

ORDINANCE NO. 2022-011

AN ORDINANCE amending Yakima Municipal Code Title 15 – Yakima Urban Area Zoning Ordinance to incorporate text amendments recommended by the City of Yakima Planning Commission

WHEREAS, the Planning Commission of the City of Yakima has considered amendments to modify several sections in YMC Title 15 – Yakima Urban Area Zoning Ordinance; and

WHEREAS, notice of all amendments to YMC Sections 15.02.020, 15.04.030, 15.04.060, 15.04.080, 15.04.150, 15.05.020, 15.05.030, 15.05.055, 15.05.060, 15.06.040, 15.09.035 (new section), 15.09.045, and 15.10.020 hereinafter “Amendments,” to fulfill the requirements of RCW 36.70A.130 was sent to the Washington State Department of Commerce and received by the same on March 28, 2022; and

WHEREAS, the Planning Commission held eleven study sessions for these amendments on June 23, 2021; July 28, 2021; September 8, 2021; October 13, 2021; October 27, 2021; November 10, 2021; December 8, 2021; January 12, 2022; February 9, 2022; February 23, 2022; and March 9, 2022; and

WHEREAS, the Planning Commission held open record public hearing on March 23, 2022, pursuant to notice and has received and considered all evidence and testimony presented; and

WHEREAS, the Planning Commission, having conducted such public hearing, found, determined, and recommended that the City Council approve such amendments as indicated in the signed recommendation dated March 24, 2022; and

WHEREAS, the City Council held a public hearing on May 3, 2022 pursuant to notice to consider such amendments as recommended by the Planning Commission; and

WHEREAS, the City Council of the City of Yakima, having considered the record herein, the testimony provided at the public hearing, and the recommendation from the Planning Commission, hereby finds and determines that approval of these amendments is in the best interests of residents of the City of Yakima and will promote the general health, safety and welfare; now, therefore

BE IT ORDAINED BY THE CITY OF YAKIMA:

Section 1. Amendments to Replace and Supersede. The proposed amendments to YMC Sections 15.02.020, 15.04.030, 15.04.060, 15.04.080, 15.04.150, 15.05.020, 15.05.030, 15.05.055, 15.06.040, 15.09.035 (new section), 15.09.045, and 15.10.020, as contained in Exhibit “A” attached hereto and fully incorporated herein, shall replace and supersede previous versions of the referenced documents.

Section 2. The following section of the Yakima Municipal Code is added. YMC Section 15.09.035 is hereby added to the Yakima Municipal Code, as contained in Exhibit “B” attached hereto and fully incorporated herein.

Section 3. The following section of the Yakima Municipal Code is repealed:

YMC § 15.05.060 Administrative adjustment of certain basic development standards allowed.

Section 4. Adoption of Planning Commission Findings. The findings within the March 24, 2022 Signed Yakima Planning Commission's Recommendation, regarding this proposed text amendments are hereby adopted by the Yakima City Council as its findings in support thereof pursuant to YMC § 15.23.020, and are incorporated herein by this reference as if fully set forth herein.

Section 5. Severability/Validity. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance is declared invalid or unconstitutional for any reason, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 6. Ratification. Any act consistent with the authority, and prior to the effective date of this ordinance is hereby ratified and affirmed.

Section 7. Authorization to File. The City Clerk is hereby authorized and directed to file a certified copy of this ordinance with the Yakima County Auditor.

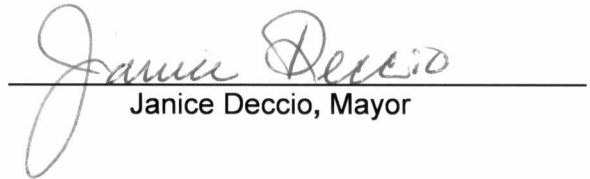
Section 8. Effective Date. This ordinance shall be in full force and effect 30 days after its passage, approval, and publication as provided by law and by the City Charter.

PASSED BY THE CITY COUNCIL, signed and approved this 3rd day of May, 2022.

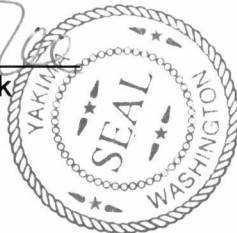
ATTEST:



Sonya Claar Tee, City Clerk



Janice Deccio, Mayor



Publication Date: May 6, 2022

Effective Date: June 5, 2022

Exhibit "A"

YMC 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.

"Access driveway" means an entrance roadway from a street or alley to a parking facility.

"Access easement" means any private easement for the purpose of ingress and egress that is not dedicated to the public and that is owned by the underlying owners of land over which it crosses.

"Accessory dwelling unit (ADU)" means a structure meeting the purpose and requirements of YMC 15.09.045 which is attached to a single-family home, or detached garage, or a stand-alone structure with living facilities for one individual or family separate from the primary single-family.

"Accessory use" means a use that is subordinate and incidental to a principal use.

"Administrative official" means the duly appointed city of Yakima director of community development.

Adult Day Care Center. See "Day care facility."

"Adult family home" means a regular family abode, licensed by the state, in which a person or persons provide personal care, special care, room, and board to more than one but not more than six adults who are not related by blood or marriage to the person or persons providing the services (RCW 70.128.175).

"Agricultural building" means a structure designed and constructed to store farm implements or hay, grain, poultry, livestock, fruit and other agricultural products. Controlled atmosphere and cold storage warehouses are not agricultural buildings. An agricultural building shall not be used for human habitation; for processing, treating or packaging agricultural products; nor shall it be a place used by the public.

"Agricultural market" means a use primarily engaged in the retail sale of fresh agricultural products, grown either on or off site. An agricultural market may include, as incidental and accessory to the principal use, the sale of factory-sealed or prepackaged food products such as boxes of apples or other fruit and some limited nonfood items, and these products shall consist of no more than forty percent of the gross floor area. This definition does not include the sale of livestock.

"Agricultural product support" means a business that provides a product or service intended for use in the processing, storage, preservation, or distribution of agricultural commodities. This definition does not include agricultural processing, storage, preservation, distribution, and related uses.

“Agricultural related industry” means specifically:

1. “Packaging plants” may include, but are not limited to, the following activities: washing, sorting, crating and other functional operations such as drying, field crushing, or other preparation in which the chemical and physical composition of the agricultural product remains essentially unaltered. This definition does not include processing activities, slaughterhouses, animal reduction yards, or tallow works;
2. “Processing plants” may include, but are not limited to, those activities which involve the fermentation or other substantial chemical and physical alteration of the agricultural product. This definition does not include slaughterhouses or rendering plants; and
3. “Storage facilities” include those activities that involve the warehousing of processed and/or packaged agricultural products.

“Agricultural stand” means a structure up to one thousand square feet in area used for the retail sale of agricultural products grown on the premises, excluding livestock raised on the premises.

“Agriculture” means the tilling of soil, raising of crops and horticulture. (See Table 4-1, YMC [15.04.030.](#))

“Airport commercial” means the retail sale of aviation-related products and services including aircraft service and rental, air passenger services, and air terminal activities including passenger ticketing, baggage, taxi service, car rental, restaurants, hotels, and gift shops.

“Airport industrial” means research, design, fabrication, and assembly of aircraft, aircraft parts, and aviation-related products located at the Yakima Air Terminal. This use also includes storage and wholesale trade of aviation-related products and air cargo operations and associated storage and processing.

“Airport operations” means activities, uses, structures and facilities that are located on and necessary to the operation of the Yakima Air Terminal. These activities and facilities include runways, taxiways, parking ramps and aprons, navigation and radar/radio communication facilities and equipment, safety and emergency facilities, and storage and maintenance facilities.

“Alley” means a public thoroughfare or way twenty feet or less in width which has been dedicated to the city of Yakima or Yakima County for public use. Alleys provide only a secondary means of access to abutting property.

“Amendment” means a change in the wording, content, or substance of this title, or change in the district boundaries on the official zoning map.

“Amusement park” means a permanent indoor and/or outdoor facility, which may include structures and buildings, where there are various devices for entertainment, including rides, booths for the conduct of games or the sale of items, and buildings for shows and entertainment.

“Animal clinic/hospital” means a structure used for veterinary care of sick or injured animals. The boarding of animals is limited to short-term care and is accessory to the principal use. This definition does not include kennels.

“Animal husbandry” means the raising of domesticated farm animals when, in the case of dairy cows, beef cattle, horses, ponies, mules, llamas, goats and sheep, their primary source of food, other than during the winter months, is from grazing in the pasture where they are kept.

“Appeal” means a request for review of an administrative official’s or hearing examiner’s decision, determination, order or official interpretation of any provision of this title.

“Applicant” means a person submitting an application for any permit or approval required by this title and who is the owner of the subject property or the authorized agent of the owner.

“Application for development” means the application form and all accompanying documents and exhibits required by this title or the administrative official.

“Arterial” means a principal or minor arterial, as shown in the Yakima urban area transportation plan adopted in the Yakima urban area comprehensive plan.

“Attached” means, in the case of dwellings, two or more dwellings connected by a common vertical wall(s) or roofline, or, in the case of multistory buildings, by a common ceiling/floor(s).

“Auction house” means a structure or enclosure where goods and/or livestock are sold by auction.

Automobile Service Station. See “Service station.”

“Automobile, truck, manufactured home and/or travel trailer sales” means a place used for the display, sale or rental of new or used automobiles, trucks, manufactured and mobile homes, travel trailers, and campers.

“Automotive wrecking or dismantling yard” means a place used for the storage and/or sale of used automotive parts and for the storage, dismantling, sorting, cleaning, crushing or baling of wrecked automobiles, trucks, trailers, or machinery.

“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.

“Beverage industries” means the production, processing, and/or packaging of milk, soft drinks, beer, wine, fruit juices and other drinks.

Bingo Parlor. See “Game room.”

Building. See “Structure.”

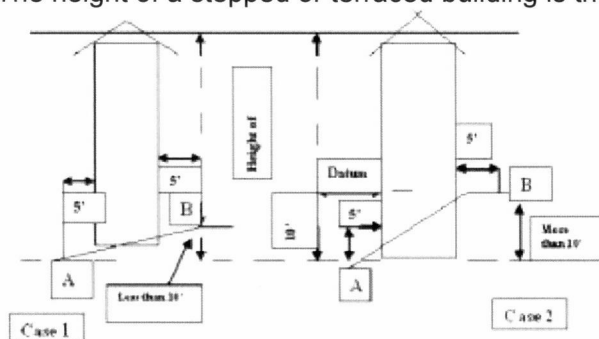
“Building area” means the three-dimensional space within which a structure is permitted to be built on a lot and which is defined by maximum height regulations, yard setbacks and building coverage.

“Building code” means the building code and related codes as amended and adopted by the city of Yakima.

“Building height” is the vertical distance above a reference datum measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof. The reference datum shall be selected by either of the following, whichever yields a greater height of building:

1. The elevation of the highest adjoining sidewalk or finished ground surface within a five-foot horizontal distance of the exterior wall of the building when such sidewalk or finished ground surface is not more than ten feet above lowest finished grade;
2. An elevation ten feet higher than the lowest finished grade when the highest sidewalk or finished ground surface described in subsection 1 of this definition is more than ten feet above lowest finished grade. (See Figure 2-1.)

The height of a stepped or terraced building is the maximum height of any segment of the building.



Determination of Building Height in Feet

Figure 2-1

“Building official” means that person or persons designated by the legislative body to enforce the provisions of the building code and administer the assigned provisions of this title.

“Business school” means a commercial or public school providing instruction solely in professional skills such as: business management, accounting, secretarial skills, sales, marketing and merchandising.

“Butcher shop” means a custom retail meat cutting operation. This definition does not include slaughtering, but does include other accessory uses such as frozen food lockers.

“Campground” means a development providing facilities for outdoor recreational activities, including structural improvements such as covered cooking areas, group facilities, and travel trailer or tent sites designed for temporary occupancy. This definition includes camping clubs when developed in accordance with applicable state standards.

“Car wash” means a business engaged in washing, waxing and/or polishing cars and small trucks. This definition includes self-service car washes, automated car washes, manned car washes and auto detailing.

Card Room. See "Game room."

"Caretaker dwelling" means a single-family dwelling unit accessory to an agricultural, professional, commercial, or industrial use for occupancy by the owner/caretaker.

"Centerline of right-of-way" means the midpoint between the future alignment of the opposite edges of the right-of-way.

"Change of use" means a change from one use listed in Table 4-1, Table of Permitted Land Uses, to another use listed in that table.

"Chicken tractor" means a movable chicken coop lacking a floor, and may house other kinds of poultry.

"Children's outdoor recreation center" means an outdoor facility which offers children's rides and/or games such as go-carts, bumper boats, batting cages, miniature golf and/or similar activities for children and which does not operate between the hours of eleven p.m. and eight a.m.

"Church" means a structure, or group of structures, which by design and construction are primarily used for organized religious services and instruction.

"City" means the city of Yakima.

"Class (1) uses" are those uses set forth and defined in the text and tables of YMC Chapter 15.04 and are considered compatible and are permitted on any site in the district. The administrative official shall review Class (1) uses for compliance with the provisions and standards of this title.

"Class (2) uses" are those uses set forth and defined in the text and tables of YMC Chapter 15.04 and are generally permitted throughout the district. However, site plan review by the administrative official is required in order to ensure compatibility with the intent and character of the district and the objectives of the Yakima urban area comprehensive plan.

"Class (3) uses" are those uses set forth and defined in the text and tables of YMC Chapter 15.04 and are generally incompatible with adjacent and abutting property because of their size, emissions, traffic generation, neighborhood character or for other reasons. However, they may be compatible with other uses in the district if they are properly sited and designed. Class (3) may be permitted by the hearing examiner when he determines, after holding a public hearing, that the use complies with provisions and standards; and that difficulties related to the compatibility, the provision of public services, and the Yakima urban area comprehensive plan policies have been adequately resolved.

"Class (1), (2) or (3) use, approved" means any use or development approved upon completion of Type (1), (2) or (3) review.

"Class (1), (2) or (3) use or development, existing" means a use or development legally existing or legally established prior to the effective date of this title that has been or would be classified under YMC Chapter 15.04 as a Class (1), (2) or (3) use in a particular district, even though the use has not been through Type (1), (2) or (3) review, and may or may not conform to the standards of this title.

This definition includes any existing Class (1), (2), or (3) use with an approved modification under YMC Chapter 15.17.

“Clean and sober facility” means a commercial business providing a dwelling or building for occupation by rehabilitated alcohol and/or drug users, during their re-entry into the community. The clean and sober facility provides residentially oriented facilities for the rehabilitation or social adjustment of persons who may need supervision or assistance in becoming socially reoriented, but who do not need institutional care. (Also see “Halfway house.”)

“Clinic” means a structure for the medical examination and treatment of human patients, but without provision for keeping such patients overnight on the premises.

“Closed record appeal” means an administrative appeal, held under RCW 36.70B, that is on the record to a city body or officer (including the legislative body) following an open record hearing on a project permit application with no or limited new evidence or information allowed to be submitted and only appeal arguments allowed.

“Coffee/espresso drive-through facility” is a place used to sell coffee and associated items from a drive-up window to a person driving a vehicle.

“Coffee/espresso stand” is a place used to sell coffee and associated items from a bar or counter area commonly inside a building and/or structure.

“Commercial services” means technical services and specialized care services such as lawn and garden care and delivery services, except as otherwise regulated.

“Communication tower” means any tower, pole, mast, whip, or antenna, or any combination thereof, used for radio or television transmission or line-of-sight relay. This definition includes towers erected for use in the amateur radio service.

“Communication tower height” means the vertical distance above the ground measured to the highest point of the communication tower.

“Community center” means a facility owned and operated by a public agency or nonprofit corporation, provided the principal use of the facility is for public assistance, community improvement, or public assembly.

“Community garden” means:

1. Privately or publicly owned land that is used by multiple users who may or may not have ownership of the property;
2. May be divided into separate plots, for the cultivation of fruits, vegetables, plants, flowers, or herbs;
3. Common areas associated with the garden are maintained by group members;
4. The produce or goods grown on site are not for commercial sale;

5. A community garden is different than a “collective garden” that is used for the growing of marijuana plants; and no marijuana shall be grown on a community garden plot;

6. A community garden is separate from the use of “agriculture” as defined and regulated under YMC Chapter [15.02](#) and YMC [15.04.030](#), Table 4-1, and is different than a privately maintained garden that is associated with a principal use and regulated in accordance with YMC [15.04.060\(A\)](#); and

7. Structures and buildings associated with a community garden are considered “accessory uses” to a principal use, and shall comply with the provisions of YMC Title [15](#), and the International Fire and Building Codes.

Community Water System. See “Water system, public.”

“Compatibility” means the characteristics of different uses or developments that permit them to be located near each other in harmony with or without special mitigation measures.

“Comprehensive plan” means the Yakima urban area comprehensive plan and any supplemental plans officially adopted under RCW Chapter [36.70](#) for the Yakima urban area or any portion thereof.

“Concentrated animal feeding operation” means a structure or pens for the concentrated feeding or holding of animals or poultry, including, but not limited to, horses, cattle, sheep or swine. This definition includes dairy confinement areas, slaughterhouses, shipping terminal holding pens, poultry and/or egg production facilities and fur farms, but does not include animal husbandry.

“Condition(s) of approval” means restrictions or requirements imposed by an administrative official pursuant to authority granted by this title.

“Congregate living facility” means an establishment providing both lodging and meals, or the ability for residents of the facility to cook their own meals, for persons residing in the facility on a permanent or semi-permanent basis. This definition includes facilities commonly known as boardinghouses or dormitories, except that dormitories provided in conjunction with a proposed or existing educational facility shall be an accessory use to that facility.

Consulting Services. See “Professional business.”

“Convalescent or nursing home” means an establishment providing nursing, dietary and other personal services to convalescents, invalids, or aged persons, but not mental cases or cases for contagious or communicable diseases which are customarily treated in sanitariums and hospitals.

“Converted dwelling” means a structure which, due to interior alterations, has been modified to increase the number of individual dwelling units. This definition does not apply to multifamily structures constructed under the provisions of this title.

“Cosmetic services” means tattooing, body piercing, and similar services.

“Cottage housing” means a group of three or more clustered single-family dwelling units with common open space and shared parking facilities, meeting the standards listed in YMC § [15.09.035](#).

“County” means Yakima County.

“Dangerous waste” means those solid wastes designated in WAC 173-303-070 through 173-303-103 as dangerous or extremely hazardous waste.

“Day” means calendar day. (See YMC 15.20.110.)

“Day care center” means a day care facility that supplies care, attention, supervision and oversight serving thirteen or more children regardless of whether such services are provided for compensation, governed by Washington State DSHS licensing provisions for said day care use and conducted in accordance with state DSHS requirements.

“Day care facility” means a building or structure in which an agency, person or persons regularly provide care for a group of nonrelated individuals (children or adults) for periods of less than twenty-four hours a day. This includes family day care homes and day care centers.

“Day care home, family” means a family day care home located in a private home that supplies care, attention, supervision, and oversight for one to twelve children, governed by Washington State DSHS licensing provisions for said day care use and conducted in accordance with said state DSHS requirements.

“Delicatessen and other specialty food stores” means retail food stores selling ready-to-eat food products such as cooked meats, prepared salads or other specialty food items. This definition includes seafood, health food and other specialty food stores having seating for no more than five persons.

“Department” means the city of Yakima department of community development.

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

“Development” means “use” as defined by this title.

“Development, multifamily” means a structure or structures, or portion thereof, designed for occupancy by three or more families living independently of each other and containing three or more attached or detached dwelling units on a lot. Any combination of three-plus, duplex and detached single-family dwellings that have a common driveway access on a single lot of record is considered multifamily development. This definition does not include “Cottage Housing” as defined in YMC 15.02.020.

“Development permit” means written authorization for development or modification of development as defined in this title. When a building or other construction permit is required, the building/construction permit shall serve as the other development permit. If no building/construction permit is required, the zoning decision shall serve as the development permit.

“Development, planned residential” means, in the residential districts, the coordinated development of a single lot with a number of residential structures and/or dwelling types which are designed to:

1. Maintain the character of the residential neighborhood;
2. Provide compatibility between various types of dwelling units, off-street parking and other uses within the site; and

3. Share such site amenities as off-street parking, access drives, open space and recreational facilities.

This definition includes the clustering of residential units on a single lot. In the commercial districts, “planned residential development” means a mixed-use development combining multifamily residential and commercial use(s) into a single coordinated project.

“Divide” means any transaction or action, not otherwise exempt or provided for under the provisions of this title, which alters or affects the shape, size or legal description of any part of an owner’s “land” as defined in this chapter. Sale of a condominium apartment and rental or lease of a building, facility or structure, which does not alter or affect the legal description of an owner’s “land,” shall not constitute a division of land.

“Planning division” or “division” means the city of Yakima planning division, which is a division of the department of community development.

“Domestic farm animal” means animals domesticated by man to live in a tame condition. This definition includes dairy cows, beef cattle, horses, ponies, mules, llamas, goats, sheep, rabbits, poultry, and swine.

“Domestic farm animal—Pet” means four or fewer hen chickens (no roosters) or rabbits that are kept for pleasure or as a hobby rather than utility. Domestic farm animals that are considered pets are regulated under the provisions of YMC 15.04.060(D), Accessory uses, Pets, and are not subject to the provisions of YMC 15.09.070, Special requirements for animal husbandry.

“Driveway” means the private traveled access to a property or through a parking lot for three or more vehicles.

“Drugstore” means a store where the primary business is the filling of medical prescriptions and the sale of drugs, medical devices and supplies, and nonprescription medicines, but where nonmedical products are sold as well.

“Dwelling” means a structure or portion thereof designed exclusively for residential purposes.

“Dwelling, single-family” means a structure designed to contain a single dwelling unit. Single-family dwellings are further classified by their nature of construction as follows:

1. Site-built: Constructed primarily at the occupancy site and permanently affixed to the ground by a foundation.
2. Modular home: See “Modular home.”
3. Manufactured home: See “Manufactured home” and “Mobile home.”

“Dwelling, single-family attached” means two single-family dwellings that are attached, but with each dwelling unit located entirely on its own lot. This definition does not include row houses or other housing types with more than two attached single-family dwellings.

“Dwelling, single-family detached” means one dwelling unit located on one lot and not attached to any other dwelling unit.

“Dwelling, two-family” means a structure designed exclusively for occupancy by two families living independently of each other and containing two attached dwelling units on the same lot. This definition includes the term “duplex.”

“Dwelling unit” means one or more rooms in a dwelling for the occupancy of one family and providing complete and independent living facilities, including permanent provisions for living, sleeping, cooking, eating and sanitation. “Dwelling unit” does not include recreational vehicles or mobile homes.

“Earthen material” means sand, gravel, rock, aggregate and/or soil.

“Environmental review” means the procedures and requirements established by the State Environmental Policy Act, RCW Chapter 43.21C, as it now exists or is hereafter amended.

“Existing uses” means a use or development legally existing or legally established by a jurisdiction prior to the effective date of this title that has been or would be classified under YMC Chapter 15.04 as a Class (1), (2), or (3) use in the appropriate zoning district.

“Extended stay hotel/motel” means a hotel or motel where more than ten percent of the rooms are rented to the public for longer stays, which are more than thirty consecutive days. This definition does not include other defined uses including, but not limited to, a boarding house or multifamily dwelling.

“Family” means individuals, consisting of two or more persons related by blood, marriage or adoption, or a group of not more than five persons, excluding servants, who are not related by blood, adoption or marriage, living together as a single housekeeping unit in a dwelling unit.

A. The term “family” shall include:

1. State-licensed adult family homes required to be recognized as residential uses pursuant to RCW 70.128.175;
2. State-licensed foster family homes and group care facilities as defined in RCW 74.15.180, subject to the exclusions of subsection B of this definition; and
3. Group homes for the disabled and consensual living arrangements equivalent to a familial setting required to be accommodated as residential uses pursuant to the Fair Housing Act and the Washington Housing Policy Act, RCW 35.63.220 and 35A.63.240, respectively.

B. The term “family” shall exclude individuals residing in halfway houses, crisis residential centers as defined in RCW 74.15.020(3)(g), group homes licensed for juvenile offenders, or other facilities, whether or not licensed by the state, where individuals are incarcerated or otherwise required to reside pursuant to court order under the supervision of paid staff and personnel.

C. Calculation of Residents. When calculating the number of unrelated persons residing in a single-family dwelling unit, the following rules shall apply:

1. When one or more unrelated persons reside with a family whose members are related by genetics, adoption or marriage, the total number of residents shall not exceed five persons except as provided in subsection (C)(2) of this definition.

2. A family unit consisting entirely of persons related by genetics, adoption or marriage may rent a room to a total of two additional renters, or up to two students as a part of a recognized foreign exchange program or similar educational, nonprofit program, or a combination of a renter and such student to a total of two additional persons. The additional renters and/or foreign exchange students, to a maximum of two, shall not be considered when calculating the number of unrelated persons residing in a dwelling unit under subsection (C)(1) of this definition. Three or more renters and/or students shall be considered as unrelated individuals and all persons residing in a dwelling unit, regardless of whether a portion of them are related by genetics, adoption or marriage, shall be considered when determining the total unrelated persons residing at a site.

3. Nothing herein shall be interpreted to limit normal hosting activities associated with residential use.

“Fence” means a structure built to prevent escape or intrusion, or to provide privacy or sitescreening.

“Finding” is a conclusion of fact reached by the administrative official in a review process and based on the evidence available therein.

“Floodplain (one-hundred-year)” means the relatively flat area or lowlands adjoining the channel of a river or stream subject to a one percent or greater chance of flooding in any given year.

“Floodway” means the channel or waterway or those portions of the floodplain adjoining the channel which are reasonably required to carry and discharge the floodwaters of the watercourse without causing more than a one-foot rise in the water surface elevation of a one-hundred-year flood.

“Food preparation” means a business, service or facility dealing with the preparation of food items for off-site consumption. This definition includes confectioneries, catering services, and preparation of food items for wholesale.

“Game room” means a commercial facility, or a portion thereof, open to the general public, in which card games, pool, electronic games, bingo, etc., are played; provided, however, that this definition shall exclude “social card room” as defined herein. (Also see “Meeting hall.”)

“Garage, private” means a building or portion of a building designed to store motor vehicles that are used by the occupants of the site’s primary use.

“Garage, public” means a building or portion of a building used for equipping, repairing, servicing, hiring, selling or storing motor-driven vehicles; but excluding private garages.

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

Land uses not meeting the intent of the general retail sales and retail trade definitions, as determined by the administrative official, may be either referred to the hearing examiner for a use interpretation under Chapter [15.22](#) or use classification under YMC [15.04.040](#).

“Gift shop” means a business primarily engaged in the retail sale of combined lines of gifts and novelty merchandise, souvenirs, greeting cards, balloons, holiday decorations, curios, crafts, and miscellaneous small art goods.

“Glare” is the reflection of harsh, bright light.

“Grade” is the lowest point of elevation of the finished surface of the ground, paving, or sidewalk within the area between the building and the property line or, when the property line is more than five feet from the building, between the building and a line five feet from the building.

Gross Floor Area. See YMC [15.06.040](#).

“Group home” means a place for handicapped, physically or developmentally disabled adults, or dependent or predelinquent children, providing special care in a homelike environment. This definition includes homes of this nature for six or fewer persons, excluding house parents, which are protected by state or federal law as residential uses.

Halfway House. A “halfway house” shall include residentially oriented facilities that provide:

1. State-licensed group care homes for juvenile delinquents;
2. Houses providing residence in lieu of instructional sentencing;
3. Houses providing residence to individuals needing correctional institutionalization; or

4. Detoxification centers licensed by the state where alcohol and drug abusers can be placed in lieu of incarceration for detoxification and treatment from effects of alcohol and drugs. (See "Clean and sober facility.")

"Hazardous materials" means any item listed as hazardous by a federal agency or State Department of Ecology or the Yakima regional clean air authority. (See YMC [15.13.020\(D\)](#).)

"Hazardous waste" means and includes all dangerous and extremely hazardous wastes as defined in RCW [70.105.010](#).

"Hazardous waste facility, off-site" means hazardous waste treatment and storage facilities that treat and store waste from generators on properties other than those on which the off-site facilities are located.

"Hazardous waste facility, on-site" means hazardous waste treatment and storage facilities which treat and store wastes generated on the same lot.

"Hazardous waste generator" means any person or site whose act or process produces dangerous waste or whose act first causes dangerous waste to become subject to regulations under the dangerous waste regulations, WAC Chapter [173-303](#).

"Hazardous waste storage" means the holding of dangerous waste for a temporary period. Accumulation of dangerous waste by the generator at the generation site is not storage as long as the generator complies with the applicable requirements of WAC [173-303-200](#) and [173-303-201](#).

"Hazardous waste treatment" means the physical, chemical, or biological processing of dangerous waste to make such waste nondangerous or less dangerous, safer for transport, amenable for energy or material resource recovery, amenable for storage, or reduced in value.

"Hearing examiner" means that person appointed by the Yakima city council.

"Home instruction" means the teaching of an art, hobby, skill, trade, profession or sport as a home occupation, except when otherwise prohibited. (See YMC Chapter [15.04](#), Table 4-2.)

"Home occupation" means the accessory use of a dwelling unit for gainful employment involving the manufacture, provision or sale of goods and/or services in the home.

"Home occupation, business administration" means the accessory use of a dwelling as an administrative office for a licensed commercial business located in an approved commercial zoning district, or a home based Internet business that does not involve the resale of commercial goods. The home is used for phone calls, mail, completing paperwork, and work on a home computer associated with a business. This definition does not include manufacturing, sales not associated with an Internet business, repair or other services.

"Home occupation, home contractor" means the accessory use of a dwelling as, but not limited to, lawn care and/or snow removal services, building, electrical and plumbing, contractors' offices for small businesses.

“Home occupation, taxicab operator” means the accessory use of a dwelling as an administrative office for a taxicab licensed under YMC Ch. 5.78. This use shall be limited to a maximum of two vehicles operated by immediate family members who reside in the home.

“Homeowners’ association” means a community association, other than a condominium association, in which individual owners share ownership or maintenance responsibilities for open space or facilities.

“Hospital” means an institution providing clinical, temporary, and emergency services of a medical or surgical nature to human patients which is licensed by state law to provide facilities and services for surgery, obstetrics, and general medical practice as distinguished from clinical treatment of mental and nervous disorders.

“Hotel” means a lodging use located in a structure, or structures, where rooms are usually accessed by means of common interior hallways, and which more than ninety percent of the rooms are provided to transient visitors for a fee on a daily or short-term basis. For purposes of this definition, “daily or short-term” means thirty or fewer consecutive days. This definition does not include other defined uses including, but not limited to, a boarding house or multifamily dwelling.

“Hulk hauler” means any person who deals in vehicles for the sole purpose of transporting and/or selling them to a licensed motor vehicle wrecker or scrap processor in substantially the same form in which they are obtained. A hulk hauler may not sell secondhand motor vehicle parts to anyone other than a licensed vehicle wrecker or scrap processor, except for those parts specifically enumerated in RCW [46.79.020\(2\)](#), as now or hereafter amended, which may be sold to a licensed vehicle wrecker or disposed of at a public facility for waste disposal. (RCW [46.79.010](#))

“Impervious surface” means any material reducing or preventing absorption of stormwater into previously undeveloped land.

“Intensity” is the combination of factors (such as visual appearance and building size, traffic generation, noise, dust and light and economic value) associated with a particular use that determines the potential impact of that use on neighboring land uses. The higher the intensity, the greater the possible impact on neighboring land uses. Generally, the intensity of a land use will determine its compatibility with other types of land uses.

“Irrigation and/or drainage facilities” means all irrigation and/or drainage structures, including, but not limited to: standpipes, weir boxes, pipelines, ditches, pump houses, culverts, etc.

“Kennel” means a building, enclosure or portion of any premises in or at which dogs, cats or other domesticated animals are boarded or kept for hire; or in or at which dogs, cats or other domesticated animals are kept or maintained by any person other than the owner; or in or at which six or more cats or four or more dogs over the age of four months are kept or maintained. This definition shall include boarding kennels, but not pet shops, animal hospitals or zoos.

“Land” means a lot or parcel.

“Land use” means the manner in which land and structures are used.

“Landscaping” means the arrangement and planting of trees, grass, shrubs and flowers, and the placement of fountains, patios, street furniture and ornamental concrete or stonework and artificial turf.

“Legislative body” means the Yakima city council.

“Loading space” means an off-street space on the same lot with a structure or use, or contiguous to a group of structures or uses, for the temporary parking of a vehicle while loading or unloading persons, merchandise, or materials, and which abuts a street, alley or other appropriate means of access and egress.

“Lot” means a division of land:

1. Defined by boundaries and shown on a final plat or short plat officially recorded in the Yakima County auditor's office; or
2. A legally recognized prior division or parcel under the provisions of Yakima County's subdivision ordinance or the city of Yakima's subdivision ordinance.

“Lot area” means the total horizontal area within the boundary lines of the gross lot.

“Lot, corner” means a lot abutting two or more streets at their intersection, or upon two parts of the same street forming an interior angle of less than one hundred thirty-five degrees. (See Figure 2-2.)

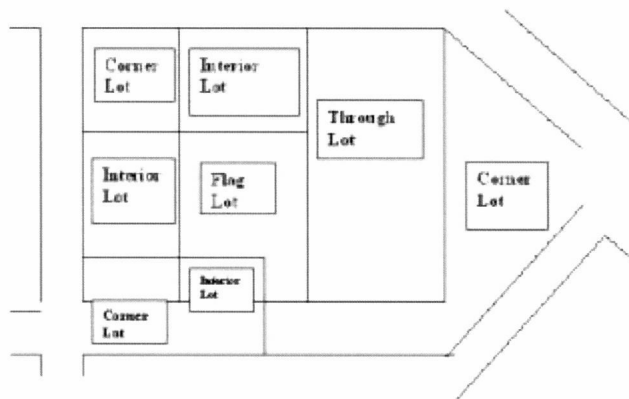
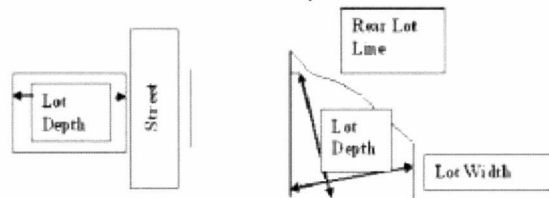


Figure 2-2

“Lot coverage” means that portion of the lot that is covered by structures and other impervious surfaces.

“Lot depth” means the horizontal length of a straight line drawn from the midpoint of the front lot line



to the midpoint of the rear lot line. (See Figure 2-3.)

Figure 2-3

“Lot, flag” means a lot only a narrow portion of which fronts on a public/private road and where access to the public/private road is across that narrow portion. (See Figure 2-2.)

“Lot, inside or interior” means a lot other than a corner lot. (See Figure 2-2.)

“Lot line, front” means, in the case of an interior lot, the property line separating the lot from the road or street, other than an alley. For the purpose of establishing the front lot line for a corner or flag lot, the following shall apply:

1. In the case of a corner lot, the front lot line shall be the property line with the narrowest street frontage, except that the building official, or his designee, shall designate the front lot line for corner lots in residential districts.
2. For a flag lot, when the access easement or right-of-way extends across the lot, the front lot line shall be the line separating the lot from the right-of-way or access easement. When the right-of-way or access easement does not extend across the property, the front lot line shall be determined by the building official.

“Lot line, interior” means, in the case of zero lot line development, the property line separating a zero lot line from: (a) another zero lot line or (b) adjoining common open space. (See Figure 2-4.)

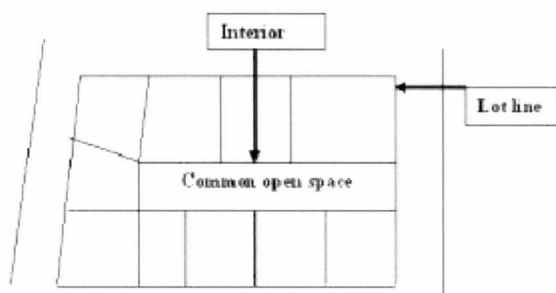


Figure 2-4

“Lot line, rear” means the property line which is opposite and most distant from the front lot line. For the purpose of establishing the rear lot line of a triangular or trapezoidal lot, or of a lot the rear line of which is formed by two or more lines, the following shall apply:

1. For a triangular or gore-shaped lot, a line ten feet in length within the lot and farthest removed from the front lot line, and at right angles to the line comprising the depth of such lot, shall be used as the rear lot line.
2. In the case of a trapezoidal lot, the rear line of which is not parallel to the front lot line, the rear lot line shall be deemed to be a line at right angles to the line comprising the depth of such lot and drawn through a point bisecting the required rear lot line.
3. In the case of a pentagonal lot, the rear boundary of which includes an angle formed by two lines, such angle shall be employed for determining the rear lot line in the same manner as prescribed for a triangular lot.

“Lot line, side” means any lot boundary line not a front lot line or rear lot line.

“Lot, through” means an interior lot having frontage on two streets. (See Figure 2-2.)

“Lot width” means the horizontal distance between the side lot lines, measured at right angles to the line comprising the depth of the lot at a point midway between the front and rear lot lines. (See Figure 2-3.)

“Low impact development” means stormwater management and land development strategies that emphasize conservation and use of existing natural site features integrated with disturbed, small-scale stormwater controls to more closely mimic natural hydrologic patterns in residential, commercial, and industrial settings. Low impact development addresses stormwater management and land development that is applied at the parcel and subdivision scale that emphasizes conservation and use of on-site natural features.

“Manufactured home” means a dwelling on one or more chassis for towing to the point of use which bears an insignia issued by a state or federal regulatory agency indicating that the structure complies with all applicable construction standards of the U.S. Department of Housing and Urban Development definition of a manufactured home and was built after June 15, 1976. Manufactured homes are further classified as follows:

1. “Multi-wide” has a minimum width of not less than seventeen feet as measured at all points perpendicular to the length of the manufactured home;
2. “Single-wide” has a minimum width less than seventeen feet as measured at any point perpendicular to the length of the manufactured home.

“Manufactured structure” means a building manufactured with the intent of being transported to a fixed site and constructed in accordance with the building codes as adopted by the city.

“Massage therapy/spa” means a scientific or skillful manipulation of soft tissue for therapeutic or remedial purposes, specifically for improving muscle tone and circulation and promoting health and physical well-being. The term includes, but is not limited to, manual and mechanical procedures for the purpose of treating soft tissue only, the use of supplementary aids such as rubbing alcohol, liniments, oils, antiseptics, powders, herbal preparations, creams or lotions, procedures such as oil rubs, salt glows and hot or cold packs or other similar procedures or preparations commonly used in this practice. This term specifically excludes manipulation of the spine or articulations and excludes sexual contact.

“Master planned development” means any development within the Yakima urban growth area approved under YMC Chapter [15.28](#) (i.e., planned residential development, planned commercial development, planned industrial development, and planned mixed-use development).

“Meeting hall” means a private or quasi-private facility in which defined groups or organizations come together for meetings and social events. Includes private bridge club-type card rooms, grange halls, etc.

“Mining” means all or any part of the process involved in quarrying, mineral extraction, crushing, asphalt mixing plants, concrete batch plants, or other uses of a similar nature, but does not include petroleum or natural gas exploration or production.

“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.

“Mixed-use building” means a building in a commercial district or planned development used partly for residential use and partly for a community facility or commercial use.

“Mixed-use development” means use of the land or structure for two or more different uses.

“Mobile home” means a dwelling on one or more chassis for towing to the point of use which does not meet applicable HUD manufactured housing standards of June 15, 1976. This definition does not include modular homes, manufactured homes, commercial coaches, recreational vehicles or motor homes.

“Mobile home park” means a parcel of land under single ownership used for the placement of two or more mobile or manufactured homes used as dwellings. This definition shall not apply to the placement of a temporary hardship unit (see YMC [15.04.140](#)) on the same parcel with another home.

“Mobile home park expansion” means the preparation of additional sites for mobile or manufactured homes (including the installation of utilities, final site grading, the pouring of concrete pads, and the construction of streets).

“Mobile vendor” means a vendor or seller of merchandise or food from a motorized vehicle or other motorized conveyance upon the public streets, alleys, public property of the city, or upon private property. See YMC Chapter [5.57](#).

“Modification (of use or development)” means any change or alteration in the occupancy, arrangement, placement or construction of any existing use, structure, or associated site improvement, and any change or alteration of land.

“Modular home” means a residential structure which meets the requirements of the International Building Code and is constructed in a factory and transported to the building site. Modular homes are not subject to special review; they are subject to the same review standards as a site-built home.

“Motel” means a lodging use located in a structure, or structures, where rooms are usually accessed by means of exterior corridors, and which more than ninety percent of the rooms are provided to transient visitors for a fee on a daily or short-term basis. For purposes of this definition, “daily or short-term” means thirty or fewer consecutive days. This definition does not include other defined uses including, but not limited to, a boarding house or multifamily dwelling.

“Multiple-building complex” means a group of structures housing separate businesses sharing the same lot, access and/or parking facilities.

“Multiple-occupancy building” means a single structure housing more than one retail business, office, or commercial venture.

“Net residential acre” means forty-three thousand five hundred sixty square feet minus the area in private and public streets, rights-of-way, and access easements. (See YMC [15.05.030\(B\)](#) to calculate the maximum number of dwelling units permitted on a site.)

“Nonconforming lot” means a lot, the area or dimension of which was lawful prior to adoption or amendment of this title, but which fails to conform to the present requirements of the zoning district in which it is located.

“Nonconforming structure” means a structure that was lawful prior to the adoption or amendment of this title that fails, by reason of such adoption or amendment, to conform to the present requirements of the zoning district where it is located.

“Nonconforming use” means a use of land or structure lawfully established and maintained, but which does not conform to this title for the district where it is located.

“Nuisance” means any use, activity or structure that interferes with the enjoyment and use of one’s property by endangering personal health or safety, offending the human senses, and/or failing to conform with the provisions, intent, or standards of the district where the use, activity or structure occurs.

“Nursery” means facilities used for the propagation and sale of agricultural or ornamental plants and related products. Nurseries are further classified as follows:

1. “Retail nursery” means a nursery which offers products to the general public including plant materials, planter boxes, fertilizer, sprays, garden tools, and related items;
2. “Wholesale nursery” means a nursery that raises nursery stock for sale to a retail nursery or other business; and
3. “Greenhouse” means a nursery facility constructed with transparent or translucent materials for indoor propagation of plants. This definition does not include private greenhouses with no commercial sales.

“Occupancy” means the purpose for which a structure, portion of a structure, or lot is used or intended to be used. For purposes of this title, a change of occupancy is not intended to include a change of tenants or proprietors, but is intended to indicate a change in the type of use.

“Off-street parking” means a parking space(s) and associated driveway(s) located beyond the right-of-way of a highway, street or alley.

“Open space” means an area of land or water that is substantially free of structures, impervious surfaces, and other land-altering activities.

“Open space, common” means open space within or related to a development that is not dedicated for public use, but is designed, intended and legally committed for the common use or enjoyment of the residents of the development.

“Park” means a public or privately owned area with facilities for active or passive recreation by the public.

“Parking angle” means the angle formed by a parking stall and the edge of a parking bay, wall or driveway of the parking facility, ranging from zero to ninety degrees.

“Parking bay” means the section of a parking facility containing a driveway and containing one or two rows of parking stalls.

“Parking lot” means a facility designed to serve parking for five or more motor vehicles.

“Parking space” means an off-street area that is paved, drained, maintained and used for the temporary storage of one motor vehicle.

“Parking stall” means a clearly marked area in which one vehicle is to be parked; a parking space.

“Party of record” means: (1) the applicant; (2) the property tax payer for the subject property as identified by the records available from the Yakima County assessor’s office; (3) the legal owner of the subject property; (4) any person who testified at the open record public hearing on the application; and/or (5) any person who submitted written comments during administrative review (within the required time frame) or has submitted written comments concerning the application at the open record public hearing (excluding persons who have only signed petitions or form letters).

“Permit” means written governmental approval issued by an authorized official, empowering the holder thereof to take some action permitted only upon issuance of written approval.

“Personal services” means a business providing specialized services such as interior home or business design and shopping services, except as otherwise regulated.

“Pet” means a domesticated animal kept for pleasure or as a hobby rather than utility including but not limited to: fish, dogs fewer than four, cats fewer than six, hen chickens (no roosters) fewer than five, and rabbits fewer than five.

“Pet day care” means a building or structure in which an agency, person or persons regularly provide care for pets, but not including outdoor overnight stays. Overnight stays may be permitted under this definition if provided for in a complete indoor setting. Uses not meeting this definition shall be considered kennels.

“Planning commission” means the duly constituted planning commission for the city of Yakima.

“Planning division” means the department of community development of the city of Yakima.

“Preliminary approval” means the contingent approval by the administrative official using an appropriate Type (2) or (3) review process prior to final approval.

Preschool. See “Day care center.”

“Private access easement” means any private easement for the purpose of ingress and egress that is not dedicated to the public and that is owned by the underlying owners of land over which it crosses.

“Product assemblage” means a business or service involved in assembling products for off-site sales.

“Professional business” means a business primarily engaged in administrative or service-related functions and dependent upon professional staff such as lawyers, doctors, realtors, travel agents, bankers, accountants, engineers and consultants; or providing administrative governmental services.

“Property owner(s)” means the legal owner or owners of the property.

“Public facility” means a facility owned and operated by a governmental agency or owned and operated by a private entity for the purpose of providing essential public services to the public including, but not limited to: water, irrigation, wastewater, garbage, sanitary, transit, police, fire, ambulance, parks and recreation facilities, and street maintenance. The facility should be located to efficiently serve the people benefiting from the service.

“Public hearing” means a meeting open to the public that is announced and advertised in advance at which the public is given an opportunity to participate.

Public Water System. See “Water system, public.”

“Recreational screen” means a protective device for recreational purposes designed to keep recreational equipment within or outside of a designated area. Such uses are typically associated with schools, parks, golf courses, swimming pools, ball fields, and playgrounds.

“Recreational vehicle” means a motorized or nonmotorized vehicle designed and manufactured for recreational use, including, but not limited to: boats, travel trailers, snowmobiles, go-carts, motorcycles and dune buggies.

“Recycling drop-off center” means a commercial facility where products such as aluminum, tin cans, glass, plastic, paper, and other similar products are deposited, sorted and transferred to a recycling processing center for reprocessing.

“Recycling processing center” means a facility where products such as aluminum and tin cans, glass, plastic, paper and other similar products are deposited, sorted, stored, and reprocessed.

“Residential density” means the number of dwelling units per net acre of land. This term includes dwelling unit density.

“Restaurant” means establishments serving prepared food or beverages for consumption on or off premises. This land use includes but is not limited to: restaurants, sandwich shops, coffee shops with or without drive-through facilities (see YMC [15.04.080](#) for establishments with drive-through facilities), and fast food restaurants, but does not include bars, cocktail lounges, taverns, brewpubs as licensed by the Washington State Liquor Control Board, catering services, or industrial scale food production facilities.

“Retail services” means uses providing services, as opposed to products, to the general public. Examples are eating and drinking establishments, motels, real estate and financial offices, and uses providing health education and social services.

“Retail trade” means those uses primarily engaged in the sale of goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods. Lumber yards, office supply stores, nurseries, butcher shops, paint stores and similar uses shall be considered as retail trade establishments even though a portion of their business may be to contractors or other business establishments.

“Retaining wall” means a wall made of wood, stone, cement, steel or other products intended to support, retain or stabilize earthen or gravelly materials at either natural or finished grade.

“Retirement home” means an establishment providing domestic care for elderly persons who are not in need of medical or nursing treatment except in the case of temporary illness. This definition does not include nursing, convalescent or rest homes, hospitals or sanitariums.

“Reviewing official” means the building official, administrative official, hearing examiner, city of Yakima planning commission, or legislative body when engaged in any review or approval procedure under the provisions of this title.

“Rezone” means to change the zoning district classification of particular lot(s) or parcel(s) of land.

“Right-of-way, public” means land deeded or dedicated to or purchased by the city of Yakima or Yakima County for existing or future public pedestrian or vehicular access.

“Road, local access” means a public road not designed as a principal arterial, minor arterial, collector arterial or neighborhood collector by Yakima County or the city of Yakima. The primary purpose of a local access road is to connect property along the local access road with the arterial street system.

“Road, private” means a road not designed, built, or maintained by the city, the Washington State Department of Transportation, or any political subdivision of the state.

“Road, public” means the physical improvement of the public right-of-way, including, but not limited to, surfacing, curbs, gutters and drainage facilities, which is maintained and kept open by the city of Yakima or Yakima County for public vehicular and pedestrian use.

“School” means a structure and accessory facilities in which prescribed courses are taught. This definition includes elementary, junior high or high schools and institutions of higher learning, but does not include commercial schools, nursery schools, kindergartens, or day nurseries, except when operated in conjunction with a public, private, or parochial school.

“School, vocational” means the commercial use of a structure or land for teaching arts, crafts, or trades.

“Service station” means a retail facility to supply motor fuel and other petroleum products to motor vehicles, and may include lubrication and minor repair service and incidental sale of motor vehicle accessories.

“Setback, front” is the minimum horizontal distance measured perpendicularly from the centerline of the adjacent right-of-way to the nearest wall of the structure. Where there is a partial right-of-way, the setback shall be measured perpendicularly from the design centerline. When there is no right-of-way, the front setback shall be twenty feet from the front property line.

“Setback, side and rear” is the minimum horizontal distance measured perpendicularly from the nearest property line to the nearest wall of the structure, except that a side setback on a corner lot, along the adjacent right-of-way, shall be measured perpendicularly from the centerline of the right-of-way. When there is a partial right-of-way, the setback shall be measured perpendicularly from the design centerline.

“Sewer system, community” means small, self-contained sewage treatment facilities built to serve developed areas generally found outside public sewer service areas.

“Sewer system, individual” means a system designed and constructed on site to dispose of sewage from one or two structures. Septic tank systems are the most common form of individual sewer system.

“Sewer system, regional” means sewer service provided by a municipality or special purpose district.

“Short term rental” means a residential structure providing individuals with lodging for not more than thirty days. For home occupations, such uses are limited to having not more than five guest rooms.

Sign. See YMC Chapter [15.08](#) for a complete listing of sign definitions.

“Sign manufacturing and assembly” means the design, manufacturing, and assembly of metal-cased, thermo-formed, wooden, stone, neon, internally lit, or electronic signs.

“Site improvement” means any structure or other addition to land.

“Site improvement, required” means any specific design, construction requirement or site improvement that is a condition of approval for any permit issued under the provisions of this title or which is a part of any site plan approved under the provisions of this title.

“Site plan, detailed” means a general site plan incorporating such additional factors as landscaping, drainage, and others as may be specified.

“Site plan, general” means a sketch drawn to scale showing the actual dimensions and shape of the lot to be built upon, the sizes and location of existing buildings on the lot to the nearest foot, and the location and dimensions of the proposed building(s), structure(s), or alteration(s).

“Social card room” means a commercial facility, or a portion thereof, open to the general public, in which house-banked social card games are played, as that term is defined by RCW [9.46.0282](#) (or as the same may be subsequently amended hereafter), or in which other activities occur that constitute gambling and are authorized by the Washington State Gambling Commission under RCW [9.46.070](#) (or as the same may be subsequently amended hereafter), to the extent that said activities include any gambling activity engaging in the use of, or associated with, slot machines (whether mechanical or electronic) or any gambling activity engaging in the use of, or associated with, any other electronic mechanism including video terminals.

“Special event” means any event for which a special event permit has been issued pursuant to Chapter [9.70](#) of this code.

Specialty Food Store/Food Store, Specialty. See “Delicatessen and other specialty food stores.”

“Standard, administrative adjustment of” means a change, either an increase or decrease, in one or more of the development standards in YMC Chapters [15.05](#) through [15.08](#), in accordance with the provisions of YMC Chapter [15.10](#).

“Standard, general” means any standard not capable of precise numerical definition, but which expresses the policies of the community in this title and which may be applied by the reviewing official during a Type (1), Type (2) or Type (3) review.

“Standard, specific” means those numerical standards established in YMC Chapters [15.04](#), [15.05](#), [15.06](#), [15.07](#), [15.08](#) and [15.09](#).

“State siting criteria” means criteria for the siting of hazardous waste treatment and storage facilities adopted pursuant to the requirements of RCW Chapter [70.105](#).

“Stockpiling of earthen materials” means permanent and/or continuous use for storage of rock, gravel, rubble, sand, or soil.

“Storage facilities, bulk” means either enclosed (see “Warehouse”) or outdoor areas designed for the storage of either large quantities of materials or materials of large size. Includes the storage of vehicles when such storage is not incidental and subordinate to another land use and is not vehicle parking, automotive wrecking/dismantling yards or vehicle sales lots.

“Storage facilities, commercial” means enclosed storage areas designated as support facilities for commercial activities and used for the storage of retail materials.

“Storage facilities, residential mini-storage” means enclosed areas providing storage for residential goods and/or recreational vehicles within the structure.

“Storage, vehicle” means keeping vehicles on a given site that are not actively used by the principal occupants of the site. This definition does not include automotive wrecking/dismantling yards or vehicle sales lots.

“Street” means a public or private road.

“Street vendor” means a vendor selling food, nonalcoholic beverages, and/or other goods or services within a public or private parking lot, pedestrian plaza, public street, alley, sidewalk, public right-of-way, or public property using a nonmotorized cart or temporary structure. See YMC Chapter [5.57](#).

“Structural alteration” means:

1. Any change in a major component or other supporting members of the structure, including foundations, bearing walls, beams, columns, floor or roof joists, girders, or rafters; or

2. Any change in the exterior lines or configuration of a structure if such changes result in the enlargement of the structure.

“Structure” means anything constructed or erected which requires location on the ground or attached to something having a location on the ground.

“Structure, temporary” means a structure without any foundation or footings and which is removed when the designated time period, activity, or use for which the temporary structure was erected has ceased.

“Swimming pool” means a contained body of water, used for swimming or bathing purposes, either above ground level or below ground level, with the depth of the container being more than eighteen inches or the area being more than thirty-eight square feet.

“Tavern” means an establishment operated primarily for the sale of wine, beer, or other beverages with any service of food incidental thereto.

“Technical equipment” means medical, dental, fire suppression, restaurant, etc., equipment.

“Tiny house” and “Tiny house with wheels” means a dwelling to be used as permanent housing with permanent provisions for living, sleeping, eating, cooking and sanitation built in accordance with the state building code.

“Tiny house communities” means real property rented or held out for rent to others for the placement of tiny houses with wheels or tiny houses utilizing the binding site plan process in RCW 58.17.030/YMC Ch 14.35.

“Towing services” means a service to haul or tow vehicles for service, repair or temporary storage. Any facility, except for wrecking yards, storing a vehicle for five or more days shall be considered a vehicle storage facility. Hulk haulers are not included under this definition.

“Transportation brokerage offices” means establishments primarily engaged in furnishing shipping information and acting as agents in arranging transportation for freight and cargo.

Travel Agency. See “Professional business.”

“Urban growth area” means the area within the city limits of Yakima and Union Gap, and the unincorporated portion of Yakima County within the Yakima urban growth area boundary established by the board of Yakima County commissioners pursuant to RCW 36.70A and adopted in the Yakima urban area comprehensive plan (YUACP) as amended. The boundary and legal description of the Yakima urban growth area is set forth in YMC 15.01.020. The Yakima urban growth area is that area where growth is expected to occur over the next twenty years from the adoption of the YUACP and is the area in which urban level public services are or will be provided.

“Urban services” include, but are not limited to, public water and sewer lines, neighborhood parks, streetlights, police and fire protection.

“Use” means the activity or purpose for which land or structures or a combination of land and structures is designed, arranged, occupied, or maintained together with any associated site improvements. This definition includes the construction, erection, placement, movement or demolition of any structure or site improvement and any physical alteration to land itself, including

any grading, leveling, paving or excavation. "Use" also means any existing or proposed configuration of land, structures, and site improvements, and the use thereof.

Use, Class (1), (2), (3). See Class (1), (2), (3) uses.

Use, Modification of. See "Modification (of use or development)."

"Use, principal" means the primary or predominant use to which a structure, part of a structure, or lot is or may be devoted.

"Use, temporary" means a use established under YMC [15.04.130](#), for a fixed period of time, with the intent to discontinue such use upon the expiration of the time period.

"Utilities" are those businesses, institutions, or organizations using pipes or conductors in, under, above, or along streets, alleys or easements to provide a product or service to the public.

"Utility services" means facilities operated by utilities, but not including local transmission and collection lines, pipes, and conductors. Such facilities include, but are not limited to, electrical power substations, water reservoirs, and sewage treatment plants.

"Variance" means a modification of the specific regulations of this title in accordance with the terms of this title for the purpose of assuring that no property, because of special circumstances applicable to it, shall be deprived of privileges commonly enjoyed by other properties in the same vicinity and zoning district.

Veterinary Clinic. See "Animal clinic/hospital."

"Vision triangle" means a triangular-shaped portion of land established at street intersections in which nothing is erected, placed, planted or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection. (See YMC [15.05.040](#).)

"Warehouse" means a structure used for the storage of goods and materials. See "Agricultural building."

"Waste material processing and junk handling" means a place where waste, discarded or salvaged metal, used plumbing fixtures, discarded furniture and household equipment, and other materials are bought, sold, exchanged, stored or baled; and places or yards for the storage of salvaged materials and equipment from building demolition and salvaged structural steel materials and equipment, but excluding establishments for the processing and sorting of garbage, or for the sale, purchase, storage or dismantling of automotive vehicles and machinery. This definition does not include the processing, storage or disposal of hazardous materials.

"Wastewater spray field" means an agricultural or otherwise vegetated field which is irrigated with wastewater or treated sewage. May include storage lagoons utilized solely for storing wastewater before spraying, but not other wastewater treatment facilities. Excludes sprayfields for wastewater defined as hazardous pursuant to RCW Chapter [70.105](#).

"Water system, public" means any system, excluding a system serving only one single-family residence, providing piped water for human consumption, as defined and/or regulated under WAC [248-54](#).

“Wholesale trade” means those uses primarily engaged in the sale of merchandise to retailers and to industrial, commercial, institutional or professional business users or to other wholesalers.

“Wineries or breweries” means a winery or brewery for processing and manufacturing purposes only, with limited wholesale trade incidental to the primary use. Wineries and breweries are categorized as follows:

- A. “Basic” does not have a commercial tasting room or restaurant;
- B. “Resort/destination” has either a commercial tasting room or restaurant. This type of winery or brewery is located on a site larger than five acres in size. It could typically be associated or compatible with: high density residential, resort lodging, or a bed and breakfast;
- C. “Retail” has either a commercial tasting room or restaurant.

“Wrecking yard” means the place of business where motor vehicles or parts thereof are kept by a motor vehicle wrecker subject to state regulation (RCW Chapter [46.80](#)).

“Yard” means an open space, other than a court, on the same lot with a structure.

“Yard, front” means the open area extending along and parallel to the entire length of the front lot line and measured from the property line to the structure.

“Yard, rear” means the open area at the rear of the structure extending the entire width of the lot and measured from the structure to the rear property line.

“Yard, side” means an open area between the side wall line of the structure and the side line of the lot.

“Zero lot line” means the location of a dwelling on a lot in such a manner that one of the sides of the dwelling rests directly on a side lot line.

“Zoning district” means a portion of the Yakima urban growth area within which certain uses of land and structures are permitted and certain other uses of land and structures are prohibited, certain yards and other open spaces are required and specific lot areas are established, all as set forth and specified in this title. This definition also includes the terms “zone” and “use district.”

“Zoo” means a park or facility where animals are kept and raised for visitors to see and observe; zoological park.

YMC 15.03.020 District and map overlay intent statements.

The district intent statements define the specific purpose of each district and/or zoning map overlay. They shall reflect the policies of the Yakima urban area comprehensive plan; serve as a guide for determining the appropriate location of uses; help determine appropriate conditions for development; and help the administrative official interpret the standards and provisions.

- A. Suburban Residential District (SR). The intent of the suburban residential district is to provide a variety of residential lifestyles with densities generally ranging from one unit per five net residential

acres to seven units per net residential acre. The higher density is reviewed and considered to be permitted when a public water system and the regional sewer system are available, or if these utilities are not available, community water and sewer systems may be allowed after review by Yakima County health district and the city of Yakima. (See YMC Chapter [15.05](#), Table 5-1.) This district is further intended to:

1. Limit residential density to one unit per five net residential acres in areas where flooding, airport noise, or other environmental constraints make the land unsuitable for residential use at higher densities. Development at a lower density will be reviewed to allow conversion to higher densities once utilities are available or other limiting issues are mitigated;
2. Maintain surface and groundwater quality along with the avoidance of potential health hazards, by limiting residential density to one unit per five net residential acres, in areas where public services will not be provided, and the dwelling units have individual wells and septic tanks. Development at a lower density will be reviewed to allow conversion to higher densities once utilities are available or other limiting issues are mitigated;
3. Provide the opportunity for suburban residential development, up to three dwelling units per net residential acre, in areas with either public water service or a community sewer system; and
4. Allow residential development to seven dwelling units per net residential acre in areas with both public water service and sewer system.

This district is characterized by a mixture of land uses and residential densities including small farms, scattered low-density residential development, and clusters of higher-density residential development. The minimum lot size in the district varies according to the suitability of the land for development and the provision of urban level services. See YMC [15.05.030\(E\)](#).

B. Single-Family Residential District (R-1). The single-family residential district is intended to:

1. Establish new residential neighborhoods for detached single-family dwellings free from other uses except those which are compatible with, and serve the residents of, this district, which may include duplexes and zero lot lines if established during the subdivision process;
2. Preserve existing residential neighborhoods for detached single-family dwellings free from other uses to ensure the preservation of the existing residential character, and serve the residents of this district; and
3. Locate moderate-density residential development, up to seven dwelling units per net residential acre, in areas served by public water and sewer system.

Detached single-family dwellings are the primary use in this district. The district is characterized by up to sixty percent lot coverage; access to individual lots by local access streets; required front, rear and side yard setbacks; and one- and two-story structures. The density in the district is generally seven dwelling units per net residential acre or less.

This zone is intended to afford single-family neighborhoods the highest level of protection from encroachment by potentially incompatible nonresidential land uses or impacts. Nonresidential uses within these zones are not allowed; except for public or quasi-public uses, which will be required to undergo extensive public review and will have all necessary performance or design standards assigned to them as necessary to mitigate potential impacts to adjacent residences.

Duplex and Multifamily development up to seven dwelling units per net residential acre may be allowed in accordance with Table 4-1.

C. Two-Family Residential District (R-2). The purpose of the two-family residential district is to:

1. Establish and preserve residential neighborhoods for detached single-family dwellings, duplexes and other uses compatible with the intent of this district; and
2. Locate residential development with densities up to twelve dwelling units per net residential acre in areas receiving a full range of public services including public water and sewer service, and police and fire protection.

The district is characterized by up to sixty percent lot coverage, access via local access streets and collectors, one- and two-story buildings, some clustering of units, and required front, rear and side

yard setbacks. Typical uses in this district are single-family dwellings and duplexes. The density in this district generally ranges from seven to twelve dwelling units per net residential acre. However, development up to eighteen dwelling units per net residential acre may be allowed in accordance with YMC Chapter 15.04, Table 4-1.

- D. Multifamily Residential District (R-3). The multifamily residential district is intended to:
1. Establish and preserve high-density residential districts by excluding activities not compatible with residential uses;
 2. Locate high-density residential development more than twelve dwelling units per net residential acre in areas receiving the full range of urban services;
 3. Locate high-density residential development near neighborhood shopping facilities; and
 4. Locate high-density residential development so that traffic generated by the development does not pass through lower-density residential areas.

The district contains a variety of attached or clustered multifamily dwellings.

- E. Professional Business District (B-1). The professional business district is intended to:
1. Establish and preserve areas for professional offices;
 2. Provide a buffer between commercial clusters and residential neighborhoods; and
 3. Locate professional offices in areas presently receiving a full range of urban services.

Professional offices and, in some areas, a mix of professional offices and multifamily dwellings are the primary uses in the district.

Generally, the professional business district contains smaller lot or parcel sizes. Residential densities are generally greater than twelve dwelling units per net residential acre. Building coverage may be as high as eighty percent of the site. Sitescreening requirements have been established to soften the visual impact of large buildings and parking lots and to minimize potential nuisances from light, noise and glare. Development standards are intended to accommodate a mixture of high-density residential development and office uses.

- F. Local Business District (B-2). The purpose of the local business district is to:
1. Provide areas for commercial activities that meet the small retail shopping and service needs of the community; and
 2. Accommodate small-scale commercial uses that need a higher level of visibility and easy access to major arterials.

Uses characteristic of this district include small retail sales and service establishments.

G. Historical Business District (HB). The purpose of the historical business district is to recognize existing isolated commercial structures in otherwise residential areas, to allow those structures to be occupied by traditional neighborhood business uses, and to allow these structures to be replaced if destroyed. This district is not intended to allow structural expansion, or expansion of the use onto adjoining lots. It is further intended that this district is not to serve as a small convenience center (SCC). Examples of HB uses are: taverns, small grocery stores, laundromats, and other businesses serving the immediate residential neighborhood around this district. This zoning district is not intended to be allowed to be further expanded or formed.

H. Small Convenience Center District (SCC). The purpose and intent of the small convenience center district is to:

1. Provide areas for commercial activities outside the downtown commercial district that meet community retail shopping and service needs; and
2. Accommodate small commercial centers, generally two to five acres in size, where most of the commercial uses have located in a coordinated manner around a common parking lot and one major commercial approach driveway.

Small convenience centers serve the day-to-day convenience shopping and service needs of the surrounding neighborhood and should be designed to minimize undesirable impacts of the center on the neighborhood it serves. Uses in this district should be retail or personal service establishments dealing directly with the consumer, the primary occupants usually being such uses as a supermarket, fast food restaurants and drug store.

I. Large Convenience Center (LCC). The purpose and intent of the large convenience center district is to:

1. Provide areas for commercial activities outside the downtown commercial district that meet the retail shopping and service needs of the community; and
2. Accommodate commercial centers, generally five to ten acres in size, where most of the commercial uses are coordinated in a manner around a common parking lot and usually with two major commercial approach driveways.

Large convenience centers serve the shopping and service needs of multiple surrounding neighborhoods and should be designed to minimize the impacts. Uses in this district should be larger retail or personal services, the primary occupants usually being such uses as multiple-tenant shopping, restaurants, office complexes, and multi mixed-uses.

J. Airport Support District (AS). The purpose of the airport support district is to accommodate airport and aircraft related activities within the airport property. This district includes the Yakima Air Terminal. A variety of uses are permitted. However, the intensity of development is directly related to airport and/or aircraft related uses.

K. General Commercial District (GC). The purpose of the general commercial district is to accommodate wholesale and retail activities with some high-density residential development. This district is primarily located near and along the major arterials as designated in the Yakima urban area comprehensive plan. Like the CBD district, a variety of land uses are permitted. However, the intensity of development is intended to be less than in the CBD district.

L. Central Business District (CBD). The purpose of the central business district is to preserve the business district of the city of Yakima as the region's center of commerce, finance, government, industry, recreation, and culture. This district is characterized by very intensive development and a variety of land uses including retail sales and service establishments, high-density residential development, financial institutions, professional buildings, and government offices.

M. Regional Development District (RD). The purpose of the regional development district is to provide high visibility from the interstate and state highways of the city of Yakima to provide regional commerce, office campus, recreation, large-scale retail, culture, light manufacturing, processing, research, and large multiple mixed uses. This district is characterized by very intensive development and a variety of land uses including retail sales and service establishments, high-density residential development, financial institutions, professional office buildings, hotels, condominiums, and corporation headquarters.

N. Light Industrial District (M-1). The intent of the light industrial district is to:

1. Establish and preserve areas near designated truck routes, freeways, and the railroad for light industrial uses;
2. Direct truck traffic onto designated truck routes and away from residential streets; and
3. Minimize conflicts between uses in the light industrial district and surrounding land uses.

The light industrial district provides areas for light manufacturing, processing, research, wholesale trade, storage, and distribution facilities.

Uses permitted in this district should not generate noise levels, light, odor, or fumes that would constitute a nuisance or hazard.

- O. Heavy Industrial District (M-2). The intent of the heavy industrial district is to:
1. Establish and preserve areas near designated truck routes, freeways, and railroads for heavy industrial uses;
 2. Direct heavy truck traffic onto designated truck routes and away from residential streets; and
 3. Minimize conflicts between heavy industrial uses and surrounding land uses.

The heavy industrial district provides areas for manufacturing, assembling, fabrication, processing, and distribution and storage facilities. Uses in this district have the potential to generate high levels of noise, light, odor, fumes, or smoke that require their protection from encroachment by incompatible land uses.

- P. Airport Overlay (AO). The airport overlay is intended to protect the airspace around the Yakima Air Terminal at McAllister Field from airspace obstructions or hazards and incompatible land uses. In addition to the regulations of the principal use district, the airport overlay includes provisions for:

1. Preserving land adjacent to the Yakima Air Terminal at McAllister Field for future commercial and industrial development; and
2. Assuring that land uses, locating near the airport, are compatible with noise, height obstruction and other impacts from the airport operation.

- Q. Floodplain Overlay (FO). The purpose of the floodplain overlay is to:

1. Protect natural drainage systems associated with floodways and floodplains;
2. Ensure that new development will not affect the flood elevations in surrounding areas;
3. Ensure adequate protection of life, health, and property from flood events;
4. Control development located within the one-hundred-year floodplain unless it is possible to mitigate;
5. Ensure development is restricted within the floodway unless it is water dependent;
6. Emphasize FEMA standards in planning for flood prevention and damage reduction;
7. Comply with the city of Yakima's shoreline master program;
8. Minimize the expenditure of public money for flood-control projects;
9. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken with public money;
10. Minimize damage to public facilities and utilities such as water lines, sewer lines, and streets;
11. Protect river, creek, and stream channels from encroachment so that flood heights and flood damage will not be appreciably increased;
12. Ensure that potential buyers are notified that FEMA mapping is used to help identify that property is in an area of special flood hazards;
13. Ensure that property owners who occupy flood hazard areas have adequate information when they apply for development changes to their property so the property owner can assess the results of their development actions;
14. Continue to implement the National Flood Insurance Program; and
15. Use and enforce the building code to help minimize losses due to flooding.

- R. Greenway Overlay (GO). The Yakima River Regional Greenway Plan was adopted to preserve and maintain the Yakima River as a natural resource for all citizens to enjoy. The greenway corridor extends from Yakima Canyon to Union Gap. Greenway boundaries were originally defined in 1977 by the State Legislature with the creation of the Washington State Yakima River Conservation Area. The greenway corridor is classified into natural, conservation, and recreation areas. Each greenway corridor area may contain various facilities developed by the Greenway Foundation, such as pathways, recreational sites, boat landings, parks, playgrounds, campgrounds, and group camps. Many of the greenway facilities, such as trails, have been constructed on the top of existing dikes and levees. The greenway provides access for levee maintenance and repair and to be responsible for damage to trails caused by flooding.

In addition to the provisions of the principal use district, the purpose of the greenway overlay is to:

1. Make the greenway more attractive and accessible to the public;
2. Assure development conserves shoreline vegetation and controls erosion;
3. Implement the city shoreline master program and the Yakima River Regional Greenway Plan;
4. Limit development to activities which are particularly dependent on a location in the greenway;
5. Preserve and protect the fragile natural resources and culturally significant features along the greenway;
6. Increase public access to publicly owned areas of the greenway where increased use is desirable;
7. Protect public and private properties from the adverse effects of improper development in hazardous shoreline areas; and
8. Give preference to uses creating long-term over short-term benefits.

S. Master Planned Development Overlay (PD). The master planned development overlay is intended to allow larger scale, mixed-use developments in selected areas of the city where certain development requirements may be adjusted as necessary to promote an integrated approach to planning and site design. The city finds that such developments require special review and conditioning to ensure that adjacent areas are preserved and protected. (YMC Chapter [15.28.](#))

T. Institutional Overlay (IO). The institutional overlay is intended to allow designated community institutions that are valuable and necessary to the community, but which are located adjacent to or within residential zones. The city finds that these institutions require special review and conditioning to ensure that adjacent residential areas are preserved and protected. (YMC Chapter [15.31.](#))

The institutional overlay includes provisions to:

1. Make the institution more compatible and accessible to the public;
2. Assure development has the ability for future expansion;
3. Provide increased protection such as increased buffers as the institution locates closer to residential districts, especially R-1; and
4. Utilize the goals and policies of the Yakima urban area comprehensive plan.

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.

	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

[illegible]

	SR	R-1	R-2	R-3	B-1	B-2	HB	SCC	LCC	AS	GC	CBD	RD	M-1	M-2
Cemetery/Crematorium with Funeral Home	3	3	3	3	3									3	
Funeral Home not associated with Cemetery/Crematorium	3				2	2		2	1		1	1	2	2	
Churches, Synagogues, and Temples (*)	2	2	2	2	2	2		2	2		1	1	2	2	
Community Center (*) Meeting Halls, Fraternal Organizations	2	2	2	2	2	2	2	2	2		1	1	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)	2	2	2	2	2	2		2	2	2	1	2		2	
Community Gardens (*) (with planting area of more than one-half acre up to one acre)	2	2	2	2	2	2		2	2	2	2	2		2	
Day Care Facilities (not home occupation): Family In-Home (*)	1	2	2	2	2	2	2	2	1		1	1			
Day Care Center (*)	2	2	2	2	1	1	2	1	1		1	1	2	1	
Public Facility (*)	3	3	3	3	2	2		2	2	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	2	1	1	1		1	1	1		
Museums, Art Galleries		3	3	2	1	2	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		2	2	1	1	1	2	2	
Community College/University—Inside Institutional Overlay	(See YMC Chapter 15.31)														
Community College/University—Outside Institutional Overlay	3	3	3	3	3	2	2	2	2	3	2	3	2	2	
Vocational Schools (*)	3	3	3	3	3	2		2	2	1	1	1	2	3	
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	2	2					1	2	1		

[illegible]

	SR	R-1	R-2	R-3	B-1	B-2	HB	SCC	LCC	AS	GC	CBD	RD	M-1	M-2
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	2			1	1
Prefabricated Structural Wood Products and Containers										1				1	1
Printing, Publishing and Binding										1	3		2	1	1
Printing Trade (service industries)						2		2	2		1	1	2	1	
Recycling Processing Center (*)												3		1	
Rendering Plants, Slaughter Houses															3
Rubber Products										1				2	1
Sign Manufacturing and Product Assembly (*)									2	1	1			1	1
Sawmills and Planing Mills														2	1
Sheet Metal and Welding Shops											2			1	1
Stone Products (includes finishing of monuments for retail sale)						2				1	2	2	3	1	1
Transportation Equipment, Including Trailers and Campers													2	1	1
Woodworking: Cabinets, Shelves, etc.									3	1	2		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 (*)	2	2	2	2	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)	2	2	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)	2	2	2	2	3	3	1	3	3		3		3		
Attached Single-Family Dwelling, Common Wall (*)	2	2	1	1	3	3	1	2	2		2		2		

	SR	R-1	R-2	R-3	B-1	B-2	HB	SCC	LCC	AS	GC	CBD	RD	M-1	M-2
Two-Family Dwelling (Duplex) (*)	3	2	1	1	2	2	1	2	2		1		2		
Two-Family Dwelling (Duplex) (*) on corner lots in a new Subdivision	1	1													
Converted Dwelling (*)	3	2	1	1	1	1	1	2	2		1	1			
Cottage Housing (*) (See YMC 15.09.035)		2	1	1	1	1		2	2		2		2		
Multifamily Development (*): 0—7 DU/NRA		2	1	1	2	2		2	2		2	2	2		
8—12 DU/NRA			2	1	2	2		2	2		2	2	2		
13+ DU/NRA			2	1	2	2		2	2		2	2	2		
Mixed-Use Building					1	1		1	1		1	1	1		
Planned Development (*)	See YMC 15.28														
Mobile Home Communities (*)	2			2							2				
Tiny House Communities (*)			2	1	2	2		2	2		2				
Mobile Home (*) or Manufactured Homes (*)	See YMC 15.04.160														
Retirement Homes (*)	2		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				2	2		2	1	2	1	1		1	
Auction House for Goods (*)	3					2		2	2		1	1	2	1	1
Auction House for Livestock (*)	3													2	2
Automotive															
Automotive Dealer New and Used Sales						2		2	2		1	3	1	1	
Weekend Automobile and Recreational Vehicle (RV) Sales									1		1		1		
Automotive: Car Wash/Detailing						2		1	1	1	1		1	2	
Parking Lots and Garages					2	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	2	1	2	
Towing Services										1	3			1	1
Wrecking and Dismantling Yard (*) and Hulk Haulers (*)														3	1
Bail Bonds											1	1	1		
Beauty and Barber Shops					2	1	2	1	1	1	1	1	1	2	

	SR	R-1	R-2	R-3	B-1	B-2	HB	SCC	LCC	AS	GC	CBD	RD	M-1	M-2
Short Term Rental (*)	2	2	2	2	2			2	2		2	1			
Boats and Marine Accessories						2		2	1		1		1	1	
Butcher Shop						1		1	1		1	2	2	1	
Commercial Services (*)					2	1	2	1	1		1	1	1	2	
Communication Towers (*)	(See YMC Chapter 15.29)														
Convenience Store—Closed 10:00 p.m. to 6:00 a.m.						1	2	1	1	1	1	1	1	2	
Convenience Store—Open 10:00 p.m. to 6:00 a.m.						2		2	2	1	1	2	1	2	
Pet Day Care/Animal Training (*)	2					1		1	1	2	1		1	2	
Farm and Implements, Tools and Heavy Construction Equipment										1	2		3	1	1
Farm Supplies								2	2	1	1		2	1	
Financial Institutions					1	1		1	1	1	1	1	1		
Fuel Oil and Coal Distributors										1	2			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) (*)					2	1		1	1	1	1	1	1	3	
General Retail Sales greater than 12,000 sq. ft. (not otherwise regulated) (*)						2		1	1	1	1	1	1	3	
Heating and Plumbing and Electrical Equipment Stores						2		2	1	1	1	1	1		
Heavy Equipment Storage, Maintenance and Repair										1				1	1
Kennels (*)	2													2	2
Laundries, Laundromats and Dry Cleaning Plants						2	2	1	1	1	1	2		1	
Liquor Stores						2		2	1		1	1	1		
Locksmiths and Gunsmiths						1	2	1	1	1	1	2		1	
Lumber Yards								2	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								2	1	1	1	1	1		
Extended Stay Hotel/Motel*								2	1	2	2	3	3		
Night Clubs/Dance Establishments								2	1		1	1	1	1	
Nursery (*)	2					1		1	1	1	1		1	1	

	SR	R-1	R-2	R-3	B-1	B-2	HB	SCC	LCC	AS	GC	CBD	RD	M-1	M-2
Offices and Clinics				3	1	1		1	1	1	1	1	1	2	
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						2		1	1		1	2	1		
Radio/TV Studio	3				2	2		1	1		1	1		2	
Recycling Drop-Off Center (*)						1		2	2		1	1	1	1	
Rental: Auto, Truck, Trailer, Fleet Leasing Services with Storage					3	2			1	2	1	2	2	1	2
Rental: Heavy Equipment (except automotive) with Storage														1	1
Rental: Heavy Equipment (except automotive) without Storage											1	2	3	2	
Repairs: Small Appliances, TVs, Business Machines, Watches, etc.						1	2	1	1	1	1	2	1	1	
Repairs: Reupholstery and Furniture						1		1	1	1	1	1	1	1	
Repairs: Small Engine and Garden Equipment						2	2	2	1	1	1	2		1	
Restaurant (*)					2	1		1	1	1	1	1	1	1	
Seamstress, Tailor						1	1	1	1	1	1	1	1		
Service Station (*) Closed Between 10:00 p.m. and 6:00 a.m. (*)						2		1	1	1	1	1	1	1	
Service Station (*) Open Between 10:00 p.m. and 6:00 a.m. (*)						3		2	2	1	1	2	1	2	
Shooting Ranges (indoor)								3	3		3	3		1	
Signs, Printed, Painted or Carved						2			2	1	1	2		1	1
Taverns (*) and Bars						1	2	1	1	1	1	1	1	1	
Technical Equipment Sales (*)					2	1	2	1	1	1	1	1	1	1	
Truck Service Stations and Shops											3		2	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									2		2			1	1
Contract Truck Hauling, Rental of Trucks with Drivers											1			1	1
Air, Rail, Truck Terminals (for short-term storage, office, etc.)										1		2		1	1

	SR	R-1	R-2	R-3	B-1	B-2	HB	SCC	LCC	AS	GC	CBD	RD	M-1	M-2
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					
UTILITIES															
Power Generating Facilities													3	2	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	1	1	1
Storage Facilities, Bulk (*)										1	2			1	1
Storage Facilities Commercial (*)									3	1	2		3	1	1
Residential Mini-Storage (*)				3		3				1	2		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															

15.04.060 Accessory uses.

A. Generally. An accessory use is a use customarily incidental and subordinate to the principal use of a structure or site. Accessory uses are permitted upon compliance with the terms and provisions of this title. They must be clearly secondary to, supportive of, and compatible with the principal use(s) and consistent with the purpose and intent of the zoning district. The land use classification and review requirements of an accessory use shall be the same as that of the principal use(s), unless otherwise specified.

B. On-site hazardous waste treatment and storage is permitted as an accessory use in the SR, B-1, B-2, HB, LCC, CBD, GC, M-1 and M-2 districts, subject to the state siting criteria in the Washington Administrative Code adopted pursuant to the requirements of Chapter 70.105 RCW.

C. Garages. Private garages are permitted as an accessory use; provided, that in residential districts they are primarily used to store motor vehicles by the occupants of the residence.

D. Pets. The keeping of pets is permitted as an accessory use; provided, that in residential districts they are subject to the following restrictions (see definitions of “kennel” and “animal husbandry”):

1. They are domesticated animals kept for pleasure or as a hobby rather than utility, including, but not limited to, fish; birds; dogs, fewer than four; cats, fewer than six; hen chickens (no roosters), fewer than five; and rabbits, fewer than five;

2. Their presence does not create undue noise or odors such as would create a nuisance or diminish the residential nature of the neighborhood;
3. Such animals are properly fed, watered and kept in a humane manner;
4. Any chicken coops, chicken tractors, or rabbit hutches shall be set back ten or more feet from any residence or property line, and five feet from other structures including decks;
5. Hen houses, coops, hutches, and chicken tractors shall be restricted to the backyard area of a residential lot;
6. For chickens and rabbits, adequate fencing shall be installed to contain the animals within the backyard;
7. The other provisions of the YMC for animals are followed.

E. **Agricultural Buildings.** Where permitted, an agricultural building shall not be used for human habitation, processing, treating or packaging of agricultural products, nor shall it be a place used by the public.

F. **Cargo Containers.**

1. **Not Permitted.** Cargo containers shall not be used for storage or other use within the residential zoning districts for more than two consecutive weeks at a time.
2. **Permitted.** Cargo containers and/or semi-truck trailers are allowed as an accessory use to a permitted business in the B-1, B-2, SCC, LCC, AS, GC, RD, M-1 and M-2 zoning districts. Accessory cargo containers and/or semi-truck trailers shall be processed under the provisions of YMC Ch. 15-17 – Modifications to existing or approved uses or development, subject to the following conditions:
 - a. All refrigerated cargo containers and/or semi-truck trailers that are not located within a designated loading dock or loading bay shall be located no less than fifty feet from any existing residential zoning district.
 - b. Placement of cargo containers and/or semi-truck trailers shall not adversely affect maximum lot coverage, landscaping requirements, or required on-site parking spaces.

G. **Community Gardens.** Community gardens (accessory to an approved principal use) are considered an accessory use to a principal use in all zoning districts; provided, the garden is clearly secondary to, supportive of, and compatible with the principal use with regard to size and use. The land use classification and review requirements of an accessory community garden shall follow the Type (1) review requirements of YMC 15.13, and shall otherwise comply with all other provisions of the Yakima Municipal Code, and International Fire and Building Codes.

15.04.150 Standards for mobile/manufactured home and tiny house communities.

A. **Purpose.** The purpose of this section is to establish standards and criteria for development and expansion of mobile/manufactured home and tiny house communities within the urban area. These standards are provided to ensure uniform, coordinated development of mobile/manufactured home and tiny house communities and to ensure the general health, welfare and safety of the occupants of mobile/manufactured and tiny homes that may be located within a community developed under these standards. These standards shall be applied in a manner that stresses minimizing costs. Alternatives that reduce costs and meet the intent of these standards will be encouraged.

B. **Site Plan Requirements.** All proposals for mobile/manufactured home and tiny house communities shall include a site plan based upon a land survey drawn by a licensed architect,

engineer or surveyor and shall include the following information in addition to the standard information required for site plans:

1. All spaces shall be clearly delineated on the site plan and include dimensions and square footage for each space;
2. A building envelope shall be shown within each space;
3. Unit setbacks shall be shown for each space;
4. The location of required parking for each unit;
5. Streets;
6. Signage for the park and directional signage;
7. The location of all solid waste containers and screening of containers; and
8. All facilities, utilities, improvements and amenities shall be shown on the site plan, including pathways, sidewalks, and recreational facilities.

C. Development Standards. All mobile/manufactured home and tiny house communities shall be developed in compliance with the underlying zoning district and shall be in compliance with this section. The density of a community or expansion shall not exceed the density of the underlying zoning of the district. All required site improvements shall be installed prior to placement of units. Additional site improvements may be required by the reviewing official.

1. Minimum Space Size and Width. The minimum space size and width for a mobile/manufactured home, tiny house/tiny house on wheels, or recreational vehicle, exclusive of streets, shall be the minimum size necessary to ensure compliance with applicable unit separation, off-street parking requirements, and play area standards. .
2. Internal Street Paving. A minimum of twenty-four feet of paved internal street shall be required for access to each unit, paved in accordance with YMC 15.06.110.
3. Off-Street Parking. shall be provided for each unit in accordance with this title, YMC Chapter 15.06.
4. Street Lighting. A street light shall be provided at each street intersection within the community.
5. Right-of-Way Dedication and Frontage Improvements. Appropriate provisions for right-of-way dedication and right-of-way improvements adjacent to the park shall be made, including street paving, sidewalks, curbs, gutters, and street lighting. Improvements shall be installed prior to placement of units in the park, unless an appropriate bond or instrument acceptable to the appropriate jurisdiction is provided to guarantee installation of improvements.

6. **Street Signs and Internal Directional Signs.** All streets within the park shall be named utilizing blue street signs consistent with the appropriate jurisdiction's public street signs. Internal directional signs indicating unit/space numbers shall be placed at all street intersections within the park.

7. **Utilities.** All utilities shall be installed prior to placement of units in the park, including irrigation, domestic water, and sewer. All utilities shall be installed underground, including electrical distribution, telephone, and cable TV. The internal water system shall include fire hydrants located at the direction of the appropriate jurisdiction's fire department.

8. **Minimum Unit Separation.** Units shall be separated by a minimum of ten feet, measured from the furthest extremity of each unit, including stairways.

9. **Sitescreening** shall be provided in accordance with YMC Ch. 15.07

10. **Stormwater Drainage.** All stormwater drainage shall be retained on site and a drainage plan shall be approved by the appropriate jurisdiction.

11. **Dumpsters/Solid Waste Containers.** Dumpsters and solid waste containers shall be provided for common use, and shall be screened with a six-foot-high, view-obscuring fence or wall and access gate.

12. **Open Space Requirement.** Each unit shall provide an area of open space contained within the unit's space, consisting of a minimum size of four hundred square feet and a minimum width of ten feet.

a. The unit square-footage requirement may be reduced by 50% if the development includes a common play area.

b. Gravel, pavers, asphalt or other non-vegetative surface shall not be included in the open space requirement

D. **Expansion of Existing Mobile/Manufactured Home and Tiny House Communities.** All standards of this section shall apply to expansion of existing mobile home communities. The standards shall not apply to existing areas of a community not being expanded. The examiner may, at his or her discretion, reduce one or more standards of this section for newly expanded areas of a community if expansion plans also include improvements to the existing community area.

E. **Maintenance of Common Areas, Landscaping and Open Space/Recreational Areas.** All common areas and facilities (including streets, walkways, utilities, landscaping, storage areas, open space, and recreational areas) shall be continuously maintained in good condition by the community owner or designated homeowner's association. An irrigation system shall be installed for maintenance of landscaping and recreational/open space areas that would normally require irrigation.

F. **Planned Development Under the Provisions of This Title.** Development of a mobile/manufactured home or tiny house community may be accomplished under the planned development provisions of this title.

15.05.020 Site design requirements and standards.

A. Table of Site Design Standards and Subdivision Requirements. The provisions of this chapter and the requirements in Tables 5-1 and 5-2 are established for all development in the zoning districts indicated.

B. Development on Nonconforming Lots. Development on nonconforming lots is governed by this section and YMC 15.19.040. Except as limited by this title, any permitted use may be allowed on any lot legally created prior to the adoption of this title. Such development and structures are subject to the following additional provisions:

1. Detached single-family dwellings erected on nonconforming lots must meet the following criteria:
 - a. The setback dimensions of the structure conform to the regulations of this title;
 - b. The lot has at least twenty feet of frontage on, or a minimum twenty-foot-wide access easement to, a public or private road;
 - c. All other site design and development criteria other than the lot size requirements of Table 5-2 are met.
2. Zero lot line, common wall, or duplex development may be permitted on such lots in the R-2, R-3 and B-1 districts only if the conditions of subsection (B)(1) of this section are met.
3. Multifamily development may be permitted in the R-2, R-3, B-1, CBD and GC districts only if the criteria of subsection (B)(1) of this section are met.
4. Zero lot line, common wall, duplex or multifamily development is not allowed on such lots in the SR and R-1 zones unless such development is the replacement or reconstruction of a destroyed or damaged existing use, as defined in YMC Chapter 15.19.
5. Any permitted use or structure may be placed on a lot that is nonconforming as to width and/or lot area in the industrial and commercial districts, but only if the criteria of subsection (B)(1) of this section are met.

C. Maximum Lot Coverage. Maximum lot coverage is the percentage of net land area of a site that can be covered with structures and other impervious surfaces. The maximum lot coverage in each district is shown in Table 5-1. In the SR and R-1 districts, this standard is intended to protect the open character of each district, and ensure that land is available to accommodate septic tanks and drainfields. The intent in the R-2 and R-3 districts is to provide areas for landscaping and recreation. Maximum lot coverage requirements in the commercial districts are intended to promote development consistent with the character of the district, protect setbacks, and provide the opportunity to integrate open space and landscaping plans into the design and placement of the structure and off-street parking.

D. Structure Setbacks. Structure setbacks are the minimum structure setbacks permitted in a particular zoning district with Type (1) review. In the residential districts, structure setbacks are

intended to provide privacy, light, air and emergency access. Setbacks along easements and rights-of-way are intended to minimize the impacts from traffic on adjoining property owners. In the commercial districts, building setbacks provide visual clearance along streets and areas for sitiescreening and landscaping. Structure setbacks are required in the industrial districts to provide fire protection, emergency access, and to reduce impacts on adjacent districts of lower intensity. No structure shall be built or located on or in an easement. The use of an access easement by a structure shall only be allowed upon vacation/alteration of the easement in accordance with provisions established in the city subdivision ordinance. The standard structure setback in each district is shown in Table 5-1.

E. Setbacks for Residential Accessory Structures.

1. Residential Accessory Structures Requiring a Building Permit. The minimum setback for residential accessory structures in the residential districts shall be at least five feet from the side property line, five feet from the rear property line, and up to, but not within, the required front yard setback; provided, that the accessory structure(s) shall not encroach on a public easement and applicable street setbacks are observed.
2. Residential Accessory Structures Not Requiring a Building Permit. The minimum setback for a residential accessory structure in a residential district shall be at least five feet from existing structures, zero feet from the side and rear property lines, and up to, but not within, the required front yard setback; provided, that the accessory structure shall not encroach on an easement.

F. Maximum Building Height. Maximum building height is intended to maintain building heights compatible with the character and intent of the district. The maximum building height in each district is shown in Table 5-1.

G. Fences and Walls—Standard Height. The following provisions shall govern the location and height of fences and walls:

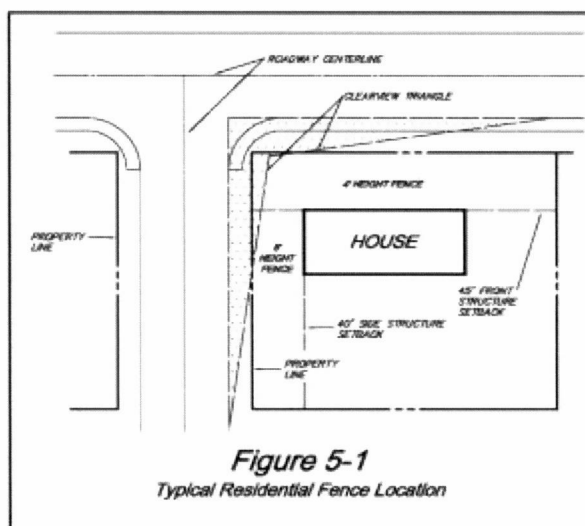
1. In the front yard: fences and walls may be placed on or behind the property line. However, no fence or wall shall exceed four feet in height within the required front yard setback area. In residential districts, six feet shall be the maximum height in the front yard behind the required setback. See Figure 5-1, Typical Residential Fence Location. In commercial and industrial districts, eight feet shall be the maximum height in the front yard behind the required setback.
2. In the side yard and street side yard: fences and walls may be placed on or behind the property line. In residential districts, six feet shall be the maximum height; provided, that no six-foot street side yard fence shall extend past the front corner of the dwelling into the front yard or be located within the clear view triangle. See Figure 5-1, Typical Residential Fence Location. In the commercial and industrial districts, eight feet shall be the maximum height.
3. In the rear yard: fences and walls may be placed on or behind the property line. In the residential districts six feet is the maximum fence or wall height in the rear yard; provided, that when the rear yard abuts a designated arterial, the maximum height shall be eight

feet. Eight feet is the maximum rear yard fence height in the commercial and industrial districts.

4. Within the clear view triangle: no fence, hedge or wall, exceeding two and one-half feet in height, shall be placed in the clear view triangles established in YMC 15.05.040.

5. Fences over six feet in height: all fences over six feet in height shall meet the provisions of the International Building Code.

6. Fence height in combination with a retaining wall: no combination of a fence and retaining wall shall exceed a height of ten feet, measured from the lower elevation, except existing retaining walls at the time of the passage of this title will be allowed a three-and-one-half-foot fence above the retaining wall.



H. Access Required. All new development shall have a minimum of twenty feet of lot frontage upon a public road or be served by an access easement at least twenty feet in width. The purpose of this standard is to provide for vehicular access to all new development; provided, the construction of single-family and two-family dwellings on existing legally established lots is exempt from the requirements of this section.

I. Recreational Screen. A recreational screen is a protective device for recreational purposes designed to keep recreational equipment within or outside of a designated area. Such uses are typically associated with schools, parks, golf courses, swimming pools, ballfields, and playgrounds. The specific standard for screen height in Table 5-1 does not apply to recreational screening as established by this title. The height and materials for screens will be evaluated by the administrative official based on the need, safety requirements, and relationship to residential and commercial properties and streets.

J. Sidewalk Requirement. Sidewalks on one side of the street are required with new construction (except single-family structures). A sidewalk is required if one exists within two hundred feet of the development on the same side of the street. Replacement of existing sidewalk is required only if existing sidewalk presents a safety hazard, except that for applications under the jurisdiction of the city of Yakima, the provisions of Title 12 of the Yakima

Municipal Code shall prevail over the provisions of this section to the extent of any conflict between such provisions.

K. **Swimming Pools.** Swimming pools, as defined by the Washington State Residential Code, are permitted as an accessory use to: dwellings, hotels/motels, congregate living facilities, retirement homes, other residential uses, schools, and recreational facilities when all of the following provisions are met:

1. **Setbacks.**
 - a. **Front yard:** The swimming pool, apron, and pump house meet the required front yard setback in Table 5-1.
 - b. **Side and rear yard:** The swimming pool and pump house are set back at least three feet from the property line. The swimming pool apron may extend up to the property line.
 - c. **From an easement:** The swimming pool, apron, and pump house may extend up to, but shall not encroach upon, an easement.
2. **Security.** The area around the pool shall be enclosed by a protective fence not less than four feet in height, or by another prescriptive measure as permitted by the Washington State Residential Code.

L. **Development within the State Fair Park.** The following structures may be developed, maintained, altered, expanded, or erected within the State Fair Park without further zoning review provided such development is consistent with YMC 15.04.200(C), Allowable Uses, SEPA mitigation where required, the development standards of this code and other construction permit requirements:

1. Administrative and operational offices.
2. Auditoriums, meeting and exhibit halls.
3. Bars and drinking facilities.
4. Campgrounds.
5. Caretaker and/or employee residential quarters.
6. Equestrian facilities.
7. Exposition structures.
8. Grandstand facilities.
9. Libraries and museums.

10. Livestock barns.
11. Motorized sports facilities.
12. Parking facilities.

15.05.030 Creation of new lots—Subdivision requirements.

A. Table of Subdivision Requirements. The provisions of this section and the requirements set forth in Table 5-2 are hereby established for all subdivisions in the zoning districts indicated. In the case of conflict between the text and tables, the text shall govern. Additional subdivision requirements are established in YMC Title 14.

B. Maximum Number of Dwelling Units Permitted per Net Residential Acre. Maximum number of dwelling units permitted per net residential acre is used to determine the maximum number of dwelling units permitted within a single subdivision, short subdivision, mobile home park, multifamily development, or planned residential development. This standard is intended to:

1. Assure that residential densities in new subdivisions, multifamily developments, or planned residential developments are compatible with the existing or planned level of public services and the density of the zoning district;
2. Permit the clustering of dwelling units (when clustering occurs, open space shall be provided in accordance with YMC 15.09.030); and
3. Permit a variety of residential dwelling types within a development.

The following formula shall be used to determine the maximum number of dwelling units permitted for any particular subdivision, short subdivision, mobile home park, multifamily development or planned residential development:

THE MAXIMUM NUMBER OF UNITS PERMITTED ON A SITE = (the total site area in acres) - (the area of streets, rights-of-way, and access easements, in acres) x (the maximum number of dwelling units permitted per net residential acre).

Any fraction of a dwelling unit shall be rounded up to the next whole number if one-half or over or down to the next whole number if less than one-half. Once approved under the provisions of this title, no subdivision, resubdivision, or short subdivision shall be further modified or divided in a manner that will raise the density of the subdivision beyond the maximum number of dwelling units permitted per net residential acre by Table 5-2; provided, that development exceeding the maximum number of dwelling units per net residential acre may be allowed in accordance with Table 4-1.

The application of this provision shall not prohibit the subdivision of land already developed with more dwelling units than would be permitted by this section when:

1. The lots created meet the lot size and lot width requirements established in Table 5-2;
2. The existing structures meet the building area and setback requirements in Table 5-1; and

3. The new density is consistent with the district intent statement and YMC Table 4-1.

C. **Minimum Lot Size.** Minimum lot size is the smallest lot size permitted in a particular zoning district when land is subdivided, short platted, resubdivided, or when lot lines are adjusted. No lot shall be created that is smaller than the applicable minimum lot size standard established in Table 5-2.

1. In residential districts, this standard is intended to maintain the residential character of the area and will vary by dwelling type, the suitability of the land for development, and the type of water and sewer system. The following are the minimum lot size requirements in the residential districts, except when the Yakima health district determines that a larger area is necessary for the safe installation of approved water supply and sewage disposal systems:

Situation	Required Minimum Lot Size
In the floodplain, airport, and greenway overlay districts:	One acre (provided the minimum lot size of the underlying zoning district shall apply, when, in the opinion of the reviewing official, the lot has a buildable area outside the overlay district and a plat restriction prohibits development on that portion of the lot within the overlay district).
Individual water system and individual sewer system:	One-half acre.
Public or community water system and an individual sewer system:	14,500 square feet.
Individual water system and the regional or an approved community sewer system:	9,600 square feet.
Public or community water system and the regional or an approved community sewer system:	See Table 5-2.

2. The smaller lot size for zero lot line, attached, and multifamily dwellings does not permit an increase in the maximum number of dwelling units per net residential acre established in subsection B of this section. Any lots created for zero lot line, attached, and multifamily dwellings shall be so designated on the face of the plat or short plat.

3. In the local business district, the minimum lot size is intended to maintain the character of the district and provide adequate space for off-street parking and landscaping.

4. The minimum lot sizes in the small and large convenience center districts and industrial districts are intended to accommodate the large uses permitted in these districts and maintain vacant land in relatively large parcels that can be easily assembled when development is proposed.

D. Standard Lot Width. Standard lot width is the minimum lot width generally permitted in a particular zoning district. The intent of this standard is to prevent irregularly shaped lots along, and to control access to rights-of-way.

E. Concurrent Subdivision and Zoning Review Required. Any application for a long subdivision which proposes a use or configuration of land or improvements requiring Type (1), (2) or (3) review under this title shall, at or prior to the filing of such application, also file an application for such review under this title. Such application shall be heard by the hearing examiner concurrently with the subdivision application using the procedures for Type (3) review.

Table 5-1. Design Requirements and Standards

SITE DESIGN REQUIREMENTS AND STANDARDS			ZONING DISTRICTS														
			SR	R-1	R-2	R-3	HB	B-1	B-2	SCC	LCC	CBD	GC	AS	RD	M-1	M-2
DEVELOPMENT ON EXISTING LOTS OR PARCELS			See YMC 15.05.020 and 15.19.040														
LOT COVERAGE ¹			60%		80%			85%	90%	100%							
STANDARD STRUCTURE SETBACKS ⁶ (in feet)	FRONT	Arterials ²	60			40											
		Collector Arterials ²	50			30											
		Local Access ²	45														
		Private Road ²	37.50														
		Private Access Easement ³	10														
	SIDE	Arterials ²	50			40											
		Collector Arterials ²	40			30											
		Local Access ²															
		Private Road ²	32.50														
		Private Access Easement ³ , Alley, or Property Line ⁷	5		10 ⁸	0											
		Residential District ⁴	5			20								30			
		or 1/2 building height, whichever is greatest															
	REAR ⁶	Alley or Property Line	15	15	15	0											
		Residential District ⁴				20								30			
		or 1/2 building height, whichever is greatest															
MAXIMUM BUILDING HEIGHT (in feet)			35		50	35			50	N/A	50		N/A				
STANDARD FENCE HEIGHT ⁶			See YMC 15.05.020 (G)														
STANDARD SCREEN HEIGHT	In Required Front Setbacks		Not Permitted														
	Behind Required Front Setbacks		15														

NOTES:

1. Landscaping may be required pursuant to YMC Ch. 15.06.
2. The setback is measured from the centerline of rights-of-way (or access easement, in the case of private roads). In the residential districts, the minimum front yard setback shall be twenty feet from the front property line and the minimum side yard setbacks shall be ten feet from the side property line abutting the right-of-way.
3. The setback is measured from the edge of the access easement.
4. Measured from abutting residential district.
5. Additional setbacks may be required to conform to sitescreening requirements in YMC Ch. 15.07.
6. The rear setback from arterials, collectors, and local access streets shall be the same as the front yard setback requirements from arterials, collectors, and local access streets, provided the required rear setbacks shall not be less than the required setbacks from the property line. (See also Note 3.)
7. Zero lot line dwelling units are allowed a zero-foot setback from one side property line not abutting a right-of-way. (See YMC Ch. 15.09.)
8. The minimum side yard setback in the R-3 zoning district for Single family homes, duplexes, and common-wall structures shall be five-feet from property line.

Table 5-2. Subdivision Requirements

Subdivision Requirements			Zoning Districts														
			SR	R-1	R-2	R-3	HB	B-1	B-2	SCC	LCC	CBD	GC	AS	RD	M-1	M-2
Maximum Number of Dwelling Units Permitted per Net Residential Acre			See YMC Ch. 15.04, Table 4-1														Not Permitted
Minimum Lot Size (in square feet) ⁽³⁾	Residential Uses See Definitions in YMC Ch. 15.02	Detached S.F. Dwelling	6,000		6,000 Where Permitted												
		S.F. Dwelling, Zero Lot Line ⁽⁴⁾	4,000	3,500													
		S.F. Dwelling, Common Wall															
		Two-Family Dwelling	8,000	7,000													
		Multifamily Dwellings and PD—Residential	Density May Not Exceed Maximum Number of Dwelling Units Permitted per Net Residential Acre														
Permitted Nonresidential Uses ⁽⁵⁾		10,000			5,000		10,000		None			1/2 Acre					
Standard Lot Width ⁽²⁾ (in feet)		ALL Except Common Wall Dwelling (per Unit)	60	50		None								60			
		Common Wall Dwelling (per Unit)	35 Where Permitted														

NOTES:

1. In the residential districts, these minimums apply when lots are served by a public or community water system and either the regional or approved community sewer system.

2. The lot width at the rear line of the required front yard shall not be less than fifty feet. (Note: this provision only applies to those districts with a minimum lot width of fifty feet or larger.)
3. One acre shall be the minimum lot size in residential districts within the floodplain and greenway overlays.
4. See special development standards for zero lot line development, YMC 15.09.040.
5. Lots created for utility purposes may be created below the minimum lot size listed in YMC Ch. 15.05, Table 5-2, as long as the lot is designated as "nonbuildable lot for utility purposes" on the face of the plat and the proposed lot is reviewed for compatibility. The lot must still meet the minimum lot width established in YMC Ch. 15.05, Table 5-2, and structures built on the lot must still meet the setback requirements in YMC Ch. 15.05, Table 5-1.

15.05.055 New development improvement standards.

All development within the Yakima urban growth area (UGA) must meet the urban standards of the city of Yakima including the following:

1. Fire apparatus access roads for multiple-family residential developments and one- or two-family residential developments shall be subject to the provisions of Sections D106 and D107, respectively, of Appendix D of the International Fire Code. Additionally, such residential developments shall be subject to the requirements of Section D105 of Appendix D, International Fire Code, pertaining to aerial fire apparatus roads, as applicable. All provisions of the International Fire Code referenced above are hereby adopted and incorporated herein by this reference, as now existing or as hereafter amended and adopted by the city. Minimum requirements for the primary and secondary access will be at least twenty feet wide, unobstructed, paved lanes.
2. In order to promote safety for emergency access and circulation within and between new developments, cul-de-sac streets (public or private) shall not exceed 600 feet.

15.06.040 Off-street parking standards.

A. Table of Required Off-Street Parking. The parking standards in Table 6-1, Table of Off-Street Parking Standards, are established as the parking standards for the uses indicated. These parking requirements are based on gross floor area. "Gross floor area" means the total square footage of all floors in a structure as measured from the interior surface of each exterior wall of the structure and including halls, lobbies, enclosed porches and fully enclosed recreation areas and balconies, but excluding stairways, elevator shafts, attic space, mechanical rooms, restrooms, uncovered steps and fire escapes, private garages, carports and off-street parking and loading spaces. Storage areas are included in gross floor area. However, the required off-street parking for storage areas shall be calculated at the rate of one space per five hundred square feet rather than the specific parking standard established in Table 6-1; except when the parking standard for the principal use would require fewer parking spaces (i.e., one space per six hundred square feet). All required off-street parking shall be subject to the procedures of this title and the standards of this section.

B. Uses Not Specified. Off-street parking requirements for uses not specifically listed in Table 6-1 shall be determined by the reviewing official based upon the requirement for similar uses.

C. Downtown Business District Exempt. The downtown business district of Yakima, as shown in Figure 6-1 and hereby adopted as a part of this chapter, shall be exempt from the provisions of this chapter as they relate to the number of parking spaces required, except that this exemption shall not apply to property that is used for residential purposes; and further provided, that all the other requirements of this chapter shall apply to any parking provided by the applicant.

D. Subsidized Low-Income Housing Parking.

1. At the time of land use application submittal, the applicant must submit documentation demonstrating that the housing units will be used for the intended

population for a minimum of ten years. Such documentation may include, but is not limited to, an application form submitted to receive subsidy from the city or state.

2. Upon a change in occupancy from subsidized housing to another use, the minimum number of required off street parking spaces is as required for the new use.

Figure 6-1



Table 6-1. Table of Off-Street Parking Standards

LAND USE	PARKING STANDARDS
AGRICULTURE (COMMERCIAL)	
Agriculturally related industries	1 space for each employee based on the maximum working at any given shift; 1 space for each 300 square feet of gross floor area for packing and processing areas; or 2 spaces for the first 1,000 sq. ft. of gross floor area, plus 1 space for each additional 5,000 sq. ft. for CA storage, warehouse, and refrigeration areas, whichever is deemed more appropriate by the reviewing official
AMUSEMENT AND RECREATION	
Game rooms, card rooms, electronic game rooms	1 space for each playing table, for every 3 seats or every 3 machines, whichever is greater
Horse racing tracks, speedways, grandstands	1 space for each 3 fixed seats or 54" of bench seating
Bowling alleys	5 spaces for each lane
Gymnasiums, exercise facilities	1 space for each 200 sq. ft. of gross floor area
Parks (public or private)	10 spaces per acre for passive recreation; 20 spaces per field for active recreation
Roller and/or ice skating rink	1 space for each 150 sq. ft. of skating surface area
Swimming pools	1 space for each 50 sq. ft. of water surface area
Movie theatres	1 space for each 4 seats
Golf courses	5 spaces per green and 1 space per 300 sq. ft. of gross floor area
Golf driving ranges	1 space per tee or 1 space per 15 feet of driving line, whichever is greatest
Auditoriums, exhibition halls, community centers, fraternal organization	1 space for each 100 sq. ft. of gross floor area
COMMUNITY SERVICES	
Churches, synagogues, temples, and funeral homes	1 space for each 3 fixed seats (or 54" of bench-type seating) 1 space for each 40 sq. ft. of general reception/gathering area

Table 6-1. Table of Off-Street Parking Standards

LAND USE	PARKING STANDARDS
Community gardens* (accessory to an approved principal use) (See YMC 15.04.060(G))	None
Community gardens* (with planting area of 0.25 acres or less)	None
Community gardens* (with planting area of more than 0.25 acres and up to 0.5 acres)	2 spaces
Community gardens* (with planting area of more than 0.5 acres up to 1 acre)	4 spaces
Convalescent, nursing and group homes	1 space for each 2 beds
Fire and police stations	1 space for each 200 sq. ft. of gross floor area
Halfway houses (detention centers)	1 space for each 2 beds
Hospitals	1.5 spaces for each bed
Schools: Primary, elementary Junior, senior	3 spaces for each classroom, or 1 space for each 3 seats (54" bench-type seating) in the assembly area, whichever is greater Same as primary/elementary and 1 space for each 4 students over 16 years old
Junior or community colleges	1 space for each 400 sq. ft. of gross floor area
Juvenile detention centers	1.5 spaces for each bed
Libraries	1 space for each 100 sq. ft. of gross floor area
Museums, art galleries	1 space for each 100 sq. ft. of gross floor area
Preschools, day care centers	1 space for each employee plus 1 space for each 6 children
Vocational and business schools	1 space for each 400 sq. ft. of gross floor area

Table 6-1. Table of Off-Street Parking Standards

LAND USE	PARKING STANDARDS
MANUFACTURING (MASS PRODUCTION)	
All uses listed under manufacturing in Table 4-1	1 space for each employee per maximum shift
RESIDENTIAL	
Accessory dwelling units	1 space
Single-family dwelling, Manufactured Home, Mobile Home	2 spaces
Two-family dwellings	4 spaces
Tiny House, Tiny House with Wheels, Recreational Vehicle	1 space
Multifamily Development	
Less than 10	2 spaces (1.5 in CBD) per dwelling
10 or more units	1.5 (1 in CBD) spaces per dwelling
Retirement homes	1 space for each dwelling unit
Subsidized Low-Income Housing (See YMC 15.06.040(D))	0.5 spaces per dwelling
RETAIL TRADE AND SERVICES	
Automobile and truck, manufactured homes, travel trailer sales	1 space for each 500 sq. ft. of showroom and 1 space for each 1,000 sq. ft. of retail sales floor area
Automotive:	
Automobile maintenance and service shops	2 spaces per service area including work bays
Car wash	6 spaces per wash bay
Car wash, self-service	1 space for each 1,000 sq. ft. of gross floor area
Paint and body repair	2 spaces per service area including work bays

Table 6-1. Table of Off-Street Parking Standards

LAND USE	PARKING STANDARDS
Specialized repair shops (battery, radiator, etc.)	2 spaces per service area including work bays
Wrecking and dismantling yards	1 space for each 500 sq. ft. of gross floor area
Beauty and barber shops	1 space for each 400 sq. ft. of gross floor area
Short Term Rental	1 space for each guest room
Building and contractors	1 space for each 800 sq. ft. of gross floor area
Congregate Living Facility	1 space for every 2 beds
Drug stores	1 space for each 200 sq. ft. of gross floor area
Employment agencies (private)	1 space for each 200 sq. ft. of gross floor area
Espresso/coffee stand with or without drive-through	1 space for each 50 sq. ft. of gross floor area, including outside seating, and one space for each employee
Farm supplies	1 space for each 800 sq. ft. of gross floor area
Florists	1 space for each 500 sq. ft. of gross floor area
Financial institutions	1 space for each 200 sq. ft. of gross floor area
Furniture, home furnishings, appliances	1 space for each 800 sq. ft. of gross floor area
Heating and plumbing equipment stores	1 space for each 400 sq. ft. of gross floor area
Home occupations	See YMC <u>15.04.120(J)</u>
Insurance agents, brokers and service agencies	1 space for each 200 sq. ft. of gross floor area
Lumber yards	1 space for each 800 sq. ft. of gross floor area of structure and covered storage area
Nurseries	1 space for each 400 sq. ft. of G.F.A. of structure and permanent outside display and sales area
Medical and dental laboratories, offices, and clinics	1 space for each 200 sq. ft. of gross floor area

Table 6-1. Table of Off-Street Parking Standards

LAND USE	PARKING STANDARDS
Motels and hotels	1.2 spaces for each guest room
Multiple use centers (3 or more uses with shared parking) —having less than 25,000 sq. ft. of gross floor area —having 25,001—400,000 sq. ft. of gross floor area —having 400,001—600,000 sq. ft. of gross floor area —having 600,001+ sq. ft. of gross floor area	1 space for each 300 sq. ft. of gross floor area 1 spaces for each 400 sq. ft. of gross floor area 1 spaces for each 500 sq. ft. of gross floor area 1 spaces for each 600 sq. ft. of gross floor area
Paint, glass, and wallpaper stores	1 space for each 400 sq. ft. of gross floor area
Professional office building for use by accountants, attorneys, etc.	1 space for each 200 sq. ft. of gross floor area
Real estate offices	1 space for each 200 sq. ft. of gross floor area
Restaurant, cafe, and drive-in eating facilities	1 space for each 50 sq. ft. of indoor public floor area, and 1 space for each 200 sq. ft. of outdoor public eating area
Retail establishments in Table 4-1 but not listed in this table —less than 25,000 sq. ft. of gross floor area —25,001—400,000 sq. ft. of gross floor area —400,001—600,000 sq. ft. of gross floor area —600,001+ sq. ft. of gross floor area	1 space for each 300 sq. ft. of gross floor area 1 spaces for each 400 sq. ft. of gross floor area 1 spaces for each 500 sq. ft. of gross floor area 1 spaces for each 600 sq. ft. of gross floor area

Table 6-1. Table of Off-Street Parking Standards

LAND USE	PARKING STANDARDS
Service stations	2 spaces for working/service area, including bays
4 Taverns and bars, dine, drink, and dance establishments	1 space for each 75 sq. ft. of gross floor area
Waste material processing and junk handling	1 space for each 500 sq. ft. of gross floor area
TRANSPORTATION	
Bus terminals, storage and maintenance facilities	1 space for each 300 sq. ft. of gross floor area
Air, rail and truck terminals	1 space for each 300 sq. ft. of gross floor area
Taxicab terminals, maintenance and dispatching centers	1 space for each 300 sq. ft. of gross floor area
UTILITIES	
Utility services	1 space for each 800 sq. ft. of gross floor area
WHOLESALE TRADE	
Wholesale trade warehouses	1 space for each employee based on the maximum working at any given shift; or 1 space for each 300 square feet of gross floor area for packing and processing areas; 2 spaces for the first 1,000 sq. ft. of gross floor area, plus 1 space for each additional 5,000 sq. ft. for CA storage, warehouse, and refrigeration areas; whichever is deemed more appropriate by the reviewing official
Residential mini-storage	1 space for each 300 sq. ft. of gross floor area of office space
How to Use Table 6-1: 1. Calculate the gross floor area for the structure. (See YMC 15.06.040 to determine gross floor area.) 2. Determine the amount of gross floor area used for storage rooms. 3. Required off-street parking for storage is one space per 500 square feet. 4. Find the proposed use in Table 6-1. Example:	

Table 6-1. Table of Off-Street Parking Standards

LAND USE	PARKING STANDARDS
— The gross floor area of the structure is 3,000 sq. ft. 1,000 sq. ft. of the structure is used for storage. The parking standard for storage rooms is one space per 500 sq. ft. (YMC <u>15.06.040</u>). $1,000 \div 500 = 2$ off-street parking spaces for the storage area. — The proposed use is a shoe shop. According to Table 6-1, shoe shops require one off-street parking space for each 300 sq. ft. of gross floor area. $2,000 \div 300 = 6.6$ or seven spaces, since fractions of parking spaces are rounded up (YMC 15.06.050(A)). — The total required off-street parking of this use is: 2 spaces (for storage area) + 7 spaces (for the rest of the gross area) = 9 spaces.	

15.09.045 Accessory dwelling units.

- A. Purpose. The purpose of the accessory dwelling unit (ADU) provisions are to:
1. Provide property owners with an opportunity for extra income, companionship, and security;
 2. Better utilize existing infrastructure and community resources (sewer, water, roads, etc.);
 3. Provide a housing type that allows flexibility to respond to changing needs and lifestyles;
 4. Add to the supply of affordable dwelling units; and
 5. Protect neighborhood character and stability by ensuring that ADUs are compatible with surrounding land uses.
- B. Requirements. An accessory dwelling unit is a permitted use on all parcels containing a single-family dwelling (See YMC § 15.04.030, Table 4-1 for Level of Review) subject to all of the following conditions:
1. The accessory dwelling unit may be attached to the primary residence or attached to or above a detached garage, or be its own stand-alone structure.
 2. Off-street parking shall be provided as required in YMC Chapter 15.06 for both the ADU and the primary residence located on the lot they are intended to serve.
 3. The ADU's floor area shall not exceed 1,000 square-feet.
 4. The ADU's exterior walls shall be designed so as to be similar in style, color, and building materials to the primary detached dwelling.
 5. An ADU attached to the primary structure shall have the same building setbacks as the primary structure. An ADU that is attached to, or built above, a detached garage or a stand-alone structure shall have the same building setbacks as an accessory structure.
 6. A parcel/lot shall contain no more than one single-family residence and one ADU.
 7. ADUs shall not be allowed on parcels containing a duplex or multifamily dwelling, or a commercial or industrial structure/use.
 8. The primary residence and the ADU shall both be connected to public sewer and water if available (within 200-feet).
 - a. If the ADU is attached to the primary dwelling unit, the two dwelling units shall share a single sewer and water connection.

- b. If the ADU is attached to, or located above, a detached garage, or is a stand-alone structure, each unit may have its own sewer and water connection, with required meters, or share the sewer and water connection with the primary dwelling unit consistent with applicable code(s).
 - c. If public sewer and/or public water are not available at the site, the applicant shall provide documentation from the Yakima Health District certifying that the onsite septic and/or onsite well are adequate to provide service for both the existing single-family residence and the ADU.
- 9. A lot containing an ADU shall not be subdivided, or otherwise segregated in ownership, in a way that separates the ADU and the primary dwelling unit on different lots, except as permitted under YMC Title 14.
 - 10. Any exterior stairs shall be placed in the rear or side yard.
 - 11. A deed restriction, signed by the property owner and the city, shall be recorded with the Yakima County auditor's office providing notice to potential buyers of the ADU restrictions.
 - 12. ADU's used as a Short Term Rental shall also comply with YMC 15.09.080 and all other applicable Codes.

C. Enforcement. The city retains the right with reasonable notice to inspect the ADU for compliance with the provisions of this section.

D. Elimination. The city retains the right with reasonable notice to withdraw occupancy approval if any of the requirements under subsection B of this section are violated. In the event the city withdraws occupancy, the property owner may:

- 1. If attached, merge the existing ADU to the single-family dwelling; or
- 2. If detached, use the building for an approved accessory use or remove the structure from the premises.

15.10.020 Administrative adjustment of some development standards authorized.

The purpose of this section is to provide flexibility by allowing certain development standards in YMC Chapters 15.05 through 15.08 to be administratively adjusted. A particular standard may be reduced or modified so long as the administrative official determines that the adjustment and/or reduction is consistent with the intent and purpose of the standards, and will accomplish one or more of the following objectives:

- A. Allow buildings to be sited in a manner which maximizes solar access;
- B. Coordinate development with adjacent land uses and the physical features of this Title;
- C. Permit flexibility in the design and placement of structures and other site improvements that is the minimum adjustment necessary to accommodate the proposed structure or site improvement;
- D. Allow development consistent with a specific subarea plan adopted by the appropriate jurisdiction.

Administrative adjustments of development standards shall be processed under Type (2) review for Class (1) and (2) uses, and under Type (3) review for Class (3) uses.

The administrative official shall not have the authority to reduce the site design requirements for minimum lot size, building height, or subdivision requirements set forth in YMC 15.05.030 and Table 5-2; except as provided below:

- 1. Maximum building height may be increased to incorporate architectural building elements or mechanical equipment that:

- a. Does not exceed more than a 10% increase of the total building height; and,
- b. Does not cover more than 50% of the total roof area.

Exhibit "B"

15.09.035 Cottage Housing.

A, Purpose and Intent.

- 1. To provide a housing type that responds to changing household sizes and ages (e.g., retirees, small families, and single person households).
- 2. To encourage creation of more usable open space for residents of the development through flexibility in density and lot standards.
- 3. To ensure that the overall size, including bulk and mass of cottage structures and cottage housing developments, remain smaller and incur less visual impact than standard sized single-family dwellings, particularly given the allowed intensity of cottage dwellings.
- 4. To provide centrally located and functional common open space that fosters a sense of community and a sense of openness in cottage housing developments.
- 5. To provide private area around the individual dwellings to enable diversity in landscape design and foster a sense of ownership.
- 6. To ensure minimal visual impact from vehicular use and storage areas for residents of the cottage housing development as well as adjacent properties, and to maintain a single-family character along public streets.

B. Development Standards. All cottage housing developments shall comply with applicable development standards in Title 15; provided that where the standards included herein conflict with the standards in other sections, the standards herein shall apply:

- 1. Unit Size
 - a. Minimum Unit Size: 600 square feet
 - b. Maximum Unit Size: 1,500 square feet
- 2. Maximum Accessory Building footprint for community use: 600 square feet
- 3. Parking:
 - a. Units greater than 1,000 square feet: 1.5 spaces per unit
 - b. Units less than 1,000 square feet: 1 space per unit
- 4. Common Open Space: Minimum 400 square feet per dwelling
 - a. Shall be designed and maintained as an amenity for residents of the development.
 - b. Up to 30 percent of the required common open space may be utilized through a community building built for the use of the cottage housing residents.
- 5. Private Open Space: Minimum 200 square feet per dwelling
- 6. Development Size: Minimum 10,000 square feet
 - a. Subdivision Standards. If the proposed development will be subdivided, the following standards shall apply:

- i. Minimum lot size shall be equivalent to the dwelling unit size and private open space requirement.
 - 1. For example, the minimum lot size of a 1,200-square-foot dwelling will be 1,400 square feet (1,200-square-foot dwelling + 200-square-foot private open space = 1,400 square feet).
 - ii. All common areas (common open space, community buildings, parking, etc.) shall be contained in a tract and include a homeowners association or other such management structure for the continued maintenance and upkeep of common facilities.
7. Maximum Height: 25 feet
8. Maximum Lot Coverage: 80 percent for the entire development site. Lot coverage for individual lots may vary if subdivided.
9. Minimum Unit Separation: 10 feet
10. Setbacks from exterior property lines:
- a. Front: 20 feet
 - b. Side: 5 feet
 - c. Rear 10 feet
11. Clustered developments shall contain a minimum of three and a maximum of 12 cottage housing units located in a cluster group to encourage a sense of community among residents. A development site can contain more than one group.

C. Design Standards and Guidelines. The following design standards and guidelines shall apply to all Cottage Housing developments:

1. Common Open Space

- a. Shall be designed and maintained as an amenity for residents of the development.
- b. Shall be centrally located and be easily accessible to all units within the development.
- c. Each area of common open space shall be in one contiguous and useable piece with a minimum dimension of 20 feet on all sides.
- d. Shall abut at least 50 percent of the units in the development. A cottage is considered to "abut" an area of common open space if there is no structure between the unit and the common open space.
- e. Landscaping located in common open space areas shall be designed to allow for easy access and use of the space by all residents, and to facilitate maintenance needs.
- f. Common open space shall be located outside of oversteepened slopes, wetlands, streams, and other associated critical areas buffers, and shall be developed and maintained to provide for passive and/or active recreational activities for the residents of the development.

2. Private Open Space

- a. Shall be located adjacent to each unit for the exclusive use of the resident(s).
- b. Each area of private open space shall contain a minimum dimension of 10 feet on all sides.
- c. May be located wholly or partially under a covered patio or porch on either the front or rear of the unit. This area shall not be included in the maximum unit size calculation.

3. Community Buildings

- a. Community buildings shall be clearly incidental in use and size to the dwelling units.
- b. Community buildings shall be located on the same site as the cottage housing development, and be commonly owned by the residents.

4. Parking

- a. Shared detached garage structures shall not exceed four (4) garage doors per building, and a total of 1,200 square feet.
- b. For shared detached garages, the design of the structure must be similar and compatible to that of the dwelling units within the development.
- c. Shared detached garages and surface parking areas shall be screened from public streets and adjacent residential uses by landscaping or architectural screening.
- d. Storage of items which preclude the use of detached garage structures for the parking of vehicles is prohibited.
- e. Surface parking areas shall not contain more than four (4) spaces. Clusters shall be separated by a distance of at least 10 feet.



**BUSINESS OF THE CITY COUNCIL
YAKIMA, WASHINGTON
AGENDA STATEMENT**

Item No. 9.
For Meeting of: May 3, 2022

ITEM TITLE: Public hearing and Ordinances to consider the Yakima Planning Commission's recommendation regarding 2022 proposed text amendments to Title 15 and Title 14

SUBMITTED BY: Joan Davenport, AICP, Community Development Director
Joseph Calhoun, Planning Manager

SUMMARY EXPLANATION:

On March 23, 2022, the Yakima Planning Commission for the City of Yakima conducted an open-record public hearing regarding the proposed text amendments. No comments were received during the open record public hearing. On March 24, 2022, the Yakima Planning Commission issued a Recommendation to approve the proposed amendments.

Council, please bring your copy of the Complete Record which was distributed at the April 19, 2022 Council Meeting.

ITEM BUDGETED: NA

STRATEGIC PRIORITY: Neighborhood and Community Building

APPROVED FOR SUBMITTAL BY THE CITY MANAGER

RECOMMENDATION:

Conduct public hearing and pass ordinances to YMC Title 15 (Zoning) and YMC Title 14 (Subdivision)

ATTACHMENTS:

Description	Upload Date	Type
❏ Ordinance: Title 15	4/20/2022	Ordinance
❏ Ordinance: Title 14	4/20/2022	Ordinance
❏ Track Changes	4/20/2022	Backup Material