

## 2019 Proposed Text Amendments – Track Changes Version

### 1. YMC Title 15

### 2. YMC Ch. 6.88

### 3. YMC Title 14

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## 1. YMC Title 15

### YMC 15.02.020 – Definitions:

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“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.

~~“Boardinghouse” means an establishment providing both lodging and meals for not more than ten persons residing in the facility on a permanent or semi-permanent basis.~~

“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 boardinghouse or dormitories, except that dormitories provided in conjunction with a proposed or existing educational facility shall be an accessory use to that facility.

“~~Development~~welling, multiple-family” 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 Multiple-family three-plus, duplex and detached single-family dwellings that ~~are clustering around a common amenity such as open space, recreation facilities or common community building and~~ have a common driveway access on a single lot of record, are ~~also~~ considered multiple-family development.

~~“Bed and Breakfast~~Short Term Rental” 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.

### YMC 15.03.020(B) – R-1 District Intent Statement:

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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 – all corner lots in a new subdivision can be designated for duplex construction;

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

**15.04.030, 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
<b>AGRICULTURAL (COMMERCIAL)</b>															
Agriculture, Horticulture, General Farming (not feedlots or stockyards) (*)	1									1				1	1
Agricultural Building (*)	1									1				1	1
Agricultural Chemical Sales/Storage										1				1	1
Agricultural Market (*)	1						1	1	1		1	1	1	1	
Agricultural Stand (*)	1													1	1
Agricultural Related Industries (*)	2									1				1	1
Animal Husbandry (See YMC 15.09.070) (*)	1	2												1	1
Concentrated Feeding Operation (*)	3														
Floriculture, Aquaculture	1													1	1
Fruit Bin Sales/Storage	3									2				1	1
Marijuana Production (**)														1	1
Winery and Brewery—Basic (*)											3		3	1	2
Resort/Destination w/on-site agricultural production (*)	2	3		3							3	3	3	3	

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

	SR	R-1	R-2	R-3	B-1	B-2	HB	SCC	LCC	AS	GC	CBD	RD	M-1	M-2
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		
<b>HEALTH AND SOCIAL SERVICE FACILITY</b>															
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	
<u>Congregate Living Facility Up to 10</u> <del>Boarding House</del> (*)	3		<del>3</del> 2	<del>3</del> 1	<del>3</del> 2	<del>3</del> 2					1	2	<u>1</u>		
<u>Congregate Living Facility 11+</u>			<u>3</u>	<u>2</u>	<u>3</u>	<u>3</u>					<u>2</u>		<u>2</u>		
Halfway House (*)				2							3	3			
Group Homes (more than six), Convalescent and Nursing Homes (*)			3	2	2	2					3	3			
Mission (*) (with Type (3) review, and development agreement—see definition)											2	2		2	
<b>MANUFACTURING</b>															
Agricultural Product Support											2	2	2	1	1
Aircraft Parts										1			2	1	1
Apparel and Accessories											3	2	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
Bakery Products (wholesale)							2		2		2	2	2	1	1
Beverage Industry (*)											2	2	2	1	1
Canning, Preserving and Packaging Fruits, Vegetables, and Other Foods													2	1	1
Cement and Concrete Plants														3	1
Chemicals (Industrial, Agricultural, Wood, etc.)														3	1
Concrete, Gypsum and Plaster Products										2				1	1
Confectionery and Related Products (wholesale)						2		2	2		1	1	2	1	1
Cutlery, Hand Tools and General Hardware										1			3	1	1
Drugs										1	2		2	1	1
Electrical Transmission and Distribution Equipment										1		2	3	1	1
Electronic Components and Accessories and Product Assembly										1	2	2	3	1	1
Engineering, Medical, Optical, Dental, Scientific Instruments and Product Assembly										1		2	2	1	1
Fabricated Structural Metal Products										2	3	3		1	1
Food Processing												2	3	1	1
Furniture										2		3	2	1	1
Glass, Pottery, and Related Products and Assembly											2	2	2	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	2			1	1
Marijuana Processing (**)														1	1
Marijuana Research (**)														1	1
Meat, Poultry and Dairy Products														1	1
Paints, Varnishes, Lacquers, Enamels and Allied Products														3	1
Paperboard Containers and Boxes										1	3			1	1
Plastic Products and Assembly										1	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	

[illegible]

	SR	R-1	R-2	R-3	B-1	B-2	HB	SCC	LCC	AS	GC	CBD	RD	M-1	M-2
Mobile Home Parks (*)	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	
<b>RETAIL TRADE, AND SERVICE</b>															
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	
<del>Bed and Breakfast Inn</del> Short Term Rental (*)	2	<u>2</u>	<u>2</u>	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	

	SR	R-1	R-2	R-3	B-1	B-2	HB	SCC	LCC	AS	GC	CBD	RD	M-1	M-2
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	
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	



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

### 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, B-1, or B-2 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 SCC, LCC, AS, GC, RD, M-1 and M-2 zoning districts.
  - a. Provided, all refrigerated cargo containers 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.

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.

**15.04.080 Drive-through facilities.**

A. Review Required. Any commercial use having a drive-through service window or booth shall require one higher level of review than shown in Table 4-1, except:

1. Those noted as a Class (3) use requiring a Type (3) review shall remain a Type (3) review; ~~and~~
2. Financial institutions; ~~and~~
3. ~~p~~Properties that do not abut residential zones.

B. Purpose. Such review is required in recognition of the potential impacts of drive-through uses on adjoining residential uses and the transportation system.

C. Elements of Review. Review is intended to modify or mitigate negative impacts upon adjoining residential uses and the transportation system. The review of a drive-through facility shall include consideration of impacts from the following: noise from the drive-through speaker and/or car radio, glare from vehicle headlights and exterior lighting fixtures, fumes to residential uses, and impacts to transportation traffic flow and carrying capacity of the arterial street system. The proposed site will require an on-site interior parking circulation plan as defined by YMC 15.06.030 and 15.06.080.

D. Definition. For purposes of this section, “drive-through” facilities means a window or station for providing service to customers who remain in their vehicle to conduct a business transaction, excluding gas stations and car washes.

**15.04.120 Home occupations.**

A. Purpose. The conduct of a business within a dwelling may be permitted in the residential districts 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 residential districts; and
2. Maintain and preserve the character of residential neighborhoods; and
3. 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 residential 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 G of this section.

**Table 4-2. Table of Permitted Home Occupations**

	Zoning District				
	SR	R-1	R-2	R-3	B-1
Accountant	1	1	1	1	
Architect	1	1	1	1	
Artist, author, arts and crafts	1	1	1	1	
Attorney	1	1	1	1	
Barbershop, beauty parlor	2	2	2	2	
<del>Short Term Rental</del> <del>Bed and Breakfast</del> *	1	<del>2</del> <u>1</u>	1	1	
Business administration	1	1	1	1	
Cabinet, mill work, carpentry work	2				2
Catering service	2	2	2	2	2
Ceramics and sculpting	2	2	2	2	
Composer	1	1	1	1	
Day care, family home*	1	1	1	1	1
Dentist	1	2	2	2	
Dog grooming	2	3	3	3	3
Dressmaker, seamstress, tailor	1	1	1	1	
Engineer	1	1	1	1	
Food preparation*	1	2	1	1	1
Home contractor*	1	1	1	<del>2</del> <u>1</u>	1
Home instruction* 1—5 students	1	1	1	1	1
6—8 students	2	2	2	2	2
Insurance agent	1	1	1	1	
Locksmith	1	2	2	1	1
Photographer (not including productions studio)	1	<del>2</del> <u>1</u>	<del>2</del> <u>1</u>	<del>2</del> <u>1</u>	
Physician	1	2	2	2	
Product assemblage*	1	2	2	2	1
Massage therapy/spa*	1	1	1	1	1
Music teacher	1	1	1	1	
Production of small articles by hand without the use of automated or production line equipment	1	2	2	2	
Radio, television and small appliance repair	2	2	2	2	

**Table 4-2. Table of Permitted Home Occupations**

	Zoning District				
	SR	R-1	R-2	R-3	B-1
Real estate agent	1	1	1	1	
Secretarial, phone answering, desktop publishing service*	1	1	1	1	
Small engine repair	2				
Taxicab operator*	1	1	1	2	1
Wedding service	2	2	2	2	2
Unclassified home occupation	See YMC <a href="#">15.04.120</a> (G)				
NOTES:					
* Refers to definition in YMC Chapter <a href="#">15.02</a> .					
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					
χ = Not Permitted					

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.
5. A home occupation permit application (including a site plan) shall be supplied to and approved by the city of Yakima planning division prior to operation of any home occupation.

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 waive part or all of the requirements for a site plan for Class (1) home occupations.

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);
- ~~13. Firearm sales and/or gunsmith.~~

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 fail 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.

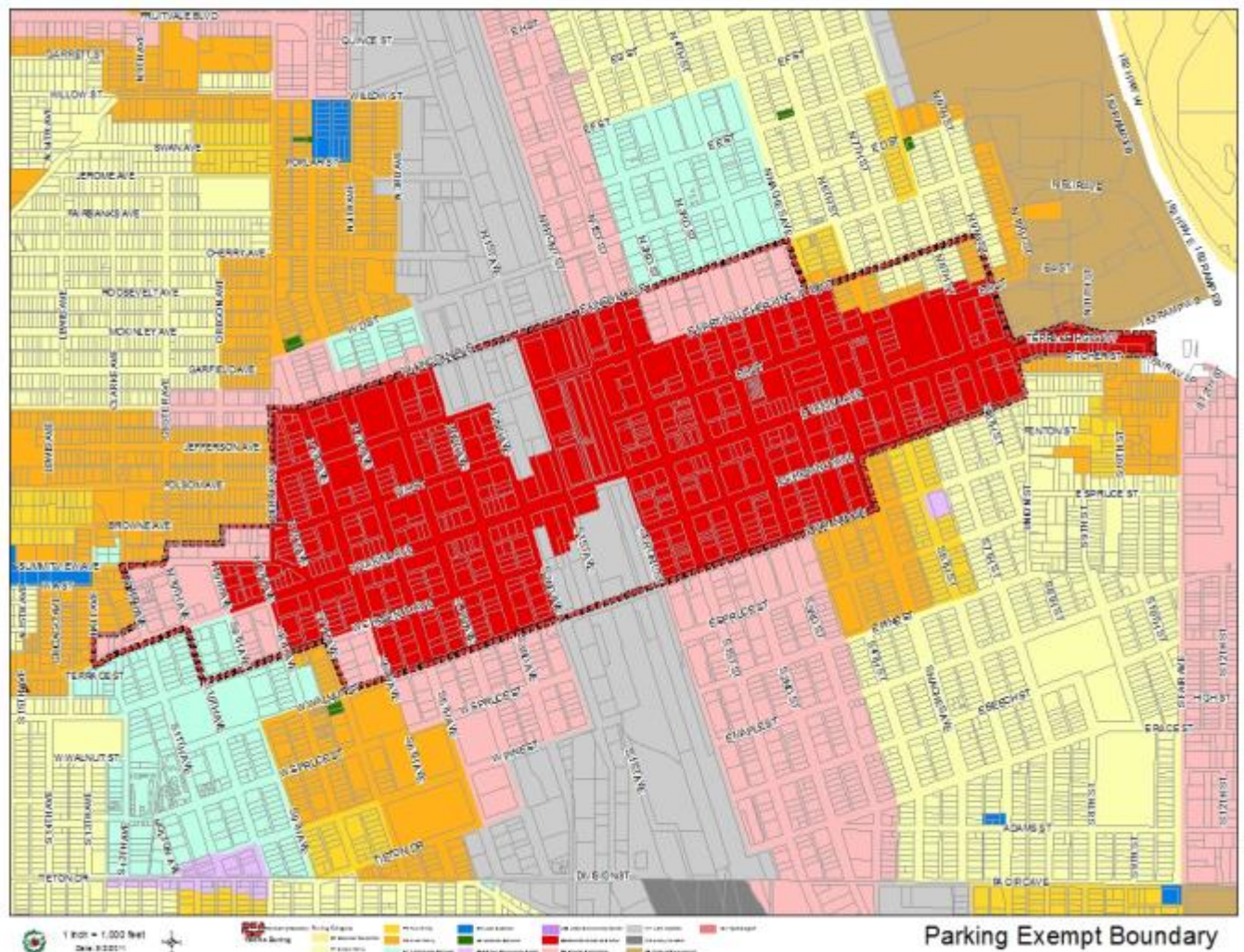
#### **15.06.040 Off-street parking standards.**

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.





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

LAND USE	PARKING STANDARDS
<b>AGRICULTURE (COMMERCIAL)</b>	
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



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

LAND USE	PARKING STANDARDS
	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
Community gardens* (accessory to an approved principal use) (See YMC <a href="#">15.04.060(G)</a> )	None

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

<b>LAND USE</b>	<b>PARKING STANDARDS</b>
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	3 spaces for each classroom, or 1 space for each 3 seats (54" bench-type seating) in the assembly area, whichever is greater
Junior, senior	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
<b>MANUFACTURING (MASS PRODUCTION)</b>	
All uses listed under manufacturing in Table 4-1	1 space for each employee per maximum shift

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

LAND USE	PARKING STANDARDS
<b>RESIDENTIAL</b>	
Accessory dwelling units	1 space
Single-family dwelling	2 spaces
Two-family dwellings	4 spaces
Multifamily <del>dwellings</del> <u>Development</u>	
10 units or less	2 spaces per dwelling
More than 10 units	1.5 spaces per dwelling
Retirement homes	1 space for each dwelling unit
<b>RETAIL TRADE AND SERVICES</b>	
<del>Addressing, mailing, and stenographic services</del>	<del>1 space for each 300 sq. ft. of gross floor area</del>
<del>Advertising agencies</del>	<del>1 space for each 300 sq. ft. of gross floor area</del>
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
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 <del>400</del> <u>75</u> sq. ft. of gross floor area
<del>Bed and breakfast inns</del> <u>Short Term Rental</u>	<del>1-4 spaces</del> for each guest room

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

LAND USE	PARKING STANDARDS
Building and contractors	1 space for each 800 sq. ft. of gross floor area
<u>Congregant Living Facility</u>	<u>1 space for every 2 beds</u>
<del>Coffee restaurant/stand with or without drive-through</del>	<del>1 space for each 50 sq. ft. of public seating area, including outside seating and 1 space for each employee</del>
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
<del>Gas stations</del>	<del>1 space for each 300 sq. ft. of gross floor area</del>
<del>Hardware stores</del>	<del>1 space for each 300 sq. ft. of G.F.A. of structure and permanent outside display sales area</del>
Heating and plumbing equipment stores	1 space for each 400 sq. ft. of gross floor area
<del>Heavy equipment, tractor, and farm equipment repair</del>	<del>1 space for each 300 sq. ft. of gross floor area</del>
Home occupations	See YMC <u>15.04.120(J)</u>
<del>Household appliance, small engine, TV and furniture repair</del>	<del>1 space for each 300 sq. ft. of gross floor area</del>
Insurance agents, brokers and service agencies	1 space for each 200 sq. ft. of gross floor area
<del>Liquor stores</del>	<del>1 space for each 300 sq. ft. of gross floor area</del>

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

LAND USE	PARKING STANDARDS
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
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 <del>4</del> <u>1</u> spaces for each <del>1,500</del> <u>400</u> sq. ft. of gross floor area <del>5</del> <u>1</u> spaces for each <del>2,250</del> <u>600</u> sq. ft. of gross floor area <del>6</del> <u>1</u> spaces for each <del>2,750</del> <u>600</u> 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
<del>Radio and TV studios, offices</del>	<del>1 space for each 300 sq. ft. of gross floor area</del>
Real estate offices	1 space for each 200 sq. ft. of gross floor area
<del>Residential mini-storage</del>	<del>1 space for each 300 sq. ft. of gross floor area of office space</del>
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

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

LAND USE	PARKING STANDARDS
<del>Retail service establishments in Table 4-1 but not listed in this table</del>	<del>1 space for each 300 sq. ft. of gross floor area</del>
Retail <del>trade</del> establishments in Table 4-1 but not listed in this table	
—less than 25,000 sq. ft. of gross floor area	1 space for each 300 sq. ft. of gross floor area
—25,001—400,000 sq. ft. of gross floor area	<del>4</del> <u>1</u> spaces for each <del>1,500</del> <u>400</u> sq. ft. of gross floor area
—400,001—600,000 sq. ft. of gross floor area	<del>5</del> <u>1</u> spaces for each <del>2,250</del> <u>500</u> sq. ft. of gross floor area
—600,001+ sq. ft. of gross floor area	<del>6</del> <u>1</u> spaces for each <del>2,750</del> <u>600</u> sq. ft. of gross floor area
Service stations	2 spaces for working/service area, including bays
<del>Shoe repair and shoe shops</del>	<del>1 space for each 300 sq. ft. of gross floor area</del>
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

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

LAND USE	PARKING STANDARDS
WHOLESALE TRADE	
Wholesale trade warehouses	<p>1 space for each employee based on the maximum working at any given shift; or</p> <p>1 space for each 300 square feet of gross floor area for packing and processing areas;</p> <p>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</p>
Residential mini-storage	<p>1 <del>space for each 300 sq. ft. of gross floor area of office space</del> <del>See residential mini-storage under retail and service category</del></p>
<p>How to Use Table 6-1:</p> <ol style="list-style-type: none"> <li>1. Calculate the gross floor area for the structure. (See YMC <a href="#">15.06.040</a> to determine gross floor area.)</li> <li>2. Determine the amount of gross floor area used for storage rooms.</li> <li>3. Required off-street parking for storage is one space per 500 square feet.</li> <li>4. Find the proposed use in Table 6-1.</li> </ol> <p>Example:</p> <ul style="list-style-type: none"> <li>— 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 <a href="#">15.06.040</a>). <math>1,000 \div 500 = 2</math> off-street parking spaces for the storage area.</li> <li>— 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. <math>2,000 \div 300 = 6.6</math> or seven spaces, since fractions of parking spaces are rounded up (YMC 15.06.050(A)).</li> <li>— 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.</li> </ul>	

### 15.09.010 Purpose.

The purpose of this chapter is to establish special development standards for certain types of development within the City of Yakima.

~~A. Purpose. The overlays are established to coordinate the provisions established in the zoning ordinance with more detailed policies and standards adopted in other plans and ordinances. Specific overlays have been established as follows:~~

<b>Overlay District</b>	<b>Districts or Programs</b>
Greenway Overlay	Yakima River Regional Greenway Plan
Overlays established separately	
Airport Safety Overlay (see YMC Chapter <u>15.30</u> )	Yakima Air Terminal at McAllister Field; other public airport with defined airspace per FAR Part 77
Institutional Overlay (see YMC Chapter <u>15.31</u> )	Large-scale institutional facilities with special locational needs
Master Planned Development Overlay (see YMC Chapter <u>15.28</u> )	Master-planned development (residential, commercial, industrial or mixed-use development)
Floodplain Overlay	National Flood Insurance Program (flood hazard areas); City of Yakima Critical Area Ordinance YMC <u>15.27</u> ; Shoreline Master Program YMC Title <u>17</u>

B. Application. The provisions of this chapter shall apply when all or a portion of a development, or modification thereto, is proposed within the boundaries of an overlay. (Ord. 2016-029 § 1 (Exh. A) (part), 2016: Ord. 2010-16 § 13 (part), 2010: Ord. 2009-09 § 1 (part), 2009: Ord. 2008-46 § 1 (part), 2008: Ord. 2947 § 1 (part), 1986).

#### **15.09.020 Special development standards for the district overlays.**

A. Purpose. The overlays are established to coordinate the provisions established in the zoning ordinance with more detailed policies and standards adopted in other plans and ordinances. Specific overlays have been established as follows:

<b><u>Overlay District</u></b>	<b><u>Districts or Programs</u></b>
<u>Greenway Overlay</u>	<u>Yakima River Regional Greenway Plan</u>
<u>Overlays established separately</u>	
<u>Airport Safety Overlay (see YMC Chapter 15.30)</u>	<u>Yakima Air Terminal at McAllister Field; other public airport with defined airspace per FAR Part 77</u>
<u>Institutional Overlay (see YMC Chapter 15.31)</u>	<u>Large-scale institutional facilities with special locational needs</u>
<u>Master Planned Development Overlay (see YMC Chapter 15.28)</u>	<u>Master planned development (residential, commercial, industrial or mixed-use development)</u>
<u>Floodplain Overlay</u>	<u>National Flood Insurance Program (flood hazard areas); City of Yakima</u>



<u>Overlay District</u>	<u>Districts or Programs</u>
	<u>Critical Area Ordinance</u> <u>YMC 15.27; Shoreline</u> <u>Master Program YMC</u> <u>Title 17</u>

B. Application. The provisions of this chapter shall apply when all or a portion of a development, or modification thereto, is proposed within the boundaries of an overlay. (Ord. 2016-029 § 1 (Exh. A) (part), 2016: Ord. 2010-16 § 13 (part), 2010: Ord. 2009-09 § 1 (part), 2009: Ord. 2008-46 § 1 (part), 2008: Ord. 2947 § 1 (part), 1986).

AC. Project Review in an Overlay Not Separately Established. In order to assure the appropriate standards are applied, all Class (1) uses in an overlay which is not separately established unless otherwise specified shall be subject to Type (2) review (YMC Chapter 15.14). All Class (2) uses shall be subject to Type (2) review and Class (3) uses in an overlay district shall be subject to Type (3) review. The administrative official may condition or deny approval of any use, development, or modification thereto in an overlay based on the provisions set forth and adopted by this section.

BD. Special Development Standards in the Greenway Overlay. All development in the greenway overlay shall conform to the requirements and standards of the underlying zoning district and the policies and intent of the Yakima River Regional Greenway Plan.

GE. Special Development Standards in the Floodplain Overlay. All development in the floodplain overlay shall conform to the requirements and standards of the underlying zoning district, and the City of Yakima's adopted Critical Area (YMC 15.27) and Shoreline Master Program (YMC Title 17) ordinances.

#### **15.09.045 Accessory dwelling units.**

A. Purpose. The purpose of the accessory dwelling unit (ADU) provisions are to:

1. Provide ~~home~~ 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 ~~in the SR, R-1, R-2, and R-3 zoning districts (See YMC § 15.04.030, Table 4-1), secondary to the primary use of a detached single-family dwelling, 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. The front entrance to the ADU shall not be visible from a right-of-way or access easement.~~

~~32.~~ ~~Paved~~ Off-street parking shall be provided as required in YMC Chapter 15.06 for both the ADU and the primary residence, ~~separately~~, located on the lot they are intended to serve.

~~43.~~ The ADU's floor area shall not exceed 1,000 square feet ~~be comprised of not more than fifty percent of the floor area of the primary dwelling unit or eight hundred square feet, whichever is less. For example, a primary detached dwelling unit two thousand eight hundred square feet in size would be limited to eight hundred square feet. A primary structure one thousand square feet in size would be limited to five hundred square feet.~~

~~54.~~ The ADU's exterior walls shall be designed so as to be similar in style, color, and building materials to the primary detached dwelling.

~~65.~~ 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.

~~76.~~ A parcel/lot shall contain no more than one single-family residence and one ADU.

~~87.~~ ADUs shall not be allowed on parcels containing a duplex or multifamily dwelling, or a commercial or industrial structure/use.

~~98.~~ ADUs shall only be permitted on parcels/lots sized appropriately for a duplex per YMC § 15.05.030, Table 5-2. ADUs proposed on lots smaller than the minimum lot size may be approved after undergoing one additional level of review as shown in YMC § 15.04.030, Table 4-1.

~~109.~~ The primary residence and the ADU shall both be connected to public sewer and water.

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~~shall 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).

~~110.~~ 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.

~~12.~~ ~~A home occupation may be allowed, subject to YMC 15.04.120, in either the ADU or the primary unit, but not both.~~

~~1311.~~ The site plan for the construction or conversion of an ADU shall indicate the ADU.

~~1412.~~ Any exterior stairs shall be placed in the rear or side yard.

~~1513.~~ 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.

14. ADU's uses 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 ~~storage only~~ an approved accessory use or remove the structure from the premises.

#### **15.09.050 Performance standards—Emissions.**

- A. Purpose and Application. The purpose of this section is to provide guidelines and general standards governing emissions and miscellaneous items covered herein for use in evaluating the impact of proposed and existing developments and uses, or changes or alterations thereto, being considered under the terms of this Title. A reviewing official, including those engaged in Type (1) review, ~~or~~ administrative modification review, or compliance under YMC Ch. 15.25 may impose reasonable conditions, or in appropriate instances deny proposed developments based on the standards and guidelines set forth in this section, in order to assure that permitted and existing uses do not generate gases, fumes, heat, glare, vibrations, or store solid waste in a manner inconsistent with the intent of the district and/or incompatible with surrounding uses.
- B. Gases, Fumes and Vapors. The emission of any gases, fumes, or vapors dangerous to human health, animal life, vegetation, or property is prohibited.
- C. Heat. No use shall produce heat significantly perceptible beyond its lot lines.
- D. Glare. No use shall produce a strong dazzling light, or reflection of a strong dazzling light, beyond its lot lines.
- E. Vibrations. No use shall cause vibrations or concussions detectable beyond its lot lines without the aid of instruments, except for vibration resulting from construction activity.
- F. Storage and Waste Disposal. All materials and waste which might cause fumes or dust, constitute a fire hazard, produce offensive odors, or which may be edible or otherwise attractive to rodents or insects shall be stored in closed containers and in a manner to eliminate or prevent such hazards.

#### **15.09.080 Special requirements for ~~bed and breakfast~~short term rentals inns.**

~~Bed and breakfast inns~~Short term rentals shall meet all applicable health, fire, safety, and building codes. Any reception hall or meeting room shall be restricted to serve no more than the total number of tenants, unless otherwise specifically authorized. In addition, ~~bed and breakfast inns~~short term rentals shall be subject to the following requirements, ~~except in those zoning districts where motels and hotels are Class (1), (2), or (3) uses:~~

- A. Home occupation ~~bed and breakfast inns~~short term rentals shall meet all (13) necessary conditions listed in YMC 15.04.120(C) and be operated so as not to ~~give the appearance of being a business and the inn shall not~~ infringe upon the rights of neighboring residents to peaceful occupancy of their homes. Minimal outward modifications of the structure or grounds may be made only if such changes are compatible with the character of the neighborhood.
- B. If provided, Mmeals shall only be served to guests, even if required to be licensed as a restaurant under state regulations, except as otherwise permitted in this title.

~~C.—The number of guest rooms shall not be increased through any exterior modifications or additions to the home occupation bed and breakfast.~~

**D.** The front yard area shall not be used for off-street parking for ~~bed and breakfast~~ guests unless the parking area is screened and found to be compatible with the neighborhood or unless waived by the reviewing official.

**E.** One nonilluminated or externally illuminated sign not exceeding the maximum size allowed within the applicable zoning district, and bearing only the name of the short term rental and/or operator, shall be permitted.

**F.** The administrative official may authorize use of the ~~bed and breakfast inn~~ short term rental for receptions, group meetings and special gatherings based upon the size of the residence, availability of adequate off-street parking spaces, public health considerations, and compatibility with the surrounding neighborhood.

**G.** No more than five lodging or guest rooms shall be allowed for home occupations.

G. There shall be no exterior alteration to the building which would change its character from a dwelling.

H. The portion of the residence used for a short term rental shall be designed that it may be readily converted to serve residential uses.

I. The short term rental shall be 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.

J. The short term rental shall not generate materially greater traffic volumes than would normally be expected in the residential neighborhood.

K. The short term rental shall not require the use of electrical or mechanical equipment that would change the fire rating of the residence or exceed FCC standards for residential use.

L. A business license shall be required.

#### **15.09.100 Private street review requirements.**

Private Roads—General Requirements. Private streets serving three lots, housing units or more may be approved as an element of a plat, short plat or master planned development overlay (YMC Chapter 15.28), a mobile home/manufactured park (YMC 15.04.150), a condominium or within a binding site plan in conformance with subdivision requirements.

A. Any private road that is located in a private street subdivision shall be constructed to the minimum standard of the ~~appropriate jurisdiction~~ City of Yakima and shall be permanently retained and maintained as a private road.

B. Private roads are the responsibility of the landowners to construct and maintain in accordance with YMC Chapter 15.09 and shall be specified in a homeowner's association, development agreement or other maintenance plan.

C. Names for private roads shall be approved by city planning division.

D. Private roadway signs with street name designations shall be provided by and maintained by the developer or homeowner's association and shall be located at the intersections of private roads. Such signs shall meet the specifications set forth by the ~~respective governing body~~ City of Yakima.

E. A gate may be installed at the entrance to a private street, provided there is a minimum of 50 feet between the public street and the gate and the width of each travel aisle is 24 feet.

F. A private gate shall not obstruct emergency, public service, or utility vehicles access.

G. Private roads and their entire easement or right-of-way width shall be open and available for use by emergency, public service, and utility vehicles.

H. The face of any plat, short plat, master development plan, binding site plan, or condominium document containing a private road, and all subsequent documents transferring ownership of lots within such plat or short plat, shall bear the following language:

The City of Yakima has no responsibility to build, improve, maintain or otherwise service any private road for this plat/short plat. Any right-of-way dedicated to the public by this plat/short plat shall not be opened as a City (or County) street until such time as it is improved to city street standards and accepted as part of the City transportation system.

I. The placement of utilities shall be coordinated as much as possible with the placement of private roads and public rights-of-way.

J. Utility easements having a minimum width of eight feet shall serve each interior lot. Utility easements shall be located outside private access easements and dedicated road rights-of-way unless approved otherwise by the city engineer

#### **15.09.210 Special requirements for retaining walls.**

Retaining walls may be made of any material commonly used for this purpose, such as block, timber, stone or concrete, except that the following materials are prohibited:

1. Materials not manufactured for, or customarily used on, retaining walls unless said materials are certified by a professional engineer.

~~2. Ecology blocks of any style or design.~~

#### **15.11.020 Application requirements.**

All applications shall comply with the following requirements:

A. Applications shall be in writing on forms provided by the department;

B. Each submitted land use application shall be completed in its entirety, and contain all narratives, supplemental narratives, site plans, or other required attachments as specified by the pertinent application. For Type (1), or (2) reviews for developed sites for which there is limited proposed change, the application shall include a general site plan in print or digital form in conformance with YMC 15.11.030; provided, the administrative official at their discretion may

require additional information to clarify the application or determine compliance with the provisions of this title. For Type (3) review, the application shall include a detailed site plan in conformance with YMC [15.11.040](#);

C. All applications, including a Type (1) review, shall be signed by the property owner or his agent authorized in writing to do so;

D. Applications shall be accompanied by the appropriate fee as established by ordinance;

E. An application is not complete unless it includes all required information, attachments and fees. No application shall be considered officially filed until accepted as complete by the division; and

F. Applications for Type (2) and (3) reviews shall include a minimum eleven-inch by seventeen-inch reproducible copy of the site plan in print or digital form. In the event of expanded review, additional copies may be required at the applicant's expense. Site plans shall be developed in accordance with YMC [15.11.030](#) or [15.11.040](#), as applicable.

**Table 11-1. Notice Requirements**

	<b>Notice of Application</b>	<b>Notice of Hearing Examiner or Yakima Planning Commission Public Hearing</b>	<b>Notice of Recommendation/Decision</b>	<b>City Council Hearing</b>
<b>Type (1) Review</b>	(Not Required)	(Not Required)	Notice of Decision <ul style="list-style-type: none"> <li>• Applicant</li> </ul>	(Not Required)
<b>Type (2) Review</b>	<ul style="list-style-type: none"> <li>• Applicant</li> <li>• Property owners within 300-foot radius</li> <li>• City In-house Distribution List</li> </ul>	(Not Required)	Notice of Decision <ul style="list-style-type: none"> <li>• Parties/agencies who received the Notice of Application</li> <li>• Any additional parties of record</li> </ul>	(Not Required)
<b>Type (3) Review</b>	<ul style="list-style-type: none"> <li>• Applicant</li> <li>• Parties of Record</li> <li>• Property owners within 300-foot radius</li> <li>• City In-house Distribution List</li> <li>• Posting is required prior to issuance of notice</li> </ul>	(at least 20 days prior to hearing) <ul style="list-style-type: none"> <li>• Applicant</li> <li>• Parties/agencies who received the Notice of Application</li> <li>• Any additional parties of record</li> <li>• Local Media</li> </ul>	Notice of Decision (mail 3 days after it is rendered) <ul style="list-style-type: none"> <li>• Certified mail to applicant</li> <li>• Regular mail to parties and agencies who received the Notice of Application</li> <li>• Any additional parties of record</li> </ul>	(Not Required)

**Table 11-1. Notice Requirements**

	<b>Notice of Application</b>	<b>Notice of Hearing Examiner or Yakima Planning Commission Public Hearing</b>	<b>Notice of Recommendation/Decision</b>	<b>City Council Hearing</b>
		<ul style="list-style-type: none"> <li>• Hearing Examiner or Yakima Planning Commission</li> <li>• Publish legal ad in the newspaper</li> </ul>		
<b>Appeals</b>  For SEPA appeal see YMC Ch. 6.88	Notice of Appeal of Administrative Official's Decision and Public Hearing <ul style="list-style-type: none"> <li>• Appellant</li> <li>• The official whose decision is being appealed</li> <li>• Parties/agencies who received the Notice of Application</li> <li>• Posting property and publishing a legal ad is required</li> </ul> Notice of Appeal of Hearing Examiner's Decision <ul style="list-style-type: none"> <li>• Appellant</li> <li>• The official whose decision is being appealed</li> <li>• Parties and agencies who received the Notice of Application</li> </ul>	See Notice of Application	Notice of Hearing Examiner's Decision <ul style="list-style-type: none"> <li>• Certified mail to applicant</li> <li>• Regular mail to parties and agencies who received the Notice of Application</li> <li>• Any additional parties of record</li> </ul>	<ul style="list-style-type: none"> <li>• City Clerk will publish legal ad and send notice to the following: <ul style="list-style-type: none"> <li>- Appellant</li> <li>- Official whose decision is being appealed</li> <li>- Hearing Examiner</li> <li>- Parties and agencies who received the Notice of Application</li> <li>- Any additional parties of record</li> </ul> </li> </ul>
<b>Cell Tower</b>	See YMC <a href="#">15.29.040</a> Table 29-1			
<b>Planned Development</b>	• Applicant	(at least 20 days prior to hearing)	Notice of Recommendation	• City Clerk will publish legal ad and



**Table 11-1. Notice Requirements**

	<b>Notice of Application</b>	<b>Notice of Hearing Examiner or Yakima Planning Commission Public Hearing</b>	<b>Notice of Recommendation/Decision</b>	<b>City Council Hearing</b>
	<ul style="list-style-type: none"> <li>• Property owners within 300-foot radius</li> <li>• City In-house Distribution List</li> <li>• Posting is required prior to issuance of notice</li> </ul>	<ul style="list-style-type: none"> <li>• Applicant</li> <li>• Parties/agencies who received the Notice of Application</li> <li>• Any additional parties of record</li> <li>• Local Media</li> <li>• Hearing Examiner or Yakima Planning Commission</li> <li>• Publish legal ad in the newspaper</li> </ul>	<ul style="list-style-type: none"> <li>• Regular mail to applicant and parties of record</li> </ul> <p>Notice of Decision</p> <ul style="list-style-type: none"> <li>• Applicant receives cover letter with ordinance if approved or Council's findings if denied</li> </ul>	<p>send notice to the following:</p> <ul style="list-style-type: none"> <li>- Applicant</li> <li>- Parties/agencies who received the Notice of Application</li> <li>- Any additional parties of record</li> </ul>
<b>Rezone</b>	<ul style="list-style-type: none"> <li>• Applicant</li> <li>• Property owners within 300-foot radius</li> <li>• City In-house Distribution List</li> <li>• Posting is required prior to issuance of notice</li> </ul>	<p>(at least 20 days prior to hearing)</p> <ul style="list-style-type: none"> <li>• Applicant</li> <li>• Parties/agencies who received the Notice of Application</li> <li>• Any additional parties of record</li> <li>• Local Media</li> <li>• Hearing Examiner or Yakima Planning Commission</li> <li>• Publish legal ad in the newspaper</li> </ul>	<p>Notice of Recommendation</p> <ul style="list-style-type: none"> <li>• Regular mail to applicant and parties of record</li> </ul> <p>Notice of Decision</p> <ul style="list-style-type: none"> <li>• Applicant receives cover letter with ordinance if approved or Council's findings if denied</li> </ul>	<ul style="list-style-type: none"> <li>• City Clerk will publish legal ad in the newspaper and send notice to the following:</li> <li>- Applicant</li> <li>- Parties/agencies who received the Notice of Application</li> <li>- Any additional parties of record</li> </ul>
<b>Comprehensive Plan Amendment</b>	See YMC Ch. 16.10			
<b>Right-of-Way Vacation</b>	See <del>RGW 35.79</del> <u>YMC Ch. 14.21</u>			
<b>SEPA</b>	See YMC Ch. 6.88			



**Table 11-1. Notice Requirements**

	<b>Notice of Application</b>	<b>Notice of Hearing Examiner or Yakima Planning Commission Public Hearing</b>	<b>Notice of Recommendation/Decision</b>	<b>City Council Hearing</b>
<b>Shoreline</b>	See YMC Ch. 17.13 and WAC <a href="#">173-27-110</a>			
<b>Subdivisions</b>	See YMC Title <a href="#">14</a> and RCW <a href="#">58.17</a>			

#### **15.17.020 Modification to permitted development and uses regulated.**

Minor changes to existing or approved Class (1), (2) or (3) uses or development may qualify for abbreviated review under the provisions in this chapter, if they meet the criteria listed below. Overlay districts shall not increase the level of review for the provisions of this chapter. Modifications not meeting the criteria below must apply directly for review as a Class (1), (2) or (3) use or development.

- A. The modification will not increase residential density that would require an additional level of review;
- B. The modification will not increase the amount of parking by more than ten percent or twenty spaces (whichever is least), except that the amount of parking for controlled atmosphere and cold storage warehouses may be increased by up to twenty spaces. This limit shall be calculated cumulatively for all previous modifications since the last normal review;
- C. Any expansion of use area or structure will not exceed fifty percent of the gross floor area. The expansion of an existing single-family home may exceed the fifty percent limit when all applicable setback and lot coverage standards are met. This limit shall be calculated cumulatively for all previous modifications since the last normal review;
- D. The modification will not increase the height of any structure;
- E. This limit shall be calculated cumulatively for all previous modifications since the last normal review;
- F. The modification will not add a drive-thru facility; and
- G. The modification does not include hazardous materials.

#### **15.19.050 Continuation of nonconforming uses.**

- A. Generally. Any legal nonconforming use may continue as long as it remains otherwise lawful. Any change or expansion of the nonconforming use shall be made in accordance with the provisions of YMC [15.19.070](#) or [15.19.080](#).
- B. Continuation When a Nonconforming Use is Damaged or Destroyed. When a nonconforming use and associated structure are damaged, the nonconforming use may be replaced as it was prior to the damage. If the structure was also nonconforming, the structure may be rebuilt as it was immediately prior to the damage or in a manner that is more conforming in accordance with YMC [15.19.080](#).

C. Continuation of Nonconforming Single-Family Dwellings. Existing Single-Family Dwellings in the Commercial and Industrial Zoning Districts may be expanded, reconstructed, or rebuilt in accordance with the provisions of YMC Ch. 15.17 (Modification).

## **2. YMC Ch. 6.88**

### **6.88.070 Flexible thresholds for categorical exemptions.**

A. Effective April 7, 1986, the city establishes the following exempt levels for minor new construction under WAC 197-11-800(1)(b) based on local conditions:

1. For residential dwelling units in WAC 197-11-800(1)(b)(i):
  - a. ~~Twenty-Sixty~~ dwelling units ~~in the R-2, R-3, B-1, B-2, SCC, LCC, CBD, GC, and RD zoning districts~~ for Duplex and Multifamily residential development;
  - b. ~~Nine-Thirty~~ dwelling units ~~in the SR and R-1 zoning districts~~ for Single Family Residential Development;
2. For agricultural structures in WAC 197-11-800(1)(b)(ii):
  - a. Thirty thousand square feet in the SR, M-1 and M-2 zoning districts;
  - b. Ten thousand square feet in all other zoning districts;
3. For office, school, commercial, recreational, service or storage buildings in WAC 197-11-800(1)(b)(iii):
  - a. Neither more than ~~twelve-Thirty~~ thousand square feet nor more than ~~forty-ninety~~ parking spaces in ~~the B-1, B-2, SCC, LCC, AS, CBD, GC, RD, M-1 and M-2 zoning districts;~~  
~~Neither more than four thousand square feet nor more than twenty parking spaces in all other zoning districts;~~
4. For infill development consistent with the City of Yakima Comprehensive Plan and RCW 43.21C.229:
  - a. Residential Development up to 100 dwelling units in the GC and CBD zoning districts, and land in the R-3 zoning district located adjacent to a Principal Arterial.
  - b. Mixed Use Development up to 100 dwelling units on upper floors in the GC and CBD zoning districts.
5. For parking lots in WAC 197-11-800(1)(b)(iv):
  - a. ~~Thirty-Ninety~~ parking spaces in the R-3, B-1, B-2, SCC, LCC, AS, CBD, GC, RD, M-1 and M-2 zoning districts;
  - b. Twenty parking spaces in all other zoning districts;
6. For landfills and excavations in WAC 197-11-800(1)(b)(v):
  - a. Five hundred cubic yards in all zoning districts.

### 3. YMC Title 14

#### 14.25.040 Lot design.

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Each lot within a subdivision shall comply with the following design standards and requirements:

A. Double frontage lots, as defined in YMC 14.10.020, are permitted only where determined by the city council, or the administrator in the case of short subdivisions, to be essential to provide separation of residential lots from major and secondary arterial streets or high-intensity land uses or to overcome specific disadvantages of topography or parcel configuration. When double frontage lots are used, access shall be limited to only one of the fronting streets.

B. All lots within a subdivision shall have direct access to and frontage upon a dedicated public street or be accessed by an easement. Access easements cannot serve more than one lot. Minimum street frontage and/or access easement width shall be at least twenty feet. Lots intended for residential use should not access a principal or minor arterial.

C. Private streets conforming to YMC 12.06.090 may be allowed within a master planned development pursuant to YMC Chapter 15.28, or as part of a new Short Subdivision or Subdivision.

D. All lots not located in a master planned development subdivision shall have a minimum lot width at the building setback line consistent with Table 5-2 (YMC Chapter 15.05).