

CITY OF CHENEY, WASHINGTON

ORDINANCE NO. Y-12 (R-3 Multi-Family Zoning)

AN ORDINANCE AMENDING TITLE 21 ENTITLED "ZONING" OF THE CHENEY MUNICIPAL CODE AND PROVIDING FOR OTHER MATTERS RELATED THERETO

WHEREAS, to preserve the public health, safety, and general welfare, updates to the zoning title are needed to bring the code into compliance with the Comprehensive Plan, and overall growth of the community; and

WHEREAS, the amendment to CMC Title 21 will further the development of a better community with clearer definitions, clear illustrations, and cohesive development regulations that will encourage higher quality development.

NOW, THEREFORE, the City Council of the City of Cheney, Washington, do ordain as follows:

Chapter 21.24 – Multi-family Residential (R-3 & R-3H) Zone

Section 1. **Amendment.** Section 21.24.040 entitled “Density” is hereby amended to read as follows:

- B. *Exceptions.* The following exceptions are permitted to in regards to the density provisions contained in Table 21.24.040-1:
1. Nonresidential uses are exempted from the lot size and density requirements in this zone.
 2. Within a development of two or more lots, the minimum lot size may be averaged as long as no lot is smaller than 80 percent of the minimum required lot size of 5,000 square feet.

3. Legal lots of record (lots legally created) that do not meet the minimum lot size requirement may be developed with a single dwelling unit.
 4. Three (3) single bedroom or three (3) studio units may be permitted on a 5,000 square foot lot, to meet the minimum units for R-3 zones, still meeting all other applicable zoning requirements.
- C. Net densities are calculated by averaging lots sizes over an entire development. Individual lots may vary in size provided they do not exceed either the minimum or maximum lot area as identified in Table 21.24.040-1.

Section 3. Severability. If any section, sentence, clause or phrase of this ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 4. Effective Date. This ordinance shall become effective thirty (30) days after its passage, approval, and publication.

Introduced this _____ day of _____, 2021.

Passed by the City Council this _____ day of _____, 2021.

Approved by the Mayor this _____ day of _____, 2021.

Chris Grover, Mayor

ATTEST:

Cynthia L. Niemeier, City Clerk

APPROVED AS TO FORM:

Stanley M. Schwartz, City Attorney