

## Housing Action Plan Implementation and Zoning Updates

### Complete Track Changes Summary

May 3, 2022

#### 15.02.020 Definitions.

“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.

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

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

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

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

#### 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	CB	RD	M-1	M-2
<b>RESIDENTIAL</b>															
Accessory Uses (*)	See YMC <u>15.04.060</u>														
Detached Single-Family Dwelling (*)	1	1	1	1	3	3	1	3	3		3		3		

Table 4-1. Permitted Land Uses

	SR	R-1	R-2	R-3	B-1	B-2	HB	SCC	LCC	AS	GC	CB	RD	M-1	M-2
Accessory Dwelling Unit (*) (See YMC 15.09.045)	2	2	1	1	1	1	1	1	1		1		1	1	
Existing or New Detached Single-Family Dwelling on Existing Lots of 8,000 Square Feet or Less											1		1	1	
Detached Single-Family Dwelling (zero lot line) (*) (See YMC 15.09.040)	2	2	2	2	3	3	1	3	3		3		3		
Attached Single-Family Dwelling, Common Wall (*)	2	2	1	1	3	3	1	2	2		2		2		
Two-Family Dwelling (Duplex) (*)	3	2	1	1	2	2	1	2	2		1		2		
Two-Family Dwelling (Duplex) (*) on Corner Lots in a New Subdivision	1	1													
Converted Dwelling (*)	3	2	1	1	1	1	1	2	2		1	1			
Cottage Housing (*) (See YMC 15.09.035)		2	1	1	1	1		2	2		2		2		
Multifamily Development (*): 0—7 DU/NRA		2	1	1	2	2		2	2		2	2	2		
8—12 DU/NRA			2	1	2	2		2	2		2	2	2		
13+ DU/NRA			2	1	2	2		2	2		2	2	2		
Mixed-Use Building					1	1		1	1		1	1	1		
Planned Development (*)	See YMC 15.28														
Mobile Home Communities/Parks (*)	2			2							2				
Tiny House Communities (*)			2	1	2	2		2	2		2				
Mobile Home (*) or Manufactured Homes (*)	See YMC 15.04.160														
Retirement Homes (*)	2		3	1	3						1	1			
Temporary Hardship Units (See YMC 15.04.140)	2	2	2	2	2	2		2	2		2	2		2	

## 15.04.060 Accessory uses.

### 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 B-1, B-2, SCC, LCC, AS, GC, RD, M-1 and M-2 zoning districts. Accessory cargo containers and/or semi-truck trailers shall be processed under the provisions of YMC Ch. 15.17 – Modifications to existing or approved uses or development, subject to the following conditions:
  - a. ~~Provided, a~~All refrigerated cargo containers and/or semi-truck trailers that are not located within a designated loading dock or loading bay shall be located no less than fifty feet from any existing residential zoning district.

b. Placement of cargo containers and/or semi-truck trailers shall not adversely affect maximum lot coverage, landscaping requirements, or required on-site parking spaces.

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

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

B. Site Plan Requirements. All proposals for mobile/manufactured home and tiny house ~~park~~communities shall include a site plan based upon a land survey drawn by a licensed architect, engineer or surveyor and shall include the following information in addition to the standard information required for site plans:

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

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

1. Minimum Space Size and Width. The minimum space size and width for a mobile/manufactured home ~~park~~, tiny house/tiny house on wheels, or recreational vehicle, exclusive of streets, shall ~~meet the lot size, lot width and all~~ be the minimum size necessary to ensure compliance with applicable unit separation, off-street parking requirements, and play

~~area standards, other standards for detached single family dwellings, as shown on Table 5-2 of this title. Space size may be reduced with the provision of improvements in accordance with the following:~~

~~a.— Provision of Recreational Areas. Space size requirements of the underlying district may be reduced by a maximum of ten percent with the provision of a developed recreational area for use by the residents. The area shall be suitable for active recreation and shall consist of a minimum of ten percent of the park area.~~

~~b.— Provision of Sidewalks. Space size requirements of the underlying district may be reduced by a maximum of ten percent with the provision of sidewalks a minimum of four feet in width, serving at least one side of each street and all recreational areas.~~

~~c.— Provision of Curbs, Gutters and Sidewalks. Space size requirements of the underlying district may be reduced by a maximum of ten percent with the provision of curbs, gutters and sidewalks on both sides of the street.~~

~~d.— Cumulative Space Size Reduction. Space size may be reduced up to twenty percent with the provision of any combination of items in subsections (C)(1)(a) through (c) of this section.~~

2. Internal Street Paving. A minimum of twenty-four feet of paved internal street shall be required for access to each unit, paved in accordance with YMC 15.06.110.

3. Off-Street Parking. ~~Two paved off street parking spaces shall be provided for each unit in accordance with this title, YMC Chapter 15.06.~~

4. Street Lighting. A street light shall be provided at each street intersection within the community park.

5. Right-of-Way Dedication and Frontage Improvements. Appropriate provisions for right-of-way dedication and right-of-way improvements adjacent to the park shall be made, including street paving, sidewalks, curbs, gutters, and street lighting. Improvements shall be installed prior to placement of units in the park, unless an appropriate bond or instrument acceptable to the appropriate jurisdiction is provided to guarantee installation of improvements.

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

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

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

9. ~~Sitescreening shall be provided in accordance with YMC Ch. 15.07 Perimeter Sitescreening and Landscaping. The perimeter of a park shall be sitescreened with a six-foot-high, view-obscuring fence and shall include at a minimum a ten-foot wide landscape strip adjacent to the fence and within the park consisting of a combination of shrubs, trees and groundcover.~~

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

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

12. ~~Play Area~~Open Space Requirement. Each unit shall provide an area of open space ~~play area for children~~ contained within the unit's space, consisting of a minimum size of ~~six-four~~ hundred square feet and a minimum width of tenfifteen feet.

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

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

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

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

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

## **15.05.020 Site design requirements and standards.**

E. Setbacks for Residential Accessory Structures.

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

2. Residential Accessory Structures Not Requiring a Building Permit. The minimum setback for a residential accessory structure in a residential district shall be at least five feet from ~~all side and rear property lines, existing structures,~~ zero feet from the side and rear property lines, and up to, but not within, the required front yard setback; provided, that the accessory structure shall not encroach on an easement.

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

1. Setbacks.

a. Front yard: The swimming pool, apron, and pump house meet the required front yard setback in Table 5-1.

b. Side and rear yard: The swimming pool and pump house are set back at least three feet from the property line. The swimming pool apron may extend up to the property line.

c. From an easement: The swimming pool, apron, and pump house may extend up to, but shall not encroach upon, an easement.

2. ~~Fencing~~Security. The area around the pool ~~is~~ shall be enclosed by a protective fence not less than four feet in height, or by another prescriptive measure as permitted by the Washington State Residential Code.

### **15.05.030 Creation of new lots—Subdivision requirements.**

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

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

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

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

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

Any fraction of a dwelling unit shall be rounded up to the next whole number if one-half or over or down to the next whole number if less than one-half. Once approved under the provisions of this title, no subdivision, resubdivision, or short subdivision shall be further modified or divided in a manner that will raise the density of the subdivision beyond the maximum number of dwelling units permitted per net residential acre by Table 5-2; provided, that development exceeding the maximum number of dwelling units per net residential acre may be allowed in the R-1 and R-2 districts as a Class (3) use in accordance with Table 4-1. ~~This higher density development shall be allowed only on those limited occasions when, after Class (3) review, the hearing examiner finds that the location and site plan of the project is such that the higher density would be compatible with neighboring land uses and the level of public services, and is consistent with the goals and objectives of the Yakima urban area comprehensive plan.~~

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

1. The lots created meet the lot size and lot width requirements established in Table 5-2;
2. The existing structures meet the building area and setback requirements in Table 5-1; and
3. The new density is consistent with the district intent statement and YMC Table 4-1.~~No new dwelling units are built.~~

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

1. In residential districts, this standard is intended to maintain the residential character of the area and will vary by dwelling type, the suitability of the land for development, and the type of water and sewer system. The following are the minimum lot size requirements in the residential districts, except when the Yakima health district determines that a larger area is necessary for the safe installation of approved water supply and sewage disposal systems:
2. The smaller lot size for zero lot line, attached, and multifamily dwellings does not permit an increase in the maximum number of dwelling units per net residential acre established in subsection B of this section. Any lots created for zero lot line, attached, and multifamily dwellings shall be so designated on the face of the plat or short plat.
3. In the local business district, the minimum lot size is intended to maintain the character of the district and provide adequate space for off-street parking and landscaping.
4. The minimum lot sizes in the small and large convenience center districts and industrial districts are intended to accommodate the large uses permitted in these districts and maintain vacant land in relatively large parcels that can be easily assembled when development is proposed.

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

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

Table 5-1. Design Requirements and Standards

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

NOTES:

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

Table 5-2. Subdivision Requirements

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

### **15.05.055 New development improvement standards.**

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

1. Fire apparatus access roads for multiple-family residential developments and one- or two-family residential developments shall be subject to the provisions of Sections D106 and D107, respectively, of Appendix D of the International Fire Code ~~(2015 Edition)~~. Additionally, such residential developments shall be subject to the requirements of Section D105 of Appendix D, International Fire Code ~~(2015 Edition)~~, pertaining to aerial fire apparatus roads, as applicable. All provisions of the International Fire Code referenced above are hereby adopted and incorporated herein by this reference, as now existing or as hereafter amended and adopted by the city. Minimum requirements for the primary and secondary access will be at least twenty feet wide, unobstructed, paved lanes.
2. In order to promote safety for emergency access and circulation within and between new developments, cul-de-sac streets (public or private) shall not exceed 600 feet.

### **~~15.05.060 Administrative adjustment of certain basic development standards allowed.~~**

~~Administrative adjustment of some of the basic development standards in this chapter are authorized under the zero lot line provisions of YMC Chapters 15.09 and 15.10. Except as allowed by those provisions, no reduction of these standards is permitted except pursuant to YMC Chapter 15.21.~~

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

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

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

C. Downtown Business District Exempt. The downtown business district of Yakima, as shown in Figure 6-1 and hereby adopted as a part of this chapter, shall be exempt from the provisions of this chapter as they relate to the number of parking spaces required, except that this exemption shall not

apply to property that is used for residential purposes; and further provided, that all the other requirements of this chapter shall apply to any parking provided by the applicant.

D. Subsidized Low-Income Housing Parking.

1. At the time of land use application submittal, the applicant must submit documentation demonstrating that the housing units will be used for the intended population for a minimum of ten years. Such documentation may include, but is not limited to, an application form submitted to receive subsidy from the city or state.
- 4.2. Upon a change in occupancy from subsidized housing to another use, the minimum number of required off street parking spaces is as required for the new use.

RESIDENTIAL	
Accessory dwelling units	1 space
Single-family dwelling, <u>Manufactured Home, Mobile Home</u>	2 spaces
Two-family dwellings	4 spaces
<u>Tiny House, Tiny House with Wheels, Recreational Vehicle</u>	<u>1 space</u>
Multifamily development	
<del>40 units or less</del> <u>Less than 10</u>	2 spaces (1.5 in CBD) per dwelling
<del>More than 40 units</del> <u>10 or more units</u>	1.5 spaces (1 in CBD) per dwelling
Retirement homes	1 space for each dwelling unit
<u>Subsidized Low-Income Housing (see YMC § 15.06.040(D))</u>	<u>0.5 spaces per dwelling</u>

**15.09.035 Cottage Housing.**

A. Purpose and Intent.

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

6. To ensure minimal visual impact from vehicular use and storage areas for residents of the cottage housing development as well as adjacent properties, and to maintain a single-family character along public streets.

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

1. Unit Size

- a. Minimum Unit Size: 600 square feet
- b. Maximum Unit Size: 1,500 square feet

2. Maximum Accessory Building footprint for community use: 600 square feet

3. Parking:

- a. Units greater than 1,000 square- feet: 1.5 spaces per unit
- b. Units less than 1,000 square- feet: 1 space per unit

4. Common Open Space: Minimum 400 square- feet per dwelling

- a. Shall be designed and maintained as an amenity for residents of the development.
- b. Up to 30 percent of the required common open space may be utilized through a community building built for the use of the cottage housing residents.

5. Private Open Space: Minimum 200 square- feet per dwelling

6. Development Size: Minimum 10,000 square- feet

a. Subdivision Standards. If the proposed development will be subdivided, the following standards shall apply:

i. Minimum lot size shall be equivalent to the dwelling unit size and private open space requirement.

1. For example, the minimum lot size of a 1,200--square-foot dwelling will be 1,400 square feet (1,200-square-foot dwelling + 200--square-foot private open space = 1,400 square- feet).

ii. All common areas (common open space, community buildings, parking, etc.) shall be contained in a tract and include a homeowner's association or other such management structure for the continued maintenance and upkeep of common facilities.

7. Maximum Height: 25 feet

8. Maximum Lot Coverage: 80 percent for the entire development site. Lot coverage for individual lots may vary if subdivided.

9. Minimum Unit Separation: 10 feet

10. Setbacks from exterior property lines:

- a. Front: 20 feet
- b. Side: 5 feet
- c. Rear 10 feet

11. Clustered developments shall contain a minimum of three and a maximum of 12 cottage housing units located in a cluster group to encourage a sense of community among residents. A development site can contain more than one group.

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

1. Common Open Space

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

2. Private Open Space

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

3. Community Buildings

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

4. Parking

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

## 15.09.045 Accessory dwelling units.

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

1. Provide property owners with an opportunity for extra income, companionship, and security;
2. Better utilize existing infrastructure and community resources (sewer, water, roads, etc.);
3. Provide a housing type that allows flexibility to respond to changing needs and lifestyles;
4. Add to the supply of affordable dwelling units; and
5. Protect neighborhood character and stability by ensuring that ADUs are compatible with surrounding land uses.

B. Requirements. An accessory dwelling unit is a permitted use on all parcels containing a single-family dwelling (See YMC 15.04.030, Table 4-1, for level of review) subject to all of the following conditions:

1. The accessory dwelling unit may be attached to the primary residence or attached to or above a detached garage, or be its own stand-alone structure.
2. Off-street parking shall be provided as required in YMC Chapter 15.06 for both the ADU and the primary residence located on the lot they are intended to serve.
3. The ADU's floor area shall not exceed one thousand square feet.
4. The ADU's exterior walls shall be designed so as to be similar in style, color, and building materials to the primary detached dwelling.
5. An ADU attached to the primary structure shall have the same building setbacks as the primary structure. An ADU that is attached to, or built above, a detached garage or a stand-alone structure shall have the same building setbacks as an accessory structure.
6. A parcel/lot shall contain no more than one single-family residence and one ADU.
7. ADUs shall not be allowed on parcels containing a duplex or multifamily dwelling, or a commercial or industrial structure/use.

~~8. 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.~~

9. The primary residence and the ADU shall both be connected to public sewer and water if available (within 200-feet).

- a. If the ADU is attached to the primary dwelling unit, the two dwelling units shall share a single sewer and water connection.
- b. If the ADU is attached to, or located above, a detached garage, or is a stand-alone structure, each unit may have its own sewer and water connection, with required meters,

or share the sewer and water connection with the primary dwelling unit consistent with applicable code(s).

c. If public sewer and/or public water are not available at the site, the applicant shall provide documentation from the Yakima Health District certifying that the onsite septic and/or onsite well are adequate to provide service for both the existing single-family residence and the ADU.

10. 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.

~~11. The site plan for the construction or conversion of an ADU shall indicate the ADU.~~

~~12~~11. Any exterior stairs shall be placed in the rear or side yard.

~~13~~12. 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~~13. 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 an approved accessory use or remove the structure from the premises.

### **15.10.020 Administrative adjustment of some development standards authorized.**

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

A. Allow buildings to be sited in a manner which maximizes solar access;

~~B. Allow zero lot line development or common wall construction in conformance with the provisions~~

~~C-B.~~ \_\_\_\_\_ Coordinate development with adjacent land uses and the physical features of this Title;

~~D.C.~~ Permit flexibility in the design and placement of structures and other site improvements that is the minimum adjustment necessary to accommodate the proposed structure or site improvement;

~~E.D.~~ Allow development consistent with a specific subarea plan adopted by the appropriate jurisdiction.

Administrative adjustments of development standards shall be processed under Type (2) review for Class (1) and (2) uses~~the provisions for modifications for all Class (1) and Class (2) uses which shall meet the provisions of YMC 15.17.020~~, and under Type (3) review for Class (3) uses.

The administrative official shall not have the authority to reduce the site design requirements for minimum lot size, building height, or subdivision requirements set forth in YMC 15.05.030 and Table 5-2, or YMC 15.05.060; except as provided below:

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

a. Does not exceed more than a 10% increase of the total building height;

and,

b. Does not cover more than 50% of the total roof area.

## Chapter 14.35 BINDING SITE PLANS

### 14.35.010 Purpose.

The purpose of this chapter is to provide a process for the division of land for the purpose of sale, lease, or transfer of commercial or industrial lots, and mobile homes, tiny houses/tiny houses wheels or travel trailers as an alternative to the subdivision process.

### 14.35.020 Authority.

~~RCW 58.17.035, and 58.17.040(4), and 58.17.040(5)~~ provide for a binding site plan process as an alternate method of dividing land for:

a) C-commercial or industrial land; or

a)b) Mobile homes, tiny houses/tiny houses with wheels, or travel trailers.-

### 14.35.030 Applicability.

This chapter shall apply solely for the sale, lease, or transfer of lots ~~zoned small convenience center (SCC); large convenience center (LCC); airport support (AS); central business district (CBD); general commercial (GC); regional development (RD); light industrial (M-1); and heavy industrial (M-2) under the Yakima urban area zoning ordinance, Title 15 YMC~~ in all zoning districts. Land use development within binding site plans is governed by YMC ~~15.04~~Title 15, RCW 58.17.035, and RCW 58.17.040(4) and (5).