

Chapter 15.02

DEFINITIONS

Sections:

- 15.02.010 Purpose.
15.02.020 Definitions.

15.02.010 Purpose.

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

15.02.020 Definitions.

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

15.02.35 C Definitions

"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.

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"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.

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"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

15.02.045 E Definitions

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

“Emergency Housing” means temporary indoor accommodations for individuals or families who are homeless or at imminent risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency housing may or may not require occupants to enter into a lease or an occupancy agreement (RCW 36.70A.030(14)).

“Emergency Shelter” means a facility that provides a temporary shelter for individuals or families who are currently homeless. Emergency shelter may not require occupants to enter into a lease or an occupancy agreement. Emergency shelter facilities may include day and warming centers that do not provide overnight accommodations (RCW 36.70A.030(15)).

“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.

“Essential Public Facility” A facility, conveyance, or site owned or operated by a governmental agency, a private or nonprofit organization under contract to or with substantial funding from government agencies, or a private organization subject to public service obligations, which is necessary to adequately provide a public service and which is typically hard to site. Essential public facilities include, but are not limited to: airports; facilities that provide social assistance, welfare and charitable services and include associated warehouse and office space in a single or combined facility; state education facilities; state and local correctional facilities; state or regional transportation facilities; solid waste handling facilities; in-patient facilities (including substance abuse facilities, mental health facilities, and group homes); secure community transition facilities; and such other state facilities as are listed by the Office of Financial Management as essential public facilities likely to be built within the next six years pursuant to RCW 36.70A.210.

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“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.

15.02.050 F Definitions

“Family” ~~One or more persons, either related or unrelated, living together as a single dwelling unit. 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.~~

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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.

15.02.060 H Definitions

~~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 on-site 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, home office” means the accessory use of a dwelling for office use including, but not limited to, the following professions: accountant, architect, artist, author, arts and crafts, attorney, composer, dressmaker, seamstress, tailor, engineer, insurance agent, photographer, music teacher, and real estate agent.

“Home occupation, product assemblage/repair” means a business or service involved in assembling products for off-site sales. This definition also includes the repair of small appliances, small engines, radios, televisions, and other similar items

“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 in 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)

15.02.080 L Definitions

“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.)

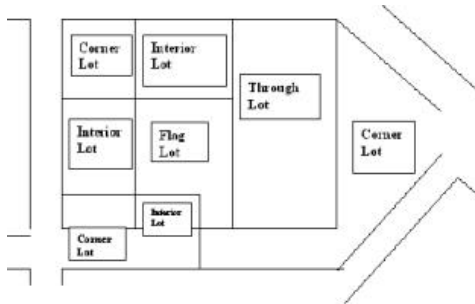


Figure 2-2

“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.)

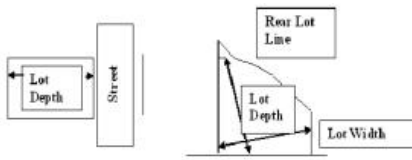


Figure 2-3

“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.)

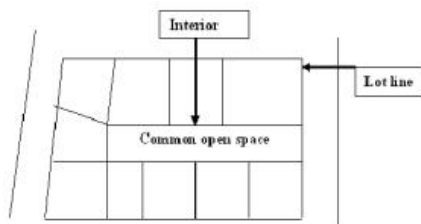


Figure 2-4

“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.

15.02.115 S Definitions

“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.

“Secure Community Transitional Facility” means a residential facility for persons civilly committed and conditionally released to a less restrictive alternative under this chapter. A secure community transition facility has supervision and security, and either provides or ensures the provision of sex offender treatment services. Secure community transition facilities include but are not limited to the facility established pursuant to RCW 71.09.250(1)(a)(i) and any community-based facilities established under this chapter and operated by the secretary or under contract with the secretary.

“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, commercial outdoor” means a storage area as support facilities for commercial activities and used for the storage of retail materials which may be stored outdoor and screened by, at minimum, a six-foot-tall view obscuring fence or wall.

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

“Storage facilities, residential mini-storage outdoor” means an outdoor area providing storage for residential goods and/or recreational vehicles and screened by, at minimum, a six-foot-tall view obscuring fence or wall.

“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.

15.02.120 T Definitions

“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” mean 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.

“Transitional Housing Facilities” Means A facility that provides housing and supportive services to homeless individuals or families for up to two years and whose primary purpose is to enable homeless individuals or families to move into independent living and permanent housing (RCW 84.36.043 and WAC 458-16-320).

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

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Chapter 15.04

PERMITTED LAND USES

Sections:

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

15.04.030 Table of permitted land uses.

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

Table 4-1. Permitted Land Uses

	SR	R-1	R-2	R-3	B-1	B-2	HB	SCC	LCC	AS	GC	CBD	RD	M-1	M-2
AGRICULTURAL (COMMERCIAL)															
Agricultural Building (*)	1									1				1	1
Agricultural Chemical Sales/Storage										1				1	1
Agricultural Market (*)	1						1	1	1	1	1	1	1	1	
Agricultural Related Industries (*)	2									1				1	1
Agricultural Stand (*)	1													1	1
Agriculture, Horticulture, General Farming (not feedlots or stockyards) (*)	1									1				1	1

Table 4-1. Permitted Land Uses

	SR	R-1	R-2	R-3	B-1	B-2	HB	SCC	LCC	AS	GC	CBD	RD	M-1	M-2
Animal Husbandry (See YMC 15.09.070) (*)	1	2												1	1
Concentrated Feeding Operation (*)	3														
Floriculture, Aquaculture	1									1				1	1
Fruit Bin Sales/Storage	3									2				1	1
Marijuana Production (**)														1	1
Resort/Destination (*)	2	3		3						1	1		1	3	
Resort/Destination w/on-site agricultural production (*)	2	3		3						3	3		3	3	
Retail (*)								1	1	1	1	1	1	1	2
Winery and Brewery—Basic (*)										2	3		3	1	2
AMUSEMENT AND RECREATION															
Amusement Park (Permanent) (*)									3	3	3	3	1	3	
Aquatic Center									3		3	3	1	2	
Bowling Alleys						1		1	1	3	1	1	1	3	
Campground (*)	3										2				
Children's Outdoor Recreation Center* (Less than 500 ft. from abutting residential and/or containing a go-cart track)										3	3		1		
Children's Outdoor Recreation Center* (More than 500 ft. from abutting residential and not containing a go-cart track)										3	1		1		
Drive-In Theatres	3										1		1	1	
Exercise Facilities				1	1	1		1	1	2	1	1	1	1	
Game Rooms, Card Rooms, Electronic Game Rooms (*)								3	1	1	1	1	1		
Golf Courses, Clubhouses, Golf Driving Ranges	3	3	3	3						3			1		
Horse Racing Tracks, Speedways													3	3	
Miniature Golf Courses						3		3	1	3	1	1	1		

Table 4-1. Permitted Land Uses

	SR	R-1	R-2	R-3	B-1	B-2	HB	SCC	LCC	AS	GC	CBD	RD	M-1	M-2
Movie Theatres, Auditoriums, Exhibition Halls								3	1		1	1	1		
Parks (*)	2	2	2	2	1	1	1	1	1	2	1	1	1	3	3
Roller Skating or Ice Skating Rink									1	2	1	1	1	2	
Social Card Rooms (See YMC 15.09.090) (*)								3	3		3	3			
Sports Facility (indoor)								1	1		1	1	1	1	
State Fair Park	(See YMC 15.04.200)														
AUTOMOTIVE															
Automotive Dealer New and Used Sales						3		3	3	1	1	3	1	1	
Car Wash/Detailing						1		1	1	1	1		1	1	
Maintenance and Repair Shops						2		1	1	2	1	2	1	1	2
Paint and Body Repair Shops						2		2	1	1	1		1	1	2
Parts and Accessories (tires, batteries, etc.)						2		1	1	1	1	1	1	1	
Rental: Auto, Truck, Trailer, Fleet Leasing Services with Storage					3	1			1	1	1	1	1	1	1
Service Station (*)						1		1	1	1	1	1	1	1	
Towing Services										1	3		3	1	1
Truck (Large), Manufactured Home and Travel Trailer Sales										3	1		3	1	
Truck Service Stations and Shops										2	3		1	1	1
Weekend Automobile and Recreational Vehicle (RV) Sales									1	1	1		1		
Wrecking and Dismantling Yard (*) and Hulk Haulers (*)														3	1
COMMUNITY SERVICES															
Business Schools (*)	3	3	3	3	3	3		1	1	1	1	1	1	1	
Cemetery/Crematorium with Funeral Home	3	3	3	3	3					2				3	

Table 4-1. Permitted Land Uses

	SR	R-1	R-2	R-3	B-1	B-2	HB	SCC	LCC	AS	GC	CBD	RD	M-1	M-2
Churches, Synagogues, and Temples (*)	2	2	2	2	1	1	1	1	1	2	1	1	2	2	
Community Center (*) Meeting Halls, Fraternal Organizations	2	2	2	2	1	1	1	1	1	2	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	1	1	1	1	3	1	1	1	1	
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 more than one-half acre up to one acre)	1	1	1	1	1	1	1	1	1	1	1	1		2	
Community Gardens (*) (with planting area of more than one-quarter and up to one-half acre)	1	1	1	1	1	1	1	1	1	1	1	1		2	
Community Gardens (*) (with planting area of one-quarter acre or less)	1	1	1	1	1	1	1	1	1	1	1	1		1	
Correctional Facilities	3										3	3	3	3	3
Day Care Center (*)	1	1	1	1	1	1	1	1	1	2	1	1	1	1	
Day Care Facilities (not home occupation): Family In-Home (*)	1	2	2	1	1	1	1	1	1		1	1			
Elementary and Middle	3	3	3	3	3	3					1	3			
Funeral Home not associated with Cemetery/Crematorium	3				1	1	1	1	1	2	1	1	1	1	
Hospital (*) Outside Institutional Overlay	3	3	3	3	3						3	3		3	
Libraries	3	3	3	2	1	1	1	1	1		1	1	1		
Museums, Art Galleries		3	3	1	1	1	1	1	1	1	1	1	1		
Public Facility (*)	3	3	3	3	1	1	1	1	1	1	1	1	1	1	1
Schools															
Senior High School	3	3	3	3	3	3					3	3			
Vocational Schools (*)	3	3	3	3	3	1	1	1	1	1	1	1	1	1	

Table 4-1. Permitted Land Uses

	SR	R-1	R-2	R-3	B-1	B-2	HB	SCC	LCC	AS	GC	CBD	RD	M-1	M-2
Wastewater Sprayfield (*)	3													3	3
Zoo (*)	3							3	3		3		3		
HEALTH AND SOCIAL SERVICE FACILITY															
Congregate Living Facility 11+	3	3	3	3	3	3					1		1		
Congregate Living Facility up to 10 (*)	3	3	3	3	1	1					1	1	1		
Group Homes (more than six), Convalescent and Nursing Homes (*)			3	2	1	1					3	3			
Group Homes (six or fewer), Adult Family Home (*)	1	1	1	1	1	1					1	1			
Halfway House (*)				2							3	3			
Mission (*) (with Type (3) review, and development agreement—see definition)											2	2		2	
Treatment Centers for Drug and Alcohol Rehabilitation					3	3		3	3	3	3	3	3	3	
MANUFACTURING															
Agricultural Product Support											1	1	1	1	1
Aircraft Parts											1			1	1
Apparel and Accessories											1	3	1	1	1
Bakery Products (wholesale)							1	1	1	1	1	1	1	1	1
Beverage Industry (*)											1	1	1	1	1
Canning, Preserving and Packaging Fruits, Vegetables, and Other Foods											2			1	1
Cement and Concrete Plants											2			3	1
Chemicals (Industrial, Agricultural, Wood, etc.)											2			3	1
Concrete, Gypsum and Plaster Products											1			1	1
Confectionery and Related Products (wholesale)						1		1	1	1	1	1	1	1	1
Cutlery, Hand Tools and General Hardware											1		3	1	1

Table 4-1. Permitted Land Uses

	SR	R-1	R-2	R-3	B-1	B-2	HB	SCC	LCC	AS	GC	CBD	RD	M-1	M-2
Drugs										1	1		1	1	1
Electrical Transmission and Distribution Equipment										1		1	3	1	1
Electronic Components and Accessories and Product Assembly										1	1	1	3	1	1
Engineering, Medical, Optical, Dental, Scientific Instruments and Product Assembly										1		1	1	1	1
Fabricated Structural Metal Products										1	3	3		1	1
Food Processing											3	1	3	1	1
Furniture										1		3	1	1	1
Glass, Pottery, and Related Products and Assembly										1	1	1	1	1	1
Grain Mill Products											3			1	1
Heating Apparatus Wood Stoves														1	1
Leather Products												3	1	1	1
Leather Tanning and Finishing														1	1
Machinery and Equipment										1	1			1	1
Marijuana Processing (**)														1	1
Marijuana Research (**)														1	1
Meat, Poultry and Dairy Products														1	1
Paints, Varnishes, Lacquers, Enamels and Allied Products										2				3	1
Paperboard Containers and Boxes										1	3			1	1
Plastic Products and Assembly										1	3			1	1
Prefabricated Structural Wood Products and Containers										1				1	1
Printing Trade (service industries)						1		1	1	1	1	1	2	1	1
Printing, Publishing and Binding										1	3		2	1	1

Table 4-1. Permitted Land Uses

	SR	R-1	R-2	R-3	B-1	B-2	HB	SCC	LCC	AS	GC	CBD	RD	M-1	M-2
Recycling Processing Center (*)												3		1	1
Rendering Plants, Slaughter Houses															3
Rubber Products										1				1	1
Sawmills and Planing Mills														3	1
Sheet Metal and Welding Shops										1	1			1	1
Sign Manufacturing and Product Assembly (*)									1	1	1			1	1
Stone Products (includes finishing of monuments for retail sale)						1			1	1	1	1	3	1	1
Transportation Equipment, Including Trailers and Campers										1	1		2	1	1
Woodworking: Cabinets, Shelves, etc.									3	1	1	1	2	1	1
MINING/REFINING/OFF-SITE HAZARDOUS WASTE TREATMENT															
Asphalt Paving and Roofing Materials, Rock Crushing	3													3	1
Mining Including Sand and Gravel Pits (*)	3													3	3
Off-Site Hazardous Waste Treatment and Storage Facilities (*)														3	3
Stockpiling of Earthen Materials (*)	3	3	3	3	1	1	1	1	1	1	1	1		1	1
RESIDENTIAL															
13+ DU/NRA			1	1	1	1	1	1	1		1	1	1		
8—12 DU/NRA			1	1	1	1	1	1	1		1	1	1		
Accessory Dwelling Unit (*) (See YMC 15.09.045)	1	1	1	1	1	1	1	1	1		1		1	1	
Accessory Uses (*)	See YMC 15.04.060														
Attached Single-Family Dwelling, Common Wall (*)	1	1	1	1	3	3	1	1	1		1		1		
Co-Living Housing (See RCW 36.70A.535)															
Converted Dwelling (*)	1	1	1	1	1	1	1	1	1		1	1			

Table 4-1. Permitted Land Uses

	SR	R-1	R-2	R-3	B-1	B-2	HB	SCC	LCC	AS	GC	CBD	RD	M-1	M-2
Cottage Housing (*) (See YMC 15.09.035)		1	1	1	1	1	1	1	1	1	1	1	1		
Detached Single-Family Dwelling (*)	1	1	1	1	3	3	1	3	3	3	3	3	3		
Detached Single-Family Dwelling (zero lot line) (*) (See YMC 15.09.040)	1	1	1	1	3	3	1	3	3	3	3	3	3		
Existing or New Detached Single-Family Dwelling on Existing Lots of 8,000 Square Feet or Less										1			1	1	
Middle Housing (*) (See RCW 36.70A.635)	1	1	1	1											
Mixed-Use Building					1	1		1	1	3	1	1	1		
Mobile Home (*) or Manufactured Homes (*)	See YMC 15.04.160														
Mobile Home Communities (*)	3			2							3				
Multifamily Development (*): 0—7 DU/NRA		1	1	1	1	1		1	1		1	1	1		
Planned Development (*)	See YMC 15.28														
Retirement Homes (*)	1	1	3	1	3						1	1			
Temporary Hardship Units (See YMC 15.04.140)	2	2	2	2	2	2		2	2		2	2		2	
Tiny House Communities (*)			2	1	1	1		1	1		1				
Transitional Housing Facilities (*) (See YMC 15.09.240)	1	1	1	1	1	1		1	1		1	1	1		
Two-Family Dwelling (Duplex) (*)	1	1	1	1	1	1	1	1	1		1		1		
RETAIL TRADE, AND SERVICE															
Adult Business Uses	See YMC 15.09.200														
Animal Clinic/Hospital/Veterinarian (*)	3				1	1		1	1	1	1	1		1	
Auction House for Goods (*)	3					1		1	1		1	1	2	1	1
Auction House for Livestock (*)	3													1	1
Automotive: Car Wash/Detailing						1		1	1	1	1		1	1	
Bail Bonds											1	1	1		

Table 4-1. Permitted Land Uses

	SR	R-1	R-2	R-3	B-1	B-2	HB	SCC	LCC	AS	GC	CBD	RD	M-1	M-2
Beauty and Barber Shops					1	1	1	1	1	1	1	1	1	1	
Boats and Marine Accessories						1		1	1		1		1	1	
Butcher Shop						1		1	1		1	2	2	1	
Commercial Services (*)					1	1	1	1	1	3	1	1	1	1	
Communication Towers (*)	(See YMC Chapter 15.29)														
Convenience Store						1	1	1	1	1	1	1	1	1	
Extended Stay Hotel/Motel*								1	1	1	1	3	3		
Farm and Implements, Tools and Heavy Construction Equipment										1	2		3	1	1
Farm Supplies								1	1	1	1		1	1	
Financial Institutions					1	1		1	1	1	1	1	1		
Fuel Oil and Coal Distributors										1	1			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 (not otherwise regulated) (*)					1	1		1	1	1	1	1	1	3	
Heating and Plumbing and Electrical Equipment Stores						1		1	1	1	1	1	1	1	
Heavy Equipment Storage, Maintenance and Repair										1				1	1
Kennels (*)	2													2	2
Laundries, Laundromats and Dry Cleaning Plants						1	1	1	1	1	1	1		1	
Liquor Stores						1		1	1		1	1	1		
Locksmiths and Gunsmiths						1	1	1	1	1	1	1		1	
Lumber Yards								1	1	1	1			1	1
Marijuana Retail (**)						1		1	1		1	1	1		

Table 4-1. Permitted Land Uses

	SR	R-1	R-2	R-3	B-1	B-2	HB	SCC	LCC	AS	GC	CBD	RD	M-1	M-2
Massage Therapy/Spa (*)					1	1	1	1	1	1	1	1	1		
Mobile Vendor	See YMC Ch. 5.57														
Motels and Hotels								1	1	1	1	1	1		
Night Clubs/Dance Establishments								1	1		1	1	1	1	
Nursery (*)	1					1		1	1	1	1		1	1	
Office Contractor Building and Trade (Plumbing, Heating, Electrical, and Painting)				3	1	1		1	1	1	1	1	1	1	
Offices and Clinics				3	1	1		1	1	1	1	1	1	1	
Outdoor Advertising (Billboards)	See YMC 15.08.130														
Pet Day Care/Animal Training (*)	1					1		1	1	1	1		1	1	
Radio/TV Studio	3				1	1		1	1		1	1		1	
Recycling Drop-Off Center (*)						1		1	1		1	1	1	1	
Rental: Heavy Equipment (except automotive) with Storage														1	1
Rental: Heavy Equipment (except automotive) without Storage											1	1	3	1	1
Repairs: Reupholstery and Furniture						1		1	1	1	1	1	1	1	
Repairs: Small Appliances, TVs, Business Machines, Watches, etc.						1	1	1	1	1	1	1	1	1	
Repairs: Small Engine and Garden Equipment						1	1	1	1	1	1	1		1	
Restaurant (*)					1	1	1	1	1	1	1	1	1	1	
Shooting Ranges (indoor)								3	3		3	3		1	
Short Term Rental (*)	3	3	3	3	3			3	3		3	1			
Signs, Printed, Painted or Carved						1			1	1	1	1		1	1
Taverns (*) and Bars						1	1	1	1	1	1	1	1	1	
Technical Equipment Sales (*)					1	1	1	1	1	1	1	1	1	1	

Table 4-1. Permitted Land Uses

	SR	R-1	R-2	R-3	B-1	B-2	HB	SCC	LCC	AS	GC	CBD	RD	M-1	M-2
Waste Material Processing and Junk Handling (*)														3	1
TRANSPORTATION															
Air, Rail, Truck Terminals (for short-term storage, office, etc.)										1		1		1	1
Airport Landing Field										1					
Airport Operations (*)										1					
Bus Storage and Maintenance Facilities														1	1
Bus Terminals										1	1	1	1	1	1
Contract Truck Hauling, Rental of Trucks with Drivers											1			1	1
Railroad Switch Yards, Maintenance and Repair Facilities, etc.														1	1
Taxicab Terminals, Maintenance and Dispatching Centers, etc.									3		3			1	
Transportation Brokerage (*) Offices, with Truck Parking									1		1			1	1
UTILITIES															
Power Generating Facilities													3	1	1
Utility Services (substations, etc.)	3	3	3	3	3	3		3	3		3			1	1
WHOLESALE TRADE—STORAGE															
Parking Lots and Garages					1	1		1	1	1	1	1	1	1	
Residential Mini-Storage (*)				3		3				1	3		3	1	1
Residential Mini-Storage, Outdoor (*)				3		3				1	3			1	1
Storage Facilities, Bulk (*)										1	2			1	1
Storage Facilities, Commercial (*)									3	1	3		3	1	1
Storage Facility, Commercial Outdoor (*)									3	1	3			1	1
Warehouses (*)									3	1	2	2		1	1

Table 4-1. Permitted Land Uses

	SR	R-1	R-2	R-3	B-1	B-2	HB	SCC	LCC	AS	GC	CBD	RD	M-1	M-2
Wholesale Trade (*)									2	1	1	2		1	1
* Refers to a definition in YMC Chapter 15.02. ** See YMC 15.09.220 for general development requirements for marijuana uses. γ = 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															

Chapter 15.09

SPECIAL DEVELOPMENT STANDARDS

Sections:

15.09.230 Less Restrictive Alternatives (RCW 71.09.020(16))

15.09.230 Less Restrictive Alternatives (RCW 71.09.020(16))

A. Purpose. The purpose of this section is to provide guidance and identify appropriate land use regulations and establish development and performance standards regarding secure community transition facilities as defined by 71.09.020(16).

B. Siting. Secure community transition facilities shall be located at least **XxXxX** feet from the following uses:

1. Elementary or secondary school;
2. Playgrounds;
3. Recreation center or facility;
4. Childcare centers;
5. Public parks;
6. Public transit centers;
7. Libraries; and
8. Any game arcade, as defined herein.

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C. Staff Report. The administrative official shall prepare a report concerning the proposed siting of the secure community transition facility for the hearing in front of the hearing examiner. The staff report shall evaluate the advisability of the proposed application based on a development services team (DST) meeting and/or submitted application materials. The report shall address the criteria to be considered in determining the appropriateness of the application for the area, and such other information as deemed appropriate by the administrative official. In preparing the report, the administrative official shall solicit comments from the police department and the fire department. The administrative official may solicit comments from other governmental agencies and utility companies having jurisdiction or utilities within the boundaries of the city. The report shall be submitted to the hearing examiner and to the petitioner and his or her representative not less than seven calendar days before the hearing.

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D. Notice. Any applicant requesting to site a secure community transition facility shall comply with the following noticing requirements:

1. Posting a written notice in three public places in the city, one of which shall be City Hall;
2. Publishing written notice once in the city's official newspaper, published at least 2 weeks prior to the public hearing;
3. Posting a minimum twenty-four-inch by thirty-six-inch notice sign in a conspicuous place along each frontage of the site describing the proposed application and the date, time and location of the public hearing; and
4. Written public notice, including a project description and number of occupants mailed to all property owners within one half-mile radius of the subject site.

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