

City of Cheney
609 Second Street
Cheney, Washington 99004

CITY OF CHENEY, WASHINGTON

ORDINANCE NO. Y-38 (Medical Clinics in Multi-Family Zones)

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, Section 21.24.030 of the Cheney Municipal Code establishes a zoning uses in the R-3 and R-3H zones; and

WHEREAS, In 2022, when CMC 21.24.030 was being amended to allow “medical centers,” staff inadvertently forgot to include “medical clinics” as a conditional use at the time; 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 – High Density Residential

Section 1. Amendment. Section 21.24.030 entitled “Permitted Uses” is hereby amended to read as follows:

B. *Use table.* A list of permitted, limited, conditional, and prohibited uses in the R-3 and R-3H Districts is presented in Table 21.24.030-1.

Table 21.24.030-1 Use Table		
Use	R-3	R-3H
Residential - CMC 21.12.030(A)		
Household Living	P ¹	P ¹
Group Living	P ¹	P ¹
Senior Housing	P	P
Transitional Housing	N	N
Home Occupation	L ²	L ²
Housing Types		
Single Dwelling, Attached	P	P
Single Dwelling, Detached	P ³	P ³
Accessory Dwelling Units	P ⁴	P ⁴
Accessory Structures	P	P
Duplexes	P ⁵	P ⁵
Townhouse	P	P
Multi-Dwelling Units	P	P
Manufactured Home	P ⁶	N
Civic (Institutional) - CMC 21.12.030(B)		

Basic Utilities	P	P
Colleges	N	N
City Buildings/Community Recreation	C	C
Cultural Institutions	C	C
Day Care		
-Child Care Center	P ⁷ /N	P ⁷ /N
-Adult Day Care	P	P
Emergency Services	N	N
Human Service Facilities	N	N
Medical Centers	C	C
Parks/Open Space		
-Neighborhood Parks	P	P
-Community Parks	P	P
-Regional Parks	P	P
-Trails	P	P
Postal Service	N	N
Religious Institutions	C	C
Schools	C	C
Social/Fraternal Clubs	N ⁸	N ⁸
Transportation Facility	C ⁹	C ⁹
Commercial - CMC 21.12.030(C)		
Commercial Lodging	N	N
Eating/Drinking Establishments	L ¹¹	L ¹¹
Entertainment-Oriented		
-Adult Entertainment	N	N
-Indoor Entertainment	N	N
-Outdoor/Major Event Entertainment	N	N
General Retail		

-Sales-Oriented	L ¹¹	L ¹¹
-Personal Services	L ¹¹	L ¹¹
-Repair-Oriented	N	N
-Bulk Sales	N	N
-Outdoor Sales	N	N
Motor Vehicle Related		
-Motor Vehicle Sales/Rental	N	N
-Motor Vehicle Servicing/Repair	N	N
-Vehicle Fuel Sales	N	N
-EV Basic Charging Stations (accessory)	L	L
-EV Rapid Charging Stations (commercial)	N	N
-EV Battery Exchange Stations	N	N
Office		
-General	N	N
-Medical	N <u>C</u>	N <u>C</u>
-Extended	N	N
Non-Accessory Parking	N	N
Self-Service Storage	N	N
Industrial - CMC 21.12.030(D)		
Industrial Services	N	N
Manufacturing and Production	N	N
Railroad Yards	N	N
Research and Development	N	N
Warehouse/Freight Movement	N	N
Wholesale Sales	N	N
Waste-Related	N	N
Other - CMC 21.12.030(E)		

Agriculture/Horticulture	P	N
Animal Kennel/Shelters	N	N
Animal Rendering Facility	N	N
Cemeteries	N	N
Detention and Post-Detention Facilities	N	N
Pet Day Care	N	N
Foundries	N	N
Mining (Commercial)	N	N
Rail Lines/Utility Corridors	P	P
Temporary Uses	L	L
Wireless Communication Facilities	L ¹⁰	L ¹⁰

¹ Residential care homes, state or federally approved, with six or fewer residents and any required on-site residential staff permitted by right; all larger group living uses prohibited.

² Subject to the provisions of CMC Chapter 21.59, Home Occupations.

³ Zero Lot lines are permitted, subject to the provisions of CMC Chapter 21.24.050(L), Development Standards.

⁴ Subject to the provisions of CMC Chapter 21.67, Accessory Dwelling Units.

⁵ Subject to the provisions of CMC 21.24.050(J), Duplexes.

⁶ Manufactured homes are permitted provided that they meet the requirements outlines in CMC 21.24.050(K).

⁷ ~~Family day~~ **Family Day** care homes for no more than 12 children are permitted as a limited use when licensed by the state. Child care centers (13 or more children) are not permitted.

⁸ Social fraternal clubs for non-overnight use.

⁹ Except bus shelters which are permitted by right.

¹⁰ Subject to provisions in CMC Chapter 21.50, Wireless Communication Facilities.

¹¹ Retail space must be on the first floor and adjacent to a public street. Retail space cannot exceed 1,000 square feet. Greater than 1,000 square feet requires a Developers Agreement.

Section 2. 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 3. Effective Date. This ordinance shall become effective thirty (30) days after its passage, approval, and publication.

Introduced this 14th day of February , 2023.

Passed by the City Council this _____ day of _____, 2023.

Approved by the Mayor this _____ day of _____, 2023.

Chris Grover, Mayor

ATTEST:

Cynthia L. Niemeier, City Clerk

APPROVED AS TO FORM:

Michael J. Kapaun, City Attorney