



REQUIRED APPLICATION MATERIALS

Nonconforming Use/Structure

Updated 3/10/2025

Yakima County Public Services

128 North Second Street · Fourth Floor Courthouse · Yakima, Washington 98901
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PLEASE ATTACH THE FOLLOWING TO THE FORM:

- All applicable project permit forms fully filled out. If a question does not apply, please indicate with NA.
- A General Application form fully filled out and signed by the property owner(s) of all lots involved (YCC 16B.04.020(1)(a)).
 - a. For properties owned by a charity or corporation, submitting the Washington Secretary of State registered agent information is required;
 - b. If you are signing the application as the power of attorney, executor of a will, or similar, a copy of the legal documentation assigning such authority is required; and,
 - c. If the application is associated with a school district, fire district, or similar, it must be signed by a board member, commissioner, elected executive, or additional legal documentation indicating another person has signing authority for the entity.
- A site plan meeting all the requirements of YCC 19.30.070.
- A narrative addressing the requirements under YCC 19.30.060(10)(a)(i-iv).
 - a. If applying for an administrative adjustment the written narrative must also address the requirements within YCC 19.35.020.
 - Sitescreening and landscaping adjustment criteria are stated within YCC 19.35.020(8)
 - Sign adjustment criteria are stated within YCC 19.35.020(7)
 - ESLU adjustment criteria are stated within YCC 19.35.020(6)(b)
 - All other adjustment criteria are stated within YCC 19.35.020(5)
 - b. If applying for a variance the written narrative must address **all variance criteria** within YCC 19.35.060(2), and YCC 19.35.060(3).
- The following must be submitted to establish the legal nonconforming status of the use and/or structure:
 - a. For **legal nonconforming structures**, submit development permits, historical photos, and affidavits from persons knowledgeable of the historic configuration of the structure.
 - b. For **legal nonconforming uses**, acceptable documentation may consist of, but is not limited to, such items as:
 - Dated business receipts showing types of service or goods provided;
 - Statements or records from utilities, such as power, water or gas, that indicate the date and type of use and demonstrate that the use was conducted over time;
 - Operating licenses issued by government agencies;
 - Property rental invoices or receipts;
 - Income tax records;
 - Dated listings in telephone, business or Polk directories;
 - Records of the County Assessor;
 - Building, land-use or development permits;
 - Dated photographs, newspaper clippings and other relevant documentation; or
 - Notarized affidavits from neighbors or people who have observed the nonconforming use over the required period of time may assist in substantiating its presence.

- If applying for a nonconforming structure restoration/repair, the information under YCC 19.33.030(2) must be provided to reasonably assure the Reviewing Official that a requested restoration/repair complies with the Yakima County Code. Acceptable documentation may include:
 - a. A basic site plan containing the information defined in Section [19.01.070](#) showing the actual dimensions of the nonconforming structure, including height, and its exact placement on the lot prior to being damaged; and
 - b. A written narrative describing the use or uses that existed immediately prior to damage; and
 - c. An affidavit or certificate from an insurance company or other entity with knowledge of the situation that the narrative and site plan accurately represents the nonconforming structure and its use or uses as they were immediately prior to damage or destruction (YCC 19.33.050(2)(b)(i-iii)).
- All documents, detailed project development schedules, or special studies as required in the written summary provided by Yakima County after an Early Assistance Conference and/or environmental site visit (YCC 19.30.060(4)(d)).
- All applicable documents required under YCC 19.18 for the proposed land-use(s).
- If a sign is being proposed, the sign supplemental form must be completed and a mock-up of the sign submitted (YCC 19.20).
- Documentation of the legal water right for the proposed use (YCC 12.08.050).
- If applicable, a completed State Environmental Policy Act (SEPA) checklist (YCC 16B.04.020(1)(f)).
- Documentation from the Water Resources Division indicating if a storm water site plan is required, and if required, the storm water site plan (YCC 19.30.060(7)).
- Special studies, such as soil or geological analyses, as determined necessary by the Administrative Official to address specific site constraints prior to the application submittal (YCC 19.30.060(4)(e)).
- Payment for all required Planning Division and additional fees (YCC 16B.04.020(1)(e) and YCC Title 20). These fees do not include Hearing Examiner fees, final review fees, recording fees, and other potential fees for permits required upon review of the application.