

City of Cheney
609 Second Street
Cheney, Washington 99004

CITY OF CHENEY, WASHINGTON

ORDINANCE NO. X-72

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 21.20 – Low Density Residential (R-1 & R-2) Zone

Section 1. **Amendment.** Section 21.20.040 entitled “Density” is hereby amended to read as follows:

- A. The maximum density of six dwelling units per acre in the R-1 zone and nine dwelling units per acre in the R-2 zone.
- B. *Maximum and minimum lot area* . The maximum and minimum lot area for the R-1 and R-2 Districts is contained in Table 21.20.040-1.

Table 21.20.040-1		
Minimum and Maximum Lot Area		
	R-1	R-2
Minimum Lot Area	5,000 sf	4,500 sf
Maximum Lot Area	911,000 sf ¹	710,000 sf ¹
¹ Cul-de-sac or corner lots be no larger than 200% of the maximum lot area for lot irregularities		

- C. *Maximum and minimum lot sizes* . The maximum and minimum lot sizes for the low-density residential districts are contained in Table 21.20.040-2.

Table 21.20.040-2		
Maximum Net Densities (For Newly Created Lots)		
	R-1	R-2
Maximum Net Density	1 unit per 7,000 sf	1 unit per 5,000 sf ¹
¹ Densities can be increased by one unit with duplexes on conforming lots.		

- D. *Exceptions* . The following exceptions are permitted to in regards to the density provisions for the R-2 zoning district contained in Table 21.20.040-1:
1. Nonresidential uses are exempted from the lot size and density requirements in this zone.
- E. 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 21.20.040-1.

Chapter 21.40 – Parking

Section 2. Amendment. Section 21.40.020 entitled “Minimum required parking” is hereby amended to read as follows:

The following off-street adjacent parking requirements are established for the following uses:

1. *Parking table* . Minimum required parking is presented in Table 21.40.020-1.

**Table 21.40.020-1
Minimum Off-Street Vehicle Parking Requirements**

Use	Minimum
Residential - CMC 21.12.030(A)	
Household Living	See Housing Types below
Group Living	1.0 space/7 residents served under age 12 1.0 space/2 resident served ages 12—17 1.0 space per resident served over 18
Senior Housing	0.5 spaces per bedroom
Transitional Housing	1.0 space per 3 beds
Home Occupation	None
Housing Types	
Single Dwelling, Attached	2.0 space per dwelling unit
Single Dwelling, Detached	2.0 space per dwelling unit
Accessory Dwelling Units	1.0 space per dwelling unit
Duplexes	1.0 space per bedroom
<u>Duplexes (located in the Senior Housing Overlay Zone)</u>	<u>2.0 space per dwelling unit</u>
Multi-Dwelling Units	1.0 space for a 1-bedroom unit/studio/den 2.0 spaces for a 2-bedroom unit 3.0 spaces for a 3-bedroom unit 4.0 spaces for a 4-bedroom unit
Live/work Unit	2.0 space per dwelling unit
Manufactured Home	2.0 space per dwelling unit
Civic (Institutional) - CMC 21.12.030(B)	
Basic Utilities	None
Community Recreation	1.0 space per 400 sq ft.
Cultural Institutions	1.0 space per 500 sq ft.

Day Care	
-Child Care Center	Family Day Care Home: none Institutional: 1.0/employee + 1.0/12 children served
-Adult Day Care	Family Day Care Home: none Institutional: 1.0/employee + 1.0/12 children served
Emergency Services	1.0 space per 300 sq ft.
Human Service Facilities	Refer to specific use type
Medical Centers	1.0/4 beds (hospital, residential care center); 1.0/2 beds for patients or residents (convalescent hospital, nursing home, congregate care facility)
Parks/Open Space	
-Neighborhood Parks	Parks Department to Determine
-Community Parks	Parks Department to Determine
-Regional Parks	Parks Department to Determine
-Trails	Parks Department to Determine
Postal Service	1.0 space per 300 sq ft.
Religious Institutions	1.0/6 seats or 12' of bench in main assembly area
Schools	
-Preschool	1.5 spaces per classroom
-Elementary/Middle School	1.0 space/4 seats or 8 feet of bench length in auditorium or assembly room, whichever is greater
-High School	0.5 space/employee, plus 1 space/4seats or 8 feet of bench length in auditorium, whichever is greater.
-College	RH - 1.0 space per 3 beds P - 1.0 space per 6 classroom seats on a three year rolling avg. student enrollment
Social/Fraternal Clubs	1.0 space per 500 sq ft
Commercial - CMC 21.12.030(C)	
Commercial Lodging	1.0 space per lodging unit
Eating/Drinking Establishments	1.0 space per 250 sq ft
Entertainment-Oriented	

-Adult Entertainment	Refer to specific use, i.e., theater, book or video store.
-Indoor Entertainment	1.0 space per 400 sq ft 2.0 spaces per bowling lane
-Major Event Entertainment	1.0 space/6 seats or 12' bench
General Retail	
-Sales-Oriented	1.0 space per 300 sq ft
-Personal Services	1.0 space per 400 sq ft
-Repair-Oriented	1.0 space per 400 sq ft
-Bulk Sales	1.0 space per 1,000 sq ft
-Outdoor Sales	1.0 space per 1,000 sq ft
Motor Vehicle Related	
-Motor Vehicle Sales/Rental	1.0 space per 1,000 sq ft
-Motor Vehicle Servicing/Repair	1.0 space per 500 sq ft
-Vehicle Fuel Sales	Minimum 6 parking spaces
-EV Charging Stations	None
Office	
-General	1.0 space per 400 sq ft
-Medical	1.0 space per 300 sq ft
-Extended	1.0 space per 400 sq ft
Non-Accessory Parking	N/A
Self-Service Storage	Based on office space area
Industrial - CMC 21.12.030(D)	
Industrial Services	1.0 space per 600 sq ft
Manufacturing and Production	1.0 space per 800 sq ft
Railroad Yards	None
Research and Development	1.0 space per 600 sq ft
Warehouse/Freight Movement	1.0 space per 1,000 sq ft
Wholesale Sales	1.0 space per 1,000 sq ft
Waste-Related	1.0 space per 300 sq ft. of office space, plus 1.0 space

	per employee
Other - CMC 21.12.030(E)	
Agriculture/Horticulture	None
Animal Kennel/Shelters	1.0 space/600 sq ft plus 1 per employee
Funeral Home / Mortuary	1.0 space/6 seats or 12' of bench in chapels
Detention and Post-Detention Facilities	1.0 space/3 beds
Mining/Gravel Pit	1 per employee maximum shift
Rail Lines/Utility Corridors	None
Temporary Uses	None
Wireless Communication Facilities	1.0 space

2. *Joint use parking* . Joint use of required parking spaces may occur where two or more uses on the same or separate sites are able to share the same parking spaces because their parking demands occur at different times. Joint use of required parking spaces is allowed if the following documentation is submitted in writing as part of a building permit application or project review:
 - a. The names and addresses of the uses and of the owners or tenants that are sharing the parking;
 - b. The location and number of parking spaces that are being shared;
 - c. An analysis showing that the peak parking times of the uses occur at different times and that the parking area will be large enough for the anticipated demands of both uses; and
 - d. A legal instrument such as an easement or deed restriction that guarantees access to the parking for both uses.

3. *Mixed uses* . Where more than one use is contained in a lot, the required off-street parking spaces shall be equal to 90 percent of the sum of the off-street parking spaces required for each of the uses.

4. *Downtown parking* . Commercial, industrial, and public uses located in the area zoned C-1 shall be exempt from the number of off-street parking spaces required by this section.
5. *Required parking spaces may be used only for parking* . No permanent or temporary storage of materials or sales displays are permitted in required off-street parking spaces;
6. *Private property* . Vehicles parked on private property shall be parked on impervious surfaces; parking in landscaped areas is not permitted except for brief periods of time to allow for loading or unloading or for construction or maintenance activities.
7. *Bicycle parking* . One vehicle parking space may be substituted for every three bicycle parking spaces provided. Up to ten percent of the require vehicle parking may be substituted by bicycle parking, not in conjunction with the mixed-use reductions in CMC 21.40.020(3).
8. *Multifamily residential* . Unless provided otherwise, each bedroom shall be provided an off street parking space. Required parking shall be located in the required front yard setback area.


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 24 day of September, 2019.

Passed by the City Council this 12 day of November, 2019.

Approved by the Mayor this 12 day of November, 2019.


Chris Grover, Mayor

ATTEST:


Cynthia L. Niemeier, City Clerk

APPROVED AS TO FORM:


Stanley M. Schwartz, City Attorney