

City of Cheney
609 Second Street
Cheney, Washington 99004

CITY OF CHENEY, WASHINGTON

ORDINANCE NO. Y-63 (Infill Development and Caretakers Residence in the Business Park Zone)

AN ORDINANCE AMENDING TITLE 21 ENTITLED "INFILL DEVELOPMENT AND CARETAKERS RESIDENCE STANDARDS" 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 21.36.030 of the Cheney Municipal Code establishes zoning uses in the BP and I-L Zoning Districts; and

WHEREAS, There has been interest in the community to consider allowing for caretakers quarters as an ancillary uses within in the Business Park Zone subject to standards; and

WHEREAS the amendment to CMC Title 21 will further the development of the Business Park, including more options for potential tenants.

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

Chapter 21.04 – Administration and Interpretation

Section 1. New Section. Section 21.04.049 entitled “Infill Development and Dimensional Standards” is hereby added to read as follows:

Infill development. Residential infill development often faces unique development challenges on older parcels located within the R-2, R-3 and R-3H zones. The Planning Official is authorized to allow for horizontal dimensional lot standard adjustments (up to twenty-five percent) in said standard or procedure.

Chapter 21.36 - Light Industrial (IL) And Business Park (BP) Zones

Section 2. Amendment. Section 21.36.030 entitled “Permitted Uses” is hereby amended to read as follows:

- A. *Types of uses.* For the purposes of this chapter, there are four kinds of uses:
1. A permitted (P) use is one that is permitted in the zone outright, subject to all of the applicable provisions of this title.
 2. A limited (L) use is permitted in the zone outright providing it is in compliance with special requirements, exceptions or restrictions.
 3. A conditional use (C) is a permitted use subject to review and conditions through the process set forth in Chapters 21.58 CMC and Title 23 CMC, governing Conditional Uses and Decision-Making Procedures, respectively.
 4. A prohibited use (N) is not permitted in the zoning district under any circumstances.
- B. *Use table.* A list of permitted, limited, conditional, and prohibited uses in the BP and I-L Districts is presented in Table 21.36.030-1.

Table 21.36.030-1 Industrial Districts Use Table		
Use	BP	I-L
Residential - CMC 21.12.030(A)		
Household Living	L ⁷	L ¹
Group Living	C	N
Transitional Housing	C	N
Home Occupation	N	L ²
Housing Types		
Single Dwelling, Attached	N	L ¹

Single Dwelling, Detached	N	L ¹
Accessory Dwelling Units	N	N
Duplexes	N	N
Townhouse	N	N
Multi-Dwelling Units	N	N
Manufactured Homes	N	N
Civic (Institutional) - CMC 21.12.030(B)		
Basic Utilities	P	P
Colleges	P	N
Community Recreation	P	P
Cultural Institutions	N	P
Day Care		
-Child Care Center	L ⁶	N
-Adult Day Care	C	N
Emergency Services	P	P
Human Service Facilities	C	P
Medical Centers	C	P
Parks/Open Space		
Neighborhood Parks	C	C
-Community Parks	C	C
-Regional Parks	C	C
-Trails	C	C
Postal Service	C	P
Religious Institutions	N	C
Schools	L ⁶	C
Social/Fraternal Clubs	N	N
Transportation Facility	P	P
Commercial - CMC 21.12.030(C)		
Commercial Lodging	P	P
Eating/Drinking Establishments	L ⁶	P
Entertainment-Oriented		
-Adult Entertainment	N	N
-Indoor Entertainment	C	P
-Major Event Entertainment	C	P
General Retail		
-Sales-Oriented	C	P
-Personal Services	C	P
-Repair-Oriented	C	P
-Bulk Sales	C	P
-Outdoor Sales	C	P
Motor Vehicle Related		

-Motor Vehicle Sales/Rental	C	P
-Motor Vehicle Servicing/Repair	C	P
-Vehicle Fuel Sales	C	P
-EV Basic Charging Stations (accessory)	P	P
-EV Rapid Charging Stations (accessory)	P	P
-EV Battery Exchange Stations	P	P
Office		
-General	P	P
-Medical	P	P
-Industrial	P	P
-Co-work Office Space	P	P
Non-Accessory Parking	C	P
Self-Service Storage	C ⁵	P ⁵
Self-Service Storage with Co-work Office Space	L ⁵	P
Industrial - CMC 21.12.030(D)		
Industrial Services	P	P
Manufacturing and Production	P	P
Railroad Yards	N	P
Research and Development	P	P
Warehouse/Freight Movement	C	P
Wholesale Sales	P	P
Waste-Related	C	P
Other - CMC 21.12.030(E)		
Agriculture/Horticulture	P	P
Animal Kennel/Shelters	C	P
Animal Rendering Facility	N	N
Cemeteries	N	C
Detention and Post-Detention Facilities	C	C
Dog Day Care	C	C
Foundries	N	N
Mining	N	C
Rail Lines/Utility Corridors	P	P
Temporary Uses	L ³	L ³
Wireless Communication Facilities	C ⁴	C ⁴

¹ Household living allowed as a caretaker's residence only. Owner/employee occupied. Square footage of living space no greater than 2,000 square feet.

² Subject to the provisions of CMC Chapter 25.850, Home Occupations.

³ Subject to provisions in CMC Chapter 25.870, Temporary Uses.

⁴ Subject to provisions in CMC Chapter 25.880, Wireless Communication Facilities.

⁵ Subject to provisions in CMC Chapter 21.36.050, Setback and Building Height. Cannot cover more than 15% (land area) of the BP Zone and front Fred John's Way.

⁶ Allowed in conjunction with other development as a supporting use.

⁷ Household living allowed as caretaker's residence only. Owner/employee occupied. Square footage of living space no greater than 2,000 square feet.

Chapter 21.40 – Off Street Parking

Section 3. 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
Duplexes (located in the Senior Housing Overlay Zone)	2.0 space per dwelling unit
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/4 seats 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. See CMC 11.48.100.
 7. *Bicycle parking.* One vehicle parking space may be substituted for every three bicycle parking spaces provided. Up to ten percent of the required 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 (R-3 & R-3H Zone).* Unless provided otherwise, each bedroom shall be provided with an off-street parking space. Required parking may be located in the required front yard setback area.

Section 4. 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 5. **Effective Date.** This ordinance shall become effective thirty (30) days after its passage, approval, and publication.

Introduced this date: April 23, 2024

Passed by the City Council this date: May 28, 2024

Approved by the Mayor this date: May 28, 2024

Chris Grover, Mayor

ATTEST:

Cynthia L. Niemeier, City Clerk

APPROVED AS TO FORM:

Michael J. Kapaun, City Attorney