencia pública frente a la Comisión de Planificación de la Ciudad de Yakima ha sido programada para el **miércoles 26 de febrero, 2025** comenzando a las **3:00 p.m.** en el Ayuntamiento de la Ciudad de Yakima ubicado en el 129 N 2nd Street, Yakima, WA. Se le invita a cualquier persona que desee expresar sus opiniones sobre este proyecto a asistir a la audiencia pública o a presentar comentarios por escrito. **Se proporcionará un aviso público por separado para la audiencia pública ante el Concejo Municipal de Yakima.** Por favor de enviar sus comentarios sobre esta propuesta a:

Bill Preston, Community Development Director
City of Yakima, Department of Community Development
129 N. 2nd St., Yakima, WA 98901

AVISO DE LA RECOMENDACIÓN: Después de la audiencia pública, la Comisión de Planificación de Yakima emitirá su recomendación dentro de diez (10) días hábiles. Cuando la recomendación sea emitida, una copia será enviada a las personas que mandaron comentarios o que recibieron este aviso.

El archivo que contiene la aplicación completa está disponible para inspección pública en la Oficina de Planificación de la Ciudad de Yakima en el 129 al Norte la Calle 2da, Yakima, WA y en línea en: <https://www.yakimawa.gov/services/planning/text-amendments/>

Si tiene cualquier pregunta sobre esta propuesta, puede contactar a la Oficina de Planificación al (509) 575-6183 o por correo electrónico al: ask.planning@yakimawa.gov



ENVIRONMENTAL CHECKLIST

STATE ENVIRONMENTAL POLICY ACT (SEPA)
 (AS TAKEN FROM WAC 197-11-960)
 YAKIMA MUNICIPAL CODE CHAPTER 6.88

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PURPOSE OF CHECKLIST

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

INSTRUCTIONS FOR APPLICANTS

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process. The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help you describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

USE OF CHECKLIST FOR NONPROJECT PROPOSALS

For non-project proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project", "applicant", and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B – Environmental Elements – that do not contribute meaningfully to the analysis of the proposal.

A. BACKGROUND INFORMATION (To be completed by the applicant.)

1. **Name Of Proposed Project (If Applicable):**
 City of Yakima Title 15 Amendments
2. **Applicant's Name & Phone:**
 City of Yakima Planning Division, (509) 575-6111
3. **Applicant's Address:**
 129 N. 2nd St., Yakima, WA 98901
4. **Contact Person & Phone:**
 Trevor Martin, AICP, Planning Manager, (509) 575-6042
5. **Agency Requesting Checklist:** City of Yakima
6. **Proposed Timing Or Schedule (Including Phasing, If Applicable):**
 None at this time
7. **Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain:**
 None at this time.
8. **List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal:**
 None known. Per WAC 197-11-315 (1)(e), as a non-project proposal, section B of the Environmental Checklist will not be filled out.

A. BACKGROUND INFORMATION (To be completed by the applicant.)

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain:

None pending

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10. List any government approvals or permits that will be needed for your proposal, if known:

SEPA determination, City of Yakima Planning Commission recommendation, and City Council approval.

11. Give a brief, but complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.):

The City of Yakima Planning Division is proposing non-project minor amendments to the following Subdivisions sections: TEXT; to the following Subdivision and Zoning chapters: 14.15; 15.02; 15.04; Table 4-1; 15.11; 15.12; 15.13; The purpose of these amendments is to streamline some of the City's processes, remove ambiguity within the zoning ordinance, and comply with state mandates in regards to housing initiatives

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist:

City Limits

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B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

EARTH

1. General description of the site (✓ one):

- flat rolling hilly steep slopes mountainous other: _____

2. What is the steepest slope on the site (approximate percent slope)?

N/A

3. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

N/A

4. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

N/A

5. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

N/A

6. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

N/A

7. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

N/A

8. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

N/A

AIR

1. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

N/A

2. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

N/A

3. Proposed measures to reduce or control emissions or other impacts to air, if any:

N/A

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PLANNING DIV.**B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)****SURFACE WATER**

1. Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

N/A

2. Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

N/A

3. Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

N/A

4. Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

N/A

5. Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

N/A

6. Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

N/A

GROUND WATER

1. Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

N/A

2. Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

N/A

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B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

WATER RUNOFF (INCLUDING STORM WATER)

1. Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

N/A

2. Could waste materials enter ground or surface waters? If so, generally describe.

N/A

3. Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

N/A

4. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

N/A

PLANTS

1. Check (✓) types of vegetation found on the site:

- | | | | | |
|--------------------------------|--------------------------------|--|-------------------------------------|--|
| Deciduous Trees: | Evergreen Trees: | Wet Soil Plants: | Water Plants: | Other: |
| <input type="checkbox"/> Alder | <input type="checkbox"/> Fir | <input type="checkbox"/> Cattail | <input type="checkbox"/> Milfoil | <input type="checkbox"/> Shrubs |
| <input type="checkbox"/> Maple | <input type="checkbox"/> Cedar | <input type="checkbox"/> Buttercup | <input type="checkbox"/> Eelgrass | <input type="checkbox"/> Grass |
| <input type="checkbox"/> Aspen | <input type="checkbox"/> Pine | <input type="checkbox"/> Bullrush | <input type="checkbox"/> Water Lily | <input type="checkbox"/> Pasture |
| <input type="checkbox"/> Other | <input type="checkbox"/> Other | <input type="checkbox"/> Skunk Cabbage | <input type="checkbox"/> Other | <input type="checkbox"/> Crop Or Grain |
| | | <input type="checkbox"/> Other | | <input type="checkbox"/> Orchards, vineyards, or other permanent crops |
| | | | | <input type="checkbox"/> Other types of vegetation |

2. What kind and amount of vegetation will be removed or altered?

N/A

3. List threatened or endangered species known to be on or near the site.

N/A

4. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

N/A

5. List all noxious weeds and invasive species known to be on or near the site.

N/A

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

ANIMALS

1. List any birds or other animals which have been observed on or near the site or are known to be on or near the site.

Examples include:

birds: hawk, heron, eagle, songbirds, other:

mammals: deer, bear, elk, beaver, other:

fish: bass, salmon, trout, herring, shellfish, other:

N/A

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2. List any threatened or endangered species known to be on or near the site.

N/A

3. Is the site part of a migration route? If so, explain.

N/A

4. Proposed measures to preserve or enhance wildlife, if any:

N/A

5. List any invasive animal species known to be on or near the site.

N/A

ENERGY AND NATURAL RESOURCES

1. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

N/A

2. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

N/A

3. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

N/A

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B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

ENVIRONMENTAL HEALTH

1. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, describe.
N/A

2. Describe any known or possible contamination at the site from present or past uses.
N/A

3. Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.
N/A

4. Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.
N/A

5. Describe special emergency services that might be required.
N/A

6. Proposed measures to reduce or control environmental health hazards, if any:
N/A

NOISE

1. What types of noise exist in the area, which may affect your project (for example: traffic, equipment, operation, other)?
N/A

2. What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.
N/A

3. Proposed measures to reduce or control noise impacts, if any:
N/A

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

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LAND AND SHORELINE USE

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1. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

N/A

2. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

N/A

3. Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversized equipment access, the application of pesticides, tilling, and harvesting? If so, how:

N/A

4. Describe any structures on the site.

N/A

5. Will any structures be demolished? If so, what?

N/A

6. What is the current zoning classification of the site?

N/A

7. What is the current comprehensive plan designation of the site?

N/A

8. If applicable, what is the current shoreline master program designation of the site?

N/A

9. Has any part of the site been classified as a critical area by the city or county? If so, specify.

N/A

10. Approximately how many people would reside or work in the completed project?

N/A

11. Approximately how many people would the completed project displace?

N/A

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)		JAN 10 2025
LAND AND SHORELINE USE		CITY OF YAKIMA PLANNING DIV.
12. Proposed measures to avoid or reduce displacement impacts, if any. N/A		
13. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: N/A		
14. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any: N/A		
HOUSING		
1. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. N/A		
2. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. N/A		
3. Proposed measures to reduce or control housing impacts, if any: N/A		
AESTHETICS		
1. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? N/A		
2. What views in the immediate vicinity would be altered or obstructed? N/A		
3. Proposed measures to reduce or control aesthetic impacts, if any: N/A		

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

LIGHT AND GLARE

1. What type of light or glare will the proposal produce? What time of day would it mainly occur?

N/A

2. Could light or glare from the finished project be a safety hazard or interfere with views?

N/A

3. What existing off-site sources of light or glare may affect your proposal?

N/A

4. Proposed measures to reduce or control light and glare impacts, if any:

N/A

RECREATION

1. What designated and informal recreational opportunities are in the immediate vicinity?

N/A

2. Would the proposed project displace any existing recreational uses? If so, describe.

N/A

3. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

N/A

HISTORIC AND CULTURAL PRESERVATION

1. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe.

N/A

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B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

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HISTORIC AND CULTURAL PRESERVATION

2. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

N/A

3. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

N/A

TRANSPORTATION

1. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

N/A

2. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

N/A

3. How many parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

N/A

4. Will the proposal require any new or improvements to existing roads, streets, pedestrian bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

N/A

5. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

N/A

6. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and non-passenger vehicles). What data or transportation models were used to make these estimates?

N/A

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B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

TRANSPORTATION

7. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe:

N/A

8. Proposed measures to reduce or control transportation impacts, if any:

N/A

PUBLIC SERVICES

1. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe:

N/A

2. Proposed measures to reduce or control direct impacts on public services, if any.

N/A

UTILITIES

1. Check (✓) utilities currently available at the site:

electricity natural gas water refuse service telephone

sanitary sewer septic system other _____

2. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

N/A

C. SIGNATURE (To be completed by the applicant.)

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

05/31/2024

Property Owner or Agent Signature

Date Submitted

Trevor Martin

Planning Manager, City of Yakima Planning Division

Name of Signee

Position and Agency/Organization

**PLEASE COMPLETE SECTION "D" ON THE NEXT PAGES
IF THERE IS NO PROJECT RELATED TO THIS ENVIRONMENTAL REVIEW**

D. SUPPLEMENTAL SECTION FOR NONPROJECT ACTIONS ONLY (to be completed by the applicant)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment. When answering these questions, be aware of the extent the proposal, or the types of activities that would likely result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The proposed changes will not affect how land uses discharge to water, emissions to the air, storage, or release of toxic or hazardous substances, or the production of noise.

Proposed measures to avoid or reduce such increases are:

None proposed. Any future measures to avoid such increases will be dealt with at the project level.

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2. How would the proposal be likely to affect plants, animals, fish, or marine life?

The proposed changes will not affect plants, animals, fish, or marine life, as they are regulatory in nature.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

None proposed. Any future measures to avoid such increases will be dealt with at the project level.

3. How would the proposal be likely to deplete energy or natural resources?

The proposed changes do not involve regulations dealing with energy or natural resources.

Proposed measures to protect or conserve energy and natural resources are:

None proposed. Any future measures to avoid such increases will be dealt with at the project level.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The proposed changes will not change or affect any environmentally sensitive areas or regulations.

Proposed measures to protect such resources or to avoid or reduce impacts are:

None proposed. Any future measures to avoid such increases will be dealt with at the project level.

D. SUPPLEMENTAL SECTION FOR NONPROJECT ACTIONS ONLY (to be completed by the applicant)

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

No change to shoreline uses are proposed. Depending on future proposals, the level of review will be dependent on the type of use and zoning district.

Proposed measures to avoid or reduce shoreline and land use impacts are:

None proposed. Any future measures to avoid such increases will be dealt with at the project level.

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6. How would the proposal be likely to increase demands on transportation or public services and utilities?

Increases to traffic as a result of increased residential and/or project density will be examined at the project level.

Proposed measures to reduce or respond to such demand(s) are:

None proposed. Any future measures to avoid such increases will be dealt with at the project level.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The proposed changes will not conflict with any local, state, or federal laws, or requirements for the protection of the environment.

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Site Plan Contents. The general site plan shall include the following:

- Property address, parcel number, and zoning designation;
- Legal description of the land;
- North arrow and scale of drawing;
- Name of applicant, phone number, signature of property owner and project name;
- Actual dimensions and shape of the lot to be built upon;
- Sizes and location of existing structures on the lot to the nearest foot;
- Location and dimensions of proposed structures and uses;
- All structure setbacks;
- Size and location of utilities and easements,
- Parking circulation plan, proposed landscaping and sitescreening;
- Curb cuts intersecting with streets;
- Location and Dimensions of proposed or existing driveway approaches;
- Location and size of new or existing loading spaces;
- location and size of required site drainage facilities including on-site retention;
- Proposed and existing signage (YMC § 15.06.090);
- Distance(s) of structures to property line and centerline of Right-of-Way (YMC § Ch. 15.05, Table 5-1)
- Lot coverage calculations:
- Adjacent Right-of-Way dedication and frontage improvements;
- Clearview triangle (YMC § x15.05.040);
- Location of ingress and egress.

A site plan for development in the floodplain overlay shall also include the following information:

1. Elevation in relation to the one-hundred-year flood level of the lowest floor (including basement) of all structures;
2. Elevation in relation to mean sea level of any structure that has been floodproofed;
3. Certification by a registered professional engineer or architect that established floodproofing standards have been met;
4. Description of the extent to which any watercourse will be altered or relocated as a result of the proposed development; and
5. Any other site plan requirements identified in YMC Ch. 15.27 Part Four.

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Chapter 15.02

DEFINITIONS

Sections:

- 15.02.010 Purpose.
- 15.02.020 Definitions.

15.02.010 Purpose.

This chapter provides definitions for the terms and phrases used in this title. Where any of these definitions conflict with definitions used in other titles of the city code, the definitions in this chapter shall prevail for the purpose of this title. (Ord. 2016-029 § 1 (Exh. A) (part), 2016; Ord. 2008-46 § 1 (part), 2008; Ord. 2947 § 1 (part), 1986).

15.02.020 Definitions.

For the purpose of this title, certain abbreviations, terms, phrases, words and their derivatives shall be construed as specified herein unless the context requires a different meaning. Where terms are not defined, they shall have the ordinary accepted meaning within the context with which they are used. Where an activity or land use could fall under two definitions, the more specific shall apply. Webster's Ninth New Collegiate Dictionary, with the assistance of the American Planning Association's Planner Dictionary and Black's Law Dictionary, shall be the source for ordinary accepted meaning and for the definition of words not defined below. Specific examples are included as illustrations, but are not intended to restrict a more general definition.

~~"Bed and breakfast" means a residential structure providing individuals with lodging and meals for not more than thirty days. For home occupations, such uses are limited to having not more than five lodging units or guest rooms.~~

~~"Desktop publishing" means activity related to the use of computers in order to produce documents for personal use or for other uses.~~

General Retail Sales.

1. Twelve thousand square feet or less (not otherwise regulated) means the retail sales of merchandise in a store type setting where the building/structure's gross size is twelve thousand square feet or less.
2. Greater than twelve thousand square feet (not otherwise regulated) means the retail sales of merchandise in a store type setting where the building/structure's gross size is greater than twelve thousand square feet.

Land uses permitted under the above two categories include, but are not limited to:

Addressing, mailing, and stenographic services	Toy and hobby stores
Antique stores	Jewelry, watches, silverware sales and repair
Artist's supplies	Music stores/instrument sales and repair
Bakeries	Secondhand stores, pawnbroker
Book stores	Paint, glass and wallpaper stores
Stationery and office supplies	Pet stores and supplies/grooming
Camera and photographic supplies	Printing, photocopy service
Clothing, shoes, and accessories	Sporting goods and bicycle shops
Computer and electronic stores	Video sales/rental

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Collectables (cards, coins, comics, stamps, etc.)	Gift shops
Department stores	Discount store
Drug stores and pharmacies	Variety store
Fabric and sewing supplies, seamstress, tailor	Specialty shops
Florist (indoor sales only)	Small appliances
Specialty food stores	TVs, business machines, etc., sales

"Mission" means a facility typically owned or operated by a public agency or nonprofit corporation, providing a variety of services for the disadvantaged, typically including but not limited to temporary housing for the homeless, dining facilities, health and counseling activities, whether or not of a spiritual nature, with such services being generally provided to the public at large. Mission uses shall be ~~Class (2) uses within the GC general commercial, CBD central business district, and M-1 light industrial zoning districts as set forth in Table 4-1, YMC 15.04.030,~~ and subject to a Type (3) review as set forth in Chapter 15.15 YMC with a development agreement incorporating applicable development standards and mitigations imposed by the hearing examiner. Effective as of and from August 24, 2015, any modification of an existing mission use shall be subject to the modification procedures and provisions of Chapter 15.17 YMC; provided, that any proposed modification that does not meet the criteria in YMC 15.17.040 for administrative review and approval shall be subject to a Type (3) review with a development agreement incorporating applicable development standards and mitigations imposed by the hearing examiner.

"Storage facilities, commercial outdoor" means a storage area designated as support facilities for commercial activities and used for the storage of retail materials which may be stored outdoor and screened by a fence or wall.

"Storage facilities, residential mini-storage outdoor" means an outdoor area providing storage for residential goods and/or recreational vehicles and screened by a fence or wall.

Travel Agency. See "Professional-business."

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Chapter 14.15
SHORT SUBDIVISION—PROCEDURE

Sections:

- 14.15.010 Preliminary application for short subdivision—Requirements.
- 14.15.020 Criteria for approval.
- 14.15.030 Preliminary application—Time limitation.
- ~~14.15.040 Public notice of short plat application.~~
- 14.15.050 Administrator's approval/disapproval.
- 14.15.060 Findings and conclusions.
- 14.15.070 Final short plat—Time limitation.
- 14.15.080 Land survey requirements.
- 14.15.090 Final short plat contents.
- 14.15.100 Approval of short subdivision—Recording.
- 14.15.110 Resubdivision restricted.
- 14.15.120 Short plat amendment/alteration.

~~**14.15.040 — Public notice of short plat application.**~~

~~Within ten calendar days after the short subdivision application is determined to be complete, notice of the application shall be sent by first class mail to all owners, as shown on the records of the Yakima County assessor, of land located within three hundred feet of either (1) the land proposed to be subdivided, or (2) any land adjacent to the land proposed to be subdivided which is also owned by an owner of the land proposed to be subdivided. The notice of application will follow the notice requirements of Yakima Municipal Code Chapter 16.05 and may be either a postcard format or letter size paper. (Ord. 2011-08 § 1 (part), 2011: Ord. 2010-31 § 1, 2010: Ord. 98-65 § 2 (part), 1998. Formerly 14.15.050).~~

14.15.050 Administrator's approval/disapproval.

~~Following the notice of application, in accordance with RCW 58.17.060, the administrator shall approve, disapprove, or return for modification all preliminary short subdivision applications. In reaching the conclusion to approve or disapprove short subdivisions, the administrator shall determine whether the requirements of this title have been satisfied and make a formal written finding of fact as to whether the short subdivision is consistent with the standards of the city of Yakima zoning ordinance and urban area comprehensive plan. (Ord. 2011-08 § 1 (part), 2011: Ord. 98-65 § 2 (part), 1998. Formerly 14.15.040).~~

Chapter 15.04
PERMITTED LAND USES

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Sections:

15.04.010	Purpose.
15.04.020	Land use classification system.
15.04.030	Table of permitted land uses.
15.04.040	Unclassified uses.
15.04.060	Accessory uses.
15.04.070	Overlays.
15.04.080	Drive-through facilities.
15.04.090	Yard sales.
15.04.100	Caretaker dwellings.
15.04.110	Swimming pools.
15.04.120	Home occupations.
15.04.130	Temporary use permits.
15.04.140	Temporary hardship unit permits.
15.04.150	Standards for mobile/manufactured home and tiny house communities.
15.04.160	Placement of mobile/manufactured homes in residential districts.
15.04.170	Placement of manufactured modular nonresidential structures.
15.04.190	Social card rooms.
15.04.200	State Fair Park—Exposition and Special Events Center.

15.04.010 Purpose.

For any particular district, there are some uses that are consistent with the intent and character of the zoning district; some uses that may be consistent if careful site design neutralizes the adverse characteristics of the use or site; and other land uses that, regardless of site design, are not consistent with the intent or character of the district. The purpose of this chapter is to establish the degree to which each land use is permitted in each district and establish the appropriate type of review for each land use in terms of the specific standards and requirements of each district. (Ord. 2016-029 § 1 (Exh. A) (part), 2016; Ord. 2008-46 § 1 (part), 2008; Ord. 2947 § 1 (part), 1986).

15.04.020 Land use classification system.

Land uses within each zoning district shall be classified into four principal categories which establish a class of use. The class of use generally corresponds to a type of review that is based on a level of review complexity. However, certain circumstances may alter the type of review due to a higher or lower complexity.

A. Class (1) uses are permitted, provided the district standards are met. The administrative official shall use the procedures in YMC Chapter 15.13 to review Class (1) uses and associated site improvements. Class (1) uses in certain situations may require a Type (2) review, as required by YMC 15.13.020. The procedures in YMC Chapter 15.14 shall be used to review and evaluate Class (1) uses that require a Type (2) review process.

B. Class (2) uses are generally permitted in the district. However, the compatibility between a Class (2) use and the surrounding environment cannot be determined in advance, and occasionally a Class (2) use may be incompatible at a particular location. Therefore, a Type (2) review by the administrative official is required in order to promote compatibility with the intent and character of the district and the policies and development criteria of the Yakima urban area comprehensive plan. The procedures in YMC Chapter 15.14 shall be used to review and evaluate Class (2) uses. In certain circumstances, the administrative official may require that a Class (2) use undergo a Type (3) review, as provided within this title.

C. Class (3) uses are generally not permitted in a particular district, but may be allowed by the hearing examiner after a Type (3) review and public hearing. The hearing examiner may approve, deny, or impose conditions on the proposed land use and site improvements to promote compatibility with the intent and character of the district and the policies and development criteria of the Yakima urban area comprehensive plan. The procedures in YMC

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Chapter 15.15 shall be used to review and evaluate Class (3) uses or Class (2) uses that have been forwarded to the hearing examiner for review.

D. **Uses Not Permitted.** Any use listed in Table 4-1 and not classified as either a Class (1), (2), or (3) use in a particular district shall not be permitted in that district. A request for an unclassified use, under YMC 15.04.040, that is denied by the hearing examiner is considered as a use not permitted.

E. **Multiple Uses.** When two or more uses are proposed for the same project, the entire project shall be subject to the type of review required by the highest classified use, Class (3) uses being higher than Class (2), and Class (2) uses being higher than Class (1).

F. **Administrative Official's Determination of Table of Permitted Land Uses.**

1. The administrative official shall be authorized to determine whether a new or expanded use not otherwise identified in Table 4-1, Permitted Land Uses, is consistent with or similar to those already provided for within the table.

2. In the event that an applicant is aggrieved by a verbal determination of the administrative official, the applicant may submit a request for a written determination to the city of Yakima planning division.

3. If the administrative official cannot conclusively determine that a new or expanded use is consistent with or similar to those identified within Table 4-1, the determination may be referred to the hearing examiner for an interpretation as provided for in YMC Ch. 15.22 (Ord. 2016-029 § 1 (Exh. A) (part), 2016: Ord. 2008-46 § 1 (part), 2008: Ord. 3019 § 12, 1975; Ord. 2947 § 1 (part), 1986).

15.04.030 Table of permitted land uses.

Table 4-1 titled "Permitted Land Uses" is incorporated as part of this section. Each permitted land use listed in Table 4-1 is designated a Class (1), (2), or (3) use for a particular zoning district. In addition, some Class (1) uses may require Type (2) review in accordance with YMC 15.04.020. All permitted land uses and associated site improvements are subject to the design standards and review procedures of this title.

Table 4-1. Permitted Land Uses

	SR	R-1	R-2	R-3	B-1	B-2	HB	SCC	LCC	AS	GC	CBD	RD	M-1	M-2
AGRICULTURAL (COMMERCIAL)															
Agriculture, Horticulture, General Farming (not feedlots or stockyards) (*)	1									1				1	1
Agricultural Building (*)	1									1				1	1
Agricultural Chemical Sales/Storage										1				1	1
Agricultural Market (*)	1						1	1	1		1	1	1	1	
Agricultural Stand (*)	1													1	1
Agricultural Related Industries (*)	2									1				1	1
Animal Husbandry (See YMC 15.09.070) (*)	1	2												1	1
Concentrated Feeding Operation (*)	3														
Floriculture, Aquaculture	1													1	1
Fruit Bin Sales/Storage	3									2				1	1

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	SR	R-1	R-2	R-3	B-1	B-2	HB	SCC	LCC	AS	GC	CBD	RD	M-1	M-2
Marijuana Production (**)														1	1
Winery and Brewery—Basic (*)										2	3		3	1	2
Resort/Destination w/on-site agricultural production (*)	2	3		3							3	3	3	3	
Resort/Destination (*)	2	3		3							1	1	1	3	
Retail (*)								1	1		1	1	1	1	2
AMUSEMENT AND RECREATION															
Aquatic Center									3		3	3	1	2	
Amusement Park (Permanent) (*)									3		3	3	1	3	
Bowling Alleys						1 2		1 2	1 2		1	1	1 2	3	
Campground (*)	3										2				
Children's Outdoor Recreation Center* (More than 500 ft. from abutting residential and not containing a go-cart track)											1 2		1 2		
Children's Outdoor Recreation Center* (Less than 500 ft. from abutting residential and/or containing a go-cart track)											3		1 2		
Drive-In Theatres	3										1 2		1 2	1 2	
Exercise Facilities				1 2	1	1		1	1	2	1	1	1	1 2	
Horse Racing Tracks, Speedways													3	3	
Game Rooms, Card Rooms, Electronic Game Rooms (*)								3	1 2	1	1 2	1 2	1 2		
Golf Courses, Clubhouses, Golf Driving Ranges	3	3	3	3									1 2		
Miniature Golf Courses						3		3	1		1	1	1		
Movie Theatres, Auditoriums, Exhibition Halls								3	1		1	1	1		
Parks (*)	2	2	2	2	1 2	1 2	1 2	1 2	1 2		1 2	1 2	1	3 2	3 2
Roller Skating or Ice Skating Rink									1 2		1 2	1	1	2	
Sports Facility (indoor)								1 2	1 2		1	1 2	1	1 2	
Social Card Rooms (See YMC 15.09.090) (*)								3	3		3	3			
State Fair Park	(See YMC 15.04.200)														
COMMUNITY SERVICES															
Cemetery/Crematorium with Funeral Home	3	3	3	3	3										3
Funeral Home not associated with Cemetery/Crematorium	3				1 2	1 2		1 2	1		1	1	1 2	1 2	
Churches, Synagogues, and Temples (*)	2	2	2	2	1 2	1 2	1	1 2	1 2		1	1	2	2	
Community Center (*) Meeting Halls, Fraternal Organizations	2	2	2	2	1 2	1 2	1 2	1 2	1 2		1	1	1 2		

The Yakima Municipal Code is current through Ordinance 2024-033, passed November 4, 2024.

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	SR	R-1	R-2	R-3	B-1	B-2	HB	SCC	LCC	AS	GC	CBD	RD	M-1	M-2
Community Gardens (*) (if accessory to an approved principal use) (See YMC 15.04.060(G))	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Community Gardens (*) (with planting area of one-quarter acre or less)	1	1	1	1	1	1		1	1	1	1	1		1	
Community Gardens (*) (with planting area of more than one-quarter and up to one-half acre)	1	1	1	1	1	1		1	1	1	1	1		2	
Community Gardens (*) (with planting area of more than one-half acre up to one acre)	1	1	1	1	1	1		1	1	1	1	1		2	
Day Care Facilities (not home occupation): Family In-Home (*)	1	1	1	1	1	1	1	1	1		1	1			
Day Care Center (*)	1	1	1	1	1	1	1	1	1		1	1	1	1	
Public Facility (*)	3	3	3	3	1	1		1	1	1	1	1	1	1	1
Hospital (*) Outside Institutional Overlay	3	3	3	3	3						3	3		3	
Correctional Facilities	3										3	3	3	3	3
Libraries	3	3	3	2	1	1	1	1	1		1	1	1		
Museums, Art Galleries		3	3	1	1	1	1	1	1	1	1	1	1		
Schools															
Elementary and Middle	3	3	3	3	3	3					1	3			
Senior High School	3	3	3	3	3	3					3	3			
Business Schools (*)	3	3	3	3	3	3		1	1	1	1	1	1	1	
Community College/University—Inside Institutional Overlay	(See YMC Chapter 15.31)														
Community College/University—Outside Institutional Overlay	3	3	3	3	3	1	1	1	1	3	1	1	1	1	
Vocational Schools (*)	3	3	3	3	3	1		1	1	1	1	1	1	1	
Wastewater Sprayfield (*)	3													3	3
Zoo (*)	3							3	3		3		3		
HEALTH AND SOCIAL SERVICE FACILITY															
Group Homes (six or fewer), Adult Family Home (*)	1	1	1	1	1	1					1	1			
Treatment Centers for Drug and Alcohol Rehabilitation					3	3		3	3		3	3	3	3	
Congregate Living Facility up to 10 (*)	3	3	3	3	1	1					1	1	1		
Congregate Living Facility 11+	3	3	3	3	3	3					1		1		
Halfway House (*)				2							3	3			
Group Homes (more than six), Convalescent and Nursing Homes (*)			3	2	1	1					3	3			
Mission (*) (with Type (3) review, and development agreement—see definition)											3	3		3	
MANUFACTURING															

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Agricultural Product Support										1	12	12	12	1	1
Aircraft Parts										1			12	1	1
Apparel and Accessories										1	3	12	12	1	1
Bakery Products (wholesale)							12	1	12	1	12	12	12	1	1
Beverage Industry (*)										1	12	12	12	1	1
Canning, Preserving and Packaging Fruits, Vegetables, and Other Foods													12	1	1
Cement and Concrete Plants														3	1
Chemicals (Industrial, Agricultural, Wood, etc.)														3	1
Concrete, Gypsum and Plaster Products										12				1	1
Confectionery and Related Products (wholesale)						12		12	12		1	1	12	1	1
Cutlery, Hand Tools and General Hardware										1			3	1	1
Drugs										1	12		12	1	1
Electrical Transmission and Distribution Equipment										1		12	3	1	1
Electronic Components and Accessories and Product Assembly										1	12	12	3	1	1
Engineering, Medical, Optical, Dental, Scientific Instruments and Product Assembly										1		12	12	1	1
Fabricated Structural Metal Products										12	3	3		1	1
Food Processing											3	12	3	1	1
Furniture										12		3	12	1	1
Glass, Pottery, and Related Products and Assembly											12	12	12	1	1
Grain Mill Products											3			1	1
Heating Apparatus Wood Stoves														1	1
Leather Products												3	1	1	1
Leather Tanning and Finishing														1	1
Machinery and Equipment										1	12			1	1
Marijuana Processing (**)														1	1
Marijuana Research (**)														1	1
Meat, Poultry and Dairy Products														1	1
Paints, Varnishes, Lacquers, Enamels and Allied Products														3	1
Paperboard Containers and Boxes										1	3			1	1
Plastic Products and Assembly										1	32			1	1

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Prefabricated Structural Wood Products and Containers										1				1	1
Printing, Publishing and Binding										1	3		2	1	1
Printing Trade (service industries)						12		12	12		1	1	2	1	1
Recycling Processing Center (*)												3		1	1
Rendering Plants, Slaughter Houses															3
Rubber Products										1				12	1
Sign Manufacturing and Product Assembly (*)									12	1	1			1	1
Sawmills and Planing Mills														32	1
Sheet Metal and Welding Shops										1	12			1	1
Stone Products (includes finishing of monuments for retail sale)						12			1	1	12	12	3	1	1
Transportation Equipment, Including Trailers and Campers										1	1		2	1	1
Woodworking: Cabinets, Shelves, etc.									3	1	12	1	2	1	1
MINING/REFINING/OFF-SITE HAZARDOUS WASTE TREATMENT															
Asphalt Paving and Roofing Materials, Rock Crushing	3													3	1
Mining Including Sand and Gravel Pits (*)	3													3	3
Stockpiling of Earthen Materials (*)	32	32	32	32	1	1	1	1	1	1	1	1	1	1	1
Off-Site Hazardous Waste Treatment and Storage Facilities (*)														3	3
RESIDENTIAL															
Accessory Uses (*)	See YMC 15.04.060														
Detached Single-Family Dwelling (*)	1	1	1	1	3	3	1	3	3		3		3		
Accessory Dwelling Unit (*) (See YMC 15.09.045)	12	12	1	1	1	1	1	1	1		1		1	1	
Existing or New Detached Single-Family Dwelling on Existing Lots of 8,000 Square Feet or Less											1		1	1	
Detached Single-Family Dwelling (zero lot line) (*) (See YMC 15.09.040)	12	12	12	12	3	3	1	3	3		3		3		
Attached Single-Family Dwelling, Common Wall (*)	12	12	1	1	3	3	1	12	12		12		12		
Two-Family Dwelling (Duplex) (*)	13	12	1	1	12	12	1	12	12		1		12		
Two-Family Dwelling (Duplex) (*) on-Corner-Lots in a New Subdivision	4	4	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted Dwelling (*)	13	12	1	1	1	1	1	12	12		1	1			
Cottage Housing (*) (See YMC 15.09.035)		12	1	1	1	1		12	12		12		12		
Multifamily Development (*): 0-7 DU/NRA		12	1	1	12	12		12	12		12	12	12		

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8-12 DU/NRA			12	1	12	12		12	12		12	12	12		
13+ DU/NRA			12	1	12	12		12	12		12	12	12		
Mixed-Use Building					1	1		1	1		1	1	1		
Planned Development (*)	See YMC 15.28														
Mobile Home Communities (*)	3			2							32				
Tiny House Communities (*)			12	1	12	12		12	12		12				
Mobile Home (*) or Manufactured Homes (*)	See YMC 15.04.160														
Retirement Homes (*)	12	1	3	1	3						1	1			
Temporary Hardship Units (See YMC 15.04.140)	2	2	2	2	2	2		2	2		2	2		2	
RETAIL TRADE, AND SERVICE															
Adult Business Uses	See YMC 15.09.200														
Animal Clinic/Hospital/Veterinarian (*)	3				12	12		12	1	12	1	1		1	
Auction House for Goods (*)	3					12		12	12		1	1	2	1	1
Auction House for Livestock (*)	3													12	12
Automotive															
Automotive Dealer New and Used Sales						32		32	32		1	3	1	1	
Weekend Automobile and Recreational Vehicle (RV) Sales									1		1		1		
Automotive: Car Wash/Detailing						12		1	1	1	1		1	12	
Parking Lots and Garages					12	1		1	1	1	1	1	1	1	
Maintenance and Repair Shops						2		1	1	2	1	2		1	2
Paint and Body Repair Shops						2		2	1		1			1	2
Parts and Accessories (tires, batteries, etc)						2		1	1	1	1	12	1	12	
Towing Services										1	3			1	1
Wrecking and Dismantling Yard (*) and Hulk Haulers (*)														3	1
Bail Bonds											1	1	1		
Beauty and Barber Shops					12	1	12	1	1	1	1	1	1	12	
Short Term Rental (*)	32	32	32	32	32			32	32		32	1			
Boats and Marine Accessories						12		12	1		1		1	1	
Butcher Shop						1		1	1		1	2	2	1	
Commercial Services (*)					12	1	12	1	1		1	1	1	12	
Communication Towers (*)	(See YMC Chapter 15.29)														

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STANDARDS

	SR	R-1	R-2	R-3	B-1	B-2	HB	SCC	LCC	AS	GC	CBD	RD	M-1	M-2
Convenience Store—Closed 10:00 p.m. to 6:00 a.m.						1	12	1	1	1	1	1	1	12	
Convenience Store—Open 10:00 p.m. to 6:00 a.m.	-	-	-	-	-	2	-	2	2	4	4	2	4	2	-
Pet Day Care/Animal Training (*)	12					1		1	1	12	1		1	12	
Farm and Implements, Tools and Heavy Construction Equipment										1	2		3	1	1
Farm Supplies								12	12	1	1		12	1	
Financial Institutions					1	1		1	1	1	1	1	1		
Fuel Oil and Coal Distributors										1	12			1	1
Furniture, Home Furnishings, Appliances						1		1	1	1	1	1	1		
General Hardware, Garden Equipment, and Supplies						2	1	1	1	1	1	1	1	1	
General Retail Sales 12,000 sq. ft. or less (not otherwise regulated) (*)					12	1		1	1	1	1	1	1	3	
General Retail Sales greater than 12,000 sq. ft. (not otherwise regulated) (**)	-	-	-	-	-	2	-	4	4	4	4	4	4	3	-
Heating and Plumbing and Electrical Equipment Stores						12		12	1	1	1	1	1	1	
Heavy Equipment Storage, Maintenance and Repair										1				1	1
Kennels (*)	2													2	2
Laundries, Laundromats and Dry Cleaning Plants						12	12	1	1	1	1	12		1	
Liquor Stores						12		12	1		1	1	1		
Locksmiths and Gunsmiths						1	12	1	1	1	1	12		1	
Lumber Yards								12	1	1	1			1	1
Marijuana Retail (**)						1		1	1		1	1	1		
Massage Therapy/Spa (*)					1	1	1	1	1	1	1	1	1		
Mobile Vendor	See YMC Ch. 5.57														
Motels and Hotels								12	1	1	1	1	1		
Extended Stay Hotel/Motel*								12	1	12	12	3	3		
Night Clubs/Dance Establishments								12	1		1	1	1	1	
Nursery (*)	12					1		1	1	1	1		1	1	
Offices and Clinics				3	1	1		1	1	1	1	1	1	12	
Office Contractor Building and Trade (Plumbing, Heating, Electrical, and Painting)				3	1	1		1	1	1	1	1	1	1	
Outdoor Advertising (Billboards)	See YMC 15.08.130														
Pawn-Broker						12		1	1		1	12	1		

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	SR	R-1	R-2	R-3	B-1	B-2	HB	SCC	LCC	AS	GC	CBD	RD	M-1	M-2
Radio/TV Studio	3				12	12		1	1		1	1		12	
Recycling Drop-Off Center (*)						1		12	12		1	1	1	1	
Rental: Auto, Truck, Trailer, Fleet Leasing Services with Storage					3	12			1	12	1	12	12	1	12
Rental: Heavy Equipment (except automotive) with Storage														1	1
Rental: Heavy Equipment (except automotive) without Storage											1	12	3	12	1
Repairs: Small Appliances, TVs, Business Machines, Watches, etc.						1	12	1	1	1	1	12	1	1	
Repairs: Reupholstery and Furniture						1		1	1	1	1	1	1	1	
Repairs: Small Engine and Garden Equipment						12	12	12	1	1	1	12		1	
Restaurant (*)					12	1	1	1	1	1	1	1	1	1	
Seamstress, Tailor						4	4	4	4	4	4	4	4		
Service Station (*) Closed Between 10:00 p.m. and 6:00 a.m. (*)						12		1	1	1	1	1	1	1	
Service Station (*) Open Between 10:00 p.m. and 6:00 a.m. (*)						3		12	12	1	1	12	1	12	
Shooting Ranges (indoor)								3	3		3	3		1	
Signs, Printed, Painted or Carved						12			12	1	1	12		1	1
Taverns (*) and Bars						1	12	1	1	1	1	1	1	1	
Technical Equipment Sales (*)					12	1	12	1	1	1	1	1	1	1	
Truck Service Stations and Shops											3		12	1	1
Truck (Large), Manufactured Home and Travel Trailer Sales											1		3	1	
Waste Material Processing and Junk Handling (*)														3	1
TRANSPORTATION															
Bus Terminals										1	1	1	1	1	1
Bus Storage and Maintenance Facilities														1	1
Transportation Brokerage (*) Offices, with Truck Parking									12		12			1	1
Contract Truck Hauling, Rental of Trucks with Drivers											1			1	1
Air, Rail, Truck Terminals (for short-term storage, office, etc.)										1		12		1	1
Railroad Switch Yards, Maintenance and Repair Facilities, etc.														1	1
Taxicab Terminals, Maintenance and Dispatching Centers, etc.									3		3			1	
Airport Landing Field										1					
Airport Operations (*)										1					

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	SR	R-1	R-2	R-3	B-1	B-2	HB	SCC	LCC	AS	GC	CBD	RD	M-1	M-2
UTILITIES															
Power Generating Facilities													3	21	1
Utility Services (substations, etc.)	3	3	3	3	3	3		3	3		3			1	1
WHOLESALE TRADE—STORAGE															
Warehouses (*)									3	1	2	2		1	1
Wholesale Trade (*)									2	1	1	2	4	1	1
Storage Facilities, Bulk (*)									1	2				1	1
Storage Facilities, Commercial (*)									3	1	32		3	1	1
<u>Storage Facility, Commercial Outdoor*</u>									3	1	3			1	1
<u>Residential Mini-Storage (*) (See YMC § 15.04.085)</u>				3		3				1	32		3	1	1
<u>Residential Mini-Storage Outdoor* (See YMC § 15.04.085)</u>				3		3				1	3			1	1
* Refers to a definition in YMC Chapter 15.02. ** See YMC 15.09.220 for general development requirements for marijuana uses. = Not Permitted 1 = Class (1) Permitted Use 2 = Class (2) Requires an Administrative Review by the Administrative Official 3 = Class (3) Requires a Public Hearing by the Hearing Examiner															

(Ord. 2022-011 § 1 (Exh. A), 2022; Ord. 2020-001 § 1 (Exh. A) (part), 2020; Ord. 2019-044 § 1 (Exh. A) (part), 2019; Ord. 2018-047 § 1 (Exh. A) (part), 2018; Ord. 2016-029 § 1 (Exh. A) (part), 2016; Ord. 2016-018 § 1, 2016; Ord. 2016-008 §§ 3, 4, 2016; Ord. 2015-036 § 2, 2015; Ord. 2015-022 § 3 (Exhs. A, B), 2015; Ord. 2014-030 § 2, 2014; Ord. 2012-34 § 1, 2012; Ord. 2011-52 § 3, 2011; Ord. 2011-12 § 2, 2011; Ord. 2010-16 § 2, 2010; Ord. 2008-46 § 1 (part), 2008; Ord. 2005-81 § 2, 2005; Ord. 2002-53 § 3, 2002; Ord. 2001-04 § 6 (Att. B), 2001; Ord. 98-61 § 2, 1998; Ord. 98-59 § 2, 1998; Ord. 95-36 § 2, 1995; Ord. 95-13 §§ 3, 4, 1995; Ord. 93-81 § 16, 1993; Ord. 3016 § 6, 1988; Ord. 3019 § 13, 1987; Ord. 2497 § 1 (part), 1986).

15.04.085 Storage Facilities
Residential mini-storage facilities for both indoor and outdoor storage facilities shall be limited to two land use applications per calendar year. Applications for additional storage facilities shall not be accepted until the following calendar year.

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Chapter 15.11

GENERAL APPLICATION REQUIREMENTS

Sections:

- 15.11.010 Purpose.
- 15.11.020 Application requirements.
- 15.11.030 General site plan form and contents.
- ~~15.11.040 Detailed site plan form and contents.~~
- 15.11.050 Preapplication conference.
- 15.11.060 Filing an application.
- 15.11.070 Processing applications.
- 15.11.080 Notice requirements.
- 15.11.090 Fee schedule and administration.
- 15.11.100 Master applications.

15.11.010 Purpose.

The purpose of this chapter is to specify the general procedures to be followed when processing applications. Additional procedures for particular types of development review are contained in specific sections of this title. (Ord. 2016-029 § 1 (Exh. A) (part), 2016: Ord. 2008-46 § 1 (part), 2008: Ord. 2947 § 1 (part), 1986).

15.11.020 Application requirements.

All applications shall comply with the following requirements:

- A. Applications shall be in writing on forms provided by the department;
- B. Each submitted land use application shall be completed in its entirety, and contain all narratives, supplemental narratives, site plans, or other required attachments as specified by the pertinent application. For all Planning Applications Type (1), or (2) reviews for developed sites for which there is limited proposed change, the application shall include a general site plan in print or digital form in conformance with YMC 15.11.030; provided, the administrative official at their discretion may require additional information to clarify the application or determine compliance with the provisions of this title. ~~For Type (3) review, the application shall include a detailed site plan in conformance with YMC 15.11.040;~~
- C. All applications, including a Type (1) review, shall be signed by the property owner or his agent authorized in writing to do so;
- D. Applications shall be accompanied by the appropriate fee as established by ordinance;
- E. An application is not complete unless it includes all required information, attachments and fees. No application shall be considered officially filed until accepted as complete by the division; and
- F. ~~All a~~ Applications for Type (2) and (3) reviews shall include a minimum eleven-inch by seventeen-inch reproducible copy of the site plan in print or digital form. In the event of expanded review, additional copies may be required at the applicant's expense. Site plans shall be developed in accordance with YMC 15.11.030 ~~or 15.11.040,~~ as applicable.

Table 11-1. Notice Requirements

	Notice of Application	Notice of Hearing Examiner or Yakima Planning Commission Public Hearing	Notice of Recommendation/Decision	City Council Hearing
Type (1) Review	(Not Required)	(Not Required)	Notice of Decision • Applicant	(Not Required)

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	Notice of Application	Notice of Hearing Examiner or Yakima Planning Commission Public Hearing	Notice of Recommendation/Decision	City Council Hearing
Type (2) Review	<ul style="list-style-type: none"> • Applicant • Property owners within 300-foot radius • City In-house Distribution List 	(Not Required)	<ul style="list-style-type: none"> • Notice of Decision • Parties/agencies who received the Notice of Application • Any additional parties of record 	(Not Required)
Type (3) Review	<ul style="list-style-type: none"> • Applicant • Parties of Record • Property owners within 300-foot radius • City In-house Distribution List • Posting is required prior to issuance of notice 	(at least 20 days prior to hearing) <ul style="list-style-type: none"> • Applicant • Parties/agencies who received the Notice of Application • Any additional parties of record • Local Media • Hearing Examiner or Yakima Planning Commission • Publish legal ad in the newspaper 	<ul style="list-style-type: none"> • Notice of Decision (mail 3 days after it is rendered) • Certified mail to applicant • Regular mail to parties and agencies who received the Notice of Application • Any additional parties of record 	(Not Required)
Appeals For SEPA appeal see YMC Ch. 6.88	Notice of Appeal of Administrative Official's Decision and Public Hearing <ul style="list-style-type: none"> • Appellant • The official whose decision is being appealed • Parties/agencies who received the Notice of Application • Posting property and publishing a legal ad is required Notice of Appeal of Hearing Examiner's Decision <ul style="list-style-type: none"> • Appellant • The official whose decision is being appealed • Parties and agencies who received the Notice of Application 	See Notice of Application	<ul style="list-style-type: none"> • Notice of Hearing Examiner's Decision • Certified mail to applicant • Regular mail to parties and agencies who received the Notice of Application • Any additional parties of record 	<ul style="list-style-type: none"> • City Clerk will publish legal ad and send notice to the following: - Appellant - Official whose decision is being appealed - Hearing Examiner - Parties and agencies who received the Notice of Application - Any additional parties of record (Not Applicable)
Cell Tower	See YMC 15.29.040 Table 29-1			
Planned Development	<ul style="list-style-type: none"> • Applicant • Property owners within 300-foot radius • City In-house Distribution List • Posting is required prior to issuance of notice 	(at least 20 days prior to hearing) <ul style="list-style-type: none"> • Applicant • Parties/agencies who received the Notice of Application • Any additional parties of record • Local Media • Hearing Examiner or Yakima Planning Commission • Publish legal ad in the newspaper 	<ul style="list-style-type: none"> • Notice of Recommendation • Regular mail to applicant and parties of record <ul style="list-style-type: none"> • Notice of Decision • Applicant receives cover letter with ordinance if approved or Council's findings if denied 	<ul style="list-style-type: none"> • City Clerk will publish legal ad and send notice to the following: - Applicant - Parties/agencies who received the Notice of Application - Any additional parties of record
Rezone	<ul style="list-style-type: none"> • Applicant • Property owners within 300-foot radius • City In-house Distribution List 	(at least 20 days prior to hearing) <ul style="list-style-type: none"> • Applicant 	<ul style="list-style-type: none"> • Notice of Recommendation • Regular mail to applicant and parties of record <ul style="list-style-type: none"> • Notice of Decision 	<ul style="list-style-type: none"> • City Clerk will publish legal ad in the newspaper and send notice to the following: - Applicant

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	Notice of Application	Notice of Hearing Examiner or Yakima Planning Commission Public Hearing	Notice of Recommendation/Decision	City Council Hearing
	• Posting is required prior to issuance of notice	• Parties/agencies who received the Notice of Application • Any additional parties of record • Local Media • Hearing Examiner or Yakima Planning Commission • Publish legal ad in the newspaper	• Applicant receives cover letter with ordinance if approved or Council's findings if denied	- Parties/agencies who received the Notice of Application - Any additional parties of record
Comprehensive Plan Amendment	See YMC Ch. 16.10			
Right-of-Way Vacation	See YMC Ch. 14.21			
SEPA	See YMC Ch. 6.88			
Shoreline	See YMC Ch. 17.13 and WAC 173-27-110			
Subdivisions	See YMC Title 14 and RCW 58.17			

Per YMC 15.01.060, in the case of conflicts between the text, maps and tables of this title, the text shall govern unless otherwise stated. Notice requirements for master applications will vary.

(Ord. 2020-001 § 1 (Exh. A) (part), 2020: Ord. 2019-044 § 1 (Exh. A) (part), 2019: Ord. 2016-029 § 1 (Exh. A) (part), 2016: Ord. 2008-46 § 1 (part), 2008: Ord. 93-81 § 45, 1993: Ord. 3245 § 2, 1990: Ord. 2947 § 1 (part), 1986).

15.11.030 General site plan form and contents.

A. General Site Plan Form. All general site plans shall be drawn to scale and be legibly drawn or prepared in a reproducible printed or digital form. Unless otherwise requested or authorized by the administrative official, the paper size for ~~Type (1) all land use review applications~~ shall be ~~eight and one-half inches by eleven inches and, for Type (2) review~~, eleven inches by seventeen inches. The scale of the drawing shall be a standard engineering scale and shall reasonably utilize the media's size. A list of all site plan content requirements is kept on file within the Planning Division and available with all land use application or upon request.

~~B. General Site Plan Contents. The general site plan shall include _____ the legal description of the land; north arrow and scale of drawing; name of applicant and project name; actual dimensions and shape of the lot to be built upon; the sizes and location of existing structures on the lot to the nearest foot; the location and dimensions of proposed structures and uses; the size and location of utilities, parking circulation plan, proposed landscaping and sitescreening;~~

~~_____ and the location of ingress and egress.~~

~~A detailed site plan for development in the floodplain overlay shall also include the following information:~~

- ~~1. Elevation in relation to the one-hundred-year flood level of the lowest floor (including basement) of all structures;~~
- ~~2. Elevation in relation to mean sea level of any structure that has been floodproofed;~~
- ~~3. Certification by a registered professional engineer or architect that established floodproofing standards have been met;~~
- ~~4. Description of the extent to which any watercourse will be altered or relocated as a result of the proposed development; and~~

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~~5. Any other site plan requirements identified in YMC Ch. 15.27 Part Four.~~ The site plan shall also include any other information required by the division or administrative official to clarify the proposal, assess its impacts, or determine compliance with this title. (Ord. 2016-029 § 1 (Exh. A) (part), 2016; Ord. 2008-46 § 1 (part), 2008; Ord. 2947 § 1 (part), 1986. Formerly 15.11.040).

15.11.040 — Detailed site plan form and contents.

~~A. — Detailed Site Plan Form. All detailed site plans shall be legibly drawn to scale, and be prepared in a reproducible printed or digital form. Unless otherwise requested or authorized by the division, the paper size shall be eleven inches by seventeen inches or larger. The scale of the drawing shall be a standard engineering scale and shall reasonably utilize the media's size. Where necessary, the plan may be on several sheets accompanied by an index sheet showing the entire site.~~

~~B. — Detailed Site Plan Contents. The detailed site plan shall show the following where applicable:~~

- ~~1. — The boundaries of the site;~~
- ~~2. — Names and dimensions of all existing streets bounding or touching the site;~~
- ~~3. — The location, shape, size, height, and types of all existing and proposed structures and the boundary lines of all proposed and existing lots, tracts, and easements;~~
- ~~4. — Proposed location and dimensions of "common open space";~~
- ~~5. — Existing and proposed utilities, streets, access easements, and dedication of property;~~
- ~~6. — Location, dimension, and design of off-street parking facilities, showing points of ingress to and egress from the site;~~
- ~~7. — All major physiographic features, such as railroads, drainage canals, and shorelines, on or abutting the site;~~
- ~~8. — Existing topographic contours at intervals of not more than five feet, together with proposed grading and drainage plans;~~
- ~~9. — Proposed land uses and densities;~~
- ~~10. — Pedestrian and vehicular circulation patterns;~~
- ~~11. — Existing and proposed landscaping and sitescreening;~~
- ~~12. — Existing sewer lines, water mains, and other underground facilities within and adjacent to the development;~~
- ~~13. — Proposed sewer or other waste disposal facilities, water mains and other underground utilities;~~
- ~~14. — The location of structures on the adjoining lots;~~
- ~~15. — A comprehensive sign plan meeting the requirements of YMC 15.08.170(A);~~
- ~~16. — Analysis of soil and geological conditions; and~~
- ~~17. — Any other information specified by the administrative official, such as:
 - ~~a. — Proposed ownership pattern;~~
 - ~~b. — Operation and maintenance proposals (i.e., homeowner's association, condominium, co-op or other);~~
 - ~~c. — Solid waste disposal facilities;~~~~

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- ~~d. — Lighting;~~
- ~~e. — Water supply;~~
- ~~f. — Public transportation;~~
- ~~g. — Community facilities;~~
- ~~h. — General timetable of development;~~
- ~~i. — Floodproofing or other measures to protect against flooding; and~~
- ~~j. — Information on design methods to conserve energy.~~

~~C. — A detailed site plan for development in the floodplain overlay shall also include the following information:~~

- ~~1. — Elevation in relation to the one-hundred-year flood level of the lowest floor (including basement) of all structures;~~
- ~~2. — Elevation in relation to mean sea level of any structure that has been floodproofed;~~
- ~~3. — Certification by a registered professional engineer or architect that established floodproofing standards have been met;~~
- ~~4. — Description of the extent to which any watercourse will be altered or relocated as a result of the proposed development; and~~
- ~~5. — Any other site plan requirements identified in YMC Ch. 15.27 Part Four. (Ord. 2016-029 § 1 (Exh. A) (part), 2016- Ord. 2008-46 § 1 (part), 2008- Ord. 2947 § 1 (part), 1986- Formerly 15.11.050).~~

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Chapter 15.12

PERMITS

Sections:

- 15.12.010 Purpose.
- 15.12.020 Required permits.
- 15.12.030 Compliance with development permit and final zoning decision and site plan required.
- 15.12.040 Official record for approvals to be maintained as public record.
- 15.12.050 Final site plans.
- 15.12.060 Expiration and cancellation of development permits and zoning decisions.
- 15.12.070 Certificates of occupancy required at discretion of administrative official.
- 15.12.080 Performance assurance.

15.12.010 Purpose.

The purpose of this chapter is to specify the general requirements for permits under this title and to specify certain administrative provisions concerning permits issued under this title. (Ord. 2016-029 § 1 (Exh. A) (part), 2016: Ord. 2008-46 § 1 (part), 2008: Ord. 2947 § 1 (part), 1986).

15.12.020 Required permits.

A. **Development Permit.** Except as provided in subsection C of this section, no use, development, or modification to use or development, as those terms are defined by this title, may be established, placed, performed, constructed, made or implemented, in whole or in part, without the issuance of a development permit by the administrative official. When a building permit is required, the building permit shall serve as the development permit.

B. **Final Zoning Decision and Site Plan.** No development permit may be issued without the prior issuance of a zoning decision and final site plan by the administrative official in which the applicable appeal period has not lapsed or any filed appeal has not been resolved.

C. **Exemptions.** The following developments and modifications to developments are exempt from the review and permit provisions of this title; provided, they do not involve a required site improvement:

1. Normal structural repair and maintenance;
2. Changes to conforming structures that do not involve structural alterations as that term is defined by this title;
3. Rehabilitation of dwelling units when such rehabilitation does not expand the number of dwelling units nor physically expand the structure;
4. Accessory structures otherwise meeting the specific development standards and requirements of this title and that do not require a building permit under the provisions of the building code;
5. Exempt signs;
6. Yard sales meeting the requirements in YMC 15.04.090;
7. Alteration to land, including grading and leveling, paving, stockpiling, and excavation, the fair market value of which does not exceed five hundred dollars; and
8. All construction of private or public roads, construction of sewer, electric, and water utilities pursuant to an approved and valid short or long subdivision regulating such improvements.

D. **Development Permit—Issuance in Conjunction with Another Permit.** If the administrative official is designated and/or authorized to review and issue a permit under the provisions of any other city code or ordinance applicable to the development, he/she may require issuance of the development permit under this title to be issued

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only in conjunction with that other permit. (Ord. 2016-029 § 1 (Exh. A) (part), 2016: Ord. 2008-46 § 1 (part), 2008: Ord. 2005-81 § 5, 2005; Ord. 3106 § 24, 1988; Ord. 3019 § 44, 1987; Ord. 2947 § 1 (part), 1986).

15.12.030 Compliance with development permit and final zoning decision and site plan required.

A. **Development Permit Compliance Required.** Development permits issued on the basis of plans, applications and conditions of approval imposed by the administrative official, and/or on the basis of a final zoning decision and site plan review, authorize only the use, arrangement, and construction set forth in the approved plans, and application together with any associated conditions of approval and the final site plan. Any use, arrangement, or construction inconsistent with that authorized is a violation of this title and is punishable as provided in YMC Chapter 15.25.

B. **Site Plan Compliance Required.** Whenever any detailed or general site plan is required by operation of this title and is part of any approval of development or modification of development, the final site plan shall be binding on all existing or subsequent owners and occupiers of the property. The owner and/or occupier of any property, development, or structure, which is the subject of a final detailed or general site plan, shall be required to maintain the property and development in full compliance with the terms and conditions of the approved final site plan and any associated terms and conditions of approval for the development. Failure to do so shall constitute a violation of this title and is punishable as provided in YMC Chapter 15.25.

C. **Site Inspection by the Building Official Authorized.** The building official is authorized to perform interim and final inspections of all development and modifications to development to assure that it has been established and/or constructed in conformance with the final site plan and associated terms and conditions of approval. The building official may coordinate such inspections with the inspections required by other applicable codes or ordinances. When the development, as built, conforms to the final site plan, the building official shall so certify on the face of the site plan on file with the appropriate jurisdiction. (Ord. 2016-029 § 1 (Exh. A) (part), 2016: Ord. 2008-46 § 1 (part), 2008: Ord. 2947 § 1 (part), 1986).

15.12.040 Official record for approvals to be maintained as public record.

A. For Type (2) and (3) Approvals. The division shall maintain an official record of all approved and currently applicable zoning decisions and development permits requiring review and approval by the administrative official and/or hearing examiner. The official record shall include the application, a copy of the zoning decision, and the development permit, together with their associated site plans and the terms and conditions of approval. Such documents shall constitute an official record and shall be open for public inspection and copying in accordance with the other provisions of law.

The division and administrative official shall immediately upon issuance of a zoning decision and development permit place the original or duplicate in the official record, noting the date of filing of the document. The official record required by this section shall constitute the authority as to the current applicable limitations and requirements pertaining to specific approvals issued under this title and shall constitute constructive notice to third parties of the existence and terms of said approval. The division shall be the official custodian of said record and is authorized to issue certified copies. Any unauthorized change of any kind by any person to the documents or records in the official record required by this section shall constitute a violation of this title and be punishable as provided under YMC Chapter 15.25. (Ord. 2016-029 § 1 (Exh. A) (part), 2016: Ord. 2008-46 § 1 (part), 2008: Ord. 2947 § 1 (part), 1986).

15.12.050 Final site plans.

A. **Final Site Plan Required.** A final site plan shall be submitted with all applications, and shall be required as a condition of approval for all review applications. The final site plan shall include the items shown on the original site plan and the additions and modifications required by the administrative official.

B. **Final Site Plans—Form and Content.** All final site plans shall be drawn to scale and be legibly drawn, prepared, or printed by a process guaranteeing a permanent record in black on paper, or equivalent material as required by the division. Unless the division requests or authorizes a different size or scale, the size and scale of the final site plan shall conform to the requirements of YMC 15.11.030 ~~or 15.11.040~~ as applicable. Where necessary, the final site plan may be on several sheets accompanied by an index sheet showing the entire site plan. (Ord. 2016-029 § 1 (Exh. A) (part), 2016: Ord. 2011-12 § 12, 2011: Ord. 2008-46 § 1 (part), 2008: Ord. 93-81 § 47, 1993; Ord. 3019 § 45, 1987; Ord. 2947 § 1 (part), 1986).

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15.12.060 Expiration and cancellation of development permits and zoning decisions.

A. **Zoning Decision—Expiration.** A zoning review decision in which the appeal period has lapsed without appeal shall automatically expire and terminate when:

1. A new or modified zoning decision has been issued for the same parcel or parcels; or
2. A development permit based on the zoning decision has not been issued within one year from the date of issuance of the decision; or a time period of not less than one year specified by the administrative official; or
3. The development permit issued on said decision terminates or is canceled under the provisions of this title.

B. **Development Permit and Building Permit Expiration.** A development permit shall automatically expire and be terminated when:

1. A new or modified development permit is issued for the parcel or parcels affected; or
2. The work or action authorized in the development permit has not begun within one hundred eighty days from the date of issuance thereof, unless a longer time is specified in the approval itself; or
3. The work or action authorized in the development permit has not been completed within two years from the date of issuance thereof, unless a longer time is specified in the approval itself;

C. **Extension of Any Approved Development Permit and/or Zoning Decision.** A valid zoning decision and/or a valid development permit may be extended one time only for up to one additional year by action of the administrative official. Requests for extensions shall be in writing to the division and shall be accompanied by the previously approved final general or detailed site plan showing the location and size of any development or work already completed on the project. The administrative official shall review the application without public notice or hearing and issue the decision within ten days from the receipt of the completed application. The administrative official may:

1. Approve the extension;
2. Approve the extension with conditions to assure the work will be timely completed; or
3. Disapprove the extension.

An extension shall be issued for good cause only and the burden of showing cause shall be upon the applicant. The administrative official shall mail his or her decision to the applicant and shall specify his or her decision as final unless appealed under the provisions of YMC Chapter 15.16. (Ord. 2016-029 § 1 (Exh. A) (part), 2016: Ord. 2008-46 § 1 (part), 2008: Ord. 93-81 § 48, 1993; Ord. 3019 §§ 46, 47, 1987; Ord. 2947 § 1 (part), 1986).

15.12.070 Certificates of occupancy required at discretion of administrative official.

A. **Purpose.** The purpose of this section is to provide a means to assure that the terms and conditions of approval imposed after review of development under this title are actually and properly complied with and implemented in a timely fashion, all in furtherance of the goals and policies of this title, the Yakima urban area comprehensive plan, and the public welfare and interest.

B. **Certificate of Occupancy May Be Required.** There is a condition of approval for the issuance of any development permit or zoning decision or any other permit or approval under this title. The administrative official and division, when engaged in administrative modification review under YMC Chapter 15.17, may require or specify that the approved use or occupancy of the structure or land may not occur without the issuance of a zoning decision issued by the administrative official certifying that all required site improvements have been fully and properly constructed and that all the terms and conditions of approval have been met. Where such condition is imposed by the administrative official, any use or occupancy of the property or structures, in whole or in part, without the issuance of a certificate of occupancy, is a violation of this title and is punishable under the provisions of YMC Chapter 15.25.

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C. **Procedures.** The administrative official may perform interim and final inspection of the development at his or her own initiative, but shall do so within five days of any request made by the permit holder. The administrative official is authorized to conduct interim and final inspections of the development and may coordinate such inspections with the inspections required by other applicable codes and regulations.

D. **Temporary Occupancy Prior to Completion.** The administrative official may authorize temporary occupancy of development prior to the issuance of a required certificate of occupancy when, upon request, he or she finds that all the following conditions are met:

1. The applicant is unable to complete all required improvements because of unavoidable circumstances that in no way resulted from the action or inaction of the applicant or permit holder;
2. It is reasonably certain that the applicant will be able to complete the improvements within a reasonable amount of time;
3. Delaying completion of the improvements until after occupancy will not be materially detrimental to property in the vicinity of the proposed development, the health, safety, and welfare of the general public, or the goals and policies of this title and the Yakima urban area comprehensive plan;
4. Security for the completion of required improvements and terms and conditions of approval has been made in accordance with YMC 15.12.080 for any public improvements associated with the development; and
5. The development complies with minimum life and safety codes and the building official has declared the development safe for use. (Ord. 2016-029 § 1 (Exh. A) (part), 2016: Ord. 2008-46 § 1 (part), 2008: Ord. 2947 § 1 (part), 1986).

15.12.080 Performance assurance.

A. **Purpose.** The purpose of this section is to provide a means to assure that the terms and conditions of approval pertaining to construction or changes to public improvements imposed after review of development under this title are actually and properly complied with and implemented in a timely fashion.

B. **Performance Assurance Required as a Condition of Approval.** As a condition of approval of the issuance of any development permit or zoning decision, or any other permit or approval issued under this title, the administrative official may require security for the performance and completion of any proposed or required public improvement or any other term or condition of approval pertaining to a public improvement. The estimate of the performance and completion of any proposed or required public improvement or any other term or condition of approval pertaining to a public improvement will be reviewed and/or calculated by the city engineer or a designee. When such security is required, it shall be made in accordance with this section and must be made and approved prior to the issuance of the development permit.

C. **Forms of Security.** The applicant may provide security in the form of one or more of the following:

1. A cash security deposit;
2. A bond; or
3. A deed of trust/mortgage on the subject property or other property;

Provided, however, that the quality, sufficiency, amount, and exact form of the security, are subject to the approval and satisfaction of the city engineer and administrative official. Whenever any security is provided by an applicant it shall state directly or by reference all the following provisions:

1. The improvements or performance secured;
2. A date or dates of required compliance;
3. The amount of the security;

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4. That the security is in favor of the city of Yakima; and
5. That the applicant shall maintain the security in force until completion of the public improvement or condition for which security was provided.

D. **Security Deposits.** The following provisions apply to security in the form of a security deposit. When a security deposit is made under the provisions of this section, a written agreement shall be made and signed by the administrative official on behalf of the city. Security deposits shall be made directly to the administrative official and such funds shall be kept in an identifiable trust account. The applicant may designate the location and type of account, and any interest earned thereon shall accrue to and remain in such account. The cost of the account shall be provided for by the applicant or may be deducted from the security deposit.

If the improvements or performances secured by the deposit are not timely completed, the administrative official shall notify the applicant in writing, stating:

1. The nature of the noncompliance and the action necessary to correct the same; and
2. The amount of time in which the applicant has to take corrective action; and
3. That if corrective action is not completed within the time specified the city will apply the funds in the security deposit in order to effect compliance.

If the corrective action is not taken by the applicant or permit holder within the time specified in the notice given by the administrative official, the city shall, through its representatives, take whatever action that the city deems necessary. In addition, the city shall perform or complete the items covered by the security deposit and shall apply funds held therein to the cost of such completion or performance. Any excess or surplus funds shall be refunded to the applicant.

E. **Bonds.** The following provisions shall apply to bonds provided as security under this section. The bond or other security shall be in an amount and with such surety and conditions satisfactory to the administrative official.

F. **Deeds of Trust.** Security provided in the form of deeds of trust shall comply with the following provisions. Deeds of trust shall be recorded, the cost of which will be borne by the applicant. If the improvements or performance secured by the deed of trust are not completed, the administrative official shall notify the applicant in writing, stating:

1. The nature of the noncompliance and the action necessary to correct the same;
2. The amount of time in which the applicant has to take corrective action; and
3. That if corrective action is not completed within the time specified the city will take corrective action itself and/or foreclose the deed of trust.

On failure of the applicant or permit holder to complete corrective action within the time specified, the city may, at its option and through its designated representatives, either:

- a. Take action necessary or convenient to perform or complete the events secured by deed of trust, and thereafter institute foreclosure of the deed of trust in any manner allowed by law; or
- b. Institute foreclosure action on the face amount of the deed of trust in any manner allowed by law.

G. **Partial Releases.** An applicant may request a partial release of any security provided under this section based on partial completion or compliance with the events secured. If the administrative official determines that partial release is warranted, he may cause a partial release of security in an amount deemed by him to be appropriate.

H. **Applicant and Permit Holder Responsible for Deficiencies.** The applicant and/or permit holder is responsible for all costs incurred by the city in causing completion of the events secured by any security provided for under this

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section. If, after fully applying the security, a deficiency remains, the applicant and/or permit holder shall be jointly and severally liable for such deficiency and for reasonable attorney's fees necessary to collect the same.

I. Administration. The administrative official is authorized to sign documents and otherwise administer securities under the provisions of this section. (Ord. 2016-029 § 1 (Exh. A) (part), 2016: Ord. 2008-46 § 1 (part), 2008: Ord. 3019 § 48, 1987; Ord. 2947 § 1 (part), 1986).

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Chapter 15.13
TYPE (1) REVIEW

Sections:

- 15.13.010 Purpose.
- 15.13.020 When required.
- 15.13.025 Central business district—Type (1) review exemption.
- 15.13.030 Development permit application—Type (1) review.
- 15.13.040 Review procedures.
- 15.13.050 Approval.
- 15.13.060 Denial.
- 15.13.070 Appeals.

15.13.010 Purpose.

This chapter establishes procedures for issuance of a development permit for uses requiring Type (1) review. (Ord. 2016-029 § 1 (Exh. A) (part), 2016: Ord. 2008-46 § 1 (part), 2008: Ord. 2947 § 1 (part), 1986).

15.13.020 When required.

Class (1) uses not requiring Type (2) or (3) review are permitted; provided, that district standards are met. The administrative official shall use the procedures in YMC Chapter 15.13 to review Class (1) uses and associated site improvements for compliance with the provisions and standards of the zoning district in which they are located, unless exempt under YMC 15.13.025. Class (1) uses require Type (2) review when:

- A. All or part of the development, except for agricultural buildings, single-family dwellings, and duplexes, is in the floodplain or greenway overlay districts;
- B. All or part of a development is in the airport safety overlay (ASO);
- C. All or part of a development is in an institutional (IO) or master planned development overlay (PD) and is identified in a development agreement as requiring Class (2) approval;
- D. The proposed use includes hazardous material;
- E. The applicant requests adjustment of one or more of the specific development standards pursuant to YMC 15.10.020; or
- F. All or part of the development requires a development plan and/or master plan. (Ord. 2023-026 § 1 (Exh. A), 2023: Ord. 2016-029 § 1 (Exh. A) (part), 2016: Ord. 2008-46 § 1 (part), 2008: Ord. 3019 § 49, 1987; Ord. 2947 § 1 (part), 1986).

15.13.025 Central business district—Type (1) review exemption.

Change of use proposals within existing buildings in the CBD shall be exempt from Type (1) review when the proposed new use is a Class (1) use under the Retail Trade and Service portion of YMC 15.04.030, Table 4-1. New construction or expansion of Class (1) uses shall follow the Type (1) review or modification process, as applicable. (Ord. 2023-026 § 2 (Exh. B), 2023).

15.13.030 Development permit application—Type (1) review.

Applications for permits for Class (1) uses permitted outright in the district shall be made in writing to the administrative official on forms supplied by the department. A general site plan conforming to the provisions of YMC 15.11.030 shall accompany the application. The administrative official may request any other information necessary to clarify the application or determine compliance with, and provide for the enforcement of, this title. (Ord. 2016-029 § 1 (Exh. A) (part), 2016: Ord. 2008-46 § 1 (part), 2008: Ord. 2947 § 1 (part), 1986).

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15.13.040 Review procedures.

The administrative official shall review all Class (1) uses for compliance with this title. The administrative official shall forward all Class (1) uses requiring Type (2) review under YMC 15.13.020 to the planning division for processing under YMC Chapter 15.14. The administrative official shall notify the applicant of the approval or denial of the application, request additional information, or forward the application to the division for review. (Ord. 2016-029 § 1 (Exh. A) (part), 2016; Ord. 2008-46 § 1 (part), 2008; Ord. 2947 § 1 (part), 1986).

15.13.050 Approval.

The administrative official shall issue a Type (1) zoning decision when it has been determined that:

- A. The proposed use is a Class (1) permitted use under YMC Chapter 15.04;
- B. That the proposed development complies with the standards and provisions of this title;
- C. That the proposed development complies with other building codes in effect and administered by the administrative official;
- D. That proposed development complies with traffic engineering standards and policies established by the appropriate jurisdiction to protect the function and satisfactory level of service of arterial and collector streets; and
- E. That any new improvements or expansions of a structure comply with the standards of this title. (Ord. 2016-029 § 1 (Exh. A) (part), 2016; Ord. 2008-46 § 1 (part), 2008; Ord. 3019 § 50, 1987; Ord. 2947 § 1 (part), 1986).

15.13.060 Denial.

When an application is denied, the administrative official shall state the specific reasons and shall cite the specific chapters and sections of this title upon which denial is based. The administrative official may also refer the applicant to the division to determine if relief from such denial is available through other application. (Ord. 2016-029 § 1 (Exh. A) (part), 2016; Ord. 2008-46 § 1 (part), 2008; Ord. 2947 § 1 (part), 1986).

15.13.070 Appeals.

Any decision by the administrative official to deny issuance of a permit for a Class (1) use may be appealed to the hearing examiner under the provisions of YMC 15.16.030. (Ord. 2016-029 § 1 (Exh. A) (part), 2016; Ord. 2008-46 § 1 (part), 2008; Ord. 2947 § 1 (part), 1986).