

ORDINANCE NO. 1010

AN ORDINANCE OF THE CITY OF CHEWELAH, WASHINGTON, AMENDING TITLE 17, SUBDIVISIONS, AND TITLE 18, ZONING OF THE CITY OF CHEWELAH MUNICIPAL CODE TO INCREASE THE SUPPLY AND VARIETY OF HOUSING TYPES, REDUCE DISPLACEMENT OF LOW-INCOME RESIDENTS, ENSURE AFFORDABLE OPPORTUNITIES FOR RESIDENTS AT VARYING INCOME LEVELS, CREATE HOMEOWNERSHIP OPPORTUNITIES, SUPPORT AGING IN PLACE, AND PROVIDE MORE EFFICIENCY AND CLARITY FOR THE CITY AND APPLICANTS.

WHEREAS, the Comprehensive Plan contains goals, policies, and a future land use element which provide direction for implementation of the Comprehensive Plan; and,

WHEREAS, the 2023 adopted Housing Action Plan provides a needs assessment and strategies for updating development regulations to increase the supply and variety of housing types, reduce displacement of low-income residents, ensure affordable opportunities for residents at varying income levels, create homeownership opportunities, and support aging in place; and,

WHEREAS, both the Comprehensive Plan and the Housing Action Plan were evaluated for any significant adverse environmental impacts through the State Environmental Policy Act (SEPA) process; and,

WHEREAS, impacts associated with the proposed amendments were addressed in the prior environmental reviews of both the Housing Action Plan and the Comprehensive Plan; and,

WHEREAS, the Growth Management Act (GMA) provides that fully planning cities take action to revise development regulations to ensure compliance with the GMA; and

WHEREAS, a public participation strategy was created and followed, which included a dedicated website, a public open house that was conducted on April 2, 2025, a press release, notice on the Chewelah city website, review by the city code committee, and full City Council review; and,

WHEREAS, the City Council Code Committee met regularly to review the proposed development regulation updates to implement strategies identified by the Housing Action Plan; and,

WHEREAS, the Chewelah City Council reviewed the proposed development regulation updates on July 17, 2024, February 19, 2025, and on April 2, 2025, and held a public hearing on June 18, 2025; and,

WHEREAS, the City of Chewelah provided the 60-day Notice of Intent to Adopt Amendments to the WA Department of Commerce, and review was fully considered prior to adopting changes to development regulations.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CHEWELAH,
WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:**

SECTION 1: Title 17, Chapter 8, Section 10 of Chewelah Municipal Code is hereby repealed and replaced with the following:

17.08.010 Design Standards

- A. Purpose and Intent. The purpose of these design standards is to create land divisions that are efficient and safe and that fit within the overall pattern of the community.

- B. General Provisions.
 - 1. Land which is found to be unsuitable due to bad drainage, slopes of more than twenty percent or land with rock or unstable soil conditions, shall not be subdivided unless the plans include the design and installation of devices necessary for correction or control of these conditions.
 - 2. If existing utilities are not adequate or cannot be practically installed to provide the level of service established in the Chewelah comprehensive plan, then a proposed land division may be rejected until such time as necessary modifications to the system(s) are made to allow for adequate service. As a condition of a land division approval, the city shall require the costs of modification be borne by the subdivider.
 - 3. If a subdivider is required to install utilities that are greater than the minimum required to serve the land division in order to implement the development of the Chewelah comprehensive plan to serve areas other than the proposed subdivision, the city may allow the subdivider to recover additional costs for the larger infrastructure as provided in CMC 13.32.
 - 4. Water and storm and/or sanitary sewers shall be designed to meet city specifications by a licensed civil engineer. As-built drawings shall be provided in accordance with CMC 17.08.040.

- C. Streets.
 - 1. The on-site street system shall be coordinated with existing, proposed, and anticipated streets beyond the land that is being divided into lots. The arrangement of streets shall provide for the continuation of principal streets and adjacent properties for the convenient movement of traffic, effective fire protection, efficient provision of utilities and conformance with the Chewelah comprehensive plan.
 - 2. Whenever connections to anticipated or proposed surrounding streets are required, the street right-of-way shall be extended and the street developed to the property

line of the subdivided property, or to the edge of the undeveloped portion of a single tract, at the point where the connection to the anticipated or proposed street is expected. In addition, the city may require temporary turnarounds to be constructed at the end of such streets pending their extension when such turnarounds appear necessary to facilitate the flow of traffic or accommodate emergency vehicles.

3. Dead-end streets and cul-de-sacs are discouraged. Where it is determined there will be no feasible connection to an existing or future street, the city may require a pedestrian or bicycle connection from the dead-end street or cul-de-sac. The city also may require that non-through streets be privately owned and maintained through sufficient legal instruments which may include the establishment of a homeowner's association.
4. Streets shall be related appropriately to the topography. In particular, streets shall be designed to facilitate the drainage and storm water runoff and to conform as closely as practicable to the original topography.
5. Visibility will be maintained within the clear view triangle as defined in CMC 18.12.060 Part C. The street department supervisor or public works coordinator shall have approval authority.
6. The following design standards shall apply for dedicated rights-of-way and for private streets. Where dedicated right-of-way abuts public property, and it is found that a modification of the below standards is warranted for health, safety or is otherwise in the public interest, such modifications may be authorized by the approval authority:

	Local or Residential	Collector
Required right-of-way	60 feet	60 feet (no parking)
		70 feet with curb parking
		90 feet with diagonal parking
Required pavement width	22 feet	24 feet
	28 feet with curb parking on one side	36 feet with curb parking
	34 feet with curb parking on two sides	56 feet with diagonal parking
Design speed	15—25 miles per hour	20—35 miles per hour

Maximum length of cul-de-sacs	300 feet*	Not allowed
Minimum radius of turn-around for cul-de-sacs	60 feet	Not allowed

*Cul-de-sac length may be increased with the written approval of the fire chief provided there is adequate provision for fire suppression and emergency access and that there are topographic constraints requiring a longer street design.

7. After sewer and water utilities have been installed, the subdivider shall construct streets to the widths prescribed above with the construction materials and methods in conformance with "Standards and Specifications for Municipal Public Works Construction" prepared by the American Public Works Association for Class B plant mix asphalt or better for main arterial streets. Secondary and other streets shall be covered with Class A bituminous as prescribed by the street department supervisor.
8. Streets not dedicated to the public must be clearly marked on the face of the plat.

D. Block Sizes.

1. Blocks shall have sufficient depth to provide for two tiers of lots which meet the development standards of the district in which the property is located. The lengths, widths and shapes of blocks shall be appropriate for the location but block lengths in residential zones shall not be less than three hundred feet except that block lengths with frontage on major arterials shall not be less than one thousand feet.
2. Where possible, block length, width, and layout shall be consistent with that of adjacent layouts unless topographical conditions justify variation.
3. The subdivider may be required to provide an easement through a block to create pedestrian connectivity at a mid-block point when determined to be essential to provide circulation or access to schools, parks, retail areas, or other destination points. Minimum width of a pedestrian walkway placed in the easement shall be five feet.
4. The subdivider may be required to provide an easement or an alley through the block to accommodate utilities or drainage. Minimum widths of easements, for sewer, water or storm drain facilities shall be fifteen feet with an eighteen-foot normal standard.

5. Pedestrian easements may be required through the center of blocks more than 600 feet in length to provide circulation and access to schools, parks, open space, shopping, or other community facilities.

E. Access.

1. Every lot shall be provided with frontage on a public street or access to a public street via a private street.
2. If access to the subdivision is required across land under the jurisdiction of another local government, the hearing examiner may request assurance from the other local government that access is legally established, and that the access road is adequately improved, or that a guarantee has been executed and is sufficient to assure the construction of the access road.

F. Flag Lots and Double Frontage Lots.

1. Flag lots may be permitted for new plats to achieve the minimum density within the Zoning Code when there is no other feasible alternative to achieving the minimum density. The “flagpole” shall not exceed one hundred fifty feet (150') in length and not be less than twenty feet (20') in width. Land area included in private access easements shall not be included in lot area calculations. Flag lots shall not abut one another.
2. Double frontage and reverse frontage lots shall be discouraged except where necessary to provide separation of development from arterial streets or to overcome specific disadvantages of topography and orientation.

G. Lot Dimensions and Area. If lots within a proposed short plat or preliminary subdivision plat are more than double the minimum required dimensions or area for the zoning district, the hearing examiner may require that those lots be arranged so as to allow further subdivision and the opening of future streets where they would be necessary to serve potential lots.

H. Curbs, Gutter, Sidewalks and Planter Strips.

1. Concrete curbs, gutters, and sidewalks shall be constructed in accordance with the American Public Works Association Standards or as required and approved by the street department supervisor.
2. Handicap ramps shall be provided in sidewalks at all intersections in compliance with current Washington State or ADA handicap requirements, whichever is most stringent.

3. Curbs, gutters, and sidewalks shall be constructed in accordance with the following:
 - a. Concrete curbs shall be six inches high.
 - b. Sidewalks and/or planter strips shall be included within the dedicated non pavement right-of-way of all streets as follows:
 - 1) Sidewalks in residential zones shall be a minimum of five feet unobstructed in width. In addition, a minimum four-foot planter strip shall be provided between the curb and the sidewalk. Where it can be shown that alterations are required due to the presence of utilities, topography, critical areas, or required stormwater features, the dimensions or location of the planting strip or sidewalk may be altered by the approval authority so long as it may be found that the vision and purpose of Chapter 12.36 "Complete Streets" is maintained.
 - 2) Sidewalks in commercial zones shall be a minimum of ten feet in width.
 - 3) Sidewalks in industrial zones shall be a minimum of five feet unobstructed in width.
4. Exception. Lots 1 acre or larger, created through the short plat process, may defer construction of curb, gutter, sidewalks, and planting strips, until issuance of any building permit on the lot or any further subdivision process, provided the owner and city first enter into an administratively approved deferred improvement agreement which shall:
 - a. Include a description of the specific required improvements; and
 - b. Include a provision that the required improvements be completed prior to issuance of a certificate of occupancy associated with any building permit or further subdivision; and
 - c. Be recorded prior to short plat final approval.
5. Fee-in-Lieu for Sidewalks and Planting Strips Program.
 - a. Purpose. The purpose of this program is to provide eligible development proposals the option to pay a fee, as established by the City Council within Title 3 of Chewelah Municipal Code, in lieu of providing sidewalks and/or planting strips required by this Title.

- b. Intent. The intent of this program is that where it may be found required sidewalks and associated landscaped buffers may not be practical, a mechanism is provided, at the option and consent of the applicant, to fund pedestrian infrastructure projects in areas within the city that have known system gaps in underinvested and/or underserved areas, and to help assure safe walking conditions for students who walk to and from school within the city.

- c. Contents of Application for Sidewalks and Planting Strips Fee-In-Lieu Program.
 - 1) Name and contact information of the property owner and/or applicant.
 - 2) The area under consideration with all existing sidewalks and pathway infrastructure is shown within 1,000 feet of the edges of the project site.
 - 3) The location and lineal feet of sidewalk and planting strip for which the fee-in-lieu is requested.
 - 4) Written consent by the property owner stating that any in-lieu fee collected may be used for pedestrian infrastructure projects where and when it is most needed, as determined by the city.

- d. Administrative Fee-In-Lieu Applications.
 - 1) Approval Criteria.
 - i. The development proposal is subject to either a Type I-A or Type I-B development review procedure, and
 - ii. The boundaries of the project site are on a block face where no existing sidewalk is located within 300 feet of the lot along the same block face as measured from the outside corners of the resulting lots, and
 - iii. There is no school (public or private) or city park located within 500 feet of the project site boundaries, and
 - iv. The project does not abut nor is it within 500 feet of the priority pedestrian route as adopted by the City Council.

2) Procedure.

- i. A complete application on forms provided by the city, along with any administrative fees established to process the application, are submitted.
- ii. The administrator shall provide a determination of eligibility and, as applicable, the fee required for approval within 14 days of receipt of a complete Fee-In-Lieu Program application.
- iii. Final approval shall be granted by the city upon receipt of fees paid.

e. Preliminary Subdivision Plat Fee-In-Lieu Applications.

1) Approval Criteria.

- i. The street is not within the priority pedestrian route as adopted by the City Council, and
- ii. There is no school (public or private) or city park located within 500 feet of the proposed subdivision boundaries, and
- iii. Physical constraints make sidewalk construction impractical, as determined by the approval authority.

2) Procedure.

- i. Approval for the Fee-in-Lieu Program shall be considered concurrent with the parent application for a Preliminary Subdivision Plat.

f. Fee-In-Lieu Applications for Special Circumstances.

The City Council may consider applications for the Fee-In-Lieu Program under special circumstances that may not meet criteria specified elsewhere. Such special circumstances may include, but may not be limited to, utility or other service constraints, topographic limitations, limited available rights-of-way, and/or known city-initiated pedestrian infrastructure projects that may create redundancies or conflicts. In such circumstances, the City Council must find that public health and safety would be better served through the Fee-In-Lieu Program than through meeting the standards for sidewalks and planting strips.

I. Street Amenities.

1. If planting strips are designed, no trees shall be planted in these areas without approval from the public works coordinator and city administrator. This is to assist in the preservation of sidewalks and placement of utilities.
2. Streetlights shall be provided as required by the city so as to provide a safe environment for the residents, employees, and/or visitors to the subdivision. The location and amount of lighting shall be approved by the city administrator or his designee. The subdivider shall be responsible for the cost of installation of all required lights.
3. Before occupancy of any building, the city will install all required signs. The subdivider shall be responsible for the cost of installation of all required signs.

J. Water Facilities.

1. All lots shall be connected to city water. The subdivider shall ensure that necessary improvements and extensions are made so as to provide water sufficient for domestic use and fire protection. All water extensions shall be approved by the city public works coordinator.
2. All water utility installations including fire hydrants, shall be designed in accordance with the American Public Works Association Standards or as required by the city public works coordinator. All materials shall be American Water Works Association approved.
3. Any water main shall be a minimum of six inches in diameter. In deciding the size of a new water line, the size shown in the water system master plan and the planned growth of the surrounding area shall be considered.
4. Fire hydrants are required in all subdivisions. They shall be spaced at distances not to exceed six hundred feet in single family residential areas and at distances not to exceed three hundred feet in all other areas.

K. Drainage and Storm Sewers.

1. Lots shall be created so as to provide positive drainage away from all buildings and individual lot drainage shall be coordinated with the proposed storm drain pattern of the area. Stormwater runoff from individual lots shall be detained and treated on-site, so that the general storm drainage pattern in the area will not be disrupted.
2. In areas where on-site stormwater detention and/or treatment systems are not possible, an adequate storm sewer system including necessary pipes, culverts, catch basins and any other necessary appurtenances shall be provided for the

proper drainage of surface water. The inflow of storm waters into sanitary sewers shall be prohibited.

3. Detention basins shall be designed to appear natural in character so as to blend in with the existing landscape and topography.
4. The requirements for installation of storm sewer may be waived upon approval by the hearing examiner, city council and city public works coordinator after finding that doing so will not increase runoff crossing or entering adjacent properties or decrease water quality in streams in the area.

L. Sanitary Sewer Facilities.

1. The subdivider on land located in Chewelah South shall install sanitary sewer facilities to all lots in accordance with the American Public Works Association Standards or as required and approved by the water/wastewater plant supervisor.
2. Sanitary sewers shall be installed to serve every lot. No individual disposal systems or treatment plants shall be permitted in Chewelah South.
3. No sewer main shall be less than eight inches in diameter unless justified and approved by the city public works coordinator and the Washington State Department of Ecology. In deciding the size of a new sewer main, the planned growth of the surrounding area, as shown in the Chewelah Comprehensive Plan, shall be analyzed.
4. On-site septic systems in Chewelah North shall be permitted and approved by NE Tri-County Health District.

M. Public Utilities and Easements.

1. All existing and proposed utilities and easements shall be shown on the preliminary plat.
2. All new utility facilities, including but not limited to gas, electric power, telephone, and CATV cables, shall be located underground throughout the subdivision. Whenever existing utility facilities are located above ground, except when existing on public roads and rights-of-way, they shall be removed and placed underground.
3. Underground service connections to the property line of each platted lot shall be installed by the subdivider. The subdivider shall coordinate with the city and utility companies for the establishment of easements within the subdivision.

N. Dedication of Public Park.

1. Land within a short plat or preliminary subdivision that is indicated in the Chewelah comprehensive plan as public open space may be required to be reserved by the subdivider for use by the public within a one-year period of time after final subdivision approval.
2. Subdivisions containing more than fifty lots or encompassing more than one hundred acres may be required to dedicate land for development of a neighborhood park or pay a fee in lieu of dedication as determined by the hearing examiner and city council.
3. If the preliminary plat includes a dedication of a public park with an area of less than two acres and the donor has designated that the park be named in honor of a deceased individual of good character, the city council shall adopt the designated name.

O. Naming of Divided Land.

1. The proposed name of a short plat or subdivision shall not duplicate, or closely approximate phonetically, the name of any other division of land.
2. Street names shall be shown consistent with the names of existing streets in the city and Stevens County as follows:
 - a. East-West streets shall be designated "avenue."
 - b. North-South streets shall be designated "street."
 - c. Streets of exceptional width and length and having a scenic value may be designated "boulevard" or "road."
 - d. Streets curving in varying directions and of considerable length may be designated "drive," and such streets of short length may be designated "place."
 - e. Cul-de-sacs shall be designated "court."
 - f. Other names applied to streets may be used only by approval of the city.

P. Protective Covenants. If a property owner has covenants or deed restrictions on a proposed short plat or subdivision, the recording date of said covenants or deed restrictions shall be on the face of the plat.

Q. Solar Access. The lots and building pads shall be oriented to maintain solar access to properties within and adjacent to the subdivision, to the maximum extent feasible.

- R. Flood, Inundation or Swamp Conditions. A proposed plat may be denied because of flood, inundation, or swamp conditions. Construction of protective improvements may be required as a condition of approval, and such improvements shall be noted on the final plat. No plat shall be approved covering any land situated in the flood plain management area as provided in RCW 86.16.

SECTION 2: Title 17, Chapter 12 of Chewelah Municipal Code is hereby repealed and replaced with the following:

Chapter 17.12 PROCEDURES

17.12.010 Purpose and Intent

This chapter describes the procedures for the relocation of lot lines, creating new lots, or abandoning existing easements that are subject to review under this title. The intent is to describe the framework of the various types of development applications, process and criteria for review, and the timeframe for review and approvals. The development review process for land division applications, including noticing and appeals, shall follow the development review process described in CMC 18.20. In addition, the intent of this chapter is to ensure that the requirements of the city's Municipal Code are met and that the goals and policies of the Chewelah comprehensive plan are achieved. Furthermore, the intent is to integrate the development review process with the State Environmental Policy Act (SEPA) review as well as to provide for consolidated development review wherever possible, in order to avoid duplication and delay.

17.12.020 General Provisions

- A. Unless otherwise required, where the city must review more than one application for a given development, all applications required for the development should be submitted for review at one time. The applicant must demonstrate that concurrent reviews are not possible and bear all costs of separate review.
- B. Where more than one application is submitted for a given development, and those applications are subject to Type II and Type III procedures, then all the applications are subject to the highest number procedure that applies.

17.12.030 Lot Line Adjustments

- A. Purpose and Intent. The purpose of a lot line adjustment is to allow for minor changes in the configuration of property lines. This shall include the elimination process to remove shared property lines of two or more individual parcels that are contiguous in shape and ownership.

B. Review Process. Any person, firm, or corporation may make application for lot line adjustment by submitting an application to the city. A lot line adjustment application shall include the following:

1. A to-scale site plan that clearly depicts the following:
 - a. The existing dimensions and square footage or acreage of the existing property(ies) involved.
 - b. The location and setbacks of any permanent improvements (i.e., structures, septic systems, etc.) from all property lines.
 - c. The identification, location, and dimensions of all access and utility easements of the existing property(ies).
 - d. The location, dimensions, and names of public and/or private streets abutting the property(ies).
 - e. North arrow and scale shall be noted.
2. A legal description of the existing and proposed property configuration, prepared by a licensed professional land surveyor or attorney;
3. A complete application with applicable fees in accordance with the fee resolution adopted by the city council;
4. Written agreement by the owners of all property directly affected by the proposed adjustment.
5. One copy each of all involved property owners recorded deeds, verifying current ownership of the subject property(ies).

C. Action by Review Authority.

1. The city may administratively approve a lot line adjustment without a public hearing, with or without conditions, if all of the following findings of fact can be made in an affirmative manner:
 - a. No new lot shall be created by the proposed lot line adjustment.
 - b. Any lot changed by the lot line adjustment shall comply with all of the applicable development standards, such as lot area, lot dimensions, and setbacks in the district in which the property is located.
 - c. Any lot change will not adversely affect access, easements, or drain fields.

- d. There shall be no increase in nonconformity of an existing nonconforming aspect of a lot.
 - e. Lots, structures, or uses shall not be rendered out of compliance with existing ordinances and codes as a result of the lot line adjustment.
2. Upon issuing a decision on a proposed lot line adjustment, the administrator shall cause to be published in the newspaper of record a notice of decision establishing an appeal process and a time limit within which any appeal to the decision must be filed.

(Ord. No. 900, § 6, 8-3-2016)

17.12.040 Short Plat

- A. Purpose and Intent. The purpose of a short plat/binding site plan is to provide a simplified process to divide property into nine or fewer lots with a level of review that is proportional to the effect those lots may have on the surrounding area. Short plats and binding site plans with nine or fewer lots are reviewed and approved administratively.
- B. Review Process. Any person, firm, or corporation may make application for a short plat. A short plat application shall include the following and shall be submitted to the Planning Coordinator:
 - 1. Maps and Exhibits:
 - a. One electronic (PDF) copy of a legibly drawn map, 18 by 24 inches in size, at an appropriate scale that is one inch equals a multiple of ten feet (example, 1" = 40');
 - b. A completed application form, signed by the owner(s) of the property that is subject to the application;
 - c. Applicable fees in accordance with the fee schedule resolution adopted by the city council;
 - d. A signed agreement by the applicant to reimburse the City for charges incurred for professional engineering review of the preliminary subdivision;
 - e. SEPA environmental checklist as applicable pursuant to state and local laws;
 - f. A plat certificated or deed no older than 30 days of the application filing date confirming that the title of the lands as described and shown on the subdivision is in the name of the owner(s) signing;

- g. A tax statement from the Stevens County Treasurer which is no more than 60 days old, indicating that all taxes and assessments against the final plat have been paid;
 - h. Other information as determined necessary by the administrator.
2. Final subdivision data (to be included on the plat):
- a. Name, address, and telephone number of the person with whom official contact should be made regarding the subdivision;
 - b. Title of the proposed subdivision;
 - c. Location of the subject property by quarter-quarter(s) of the section, township, and range;
 - d. Legal description of the subject property with the source of the legal description clearly indicated;
 - e. A vicinity map showing all adjacent parcels;
 - f. North arrow, scale, the date the map was prepared, and boundary of the proposed subdivision;
 - g. Boundaries of all blocks, lot numbers, and lot lines, along with their dimensions and areas in square feet;
 - h. Location and identification of existing utilities;
 - i. Locations, names, and widths of all existing and proposed streets, roads, and access easements within the proposed subdivision and within 100 feet thereof or the nearest City Street if there is no City Street within 100 feet of the subject property. Streets shall be clearly identified as public or private as applicable.
 - j. All easements or tracts proposed to be dedicated for any public purpose or for the common use of the property owners of the subdivision.
 - k. All existing easements that affect the subject property.
 - l. Location of any critical areas as defined in CMC 18.08.140.
 - m. Location of existing buildings, septic tanks, drain fields, wells, or other improvements, and a note indicating if they will remain or be removed.
 - n. Topographic information at one, two, five, or ten-foot contour intervals.

- o. Street addresses for each lot, as determined by the Building Official.
- p. Any special statements of approval required from governmental agencies, including those pertaining to flood hazard areas, shorelines, critical areas, and connections to adjacent state highways, shall be shown.
- q. A notarized certification by the owner(s) as shown on a current plat certificate shall be provided, dedicating streets, and areas intended for other public use, and granting easements for slope and utilities.
- r. A certification signed by a professional land surveyor registered in the state of Washington stating that, where required, the final plat was surveyed and prepared by them or under their supervision and that the final plat is a true and correct representation of the subject land, and that monumentation has been established as required by City standards;
- s. The following signature blocks:
 - (1) Chewelah City Engineer
 - (2) Mayor or their designee
 - (3) Stevens County Treasurer
 - (4) Stevens County Assessor
- t. Other information as determined necessary by the administrator.

C. Action by Review Authority.

- 1. A short plat shall be subject to a Type I review consistent with CMC 18.20.
- 2. The administrator without a public hearing may approve a short plat, with or without conditions, if all of the following findings of fact can be made in an affirmative manner:
 - a. The proposed short plat is in compliance with the Chewelah comprehensive plan, any requirements of the N.E. Tri-County Health District, and any other such plans developed pursuant to law. In addition, if the property, in part or total, abuts a state highway, the proposed short plat is in compliance with any rules of Washington State Department of Transportation.
 - b. The proposed short plat is in compliance with all applicable standards in the Chewelah Zoning Ordinance and this title.

- c. The physical characteristics of the site, including but not limited to topography, soil conditions, or unique natural features such as susceptibility to flooding, wildlife habitat, or wetlands, have been considered in the project design.
- d. The appropriate provisions have been made for dedications, easements, and reservations.
- e. The public use and interest will be served by the subdivision.
- f. The following facilities are adequate to serve the proposed short plat or will be improved concurrent with development of the short plat:
 - (1) Public and private streets and roads,
 - (2) Water,
 - (3) Stormwater drainage,
 - (4) Sanitary sewage collection and treatment,
 - (5) Schools and educational services,
 - (6) Fire and police service, and
 - (7) Pedestrian and bicycle facilities.
- g. If applicable, the terms and conditions of the approved subdivision, within which the short plat is located, have been met.

- D. Time Limit on Approval of a Short Plat. Approval of a short plat shall be valid for five years, during which time all conditions shall be satisfied and the map recorded at the Stevens County auditor.
- E. The applicant shall collect the necessary signatures and approvals on the face of the plat and shall file the plat with the Stevens County auditor upon receipt of the county's filing fee from the applicant.
- F. Prohibition on Further Division. Property in a short plat subdivision shall not be further divided in any manner within a period of five years without the filing of a final plat, except if the short plat contains less than four lots. If the short plat contains less than four lots, the property owner may alter the short plat within the five-year period to create up to a total of four lots within the original short plat boundaries.

17.12.050 Preliminary Subdivision

- A. Purpose and Intent. The purpose of a preliminary subdivision/binding site plan is to provide a simplified process to divide property into ten or more lots with a level of review that is proportional to the effect those lots may have on the surrounding area. Preliminary subdivisions shall be reviewed by city staff for compliance with the City Code and then submitted to the Hearing Examiner for review and approval, except in the case of short plats/binding site plans (less than ten lots), where approval shall be an administrative matter.
- B. Review Process. Any person, firm, or corporation may make application for a preliminary subdivision. A preliminary subdivision application shall include the following and shall be submitted to the administrator:
1. Maps and Exhibits:
 - a. One electronic (PDF) copy of a legibly drawn map, 24 by 36 inches in size, at an appropriate scale that is one inch equals a multiple of ten feet (example, 1" = 40');
 - b. A completed application form, signed by the owner(s) of the property that is subject to the application;
 - c. Applicable fees in accordance with the fee schedule resolution adopted by the city council;
 - d. A signed agreement by the applicant to reimburse the City for charges incurred for professional engineering review of the preliminary subdivision;
 - e. SEPA environmental checklist as applicable pursuant to state and local laws;
 - f. A plat certificated or deed no older than 30 days of the application filing date confirming that the title of the lands as described and shown on the subdivision is in the name of the owner(s) signing;
 - g. Other information as determined necessary by the administrator.
 2. Preliminary subdivision data (to be included on the plat):
 - a. Name, address, and telephone number of the person with whom official contact should be made regarding the subdivision.
 - b. Title of the proposed subdivision.

- c. Location of the subject property by quarter-quarter(s) of the section, township, and range.
 - d. Legal description of the subject property with the source of the legal description clearly indicated.
 - e. A vicinity map showing all adjacent parcels.
 - f. North arrow, scale, the date the map was prepared, and boundary of the proposed subdivision.
 - g. Boundaries of all blocks, lot numbers, and lot lines, along with their dimensions and areas in square feet.
 - h. Location and identification of existing utilities.
 - i. Locations, names, and widths of all existing and proposed streets, roads, and access easements within the proposed subdivision and within 100 feet thereof or the nearest City Street if there is no City Street within 100 feet of the subject property. Streets shall be clearly identified as public or private as applicable.
 - j. All easements or tracts proposed to be dedicated for any public purpose or for the common use of the property owners of the subdivision.
 - k. All existing easements that affect the subject property.
 - l. Location of any critical areas as defined in CMC 18.08.140.
 - m. Location of existing buildings, septic tanks, drain fields, wells, or other improvements, and a note indicating if they will remain or be removed.
 - n. Topographic information at one, two, five, or ten-foot contour intervals.
 - o. Other information as determined necessary by the administrator.
3. Other information as determined necessary by the administrator.

C. Action by Review Authority.

- 1. A preliminary subdivision shall be subject to a Type II review consistent with CMC 18.20.
- 2. The hearing examiner may approve of a preliminary subdivision, with or without conditions, if all of the following findings of fact can be made in an affirmative manner:

- a. The proposed preliminary subdivision is in compliance with the Chewelah Comprehensive Plan, any requirements of the N.E. Tri-County Health District, and any other such plans developed pursuant to law. In addition, if the property, in part or total, abuts a state highway, the proposed preliminary subdivision is in compliance with any rules of the Washington State Department of Transportation.
- b. The physical characteristics of the site, including but not limited to topography, soil conditions, or unique natural features such as susceptibility to flooding, wildlife habitat, or wetlands, have been considered in the project design.
- c. The proposed subdivision is in compliance with all applicable standards in the Chewelah Zoning Ordinance and in this title.
- d. The appropriate provisions have been made for dedications, easements, and reservations.
- e. The public use and interest will be served by the subdivision.
- f. The following facilities are adequate to serve the proposed subdivision or will be improved concurrent with the development of the preliminary subdivision:
 - (1) Public and private streets and roads;
 - (2) Water;
 - (3) Drainage;
 - (4) Sanitary waste collection and treatment;
 - (5) Schools and educational services;
 - (6) Fire and police service; and
 - (7) Pedestrian and bike facilities.
- g. If phasing is proposed:
 - (1) The phasing plan includes all land within the preliminary subdivision;
 - (2) Each phase is an independent planning unit with safe and convenient circulation and with facilities and utilities coordinated with requirements established for the entire plat; and

(3) All road improvement requirements are assured.

3. Upon receipt of the hearing examiner's decision of any preliminary subdivision, the city shall notice the decision in accordance with CMC 18.20.030(N).

D. Time Limit on Approval of a Preliminary Subdivision.

1. Approval of a preliminary subdivision plat shall be valid for five years from the date of preliminary plat approval. Prior to the expiration of the applicable time limit, an application for a final subdivision meeting all the requirements of CMC 17.12.060 and of the preliminary subdivision approval shall be made.
2. The applicant may request a one-year extension prior to the expiration of the preliminary approval. The request for extension may be granted by the planner, provided that an attempt in good faith has been made to submit the final plat within the applicable time limit, there have been no significant changes to the city's policies or development code.

17.12.060 Final Subdivision

F. Purpose and Intent. The purpose of a final subdivision/binding site plan is to ensure that all conditions of the preliminary subdivision approval, as well as state law RCW 58.17, have been satisfied prior to the recordation of the map.

G. Review Process. A final subdivision application shall include the following and shall be submitted to the administrator:

1. Maps and Exhibits:

- a. One electronic (PDF) copy of a legibly drawn map, 24 by 36 inches in size, at an appropriate scale that is one inch equals a multiple of ten feet (example, 1" = 40').
- b. A signed agreement by the applicant to reimburse the City for charges incurred for professional engineering review of the final subdivision.
- c. A plat certificated or deed no older than 30 days of the application filing date confirming that the title of the lands as described and shown on the subdivision is in the name of the owner(s) signing.
- d. A tax statement from the Stevens County Treasurer, which is no more than 60 days old, indicating that all taxes and assessments against the final plat have been paid.
- e. Other information as determined necessary by the administrator.

2. Final subdivision data (to be included on the plat):
 - a. All preliminary subdivision data identified in CMC 17.12.050(B)(2) except for topographic information and proposed improvements.
 - b. Street addresses for each lot, as determined by the Building Official.
 - c. Any special statements of approval required from governmental agencies, including those pertaining to flood hazard areas, shorelines, critical areas, and connections to adjacent state highways shall be shown.
 - d. A notarized certification by the owner(s) as shown on a current plat certificate shall be provided dedicating streets, areas intended for other public use, and granting of easements for slope and utilities.
 - e. A certification signed by a professional land surveyor registered in the state of Washington stating that, where required, the final plat was surveyed and prepared by them or under their supervision and that the final plat is a true and correct representation of the subject land, and that monumentation has been established as required by City standards;
 - f. The following signature blocks:
 1. Chewelah City Engineer
 2. Mayor or their designee
 3. Stevens County Treasurer
 4. Stevens County Assessor
 - g. Other information as determined necessary by the administrator.

H. Action by Review Authority.

1. A final plat shall be subject to city council review and approval.
2. The city council shall approve the final plat if all of the following findings of fact can be made in an affirmative manner.
 - a. The final plat meets the requirements of RCW 58.17, other applicable state laws, and all requirements for plat approval in this title.
 - b. The final plat has met all the conditions and conforms to all terms of the preliminary approval.

- c. The Stevens County treasurer certifies that all taxes and delinquent assessments for which the property may be liable have been duly paid, satisfied, or discharged.

I. Approval and Recordation.

1. A subdivision shall be governed by the terms of approval of the final plat, and the statutes, ordinances, and regulations in effect at the time of approval under RCW 58.17.150(1) and (3) or as amended.
2. Following city council approval, the applicant shall collect the necessary signatures and approvals on the face of the final plat and shall file the final plat with the Stevens County auditor upon receipt of the county's filing fee from the applicant.

17.12.070 Vacation and Alteration

A. Purpose and Intent. Easements established by a dedication are property rights that cannot be extinguished or altered without the approval of the easement owner(s), unless the plat or other document creating the dedicated easement provides for an alternative method(s) to vacate or alter the easement. The purpose of a vacation and alteration procedure is to allow for the deletion or alteration of a dedicated right-of-way or easement.

B. Action by Review Authority.

1. A vacation or alteration shall be subject to a Type II review consistent with CMC 18.20.
2. The hearing examiner may recommend approval of a vacation or alteration request, with or without conditions, if all of the following findings of fact can be made in an affirmative manner:
 - a. The alteration to the previously approved subdivision is in compliance with the Chewelah Comprehensive Plan and the Zoning Ordinance.
 - b. The public use will be served by the alteration to the previously approved subdivision.
 - c. Adequate provision for easements and dedications to accommodate utilities and public facilities has been made.
 - d. If any land within the alteration is part of an assessment district, any outstanding assessment shall be equitably divided and levied against the remaining lots, parcels, or tracts, or be levied equitably on the lots resulting from the alteration.

3. The council shall hold a closed record hearing for the purpose of considering the hearing examiner's recommendation.
- C. Approval and Recordation. After approval of an alteration request, a revised plat that meets the criteria established in CMC 17.12.060(B)(2) shall be filed with the Stevens County auditor upon receipt of the county's filing fee from the applicant.

17.12.090 Appeals

Any applicant or party of record may appeal a decision made on a land division application in accordance with CMC 18.20.050.

17.12.100 Penalty for Violation

- A. No land comprising any part of a proposed short subdivision or subdivision to be established in the city shall be sold or leased until such short subdivision or subdivision has been approved as provided by this title.
- B. A civil regulatory order may be issued and served upon a person if any activity by or at the direction of that person is, has been, or may be taken in violation of this title of the Chewelah Municipal Code.
- C. Each sale or lease that is not in compliance with this title shall constitute a separate and distinct offense. In addition, each separate day shall constitute a separate violation.

SECTION 3: Title 18, Chapter 4, Section 30 of Chewelah Municipal Code is hereby amended to add the following:

F. Property owned or controlled by Religious Organizations.

1. An increased density bonus of fifty percent (50%) is allowed for any affordable housing development of any single-family or multifamily residence located on real property owned or controlled by a religious organization.
2. Short-term shelter accommodations on property owned or controlled by a religious organization, pursuant to and subject to RCW 35.21.915, are allowed, following city administrative approval of a health and safety inspection and adherence to any city-imposed conditions thereto.

SECTION 4: Title 18, Chapter 4, Section 40 of Chewelah Municipal Code is hereby repealed and replaced with the following:

18.04.040 Definitions

The following definitions are provided to aid in the understanding and interpretation of the provisions of this title. Terms that are not specifically defined below are to be understood according to the common meaning in use in the city, as interpreted by the administrator of the ordinance codified in this title.

“Accessory Dwelling Unit (ADU)” means a dwelling unit located on the same lot as a single-family housing unit, duplex, triplex, townhome, or other housing unit.

"Accessory use or structure" means a use or structure or part of a building or structure or use that is incidental and subordinate to a principal use or structure and located on the same lot.

"Administrator" means the city administrator or their designee. In the event there is no city administrator then "administrator" means the Mayor or their designee. The Administrator shall adopt and revise, as required, such forms and instructions as are necessary or appropriate to serve the public and carry out provisions of this title.

"Adult family home" means a dwelling in which person or persons provide personal care, special care, room and board to more than one (1) but not more than six (6) adults who are not related by blood or marriage to the person or persons providing the care. An adult family home may provide services to up to eight (8) adults upon approval under RCW 70.128.066. Those homes or facilities serving more than (8) persons or serving persons under the jurisdiction of the criminal justice system shall be considered a “Residential Care Facility” pursuant to CMC 18.12.160, Community-based Behavioral Health Facilities.

"Alley" means a public right-of-way which affords a secondary means of access to abutting properties and access to any public utilities that may be located within the right-of-way. Allowed activity" is a use that due to other regulations or previous reviews is unlikely to result in a critical areas impact. These activities are subject to review by the Administrator, but do not require a separate critical areas review or report. Since these activities are not "exempt," the critical areas standards continue to apply, and the underlying permit could be conditioned to ensure that the activities comply with critical areas protection.

"Alteration(s)" means any change or rearrangement of the structural parts of existing facilities, or any enlargement to or diminution of a building or structure, whether horizontally or vertically, or the moving of a building or structure from one location to another. In nonresidential buildings the installation or rearrangement of partitions affecting more than one-third of a single floor area shall be considered an alteration.

"Amusement enterprises" means establishments engaged in providing entertainment for a fee and including but not limited to billiard tables, penny arcades, miniature golf courses, bowling facilities, skating areas, dancing areas, archery ranges, ice rinks and boxing arenas.

"Anadromous fish" means fish species that originate in freshwater, mature in the ocean, and then return to freshwater to spawn and die.

"Animal Farm, Small." "Small animal farm" means any lot or premises on which four or more fowls, chinchillas, rabbits, and/or other small animals are kept primarily for breeding and/or commercial purposes but excluding kennels.

"Apartment House." See "Dwelling Unit" and "Multiple-Family."

"Applicant" means a person who files an application for permit under this title and who is either the owner of the land on which that proposed activity would be located, a lessee of the land, the person who would actually control and direct the proposed activity or the authorized agent of such a person.

"Assisted living facility" means any home or other institution, however named, which is advertised, announced, or maintained for the express or implied purpose of providing housing, basic services, and assuming general responsibility for the safety and well-being of the residents, and may also provide domiciliary care. "Assisted living facility" shall not include facilities certified as group training homes pursuant to RCW 71A.22.040, nor any home, institution, or section thereof which is otherwise licensed and regulated under the provisions of state law providing specifically for the licensing and regulation of such home, institution or section thereof. Nor shall it include any independent senior housing, independent living units in continuing care retirement communities, or other similar living situations including those subsidized by the department of housing and urban development.

"Attached Accessory Dwelling Unit" means a dwelling unit located on the same lot as a single-family housing unit, duplex, triplex, townhome, or other housing unit.

"Auto wrecking yard, junkyard" means a lot, land, open space, or structure, or part thereof, which is used for baling, buying, collecting, disassembling, exchanging, handling, packaging, salvaging, selling, or storing of waste, used, or secondhand materials such as wastepaper, scrap iron, rags, rubber tires, bottles, or discarded material, including but not limited to parts of machinery or vehicles not in running condition. A "junkyard" includes an auto wrecking yard but does not include uses established entirely within an enclosed building.

"Basement" means any floor level below the first story of a building, except that a floor level in a building having only one floor level shall be classified as a basement unless such floor level qualifies as a first story as defined herein.

"Battery charging station" means an electrical component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles, which meet or exceed any standards, codes, and regulations set forth.

"Battery exchange station" means a fully automated facility that will enable an electric vehicle with a swappable battery to enter a drive lane and exchange the depleted battery with a fully charged battery through a fully automated process, which meet or exceed any standards, codes, and regulations set forth.

"Beehive" means a shelter for a colony of bees.

"Breezeway" means a roofed, open sided or screened passageway connecting two structures.

"Buffer zone" means an area required by this title that provides a natural vegetated zone surrounding a natural, restored or newly created critical area which serves as a buffer between the critical area and its associated upland areas and as an integral part of the habitat ecosystem.

"Building" means any structure for the shelter or enclosure of persons, animals, or property of any kind.

"Building area" means the total ground coverage of a building or structure which provides shelter measured from the outside of its external walls or supporting members.

"Building height" means the vertical distance from the average finished grade of a building site to the highest point of the structure or building, excluding chimneys and steeples (see Figure 1 in CMC Appendix A).

"Building official" means the individual designated by the appointing authority to enforce the provisions of the building code.

"Carport" means a roofed structure providing space for the parking of motor vehicles and enclosed on not more than two sides.

"Carwash" means a building or portion of a building or a place in which cars are washed, waxed, and/or vacuumed by automatic or manual mechanical devices.

"Charging levels" means the standardized indicators of electrical force, or voltage, at which an electric vehicle's battery is recharged. Levels 1, 2, and 3 are the most common EV charging levels, and include the following specifications:

1. Level 1 is considered slow charging.
2. Level 2 is considered medium charging.
3. Level 3 is considered fast, or rapid, charging.

"Child day care - center" means a facility providing for the care of thirteen (13) or more children. A child day care center shall not be located in a private residence unless a portion of the residence where the children have access is used exclusively for the children during the hours the center is in operation or is separate from the usual living quarters of the family.

"Child day care - home" means a person regularly providing care during part of the twenty-four-hour day to six (6) or fewer children in the family abode of the person or persons under whose direct care the children are placed.

"Child day care - mini" means a person or agency providing care during part of the twenty-four-hour day to twelve (12) or fewer children in a facility other than the family abode of the person or persons under whose direct care the children are placed, or for the care of seven (7) through twelve (12) children in the family abode of such person or persons.

"City" means the city of Chewelah, Washington.

"Clear view triangle" means a triangular area on the corner of all lots surrounding the intersection of two streets where for safety reasons, landscaping, fences, or structures must be designed and maintained to permit clear vision of approaching traffic (see Figure 2 in CMC 18 Appendix A).

"Clinic" means a building or portion of a building containing offices designed and used for providing dental, medical, psychiatric, or surgical diagnosis and/or treatment services for outpatients only under the care of doctors and nurses.

"Co-living housing" means a residential development with sleeping units that are independently rented and lockable. These units provide living and sleeping space, and residents share kitchen facilities with other sleeping units in the building. Co-living housing is commonly referred to as congregate living facilities, single-room occupancy, rooming houses, boarding houses, lodging houses, and residential suites.

"Community-Based Behavioral Health Facilities" – See CMC 18.12.160.

"Comprehensive Plan" means any plans, maps, or reports, or combination thereof adopted by the council pursuant to RCW 36.70 or 36.70A, relating to the growth, development, or redevelopment of Chewelah.

"Conditional use permit" means a permit that runs with the land, is either temporary or for a specified time, and is reviewed as a Type I or Type II process that will allow uses in a particular zone based on a showing that the use will comply with all the conditions and standards as specified in this title and authorized by the review authority.

"Cottage Housing" means residential units on a lot with a common open space that either: (a) Is owned in common; or (b) has units owned as condominium units with property owned in common and a minimum of 20 percent of the lot size as open space.

"Council" means the Chewelah city council.

"Critical aquifer recharge areas" are areas with a critical recharging effect on aquifers used for potable water, including areas where an aquifer that is a source of drinking water is vulnerable to contamination that would affect the potability of the water, or is susceptible to reduced recharge (WAC 365-190-030).

"Critical areas" include the following areas and ecosystems: (a) Wetlands; (b) areas with a critical recharging effect on aquifers used for potable water; (c) fish and wildlife habitat conservation areas; (d) frequently flooded areas; and (e) geologically hazardous areas. "Fish and wildlife habitat conservation areas" does not include such artificial features or constructs as irrigation delivery systems, irrigation infrastructure, irrigation canals, or drainage ditches that lie within the boundaries of and are maintained by a port district or an irrigation district or company.

"Critical area buffer" means an area that surrounds and protects a critical area from adverse impacts to the functions and values of the resource.

"Child day care center" means a facility providing for the care of thirteen or more children. A child day care center shall not be located in a private residence unless a portion of the residence where the children have access is used exclusively for the children during the hours the center is in operation or is separate from the usual living quarters of the family.

"Detached Accessory Dwelling Unit" means an accessory dwelling unit that consists partly or entirely of a building that is separate and detached from a single-family housing unit, duplex, triplex, townhome, or other housing unit and on the same property.

"Development activities" means developing or extending utilities to the property; cutting or clearing of vegetation or trees other than for property maintenance and safety; moving or filling of earth or other activities that would lead towards building.

"Domestic fowl" means chickens, ducks, geese, pigeons, and doves.

"Driveway" means a developed area leading to a garage or carport or a semicircular area that has been surfaced with at least four inches of crushed rock or gravel or paved with concrete or asphalt of similar material.

"Dwelling unit" means a residential living unit that provides complete independent living facilities for one or more persons and that includes permanent provisions for living, sleeping, eating, cooking, and sanitation.

"Dwelling, Duplex"" means a building that contains two primary dwelling units on the same lot that share a common wall or common floor/ceiling.

"Dwelling, multi-family " means a structure or structures containing three or more dwelling units.

"Dwelling, Single-family detached" means a detached structure containing one dwelling unit.

"Dwelling, Single-family attached" See "Townhouses."

"Electric vehicle infrastructure" means structures, machinery, and equipment necessary and integral to support an electric vehicle, including battery charging stations, rapid charging stations, and battery exchange stations.

"Emergency housing" means temporary indoor accommodations for individuals or families who are homeless or at imminent risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency housing may or may not require occupants to enter into a lease or an occupancy agreement.

"Emergency shelter" means a facility that provides a temporary shelter for individuals or families who are currently homeless. Emergency shelter may not require occupants to enter into a lease or an occupancy agreement. Emergency shelter facilities may include day and warming centers that do not provide overnight accommodations.

"Erosion hazard areas" are those areas containing soils which, according to the United States Department of Agriculture Natural Resources Conservation Service Soil Survey Program, may experience significant erosion. Erosion hazard areas also include coastal erosion-prone areas and channel migration zones.

"Essential public facility" means those facilities that are typically difficult to site, such as airports, state education facilities and state or regional transportation facilities as defined in RCW 47.06.140, regional transit authority facilities as defined in RCW 81.112.020, state and local correctional facilities, solid waste handling facilities, opioid treatment programs including both mobile and fixed-site medication units, recovery residences, harm reduction programs excluding safe injection sites, and inpatient facilities including substance use disorder treatment facilities, mental health facilities, group homes, community facilities as defined in RCW 72.05.020, and secure community transition facilities as defined in RCW 71.09.020.

"Exotic animals" means species of animals, including but not limited to the class Mammalia, whose members exist in a wild state.

"FIRM map" means The Federal Insurance Rate Map (FIRM) which is the official map on which the Federal Insurance Administration has delineated both the area of special flood hazards and the risk-premium zones applicable to the community.

"Fish and wildlife habitat conservation areas" are areas that serve a critical role in sustaining needed habitats and species for the functional integrity of the ecosystem, and which, if altered, may reduce the likelihood that the species will persist over the long term. These areas may include, but are not limited to, rare or vulnerable ecological systems, communities, and habitat or habitat elements including seasonal ranges, breeding habitat, winter range, and movement corridors, and areas with high relative population density or species richness. The Administrator may also designate locally important habitats and species. These areas do not include such artificial features or constructs as irrigation delivery systems, irrigation infrastructure, irrigation canals, or drainage ditches that lie within the boundaries of, and are maintained by, a port district or an irrigation district or company. See also "Habitats of local importance."

"Floodplain" means the channel and the relatively flat area adjoining the channel of a natural stream or river that has been or may be covered by floodwater as designated on the FIRM Map.

"Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

"Floor Area Ratio (FAR)" means the ratio of the gross floor area of all buildings on a lot divided by the lot area.

"Frequently flooded areas" are lands in the floodplain subject to at least a one percent or greater chance of flooding in any given year, or within areas subject to flooding due to high groundwater. These areas include, but are not limited to, streams, rivers, lakes, coastal areas, wetlands, and areas where high groundwater forms ponds on the ground surface.

Garage, Private. "Private garage" means a structure that is accessory to a residential building or on a residential lot and that is used for the parking and storage of vehicles, excluding vehicles over one ton capacity, owned and operated by the residents thereof and that is not a separate commercial enterprise available to the general public.

Garage, Public. "Public garage" means a structure, or portion of a structure, other than a private customer and employee garage or private residential garage, used primarily for the parking and storage of vehicles and available to the general public.

"Geologically hazardous areas" means areas that because of their susceptibility to erosion, sliding, earthquake, or other geological events, are not suited to the siting of commercial, residential, or industrial development consistent with public health or safety concerns.

"Gross floor area" means the interior habitable area of a dwelling unit including basements and attics but not including a garage or accessory structure.

"Group Homes for Children" means a dwelling in which a person or persons provide personal care, special care, room and board to more than one (1) but not more than eight (8) juveniles who are not related by blood or marriage to the person or persons providing the care. Those homes or facilities serving more than eight (8) juveniles or serving juveniles under the jurisdiction of the criminal justice system shall be considered a "Residential Care Facility" pursuant to CMC 18.12.160, Community-based Behavioral Health Facilities.

"Habitat conservation area" means and includes (a) areas with which species designated as endangered, threatened, and sensitive under Section 7 of the Endangered Species Act have primary association; (b) habitats and species of local importance; (c) naturally occurring ponds under twenty acres and their submerged aquatic beds that provide wildlife habitat; (d) waters of the state; and (e) state natural area preserves and natural resource conservation areas.

"Habitats of local importance" designated as fish and wildlife habitat conservation areas include those areas found to be locally important by counties and cities.

"Hazardous waste" means all dangerous and extremely hazardous waste as defined in RCW 70.105.010(15), except for moderate-risk waste as set forth in RCW 70.105.010(17).

"Hazardous waste storage" means the holding of hazardous waste for a temporary period. Accumulation of hazardous waste by the generator on the site of generation is not storage as long as the generator complies with the applicable requirements of WAC 173-303-200 and 173-303-201.

"Hazardous waste treatment" means the physical, chemical, or biological processing of hazardous waste to make such waste nondangerous or less dangerous, safer for transport, amenable for energy or material resource recovery, amenable for storage, or reduced in volume.

Hazardous Waste Treatment and Storage Facility, on-site. "On-site hazardous waste treatment and storage facility" means treatment and storage facilities which treat, and store hazardous wastes generated on the same property. This activity is always the accessory use to a primary activity on the property.

Hazardous Waste Treatment and Storage Facility, Off-Site. "Off-site hazardous waste treatment and storage facility" means treatment and storage facilities which treat, and store hazardous wastes generated on properties other than those on which the off-site facilities may be located. This use is always the primary use of the property.

"Hearing examiner" means an appointive officer who acts in a manner similar to a judge to hear and decide upon land development project applications and/or administrative appeals of land use decisions. Hearing examiners are professionally trained to make objective quasi-judicial decisions supported by an adequate record.

"Home occupation" means any business or professional enterprise conducted in a dwelling unit or accessory structure, which is not generally or customarily characteristic of activities for which dwelling units are intended or designed. Such activity is clearly incidental or secondary to the residential use of the premises and is conducted only by persons residing in the dwelling unit.

"Hotel" means a facility offering transient lodging accommodations to the general public and having six or more guest rooms. Additional services, such as restaurants, meeting rooms, entertainment, and recreational facilities may be provided.

"Inherently dangerous animals" mean any animal that, by its nature, poses a substantial risk to humans or livestock by poisoning, mauling, biting or otherwise exhibiting predatory, territorial, or defensive behavior. These may include, but are not limited to, varieties of snakes, wild cats, bear, amphibians, insects, and hybrids of wild and domestic dogs.

"Keeping of livestock" means the regular or occasional use of land for the feeding, pasturing, and boarding of livestock. This does not include the transient housing of livestock associated with veterinary offices or animal hospitals.

"Kennel" means any building or lot on which four or more dogs or cats over four months of age are kept for commercial or non-commercial purposes.

"Landscaping" means an expanse of natural scenery, including lawns, trees, plants, and other natural materials, such as rocks, and decorative features and amenities, such as planters, benches, and walkways.

"Landslide hazard areas" are areas at risk of mass movement due to a combination of geologic, topographic, and hydrologic factors.

"Livestock" means any animal of the species of steer, cow, horse, mule/donkey, llama, ox, goat, sheep, swine (pigs and hogs), domestic fowl, rabbit, exotic animal, primate or any other animal of similar nature or size.

"Long-term commercial significance" includes the growing capacity, productivity, and soil composition of the land for long-term commercial production, in consideration with the land's proximity to population areas, and the possibility of more intense uses of land. Long-term commercial significance means the land is capable of producing the specified natural resources at commercially sustainable levels for at least the twenty-year planning period, if adequately conserved. Designated mineral resource lands of long-term commercial significance may have alternative post-mining land uses, as provided by the Surface Mining Reclamation Act, City of Chewelah Comprehensive Plan and development regulations, or other laws.

"Lot" means a designated parcel, tract, or area of land established by plat, subdivision, or as otherwise permitted by law, to be separately owned, used, developed, or built upon (see Figure 3 in CMC 18 Appendix A).

Lot, Corner. "Corner lot" means a lot abutting two or more streets at their intersection or at two parts of the same street forming an interior angle of less than one hundred thirty-five degrees.

"Lot coverage" means the percentage of the total lot area covered by all principal and accessory structures, excluding eaves, cornices, sills, and similar extensions.

"Lot depth" means the horizontal distance between the front and rear property lines measured on a line approximately perpendicular to the fronting street and midway between the side property lines.

"Lot, double frontage," "Double frontage lot" or "reverse frontage lot" means a lot with street frontage along two opposite boundaries.

"Lot frontage" means the side of a lot adjoining a street right-of-way.

Lot, Inside or Interior. "Interior or inside lot" means a lot other than a corner lot and fronting on one street.

"Lot width" means the horizontal distance between the side property lines measured at a right angle to the lot depth at a point thirty feet from the front property line.

"Low Impact Development (LID)" is a stormwater and land use management strategy that strives to mimic pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration by emphasizing conservation, use of on-site natural features, site planning, and distributed stormwater management practices that are integrated into a project design.

"Manufactured home" means a single-family dwelling built according to the United States department of housing and urban development manufactured home construction and safety standards act, which is a national preemptive building code. A manufactured home also: (a)

Includes plumbing, heating, air conditioning, and electrical systems; (b) is built on a permanent chassis; and (c) can be transported in one or more sections with each section at least eight feet wide and 40 feet long when transported, or when installed on the site is three hundred twenty square feet or greater.

Manufactured Home, Designated. "Designated manufactured home" means a manufactured home which: (1) is comprised of at least two fully enclosed parallel sections each of not less than twelve feet wide by thirty-six feet long; and (2) was originally constructed with and now has a composition of wood shake or shingle, coated metal, or similar roof of not less than 3:12 pitch; and (3) has exterior siding similar in appearance to siding materials commonly used on conventional site-built uniform building code single-family dwellings.

"Manufactured home park" or "manufactured housing community," means any real property which is rented or held out for rent to others for the placement of two or more mobile homes, manufactured homes, or park models for the primary purpose of production of income, except where such real property is rented or held out for rent for seasonal recreational purpose only and is not intended for year-round occupancy.

"Mine hazard areas" are those areas directly underlain by, adjacent to, or affected by mine workings such as adits, tunnels, drifts, or air shafts.

"Mineral resource lands" means lands primarily devoted to the extraction of minerals or that have known or potential long-term commercial significance for the extraction of minerals.

"Minerals" include gravel, sand, and valuable metallic substances.

"Mini storage facility, self-storage warehouse, self-service storage" means an industry in which storage space (such as rooms, lockers, containers, and/or Recreational Vehicle Storage, also known as "storage units") is rented to tenants, usually on a short-term basis.

"Minor modification" means any modification to an existing serviceable structure that does not add more than twenty percent to the total structure square footage, in no case shall the increase be greater than four hundred square feet or adds more than twenty percent to the existing building height.

"Mobile home" means a factory-built dwelling built prior to June 15, 1976, to standards other than the United States department of housing and urban development code, and acceptable under applicable state codes in effect at the time of construction or introduction of the home into the state. Mobile homes have not been built since the introduction of the United States department of housing and urban development manufactured home construction and safety act.

"Modular home" means a factory-assembled structure designed primarily for use as a dwelling when connected to the required utilities that include plumbing, heating, and electrical systems contained therein, does not contain its own running gear, and must be mounted on a permanent foundation. A modular home does not include a mobile home or manufactured home.

Motel, Auto or Tourist Court. "Auto or tourist court motel" means a building or group of buildings on the same lot containing six or more guest rooms, each with a separate entrance, consisting of individual sleeping quarters detached or in connected rows, with or without cooking facilities, rented for compensation to tourists or transients.

"Motor home, camper, travel trailer" means a recreational vehicle used for eating and sleeping that is not considered a dwelling that can be parked temporarily inside of the corporate limits of the city and outside of a trailer court for not more than ninety days total in any consecutive twelve-month period.

"Multiple-Family" of "Multi-Family" means a means a structure containing three or more dwelling units on the same lot.

"Natural resource lands" means agricultural, forest, and mineral resource lands which have long-term commercial significance.

"Net floor area" means the total usable area, in square feet, of a building, measured by subtracting stairways, elevators, and mechanical space from the gross floor area of a building.

"Nonconforming lot" means a lot of record which was lawfully established, existing and maintained at the effective date of the provisions of the ordinance codified in this title but which, because of the application of such ordinance, no longer conforms to the regulations prescribed in this title for the district in which it is located.

"Nonconforming use or structure" means a building, structure, or land use which was lawfully established, existing and maintained at the effective date of the ordinance codified in this title but which, because of the application of such ordinance, no longer conforms to the regulations prescribed in this title for the district in which it is located.

"Non-federally regulated wetlands" means wetlands that are hydrologically isolated from other aquatic resources, as determined by the United States Army Corps of Engineers. Isolated wetlands may perform important functions and are protected by state law (RCW 90.48) whether or not they are protected by federal law.

"Nursing home" means any home, place or institution which operates or maintains facilities providing convalescent or chronic care, or both, for a period in excess of twenty-four consecutive hours for three or more patients not related by blood or marriage to the operator, who by reason of illness or infirmity, are unable to properly care for themselves. Care may include administration of medicines, preparation of special diets, giving of bedside nursing care, application of dressings and bandages, and carrying out of treatment prescribed by a licensed practitioner of the healing arts. Nothing in this definition shall be construed to include general hospitals in which surgery or obstetrics or both are performed, the care of persons suffering from a mental sickness, mental disorder, or ailment.

"Open space" means an unobstructed area from the ground to the sky.

"Overlay district" means a district specifically delineated on the zoning map establishing land use requirements that govern in addition to standards of the base district.

"Park model" means a recreational vehicle intended for permanent or semipermanent installation and is used as a primary residence.

"Parking space" means a space for the parking of a motor vehicle within a public or private parking area.

"Permanent supportive housing" is subsidized, leased housing with no limit on length of stay that prioritizes people who need comprehensive support services to retain tenancy and utilizes admissions practices designed to use lower barriers to entry than would be typical for other subsidized or unsubsidized rental housing, especially related to rental history, criminal history, and personal behaviors. Permanent supportive housing is paired with on-site or off-site voluntary services designed to support a person living with a complex and disabling behavioral health or physical health condition who was experiencing homelessness or was at imminent risk of homelessness prior to moving into housing to retain their housing and be a successful tenant in a housing arrangement, improve the resident's health status, and connect the resident of the housing with community-based health care, treatment, or employment services. Permanent supportive housing is subject to all of the rights and responsibilities defined in chapter 59.18 RCW.

"Permitted use" means any use allowed in a specified zone and subject to the restrictions applicable to that zone.

"Pets" mean dogs, cats or any other animal kept or bred for the purpose of human companionship. Potbelly pigs and domestic ferrets shall be considered pets.

"Planned development" means an area to be planned, developed, operated, and maintained according to plan as a single entity and containing one or more structures with appurtenant common areas.

"Principal unit" means the single-family housing unit, duplex, triplex, townhome, or other housing unit located on the same lot as an accessory dwelling unit.

"Principal use" means the use for which a lot, structure or building, or the major portion, is designed, intended, or actually utilized.

"Public facilities" include streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, domestic water systems, storm and sanitary sewer systems, park and recreational facilities, and schools.

"Public services" include fire protection and suppression, law enforcement, public health, education, recreation, environmental protection, and other governmental services.

"Rapid charging station" means an industrial grade electrical outlet that allows for faster recharging of electric vehicle batteries through higher power levels, which meets or exceeds any standards, codes, and regulations set forth.

"Recreational vehicle" means a travel trailer, motor home, truck camper, or camping trailer that is primarily designed and used as temporary living quarters, is either self-propelled or mounted on or drawn by another vehicle, is transient, is not occupied as a primary residence, and is not immobilized or permanently affixed to a mobile home lot.

"Residence" means a building or portion thereof designed exclusively as a place of habitation for one or more persons, but excluding dormitories, motels, hotels, tourist homes, hospitals, and rest homes. See "Dwelling unit."

"Religious organization" means the federally protected practice of a recognized religious assembly, school, or institution that owns or controls real property.

"Restaurant" means an establishment where food and drink are prepared, served, and consumed primarily within the principal building.

"Salmonid" means resembling or characteristic of a salmon; of or belonging to the family Salmonidae, which includes salmon, trout, and whitefish.

"Seat" means fixed seat, or each eighteen inches of bench width where fixed benches or pews are provided. Where movable chairs are provided, each fifteen square feet of floor area to be occupied by such chairs shall be considered as a seat.

"Seismic hazard areas" are areas subject to severe risk of damage as a result of earthquake induced ground shaking, slope failure, settlement, soil liquefaction, debris flows, lahars, or tsunamis.

"Service station" means any building or premises used for the sale of motor vehicle fuel and other petroleum products and automotive accessories, and for the washing, lubrication, and minor repair of automotive vehicles, but not including tire recapping, engine overhauling, body and fender work or painting.

"Setback" means the horizontal distance in feet as measured from a lot line to the nearest vertical point of a structure (see Figure 1 in CMC 18 Appendix A).

"Short-term rental" means a lodging use, that is not a hotel or motel or bed and breakfast, in which a dwelling unit, or portion thereof, is offered or provided to a guest by a short-term rental operator for a fee for fewer than 30 consecutive nights.

"Signs, temporary and/or portable" means any sign that is not permanently secured to the ground or a structure consistent with the uniform sign code. Examples of these signs include: "sandwich board" or "A-frame" signs, easels, letter-boards and reader-board signs mounted on a vehicle normally licensed by the state, signs advertising yard sales, rummage sales, garage sales, or any

such event, or banners or pennants not attached to the building or establishment that they advertise.

"Site area" means the total horizontal area within the property lines excluding external streets.

"Site plan" means the development plan for one or more lots on which is shown the existing and proposed conditions of the lot, including topography, vegetation, drainage, critical resource areas, means of ingress and egress, circulation, utility services, structures, signs, lighting, surrounding development, and any other information that reasonably may be required so that an informed decision can be made by the approving authority.

"Species of local importance" are those species that are of local concern due to their population status or their sensitivity to habitat alteration or that are game species.

"Story" means that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If a finished floor level directly above an under-floor space is more than six feet above grade for more than fifty percent of the perimeter or is more than twelve feet above grade at any point, such under-floor space shall be considered a story (see Figure 4 in CMC 18 Appendix A).

Story, first. "First story" means the lowest story in a building which qualifies as a story, except that a floor level in a building having only one floor level shall be classified as a first story provided such floor level is not more than four feet below grade for more than fifty percent of the total perimeter, or not more than eight feet below grade at any point.

"Street" means the entire width within the right-of-way provided for public use for the purpose of vehicular and/or pedestrian traffic and the placement of utilities.

"Structure" means anything constructed or erected which requires a location on the ground or that is attached to something having a location on the ground, but not including fences less than six feet in height, excepting that "structure" for the purposes of applying the regulations prescribed by the flood management overlay district of this title shall mean any walled and roofed building or mobile home that is principally above ground.

"Tiny house" and "tiny house with wheels" means a dwelling to be used as permanent housing with permanent provisions for living, sleeping, eating, cooking, and sanitation built in accordance with the state building code.

"Towing service establishment" means any building or premises which is used for the indoor or outdoor temporary storage of operable, inoperable, nonrepairable, or abandoned motor vehicles pending delivery to the owner or to a public garage for repair or to a junkyard for salvage; but excluding stripping and salvaging activities and auto wrecking yards for prolonged storage of wrecked motor vehicles.

“Townhouses,” mean buildings joined at the side by a common wall. Each dwelling has up to two or three stories and no dwellings are placed over another. Each dwelling has direct access to the street and typically contains some private open space. “Transitional housing” means a project that provides housing and supportive services to homeless persons or families for up to two years and that has as its purpose facilitating the movement of homeless persons and families into independent living.

"Urban growth" refers to growth that makes intensive use of land for the location of buildings, structures, and impermeable surfaces to such a degree as to be incompatible with the primary use of such land for the production of food, other agricultural products, or fiber, or the extraction of mineral resources. Urban growth typically requires urban governmental services. "Characterized by urban growth" refers to land having urban growth located on it, or to land located in relationship to an area with urban growth on it as to be appropriate for urban growth.

"Use" means the purpose or activity for which land is zoned, or a structure is intended or used.

"Variance" means the means by which an adjustment is made in the strict application of this title to a particular piece of property, which because of peculiar physical characteristics, would be deprived privileges commonly enjoyed by other properties in the same zone. A variance shall not allow a use in a zone where otherwise prohibited.

"Volcanic hazard areas" include areas subject to pyroclastic flows, lava flows, and inundation by debris flows, lahars, mudflows, or related flooding resulting from volcanic activity.

"Water dependent use" means a use or portion of a use which cannot exist in any other location and is dependent on the water by reason of the intrinsic nature of its operations. Water dependent uses may include marinas, water intake systems, and sewer outfalls.

"Water related use" means a use or portion of a use which is not intrinsically dependent on a waterfront location but whose operation cannot occur economically without a shoreline location. Water related uses may include fish hatcheries.

"Wellhead protection area" means the surface and subsurface area surrounding a well or wellfield that supplies a public water system and through which contaminants are likely to pass and eventually reach the water well or wellfield, as has been designated pursuant to WAC 246-290.

"Wetland" or "Wetlands" means areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that which under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from non-wetland sites, grass lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway.

"Yard" means an open space situated between lot lines and not covered by buildings, unoccupied and/or unobstructed from the ground upward except as may be permitted by this title (see Figure 3 in CMC 18 Appendix A).

Yard, Front. "Front yard" means an open space extending the full width of the lot between any building and the front lot line.

Yard, Rear. "Rear yard" means an open space extending the full width of the lot between the principal building and the rear lot line, excluding steps and porches.

Yard, Side. "Side yard" means an open space extending the full depth of the lot between any building and the side lot line.

SECTION 5: Title 18, Chapter 8, Sections 10 and 20 of Chewelah Municipal Code is hereby repealed and replaced with the following:

18.08.010 Text and Official Map

- A. The city is divided into base zoning districts 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:

Single-family residential (R-1)

Single-family residences (R-1B)

multi-family residential high density (R-3)

Retail business (R-B)

Commercial industrial (C-I)

Airport-Golf Course Zones (APGC)

Community Facilities (C-F)

The following overlay districts may also apply to the base zoning districts, which may provide additional standards:

Floodplain management overlay (FM)

Critical resource area overlay (CRA)

Shoreline enhancement overlay (SE)

Airport Overlay (AO)

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.

(Ord. No. 900, § 7, 8-3-2016)

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)

	R-1	R-1B	R-3	R-B	C-I	APGC	C-F
Residential							
Single-family detached dwellings (including designated manufactured homes)	P	P	P	X	P(5)	P	X
Mobile Homes	(18)	(18)	(18)	(18)	X	X	X
Accessory Dwelling Units (ADUs) (2)	P	P	P	X	X	P	X
Duplex dwellings	P	P	P	P(16)	P(5)	C	X
Cottage Housing (6)	P	P	P	P(16)	X	X	X
Townhouses (17)			P	P(16)			
Multi-family dwellings	X	X	P	P(16)	X	C	C
Manufactured home park (11)	C	C	C	C(16)	X	X	X
Co-living housing (8)	X	X	P	P(16)	X	X	X
Adult family home	P	P	P	C	X	P	P
Group home for children	P	P	P	C	X	P	P
Emergency Housing	X	X	X	C(16)	C	X	X
Emergency Shelter	X	X	X	C(16)	C	X	X
Permanent Supportive Housing	P	P	P	P(16)	P	P	P
Transitional Housing	P	P	P	P(16)	XP	P	X
Commercial							
Keeping of livestock	P	P	P	P	P	P	P
Beekeeping	P(15)	X	X	X	X	C	P(15)
Temporary stands for sale of agricultural products	X	X	X	C	C	C	X
Commercial nurseries and greenhouses	X	X	X	P	P	X	X
Domestic pets	P	P	P	P	P	P	P

Gardening or fruit raising (1)	P	P	P	P	X	P	P
Home occupation	P	P	P	P	X	P	P
Accessory uses and structures	P	P	P	P	P	P	P
Child day care - center	C	C	C	P	X	C	C
Child day care - mini	C	C	C	P	X	C	X
Child day care - home	P	P	P	P	X	P	X
Public garages	X	X	X	P	C	X	C
Telecommunication facilities	X	X	X	P	C	X	P
Temporary uses, including business, contractors, real estate offices	C	C	C	P	P	C	C
Medical and dental offices	X	X	X	P	P	X	C
Convalescent facilities	X	X	C	P	C	X	C
Museum, art galleries	C	C	P	C	P	P	P
Automotive showroom and supply store	X	X	X	P	P	X	X
Bakery, candy, ice cream, and similar food manufacturing	X	X	X	P	P	X	X
Car or boat sales (new or used)	X	X	X	P	P	X	X
Motorcycle or motor scooter sales and repair	X	X	X	P	P	X	X
Antique stores	X	X	X	P	P	X	X
Catering services	X	X	X	P	P	X	X
Department stores, building supply outlets, floor covering and rug stores	X	X	X	P	P	X	X
Dressmaking and custom tailoring	X	X	X	P	P	X	X
Dry good stores	X	X	X	P	P	X	X
Financial institutions	X	X	X	P	P	X	X
Furniture stores including incidental repair and custom furniture upholstery	X	X	X	P	P	X	X
Restaurants, including drive ins	X	X	X	P	P	X	X
Private clubs, fraternities, and lodges	X	X	X	P	P	X	X
Liquor stores, taverns, night clubs	X	X	X	P	P	X	X

Places of assembly, including auditorium, funeral home, art gallery, etc.	X	X	X	P	P	X	C
Tire shops, excluding tire recapping	X	X	X	P	P	X	X
Armories	X	X	X	C	P	X	X
Theaters, excluding drive-ins	X	X	X	P	P	X	X
Professional and general offices	X	X	X	P	P	X	X
Business and trade schools	X	X	X	P	P	X	X
Studios, commercial art, photography, film exchange, preprocessing	X	X	X	P	P	X	X
Printing establishments	X	X	X	P	P	X	X
Wholesale and mail order (not stocking goods on premises)	X	X	X	P	C	X	X
Service station	X	X	X	P	C	X	X
Car wash	X	X	X	P	C	X	X
Secondhand store	X	X	X	P	P	X	X
Dry cleaning and laundry	X	X	X	P	P	X	X
Animal clinics	X	X	X	C	C	X	X
Hotel or motel	X	X	X	P	P	X	X
Mixed use (office, commercial and/or residential on a single parcel or in a single structure)	X	X	X	P	P	X	C
Recreational							
Amusement enterprises	X	X	X	P	P	X	X
Recreational vehicle park	X	X	X	C	C	C	X
Parks, playgrounds, golf course	P	P	P	X	X	P	P
Recreational camps	X	X	X	X	X	C	X
Golf course	C	C	C	X	X	P	C
Industrial							
On site hazardous waste storage and treatment (7)	X	X	X	P	P	X	X
Offsite hazardous waste storage and treatment	X	X	X	X	C	X	X

Other similar retail wholesale and commercial businesses	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	P	C	X
Research, experimental or testing laboratories	X	X	X	X	P	X	X
Electrical Vehicle Charging Station - Level 1	P	P	P	P	P	P	P
Electrical Vehicle Charging Station - Level 2	P	P	P	P	P	P	P
Electrical Vehicle Charging Station - Level 3	X	X	X	P	P	C	P
Electrical Vehicle - Battery Exchange Station	X	X	X	P	P	C	C
Mini storage facilities	X	X	X	C	P	C	X
Warehouses	X	X	X	X	C(10)	X	X
Drop hammer or similar equipment (9)	X	X	X	X	C	X	X
Community Facilities							
Schools (3)	C	C	C	C	X	C	C
Assisted Living Facilities	C	C	C	C	X	C	C
Churches and charitable institutions	C	C	C	C	X	C	C
Hospitals and nursing homes	C	X	C	C	X	C	C
Community-based Behavioral Health Facilities (12)	X	X	X	C	C	X	C
Municipal buildings	C	C	C	P	P	C	P
Public/private utilities	C	C	C	C	C	C	C
Essential Public Facilities	(13)	(13)	(13)	(13)	(13)	(13)	(13)

Notes:

1. Including sales of products, provided no retail stand, greenhouse, permanent sign, or other commercial structure is erected.

2. Subject to standards provided in CMC 18.12.170 Accessory Dwelling Units.
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. Subject to standards provided in CMC 18.12.180 Cottage Housing.
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. Allowed only on lots that would also allow at least six multifamily residential units under the base zoning district standards. For purposes of calculating unit density, a sleeping unit within co-living housing shall be considered equal to one-quarter of a dwelling unit.
9. Drop hammers in areas adjoining residential zones may 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.
11. Subject to CMC 18.12.090.
12. Subject to additional standards provided in CMC 18.12.160 Community-based Behavioral Health Facilities.
13. Subject to an essential public facilities siting process pursuant to RCW 36.70A.200 and the Chewelah Comprehensive Plan.
14. Subject to additional standards provided in CMC 18.12.120 Special Standards for The Keeping of Livestock.
15. Subject to additional standards provided in CMC 18.12.121 Beekeeping.

16. New residential development within the R-B zone must be located above or behind a non-residential use on lots with frontage along East Main Street, West Main Street, and US 395.

17. Subject to standards provided in CMC 18.12.190 Townhouses.

18. Mobile homes may only be placed within an existing mobile home park or manufactured housing community in existence before June 12, 2008.

SECTION 6: Title 18, Chapter 8, Section 60 of Chewelah Municipal Code is hereby repealed and replaced with the following:

18.08.060 Single-Family Residential (R-1) Zone

- 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:
 - 1. The minimum setbacks for a principal building shall be:
 - 1. Front yard: twenty feet;
 - 2. Rear yard: ten feet;
 - 3. Side yard: ten feet, except fifteen feet on a side yard adjacent to a street.
 - 2. The minimum setbacks for an accessory building shall be:
 - 1. Front yard: twenty feet;

2. Rear yard: five feet, except fifteen feet when the accessory building is a garage taking access from the alley adjacent to the rear yard;
3. 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 CMC 18.12, Supplementary Standards, shall also apply to development in the single-family residential zone, including, but not limited to, accessory dwelling units (ADUs).

SECTION 7: Title 18, Chapter 8, Section 80 of Chewelah Municipal Code is hereby repealed and replaced with the following:

18.08.080 Single-Family Residences (R-1B) Zone

- 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 uses.
- B. 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:
 - (1) Front yard: twenty feet;
 - (2) Rear yard: ten feet;
 - (3) 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:

(1) Front yard: twenty feet;

(2) Rear yard: five feet;

(3) 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 CMC 18.12, Supplementary Standards, shall also apply to development in the R1-B zone, including, but not limited to, accessory dwelling units (ADUs).

SECTION 8: Title 18, Chapter 8, Section 110 of Chewelah Municipal Code is hereby repealed and replaced with the following:

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 uses.

B. 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 unless otherwise specified (i.e., townhouses or cottage developments): three thousand six hundred square feet.

2. Minimum lot width unless otherwise specified (i.e., townhouses): forty feet.

3. Setback requirements:

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

(1) Front yard: fifteen feet except for street-facing garages, which must maintain a minimum twenty-foot setback.

(2) Rear yard: ten feet;

(3) 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:

(1) Front yard: twenty feet;

(2) Rear yard: five feet;

(3) 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: sixty percent.

D. Other Applicable Regulations. In addition to the requirements contained in this section, the requirements contained in CMC 18.12, Supplementary Standards, shall also apply to development in the R-3 zone, including, but not limited to, accessory dwelling units (ADUs).

SECTION 9: Title 18, Chapter 12, Section 90 of Chewelah Municipal Code is hereby repealed and replaced with the following:

18.12.090 Manufactured Home Parks

A. Purpose. This section governs the placement of dwelling units in manufactured home parks not yet in existence at the time of passage of this ordinance.

B. Dwelling Units allowed.

1. Manufactured Homes

2. Designated Manufactured Homes

3. Park Models

4. Recreational Vehicles

5. Tiny Houses with Wheels

C. All dwelling units placed within a manufactured home park must be thermally equivalent to the state energy code. All dwelling units placed within a manufactured home park must contain at least one internal toilet and at least one internal shower unless the manufactured home park provides toilets and showers.

D. All manufactured homes placed within a manufactured home park shall be.

1. "New" as defined in RCW 35.63.161(2).
2. Set upon a permanent foundation, with the space from the bottom of the home to the ground enclosed by concrete or an approved concrete product, which can be either load-bearing or decorative.

E. Design Standards.

1. The minimum area of a manufactured home park shall be one and one-half acres.
2. All manufactured home parks shall provide at least one point of ingress/egress from the park to a dedicated public street. Additional access points may be required. The developer shall be responsible to pave dedicated streets inside the park and to pave the frontage streets (lot line to lot line) that adjoin the property to the center of the dedicated right-of-way.
3. All utilities, including electrical distribution, cable television, and telephone service systems, shall be installed underground except for access terminals.
4. Spaces within a manufactured home park shall contain a minimum of three thousand five hundred square feet in the R-3 and R-B zone and five thousand four hundred square feet in the L-R zone. The maximum building coverage including the manufactured home is fifty percent of the space.
5. A minimum of eight percent of the total gross area of the park shall be designated and maintained as a recreational area for occupants of the park.
6. Setbacks in a manufactured home park shall be as follows:
 - a. Fifteen feet between dwelling units;
 - b. Twenty feet from the front property boundary line and fifteen feet from flanking streets;
 - c. All mobile homes shall be located at least twenty feet from the perimeter of the park.
7. All vehicular ways shall meet or exceed the standards set by the street department supervisor for public streets.

8. Support systems and stabilizing devices for any manufactured-designated/manufactured home shall be designed and installed in accordance with the specifications set forth by the manufacturer or the adopted standards of a federal or state regulatory agency, whichever is more stringent.
9. Accessory structures installed in a manufactured home park shall conform to the requirements of the Uniform Building Code and other applicable laws. Accessory structures shall be no closer than five feet to a property line.
10. Off-street covered parking space(s) shall be provided in accordance with CMC 18.12.020.
11. Each manufactured home space shall be numbered with a sign or other method that will facilitate responses by emergency vehicles.

F. Application Requirements.

1. Preapplication Conference.

- a. Before any proposal for a manufactured home park is presented to the city, the city shall schedule a meeting with staff and the applicant.
- b. The applicant shall have prepared for the meeting the general outlines of the proposal, evidenced schematically by sketch plans drawn to scale containing in an approximate manner the following information:
 - 1) Legal description of the proposal;
 - 2) Boundaries and dimensions of the proposal including the number of acres involved;
 - 3) Location and dimensions of each space;
 - 4) Location and width of streets and pedestrian ways;
 - 5) Locations of recreational and other common areas;
 - 6) Location of landscaping, fences, walls, and other screening structures;
 - 7) Locations, arrangement, and design of all parking facilities.
 - 8) Identification of topographical hazards, environmentally sensitive areas, floodplains.

- c. The building official shall furnish the applicant with a written review of the conference regarding the relation of the mobile home park to general development objectives and applicable city ordinances and policies.
2. Application for development permit shall include the following:
- a. All applications for approval of a manufactured home park development shall be accompanied by a fee as established by resolution by the city council, which shall be used to cover the costs of advertising, reviewing, and publishing incidental to the request.
 - b. All applications submitted for approval of a manufactured home park shall a site plan drawn at a scale of one inch equals one hundred feet or larger and be either printable or to on sheets of paper eighteen inches by twenty-four inches minimum. The plan shall contain at a minimum the following information in addition to the information required in Part D,1 of this section:
 - 1) Name of person who prepared the plan;
 - 2) Name of persons owning and managing the land proposed for the park development;
 - 3) Name and address of the proposed mobile home park;
 - 4) Scale and north point on the plan;
 - 5) Vicinity map showing relationship of the development to adjacent properties;
 - 6) Location and dimensions of each space, with spaces designated by number or other designation;
 - 7) Location of each lighting fixture for exterior lighting;
 - 8) Location and dimensions of proposed building(s) other than mobile homes;
 - 9) Location of fire hydrants;
 - 10) Enlarged plot plan of a typical space, showing location of foundation base, storage space, parking, utility connections and other improvements;
 - 11) A survey plat of the property showing:

- a. Structures to be constructed,
 - b. Public water system and sewer and garbage disposal plan approved by the appropriate officials.
 - c. An environmental checklist, as applicable and fee for review must be submitted with the application.
3. The application will be submitted in accordance with the provisions of CMC 18.20 for a Type II review.

G. Park Administration.

1. It is the responsibility of the park owner and manager to ensure that the provisions of this title are observed and maintained within the mobile home park. Violations of this title shall subject both the owner and the manager to the penalties provided for in CMC 18.20.070 for such violation. The owner or designated agent shall be available and responsible for the direct management of the manufactured home park.
2. The manufactured home park shall be maintained free of any flammable materials in amounts which might communicate fires between homes and other improvements.
3. Refuse shall be collected and disposed of on a regular and sanitary basis.
4. Any dumpsters or centralized collection areas containing three or more receptacles will be screened from view as per CMC 18.12.030.

SECTION 10: Title 18, Chapter 12, Section 120 of Chewelah Municipal Code is hereby repealed and replaced with the following:

18.12.020 Parking and Loading Spaces

- A. Parking Spaces Required.
- B.

1. The number of required off-street parking spaces shall be as follows.

Land Use	Parking Spaces Required
Single-family residence (including townhouses)	One covered space
Accessory dwelling units	One space per unit
Co-living housing	0.25 spaces per sleeping unit

Duplex	One covered space per unit
Multi-family residency	One space per unit
Cottage Developments	One space per unit
Manufactured home parks	One space per unit
Hotels, motels, tourist courts, boarding house, and other establishments providing rooms or suites for overnight stay	One space for each unit/room
Retail uses	One space for each 500 gross square feet of building area
Places of assembly	One space per six fixed seats or one space per 100 square feet of assembly area
Professional and general offices	One space for each 500 gross square feet of building area
Industrial uses	One space for each 500 gross square feet of building area
Schools	One space for each 1000 gross square feet of building area
Assisted living facilities, retirement homes, nursing homes, or other similar facility	One space per two living units

2. For nonresidential uses, a maximum of thirty percent of the required spaces may be compact in size.
3. Number and size of handicapped parking spaces shall be as per state requirements.
4. Retail, professional, and general office uses within the central business district overlay zone shall provide parking spaces at one-half the requirements of this chapter. The requirements of this chapter may be waived by the current administrative designee provided a sum, identified per fee resolution, is deposited into a trust account to be used by the city to provide parking spaces within or near the downtown business district overlay zone.

SECTION 11: Title 18, Chapter 12, Section 130 of Chewelah Municipal Code is hereby repealed and replaced with the following:

18.12.130 Recreational Vehicles on Personal Property

Only one recreational vehicle will be permitted on a single tax parcel. Recreational vehicles may be used as a primary residence for up to 6 months when occupied in conjunction with a building

permit for new building construction of a primary residence on the same property. The building official may extend the 6-month time period for up to 1 year so long as the building permit remains in good standing. Length of stay for occupied recreational vehicles on personal property shall otherwise be limited to no more than 7 consecutive days per calendar year.

SECTION 12: Title 18, Chapter 12, Section 170 of Chewelah Municipal Code is hereby adopted as follows:

18.12.170 Accessory Dwelling Units (ADUs)

A. Purpose and Intent.

1. To provide the opportunity for accessory dwelling units within or alongside single-family homes while maintaining the character of single-family neighborhoods.
2. To increase the supply of housing within the City of Chewelah.
3. To offer affordable housing alternatives.
4. To enable adult children to care for and support parents or other relatives in need.
5. To allow homeowners the opportunity to secure additional income to cope with increasing homeownership costs.
6. To promote infill housing opportunities, efficient land use, and to minimize the costs of maintaining additional public infrastructure.

B. Use Standards.

1. Up to two ADUs, attached or detached, may be permitted per lot where the lot meets the minimum lot size standard in the underlying zoning district.
 1. Two attached ADUs, such as units in a basement, attic, or garage.
 2. One attached ADU and one detached ADU.
 3. Two detached ADUs may be comprised of either one or two detached structures.
2. Municipal water and wastewater systems must serve ADUs. Septic systems and/or wells may not be used for serving ADUs.
3. Modular Homes and Manufactured Homes may be utilized as ADUs so long as they are set on a permanent foundation. Mobile homes shall not be allowed as ADUs.

4. Conversion of existing structures to an ADU:
 1. Accessory dwelling units can be converted from existing structures, including but not limited to detached garages.
 2. ADUs can be converted from legally non-conforming structures with respect to setbacks, lot coverage, or height, so long as any dimensional non-conformity is not increased.
5. ADUs are subject to all other provisions of the Chewelah Municipal Code, including, but not limited to, maximum lot coverage standards of the underlying zoning district, off-street parking requirements, supplementary zoning standards, building and fire code requirements, city health and safety codes, critical areas, the shoreline management program, and all zoning overlay districts, including the Airport Overlay (AO) Zone.

C. Dimensional Standards.

1. Detached ADUs shall not be located any closer to a front lot line than the principal unit.
2. The gross floor area of an ADU must not exceed 1,000 square feet.
3. Setbacks:
 1. Front Yard: twenty feet.
 2. Rear Yard: ten feet.
 3. Side Yard: five feet, except 10 feet on a side yard adjacent to a street.
 4. Upper story decks shall maintain a minimum 10-foot side yard setback.
 5. Alley Setback: zero feet, so long as adequate ingress and egress are provided and in accordance with the AASHTO turning template for a pickup truck design vehicle, and a 10-foot setback is maintained for any adjacent street.
4. Maximum Height: Twenty-six (26) feet.

SECTION 13: Title 18, Chapter 12, Section 180 of Chewelah Municipal Code is hereby adopted as follows:

18.12.180 Cottage Housing

A. Purpose and Intent.

1. To provide the opportunity for small, detached units on a single parcel while maintaining the character of single-family neighborhoods.
2. To increase the supply of housing within the City of Chewelah.
3. To offer a more obtainable housing alternative for a variety of households in the city.
4. To promote infill housing opportunities, efficient land use, and to minimize the costs of maintaining additional public infrastructure.
5. To provide centrally located and functional common open space where neighbors may interact and to ensure natural surveillance of common areas is provided.

B. Density, Dimensional, and Spacing Standards

1. Cottages shall each have no more than 1,400 square feet of net floor area, excluding attached garages and unenclosed front porches.
2. Setbacks of the underlying zoning district shall apply.
3. The maximum permitted density for cottage housing is 1 unit per 3,000 square feet.
4. The minimum lot area for cottage housing shall be 20,000 square feet.
5. The maximum number of cottages allowed within a single cottage development shall be 12 units.
6. Cottage development property boundaries must be spaced a minimum of 500 feet from other cottage development properties within Single-family zoning districts.
7. Parking areas shall be screened from adjacent lots with landscaping and either a site-obscuring wooden fence or masonry block wall to prohibit light trespass and minimize vehicle engine noise.

C. Open Space

1. Open space shall be provided equal to a minimum of 20 percent of the lot size. This may include common open space, private open space, setbacks, critical areas, and other open spaces.
2. Common open space.
 - a. At least one outdoor common open space is required.
 - b. Common open space shall be provided equal to a minimum of 300 square feet per cottage. Each common open space shall have a minimum dimension of 15 feet on any side.
 - c. Orientation. Common open space shall be bordered by cottages on at least two sides. At least half of the cottage units in the development shall abut a common open space and have the primary entrance facing the common open space.
 - d. Parking areas and vehicular areas shall not qualify as common open space.
 - e. Critical areas shall not qualify as common open space.
3. Entries. All cottages shall feature a roofed porch at least 60 square feet in size with a minimum dimension of five feet on any side facing the street and/or common open space.
4. Community Building
 - a. A cottage housing development shall contain no more than one community building.
 - b. Any community building proposed shall have no more than 2,400 square feet of net floor area, excluding attached garages.

SECTION 14: Title 18, Chapter 12, Section 190 of Chewelah Municipal Code is hereby adopted as follows:

18.12.190 Townhouse Standards

A. Townhouse Lot Standards:

1. Minimum street frontage width: 20 feet.

2. Minimum lot size: 1,600 square feet.

B. Building Design Standards:

1. There shall be no more than six (6) townhouse units in any contiguous group.
2. External setbacks of contiguous townhouses within the same project shall be governed by the underlying zoning district.
3. Vehicular access and parking must be from an alley if one is available while maintaining acceptable turn radiuses for vehicle ingress and egress.
4. Fire escapes and exterior stairs providing access to an upper floor are not allowed on any facade that faces a street.
5. Shared driveways for not more than two townhouses is allowed.
6. Architectural detail on street-facing façade shall be incorporated to delineate floors.
7. No more than two contiguous townhouses may have identical facades within the same project. The facades of townhouses, when more than two are contiguous, units must be distinct from other townhouses but shall also maintain unifying compositional elements such as a common window header or sill line and/or aligned vertical centerlines of windows and doors between upper and lower floors. Setback variation of townhouse units is encouraged.
8. At least fifteen percent of the area of each street-facing facade must be windows or main entrance doors. Windows used to meet this standard must allow views from the building to the street. Glass block does not meet this standard, and windows in garage doors do not count toward meeting this standard.

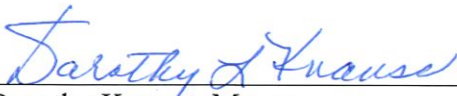
C. Open space:

1. A minimum of 250 square feet of open space per unit shall be provided. The open space may be common or private. Front porches may count towards meeting this standard.

SECTION 15: SEVERABILITY CLAUSE: If any portion of this ordinance is declared invalid or unconstitutional by any court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

SECTION 16: EFFECTIVE DATE: This ordinance or summary thereof consisting of the title shall be published in the official newspaper of the City of Chewelah and shall take effect and be in full force five (5) days after publication.

Passed this 18th Day of June 2025 by the City Council of the City of Chewelah.



Dorothy Knauss, Mayor

ATTEST:



Julie Culverwell, Clerk/Treasurer

APPROVED AS TO FORM:



Mike Waters, City Attorney

Introduced: June 18, 2025

Adopted: June 18, 2025

Published: June 26, 2025

Effective: June 30, 2025