

ORDINANCE NO. 2025-026

AN ORDINANCE amending Yakima Municipal Code Titles 14 and 15 to incorporate text amendments associated with home occupation and notification requirements.

WHEREAS, the Planning Commission of the City of Yakima has considered amendments to modify YMC Titles 14 and 15 to modify existing notification processes, home occupation business licenses and conceptual site plans; and

WHEREAS, notice of all amendments to these Titles to fulfill the requirements of RCW 36.70A.130 was sent to the Washington State Department of Commerce; and

WHEREAS, the Planning Commission held four study sessions for these amendments on October 9, 2024, October 9, 2024, March 26, 2025, and April 9, 2025; and

WHEREAS, the Planning Commission, having conducted such study sessions, found, determined, and recommended that the City Council approve such amendments as indicated in the motions attached to the City Council findings dated August 4, 2025; and

WHEREAS, the City Council held a public hearing on August 4, 2025, 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 recommendations from the Planning Commission, hereby finds and determines that approval of these amendments to modify the appeal process are 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 amendments to YMC Titles 14 and 15, as contained in Exhibit "A" attached hereto and fully incorporated herein, shall replace and supersede previous versions of the referenced Yakima Municipal Code sections.

Section 2. Adoption of City Council Findings. The City Council hereby adopts Exhibit "B" City Council as its findings in support thereof pursuant to YMC § 14.05.070, §15.23.020, and §16.10.095, and are incorporated herein by this reference as if fully set forth herein.

Section 3. 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.

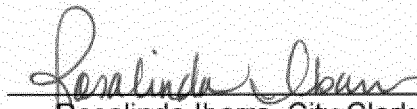
Section 4. Ratification. Any act consistent with the authority, prior to the effective date of this ordinance is hereby ratified and affirmed.

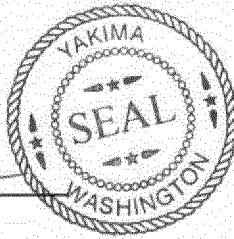
Section 5. Authorization to File. The City Clerk is authorized and directed to file a certified copy of this ordinance with the Yakima County Auditor.

Section 6. 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 4th day of August 2025.

ATTEST:


Rosalinda Ibarra, City Clerk




Patricia Byers, Mayor

Publication Date: August 7, 2025

Effective Date: September 6, 2025

Exhibit "A"

Chapter 14.15

SHORT SUBDIVISION—PROCEDURE

Sections:

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

14.15.050 Administrator's approval/disapproval.

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

15.04.120 Home occupations.

A. Purpose. The conduct of an accessory business within an existing dwelling may be permitted under the provisions of this section. It is the intent of this section to:

1. Ensure the compatibility of home occupations with other uses permitted in the underlying zone; and
2. Preserve the existing dwelling as the primary use of the structure or property; and
3. Maintain and preserve the character of residential neighborhoods; and
4. Promote the efficient use of public services and facilities by assuring these services are provided to the residential population for which they were planned and constructed, rather than commercial uses.

B. Table of Permitted Home Occupations. Table 4-2 titled "Table of Permitted Home Occupations" is incorporated as a part of this section. Each permitted home occupation listed in Table 4-2 is designated as a Class (1), (2) or (3) use for a particular zoning district. Proposed home occupations in existing dwellings in the commercial and industrial zoning districts shall follow the land use requirements of the R-3 zoning district. All permitted home occupations are subject to the standards of this title, including the specific conditions of subsection C of this section and the applicable review procedures of YMC Chapters 15.13, 15.14 and 15.15. Specific uses not permitted as home occupations are listed in subsection H of this section.

Table 4-2. Table of Permitted Home Occupations

	Zoning District			
	SR	R-1	R-2	R-3
Barbershop, beauty parlor	1	1	1	1
Business administration*	1	1	1	1
Day care, family home*	1	1	1	1
Dentist	1	1	1	1
Dog grooming	1	1	1	1
Food preparation*	1	1	1	1
Home contractor*	1	1	1	1
Home instruction* 1—5 students	1	1	1	1
6—8 students	1	1	1	1
Home office*	1	1	1	1
Locksmith and gunsmith	1	1	1	1
Massage therapy/spa*	1	1	1	1
Physician	1	1	1	1
Product assemblage/service*	1	1	1	1
Short term rental*	1	1	1	1
Taxicab operator*	1	1	1	1
Wedding service	1	1	1	1
Unclassified home occupation	See YMC 15.04.120(G)			
NOTES:				
* Refers to definition in YMC Chapter 15.02.				
1 = Type (1) Permitted Home Occupation				
2 = Type (2) Review and Approval by the Administrative Official Required				
3 = Type (3) Review, Public Hearing and Approval by the Hearing Examiner Required				
= Not Permitted				
Home Occupations Classified as a Type (1) Review are classified as a low impact home occupation, these businesses are exempt from filing any additional land use review beyond the business licensing requirements.				

C. Necessary Conditions. Home occupations are permitted as an accessory use to the residential use of a property only when all the following conditions are met:

1. The home occupation is conducted inside a structure within property on which is established the primary residence of the practitioner(s). For the purpose of administering this section, "primary residence" shall be defined as the residence where a person or persons resides for the majority of the calendar year;
2. The home occupation is incidental and subordinate to the residential functions of the property. No action related to the home occupation shall be permitted that impairs reasonable residential use of the dwelling;
3. There are no external alterations to the building which change its character from a dwelling;
4. The portion of the structure or facilities in which a home occupation is to be sited must be so designed that it may be readily converted to serve residential uses;
5. The business is conducted in a manner that will not alter the normal residential character of the premises by the use of color, materials, lighting and signs, or the emission of noise, vibration, dust, glare, heat, smoke or odors;
6. The home occupation does not generate materially greater traffic volumes than would normally be expected in the residential neighborhood; the frequency of deliveries should be comparable to that of a single-family home without a home business;
7. There is no outside storage or display of any kind related to the home occupation;
8. The home occupation does not require the use of electrical or mechanical equipment that would change the fire rating of the structure;
9. The home occupation does not require the use of electrical equipment that exceeds FCC standards for residential use;
10. The home occupation does not increase water or sewer use so that the combined total use for the dwelling and home occupation is significantly more than the average for residences in the neighborhood;
11. A business license is purchased where required;
12. The home occupation is conducted only by immediate family members residing in the dwelling;
13. All stock in trade kept for sale on the premises is produced on site by hand without the use of automated or production line equipment.

In granting approval for a home occupation, the reviewing official may attach additional conditions to ensure the home occupation will be in harmony with, and not detrimental to, the character of the residential neighborhood. Any home occupation authorized under the provisions of this title shall be open to inspection and review at all reasonable times by the

building and enforcement official for purposes of verifying compliance with the conditions of approval and other provisions of this title.

D. **Materials and Storage.** The storage of equipment, materials, or goods shall be permitted in connection with a home occupation provided such storage complies with the following standards:

1. All equipment, materials, or goods shall be stored completely within the space designated for home occupation activities and not visible from the public right-of-way.
2. Only those materials or goods that are utilized or produced in connection with the home occupation may be stored within the dwelling unit or accessory building.
3. All flammable or combustible compounds, products, or materials shall be maintained and utilized in compliance with fire code.
4. The frequency of home deliveries should be comparable to that of a single-family home without a home occupation associated with the residence.

E. **Nameplates.** Only one nameplate shall be allowed. It may display the name of the occupant and/or the name of the home occupation (e.g., John Jones, Accountant). The nameplate shall be attached to the dwelling, but shall not exceed two square feet in area or be illuminated.

F. **Application Fee and Review Period.** Application for a home occupation shall be made in accordance with the provisions of YMC Chapter 15.11, except as noted, and shall be accompanied by the appropriate filing fee. The administrative official may accept an aerial photo of the site in lieu of a site plan when the aerial photo clearly shows all structures and parking areas and no new construction or site modifications are proposed.

G. **Unclassified Home Occupation—Review by the Hearing Examiner.** Home occupations not listed in Table 4-2 shall be reviewed by the hearing examiner in accordance with the provisions of YMC Chapter 15.22; provided, any unclassified home occupation permitted after review and decision by the hearing examiner in a particular district shall be allowed only as a Class (2) or (3) use.

H. **Home Occupations Not Permitted.** The following uses, by the nature of their operation or investment, have a pronounced tendency, once started, to increase beyond the limits permitted for home occupations and impair the use and value of a residentially zoned area for residential purposes. Therefore, the uses listed below shall not be permitted as home occupations:

1. Auto repair;
2. Antique shop or gift shop;
3. Kennel;
4. Veterinary clinic or hospital;
5. Painting of vehicles, trailers or boats;
6. Large appliance repair including stoves, refrigerators, washers and dryers;

7. Upholstering;
8. Machine and sheet metal shops;
9. Martial arts school;
10. Taxidermist;
11. Two-way radio and mobile telephone system sales and service;
12. Vehicle sign painting (except for the application of decals).

I. Denial of Application for a Home Occupation. An application for a home occupation shall be denied if the administrative official finds that either the application or record fails to establish compliance with the provisions of this chapter. When any application is denied, the administrative officer shall state the specific reasons and cite the specific provisions and sections of this title on which the denial is based.

J. Parking. The administrative official shall determine parking requirements for home occupations, as provided by YMC 15.06.040(B). This determination may be guided by, but not restricted by, the standards of YMC Chapter 15.06. (Ord. 2023-026 § 1 (Exh. A), 2023; Ord. 2020-001 § 1 (Exh. A) (part), 2020; Ord. 2019-044 § 1 (Exh. A) (part), 2019; Ord. 2018-047 § 1 (Exh. A) (part), 2018; Ord. 2016-029 § 1 (Exh. A) (part), 2016; Ord. 2015-036 § 4, 2015; Ord. 2008-46 § 1 (part), 2008; Ord. 93-81 § 19, 1993; Ord. 3245 § 6, 1990; Ord. 3019 §§ 15—17, 1987; Ord. 2947 § 1 (part), 1986. Formerly 15.04.090).

15.23.030 Rezones—Zoning map amendments.

A. Initiation. An amendment to the zoning map may be initiated by:

1. Resolution of the legislative body with jurisdiction or the city of Yakima planning commission; or
2. A rezone application filed by the property owner(s).

B. Application. All rezone applications shall be filed with the planning division. The planning division shall process the application under the provisions of YMC 15.11.070 and Title 16. The application shall include the information required in YMC 15.11.020 and the signature of the owner(s) of the property.

C. Public Hearing by the Hearing Examiner or City of Yakima Planning Commission. Upon receipt of a complete application for a rezone, the planning division shall forward the application to the hearing examiner or city of Yakima planning commission for public hearing and review; provided, that rezone applications initiated by the city to implement a newly adopted or amended comprehensive plan, or which are of broad general applicability, shall be heard by the city of Yakima planning commission under the provisions of RCW Chapter 36.70. The public hearing shall be held and notice provided under the provisions of YMC 16.05.050. The applicant shall appear in person or by agent or attorney. Failure to do so shall constitute sufficient cause for continuance or denial of the requested action. Other parties may appear in person or by agent or attorney, or may submit written comments.

D. Recommendation by the Hearing Examiner or City of Yakima Planning Commission. Within ten days of the conclusion of the hearing, unless a longer period is agreed to in writing by the applicant, the hearing examiner or city of Yakima planning commission shall issue a written recommendation to approve, approve with conditions or deny the proposed rezone. The recommendation shall include the following considerations:

1. The testimony at the public hearing;
2. The suitability of the property in question for uses permitted under the proposed zoning;
3. The recommendation from interested agencies and departments;
4. The extent to which the proposed amendments are in compliance with and/or deviate from the goals and policies as adopted in the Yakima urban area comprehensive plan and the intent of this title;
5. The adequacy of public facilities, such as roads, sewer, water and other required public services;
6. The compatibility of the proposed zone change and associated uses with neighboring land uses; and
7. The public need for the proposed change.

Notice of the hearing examiner's or the city of Yakima planning commission's recommendation shall be mailed to the applicant at the address provided on the application form. The decision of the hearing examiner or the city of Yakima planning commission on rezone applications shall constitute a recommendation to the legislative body.

E. Action by the Legislative Body. Upon receipt of the hearing examiner's or the city of Yakima planning commission's recommendation on a proposed rezone, the legislative body shall hold a public meeting and affirm or reject the hearing examiner's or the city of Yakima planning commission's decision.

The legislative body shall conduct its own public hearing when it rejects the recommendation of the hearing examiner, the city of Yakima planning commission, or desires additional public testimony. Notice of the public hearing shall be given in the manner set forth in YMC Ch. 15.11 and Title 16. In either case, the findings of the legislative body shall include the considerations established in subsection D of this section.

F. Development Agreement. Conditions may be proposed in order to mitigate any detrimental effect the rezone might have on uses or property in the immediate vicinity. Any conditions imposed by the city shall be incorporated in a development agreement executed by the city council and the property owner(s), under the procedures set forth in RCW 36.70B.170 through 36.70B.200.

G. Time Limit and Notification. Proposed amendments shall be decided by the legislative body as soon as practicable and the applicant shall be notified in writing whether the rezone has been granted or denied.

EXHIBIT B
CITY COUNCIL FINDINGS
FOR
AMENDMENT TO YAKIMA MUNICIPAL CODE
August 4, 2025

WHEREAS, Pursuant to RCW 36.70A.130(1) the City is required to take legislative action to review and revise its development regulations in accordance with the Growth Management Act; and

WHEREAS, These updates to Yakima Municipal Code (YMC) Title 14 and 15 are considered to be a non-project application without a specific use or site plan to be considered; and

WHEREAS, The Yakima Planning Commission held a study session to review the proposed amendments on October 9, 2024, October 23rd, 2024, February 12, 2025; March 26, 2025, and April 9, 2025, and

WHEREAS, All required public notice for these amendments were provided, in accordance with the provisions of YMC Ch. 16.10, June 26, 2025; and

WHEREAS, SEPA Environmental Review for these updates was considered, a Determination of Nonsignificance was issued on August 4, 2025;

Now therefore, the Yakima City Council adopts the following findings:

I. PURPOSE AND DESCRIPTION OF PROPOSED AMENDMENTS:

The complete track changes text can be found in Exhibit "A" and is incorporated herein by reference. A summary of the amendments is as follows:

1. YMC Chapter 14.05.040 – Public Notice of Short Plat Application
 - a. Removing the noticing criteria for short plat applications within the City.
Staff Analysis: There are no requirements within Washington State Law that require the City to have a noticing period for Preliminary Short Plat Applications. Removing this requirement from the YMC will expedite timelines for City staff and applicants.
2. YMC Chapter 15.04 – Table 4-4
 - a. Amending several land use review types within the table.
Staff Analysis: City staff, Planning Commission, and City Council have reviewed various portions of the Home Occupation uses and determined that an overall reduction in the review procedures is appropriate for low impact home occupation business, or business that do not significantly increase traffic to the residence.

3. YMC Chapter 15.23.030 – Rezones – Zoning Map Amendments

a. Removing the conceptual site plan criteria

Staff Analysis: The conceptual site plan criteria for nonproject actions has created confusion for the public, staff, and Planning Commission. Removing the requirement and having an applicant submit a site plan with a project allows staff and the public to completely understand a proposal. Conceptual plans tend to create a lot of confusion and have applicants and people asking questions about infrastructure requirements when a project is not in the development phase.

II. **YAKIMA COMPREHENSIVE PLAN 2040**

The proposed text amendments are consistent with the following goals and policies of the Comprehensive Plan 2040

Goal 2.1: Establish a development pattern consistent with the community's vision.

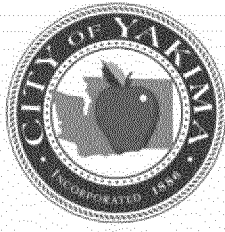
Policy 2.1.6: Adopt coordinated development regulations that facilitate Yakima's preferred land use pattern (e.g. allowed density, uses, and site provisions)

- Refine the land use code on an ongoing basis to make it user-friendly by employing simple language, easy to read charts, and illustrative graphics.
- Monitor and refine the land use code as needed to facilitate the preferred land use pattern and development character.
- Integrate an appropriate balance of predictability and flexibility when updating development regulations that allow ease of administration and interpretation and offer optional ways of meeting requirements when possible.

Policy 2.4.2. Land Uses - Maintain and strengthen downtown as the center for civic, retail, cultural, dining and entertainment activity in Yakima.

III. **YAKIMA PLANNING COMMISSION'S CONCLUSIONS**

1. No adverse impacts have been identified;
2. The proposed updates underwent Environmental Review;
3. The proposed amendments are consistent with the Yakima Urban Area Zoning Ordinance, 2040 Comprehensive Plan, and Housing Action Plan.



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

Item No. 8.A.
For Meeting of: August 4, 2025

ITEM TITLE: Open record public hearing and Ordinance to consider the Yakima Planning Commission's recommendation regarding text amendments to YMC Title 14 Subdivisions and Title 15 Yakima Urban Area Zoning Ordinance

SUBMITTED BY: *Trevor Martin, Planning Manager
Bill Preston, Community Development Director

SUMMARY EXPLANATION:

The Yakima Planning Commission held a series of study session to review the proposed amendments on October 9, 2024, October 23rd, 2024, February 12, 2025; March 26, 2025, and April 9, 2025. The Planning Commissions made motions at the study session to make revisions to Title 14 and 15 of the Yakima Municipal Code and forward the changes on the changes on to the City Council.

The complete record was distributed to City Council in the agenda packet on July 15, 2025, and can be found online at: <https://www.yakimawa.gov/council/agendas-and-minutes/>

ITEM BUDGETED: N/A

STRATEGIC PRIORITY 24-25: A Resilient Yakima

RECOMMENDATION: Pass Ordinance.

ATTACHMENTS:

Ordinance_amend YMC Titles14 and 15 text amendments
Redline Draft Title 14 & 15 Changes.pdf