

ORDINANCE NO. 884

AN ORDINANCE OF THE CITY OF CHEWELAH ADOPTING A ZONING MAP AND RELATED TEXT AMENDMENTS CONSISTENT WITH THE ADOPTED COMPREHENSIVE PLAN AND DEVELOPED CONSISTENT WITH THE CITY'S PUBLIC PARTICIPATION POLICY AND STATE LAW

WHEREAS, under the Washington State Growth Management Act (GMA), set forth in the Revised Code of Washington Chapter 36.70A, the City of Chewelah is required to develop Development Regulations consistent with the adopted Comprehensive Plan and the goals and other requirements of the GMA, and

WHEREAS, section 36.70A.130 of the GMA requires periodic review and, if necessary, revision of the Development Regulations; and

WHEREAS, section 36.70A.030 of the GMA defines Development Regulations to include zoning ordinances; and

WHEREAS, timely adoption of the Zoning Map and related zoning text will support applications for Public Works Trust Fund loans, state ROC grants, and other capital funding sources; and

WHEREAS, the City of Chewelah staff and Planning Commission began work on updating the Zoning Map and related text in February 2014, and

WHEREAS, the City of Chewelah released drafts of the Zoning Map and related text for public review in December 2014, and

WHEREAS, the City of Chewelah encouraged public review and comment of the draft Zoning Map and related text, including holding multiple open Planning Commission meetings; and

WHEREAS, the City of Chewelah submitted the draft Zoning Map and related zoning text to the Washington State Department of Commerce (Commerce) and other agencies as identified and required by Commerce on December 1, 2014; and

WHEREAS, the City of Chewelah issued SEPA threshold determination of non-significance (DNS) for the draft Zoning Map and related zoning text on April 2, 2015; and

WHEREAS, the appeal period on the SEPA threshold determinations for the Comprehensive Plan update expired on April 16, 2015 and no appeals were filed; and

WHEREAS, the Chewelah Planning Commission held a duly noticed hearing on the draft Zoning Map and related zoning text on April 16, 2015; and

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WHEREAS, on April 16, 2015 the Chewelah Planning Commission recommended, after review and consideration of public comment and testimony, staff reports, and other relevant information, that the City Council of Chewelah adopt the draft Zoning Map and related text, and

WHEREAS, the City of Chewelah City Council held a duly noticed public hearing on the draft Zoning Map and related zoning text on May 6, 2015.

NOW, THEREFORE, THE CITY COUNCIL OF CHEWELAH HEREBY ORDAINS as follows:

Section 1: The City of Chewelah has completed all requirements pertaining to updating its Zoning Map and related zoning text under RCW 36.70A.130, accepts the findings of the Chewelah Planning Commission and hereby adopts the proposed Zoning Map and related zoning text as shown in EXHIBIT A.

Section 2: This ordinance shall become effective five days after passage and publication as provided by law.



Mayor Dorothy L. Knauss

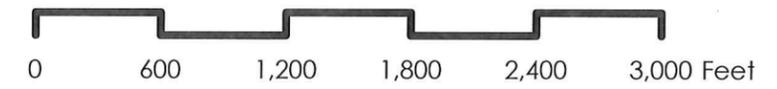


ATTEST: Clerk/Treasurer Pamela McCart

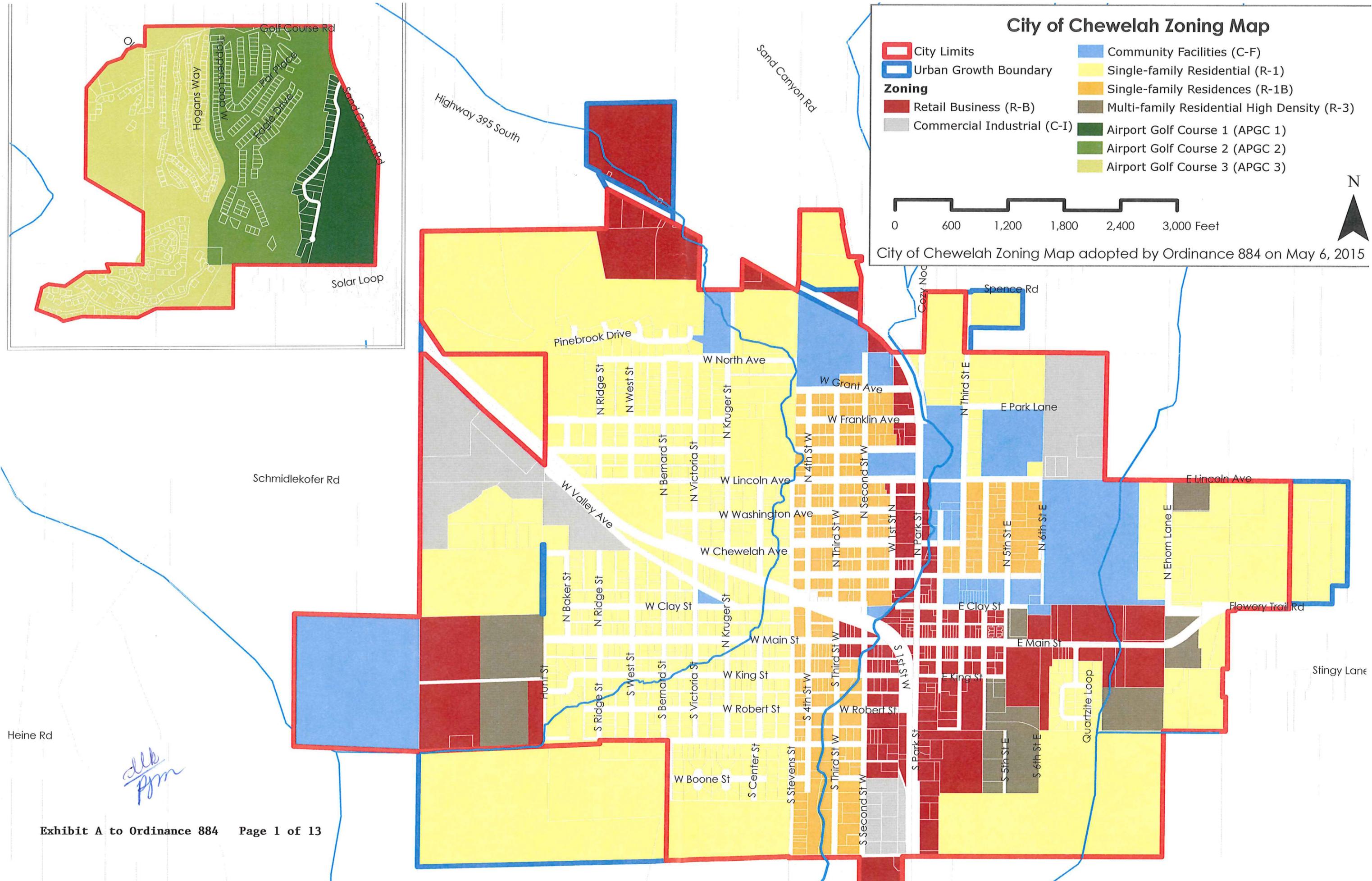
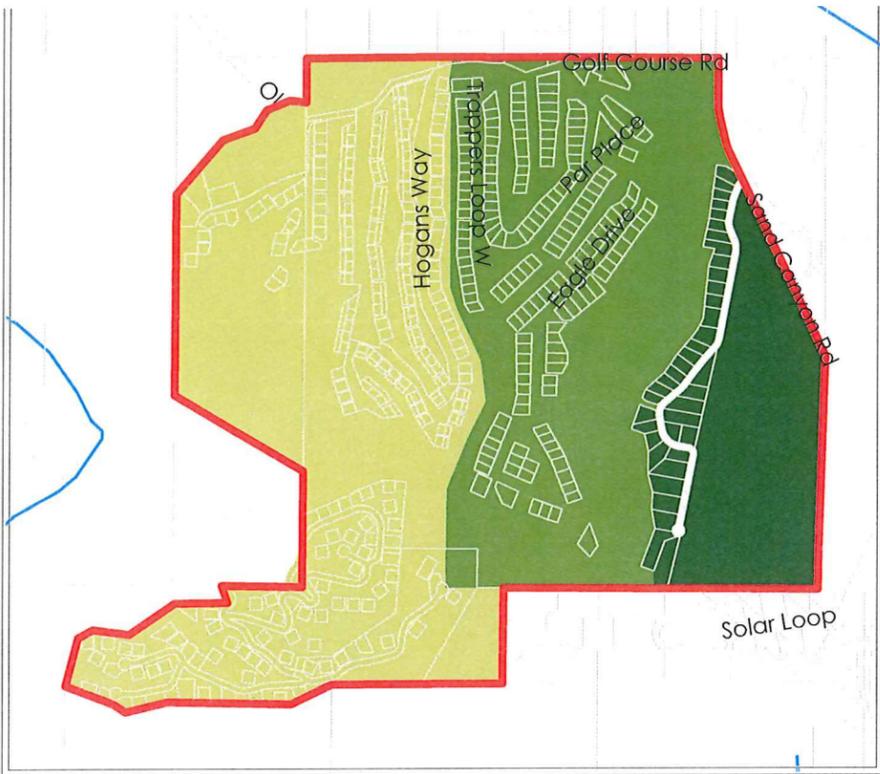
Introduced: May 6, 2015
Adopted: May 6, 2015
Published: May 14, 2015

City of Chewelah Zoning Map

- City Limits
- Urban Growth Boundary
- Zoning**
- Retail Business (R-B)
- Commercial Industrial (C-I)
- Community Facilities (C-F)
- Single-family Residential (R-1)
- Single-family Residences (R-1B)
- Multi-family Residential High Density (R-3)
- Airport Golf Course 1 (APGC 1)
- Airport Golf Course 2 (APGC 2)
- Airport Golf Course 3 (APGC 3)



City of Chewelah Zoning Map adopted by Ordinance 884 on May 6, 2015



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Proposed Associated Text Amendments

Chapter 18.08 - ZONES

Sections:

18.08.010 - Text and official map.

A. The city is divided into zones as shown on the official zoning map, which, together with all notes on the map, is adopted by reference and declared to be part of this title. The zones shown on the map and described in this title are:

~~Low-density residential (L-R)~~

Single-family residential (R-1)

~~Single-family residences only (R-1A)~~

Single-family residences (R-1B)

~~Single-family residences site built (R-1H)~~

Floodplain management overlay (FM)

~~Multi-family residential (R-2)~~

Multi-family residential high density (R-3)

Retail business (R-B)

Commercial industrial (C-I)

Critical resource area overlay (CRA)

Shoreline enhancement overlay (SE)

Downtown business district overlay (DBD)

B. If, in accordance with the provisions of this title and RCW 36.70, 36.70A and 36.70B, changes are made in zone boundaries or other matters portrayed on the official zoning map, such changes shall be made on the official zoning map promptly after the amendment has been approved by the city council. Once the map has been amended, the mayor shall verify the amendment and sign the official zoning map.

C. No changes of any nature shall be made in the original map or matters shown thereon except in conformity with the procedures set forth in this title.



18.08.020 - Use classifications.

A. Table 18.08.020 provides examples of permitted, conditionally permitted, and expressly prohibited uses in the various base zones. Permitted uses are allowed as a matter of right. Because of considerations of traffic, noise, lighting, hazards, health and environmental issues, certain uses may be permitted subject to a conditional use permit. Expressly prohibited uses are those that are not clearly allowed in the zone. For purposes of this section the following apply:

1. "P" indicates a permitted use.
2. "C" indicates a use that requires a conditional use permit.
3. "X" indicates expressly prohibited uses.

B. Uses allowed in the overlay zones are addressed in the applicable sections.

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Table 18.08.020 Permitted, Conditionally Permitted and Prohibited Uses by Base Zone

P = Permitted	C = Conditionally permitted	X = Expressly prohibited
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Uses may be affected if property is also an overlay district (see applicable overlay section)

Table of Permitted, Conditionally Permitted, and Prohibited Uses

	L-R	R-1	R-1A	R-1B	R-1H	R-2	R-3	R-B	C-I	APC G	CF
Golf course	€	C	€	C	€	€	C	X	X	P	C
Keeping of livestock	P	P	P	P	P	P	P	P	P	P	P
Recreational camps	€	X	X	X	X	X	X	X	X	C	X
Temporary stands for sale of agricultural products	X	X	X	X	X	X	X	C	C	C	X
Single-family dwelling (including designated manufactured homes)	P	P	X	XP	X	P	P	X	P(5)	P	X
Single-family dwelling (mobile and designated manufactured homes prohibited)	X	X	P	P	P	€	X	X	P(5)	€	X
Detached second unit	X	P	X	X	X	P	P	X	X	C	X
Duplex	X	P	X	X	X	P	P	P	P(5)	C	X
Multi-family, fewer than 5 units	X	X	X	X	X	P	P	P	P(5)	€	X
Multi-family, 53 units or more	X	X	X	X	X	€(6)	P	P	P(5)	C	C
Renting rooms	X	P(4)	€	C	X	P(2)	P(4)	P(4)	X	P(4)	X

	L-R	R-1	R-1A	R-1B	R-1H	R-2	R-3	R-B	C-I	APC	CF
Housing for people with functional disabilities	€	€P	€	€P	€	€	XC	X	X	X	C
Parks, playgrounds, golf course	P	P	P	P	P	P	P	X	X	P	P
Public/private utilities	P	C	X	C	€	€	C	C	C	C	C
Commercial nurseries and greenhouses	P	X	X	X	X	X	X	P(8)	P(8)	X	X
Domestic pets	P	P	P	P	P	P	P	P	P	P	P
Gardening or fruit raising (1)	P	P	P	P	P	P	P	P	X	P	P
Home occupation	P	P	P	P	P	P	P	P	X	P	P
Accessory uses and structures	P	P	P	P	P	P	P	P	P	P	P
Schools	€	C(3)	€(3)	C(3)	€	€	C	C	X	C	C
Churches and charitable institutions	€	C	€	C	€	€	C	C	X	C	C
Hospital and nursing homes	€	C	X	X	X	€	C	C	X	C	C
Child day care center	€	C	€	C	€	€	C	P	X	C	C
Adult family home	P	P	P	P	P	P	P	C	X	P	P
Essential public service and utility buildings	P	C	€	C	€	€	C	P	P	C	P
Public garages	X	X	X	X	X	X	X	P	C	X	C
Telecommunication facilities	X	X	X	X	X	X	X	P	C	X	P
Temporary uses, including business, contractors, real estate offices	X	XC	€	C	X	€	C	P	P	C	C
Manufactured home park	€	XC(11)	X	C(11)	X	X	C	C	X	X	X
Recreational vehicle park	X	X	X	X	X	X	X	C	C	P	X
Medical and dental offices	€	X	€	X	€	X	X	P	P	X	C
Clinic, hospital and convalescent facilities	€	X	X	X	X	€	C	P	C	X	C
Amusement enterprises	€	X	X	X	X	X	X	P	P	X	X
Museum, art galleries	€	PC	€	C	€	P	P	C	P	P	P
Automotive showroom and supply store	€	X	X	X	X	X	X	P	P	X	X
Bakery, candy, ice cream and similar food manufacturing	€	X	X	X	X	X	X	P	P	X	X

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	L-R	R-1	R-1A	R-1B	R-1H	R-2	R-3	R-B	C-I	APC	CF
										G	
Car or boat sales (new or used)	€	X	X	X	X	X	X	P	P	X	X
Motorcycle or motor scooter sales and repair	€	X	X	X	X	X	X	P	P	X	X
Antique stores	€	X	X	X	X	X	X	P	P	X	X
Catering services	€	X	X	X	X	X	X	P	P	X	X
Department stores, building supply outlets, floor covering and rug stores	€	X	X	X	X	X	X	P	P	X	X
Dressmaking and custom tailoring	€	X	X	X	X	X	X	P	P	X	X
Dry good stores	€	X	X	X	X	X	X	P	P	X	X
Financial institutions	€	X	X	X	X	X	X	P	P	X	X
Furniture stores including incidental repair and custom furniture upholstery	€	X	X	X	X	X	X	P	P	X	X
Restaurants, including drive ins	€	X	X	X	X	X	X	P	P	X	X
Private clubs, fraternities and lodges	€	X	X	X	X	X	X	P	P	X	X
Liquor stores, taverns, night clubs	€	X	X	X	X	X	X	P	P	X	X
Places of assembly, including auditorium, funeral home, art gallery, etc.	€	X	X	X	X	X	X	P	P	X	C
Tire shops, excluding tire recapping	€	X	X	X	X	X	X	P	P	X	X
Armories	X	X	X	X	X	X	X	C	P	X	X
Theaters, excluding drive-ins	€	X	X	X	X	X	X	P	P	X	X
Professional and general offices	€	X	X	X	X	X	X	P	P	X	X
Business and trade schools	€	X	X	X	X	X	X	P	P	X	X
Studios, commercial art, photography, film exchange, preprocessing	€	X	X	X	X	X	X	P	P	X	X
Printing establishments	€	X	X	X	X	X	X	P	P	X	X
Wholesale and mail order (not stocking goods on premises)	€	X	X	X	X	X	X	P	C	X	X
Service station	€	X	X	X	X	X	X	P(9)	C	X	X

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	L-R	R-1	R-1A	R-1B	R-1H	R-2	R-3	R-B	C-I	APC	CF
										G	
Car wash	€	X	X	X	X	X	X	P(9)	C	X	X
Second hand store	€	X	X	X	X	X	X	P	P	X	X
Dry cleaning and laundry	€	X	X	X	X	X	X	P	P	X	X
Animal clinics	X	X	X	X	X	X	X	C	C	X	X
Mixed use (office, commercial and/or residential on a single parcel or in a single structure)	€	X	X	X	X	X	X	P	P	X	C
On site hazardous waste storage and treatment (7)	€	X	X	X	X	X	X	P	P	X	X
Off site hazardous waste storage and treatment	X	X	X	X	X	X	X	X	C	X	X
Other similar retail wholesale and Comm'l businesses	€	X	X	X	X	X	X	P	P	X	X
Hotel or motel	€	X	X	X	X	X	X	P	P	X	X
Manufacture, assembly, compounding, packaging or treatment of products, similar to scientific, business or industrial machinery or instrumentation, food products, clothes or recreational equipment	X	X	X	X	X	X	X	X	P	C	X
Research, experimental or testing laboratories	X	X	X	X	X	X	X	X	P	X	X
Mini storage facilities	X	X	X	X	X	X	X	X	P	C	X
Warehouses	X	X	X	X	X	X	X	X	P	X	X
Drop hammer or similar equipment	X	X	X	X	X	X	X	X	C(10)	X	X

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Notes:

- (1) Including sales of products, provided no retail stand, greenhouse, permanent sign or other commercial structure is erected.
- (2) Not more than two persons EXCEPT adult family homes which are allowed nor more than six persons.
- (3) Including specialty schools such as dance and music.

- (4) Not more than eight persons.
- (5) Occupied by a caretaker of the permitted use only.
- (6) Not exceeding eight units.
- (7) Accessory to a permitted activity generating hazardous waste, provided that the facility meets the state siting criteria adopted in RCW 70.105.210.
- (8) See Section 18.03.
- (9) Drop hammers in areas adjoining residential zones will be permitted provided muffling equipment is installed to minimize the noise effect of such equipment if such noise would unduly interfere with the residential property.
- (10) Subject to a Planned Development permit.
- ~~(10)~~(11) Subject to Site Plan review and CMC 19.12.090

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~~18.08.050 – Low density residential (L-R) zone.~~

~~A. Purpose and Intent. The purpose and intent of the L-R zone is to provide single-family low density residential areas. The intent of this zone is to permit residential development in areas where topography, soils, or drainage patterns make R-1 development infeasible or undesirable.~~

~~B. Uses. Table 18.08.020 describes uses, which are permitted and conditionally permitted in the L-R zone.~~

~~C. Development Standards.~~

~~1. Minimum lot size: fifteen thousand square feet.~~

~~2. Maximum lot coverage: forty percent.~~

~~3. Setback requirements:~~

~~a. Front yard: twenty five feet;~~

~~b. Rear yard: twenty five feet;~~

~~c. Side yard: twenty five feet.~~

~~d. Building height: two stories, thirty feet.~~

~~4. Accessory buildings: The exterior of all accessory buildings shall be compatible with that of the principal dwelling. In addition, the exterior shall be completed and finished within ninety days following issuance of a building permit for the building, or within ninety days of the beginning of construction of the building, whichever is earlier.~~

~~D. Other Applicable Regulations. In addition to the requirements contained in this section the requirements contained in Chapter 18.12 of this title, Supplementary Standards, shall also apply to development in the low-density residential zone.~~

~~E. Existing Industrial Uses. All industrial uses in existence and in use at the time of annexation shall be permitted to continue in existence and in use within the area previously used and projected by such industrial use. The industrial use in existence shall be classified by the council as the type of industrial use then in existence and future changes of such industrial use shall not be permitted to classify such industrial use to a lower classification; that is, light industrial uses shall not be permitted to become an industrial use normally designated and known as a heavy industrial use.~~

18.08.060 - Single-family residential (R-1) zone. *(Note: no changes are proposed for this section but it's included here as reference for the proposed zoning map)*

A. Purpose and Intent. The purpose and intent of the R-1 zone is to provide for the enhancement and protection of areas for single-family residences.

B. Uses. Table 18.08.020 describes uses, which are permitted and conditionally permitted in the R-1 zone.

C. Development Standards.

1. Minimum lot size: seven thousand two hundred square feet.

2. Minimum lot width: sixty feet.

3. Setback requirements:

a. The minimum setbacks for a principal building shall be:

i. Front yard: twenty feet;

ii. Rear yard: ten feet;

iii. Side yard: ten feet, except fifteen feet on a side yard adjacent to a street.

b. The minimum setbacks for an accessory building shall be:

i. Front yard: twenty feet;

ii. Rear yard: five feet, except fifteen feet when the accessory building is a garage taking access from the alley adjacent to the rear yard;

iii. Side yard: ten feet, except fifteen feet on a side yard adjacent to a street or alley.

4. Maximum building height: Two stories, not to exceed thirty feet, except schools, churches, and other uses which require a conditional use permit in which the height shall not exceed fifty feet.

5. Maximum lot coverage: thirty-five percent.

D. Other Applicable Regulations. In addition to the requirements contained in this section the requirements contained in [Chapter 18.12](#) of this title, Supplementary Standards, shall also apply to development in the single-family residential zone.

~~18.08.070 – Single-family residences only (R-1A) zone.~~

~~A. Purpose and Intent. The purpose and intent of the R-1A zone is to provide for a single-family residential area with no mobile, manufactured or designated manufactured homes and larger lots to promote larger homes.~~

~~B. Uses. Table 18.08.020 describes uses which are permitted and conditionally permitted in the R-1A zone.~~

~~C. Development Standards.~~

~~1. Minimum lot size: eight thousand five hundred square feet.~~

~~2. Minimum lot width: sixty feet.~~

~~3. Setback requirements:~~

~~a. The minimum setbacks for a principal building shall be:~~

~~i. Front yard: twenty feet;~~

~~ii. Rear yard: ten feet;~~

~~iii. Side yard: ten feet, except fifteen feet on a side yard adjacent to a street.~~

~~b. The minimum setbacks for an accessory building shall be:~~

~~i. Front yard: twenty feet;~~

~~ii. Rear yard: five feet;~~

~~iii. Side yard: ten feet, except fifteen feet on a side yard adjacent to a street.~~

~~4. Maximum building height: Two stories, not to exceed thirty feet, except schools, churches, and other uses which require a conditional use permit in which the height shall not exceed fifty feet.~~

~~5. Maximum lot coverage: thirty percent~~

~~D. Other Applicable Regulations. In addition to the requirements contained in this section the requirements contained in [Chapter 18.12](#) of this title, Supplementary Standards, shall also apply to development in the R1-A zone.~~

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18.08.080 - Single-family residences (R-1B) zone. (Note: no changes are proposed for this section but it's included here as reference for the proposed zoning map)

- A. Purpose and Intent. The purpose and intent of the R-1B zone is to provide for a single-family residence area with less restrictive standards. Designated manufactured homes are permitted.
- B. Uses. Table 18.08.020 describes uses, which are permitted and conditionally permitted in the R-1B zone.
- C. Development Standards.
 - 1. Minimum lot size: five thousand five hundred square feet.
 - 2. Minimum lot width: forty-six feet.
 - 3. Setback requirements:
 - a. The minimum setbacks for a principal building shall be:
 - i. Front yard: twenty feet;
 - ii. Rear yard: ten feet;
 - iii. Side yard: ten feet, except fifteen feet on a side yard adjacent to a street.
 - b. The minimum setbacks for an accessory building shall be:
 - i. Front yard: twenty feet;
 - ii. Rear yard: five feet;
 - iii. Side yard: ten feet, except fifteen feet on a side yard adjacent to a street.
 - 4. Maximum building height: Two stories, not to exceed thirty feet, except schools, churches, and other uses which require a conditional use permit in which the height shall not exceed fifty feet.
 - 5. Maximum lot coverage: forty-five percent.
- D. Other Applicable Regulations. In addition to the requirements contained in this section the requirements contained in [Chapter 18.12](#) of this title, Supplementary Standards, shall also apply to development in the R1-B zone.

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~~**18.08.090 - Single-family residences site built (R-1H) zone.**~~

~~A. Purpose and Intent. The purpose and intent of the R-1H zone is to provide a single family residential area similar to the R-1 zone but with only "stick built" homes conforming to a recognized historical architectural style.~~

~~B. Uses. Table 18.08.020 describes uses, which are permitted and conditionally permitted in the R-1 H-zone.~~

~~C. Development Standards.~~

- ~~1. Minimum lot size: seven thousand two hundred square feet.~~
- ~~2. Minimum lot width: sixty feet.~~
- ~~3. Setback requirements:~~
 - ~~a. The minimum setbacks for a principal building shall be:~~
 - ~~i. Front yard: twenty feet;~~
 - ~~ii. Rear yard: ten feet;~~
 - ~~iii. Side yard: ten feet, except fifteen feet on a side yard adjacent to a street.~~
 - ~~b. The minimum setbacks for an accessory building shall be:~~
 - ~~i. Front yard: twenty feet;~~
 - ~~ii. Rear yard: five feet;~~
 - ~~iii. Side yard: ten feet, except fifteen feet on a side yard adjacent to a street.~~
- ~~4. Maximum building height: Two stories, not to exceed thirty feet, except schools, churches, and other uses which require a conditional use permit in which the height shall not exceed fifty feet.~~
- ~~5. Maximum lot coverage: forty percent.~~

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~~D. Other Applicable Regulations. In addition to the requirements contained in this section the requirements contained in Chapter 18.12 of this title, Supplementary Standards, shall also apply to development in the R1-H zone.~~

18.08.100 – Multi-family residential (R-2) zone.

A. Purpose and Intent. The R-2 zone is intended primarily to accommodate small multi-family residences. It is also intended to provide for low density apartment developments, and to encourage development of lots on which single-family residences would be impractical because of physical constraints, such as topography and terrain.

B. Uses. Table 18.08.020 describes uses, which are permitted and conditionally permitted in the R-2 zone.

~~C. Development Standards.~~

- ~~1. Minimum lot size: seven thousand two hundred square feet.~~
- ~~2. Minimum lot width: sixty feet.~~
- ~~3. Setback requirements:~~
 - ~~a. The minimum setbacks for a principal building shall be:~~

- ~~i. Front yard: twenty feet;~~
- ~~ii. Rear yard: ten feet;~~
- ~~iii. Side yard: ten feet, except fifteen feet on a side yard adjacent to a street.~~
- ~~b. The minimum setbacks for an accessory building shall be:~~
 - ~~i. Front yard: twenty feet;~~
 - ~~ii. Rear yard: five feet;~~
 - ~~iii. Side yard: ten feet, except fifteen feet on a side yard adjacent to a street.~~

~~4. Maximum building height: Two stories, not to exceed thirty feet.~~

~~5. Maximum lot coverage: forty percent.~~

~~D. Other Applicable Regulations. In addition to the requirements contained in this section the requirements contained in Chapter 18.12 of this title, Supplementary Standards, shall also apply to development in the R-2 zone.~~

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18.08.110 - Multi-family residential high density (R-3) zone.

A. Purpose and Intent. The purpose and intent of the R-3 zone is to provide for a higher density multi-family residential area.

B. Uses. Table 18.08.020 describes uses, which are permitted and conditionally permitted in the R-3 zone.

C. Development Standards.

1. Minimum lot size ~~per dwelling unit: -seven thousand two hundred square feet~~ **three thousand six hundred square feet.**

2. Minimum lot width: sixty feet.

3. Setback requirements:

a. The minimum setbacks for a principal building shall be:

i. Front yard: twenty feet;

ii. Rear yard: ten feet;

iii. Side yard: ten feet, except fifteen feet on a side yard adjacent to a street.

b. The minimum setbacks for an accessory building shall be:

i. Front yard: twenty feet;

ii. Rear yard: five feet;

iii. Side yard: ten feet, except fifteen feet on a side yard adjacent to a street.

4. Maximum building height: Three stories, not to exceed thirty-five feet, except schools, churches, and other uses which require a conditional use permit in which the height shall not exceed fifty feet.

5. Maximum lot coverage: ~~forty~~ sixty percent.

D. Other Applicable Regulations. In addition to the requirements contained in this section the requirements contained in [Chapter 18.12](#) of this title, Supplementary Standards, shall also apply to development in the R-3 zone.

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