

Planning Commission

Agenda

June 4, 2024

6:00 PM

MAYOR
MATTHEW LUNDH

CITY ADMINISTRATOR
ROBERT OMANS

CITY PLANNER
COLLEDA MONICK

CITY CLERK
DEBBIE LEE



119 W FIRST STREET
CLE ELUM, WA 98922

PLANNING COMMISSION
GARY BERNDT - CHAIR
MATT FLUEGGE
JONATHAN CORNELIUS
MARC KIRKPATRICK
COLIN BRISSEY
PAUL KANTWILL
IAN STEELE

CITIZEN ALTERNATE
VACANT

Join Virtually with Zoom: <https://zoom.us/j/7573184018?pwd=dERndjBJVC9GdVQ1d2ISRExwZFhXZz09>
Meeting ID: 757 318 4018 Passcode: 98922

Join by Phone: 1-(253)215-8782, Meeting ID: 757 318 4018, Passcode:98922

 Receive city text alert notifications: text CLEELUM to 91896

DISCLAIMER: The City does not guarantee that virtual or telephonic access to the City Council meeting will be available and the City does not warrant audio quality. Attendees are encouraged to attend in-person.

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1. **Call to Order & Roll Call**
 2. **Public Comment - Limited to 5 Minutes**
 3. **Adoption of Minutes**
 - a. May 7, 2024
 4. **Business Requiring Public Hearings**
 - a. Non-project text amendments to CEMC 15.20-Sign Code, 17.16-R-Residential Zoning District, 17.32-CG General Commercial Zoning District, and adding a new section 17.70-Zero Lot Line and Common Wall Developments
 5. **Planning Update**
 - a. Update from Chair Gary Berndt
 - b. Staff Announcements, Planning Consultant Colleda Monick
 6. **New Business**
 7. **Next Meeting Agenda Development**
 - a. Continued Public Hearing, Text Amendments?
 - b. Old Town Commercial Zoning District
 8. **Commissioner Comments and Discussion**
 9. **Adjournment**

Planning Commission Agenda June 4, 2024

119 W FIRST STREET
CLE ELUM, WA 98922

Upcoming Meetings:

Planning Commission Meeting: June 18, 2024 @ 6:00 p.m.

Regular Council Meeting: June 11, 2024 @ 6:00 p.m.

General Government Committee Meeting: June 26, 2024 @ 8:30 a.m.

Public Safety & Health Committee Meeting: June 18, 2024 @ 1:00 p.m.

Public Works & Community Development Committee Meeting: June 6, 2024 @ 12:00 p.m.

Lodging Tax & Event Committee Meeting: June 10, 2024 @ 8:30 a.m.

Coal Mines Trail Commission Meeting: July 1, 2024 @ 6:00 p.m.

City of Cle Elum
Planning Commission (CEPC) Meeting Minutes
City Council Chambers
May 7, 2024 | 6:00 PM

Call to Order

Chair Berndt called the meeting to order at 6:02 PM

Roll Call

CEPC Members Present: Chair Gary Berndt, Ian Steele, Marc Kirkpatrick, Matt Fluegge, Colin Brissey, and Jon Corneilus

CEPC Members Absent: Paul Kantwill. Commissioner Kirkpatrick made a motion to excuse Commissioner Kantwill. Commissioner Steele seconded. Motion carried.

Staff Present: Colleda Monick

Citizen Comments on Non-Agenda Items

Emma Epperson, Utah State University, made a brief introduction regarding the research that her and her team were conducting on wellbeing in the Upper County. She connected with Chair Berndt to discuss her findings and get public engagement and feedback.

Adoption of Minutes

Commissioner Kirkpatrick motioned to accept the April 16th, 2024 minutes as presented. Commissioner Cornelius seconded. Motion passed.

Public Hearing

None scheduled.

Staff Report

Chair Berndt

- Meeting w/ Emma Epperson.

Colleda Monick

- Notice of Application, Environmental Review and Public Hearing was issued on April 30, 2024 for proposed text amendments. Public comments for this project will close on May 15, 2024, with the public hearing scheduled for June 4th, 2024.
- The city has received a SEPA and Planned Mixed Use application for the Kittitas County Search and Rescue facility. Applications are currently under review.
- A public hearing for the UKC Recreation Center is to be scheduled.
- Public Hearing on May 14th and May 28th for two right-of-way vacations, one residential off of 6th Street and the other on the east end of First Street.
- Public Meeting regarding Sewer Rate increases scheduled for May 9th; and a meeting regarding the Fill Station is scheduled for May 10th, 2024 at City Hall.

New Business

1. Climate Policy Advisory Team. With the passage of HB 1181, the city is now required to add a Climate Change Element to its Comprehensive Plan. The city received \$100,000 grant to carry out these updates and the city is currently seeking interested applicants to participate in a consensus based process to develop goals and policy recommendations for the city's Climate Element. The group will meet periodically through the duration of the project which will run through May 2025. Policy team member responsibilities will include:
 - a. Advising staff on project priorities;
 - b. Assist with development of the public participation plan and vision statement;
 - c. Reviewing and providing feedback on key project deliverables;
 - d. Developing goal and policy recommendations; and,
 - e. Encouraging community members to participate in the public process

The Planning Commission will be an integral part of this project, but I did want to let you know that if there is anyone interested or especially passionate about this topic, that you could participate. If you are interested, you can sign up via the city's website:

<https://cleelum.gov/board-and-commission-application/>

2. Quarterly Planning Priority Matrix update.
Commissioner Kirkpatrick expressed an interest in reviewing the OTC Old Town Commercial code next with a priority towards protecting the work that was done on Main Street – specifically the new infrastructure, as well as reviewing design standards.

Citizen Comments on Agenda Items

None

Next Meeting Agenda Development

1. Cancel meeting for May 21st, 2024 – to allow for staff to prepare for public hearing.
2. Public Hearing on Text Amendments to the following CEMC Chapters: 15.20 – Sign Code; 17.16 – R-Residential District; 17.32 – CG General Commercial District; and creating a new chapter in the Zoning Ordinance, 17.70 – Zero Lot Line and Common Wall Developments.

Commissioner Comments and Discussion

Adjournment

Chair Berndt called for a motion to adjourn. Commissioner Coreneilus motioned and Commissioner Fluegge seconded to adjourn the meeting at 7:10 p.m. and to reconvene on June 4th, 2024 at 6:00 p.m.

Chair Berndt

Date

City of Cle Elum
119 West First Street
Cle Elum, WA 98922



Phone: (509) 674-2262
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www.cityofcleelum.com

CITY OF CLE ELUM

FINDINGS of FACT, CONCLUSIONS, & RECOMMENDATION

for

2024 TEXT AMENDMENTS

Application File: SEPA 2024-002

APPLICANT: City of Cle Elum

REQUEST: Non-project text amendments to CEMC 15.20 – Sign Code, 17.16 – R-Residential Zoning District, 17.32 – CG General Commercial Zoning District, and adding a new section 17.70 – Zero Lot Line and Common Wall Developments

PROJECT LOCATION: City-Wide

PARCEL NUMBER(S): City-Wide

DATE OF HEARING: June 4, 2024

STAFF CONTACT: Colleda Monick, Planning Consultant

I. DESCRIPTION OF REQUEST:

The city of Cle Elum Planning Department is proposing non-project text amendments to CEMC 15.20 – Sign Code, 17.16 – R-Residential Zoning District, 17.32 – CG General Commercial Zoning District, and adding a new section 17.70 – Zero Lot Line and Common Wall Developments.

II. SUMMARY OF RECOMMENDATION:

Approval.

III. FINDINGS:

From the review of the proposed text amendments, a review of the Cle Elum Comprehensive Plan 2037, and the Cle Elum Urban Area Zoning Ordinance, Planning Staff makes the following:

- A. Background:** The City of Cle Elum Planning Commission held study sessions regarding the proposed text amendments to CEMC Chapters 15.20, 17.16, 17.32, and 17.70 (new section) on the following dates:

August 1, 2023; September 5, 2023; October 3, 2023; November 7, 2023; December 5, 2023; February 6, 2024; March 5, 2024; March 19, 2024; April 2, 2024; and April 16, 2024

- B. Planning Commission Authority:** As an advisory body, the Planning Commission has the authority to make recommendations on amendments to the Cle Elum Municipal Code Development Regulations per CEMC 14.10.010(A)(11) and 14.10.020(A).

- C. Cle Elum Comprehensive Plan 2037:** The proposed text amendments are consistent with the following goals and policies of the Comprehensive Plan.

- a. Land Use Goal #2: Maintain residential quality and livability suitable for a rural town.
- b. Land Use Policy #20: Preserve “established” character in existing neighborhoods that are significantly built-out by zoning for infill development to occur at densities, and with similar standards, consistent with the existing development pattern.
- c. Land Use Goal #4: Preserve and Protect Residential Neighborhoods.
- d. Land Use Policy #39: Encourage flexibility in residential neighborhoods by allowing accessory dwelling units.
- e. Land Use Goal #5: Create Order and Energy in Commercial Areas.
- f. Land Use Policy #44: Assure that a broad and diverse range of products and services are available to the residents of the City of Cle Elum.
- g. Land Use Policy #47: Seek traffic calming strategies and aesthetic beautification for First Street and Second Street from South Cle Elum Way east to Peoh Avenue.
- h. Land Use Policy #50: Continue to encourage the development of a safe and functional pedestrian network through Cle Elum’s commercial areas.
- i. Land Use Policy #51: Continue the mandatory use of “Site and Design Review” to maintain a consistent range of aesthetic and practical development standards such as pedestrian connectivity, landscape buffers and landscaping for all new development and redevelopment in commercial areas.
- j. Land Use Policy #53: Encourage broad and diverse uses in existing commercial areas to promote maximum occupancy.
- k. Housing Goal #1: The City of Cle Elum includes a diverse mix of housing types that meets the needs and are affordable to all segments of its population, especially low- and moderate- income households. The range of housing types also reflect market conditions, the City’s rural setting, and small-town character.

- l. Housing Policy #1: Encourage the development of flexible lot sizes and single-family residential infill that is compatible in existing neighborhoods.
- m. Housing Policy #5: Accommodate and encourage, where appropriate, moderate density residential developments such as townhouses, multifamily complexes, duplexes, and mixed-use residential buildings.
- n. Housing Policy #6: Promote the production of housing affordable for all incomes, through a mix of housing types, models, and densities throughout the City including: small lot single family detached, zero lot line, attached housing, accessory units, cluster housing, cottages, duplexes, townhouses, and apartments, as well as manufactured housing units, that are compatible with the neighborhoods in which they are located.
- o. Housing Policy #21: Revise zoning and development standards to provide options that increase the supply of affordable home ownership opportunities, such as small lot sizes, zero lot lines, townhouses, condominiums, clustering, manufactured homes, cottages, and attached single family housing.
- p. Housing Goal #3: Residential neighborhoods contain necessary public amenities and support facilities that contribute to a high quality of life in Cle Elum.
- q. Housing Policy #28: Balance the economic benefits created by short-term rentals with the need for a supply of long-term rental housing stock by regulating short-term rentals.

IV. PROPOSED TEXT AMENDMENTS:

Proposed changes to these sections are summarized below. Full track changes are enclosed as exhibits.

1. 15.20 – Sign Code

Proposed changes to the Sign Code include:

- Removal of outdated language and the addition of clarifying language throughout.
- Additional and/or revised definitions to provide clarification and consistency.
- Adding a new section for sign exemptions.
- Clarifying permitting requirements;
- Modifying language related to prohibited signs and signs allowed in Residential and Commercial areas.
- Replacing the Old Town Commercial designation with Downtown Commercial.
- Revising the type and location of Temporary Signage.

Staff Analysis: The proposed changes to the sign code are necessary to clarify the type of signs allowed in the city limits and promote consistency throughout the code. A number of changes to the code are made as a result of federal case law related to what local government can and cannot require when reviewing signage. There are significant first amendment rights associated with signage that cannot be regulated at the local level. As a result, previous code language that regulated signage based on content have been

removed. Local jurisdictions can still regulate signage based on location, size, lighting, materials, and other non-content based standards.

2. 17.16 – R-Residential Zoning District

Proposed changes to the Residential Zoning district include:

- Removal of outdated language and the addition of clarifying language throughout.
- 17.16.010 - Outright Permitted uses
 - Allowing duplexes on any lot or record rather than one per street frontage block.
 - Allowing accessory buildings to duplex lots.
 - Providing that an ADU cannot be larger than the primary dwelling.
 - Text changes to Family in home day care, consistent with state requirements.
- 17.16.020 – Definitions
 - New (re-named) section adding definitions for several home-based business uses.
 - Removal of site design review requirements as it is already referenced under section 14.30.140.
- 17.16.030 – Conditional Uses
 - Consolidation of like uses.
 - Clarification of office uses in residential structures but the use is commercial.
 - Adding Host Short Term Rental.
- 17.16.090 – Lot coverage and lot width
 - Simplification of language.
 - Increase lot coverage allowance from 40-60%.
- 17.16.100 – Home Occupations
 - Previous code language removed in favor of revised language.
 - Outlining the purpose of home occupations.
 - Including a table of permitted uses.
 - Necessary conditions required of all home occupations.
 - Development standards for materials/storage, signage, application fees.
 - Procedures for the review of unclassified home occupations.
 - A list of prohibited home occupations.
- 17.16.110 – Manufactured homes
 - Requiring installation in compliance with applicable codes.
- 17.16.120 – Recreational vehicles
 - Requiring recreational vehicles to be parked on-site.

Staff Analysis: The proposed changes to the R-Residential Zoning District are intended to increase the type and location of residential uses throughout the zone. Language was modified throughout the chapter to provide clarity and consistency, including added definitions. Additional standards for home occupation uses, short term rentals, and ADUs are also included to ensure compatibility of those uses with the zone.

3. 17.32 – CG-General Commercial Zoning District

Proposed changes to the General Commercial Zoning district include:

- Title – GC instead of CG
- Removal of outdated language and the addition of clarifying language throughout.
- 17.32.030 – Conditional Uses
 - Adding clarifying language to outline the conditional use process.
 - Adding retail sales involving equipment or vehicles typically kept outdoors with accompanying buffering and sales area requirements.
- 17.32.040 – Dimensional Standards
 - Revision of building height from 36- to 35-feet.

Staff Analysis: The proposed changes to the CG-General Commercial Zoning District begin with a name change: CG to GC for consistency with the zoning map and other sections of the CEMC. Additional language is clarified throughout for consistency. Conditional use language is modified to reference processing requirements and an additional retail sales use, with accompanying standards, is included.

4. 17.70 (New Section) – Zero Lot Line and Common Wall Developments

This is a new section outlining the requirements for allowing Zero Lot Line and Common Wall Developments within the City of Cle Elum. The chapter includes the following sections:

- Purpose and intent.
- Definitions.
- Zero lot line or Common Wall on existing lots of record
- Zero lot line or Common Wall with new subdivisions
- Zero lot line and Common Wall design standards
- Application Procedure

Staff Analysis: The addition of zero lot line and common wall developments to the CEMC will provide an additional housing type for Cle Elum residents and developers to propose. The new code section allows for these uses to be proposed as part of a new subdivision or on existing lots of record.

V. ENVIRONMENTAL REVIEW:

This project was processed for review under the State Environmental Policy Act, SEP-2024-002, as a procedural action under WAC 197-11-800(19), and a Determination of Nonsignificance was issued on April 30, 2024, which was not appealed.

VI. TYPE V REVIEW PROCEDURES

In accordance with CEMC 14.30.090(C)(3), the Planning Commission shall review the staff report, environmental documents, written comments, and testimony at the public hearing and shall make a recommendation to the city council to approve, approve subject to conditions, or deny the proposed amendments. The recommendation shall be based on the official record and shall include written findings addressing the following:

- a. The need for the proposed amendment;

There are several needs for the proposed amendments. Amendments to the sign code are proposed to clarify standards throughout the chapter, and for compliance with federal laws regarding free speech as it relates to signage. Amendments to the R-Residential zone are proposed to include additional types of residential development, clarify standards, and add specific home occupation land use types. Amendments to the GC-General Commercial zone proposes clarifying language throughout and allows additional uses through the conditional use process. Finally, the proposed new section for Zero Lot Line and Common Wall Development add another housing option to the City of Cle Elum.

- b. Whether the proposed amendment is in the public interest;

The proposed amendments serve the public interest in several ways. As mentioned previously, all modified amendment sections include clarifying language to make the code easier to read and interpret by providing consistency throughout the chapters and sections. The modification of certain standards and allowed uses are intended to promote a broader range of allowed uses throughout the City.

- c. Consistency with the Cle Elum comprehensive plan and related documents;

As demonstrated in section III.C. of this report, the proposed amendments are consistent with and implement several goals and policies of the Land Use and Housing Elements of the Comprehensive Plan.

- d. Consistency with the Cle Elum future land use map;

Not applicable – the proposed amendments do not modify the zoning map or future land use map.

- e. Compliance with the provisions of the Cle Elum Municipal Code; and

The proposed changes are consistent with applicable municipal code standards for the Type V review process. Several changes were made to cite relevant code sections and promote consistency across code sections.

- f. Compliance with the provisions of the laws of Washington State including, but not limited to, the Washington State Growth Management Act and the Washington State Environmental Policy Act.

The proposed changes are in compliance with applicable state law. As documented previously, the proposed changes are consistent with the Comprehensive Plan, as required by the GMA. A SEPA Determination of Non-significance was issued on April 30, 2024 which was not appealed.

VII. PUBLIC NOTICE:

Public notice was provided for in the following manner:

Notice of Application, Environmental Review, and Public Hearing	April 30, 2024
Legal Ad Published	May 23, 2024
DNS Issued	April 30, 2024

VIII. CONCLUSIONS:

1. The proposed text amendments are consistent with several goals and policies of the 2037 Comprehensive Plan.
2. The proposed text amendments are consistent with the relevant Type V review criteria found in CEMC 14.30.090(C)(3).
3. The Planning Commission has the authority to make a recommendation to the City Council.
4. Two public comments were received prior to the final drafting of this Staff Report (May 28, 2024).

IX. RECOMMENDATION:

The Planning Division recommends proposed text amendments to CEMC Chapters 15.20, 17.16, 17.32, and 17.70, be approved.

Planning Commission Actions, Options and Potential Motions:

Motion to Approve: Move to recommend approval of the proposed text amendments to city council as written.

Motion to Approve with Changes: Move to recommend approval of the proposed text amendments to city council, to include the changes made to Sections XXXXXX, as noted in the minutes.

Motion to Deny: Move to recommend denial of the proposed text amendments to city council.

CEMC 2024 Text Amendments

EXHIBIT LIST

- I. Notice of Application, Environmental Review, and Public Hearing
- II. Determination of Non-Significance
- III. Press Release
- IV. Track Changes
- V. Public Comment, Colville Tribe and Department of Commerce

City of Cle Elum
119 West First Street
Cle Elum, WA 98922



Phone: (509) 674-2262
Fax: (509) 674-4097
www.cleelum.gov

NOTICE OF APPLICATION, ENVIRONMENTAL REVIEW, AND PUBLIC HEARING

DATE: April 30, 2024
TO: SEPA Reviewing Agencies, Applicant, and Adjoining Property Owners
FROM: City of Cle Elum, Planning Department
APPLICANT: City of Cle Elum, Planning Department
FILE NUMBER: SEPA-2024-002
LOCATION: City Limits
TAX PARCEL NUMBER: City Limits
DATE OF APPLICATION: April 18, 2024
DATE OF COMPLETENESS: April 18, 2024

PROJECT DESCRIPTION: Proposed non-project text amendments to the following CEMC Chapters: 15.20 – Sign Code; 17.16 – R-Residential District; 17.32 – CG General Commercial District; and creating a new chapter in the Zoning Ordinance, 17.70 – Zero Lot Line and Common Wall Developments.

NOTICE OF ENVIRONMENTAL REVIEW: This is to notify agencies with jurisdiction and environmental expertise and the public that the City of Cle Elum, Planning Division, has been established as the lead agency, under WAC 197-11-928 for this project. The City of Cle Elum is issuing a Determination of Non-Significance (DNS) on this project. WAC 197-11-340 is being used. The threshold determination is enclosed and may be appealed pursuant to CEMC 14.30.230 and 14.40.080.

Required Permits: The following local, state, and federal permits/approvals may or will be needed for this project: N/A

Required Studies: N/A

Existing Environmental Documents: SEPA was last completed concurrently with previous code updates.

Development Regulations for Project Mitigation and Consistency Include: the State Environmental Policy Act, the Cle Elum Urban Area Zoning Ordinance, and the Cle Elum Urban Area Comprehensive Plan.

REQUEST FOR WRITTEN COMMENTS: Agencies, tribes, and the public are encouraged to review and comment on the proposed project and its probable environmental impacts. There is a 15-day comment period for this review. All written comments received by 4:30 p.m. on **May 15, 2024** will be considered. Please reference file numbers (SEPA-2024-002) and applicant's project name (Cle Elum Planning) in any correspondence you submit. You can mail or submit your comments to:

City of Cle Elum, Attention: Planning Department/CEMC Text Amendments
119 West First Street, Cle Elum, WA 98922

NOTICE OF PUBLIC HEARING: The public hearing before the City of Cle Elum Planning Commission is scheduled for Tuesday, June 4, 2024, beginning at 6:00 p.m. in the Council Chambers – 119 W First Street, Cle Elum, WA 98922. Any person desiring to express their views on this matter is invited to attend the public hearing or submit written comment to: City of Cle Elum, Planning Division, 119 W First Street, Cle Elu, WA 98922.

NOTICE OF RECOMMENDATION: Following the public hearing, the Planning Commission will issue its recommendation within ten (10) business days. When available, a copy of the recommendation will be mailed to parties of record and entities who were provided this notice. **A separate public notice will be provided for the public hearing before the Cle Elum City Council.**

The file containing the complete application is available for public review at the City of Cle Elum, 119 W First Street, Cle Elum, WA 98922. If you have any questions on this proposal, please contact Colleda Monick, Planning Consultant at (509) 864-1976, or email to: planning@cleelum.gov

Enclosed: Text Amendments, SEPA Checklist

City of Cle Elum
119 West First Street
Cle Elum, WA 98922



Phone: (509) 674-2262
Fax: (509) 674-4097
www.cleelum.gov

**WASHINGTON STATE ENVIRONMENTAL POLICY ACT
DETERMINATION OF NONSIGNIFICANCE
CITY OF CLE ELUM, WASHINGTON
April 30, 2024**

PROJECT DESCRIPTION: The City of Cle Elum Planning Commission is proposing non-project text amendments to the following CEMC Chapters: 15.20 – Sign Code; 17.16 – R-Residential District; 17.32 – CG General Commercial District; and creating a new chapter in the Zoning Ordinance, 17.70 – Zero Lot Line and Common Wall Developments.

LOCATION: City Limits
PARCEL NUMBERS: N/A
PROPONENT: City of Cle Elum Planning Commission
PROPERTY OWNERS: N/A
LEAD AGENCY: City of Cle Elum

FILE NUMBER: SEP#2024-002

DETERMINATION: The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.12C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency and a public comment period which ends on May 15, 2024. This information is available to the public on request.

This DNS is issued under WAC 197-11-340.

Responsible Official: Rob Omans
Position/Title: SEPA Responsible Official
Phone: 509-674-2262
Address: 119 W First Street, Cle Elum, WA 98922

Date: April 30, 2024

Signature:

**NOTICE OF PUBLIC HEARING
CLE ELUM PLANNING COMMISSION**

Notice is hereby given that the Cle Elum Planning Commission will hold a public hearing at the Cle Elum City Hall, 119 West First Street, Cle Elum, WA. 98922, on Tuesday, June 4, 2024, at 6:00 p.m. or soon thereafter for the purpose of:

Proposed non-project text amendments to the following CEMC Chapters: 15.20 – Sign Code; 17.16 – R-Residential District; 17.32 – CG General Commercial District; and creating a new chapter in the Zoning Ordinance, 17.70 – Zero Lot Line and Common Wall Developments.

Interested persons may appear and be heard at said hearing, or written comments may be submitted to the City of Cle Elum, Attn: City Clerk, 119 West First Street, Cle Elum, WA 98922, (Text Amendments), up until and at the public hearing on June 4, 2024.

(Published in the N.K.C. TRIBUNE, May 23, 2024.)

NO. 24-4-0005419

**NOTICE OF PUBLIC HEARING
CLE ELUM PLANNING COMMISSION**

Notice is hereby given that the Cle Elum Planning Commission will hold a public hearing at the Cle Elum City Hall, 119 West First Street, Cle Elum, WA. 98922, on Tuesday, June 4, 2024, at 6:00 p.m. or soon thereafter for the purpose of:

Proposed non-project text amendments to the following CEMC Chapters: 15.20 – Sign Code; 17.16 – R-Residential District; 17.32 – CG General Commercial District; and creating a new chapter in the Zoning Ordinance, 17.70 – Zero Lot Line and Common Wall Developments.

Interested persons may appear and be heard at said hearing, or written comments may be submitted to the City of Cle Elum, Attn: City Clerk, 119 West First Street, Cle Elum, WA 98922, (Text Amendments), up until and at the public hearing on June 4, 2024.

(Published in the N.K.C. TRIBUNE, May 23, 2024.)

NO. 24-4-0005419

City of Cle Elum – 2024 Text Amendments

Written Narrative

The City of Cle Elum Planning Department is proposing non-project text amendments to the following CEMC Chapters:

1. 15.20 – Sign Code
2. 17.16 – R-Residential Zoning District
3. 17.32 – CG General Commercial Zoning District
4. 17.70 (New Section) – Zero Lot Line and Common Wall Developments

Proposed changes to these sections are summarized below. Full track changes are enclosed as exhibits.

1. 15.20 – Sign Code (Exhibit A)

Proposed changes to the Sign Code include:

- Removal of outdated language and the addition of clarifying language throughout.
- Additional and/or revised definitions to provide clarification and consistency.
- Adding a new section for sign exemptions.
- Clarifying permitting requirements.
- Modifying language related to prohibited signs and signs allowed in Residential and Commercial areas.
- Replacing the Old Town Commercial designation with Downtown Commercial.
- Revising the type and location of Temporary Signage.

2. 17.16 – R-Residential Zoning District (Exhibit B)

Proposed changes to the Residential Zoning district include:

- Removal of outdated language and the addition of clarifying language throughout.
- 17.16.010 - Outright Permitted uses
 - o Allowing duplexes on any lot or record rather than one per street frontage block.
 - o Allowing accessory buildings to duplex lots.
 - o Providing that an ADU cannot be larger than the primary dwelling.
 - o Text changes to Family in home day care, consistent with state requirements.
- 17.16.020 – Definitions
 - o New (re-named) section adding definitions for several home based business uses.
 - o Remove outdated reference to site design review requirements.
- 17.16.030 – Conditional Uses
 - o Consolidation of like uses.
 - o Clarification of office uses in residential structures but the use is commercial.
 - o Adding Host Short Term Rental.
- 17.16.090 – Lot coverage and lot width
 - o Simplification of language.
 - o Increase lot coverage allowance from 40-60%.
- 17.16.100 – Home Occupations

- o Previous code language removed in favor of revised language.
- o Outlining the purpose of home occupations.
- o Including a table of permitted uses.
- o Necessary conditions required of all home occupations.
- o Development standards for materials/storage, signage, application fees.
- o Procedures for the review of unclassified home occupations.
- o A list of prohibited home occupations.
- 17.16.110 – Manufactured homes
 - o Requiring installation in compliance with applicable codes.
- 17.16.120 – Recreational vehicles
 - o Requiring recreational vehicles to be parked on-site.

3. 17.32 – CG General Commercial Zoning District (Exhibit C)

Proposed changes to the General Commercial Zoning district include:

- Title – GC instead of CG
- Removal of outdated language and the addition of clarifying language throughout.
- 17.32.030 – Conditional Uses
 - o Adding clarifying language to outline the conditional use process.
 - o Adding retail sales involving equipment or vehicles typically kept outdoors with accompanying buffering and sales area requirements.
- 17.32.040 – Dimensional Standards
 - o Revision of building height from 36- to 35-feet.

4. 17.70 (New Section) – Zero Lot Line and Common Wall Developments (Exhibit D)

This is a new section outlining the requirements for allowing Zero Lot Line and Common Wall Developments within the City of Cle Elum. The chapter includes the following sections:

- Purpose and intent.
- Definitions.
- Zero lot line or Common Wall on existing lots of record
- Zero lot line or Common Wall with new subdivisions
- Zero lot line and Common Wall design standards
- Application Procedure

Exhibit A

Chapter 15.20
SIGN CODE

Sections:

- 15.20.030 Purpose and applicability.
- 15.20.035 Definitions.
- 15.20.040 Enforcing official.
- ~~15.20.045 Exemptions.~~
- ~~15.20.050 Right of entry.~~
- 15.20.070 Permits, Required, Administration.
- 15.20.090 Removal of permanent signs.
- 15.20.135 Prohibited signs, all zones.
- 15.20.140 Residential areas.
- 15.20.150 General commercial, entry commercial areas and public ~~use~~reserve.
- 15.20.155 ~~Old Town commercial.~~ Downtown Commercial
- 15.20.160 Industrial areas.
- 15.20.165 Business park areas.
- 15.20.167 Lighting of signs.
- 15.20.170 Temporary signs.
- 15.20.175 Nonconforming signs.
- 15.20.190 Responsibility of owner.
- 15.20.195 Maintenance and safety.
- 15.20.200 Variances.
- 15.20.210 Violation – Penalty.

15.20.030 Purpose and applicability.

The purpose of this chapter is to improve the quality of life and to harmonize the residential and business environments in the city. It is intended to improve the visual environment, ~~permit signage consistent with the character of the community,~~ and reduce signs or advertising distractions and/or obstructions that may contribute to hazards or accidents. The use of signs shall be regulated by zone. This chapter is designed to recognize the communication needs of the ~~business~~ community, and encourage maintenance of those signs, but also to protect the public health, safety, welfare and aesthetics by regulating outdoor signs of all types. This chapter applies to all signs as defined by Section 15.20.035.

(Ord. 1279 § 1 (Attach. A (part)), 2007: Ord. 1198 § 1, 2003: Ord. 1136 § 1, 2001: Ord. 866 § 1, 1987: Ord. 638 § 3, 1970)

15.20.035 Definitions.

Unless otherwise set forth, the following words as used in this chapter shall have the following meanings:

ABANDONED SIGN: A sign that no longer correctly identifies, exhorts, or advertises any person, business, lessor, owner, product, or activity conducted or available on the premises where such sign is located and which has not been changed or removed within one hundred eighty (180) days of a tenancy change; or an on-premises sign which is damaged, in disrepair, or vandalized and not repaired within sixty (60) days of the damaging event.

"Changeable copy sign (automatic)" means a sign on which the copy changes automatically on a lamp bank or through mechanical means, e.g., electrical or electronic time and temperature units.

ANIMATED SIGN: Any ~~permanent~~ sign that flashes or simulates motion with an electronic or manufactured source of supply or contains wind actuated motion (excluding flags or banners).

AWNING SIGN: A sign attached, painted or installed on an awning projecting from a storefront.

BANNER SIGN: A ~~permanent~~ sign constructed of a rectangular shape of fabric or other suitable material which is attached or suspended at two (2) ends or continuously across the long side; and which is not the primary identification for the organization, event, or product advertised; and which is primarily promotional in nature. Attachment or suspension of banner signs may be from buildings and/or poles. Flags, insignias, canopy signs, and posters are not considered "banner signs".

CHANGING MESSAGE SIGN: An exterior, electrically controlled ~~permanent~~ sign that displays different copy changes on the same lamp bank, which change at intervals of thirty (30) seconds or greater. ~~This~~ Changing message signs includes electronic reader boards.

DEVELOPMENT SIGN: A ~~permanent~~ sign which identifies a development upon which the sign is located.

DIGITAL SIGN: ~~means a~~ changeable copy sign with LED (or other similar light source) text, graphics or symbols over a non-illuminated background. Digital signs are also known as "electronic message centers" or "EMCs".

DIRECTIONAL SIGN: A permanent non-commercial sign used to direct pedestrian or vehicular traffic to a facility, service, or business.

DISPLAY CASE: A permanent, freestanding sign with changeable copy.

"Double-faced sign" means DOUBLE-FACED SIGN: a sign with two faces.

"Electrical sign" means ELECTRICAL SIGN: a permanent sign or sign structure in which electrical wiring, connections, and/or fixtures are used.

ELECTRONIC MESSAGE CENTERS: An electronic message center (EMC) is a sign that is capable of displaying words, symbols, figures or images that can be electronically changed by remote or automatic means.

EXTERNAL ILLUMINATED SIGN: A permanent sign illuminated by an external light source.

"Facade" means FACADE: the entire building front, or street wall face, including grade to the top of the parapet or eaves and the entire width of the building elevation, face of a building.

"Flashing sign" means FLASHING SIGN: a sign which contains an intermittent or sequential flashing light source used primarily to attract attention. It does not include changeable copy signs, animated signs, or signs which, through reflection or other means, create an illusion of flashing of intermittent light. An electrical permanent sign or portion thereof which changes light intensity in a sudden transitory burst, or which switches on and off in a constant pattern in which more than one-third of the non-constant light source is off at any one time.

FEATHER SIGN: "Freestanding sign" means FREESTANDING SIGN: a sign supported upon the ground by poles or braces or other structure designed and constructed to support the sign only and not attached to any building. The height of a freestanding sign shall be measured from the crown of the road adjacent to the location of the sign or from the ground at the base of the sign supports to the top of the sign, whichever is higher in elevation.

FRONTAGE: The measurement, in linear feet, of the length of the property line for a single-tenant building or length of leased building frontage for multitenant buildings or multi building complexes.

GRADE: The relative existing ground level in the immediate vicinity of the sign.

INCIDENTAL SIGN: A permanent sign, generally informational, that has a purpose secondary to the use of the property on which it is located, and which is used to do one or more of the following:

A. Directs traffic flow, vehicular or pedestrian, e.g. i.e., "one-way", "crosswalk", "do not enter", etc.;

- B. Clearly indicates location of ingress and egress points, i.e.g., "entrance", "exit";
- C. Directs certain activities to certain areas, i.e.g., "parking", "no parking", "waiting", "loading", etc.; or
- D. Provides other similar incidental information, i.e.g., "no trespassing", "no hunting", "phone", "ATM", "no dumping", "no loitering", etc.

~~"Illegal sign"~~ means **ILLEGAL SIGN**: ~~a~~ sign which does not meet the requirements of this code and which has not received legal nonconforming status.

~~"Internal illumination"~~ **INTERNAL ILLUMINATED SIGN**: ~~means an indirect concealed light source that is recessed or contained within any element of a sign. A permanent sign with an internal light source shining through the face of the sign. Exposed neon signs are internally illuminated.~~

~~"Maintenance"~~ means, for purposes of this chapter, **MAINTENANCE**: ~~t~~The cleaning, painting, or repair of defective parts of a sign in a manner that does not alter the basic copy, design or structure of the sign.

MONUMENT SIGN: ~~A permanent~~ freestanding sign having the appearance of a solid base of landscape construction materials such as brick, stucco, stonework, textured wood, tile, or textured concrete that are harmonious with the materials of the primary structure on the subject property.

~~"Mural"~~ means **MURAL**: ~~a~~ picture or picture-print combination that contains no advertising copy; and which does not convey an advertising message; and which is painted or otherwise applied on the exterior wall of a building or structure.

~~"Nonconforming sign"~~ means **NONCONFORMING SIGN**: ~~a~~ sign which was erected legally but ~~which~~ does not comply with subsequently enacted sign restrictions and regulations.

~~"Off-premises sign"~~ means **OFF-PREMISES SIGN**: ~~a~~ sign structure advertising an establishment, merchandise, service or entertainment, which is not sold, produced, manufactured or furnished at the property on which the sign is located, e.g., "billboards" or "outdoor advertising"; provided, however, that signs located on property under the same ownership and which would be in a single tax parcel or immediately adjacent thereto but for the presence of an intervening right-of-way shall not be construed as an "off-premises sign" for purposes of this chapter.

~~"Owner"~~ means **OWNER**: ~~a~~ person recorded as such on official records. For the purpose of this chapter, the owner of property on which a sign is located is presumed to be the owner of the sign unless facts to the contrary are officially recorded or otherwise brought to the attention of the administrator, e.g., a sign leased from a sign company.

PERMANENT SIGN: Any sign which is intended to be lasting and is constructed from an enduring material such as masonry and metal which remains unchanged in position, character, and condition (beyond normal wear), and is permanently affixed to the ground, wall or building, provided the sign is listed as a permanent sign in the ordinance.

PORTABLE SIGN: A ~~temporary~~ sign made of any material, including paper, cardboard, wood or metal, which is capable of being moved easily and is not permanently affixed to the ground, structure or building. This also includes sidewalk or sandwich board signs.

~~"Projecting sign"~~ means PROJECTING SIGN: a sign, which is attached to and projects horizontally from a building wall.

~~"Public benefit sign" means an off-premises sign installed, maintained, and controlled in, over or adjacent to the public right-of-way for the sole purpose of providing directions to an establishment that serves or provides a benefit to the general public, including but not limited to directional signs to hospitals, schools, and other establishments of general public need or interest. In the case of a designated American Red Cross Emergency Shelter a digital message center sign not to exceed 45 square feet per face, with no more than two sign faces, may be permitted for the purpose of providing emergency information, community information and information related to events and activities that help fund or otherwise support the designated Emergency Shelter. The Digital Message Center Sign shall only be operational from the hours of 8:00 a.m. Pacific Time to 6:00 p.m. Pacific Time. A minimum of one second transition time between messages is required. A permit for any public benefit sign may be additionally conditioned by the responsible official as to size, height, location, illumination, coloring, hours of operation, and similar characteristics to keep with the purposes and objectives of the Cle Elum Municipal Code and the Cle Elum Comprehensive Plan.~~

~~"Public service sign"~~ means PUBLIC SERVICE SIGN: a sign installed, maintained and ~~controlled or controlled~~ by the City of Cle Elum for the sole purpose of providing ~~directions to locations and objects of interest to visitors and the traveling public and not to advertise a specific business or product~~ information to the general public.

READER BOARD: A ~~permanent~~ sign face designed to allow copy changes either by manual or electronic means in which the message is static and can only be changed physically by the owner and/or operator.

REAL ESTATE SIGN: Any ~~temporary or permanent~~ sign, which is used to offer property for sale, lease, or rent.

~~"Reverse internal illumination" means an indirect concealed light source located within the sign and where the majority of the sign face does not allow light to be revealed except for the sign letter or graphics.~~

~~"Sandwich board sign" means~~SANDWICH BOARD SIGN: a portable sign consisting of two (2) sign faces hinged at the top and separated at the bottom making it self-standing. ~~able of supporting itself through an "A" frame structure.~~

~~"Sign" means~~SIGN: Any communication device, structure, or fixture which is intended to identify a building, use, business, or event, or to promote the sale of a product, goods, or service, using graphics, letters, figures, symbols, trademarks or written copy. For the purpose of this chapter, a sign shall not be considered to be building or structural design. It shall be restricted solely to graphics, symbols, or written copy that is meant to be used in the aforementioned way. This definition shall include inflatable signs, balloons or other similar devices.~~a~~Any communication device, structure, placard or fixture that is visible from any public right-of-way, pedestrian path or sidewalk and is intended to aid in promoting the sale of product, goods, services or events or to identify a building using graphics, letters, figures, symbols, trademarks or written copy but not murals.

Sign, Area of-SIGN AREA:

1. ~~Projecting and freestanding-~~The total area of a ~~freestanding or projecting~~ sign shall have all faces of any double-faced or multi-faced sign counted in calculating its area. The area of the sign shall be measured as follows if the sign is composed of one or two individual cabinets:
 - a. The area around and enclosing the perimeter of each cabinet or module shall be summed and then totaled to determine total area. The perimeter of measurable area shall include embellishments such as pole covers, framing, decorative roofing, etc. Support structures shall not be included in the determination of total area ~~unless the support structures contribute to the advertising message.~~
 - b. If the sign is composed of more than two sign cabinets or modules, the area enclosing the entire perimeter of all cabinets and/or modules, within a single, continuous geometric figure shall be the area of the sign. Support structures shall not be included in the determination of total area ~~unless the support structures contribute to the advertising message.~~
2. *Wall signs.* The area around and enclosing the perimeter of each cabinet or module shall be summed and then totaled to determine total area.

3. *Awning signs.* The area of awning signs shall be measured by the area around and enclosing the ~~advertising message~~copy.

SIGN HEIGHT: The vertical distance measured from the adjacent grade to the highest point of the sign.

SIGN STRUCTURE: Any structure that supports or is capable of supporting a sign.

~~"Sign, awning" means a sign attached, painted or installed on an awning projecting from a storefront.~~

~~"Temporary sign" means~~TEMPORARY SIGN: a~~Any sign or advertising display constructed of cloth, wood, canvas, light fabric, paper or other light materials with or without frames that is not permanently mounted and that is intended to be displaced~~used~~for a limited time only such as for political candidacy or special events.~~

~~"Wall sign" means~~WALL SIGN: a sign attached, painted or erected on or parallel to the face of building to which it is attached and supported throughout its entire length with the exposed face parallel to the plane of the building. a~~Any sign attached directly to and supported by the wall of a building or permanent structure.~~ Signs on or in windows will be considered wall signs.

(Ord. 1345 § 1, 2011; Ord. 1333 § 1, 2010; Ord. 1279 § 1 (Attach. A (part)), 2007; Ord. 1211, 2004; Ord. 1198 § 1, 2003; Ord. 866 § 2, 1987)

15.20.040 Enforcing official.

The city planner or designee is authorized and directed to enforce all the provisions of this code.

(Ord. 1279 § 1 (Attach. A (part)), 2007; Ord. 1198 § 1, 2003; Ord. 638 § 4(a), 1970)

15.20.045 Exemptions:

The standards and regulations set forth in this ~~C~~chapter apply to all signs proposed for installation in the ~~C~~city.

with the exception as to of the following:

- A. Historic site markers or plaques, gravestones, and address numbers not more than ten (10) inches in height;
- B. Signs erected on public property by the ~~S~~state of Washington, the United States, ~~the county of Kittitas County~~, or the ~~C~~city of Cle Elum, displaying a public service message, or other regulatory, statutory, traffic control or directional message;
- C. Plaques, tablets, or inscriptions indicating the name of a building, date of erection, or other commemorative information, which are an integral part of the building structure and are attached flat to the face of a structure or other natural surface, and do not exceed two (2) square feet in area;
- D. Religious displays other than signs regulated by this ~~C~~chapter;
- E. A mural, defined as a one-of-a-kind, hand-painted, hand-tiled, or digitally printed image on the exterior wall of a building that does not contain any commercial message. Murals require a building permit from the ~~C~~city through the architectural design review process, prior to installation;
- F. Signs displayed within the interior of any structure and not visible from streets or ways open to the public, except when such signs negatively impact public health and safety;
- G. Incidental signs that do not exceed three (3) square feet in area;
- H. Exterior signs bearing the name of the occupant of a dwelling unit, not exceeding three (3) square feet in area;
- I. Government flags;
- J. Official or legal notices issued and posted by any public agency, as defined by law, or court; and
- K. Public notices of development applications required per ~~Ch~~Chapter 14 of this code.

15.20.050 ~~Right of entry.~~

Upon presentation of proper credentials, the city planner, the building official, or their duly authorized representatives may enter at reasonable times any building, structure, or premises in the city to perform any duty imposed upon him ~~them~~ by this code. The city shall make reasonable effort to inform the owner of the need to access the premises authorized by this section.

(Ord. 1279 § 1 (Attach. A (part)), 2007: Ord. 1198 § 1, 2003: Ord. 638 § 4(b), 1970)

15.20.070 Permits [Required, Administration](#).

A. *Permits Required.* No ~~(permanent?)~~ sign shall hereafter be erected, moved, constructed, structurally altered or repaired except as provided by this title and a permit having been duly issued by the city.

B. Permits are not required for the following activities or signs in all districts:

~~1. Changing of advertising copy without increasing sign size or modifying characteristics;~~

~~21.~~ Maintenance and cleaning of existing signs, provided such maintenance and cleaning does not include structural or electrical changes, [sign changes, or other modifying characteristics](#).

~~32.~~ On-premises, non-electrical signs, three (3) square feet or less in size ~~used for advertising the street address of the building and the name of the occupant or owner;~~

~~43.~~ Non-illuminated [temporary real estate or contractors signs](#) ~~pertaining to the sale or lease of the premises or the construction or improvement of the property,~~ not exceeding six (6) square feet in [a residential area for residential real estate signs; and not exceeding 30 square feet in a commercial development area for commercial development signs;](#)

~~54.~~ Public informational signs installed, maintained and controlled by the City of Cle Elum. ~~Signs shall not exceed twenty-five square feet of area devoted to advertising and are limited to no more than two signs at the west end of First Street, a single sign at Oakes Street and two signs at the east end of First Street;~~

~~65.~~ Temporary signs;

~~7.~~ Signs placed on or inside windows, provided that a minimum of fifty percent (50%) of any window shall remain free of signs.

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C. Applications for sign permits shall be made to the City of Cle Elum on a form provided by the city. Applications shall include:

1. Name, address, telephone number and other contact information of the applicant or authorized agent and the legal owner of the property upon which the sign is to be located;
2. If the applicant is not the property owner, a signed instrument from the property owner authorizing the application;
3. Street address, tax parcel number, and acreage of the subject property;

4. A description of the sign, either in writing or in plan form, that identifies the type of sign per this chapter, the type of structural support, sign height, sign area and method of illumination;

5. A site plan drawn to scale, at a minimum scale of one inch equals twenty feet, that includes the dimensions of the subject property, the proposed location of the sign, the dimensions of the sign, the location of existing development on-site, the location size and dimensions of any existing signs on-site and the location of any public or private roads abutting the property;

6. Lighting details, if applicable, including fixture type, wattage, shielding, and other information necessary to determine compliance;

7. The required application fee as set by the Cle Elum city council.

D. Sign permits shall be processed as a Type I Application, as provided in CEMC [14.30](#).

E. Sign permits shall become invalid if work is not begun within one hundred [and eighty \(180\)](#) days of permit issuance. The city may authorize a single one hundred [and eighty \(180\)](#) day ~~eighty day~~ extension upon request of the applicant for circumstances beyond the applicant's control that prohibit installation of the sign within the required time period.

(Ord. 1279 § 1 (Attach. A (part)), 2007: Ord. 1198 § 1, 2003: Ord. 866 § 5, 1987: Ord. 638 § 6, 1970)

15.20.090 Removal of [permanent](#) signs.

Any [permanent](#) sign~~(s)~~ and fixture~~(s)~~ now or hereafter existing which, for a period of sixty [\(60\)](#) days, no longer advertises a bona fide business conducted or product sold shall be taken down and removed by the owner, agent, or person having the beneficial use of the building, lot, or structure upon which the sign may be found. Fixtures that are no longer used shall be removed. Signs that are not used because of a vacant building shall remove the fixture or replace the sign face with a blank. Upon failure to comply with this provision, the building official is authorized to cause removal of the sign and any expense incident thereto shall be paid by the owner of the promises or filed as a lien against the property.

(Ord. 1279 § 1 (Attach. A (part)), 2007: Ord. 1198 § 1, 2003: Ord. 638 § 7, 1970)

15.20.135 Prohibited signs, all zones.

The following signs are prohibited in all districts within the City of Cle Elum except as specifically allowed as temporary signs:

- A. Any sign not specifically listed as permitted in this chapter is prohibited unless otherwise provided by law;
- B. Any sign which, by reason of its size, location, movement, ~~content~~, coloring or manner of illumination may be confused with traffic control signs or signals, which determination shall be in the sole discretion of the responsible official;
- C. Stationary motor vehicles, trailers and related devices used to circumvent the intent of this chapter;
- D. Signs which are attached to utility poles, trees, fences, rocks or natural features and other similar objects which are not designed specifically for the installation of the sign;
- E. Roof signs or signs projecting or installed above the eave lines of buildings;
- F. All lighted signs which are adjacent to and directed toward a residential district and which detract from the welfare of the residential district;
- G. Signs which blink flash, rotate, contain changing images or text that are electronically generated, or are animated by lighting in any fashion, unless providing emergency information. ~~Animated, moving, automatic changing copy, revolving, blinking or flashing signs, except public service signs such as those which only give the time, temperature and humidity, and digital message center signs providing emergency information, community information and information related to events and activities that help fund or otherwise support the designated American Red Cross Emergency Shelter;~~
- H. Any sign ~~or advertising display~~ which obstructs in any way the vision of motorists entering or leaving public or private rights-of-way;
- I. Signs extending over the public right-of-way and any sign placed within the right-of-way, with the exception of projecting signs, awning signs, and public benefit-service signs;
- J. Off-premises signs, with the exception of public service signs controlled and installed by the City of Cle Elum ~~and public benefit signs~~, or as allowed in the entry commercial zone pursuant to Section 15.20.150;
- K. Signs emitting pollutants such as smoke ~~and sound~~;
- ~~L. Signs displaying unwarranted content (i.e., obscene language); and~~

M. Signs located within structural setbacks established by the zoning district, unless specifically authorized by this chapter ~~and~~

(Ord. 1345 § 2, 2011; Ord. 1333 § 2, 2010; Ord. 1279 § 1 (Attach. A (part)), 2007; Ord. 1198 § 1, 2003)

15.20.140 Residential areas.

The following signs shall be permitted in all residential zoning districts in the city:

A. Permitted as an Accessory Use to an Approved or Existing Use, such as for an institution or for a subdivision/project I.D. only. A wall mounted or freestanding sign, not exceeding fifteen (15) square feet in area, ~~erected upon the premises of a church or other institution for the purposes of displaying the name of the institution and its activities or services.~~ Freestanding signs shall not exceed six (6) feet in height;

B. ~~A land salesreal estate sign of (6) twenty-five square feet or less, non-illuminated, advertising the sale or development of a subdivision containing an area of not less than seven (7) lots, erected upon the property so developed and advertised for sale. See 15.20.170 for temporary sign regulations.~~

(Ord. 1279 § 1 (Attach. A (part)), 2007; Ord. 1198 § 1, 2003; Ord. 638 § 12, 1970)

15.20.150 General commercial, entry commercial areas and public ~~reserve~~ use.

In areas zoned general commercial, entry commercial and public ~~reserve~~ use, the following regulations apply:

A. The aggregate sign area for any lot shall not exceed two (2) square feet for each foot of street frontage. Aggregate sign area for corner lots shall not exceed one and one-half (1.5) square foot for each foot of street frontage;

B. Projecting and awning signs are permitted. Sign size shall not exceed forty-five (45) square feet of area and shall maintain a vertical clearance of ten (10) feet from the bottom edge of the sign or awning to the sidewalk surface;

C. Wall signs are permitted. The size of a wall sign shall not exceed ten percent (10%) of the building facade on which they are located, and no more than two (2) signs are permitted per

facade. For buildings with multiple tenants, maximum sign size shall be based on that portion of the facade occupied by each individual tenant;

D. Freestanding signs are permitted. One (1) freestanding sign is permitted per street frontage; provided, that corner lots with less than eighty (80) feet on each street shall be permitted only one (1) freestanding sign (except for freestanding off-premises signs, as provided for in subsection (E) of this section). Freestanding signs shall not exceed two hundred (200) square feet of total sign area, and no one (1) face shall exceed one hundred (100) square feet. The height for a freestanding sign shall not exceed thirty-five (35) feet;

E. Off-premises signs are allowed in the entry and general commercial zones, provided:

1. Off-premises signs shall be permitted only for businesses located not more than one (1) block off of First Street, or not more than one (1) block off of the principal arterial serving the business, except for public benefit signs;

2. In general commercial, off-premises freestanding sign dimensions shall follow the guidelines within subsection (D) of this section;

3. A general commercial property fronting on First Street may choose to allow one (1) additional off-premises freestanding sign, for another general commercial business property (which contains at least twenty thousand (20,000) square feet of commercial floor space). This sign must follow regulations within this subsection (E), and other sections of this chapter;

4. In entry commercial, no off-premises sign shall exceed six (6) feet in height, if not overhanging a pedestrian pathway or vehicle lane;

5. In entry commercial, off-premises signs shall not exceed twenty-four (24) square feet per sign face, and shall have no more than two faces;

6. Off-premises signs shall not be allowed within any right-of-way and must be located no further than five hundred (500) feet from the exterior boundary of the parcel upon which the business is situated; provided, however, that this prohibition does not apply to public benefit service signs;

7. Only one (1) off-premises sign permitted per business or organization, with the exception of public benefit service signs;

~~8. The sign copy of the off-premises sign shall be limited to copy, text and graphics of the business or facility benefiting from the off-premises sign;~~

98. A notarized agreement from the property owner on whose property the sign will be located is required as part of the application. At a minimum, the agreement shall address:

- a. Final responsibility for maintenance, removal and nuisance/abatement issues will be that of the property owner upon which the off-premises sign is located;
- b. The right of use of the off-premises sign is neither assignable nor transferable without sign permit approval from the eCity of Cle Elum; and
- c. That the property owner upon which the sign is to be located authorizes the sign to be placed upon their property;

F. Sandwich boards and portable signs are allowed under the following conditions:

1. They shall not exceed two (2) feet in overall width and four (4) feet overall height;
2. Must be wind-firm in some acceptable manner;
3. May not obstruct more than twenty percent (20%) of a sidewalk or right-of-way. A minimum clearance of clear passage shall be six (6) feet;
4. Shall not be placed in or on a street or alley right-of-way;
5. Shall be constructed of materials that are hard, durable, weather proof and permanent. Signs shall be constructed in an "A" frame fashion only. ~~Copy and images shall only indicate the name and type of business.~~ Changeable copy is not permitted except for hand drawn lettering or graphics such as a chalkboard;
6. Shall be allowed only immediately in front of the business being occupied. Provided that a property owner may grant another business owner the right to locate a sign on their property frontage if the businesses are located on the same block and not more than one (1) sign is permitted;
7. Only one (1) sign is permitted per lot, structure or business;
8. Shall not obstruct sight distance requirements on public streets; and
9. Shall be removed from public view during closed hours.

(Ord. 1508 § 1, 2018; Ord. 1345 § 3, 2011; Ord. 1333 § 3, 2010; Ord. 1279 § 1 (Attach. A (part)), 2007; Ord. 1198 § 1, 2003; Ord. 866 § 3, 1987; Ord. 855 § 1, 1986)

15.20.155 ~~Old Town commercial~~Downtown Commercial.

Signs in the ~~Old Town~~Downtown commercial zone shall be permitted as follows:

~~A. All signs shall be consistent with the historical and pedestrian character of the district.~~

B. The aggregate sign area for any lot shall not exceed two (2) square feet for each foot of street frontage. The permitted signs enumerated in this subsection shall be subject to the total aggregate sign area.

C. Wall signs are permitted provided they do not total an area more than ten percent (10%) of the building facade on which they are located. Each multi-tenant building may have one (1) ~~identification~~ wall sign for each street frontage.

D. Projecting and awning signs shall not exceed forty-five (45) square feet of area and shall maintain a vertical clearance of ten (10) feet from the bottom edge of the sign or awning to the sidewalk surface.

E. Sandwich board signs are allowed under the following conditions:

1. They shall not exceed two (2) feet in overall width and four (4) feet overall height;
2. Must be wind-firm in some acceptable manner;
3. May not obstruct more than twenty percent of (20%) a sidewalk or right-of-way. A minimum clearance of clear passage shall be six (6) feet;
4. Shall not be placed in or on the traveled or parking area of a street or alley right-of-way;
5. Shall be constructed of materials that are hard, durable, weather proof and permanent. Signs shall be constructed in an "A" frame fashion only. ~~Copy and images shall only indicate the name and type of business.~~ Changeable copy is not permitted except for hand drawn lettering or graphics such as a chalkboard;
6. Shall be allowed only immediately in front of the business being occupied. Provided that a property owner may grant another business owner the right to locate a sign on their property frontage if the businesses are located on the same block and not more than one (1) sign is permitted;
7. Only one (1) sign is permitted per lot, structure or business;
8. Shall not obstruct sight distance requirements on public streets;
9. Shall be removed from public view during closed hours.

F. Application of the specific sign standards in this section to individual signs may not be required if the applicant provides substantial evidence that the imposition of the standards will result in a sign that is less consistent with the historic character of the area.

(Ord. 1279 § 1 (Attach. A (part)), 2007; Ord. 1198 § 1, 2003)

15.20.160 Industrial areas.

In areas which are zoned industrial, the following regulations apply:

A. The aggregate sign area for any lot shall not exceed one (1) foot for each foot of street frontage. The permitted signs enumerated in this subsection shall be subject to the total aggregate sign area.

1. Wall signs are permitted but shall not total an area more than fifteen percent (15%) of the building facade on which they are located, and not exceed two (2) signs per facade.

2. Each structure may have one (1) freestanding sign per street frontage, provided that corner lots with less than eighty (80) feet on each street shall be permitted only one (1) freestanding sign. Freestanding signs shall not exceed one hundred (100) square feet of total sign area, and no one face shall exceed fifty (50) square feet. The maximum height for a freestanding sign shall not exceed the height of the building containing the activity being advertised and in no case shall exceed twenty-five (25) feet. The width of the support system for a freestanding sign shall be a minimum of eighty percent (80%) of the width of the sign face.

B. Buildings having multiple occupancy will be allowed individual signs as set forth in subsection (A) of this section.

(Ord. 1279 § 1 (Attach. A (part)), 2007; Ord. 1198 § 1, 2003; Ord. 855 § 2, 1986)

15.20.165 Business park areas.

Signs in the business park zone shall be permitted as follows:

A. The aggregate sign area for any lot shall not exceed one (1) square foot for each foot of street frontage. The permitted signs enumerated in this subsection shall be subject to the total aggregate sign area.

B. Wall signs are permitted provided they do not total an area more than ten percent (10%) of the building facade on which they are located. Each multi-tenant building may have one (1) ~~identification~~-wall sign for each street frontage.

C. Each building may have one (1) freestanding sign per street frontage. The sign may not exceed a total of one hundred (100) square feet for the total of all faces. No one face shall exceed fifty(50) square feet in area. The sign shall not exceed fifteen (15) feet in height. The width of the support system for a freestanding sign shall be a minimum of eighty percent (80%) of the width of the sign face.

(Ord. 1279 § 1 (Attach. A (part)), 2007: Ord. 1198 § 1, 2003)

15.20.167 Lighting of signs.

A. Internal and exterior illuminated signs are allowed in all zones except R, MR and the Old Town commercial zoning district where only exterior and reverse internal illuminated signs are permitted provided, that awning signs may be internally illuminated.

B. No on ground lighting fixtures shall be permitted. Fixtures must be mounted to the bottom or top of the sign face and shall be shielded or mounted on curved standards to direct light to sign face only to minimize glare and off-sight lighting impacts. One mounted light shall be permitted per five (5) square feet of sign area.

C. The illumination of signs shall not cause excessive light or glare that could result in the reduced visibility of official signs and approaching, merging or entering traffic.

D. Portable and temporary signs shall not be illuminated.

(Ord. 1279 § 1 (Attach. A (part)), 2007: Ord. 1198 § 1, 2003)

15.20.170 Temporary signs.

Temporary signs are ~~defined as signs announcing political candidacy, special events or any sign which becomes meaningless due to the passage of time for a period of one year or less. The following regulations apply to temporary signs~~subject to the following regulations:

No review is required for temporary signs. All temporary signs shall conform to the following:

A. No temporary sign shall be placed in a required parking space, driveway, or clear view triangle.

B. No temporary sign may be placed on city-owned property (not including a city right-of-way) unless in conjunction with an approved special event permit, temporary use permit or other permission from the city.

C. No temporary sign shall be placed in the roadway.

D. Temporary signs on the city right-of-way placed outside the roadway shall comply with the following requirements:

1. Location. Allowed only between the property line and the back of the nearest curb, or where no curb exists, between the property line and the nearest edge of the pavement. Signs may not be placed on sidewalks, driveways or other paved areas designed for pedestrians or vehicular use.

2. Approval of the abutting landowner is required.

3. Signs on stakes that can be manually pushed or hammered into the ground are allowed. All other signs are prohibited, unless specifically allowed by a right-of-way use permit.

4. Signs are limited to four square feet total and three feet in height, from the ground to the top of the sign.

5. Any temporary sign in the right-of-way that is dilapidated or a nuisance shall be removed by the person responsible for placement of the sign.

6. The city may allow other signs in a city right-of-way with a right-of-way use permit.

E. Residential Zones. Temporary signs may be placed on property residentially zoned in accordance with the requirements of this section and the following:

1. One temporary window sign per residential unit not to exceed four square feet is allowed.

2. Freestanding signs, including post-mounted, stake and portable signs are allowed as follows:

i. In single-family residential zones temporary free-standing signs shall not exceed four square feet in size and five feet in height, if the sign is post-mounted on the ground, and not to exceed three feet in height if the sign is stake-mounted or portable.

ii. In multifamily residential zones temporary free-standing signs shall not exceed six square feet in size and five feet in height if the sign is post-mounted on the ground, and not to exceed three feet in height if the sign is stake-mounted or portable.

F. Nonresidential Zones. Temporary signs are allowed in nonresidential zones in accordance with the requirements of this section and the following:

1. Window signs are limited to fifty percent of the window area.
2. Freestanding signs, including post-mounted, stake and portable signs are limited to four square feet and five feet in height if the temporary sign is mounted in the ground, and not to exceed three feet in height if the temporary sign is stake-mounted or portable.
3. Surface-mounted signs are limited to thirty square feet and must be flatly affixed to walls or to on-site fences either facing the abutting street, or facing inward to the subject site.

G. Temporary signs on large properties, either residential or nonresidential zoned, of more than two acres may be of any type, and shall not exceed sixty-four square feet and up to eight feet above ground level. Such a sign allowed herein is in lieu of and shall not be displayed with or be in addition to any other temporary signs allowed by this section.

H. A temporary sign shall be promptly removed after the event for which it is intended.

~~A. Political Temporary signs shall be no larger than nine (9) square feet.~~

~~B. Permission must be obtained from the appropriate property owner, or abutting property owner where appropriate, to erect a temporary sign for which an individual seeks election to an office or position.~~

~~C. Political signs shall not be erected or displayed more than ninety days prior to an election.~~

~~D. Exterior political temporary signs shall be removed not more than fifteen (15) days following the specific purpose for which it was placed, following the applicable election or event date.~~

~~E. A deposit fee as set forth by resolution of the city council shall be required for temporary signs with an expiration date such as an election date or an event date. Upon removal of any such signs by the applicant or his or her agent within the time period specified in this section, the deposit set forth in this section shall be returned.~~

~~F. Temporary promotional signs advertising specific events such as sales, grand openings and other similar activities are permitted. Signs shall remain in place no longer than fourteen (14) days in any six month period and shall comply with all other provisions of this code.~~

(Ord. 1525 § 1, 2019; Ord. 1279 § 1 (Attach. A (part)), 2007; Ord. 1198 § 1, 2003; Ord. 855 § 3, 1986)

15.20.175 Nonconforming signs.

A. Existing signs that are nonconforming to the provisions of this chapter are permitted to continue subject to the provisions of subsection [\(B\)](#) of this section. Nonconforming signs may be replaced by a sign of the same type, size, dimensions and location without losing its nonconforming status. Sandwich board and temporary signs that are nonconforming are not permitted to be continued and shall be made conforming.

B. A nonconforming sign shall lose its nonconforming status ~~if~~:

1. The sign is relocated; or
2. The structure or size of the sign is altered in any way. This section shall exclude normal and routine maintenance; or
3. The sign is not maintained consistent with Section [15.20.195](#).

(Ord. 1279 § 1 (Attach. A (part)), 2007: Ord. 1198 § 1, 2003: Ord. 866 § 4, 1987)

15.20.190 Responsibility of owner.

This chapter shall not be construed to relieve or lessen the responsibility of any person owning or operating or installing any sign for damages to property or injuries to persons caused by the construction, maintenance or operation of any sign or any defect therein, nor shall the city or any agent thereof be held or construed as assuming any such liability or responsibility by reason of the permits, fees and inspections provided for in this chapter. The minimum safety requirements and regulations prescribed in this chapter shall not relieve the property owner nor the person constructing or maintaining a sign from the obligation of taking any additional steps necessary to make and keep the sign safe for persons and property. The city and other public agencies are not responsible for damage caused to signs overhanging the public right-of-way during maintenance operations or construction activities.

(Ord. 1279 § 1 (Attach. A (part)), 2007: Ord. 1198 § 1, 2003: Ord. 855 § 5, 1986; Ord. 638 § 14, 1970)

15.20.195 Maintenance and safety.

All signs and components thereof must be maintained in good repair and in a safe, neat, clean and attractive condition. Signs that are a danger to the general public shall be repaired or removed at the direction of the city.

(Ord. 1279 § 1 (Attach. A (part)), 2007: Ord. 1198 § 1, 2003)

15.20.200 Variances.

Variances to dimensional standards may be permitted in accordance with the provisions of Chapter [17.8514.30.190](#).

(Ord. 1279 § 1 (Attach. A (part)), 2007: Ord. 1198 § 1, 2003: Ord. 1116 § 1, 2000: Ord. 855 § 6, 1986; Ord. 648 § 1, 1971: Ord. 638 § 17, 1970)

15.20.210 Violation – Penalty.

It is unlawful to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use or maintain any sign or structure in the city, or cause or permit the same to be done, contrary to or in violation of any of the provisions of this code. Each such person shall be guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this code is committed, continued, or permitted, and upon conviction of any such violation shall be punished as set forth in the applicable provisions of the Cle Elum Municipal Code.

Exhibit B

Chapter 17.16
R – RESIDENTIAL DISTRICT

Sections:

- 17.16.005 Purpose.
- 17.16.010 Outright permitted uses.
- 17.16.020 ~~Uses requiring site and design review.~~ Definitions
- 17.16.030 Conditional uses.
- 17.16.040 Front yard.
- 17.16.050 Rear yard.
- 17.16.060 Side yard.
- 17.16.070 Site area.
- 17.16.080 Height limit.
- 17.16.090 Lot coverage and lot width.
- 17.16.100 Home occupations.
- 17.16.110 Manufactured homes.
- 17.16.120 Recreational vehicles.

17.16.005 Purpose.

The purpose of the residential district is to create and maintain stable and attractive residential neighborhoods, while providing diversity in housing types and maintaining affordable housing. Residential zones should also protect sensitive natural areas, provide for the efficient use of land and public services, and provide appropriate vehicular and pedestrian access.

(Ord. 1163 § 1, 2001)

17.16.010 Outright permitted uses.

In ~~a R district or the~~ residential district, no building or premises shall be used, and no building shall hereafter be erected, moved into the district, or structurally altered, unless otherwise provided in this title, except for one or more of the following uses:

A. One single-family dwelling ~~per legal lot of record~~ (including manufactured homes) ~~and or~~ duplex ~~per legal lot of record es with not more than one duplex per street frontage per block;~~

B. Accessory buildings, such as are ordinarily appurtenant to single-family dwellings or duplexes, including but not limited to, private workshops, private greenhouses, parking for

private recreational vehicles and trailers, and a private garage of not more than three-car capacity, ~~when located not less than sixty feet from the front line, unless attached to or within the dwelling and set back five feet from the face of the main building.~~ In no case shall an accessory building(s) exceed the size of the primary building on site. Where a lot is served by an alley, all on-site parking or garages shall be accessed only from the alley;

C. Accessory dwelling units, provided:

1. Only one accessory dwelling unit is permitted per lot;
2. The accessory unit shall not be larger than ~~the primary dwelling unit 1,000 sq ft~~ fifty percent of the living area of the primary residence;
3. One additional off-street parking space is provided, and;
4. Either the primary unit or the accessory unit is occupied by the owner of the property.

D. Adult family homes and group homes as required and meeting minimum state requirements;

E. Home occupations engaged in by individuals living in the residence, subject to the limitations in this title;

F. ~~(In home) Family-family~~ day care ~~located in a private home that supplies care, attention, supervision, and oversight for one to twelve children, governed by Washington State DSHS licensing provisions for said day care use and conducted in accordance with said state DSHS requirements. as required and meeting minimum state requirements.~~

(Ord. 1163 § 1, 2001)

17.16.020 — ~~Uses requiring site and design review.~~ Definitions

"Day Care, family home" means a family day care home located in a private home that supplies care, attention, supervision, and oversight for one to twelve children, governed by Washington State DSHS licensing provisions for said day care use and conducted in accordance with said state DSHS requirements.

"Food Preparation" means a small-scale food business operating from a state or local approved kitchen for off-site consumption.

"Home Occupation" a business, profession, occupation, or trade conducted for gain or support and located entirely within a residential building or a building accessory thereto, which use is

accessory, incidental, and secondary to the use of the building for dwelling purposes and does not change the essential residential character or appearance of such building.

"Home Occupation, business administration" means the accessory use of a dwelling for office use including, but not limited to the following professions: accountant, architect, artist, author, arts and crafts, attorney, composer, dressmaker, seamstress, tailor, engineer, insurance agent, photographers, music teacher, and real estate agent.

"Home occupation, home contractor" means the accessory use of a dwelling as, but not limited to, lawn care and/or snow removal services, building, electrical and plumbing, contractors' offices for small business.

"Home occupation, product assemblage/repair" means a business or service involved in assembling products for off-site sales. This definition also includes the repair of small appliances, small engines, radios, televisions, and other similar items.

"Home Occupation, professional services" refers to businesses that require specialized education, expertise, labor, discernment, and skill. This category encompasses professions such as psychologists, doctors, dentists, physical therapists, and massage therapists, or other similar home-office uses.

"Host Short term rental" means any owner of record of residential real property, or agent or lessee thereof, who offers that dwelling unit, or portion thereof, for short-term rental either through a hosting platform or individually, where the owner, agent or lessee does not live on-site. All accessory dwelling units shall be considered hosted if the owner resides on the property.

"Hosted short-term rental" means a short-term rental where the host remains in the dwelling unit throughout the short-term renter's stay. A host may rent out a private portion of a residential dwelling unit; however, the rental of an entire dwelling unit may not be classified as a "hosted short-term rental."

All uses specified in Chapter 17.76 are subject to site and design review. In addition the following activities shall be subject to site and design review:

A. Parks and playgrounds (including park buildings) subject to the following limitations:

1. Adequate off-street parking shall be provided if the park is not a neighborhood facility;
2. Lighting for structures and fields shall be directed away from residential areas;
3. The bulk and scale of structures shall be compatible with the residential character of the area;

~~4. Structures and service yards shall be set back a minimum of fifty feet from property lines if possible, but in no case less than the required setbacks of the residential zone.~~

~~(Ord. 1163 § 1, 2001)~~

17.16.030 Conditional uses.

The following purposes and uses of buildings shall be allowed only upon approval of a conditional use permit in accordance with the provisions of Chapter ~~17.80~~14.30.170. Conditional uses shall also require design review either in conjunction with or after the approval of a conditional use permit.

A. Libraries;

B. Public schools, day care centers, ~~and churches,~~ senior centers, community centers and parks and playgrounds;

~~C. Nursing homes, hospitals and sanitariums, except for inebriates and persons suffering from mental diseases;~~

~~D. Commercial nurseries or greenhouses on special permit not exceeding ten years;~~

~~E.~~ Telephone exchanges, electric substations and similar installations for public service;

~~F.~~ Retirement homes, and nursing homes;

~~G.~~ Municipal buildings, ~~senior centers, community centers;~~

~~H.~~ The office of a physician, dentist or other professional person when located in ~~his or her dwelling or~~ an existing residential structure ~~located on an arterial street where the primary use is commercial rather than residential;~~

~~I.~~ Bed and breakfast guesthouse, when accessory to the permanent residence of the operator. Preference shall be given to facilities in historic structures.

~~J.~~ Host Short Term Rental

(Ord. 1163 § 1, 2001)

17.16.040 Front yard.

A front yard having a minimum depth of twenty feet is required. If on any given block, over fifty percent ~~on of~~ the existing structures on the same street frontage are set back less than twenty

feet, the required front yard shall be reduced to the average of the existing front yard setbacks along that street frontage.

(Ord. 1163 § 1, 2001)

17.16.050 Rear yard.

There shall be a rear yard having a minimum depth of twenty feet for the principal structure(s). Where a lot is served by an alley the rear yard for a garage shall be a minimum depth of five feet. Accessory buildings shall maintain a minimum setback of five feet.

(Ord. 1163 § 1, 2001)

17.16.060 Side yard.

There shall be a side yard of not less than five feet in width. A ~~street-side~~ side yard adjacent to a public right-of-way, an alley or street, yard shall have a minimum width of fifteen feet. Side yard setbacks shall be measured from the drip line of the principal structure's eave to the property line.

(Ord. 1257 § 2 (Exh. B), 2006; Ord. 1163 § 1, 2001)

17.16.070 Site area.

For every building hereafter erected or structurally altered or moved into the district there shall be provided a lot area of not less than five thousand square feet per unit for one-family dwellings, and not less than seven thousand square feet per unit for duplexes.

(Ord. 1163 § 1, 2001)

17.16.080 Height limit.

No building hereafter erected or structurally altered within or moved into the district shall exceed thirty-five feet.

(Ord. 1163 § 1, 2001)

17.16.090 Lot coverage and lot width.

The lot area covered by single-family dwellings, ~~duplexes, and structures~~ accessory structures, and paving/concrete for parking areas or walkways, ~~thereto~~ shall not exceed forty-sixty percent of the lot area. ~~;- duplexes and accessory structures thereto shall not exceed forty percent of the lot area.~~ No residential lot having a width of less than forty feet, a depth of less than seventy-five feet, nor less than twenty feet of street frontage shall be created, ~~and in no case shall a lot be created with less than five thousand square feet.~~

(Ord. 1163 § 1, 2001)

17.16.100 Home occupations.

~~A. Home occupations are business activities that generally occur within a residential dwelling by the occupant of the dwelling where the business is clearly secondary to the residential use of the structure. Home occupations require the approval of Type I permit and are subject to the following limitations:~~

~~B. A. The use shall be located in the dwelling only. No outside activity or storage is permitted.~~

~~C. B. A maximum of twenty-five percent of the habitable floor area or three hundred square feet, whichever is less, may be devoted to the home occupation.~~

~~D. C. No use or storage of heavy vehicles or heavy equipment such as construction equipment is permitted.~~

~~E. D. No external evidence of the home occupation is permitted with the exception of an unlighted sign not exceeding two square feet that may advertise the occupant's name and business type.~~

~~F. E. The occupation may involve no retail sales on the premise, except as incidental to the home occupation, such as retail sales of shampoo associated with an in-home hairdresser.~~

~~G. F. No more than six customers or vehicle trips are permitted per day.~~

~~H. G. One employee in addition to the owner/occupant is permitted.~~

~~I. H. The home occupation shall not require any external remodeling.~~

~~J. 1. Applicable fees, as set forth by resolution of the city council, are required at the time of application. Home occupation permits may be subject to annual review, including applicable fees, as deemed necessary by the planning commission.~~

A. Purpose. The conduct of an accessory business within an existing dwelling may be permitted under the provisions of this section. It is the intent of this section to:

1. Ensure the compatibility of home occupations with other uses permitted in the underlying zone; and
2. Preserve the existing dwelling as the primary use of the structure or property; and
3. Maintain and preserve the character of residential neighborhoods; and
4. Promote the efficient use of public services and facilities by assuring these services are provided to the residential population for which they were planned and constructed, rather than commercial uses.

B. Table of Permitted Home Occupations. Table 16-2 titled "Table of Permitted Home Occupations" is incorporated as a part of this section. Each permitted home occupation listed in Table 16-2 is designated as a Type (1), (2) or (C – Conditional) use for a particular zoning district. Proposed home occupations in existing dwellings in the commercial and industrial zoning districts shall follow the land use requirements of the MF zoning district. All permitted home occupations are subject to the standards of this title, including the specific conditions of subsection C of this section and the applicable review procedures of CEMC Chapter 14.30. Specific uses not permitted as home occupations are listed in subsection H of this section.

Table 16-1 of Permitted Home Occupations*

	<u>Zoning District</u>	
	<u>R</u>	<u>MF</u>
-		
<u>Barbershop, beauty parlor</u>	<u>2</u>	<u>2</u>
<u>Day care, family home*</u>	<u>1</u>	<u>1</u>
<u>Professional Services*</u>	<u>2</u>	<u>2</u>
<u>Dog grooming</u>	<u>2</u>	<u>2</u>
<u>Food Preparation*</u>	<u>2</u>	<u>2</u>

Home Contractor*	1	1
Home office*	1	1
Home instruction*	1	1
Product assemblage/service*	1	1
Hosted short-term rental*	1	1
Unclassified home occupation	-	-
Notes:		
-		
* Refers to definition in CEMC Chapter 14.20		
-		
1 = Type (1) Permitted Home Occupation		
-		
2 = Type (2) Permitted Home Occupation		
-		
C = Conditional Use, Public Hearing and Approval by the Hearing Examiner Required		

C. Necessary Conditions. Home occupations are permitted as an accessory use to the residential use of a property only when all the following conditions are met:

1. The home occupation is conducted inside a structure within property on which is established the primary residence of the practitioner(s). For the purpose of administering this section, "primary residence" shall be defined as the residence where a person or persons resides for the majority of the calendar year;
2. The home occupation is incidental and subordinate to the residential functions of the property. No action related to the home occupation shall be permitted that impairs reasonable residential use of the dwelling;
3. There are no external alterations to the building which change its character from a dwelling;
4. The portion of the structure or facilities in which a home occupation is to be sited must be so designed that it may be readily converted to serve residential uses;
5. The business is conducted in a manner that will not alter the normal residential character of the premises by the use of color, materials, lighting and signs, or the emission of noise, vibration, dust, glare, heat, smoke or odors;

6. The home occupation does not generate materially greater traffic volumes than would normally be expected in the residential neighborhood; the frequency of deliveries should be comparable to that of a single-family home without a home business. No more than six customers or vehicle trips are permitted per day unless otherwise permitted through review;

7. There is no outside storage or display of any kind related to the home occupation. Except for typical vehicle parking associated with the business, but not including job trailers, food trucks, or similar accessory vehicles visible from the public right-of-way;

8. The home occupation does not require the use of electrical or mechanical equipment that would change the fire rating of the structure;

9. The home occupation does not require the use of electrical equipment that exceeds FCC standards for residential use;

10. The home occupation does not increase water or sewer use so that the combined total use for the dwelling and home occupation is significantly more than the average for residences in the neighborhood;

11. A business license is purchased where required;

12. One employee in addition to the owner/occupant is permitted;

13. All stock in trade kept for sale on the premises is produced on site by hand without the use of automated or production line equipment.

In granting approval for a home occupation, the reviewing official may attach additional conditions to ensure the home occupation will be in harmony with, and not detrimental to the character of the residential neighborhood. Any home occupation authorized under the provisions of this title shall be open to inspection and review at all reasonable times by the building and enforcement official for purposes of verifying compliance with the conditions of approval and other provisions of this title.

D. Materials and Storage. The storage of equipment, materials, or goods shall be permitted in connection with a home occupation provided such storage complies with the following standards:

1. All equipment, materials, or goods shall be stored completely within the space designated for home occupation activities and not visible from the public right-of-way.

2. Only those materials or goods that are utilized or produced in connection with the home occupation may be stored within the dwelling unit or accessory building.
3. All flammable or combustible compounds, products, or materials shall be maintained and utilized in compliance with fire code.
4. The frequency of home deliveries should be comparable to that of a single-family home without a home occupation associated with the residence. No more than six customers or vehicle trips are permitted per day unless otherwise permitted through review.

- E. Nameplates. Only one nameplate shall be allowed. It may display the name of the occupant and/or the name of the home occupation (e.g., John Jones, Accountant). The nameplate shall be attached to the dwelling, but shall not exceed two square feet in area or be illuminated.
- F. Application Fee and Review Period. Home Occupations which require a Type 2 Review or Conditional Use Permit for approval shall be made in accordance with the provisions of CEMC Title 14.30, except as noted, and shall be accompanied by the appropriate filing fee. The administrative official may accept an aerial photo of the site in lieu of a site plan when the aerial photo clearly shows all structures and parking areas and no new construction or site modifications are proposed.
- G. Unclassified Home Occupation—Review by the Hearing Examiner. Home occupations not listed in Table 16-1 shall be reviewed by the hearing examiner in accordance with the provisions of CEMC Chapter 14.30; provided, any unclassified home occupation permitted after review and decision by the hearing examiner in a particular district shall be allowed only as a Class (2) or (3) use.
- H. Home Occupations Not Permitted. The following uses, by the nature of their operation or investment, have a pronounced tendency, once started, to increase beyond the limits permitted for home occupations and impair the use and value of a residentially zoned area for residential purposes. Therefore, the uses listed below shall not be permitted as home occupations:
1. Auto repair, body work, or similar automobile-related activity;
 2. Parking and storage of motor vehicles, commercial trucks or heavy equipment.
 3. Antique shop or gift shop;
 4. Kennel;

5. Veterinary clinic or hospital;

6. Painting of vehicles, trailers or boats;

7. Large appliance repair including stoves, refrigerators, washers and dryers;

8. Upholstering;

9. Machine and sheet metal shops;

10. Taxidermist;

11. Vehicle sign painting (except for the application of decals).

12. Marijuana production, processing and/or retailing

I. Denial of Application for a Home Occupation. An application for a home occupation shall be denied if the administrative official finds that either the application or record fails to establish compliance with the provisions of this chapter. When any application is denied, the administrative officer shall state the specific reasons and cite the specific provisions and sections of this title on which the denial is based.

(Ord. 1532 § 1, 2019; Ord. 1163 § 1, 2001)

17.16.110 Manufactured homes.

Manufactured homes shall be ~~subject to the following requirements:~~installed in compliance with applicable codes, including but not limited to:

- A. Homes shall be permanently installed on a foundation.
- B. All installations must have an eighteen-inch minimum crawl space.
- C. The tongue, wheels and any other transport hardware must be removed from the structure.
- D. Skirting shall completely enclose the structure.
- E. Permanent steps shall be installed to all entrances.
- F. A minimum of seven hundred twenty square feet is required and the home must be transported in at least two pieces of equal width to the site. A minimum width of sixteen feet is required.

G. A minimum snow load of ninety pounds per square foot is required.

(Ord. 1163 § 1, 2001)

17.16.120 Recreational vehicles.

Recreational vehicles including campers, travel trailers, mobile homes and other similar items the property of the lot owner or lessee may be parked for storage in the residential district provided they ~~meet the minimum setback standards of the district~~ are parked on-site; no on-street parking is permitted.

Exhibit C

Chapter 17.32

~~CG-GC~~ GENERAL COMMERCIAL DISTRICT

Sections:

- 17.32.010 Purpose and intent.
- 17.32.020 Permitted uses.
- 17.32.030 Conditional uses.
- 17.32.040 Dimensional standards.
- 17.32.060 Landscaping.
- 17.32.080 Lighting.
- 17.32.090 Design guidelines.

17.32.010 Purpose and intent.

The General Commercial District is intended to provide areas for a range of commercial uses which serve the community; to establish standards that assure that new uses are compatible with and enhance existing commercial uses; and, to provide protection to uses in other zones.

(Ord. 1163 § 1, 2001)

17.32.020 Permitted uses.

In the ~~CG-GC~~ district or general commercial district the following uses are permitted:

- A. Retail ~~and wholesale~~ stores and shops such as clothing and general merchandise;
- B. Grocery stores;
- C. Meat shops;
- D. Retail bakeries, micro-breweries and other specialty food processing with an associated retail use;
- E. Banks or similar financial institutions;
- F. Barbershops, beauty parlors and personal service shops;
- G. ~~Hand laundries, clothes cleaning and pressing~~Laundromats and dry cleaning;
- H. Hotels, motels, bed and breakfast rooms and inns;

I. Lumber yards and building materials, coal and fuel storage, providing that they are housed in buildings completely enclosed by walls and windows, and the yard regulations of this district shall be observed; and provided further that no such lumber yards, building material yards, coal and fuel stores shall be maintained closer than one hundred feet to the side lines of the R/RM or residential districts;

J. Locksmiths, shoe and other clothing repair shops;

K. Manufacturing, production or treatment of products clearly incidental to the conduct of a retail business conducted on the premises;

L. Professional, ~~or medical~~ business offices;

M. Public offices and uses;

N. Printing establishments and newspaper printing;

O. Auto repair and battery shops, service stations, tire repair shops;

P. Restaurants, cafeterias and catering;

Q. Sales room or ~~store rooms~~ storerooms for motor vehicles and other articles of merchandise;

R. Studios, art galleries;

S. Taverns, bars, tasting rooms;

T. Theaters;

U. Commercial day care centers;

V. Open air markets;

W. Mobile food service unit.

(Ord. 1222 § 3 (Exh. C), 2004; Ord. 1163 § 1, 2001)

17.32.030 Conditional uses.

The following purposes and uses of buildings shall be allowed only upon approval of a conditional use permit in accordance with the provisions of Chapter 14.30.170. Conditional uses shall also require design review either in conjunction with or after the approval of a conditional use permit.

1. Residential uses;
2. Dancehalls, skating rinks, or other commercial amusement places;
3. Undertaking establishments and crematories;
4. Kennels;
5. Machine shops;
6. Mini-warehouses;
7. Host Short-term rentals (CEMC ~~17-08-335~~17.160).
8. Retail sales involving equipment or vehicles typically kept or exhibited outdoors and utilized for manufacturing, farming, or construction are permissible, provided that there is either a buffer area featuring fencing and landscaping (at least a B1, Low Screen Buffer) separating the sales or display area from the public right-of-way, or the equipment or vehicles for sale or display are set back a minimum of 20 feet from the front property line.

(Ord. 1492 § 1, 2018; Ord. 1486 § 1, 2018; Ord. 1163 § 1, 2001)

17.32.040 Dimensional standards.

A. *Height.* The height of structures should be consistent with those of existing buildings and not over three stories or thirty-~~six~~-five feet in height. Design features consistent with the historic context of the area such as building names in the cornice or block corner turrets may exceed the height limit by ten percent if approved as part of the design review process.

B. *Yards.* No yards are required except for lots adjacent to any "R" residential or "RM" multi-family residential district. Yards adjacent to the residential district shall be twenty feet in width. Yards adjacent to the multiple family residential district shall be ten feet in width.

C. *Minimum Lot Size.* A minimum of five thousand square feet is required for all new lots.

(Ord. 1163 § 1, 2001)

17.32.060 Landscaping.

A minimum of ten percent of the site shall consist of landscaping consistent with the requirements of Chapter [17.64](#). ~~See also Chapter 17.64.~~

(Ord. 1163 § 1, 2001)

17.32.080 Lighting.

1. Outdoor lighting shall be arranged so as not to direct light or glare on public roadways and/or neighboring properties; and
2. Outdoor lighting shall be directed downward and shielded to reduce unnecessary light and glare; and
3. Pedestrian scale lighting shall be placed at regular intervals along sidewalks throughout the development; and
4. Lighting may be used to accent key architectural elements of the buildings.

(Ord. 1163 § 1, 2001)

17.32.090 Design guidelines.

The following design standards apply to all development within the zoning district and are intended to upgrade the visual quality of the commercial areas in the city, reduce impacts to adjacent property, and to establish standards that reflect the character and quality of the city.

1. Buildings shall be located and designed to focus on the public street serving the development.
2. Building facades facing a public street shall have at least fifty percent of the total wall area in permeable surfaces (windows, pedestrian entrances, open shops, etc.) or permanent architectural details such as false windows.
3. When feasible, parking lots shall be located behind or to the side of structures, and shall not be located on a corner of two streets or between a building and the public street, provided, that building sites with more than one street corner are not required to place the building(s) on multiple corners. For additional off-street parking and design requirements see Chapter [17.56](#).
4. Pedestrian facilities shall be provided from the public right-of-way to the entrances of all buildings open to the public in a continuous and direct route to the primary pedestrian entrance.

Pedestrian routes shall be a minimum of six feet wide and shall be constructed of Portland cement concrete or brick or stone pavers. Pedestrian routes shall be protected from vehicle traffic by curbs, bollards, landscaping or other similar method. Where routes cross vehicle-maneuvering areas they shall be constructed of a different paving material than the vehicle-maneuvering areas.

5. Buildings of historic importance and value as indicated by their age and significance to the community or history may not be required to meet the specific design standards if the imposition of the standards will result in development that is less consistent with the historic character of the area.

Exhibit D

Chapter 17.70

ZERO LOT LINE AND COMMON WALL DEVELOPMENTS

Sections:

17.70.010 Purpose and intent.

17.70.015 Definitions

17.70.020 Zero lot line or common wall on existing lots of record.

17.70.030 Zero lot line or common wall with new subdivisions.

17.70.040 Zero lot line and common wall design standards.

17.70.050 Application procedure.

17.70.010 Purpose and intent.

The purpose of this chapter is to allow for development of single-family, duplex dwellings, and townhomes on properties with design standards prescribed to allow for zero lot line setbacks. This concept is intended to provide more usable yard area, maximize views, conserve energy, and provide development flexibility. Zero lot line and common wall development are intended to allow for alternate siting of single-family, duplex and townhouse dwellings on individual lots if the development standards of the residential zone can be met. The requirements of this chapter shall be considered as modifications to the zoning requirements relating only to setbacks. Any zero lot line or common wall development approval under this section shall be restricted to development as herein prescribed.

17.70.015 Definitions

"Common Wall Dwelling" means two single-family dwellings, each on their own lot, that are attached together at a common interior-property line. "Zero Lot Line Dwelling" means one or more single-family dwelling on their own lot where one side of the dwelling lies directly on an interior-property line.

17.70.020 Zero lot line or Common Wall on existing lots of record.

Zero lot line or common wall construction, meeting the provisions of CEMC 17.70.040, may be proposed on existing lots of record through the Conditional Use Process.

17.70.030 Zero lot line or Common Wall with new subdivisions.

A. A zero lot line or common wall development may be established in conjunction with the subdivision of property through a long plat or a short plat in conformity with CEMC Title 16. Zero lot line or common wall applications in conjunction with short plats shall be subject to a public hearing.

B. Each plat prepared pursuant to these standards shall contain the following notation on the face of the plat:

This plat has been approved under the provisions of Chapter 17.70 CEMC relating to zero lot line or common wall construction. No building permit may be issued for any construction upon the lands encompassed within this plat except in strict conformity with the restrictions contained in the Cle Elum Municipal Code.

(Ord. XX § X, 20XX)

17.04.040 Zero lot line and Common Wall design standards.

Notwithstanding any other provisions in CEMC Title 16 and this title, a zero lot line or common wall development may be approved and thereafter developed in conformity with the following design standards in the following zoning districts, Single-Family Residential, Multi-Family Residential, and Planned Mixed Use:

A. All dwellings constructed under these provisions shall be so constructed in conformance with applicable building code(s) for structures located on a property line.

B. All lots located within the zero lot line or common wall development shall meet the minimum lot size requirements of the zone they are located in.

C. All lots within a zero lot line or common wall development shall be designated as having the following property lines:

1. Front street property line, which shall be the property line adjacent to the street or public thoroughfare;
2. Rear lot line, which shall be the lot line opposite the front street property line;
3. Interior property line, which shall mean the following:
 - a. The lot line shared with the adjoining parcel or lots except for corner lots, where the side street property line shall be known as the side street property line;

b. Zero lot line shall be the one interior lot line on each parcel containing a single-family dwelling built on that property line. The easement required below shall be located on the lot adjacent to the designated zero lot line.

c. Common wall property line shall mean the property line on which the attached single-family dwelling structure is located, and which is shared with an adjoining property owner;

d. The interior lot line opposite the zero lot line or common wall line shall be subject to all applicable setback requirements of the underlying zone.

4. For zero lot line and common wall development, the dwelling unit shall be placed upon only one interior property line with zero setbacks.

D. All dwelling units shall meet the development regulations of the zoning district they are located in: including setbacks (except for the designated zero lot line or common wall line), lot coverage, height, and density.

E. Accessory buildings and structures shall observe setback requirements applicable to the zone.

F. Each dwelling unit shall be provided with a separate water meter, electric meter, gas meter (if applicable), and sewer, wholly contained on its lot.

G. No zero lot line shall be allowed for the yard adjacent to a public or private street.

I. A minimum of two off-street parking spaces shall be provided on each platted lot.

J. Each dwelling shall be located on its own individual lot. The plat or site plan shall indicate the zero lot line or common wall property line(s)

K. Zero lot line developments shall dedicate an easement and restrictions appurtenant thereto. A construction maintenance agreement between the owners of the zero lot line lots shall be recorded in the County Auditor's Office, or on the face of the final plat. The easement shall provide for a minimum five foot easement extending in all directions from all zero setback walls. The purpose of the easement is for construction, maintenance, and repair of the dwellings located on the zero lot line.

(Ord. XX § X, 20XX)

17.04.050 Application procedure.

For all applications for zero lot line or common wall development, the applicant shall submit with the application the following exhibits:

A. A location map indicating existing zoning on the site and adjacent areas.

B. A site plan of no less than one inch to 100 feet, including the following information:

1. Lot lines and setbacks, including designation of the zero lot line or common wall line, location, shape, size, and height of existing and proposed buildings;

2. Existing and proposed landscaping (if applicable);

3. Recreation facilities (if applicable);

4. Location of off-street parking.

C. Information indicating the following:

1. Gross and net acreage;

2. Lot sizes (dimensions in square footage);

3. Building heights and stories;

4. Building coverage for each lot;

5. Such other architectural and engineering data as may be required to evaluate the project.

(Ord. XX § X, 20XX)

Virgil Amick



From: Connor Armi <connor.armi.hsy@colvilletribes.com>
Sent: Thursday, May 9, 2024 3:20 PM
To: Virgil Amick
Cc: Guy Moura
Subject: Re: NOTICE OF APPLICATION, ENVIRONMENTAL REVIEW, AND PUBLIC HEARING – PROPOSED TEXT AMENDMENTS TO THE CLE ELUM MUNICIPAL CODE

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Afternoon Virgil,

After review of the proposed 2024 amendments, we have no concerns.

Sincerely,

Connor Armi | Archaeologist Senior MA, RPA

History/Archaeology Program

Confederated Tribes of the Colville Reservation

PO Box 150 | Nespelem, WA 99155

d: 509-634-2690 | c: 509-631-1131

connor.armi.hsy@colvilletribes.com

On Tue, Apr 30, 2024 at 12:53 PM Virgil Amick <vamick@cleelum.gov> wrote:

Proposed non-project text amendments to the following CEMC Chapters: 15.20 – Sign Code; 17.16 – R-Residential District; 17.32 – CG General Commercial District; and creating a new chapter in the Zoning Ordinance, 17.70 – Zero Lot Line and Common Wall Developments.

REQUEST FOR WRITTEN COMMENTS: Agencies, tribes, and the public are encouraged to review and comment on the proposed project and its probable environmental impacts. There is a 15-day comment period for this review. All written comments received by 4:30 p.m. on **May 15, 2024** will be considered. Please reference file numbers (SEPA-2024-002) and applicant's project name (Cle Elum Planning) in any correspondence you submit. You can mail or submit your comments to: planning@cleelum.gov or City of Cle Elum, Attention: Planning Department/CEMC Text Amendments, 119 W First St., Cle Elum, WA 98922.

PUBLIC HEARING: The public hearing before the City of Cle Elum Planning Commission is scheduled for **Tuesday, June 4, 2024**, beginning at 6:00 p.m. in the Council Chambers – 119 W First Street, Cle Elum, WA 98922. Any person desiring to express their views on this matter is invited to attend the public hearing or submit written comment to: City of Cle Elum, Planning Division, 119 W First Street, Cle Elum, WA 98922.

Virgil Amick



Permit/Office Technician

City of Cle Elum

P: 509-674-2262 Ext.110

E: Vamick@cleelum.gov



Virgil Amick



From: Colleda Monick
Sent: Monday, May 20, 2024 10:55 AM
To: Virgil Amick
Subject: FW: City of Cle Elum, Proposed Development Regulation Amendments
Attachments: Cle Elum-2024-S-7041-DRAFT-Text Amendments Narrative.docx

Please date stamp both Deanah's email and the narrative and upload into public comments when you have time.

Thank you,
Colleda Monick

From: Watson, Deanah (COM) <deanah.watson@commerce.wa.gov>
Sent: Monday, May 20, 2024 10:44 AM
To: Colleda Monick <Colleda.Monick@cleelum.gov>; COM GMU Review Team <reviewteam@commerce.wa.gov>
Cc: Virgil Amick <vamick@cleelum.gov>
Subject: RE: City of Cle Elum, Proposed Development Regulation Amendments

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Good morning Colleda,
I reviewed Cle Elum's draft amendments to CEMC Chapters on sign code, residential/commercial districts and zoning. I also requested a couple of our housing specialists review the new chapter in 17.70 on zero lot line/common wall developments while I was out a couple weeks.

I have 2 minor remarks (attached) under 17.16.010 Outright permitted uses (subsection F) and 17.16.100 Home occupations (subsection C-6). Scroll down to see my colleagues' consolidated suggestions for that section and their other useful insights for Cle Elum.

Take care,
-Deanah

Consolidated technical assistance recommendations/suggestions:

- 1) Generally the "Zero lot line and common wall developments section" looks good
- 2) We recommend removing the Conditional Use process for Zero lot line or Common wall on existing lots of record (17.70.020). If an attached housing unit meets the underlying zoning requirements, I don't see why a conditional use would be necessary. If additional parameters need to be considered for this type of unit, we recommend outlining those in the code.
- 3) We recommend removing the public hearing requirement for Zero lot line or Common wall with new subdivisions (17.70.030).
- 4) 17.04.040(c)(4) seems that it might limit townhouses configured with 2 or more units. If this was the intent, that is fine. However, we do encourage considering allowing more than two attached units.
- 5) The zero lot line process is process-heavy; that it reads to only allow a two unit townhome configuration. Their code doesn't allow townhomes in the "R "(RESIDENTIAL) District, but does allow townhouses in the "RM" (MULTIPLE FAMILY RESIDENTIAL) District. Limiting zero lot line townhouses to two units in a RM district seems restrictive.
- 6) **FYI:** Cle Elum needs to adopt Unit Lot Subdivision provisions per RCW 58.17.060(3), if it does not have them already. But the deadline for that is the periodic review deadline. Zero lot line development can still be implemented though a standard short plat procedures, if Cle Elum does not currently have ULS.

- 7) The ADU regulations are not compliant under HB 1337 (2023 – ADU bill) but a jurisdiction has until six (6) months after their next periodic review deadline to get those in place. The current proposal does, however, amend part of the ADU section with this set of amendments, and it looks like that amendment might have a typo (section regarding the size of the ADU). Cle Elum’s municipal code currently says:
- *“The accessory unit shall not be larger than fifty percent of the living area of the primary residence;”* Somehow “1,000 sq ft” is proposed for deletion in the attached, so someone may have copied the existing code section incorrectly or didn’t finish the thought on how they want to amend that standard.
- 8) Some minor scrubbing needs to be done that you can mention to them...such as:
- The proposed zero lot line code amendment uses the terms “townhomes” and “townhouses” in the same paragraph; other parts of the existing code uses “townhouses”. We assume they have the same meaning and, if so, then the code should use one term to use consistently throughout.
 - If requiring a CUP for “townhomes” (or “townhouses”, whichever term the City uses) on existing lots of record, then we recommend specifying that in the applicable use table for clarity, (i.e. right now in the RM District “townhouses” are a permitted use. But if zero lot line townhouses that same zone require a CUP then specify that so it is distinguished from townhomes that do not require a CUP.)
 - Also, proposed section 17.04.040 entitled “Zero lot line and Common Wall design standards”, it missing a standard for “H”.
 - Double-check whether some clarity might be needed regarding minimum lot size for a townhome in the RM district. There’s clearly a minimum lot size specified for multi- family development and for single family dwellings in that zone, but it’s not as easy to tell where townhouses fit in.

From: Colleda Monick <Colleda.Monick@cleelum.gov>

Sent: Wednesday, May 1, 2024 8:11 AM

To: COM GMU Review Team <reviewteam@commerce.wa.gov>

Cc: Watson, Deanah (COM) <deanah.watson@commerce.wa.gov>; Virgil Amick <vamick@cleelum.gov>

Subject: City of Cle Elum, Proposed Development Regulation Amendments

External Email

Hello,

Please find the attached cover sheet and proposed text amendments for review and consideration. I am available to answer any questions or provide additional information.

Thank you,

Colleda Monick
colleda.monick@cleelum.gov
City of Cle Elum
Planning Consultant
509-864-1976

City of Cle Elum
119 West First Street
Cle Elum, WA 98922



Phone: (509) 674-2262
Fax: (509) 674-4097
www.cleelum.gov

City of Cle Elum – 2024 Text Amendments

Written Narrative

The City of Cle Elum Planning Department is proposing non-project text amendments to the following CEMC Chapters:

1. 15.20 – Sign Code
2. 17.16 – R-Residential Zoning District
3. 17.32 – CG General Commercial Zoning District
4. 17.70 (New Section) – Zero Lot Line and Common Wall Developments

Proposed changes to these sections are summarized below. Full track changes are enclosed as exhibits.

1. 15.20 – Sign Code (Exhibit A)

Proposed changes to the Sign Code include:

- Removal of outdated language and the addition of clarifying language throughout.
- Additional and/or revised definitions to provide clarification and consistency.
- Adding a new section for sign exemptions.
- Clarifying permitting requirements.
- Modifying language related to prohibited signs and signs allowed in Residential and Commercial areas.
- Replacing the Old Town Commercial designation with Downtown Commercial.
- Revising the type and location of Temporary Signage.

2. 17.16 – R-Residential Zoning District (Exhibit B)

Proposed changes to the Residential Zoning district include:

- Removal of outdated language and the addition of clarifying language throughout.
- 17.16.010 - Outright Permitted uses
 - Allowing duplexes on any lot or record rather than one per street frontage block.
 - Allowing accessory buildings to duplex lots.
 - Providing that an ADU cannot be larger than the primary dwelling.
 - Text changes to Family in home day care, consistent with state requirements.
- 17-16.020 – Definitions
 - New (re-named) section adding definitions for several home based business uses.
 - Remove outdated reference to site design review requirements.
- 17.16.030 – Conditional Uses
 - Consolidation of like uses.

- Clarification of office uses in residential structures but the use is commercial.
 - Adding Host Short Term Rental.
- 17.16.090 – Lot coverage and lot width
 - Simplification of language.
 - Increase lot coverage allowance from 40-60%.
- 17.16.100 – Home Occupations
 - Previous code language removed in favor of revised language.
 - Outlining the purpose of home occupations.
 - Including a table of permitted uses.
 - Necessary conditions required of all home occupations.
 - Development standards for materials/storage, signage, application fees.
 - Procedures for the review of unclassified home occupations.
 - A list of prohibited home occupations.
- 17.16.110 – Manufactured homes
 - Requiring installation in compliance with applicable codes.
- 17.16.120 – Recreational vehicles
 - Requiring recreational vehicles to be parked on-site.

3. 17.32 – CG General Commercial Zoning District (Exhibit C)

Proposed changes to the General Commercial Zoning district include:

- Title – GC instead of CG
- Removal of outdated language and the addition of clarifying language throughout.
- 17.32.030 – Conditional Uses
 - Adding clarifying language to outline the conditional use process.
 - Adding retail sales involving equipment or vehicles typically kept outdoors with accompanying buffering and sales area requirements.
- 17.32.040 – Dimensional Standards
 - Revision of building height from 36- to 35-feet.

4. 17.70 (New Section) – Zero Lot Line and Common Wall Developments (Exhibit D)

This is a new section outlining the requirements for allowing Zero Lot Line and Common Wall Developments within the City of Cle Elum. The chapter includes the following sections:

- Purpose and intent.
- Definitions.
- Zero lot line or Common Wall on existing lots of record
- Zero lot line or Common Wall with new subdivisions
- Zero lot line and Common Wall design standards
- Application Procedure

Exhibit A

Chapter 15.20 SIGN CODE

Sections:

- 15.20.030 Purpose and applicability.
- 15.20.035 Definitions.
- 15.20.040 Enforcing official.
- ~~15.20.045 Exemptions.~~
- ~~15.20.050 Right of entry.~~
- 15.20.070 Permits, Required, Administration.
- 15.20.090 Removal of permanent signs.
- 15.20.135 Prohibited signs, all zones.
- 15.20.140 Residential areas.
- 15.20.150 General commercial, entry commercial areas and public ~~use~~reserve.
- 15.20.155 ~~Old Town commercial.~~Downtown Commercial
- 15.20.160 Industrial areas.
- 15.20.165 Business park areas.
- 15.20.167 Lighting of signs.
- 15.20.170 Temporary signs.
- 15.20.175 Nonconforming signs.
- 15.20.190 Responsibility of owner.
- 15.20.195 Maintenance and safety.
- 15.20.200 Variances.
- 15.20.210 Violation – Penalty.

15.20.030 Purpose and applicability.

The purpose of this chapter is to improve the quality of life and to harmonize the residential and business environments in the city. It is intended to improve the visual environment, permit signage consistent with the character of the community, and reduce signs or advertising distractions and/or obstructions that may contribute to hazards or accidents. The use of signs shall be regulated by zone. This chapter is designed to recognize the communication needs of the business community, and encourage maintenance of those signs, but also to protect the public health, safety, welfare and aesthetics by regulating outdoor signs of all types. This chapter applies to all signs as defined by Section 15.20.035.

(Ord. 1279 § 1 (Attach. A (part)), 2007: Ord. 1198 § 1, 2003: Ord. 1136 § 1, 2001: Ord. 866 § 1, 1987: Ord. 638 § 3, 1970)

15.20.035 Definitions.

Unless otherwise set forth, the following words as used in this chapter shall have the following meanings:

ABANDONED SIGN: A sign that no longer correctly identifies, exhorts, or advertises any person, business, lessor, owner, product, or activity conducted or available on the premises where such sign is located and which has not been changed or removed within one hundred eighty (180) days of a tenancy change; or an on-premises sign which is damaged, in disrepair, or vandalized and not repaired within sixty (60) days of the damaging event.

"Changeable copy sign (automatic)" means a sign on which the copy changes automatically on a lamp bank or through mechanical means, e.g., electrical or electronic time and temperature units.

ANIMATED SIGN: Any permanent sign that flashes or simulates motion with an electronic or manufactured source of supply or contains wind actuated motion (excluding flags or banners).

AWNING SIGN: A sign attached, painted or installed on an awning projecting from a storefront.

BANNER SIGN: A permanent sign constructed of a rectangular shape of fabric or other suitable material which is attached or suspended at two (2) ends or continuously across the long side; and which is not the primary identification for the organization, event, or product advertised; and which is primarily promotional in nature. Attachment or suspension of banner signs may be from buildings and/or poles. Flags, insignias, canopy signs, and posters are not considered "banner signs".

CHANGING MESSAGE SIGN: An exterior, electrically controlled permanent sign that displays different copy changes on the same lamp bank, which change at intervals of thirty (30) seconds or greater. This Changing message signs includes electronic reader boards.

DEVELOPMENT SIGN: A permanent sign which identifies a development upon which the sign is located.

DIGITAL SIGN: means a changeable copy sign with LED (or other similar light source) text, graphics or symbols over a non-illuminated background. Digital signs are also known as "electronic message centers" or "EMCs."

DIRECTIONAL SIGN: A permanent-non-commercial sign used to direct pedestrian or vehicular traffic to a facility, service, or business.

DISPLAY CASE: A permanent, freestanding sign with changeable copy.

"Double-faced sign" means DOUBLE-FACED SIGN: a sign with two faces.

"Electrical sign" means ELECTRICAL SIGN: a permanent sign or sign structure in which electrical wiring, connections, and/or fixtures are used.

ELECTRONIC MESSAGE CENTERS: An electronic message center (EMC) is a sign that is capable of displaying words, symbols, figures or images that can be electronically changed by remote or automatic means.

EXTERNAL ILLUMINATED SIGN: A permanent sign illuminated by an external light source.

"Facade" means FACADE: The entire building front, or street wall face, including grade to the top of the parapet or eaves and the entire width of the building elevation. face of a building.

"Flashing sign" means FLASHING SIGN: a sign which contains an intermittent or sequential flashing light source used primarily to attract attention. It does not include changeable copy signs, animated signs, or signs which, through reflection or other means, create an illusion of flashing of intermittent light. aAn electrical permanent sign or portion thereof which changes light intensity in a sudden transitory burst, or which switches on and off in a constant pattern in which more than one-third of the non-constant light source is off at any one time.

FEATHER SIGN: "Freestanding sign" means FREESTANDING SIGN: a sign supported upon the ground by poles or braces or other structure designed and constructed to support the sign only and not attached to any building. The height of a freestanding sign shall be measured from the crown of the road adjacent to the location of the sign or from the ground at the base of the sign supports to the top of the sign, whichever is higher in elevation.

FRONTAGE: The measurement, in linear feet, of the length of the property line for a single-tenant building or length of leased building frontage for multitenant buildings or multi building complexes.

GRADE: The relative existing ground level in the immediate vicinity of the sign.

INCIDENTAL SIGN: A permanent sign, generally informational, that has a purpose secondary to the use of the property on which it is located, and which is used to do one or more of the following:

A. Directs traffic flow, vehicular or pedestrian, e.g., i.e., "one-way", "crosswalk", "do not enter", etc.;

- B. Clearly indicates location of ingress and egress points, i.e.e.g., "entrance", "exit".
- C. Directs certain activities to certain areas, i.e.e.g., "parking", "no parking", "waiting", "loading", etc.; or
- D. Provides other similar incidental information, i.e.e.g., "no trespassing", "no hunting", "phone", "ATM", "no dumping", "no loitering", etc.

"Illegal sign" meansILLEGAL SIGN: aA sign which does not meet the requirements of this code and which has not received legal nonconforming status.

"Internal illumination"INTERNAL ILLUMINATED SIGN: means an indirect concealed light source that is recessed or contained within any element of a sign. A permanent sign with an internal light source shining through the face of the sign. Exposed neon signs are internally illuminated.

"Maintenance" means, for purposes of this chapter,MAINTENANCE: tThe cleaning, painting, or repair of defective parts of a sign in a manner that does not alter the basic copy, design or structure of the sign.

MONUMENT SIGN: A permanent-freestanding sign having the appearance of a solid base of landscape construction materials such as brick, stucco, stonework, textured wood, tile, or textured concrete that are harmonious with the materials of the primary structure on the subject property.

"Mural" meansMURAL: aA picture or picture-print combination that contains no advertising copy; and which does not convey an advertising message; and which is painted or otherwise applied on the exterior wall of a building or structure.

"Nonconforming sign" meansNONCONFORMING SIGN: aA sign which was erected legally but which does not comply with subsequently enacted sign restrictions and regulations.

"Off-premises sign" meansOFF-PREMISES SIGN: aA sign structure advertising an establishment, merchandise, service or entertainment, which is not sold, produced, manufactured or furnished at the property on which the sign is located, e.g., "billboards" or "outdoor advertising"; provided, however, that signs located on property under the same ownership and which would be in a single tax parcel or immediately adjacent thereto but for the presence of an intervening right-of-way shall not be construed as an "off-premises sign" for purposes of this chapter.

"Owner" meansOWNER: aA person recorded as such on official records. For the purpose of this chapter, the owner of property on which a sign is located is presumed to be the owner of the sign unless facts to the contrary are officially recorded or otherwise brought to the attention of the administrator, e.g., a sign leased from a sign company.

PERMANENT SIGN: Any sign which is intended to be lasting and is constructed from an enduring material such as masonry and metal which remains unchanged in position, character, and condition (beyond normal wear), and is permanently affixed to the ground, wall or building, provided the sign is listed as a permanent sign in the ordinance.

PORTABLE SIGN: A temporary sign made of any material, including paper, cardboard, wood or metal, which is capable of being moved easily and is not permanently affixed to the ground, structure or building. This also includes sidewalk or sandwich board signs.

"Projecting sign" means PROJECTING SIGN: a sign, which is attached to and projects horizontally from a building wall.

"Public benefit sign" means an off-premises sign installed, maintained, and controlled in, over or adjacent to the public right-of-way for the sole purpose of providing directions to an establishment that serves or provides a benefit to the general public, including but not limited to directional signs to hospitals, schools, and other establishments of general public need or interest. In the case of a designated American Red Cross Emergency Shelter a digital message center sign not to exceed 45 square feet per face, with no more than two sign faces, may be permitted for the purpose of providing emergency information, community information and information related to events and activities that help fund or otherwise support the designated Emergency Shelter. The Digital Message Center Sign shall only be operational from the hours of 8:00 a.m. Pacific Time to 6:00 p.m. Pacific Time. A minimum of one-second transition time between messages is required. A permit for any public benefit sign may be additionally conditioned by the responsible official as to size, height, location, illumination, coloring, hours of operation, and similar characteristics to keep with the purposes and objectives of the Cle Elum Municipal Code and the Cle Elum Comprehensive Plan.

"Public service sign" means PUBLIC SERVICE SIGN: a sign installed, maintained and controlled or controlled by the City of Cle Elum for the sole purpose of providing directions to locations and objects of interest to visitors and the traveling public and not to advertise a specific business or product information to the general public.

READER BOARD: A permanent sign face designed to allow copy changes either by manual or electronic means in which the message is static and can only be changed physically by the owner and/or operator.

REAL ESTATE SIGN: Any temporary or permanent sign, which is used to offer property for sale, lease, or rent.

~~"Reverse internal illumination" means an indirect concealed light source located within the sign and where the majority of the sign face does not allow light to be revealed except for the sign letter or graphics.~~

~~"Sandwich board sign" means~~SANDWICH BOARD SIGN: aA portable sign consisting of two (2) sign faces hinged at the top and separated at the bottom making it self-standing, apable of supporting itself through an "A" frame structure.

~~"Sign" means~~SIGN: Any communication device, structure, or fixture which is intended to identify a building, use, business, or event, or to promote the sale of a product, goods, or service, using graphics, letters, figures, symbols, trademarks or written copy. For the purpose of this chapter, a sign shall not be considered to be building or structural design. It shall be restricted solely to graphics, symbols, or written copy that is meant to be used in the aforementioned way. This definition shall include inflatable signs, balloons or other similar devices.~~aAny communication device, structure, placard or fixture that is visible from any public right-of-way, pedestrian path or sidewalk and is intended to aid in promoting the sale of product, goods, services or events or to identify a building using graphics, letters, figures, symbols, trademarks or written copy but not murals.~~

Sign, Area of: SIGN AREA:

1. ~~Projecting and freestanding.~~ The total area of a freestanding or projecting sign shall have all faces of any double-faced or multi-faced sign counted in calculating its area. The area of the sign shall be measured as follows if the sign is composed of one or two individual cabinets:
 - a. The area around and enclosing the perimeter of each cabinet or module shall be summed and then totaled to determine total area. The perimeter of measurable area shall include embellishments such as pole covers, framing, decorative roofing, etc. Support structures shall not be included in the determination of total area ~~unless the support structures contribute to the advertising message.~~
 - b. If the sign is composed of more than two sign cabinets or modules, the area enclosing the entire perimeter of all cabinets and/or modules, within a single, continuous geometric figure shall be the area of the sign. Support structures shall not be included in the determination of total area ~~unless the support structures contribute to the advertising message.~~
2. *Wall signs.* The area around and enclosing the perimeter of each cabinet or module shall be summed and then totaled to determine total area.

3. *Awning signs.* The area of awning signs shall be measured by the area around and enclosing the ~~advertising message~~copy.

SIGN HEIGHT: The vertical distance measured from the adjacent grade to the highest point of the sign.

SIGN STRUCTURE: Any structure that supports or is capable of supporting a sign.

~~"Sign, awning" means a sign attached, painted or installed on an awning projecting from a storefront.~~

~~"Temporary sign" means~~TEMPORARY SIGN: ~~a~~Any sign or advertising display constructed of cloth, wood, canvas, light fabric, paper or other light materials with or without frames that is not permanently mounted and that is intended to be displaced-used for a limited time only such as for political candidacy or special events.

~~"Wall sign" means~~WALL SIGN: ~~a sign attached, painted or erected on or parallel to the face of building to which it is attached and supported throughout its entire length with the exposed face parallel to the plane of the building. a~~Any sign attached directly to and supported by the wall of a building or permanent structure. Signs on or in windows will be considered wall signs.

(Ord. 1345 § 1, 2011; Ord. 1333 § 1, 2010; Ord. 1279 § 1 (Attach. A (part)), 2007; Ord. 1211, 2004; Ord. 1198 § 1, 2003; Ord. 866 § 2, 1987)

15.20.040 Enforcing official.

The city planner or designee is authorized and directed to enforce all the provisions of this code.

(Ord. 1279 § 1 (Attach. A (part)), 2007; Ord. 1198 § 1, 2003; Ord. 638 § 4(a), 1970)

15.20.045 Exemptions:

The standards and regulations set forth in this Chapter apply to all signs proposed for installation in the City.

with the exception as to of the following:

- A. Historic site markers or plaques, gravestones, and address numbers not more than ten (10) inches in height;
- B. Signs erected on public property by the State of Washington, the United States, the county of Kittitas County, or the City of Cle Elum, displaying a public service message, or other regulatory, statutory, traffic control or directional message;
- C. Plaques, tablets, or inscriptions indicating the name of a building, date of erection, or other commemorative information, which are an integral part of the building structure and are attached flat to the face of a structure or other natural surface, and do not exceed two (2) square feet in area;
- D. Religious displays other than signs regulated by this Chapter;
- E. A mural, defined as a one-of-a-kind, hand-painted, hand-tiled, or digitally printed image on the exterior wall of a building that does not contain any commercial message. Murals require a building permit from the City through the architectural design review process, prior to installation;
- F. Signs displayed within the interior of any structure and not visible from streets or ways open to the public, except when such signs negatively impact public health and safety;
- G. Incidental signs that do not exceed three (3) square feet in area;
- H. Exterior signs bearing the name of the occupant of a dwelling unit, not exceeding three (3) square feet in area;
- I. Government flags;
- J. Official or legal notices issued and posted by any public agency, as defined by law, or court; and
- K. Public notices of development applications required per Chapter 14 of this code.

15.20.050 — Right of entry:

Upon presentation of proper credentials, the city planner, the building official, or their duly authorized representatives may enter at reasonable times any building, structure, or premises in the city to perform any duty imposed upon him them by this code. The city shall make reasonable effort to inform the owner of the need to access the premises authorized by this section.

(Ord. 1279 § 1 (Attach. A (part)), 2007; Ord. 1198 § 1, 2003; Ord. 638 § 4(b), 1970)

15.20.070 Permits Required, Administration.

A. *Permits Required.* No ~~(permanent?)~~ sign shall hereafter be erected, moved, constructed, structurally altered or repaired except as provided by this title and a permit having been duly issued by the city.

B. Permits are not required for the following activities or signs in all districts:

~~1. Changing of advertising copy without increasing sign size or modifying characteristics;~~

~~21. Maintenance and cleaning of existing signs, provided such maintenance and cleaning does not include structural or electrical changes, sign changes, or other modifying characteristics.~~

~~32. On-premises, non-electrical signs, three (3) square feet or less in size used for advertising the street address of the building and the name of the occupant or owner;~~

~~43. Non-illuminated temporary real estate or contractors signs pertaining to the sale or lease of the premises or the construction or improvement of the property, not exceeding six (6) square feet in a residential area for residential real estate signs; and not exceeding 30 square feet in a commercial development area for commercial development signs;~~

~~54. Public informational signs installed, maintained and controlled by the City of Cle Elum. Signs shall not exceed twenty-five square feet of area devoted to advertising and are limited to no more than two signs at the west end of First Street, a single sign at Oakes Street and two signs at the east end of First Street;~~

~~65. Temporary signs;~~

~~7. Signs placed on or inside windows, provided that a minimum of fifty percent (50%) of any window shall remain free of signs.~~

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C. Applications for sign permits shall be made to the City of Cle Elum on a form provided by the city. Applications shall include:

1. Name, address, telephone number and other contact information of the applicant or authorized agent and the legal owner of the property upon which the sign is to be located;
2. If the applicant is not the property owner, a signed instrument from the property owner authorizing the application;
3. Street address, tax parcel number, and acreage of the subject property;

4. A description of the sign, either in writing or in plan form, that identifies the type of sign per this chapter, the type of structural support, sign height, sign area and method of illumination;

5. A site plan drawn to scale, at a minimum scale of one inch equals twenty feet, that includes the dimensions of the subject property, the proposed location of the sign, the dimensions of the sign, the location of existing development on-site, the location size and dimensions of any existing signs on-site and the location of any public or private roads abutting the property;

6. Lighting details, if applicable, including fixture type, wattage, shielding, and other information necessary to determine compliance;

7. The required application fee as set by the Cle Elum city council.

D. Sign permits shall be processed as a Type I Application, as provided in CEMC 14.30.

E. Sign permits shall become invalid if work is not begun within one hundred and eighty (180) days of permit issuance. The city may authorize a single one hundred and eighty (180) day eighty day extension upon request of the applicant for circumstances beyond the applicant's control that prohibit installation of the sign within the required time period.

(Ord. 1279 § 1 (Attach. A (part)), 2007: Ord. 1198 § 1, 2003: Ord. 866 § 5, 1987: Ord. 638 § 6, 1970)

15.20.090 Removal of permanent signs.

Any permanent sign(s)-and fixture(s)-now or hereafter existing which, for a period of sixty (60) days, no longer advertises a bona fide business conducted or product sold shall be taken down and removed by the owner, agent, or person having the beneficial use of the building, lot, or structure upon which the sign may be found. Fixtures that are no longer used shall be removed. Signs that are not used because of a vacant building shall remove the fixture or replace the sign face with a blank. Upon failure to comply with this provision, the building official is authorized to cause removal of the sign and any expense incident thereto shall be paid by the owner of the promises or filed as a lien against the property.

(Ord. 1279 § 1 (Attach. A (part)), 2007: Ord. 1198 § 1, 2003: Ord. 638 § 7, 1970)

15.20.135 Prohibited signs, all zones.

The following signs are prohibited in all districts within the City of Cle Elum except as specifically allowed as temporary signs:

- A. Any sign not specifically listed as permitted in this chapter is prohibited unless otherwise provided by law;
- B. Any sign which, by reason of its size, location, movement, content, coloring or manner of illumination may be confused with traffic control signs or signals, which determination shall be in the sole discretion of the responsible official;
- C. Stationary motor vehicles, trailers and related devices used to circumvent the intent of this chapter;
- D. Signs which are attached to utility poles, trees, fences, rocks or natural features and other similar objects which are not designed specifically for the installation of the sign;
- E. Roof signs or signs projecting or installed above the eave lines of buildings;
- F. All lighted signs which are adjacent to and directed toward a residential district and which detract from the welfare of the residential district;
- G. Signs which blink flash, rotate, contain changing images or text that are electronically generated, or are animated by lighting in any fashion, unless providing emergency information. Animated, moving, automatic changing copy, revolving, blinking or flashing signs, except public service signs such as those which only give the time, temperature and humidity, and digital message center signs providing emergency information, community information and information related to events and activities that help fund or otherwise support the designated American Red Cross Emergency Shelter;
- H. Any sign or advertising display which obstructs in any way the vision of motorists entering or leaving public or private rights-of-way;
- I. Signs extending over the public right-of-way and any sign placed within the right-of-way, with the exception of projecting signs, awning signs, and public benefit-service signs;
- J. Off-premises signs, with the exception of public service signs controlled and installed by the City of Cle Elum and public benefit signs, or as allowed in the entry commercial zone pursuant to Section 15.20.150;
- K. Signs emitting pollutants such as smoke and sound;
- L. Signs displaying unwarranted content (i.e., obscene language); and

M. Signs located within structural setbacks established by the zoning district, unless specifically authorized by this chapter, ~~and~~

(Ord. 1345 § 2, 2011; Ord. 1333 § 2, 2010; Ord. 1279 § 1 (Attach. A (part)), 2007; Ord. 1198 § 1, 2003)

15.20.140 Residential areas.

The following signs shall be permitted in all residential zoning districts in the city:

- A. ~~Permitted as an Accessory Use to an Approved or Existing Use, such as for an institution or for a subdivision/project I.D. only.~~ A wall mounted or freestanding sign, not exceeding fifteen (15) square feet in area, ~~erected upon the premises of a church or other institution for the purposes of displaying the name of the institution and its activities or services.~~ Freestanding signs shall not exceed six (6) feet in height;
- B. ~~A land salesreal estate sign of (6) twenty-five square feet or less, non-illuminated, advertising the sale or development of a subdivision containing an area of not less than seven (7) lots, erected upon the property so developed and advertised for sale. See 15.20.170 for temporary sign regulations.~~

(Ord. 1279 § 1 (Attach. A (part)), 2007; Ord. 1198 § 1, 2003; Ord. 638 § 12, 1970)

15.20.150 General commercial, entry commercial areas and public ~~reserve use~~.

In areas zoned general commercial, entry commercial and public ~~reserve use~~, the following regulations apply:

- A. The aggregate sign area for any lot shall not exceed two (2) square feet for each foot of street frontage. Aggregate sign area for corner lots shall not exceed one and one-half (1.5) square foot for each foot of street frontage;
- B. Projecting and awning signs are permitted. Sign size shall not exceed forty-five (45) square feet of area and shall maintain a vertical clearance of ten (10) feet from the bottom edge of the sign or awning to the sidewalk surface;
- C. Wall signs are permitted. The size of a wall sign shall not exceed ten percent (10%) of the building facade on which they are located, and no more than two (2) signs are permitted per

facade. For buildings with multiple tenants, maximum sign size shall be based on that portion of the facade occupied by each individual tenant;

D. Freestanding signs are permitted. One (1) freestanding sign is permitted per street frontage; provided, that corner lots with less than eighty (80) feet on each street shall be permitted only one (1) freestanding sign (except for freestanding off-premises signs, as provided for in subsection (E) of this section). Freestanding signs shall not exceed two hundred (200) square feet of total sign area, and no one (1) face shall exceed one hundred (100) square feet. The height for a freestanding sign shall not exceed thirty-five (35) feet;

E. Off-premises signs are allowed in the entry and general commercial zones, provided:

1. Off-premises signs shall be permitted only for businesses located not more than one (1) block off of First Street, or not more than one (1) block off of the principal arterial serving the business, except for public benefit signs;

2. In general commercial, off-premises freestanding sign dimensions shall follow the guidelines within subsection (D) of this section;

3. A general commercial property fronting on First Street may choose to allow one (1) additional off-premises freestanding sign, for another general commercial business property (which contains at least twenty thousand (20,000) square feet of commercial floor space). This sign must follow regulations within this subsection (E), and other sections of this chapter;

4. In entry commercial, no off-premises sign shall exceed six (6) feet in height, if not overhanging a pedestrian pathway or vehicle lane;

5. In entry commercial, off-premises signs shall not exceed twenty-four (24) square feet per sign face, and shall have no more than two faces;

6. Off-premises signs shall not be allowed within any right-of-way and must be located no further than five hundred (500) feet from the exterior boundary of the parcel upon which the business is situated; provided, however, that this prohibition does not apply to public benefit service signs;

7. Only one (1) off-premises sign permitted per business or organization, with the exception of public benefit service signs;

~~8. The sign copy of the off-premises sign shall be limited to copy, text and graphics of the business or facility benefiting from the off-premises sign;~~

98. A notarized agreement from the property owner on whose property the sign will be located is required as part of the application. At a minimum, the agreement shall address:

- a. Final responsibility for maintenance, removal and nuisance/abatement issues will be that of the property owner upon which the off-premises sign is located;
- b. The right of use of the off-premises sign is neither assignable nor transferable without sign permit approval from the eCity of Cle Elum; and
- c. That the property owner upon which the sign is to be located authorizes the sign to be placed upon their property;

F. Sandwich boards and portable signs are allowed under the following conditions:

1. They shall not exceed two (2) feet in overall width and four (4) feet overall height;
2. Must be wind-firm in some acceptable manner;
3. May not obstruct more than twenty percent (20%) of a sidewalk or right-of-way. A minimum clearance of clear passage shall be six (6) feet;
4. Shall not be placed in or on a street or alley right-of-way;
5. Shall be constructed of materials that are hard, durable, weather proof and permanent. Signs shall be constructed in an "A" frame fashion only. ~~Copy and images shall only indicate the name and type of business.~~ Changeable copy is not permitted except for hand drawn lettering or graphics such as a chalkboard;
6. Shall be allowed only immediately in front of the business being occupied. Provided that a property owner may grant another business owner the right to locate a sign on their property frontage if the businesses are located on the same block and not more than one (1) sign is permitted;
7. Only one (1) sign is permitted per lot, structure or business;
8. Shall not obstruct sight distance requirements on public streets; and
9. Shall be removed from public view during closed hours.

(Ord. 1508 § 1, 2018; Ord. 1345 § 3, 2011; Ord. 1333 § 3, 2010; Ord. 1279 § 1 (Attach. A (part)), 2007; Ord. 1198 § 1, 2003; Ord. 866 § 3, 1987; Ord. 855 § 1, 1986)

15.20.155 ~~Old Town commercial~~Downtown Commercial.

Signs in the ~~Old Town~~Downtown commercial zone shall be permitted as follows:

~~A. All signs shall be consistent with the historical and pedestrian character of the district.~~

B. The aggregate sign area for any lot shall not exceed two (2) square feet for each foot of street frontage. The permitted signs enumerated in this subsection shall be subject to the total aggregate sign area.

C. Wall signs are permitted provided they do not total an area more than ten percent (10%) of the building facade on which they are located. Each multi-tenant building may have one (1) ~~identification wall~~ sign for each street frontage.

D. Projecting and awning signs shall not exceed forty-five (45) square feet of area and shall maintain a vertical clearance of ten (10) feet from the bottom edge of the sign or awning to the sidewalk surface.

E. Sandwich board signs are allowed under the following conditions:

1. They shall not exceed two (2) feet in overall width and four (4) feet overall height;
2. Must be wind-firm in some acceptable manner;
3. May not obstruct more than twenty percent of (20%) a sidewalk or right-of-way. A minimum clearance of clear passage shall be six (6) feet;
4. Shall not be placed in or on the traveled or parking area of a street or alley right-of-way;
5. Shall be constructed of materials that are hard, durable, weather proof and permanent. Signs shall be constructed in an "A" frame fashion only. ~~Copy and images shall only indicate the name and type of business.~~ Changeable copy is not permitted except for hand drawn lettering or graphics such as a chalkboard;
6. Shall be allowed only immediately in front of the business being occupied. Provided that a property owner may grant another business owner the right to locate a sign on their property frontage if the businesses are located on the same block and not more than one (1) sign is permitted;
7. Only one (1) sign is permitted per lot, structure or business;
8. Shall not obstruct sight distance requirements on public streets;
9. Shall be removed from public view during closed hours.

F. Application of the specific sign standards in this section to individual signs may not be required if the applicant provides substantial evidence that the imposition of the standards will result in a sign that is less consistent with the historic character of the area.

(Ord. 1279 § 1 (Attach. A (part)), 2007: Ord. 1198 § 1, 2003)

15.20.160 Industrial areas.

In areas which are zoned industrial, the following regulations apply:

A. The aggregate sign area for any lot shall not exceed one (1) foot for each foot of street frontage. The permitted signs enumerated in this subsection shall be subject to the total aggregate sign area.

1. Wall signs are permitted but shall not total an area more than fifteen percent (15%) of the building facade on which they are located, and not exceed two (2) signs per facade.

2. Each structure may have one (1) freestanding sign per street frontage, provided that corner lots with less than eighty (80) feet on each street shall be permitted only one (1) freestanding sign. Freestanding signs shall not exceed one hundred (100) square feet of total sign area, and no one face shall exceed fifty (50) square feet. The maximum height for a freestanding sign shall not exceed the height of the building containing the activity being advertised and in no case shall exceed twenty-five (25) feet. The width of the support system for a freestanding sign shall be a minimum of eighty percent (80%) of the width of the sign face.

B. Buildings having multiple occupancy will be allowed individual signs as set forth in subsection (A) of this section.

(Ord. 1279 § 1 (Attach. A (part)), 2007: Ord. 1198 § 1, 2003: Ord. 855 § 2, 1986)

15.20.165 Business park areas.

Signs in the business park zone shall be permitted as follows:

A. The aggregate sign area for any lot shall not exceed one (1) square foot for each foot of street frontage. The permitted signs enumerated in this subsection shall be subject to the total aggregate sign area.

B. Wall signs are permitted provided they do not total an area more than ten percent (10%) of the building facade on which they are located. Each multi-tenant building may have one (1) ~~identification~~ wall sign for each street frontage.

C. Each building may have one (1) freestanding sign per street frontage. The sign may not exceed a total of one hundred (100) square feet for the total of all faces. No one face shall exceed fifty (50) square feet in area. The sign shall not exceed fifteen (15) feet in height. The width of the support system for a freestanding sign shall be a minimum of eighty percent (80%) of the width of the sign face.

(Ord. 1279 § 1 (Attach. A (part)), 2007; Ord. 1198 § 1, 2003)

15.20.167 Lighting of signs.

A. Internal and exterior illuminated signs are allowed in all zones except R, MR and the Old Town commercial zoning district where only exterior and reverse internal illuminated signs are permitted provided, that awning signs may be internally illuminated.

B. No on ground lighting fixtures shall be permitted. Fixtures must be mounted to the bottom or top of the sign face and shall be shielded or mounted on curved standards to direct light to sign face only to minimize glare and off-sight lighting impacts. One mounted light shall be permitted per five (5) square feet of sign area.

C. The illumination of signs shall not cause excessive light or glare that could result in the reduced visibility of official signs and approaching, merging or entering traffic.

D. Portable and temporary signs shall not be illuminated.

(Ord. 1279 § 1 (Attach. A (part)), 2007; Ord. 1198 § 1, 2003)

15.20.170 Temporary signs.

~~Temporary signs are defined as signs announcing political candidacy, special events or any sign which becomes meaningless due to the passage of time for a period of one year or less. The following regulations apply to temporary signs subject to the following regulations:~~

No review is required for temporary signs. All temporary signs shall conform to the following:

A. No temporary sign shall be placed in a required parking space, driveway, or clear view triangle.

B. No temporary sign may be placed on city-owned property (not including a city right-of-way) unless in conjunction with an approved special event permit, temporary use permit or other permission from the city.

C. No temporary sign shall be placed in the roadway.

D. Temporary signs on the city right-of-way placed outside the roadway shall comply with the following requirements:

1. Location. Allowed only between the property line and the back of the nearest curb, or where no curb exists, between the property line and the nearest edge of the pavement. Signs may not be placed on sidewalks, driveways or other paved areas designed for pedestrians or vehicular use.
2. Approval of the abutting landowner is required.
3. Signs on stakes that can be manually pushed or hammered into the ground are allowed. All other signs are prohibited, unless specifically allowed by a right-of-way use permit.
4. Signs are limited to four square feet total and three feet in height, from the ground to the top of the sign.
5. Any temporary sign in the right-of-way that is dilapidated or a nuisance shall be removed by the person responsible for placement of the sign.
6. The city may allow other signs in a city right-of-way with a right-of-way use permit.

E. Residential Zones. Temporary signs may be placed on property residentially zoned in accordance with the requirements of this section and the following:

1. One temporary window sign per residential unit not to exceed four square feet is allowed.
2. Freestanding signs, including post-mounted, stake and portable signs are allowed as follows:
 - i. In single-family residential zones temporary free-standing signs shall not exceed four square feet in size and five feet in height, if the sign is post-mounted on the ground, and not to exceed three feet in height if the sign is stake-mounted or portable.
 - ii. In multifamily residential zones temporary free-standing signs shall not exceed six square feet in size and five feet in height if the sign is post-mounted on the ground, and not to exceed three feet in height if the sign is stake-mounted or portable.

F. Nonresidential Zones. Temporary signs are allowed in nonresidential zones in accordance with the requirements of this section and the following:

1. Window signs are limited to fifty percent of the window area.
2. Freestanding signs, including post-mounted, stake and portable signs are limited to four square feet and five feet in height if the temporary sign is mounted in the ground, and not to exceed three feet in height if the temporary sign is stake-mounted or portable.
3. Surface-mounted signs are limited to thirty square feet and must be flatly affixed to walls or to on-site fences either facing the abutting street, or facing inward to the subject site.

G. Temporary signs on large properties, either residential or nonresidential zoned, of more than two acres may be of any type, and shall not exceed sixty-four square feet and up to eight feet above ground level. Such a sign allowed herein is in lieu of and shall not be displayed with or be in addition to any other temporary signs allowed by this section.

H. A temporary sign shall be promptly removed after the event for which it is intended.

A. Political Temporary signs shall be no larger than nine (9) square feet.

B. Permission must be obtained from the appropriate property owner, or abutting property owner where appropriate, to erect a temporary sign for which an individual seeks election to an office or position.

C. Political signs shall not be erected or displayed more than ninety days prior to an election.

D. Exterior political temporary signs shall be removed not more than fifteen (15) days following the specific purpose for which it was placed, following the applicable election or event date.

E. A deposit fee as set forth by resolution of the city council shall be required for temporary signs with an expiration date such as an election date or an event date. Upon removal of any such signs by the applicant or his or her agent within the time period specified in this section, the deposit set forth in this section shall be returned.

F. Temporary promotional signs advertising specific events such as sales, grand openings and other similar activities are permitted. Signs shall remain in place no longer than fourteen (14) days in any six-month period and shall comply with all other provisions of this code.

(Ord. 1525 § 1, 2019; Ord. 1279 § 1 (Attach. A (part)), 2007; Ord. 1198 § 1, 2003; Ord. 855 § 3, 1986)

15.20.175 Nonconforming signs.

A. Existing signs that are nonconforming to the provisions of this chapter are permitted to continue subject to the provisions of subsection (B) of this section. Nonconforming signs may be replaced by a sign of the same type, size, dimensions and location without losing its nonconforming status. Sandwich board and temporary signs that are nonconforming are not permitted to be continued and shall be made conforming.

B. A nonconforming sign shall lose its nonconforming status if:

1. The sign is relocated; or
2. The structure or size of the sign is altered in any way. This section shall exclude normal and routine maintenance; or
3. The sign is not maintained consistent with Section 15.20.195.

(Ord. 1279 § 1 (Attach. A (part)), 2007: Ord. 1198 § 1, 2003: Ord. 866 § 4, 1987)

15.20.190 Responsibility of owner.

This chapter shall not be construed to relieve or lessen the responsibility of any person owning or operating or installing any sign for damages to property or injuries to persons caused by the construction, maintenance or operation of any sign or any defect therein, nor shall the city or any agent thereof be held or construed as assuming any such liability or responsibility by reason of the permits, fees and inspections provided for in this chapter. The minimum safety requirements and regulations prescribed in this chapter shall not relieve the property owner nor the person constructing or maintaining a sign from the obligation of taking any additional steps necessary to make and keep the sign safe for persons and property. The city and other public agencies are not responsible for damage caused to signs overhanging the public right-of-way during maintenance operations or construction activities.

(Ord. 1279 § 1 (Attach. A (part)), 2007: Ord. 1198 § 1, 2003: Ord. 855 § 5, 1986; Ord. 638 § 14, 1970)

15.20.195 Maintenance and safety.

All signs and components thereof must be maintained in good repair and in a safe, neat, clean and attractive condition. Signs that are a danger to the general public shall be repaired or removed at the direction of the city.

(Ord. 1279 § 1 (Attach. A (part)), 2007: Ord. 1198 § 1, 2003)

15.20.200 Variances.

Variances to dimensional standards may be permitted in accordance with the provisions of Chapter ~~17.8514.30.190~~.

(Ord. 1279 § 1 (Attach. A (part)), 2007: Ord. 1198 § 1, 2003: Ord. 1116 § 1, 2000: Ord. 855 § 6, 1986; Ord. 648 § 1, 1971: Ord. 638 § 17, 1970)

15.20.210 Violation – Penalty.

It is unlawful to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use or maintain any sign or structure in the city, or cause or permit the same to be done, contrary to or in violation of any of the provisions of this code. Each such person shall be guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this code is committed, continued, or permitted, and upon conviction of any such violation shall be punished as set forth in the applicable provisions of the Cle Elum Municipal Code.

Exhibit B

Chapter 17.16

R – RESIDENTIAL DISTRICT

Sections:

- 17.16.005 Purpose.
- 17.16.010 Outright permitted uses.
- 17.16.020 ~~Uses requiring site and design review.~~ Definitions
- 17.16.030 Conditional uses.
- 17.16.040 Front yard.
- 17.16.050 Rear yard.
- 17.16.060 Side yard.
- 17.16.070 Site area.
- 17.16.080 Height limit.
- 17.16.090 Lot coverage and lot width.
- 17.16.100 Home occupations.
- 17.16.110 Manufactured homes.
- 17.16.120 Recreational vehicles.

17.16.005 Purpose.

The purpose of the residential district is to create and maintain stable and attractive residential neighborhoods, while providing diversity in housing types and maintaining affordable housing. Residential zones should also protect sensitive natural areas, provide for the efficient use of land and public services, and provide appropriate vehicular and pedestrian access.

(Ord. 1163 § 1, 2001)

17.16.010 Outright permitted uses.

In ~~a R district or the~~ residential district, no building or premises shall be used, and no building shall hereafter be erected, moved into the district, or structurally altered, unless otherwise provided in this title, except for one or more of the following uses:

- A. One single-family dwelling ~~per legal lot of record~~ (including manufactured homes) ~~and or~~ duplex ~~per legal lot of record es with not more than one duplex per street frontage per block;~~
- B. Accessory buildings, such as are ordinarily appurtenant to single-family dwellings ~~or~~ duplexes, including but not limited to, private workshops, private greenhouses, parking for

private recreational vehicles and trailers, and a private garage of not more than three-car capacity, ~~when located not less than sixty feet from the front line, unless attached to or within the dwelling and set back five feet from the face of the main building.~~ In no case shall an accessory building(s) exceed the size of the primary building on site. Where a lot is served by an alley, all on-site parking or garages shall be accessed only from the alley;

C. Accessory dwelling units, provided:

1. Only one accessory dwelling unit is permitted per lot;
2. The accessory unit shall not be larger than ~~the primary dwelling unit 1,000 sq. ft. fifty percent of the living area of the primary residence;~~
3. One additional off-street parking space is provided, and;
4. Either the primary unit or the accessory unit is occupied by the owner of the property.

D. Adult family homes and group homes as required and meeting minimum state requirements;

E. Home occupations engaged in by individuals living in the residence, subject to the limitations in this title;

F. ~~(In home) Family-family day care located in a private home that supplies care, attention, supervision, and oversight for one to twelve children, governed by Washington State DSHS licensing provisions for said day care use and conducted in accordance with said state DSHS requirements, as required and meeting minimum state requirements.~~

(Ord. 1163 § 1, 2001)

Commented [WD(1)]: In areas referencing DSHS: Consider spelling out in the section, especially if not already defined elsewhere in the code. Alternatively, you could omit specific agencies and default to "governed by Washington State licensing provisions for..." Consider this optional; the specificity is also alright.

17.16.020 — ~~Uses requiring site and design review.~~ Definitions

~~"Day Care, family home" means a family day care home located in a private home that supplies care, attention, supervision, and oversight for one to twelve children, governed by Washington State DSHS licensing provisions for said day care use and conducted in accordance with said state DSHS requirements.~~

~~"Food Preparation" means a small-scale food business operating from a state or local approved kitchen for off-site consumption.~~

~~"Home Occupation" a business, profession, occupation, or trade conducted for gain or support and located entirely within a residential building or a building accessory thereto, which use is~~

accessory, incidental, and secondary to the use of the building for dwelling purposes and does not change the essential residential character or appearance of such building.

"Home Occupation, business administration" means the accessory use of a dwelling for office use including, but not limited to the following professions: accountant, architect, artist, author, arts and crafts, attorney, composer, dressmaker, seamstress, tailor, engineer, insurance agent, photographers, music teacher, and real estate agent.

"Home occupation, home contractor" means the accessory use of a dwelling as, but not limited to, lawn care and/or snow removal services, building, electrical and plumbing, contractors' offices for small business.

"Home occupation, product assemblage/repair" means a business or service involved in assembling products for off-site sales. This definition also includes the repair of small appliances, small engines, radios, televisions, and other similar items.

"Home Occupation, professional services" refers to businesses that require specialized education, expertise, labor, discernment, and skill. This category encompasses professions such as psychologists, doctors, dentists, physical therapists, and massage therapists, or other similar home-office uses.

"Host Short term rental" means any owner of record of residential real property, or agent or lessee thereof, who offers that dwelling unit, or portion thereof, for short-term rental either through a hosting platform or individually, where the owner, agent or lessee does not live on-site. All accessory dwelling units shall be considered hosted if the owner resides on the property.

"Hosted short-term rental" means a short-term rental where the host remains in the dwelling unit throughout the short-term renter's stay. A host may rent out a private portion of a residential dwelling unit; however, the rental of an entire dwelling unit may not be classified as a "hosted short-term rental."

All uses specified in Chapter 17.76 are subject to site and design review. In addition the following activities shall be subject to site and design review:

A. Parks and playgrounds (including park buildings) subject to the following limitations:

1. Adequate off-street parking shall be provided if the park is not a neighborhood facility;
2. Lighting for structures and fields shall be directed away from residential areas;
3. The bulk and scale of structures shall be compatible with the residential character of the area;

~~4. Structures and service yards shall be set back a minimum of fifty feet from property lines if possible, but in no case less than the required setbacks of the residential zone.~~

~~(Ord. 1163 § 1, 2001)~~

17.16.030 Conditional uses.

The following purposes and uses of buildings shall be allowed only upon approval of a conditional use permit in accordance with the provisions of Chapter ~~17.80~~14.30.170. Conditional uses shall also require design review either in conjunction with or after the approval of a conditional use permit.

A. Libraries;

B. Public schools, day care centers, ~~and churches,~~ senior centers, community centers and parks and playgrounds;

~~C. Nursing homes, hospitals and sanitariums, except for inebriates and persons suffering from mental diseases;~~

~~D. Commercial nurseries or greenhouses on special permit not exceeding ten years;~~

~~EC.~~ Telephone exchanges, electric substations and similar installations for public service;

~~FD.~~ Retirement homes, and nursing homes;

~~GE.~~ Municipal buildings, ~~senior centers, community centers;~~

~~HF.~~ The office of a physician, dentist or other professional person when located in ~~his or her dwelling or~~ an existing residential structure located on an arterial street where the primary use is commercial rather than residential;

~~IG.~~ Bed and breakfast guesthouse, when accessory to the permanent residence of the operator. Preference shall be given to facilities in historic structures.

~~JH.~~ Host Short Term Rental

(Ord. 1163 § 1, 2001)

17.16.040 Front yard.

A front yard having a minimum depth of twenty feet is required. If on any given block, over fifty percent ~~on of~~ the existing structures on the same street frontage are set back less than twenty

feet, the required front yard shall be reduced to the average of the existing front yard setbacks along that street frontage.

(Ord. 1163 § 1, 2001)

17.16.050 Rear yard.

There shall be a rear yard having a minimum depth of twenty feet for the principal structure(s). Where a lot is served by an alley the rear yard for a garage shall be a minimum depth of five feet. Accessory buildings shall maintain a minimum setback of five feet.

(Ord. 1163 § 1, 2001)

17.16.060 Side yard.

There shall be a side yard of not less than five feet in width. A ~~street-side~~ side yard adjacent to a public right-of-way, an alley or street, yard shall have a minimum width of fifteen feet. Side yard setbacks shall be measured from the drip line of the principal structure's eave to the property line.

(Ord. 1257 § 2 (Exh. B), 2006; Ord. 1163 § 1, 2001)

17.16.070 Site area.

For every building hereafter erected or structurally altered or moved into the district there shall be provided a lot area of not less than five thousand square feet per unit for one-family dwellings, and not less than seven thousand square feet per unit for duplexes.

(Ord. 1163 § 1, 2001)

17.16.080 Height limit.

No building hereafter erected or structurally altered within or moved into the district shall exceed thirty-five feet.

(Ord. 1163 § 1, 2001)

17.16.090 Lot coverage and lot width.

The lot area covered by single-family dwellings, ~~duplexes, and structures~~ accessory ~~structures,~~
~~and paving/concrete for parking areas or walkways, thereto~~ shall not exceed ~~forty-sixty~~ percent
of the lot area. ~~duplexes and accessory structures thereto shall not exceed forty percent of the~~
~~lot area.~~ No residential lot having a width of less than forty feet, a depth of less than seventy-five
feet, nor less than twenty feet of street frontage shall be created, ~~and in no case shall a lot be~~
~~created with less than five thousand square feet.~~

(Ord. 1163 § 1, 2001)

17.16.100 Home occupations.

- ~~A. Home occupations are business activities that generally occur within a residential dwelling
by the occupant of the dwelling where the business is clearly secondary to the residential
use of the structure. Home occupations require the approval of Type I permit and are
subject to the following limitations:~~
- ~~B. A. The use shall be located in the dwelling only. No outside activity or storage is
permitted.~~
- ~~C. B. A maximum of twenty-five percent of the habitable floor area or three hundred square
feet, whichever is less, may be devoted to the home occupation.~~
- ~~D. C. No use or storage of heavy vehicles or heavy equipment such as construction
equipment is permitted.~~
- ~~E. D. No external evidence of the home occupation is permitted with the exception of an
unlighted sign not exceeding two square feet that may advertise the occupant's name and
business type.~~
- ~~F. E. The occupation may involve no retail sales on the premise, except as incidental to the
home occupation, such as retail sales of shampoo associated with an in-home
hairstylist.~~
- ~~G. F. No more than six customers or vehicle trips are permitted per day.~~
- ~~H. G. One employee in addition to the owner/occupant is permitted.~~
- ~~I. H. The home occupation shall not require any external remodeling.~~

J. I. Applicable fees, as set forth by resolution of the city council, are required at the time of application. Home occupation permits may be subject to annual review, including applicable fees, as deemed necessary by the planning commission.

A. Purpose. The conduct of an accessory business within an existing dwelling may be permitted under the provisions of this section. It is the intent of this section to:

1. Ensure the compatibility of home occupations with other uses permitted in the underlying zone; and
2. Preserve the existing dwelling as the primary use of the structure or property; and
3. Maintain and preserve the character of residential neighborhoods; and
4. Promote the efficient use of public services and facilities by assuring these services are provided to the residential population for which they were planned and constructed, rather than commercial uses.

B. Table of Permitted Home Occupations. Table 16-2 titled "Table of Permitted Home Occupations" is incorporated as a part of this section. Each permitted home occupation listed in Table 16-2 is designated as a Type (1), (2) or (C – Conditional) use for a particular zoning district. Proposed home occupations in existing dwellings in the commercial and industrial zoning districts shall follow the land use requirements of the MF zoning district. All permitted home occupations are subject to the standards of this title, including the specific conditions of subsection C of this section and the applicable review procedures of CEMC Chapter 14.30. Specific uses not permitted as home occupations are listed in subsection H of this section.

Table 16-1 of Permitted Home Occupations*

	<u>Zoning District</u>	
	<u>R</u>	<u>MF</u>
<u>-</u>		
<u>Barbershop, beauty parlor</u>	<u>2</u>	<u>2</u>
<u>Day care, family home*</u>	<u>1</u>	<u>1</u>
<u>Professional Services*</u>	<u>2</u>	<u>2</u>
<u>Dog grooming</u>	<u>2</u>	<u>2</u>
<u>Food Preparation*</u>	<u>2</u>	<u>2</u>

<u>Home Contractor*</u>	<u>1</u>	<u>1</u>
<u>Home office*</u>	<u>1</u>	<u>1</u>
<u>Home instruction*</u>	<u>1</u>	<u>1</u>
<u>Product assemblage/service*</u>	<u>1</u>	<u>1</u>
<u>Hosted short-term rental*</u>	<u>1</u>	<u>1</u>
<u>Unclassified home occupation</u>	-	-

Notes:

* Refers to definition in CEMC Chapter 14.20

1 = Type (1) Permitted Home Occupation

2 = Type (2) Permitted Home Occupation

C = Conditional Use, Public Hearing and Approval by the Hearing Examiner Required

C. Necessary Conditions. Home occupations are permitted as an accessory use to the residential use of a property only when all the following conditions are met:

1. The home occupation is conducted inside a structure within property on which is established the primary residence of the practitioner(s). For the purpose of administering this section, "primary residence" shall be defined as the residence where a person or persons resides for the majority of the calendar year;
2. The home occupation is incidental and subordinate to the residential functions of the property. No action related to the home occupation shall be permitted that impairs reasonable residential use of the dwelling;
3. There are no external alterations to the building which change its character from a dwelling;
4. The portion of the structure or facilities in which a home occupation is to be sited must be so designed that it may be readily converted to serve residential uses;
5. The business is conducted in a manner that will not alter the normal residential character of the premises by the use of color, materials, lighting and signs, or the emission of noise, vibration, dust, glare, heat, smoke or odors;

6. The home occupation does not generate materially greater traffic volumes than would normally be expected in the residential neighborhood; the frequency of deliveries should be comparable to that of a single-family home without a home business. No more than six customers or vehicle trips are permitted per day unless otherwise permitted through review;

Commented [WD(2): Clarification might be helpful here to give reviewers (and applicants) something quantifiable and/or something based on transportation levels of service. Or revise to specifically tie the statement "materially greater traffic volumes..." more closely to the statement "no more than six customers or vehicle trips..."

7. There is no outside storage or display of any kind related to the home occupation. Except for typical vehicle parking associated with the business, but not including job trailers, food trucks, or similar accessory vehicles visible from the public right-of-way;

8. The home occupation does not require the use of electrical or mechanical equipment that would change the fire rating of the structure;

9. The home occupation does not require the use of electrical equipment that exceeds FCC standards for residential use;

10. The home occupation does not increase water or sewer use so that the combined total use for the dwelling and home occupation is significantly more than the average for residences in the neighborhood;

11. A business license is purchased where required;

12. One employee in addition to the owner/occupant is permitted;

13. All stock in trade kept for sale on the premises is produced on site by hand without the use of automated or production line equipment.

In granting approval for a home occupation, the reviewing official may attach additional conditions to ensure the home occupation will be in harmony with, and not detrimental to the character of the residential neighborhood. Any home occupation authorized under the provisions of this title shall be open to inspection and review at all reasonable times by the building and enforcement official for purposes of verifying compliance with the conditions of approval and other provisions of this title.

D. Materials and Storage. The storage of equipment, materials, or goods shall be permitted in connection with a home occupation provided such storage complies with the following standards:

1. All equipment, materials, or goods shall be stored completely within the space designated for home occupation activities and not visible from the public right-of-way.

2. Only those materials or goods that are utilized or produced in connection with the home occupation may be stored within the dwelling unit or accessory building.
 3. All flammable or combustible compounds, products, or materials shall be maintained and utilized in compliance with fire code.
 4. The frequency of home deliveries should be comparable to that of a single-family home without a home occupation associated with the residence. No more than six customers or vehicle trips are permitted per day unless otherwise permitted through review.
- E. Nameplates. Only one nameplate shall be allowed. It may display the name of the occupant and/or the name of the home occupation (e.g., John Jones, Accountant). The nameplate shall be attached to the dwelling, but shall not exceed two square feet in area or be illuminated.
- F. Application Fee and Review Period. Home Occupations which require a Type 2 Review or Conditional Use Permit for approval shall be made in accordance with the provisions of CEMC Title 14.30, except as noted, and shall be accompanied by the appropriate filing fee. The administrative official may accept an aerial photo of the site in lieu of a site plan when the aerial photo clearly shows all structures and parking areas and no new construction or site modifications are proposed.
- G. Unclassified Home Occupation—Review by the Hearing Examiner. Home occupations not listed in Table 16-1 shall be reviewed by the hearing examiner in accordance with the provisions of CEMC Chapter 14.30; provided, any unclassified home occupation permitted after review and decision by the hearing examiner in a particular district shall be allowed only as a Class (2) or (3) use.
- H. Home Occupations Not Permitted. The following uses, by the nature of their operation or investment, have a pronounced tendency, once started, to increase beyond the limits permitted for home occupations and impair the use and value of a residentially zoned area for residential purposes. Therefore, the uses listed below shall not be permitted as home occupations:
1. Auto repair, body work, or similar automobile-related activity;
 2. Parking and storage of motor vehicles, commercial trucks or heavy equipment.
 3. Antique shop or gift shop;
 4. Kennel;

5. Veterinary clinic or hospital;

6. Painting of vehicles, trailers or boats;

7. Large appliance repair including stoves, refrigerators, washers and dryers;

8. Upholstering;

9. Machine and sheet metal shops;

10. Taxidermist;

11. Vehicle sign painting (except for the application of decals).

12. Marijuana production, processing and/or retailing

I. Denial of Application for a Home Occupation. An application for a home occupation shall be denied if the administrative official finds that either the application or record fails to establish compliance with the provisions of this chapter. When any application is denied, the administrative officer shall state the specific reasons and cite the specific provisions and sections of this title on which the denial is based.

(Ord. 1532 § 1, 2019; Ord. 1163 § 1, 2001)

17.16.110 Manufactured homes.

Manufactured homes shall be ~~subject to the following requirements:~~installed in compliance with applicable codes, including but not limited to:

- A. Homes shall be permanently installed on a foundation.
- B. All installations must have an eighteen-inch minimum crawl space.
- C. The tongue, wheels and any other transport hardware must be removed from the structure.
- D. Skirting shall completely enclose the structure.
- E. Permanent steps shall be installed to all entrances.
- F. A minimum of seven hundred twenty square feet is required and the home must be transported in at least two pieces of equal width to the site. A minimum width of sixteen feet is required.

G. A minimum snow load of ninety pounds per square foot is required.

(Ord. 1163 § 1, 2001)

17.16.120 Recreational vehicles.

Recreational vehicles including campers, travel trailers, mobile homes and other similar items the property of the lot owner or lessee may be parked for storage in the residential district provided they ~~meet the minimum setback standards of the district~~ are parked on-site; no on-street parking is permitted.

Exhibit C

Chapter 17.32

CG-GC GENERAL COMMERCIAL DISTRICT

Sections:

- 17.32.010 Purpose and intent.**
- 17.32.020 Permitted uses.**
- 17.32.030 Conditional uses.**
- 17.32.040 Dimensional standards.**
- 17.32.060 Landscaping.**
- 17.32.080 Lighting.**
- 17.32.090 Design guidelines.**

17.32.010 Purpose and intent.

The General Commercial District is intended to provide areas for a range of commercial uses which serve the community; to establish standards that assure that new uses are compatible with and enhance existing commercial uses; and, to provide protection to uses in other zones.

(Ord. 1163 § 1, 2001)

17.32.020 Permitted uses.

In the CG-GC district or general commercial district the following uses are permitted:

- A. Retail ~~and wholesale~~ stores and shops such as clothing and general merchandise;
- B. Grocery stores;
- C. Meat shops;
- D. Retail bakeries, micro-breweries and other specialty food processing with an associated retail use;
- E. Banks or similar financial institutions;
- F. Barbershops, beauty parlors and personal service shops;
- G. ~~Hand laundries, clothes cleaning and pressing~~ Laundromats and dry cleaning;
- H. Hotels, motels, bed and breakfast rooms and inns;

I. Lumber yards and building materials, coal and fuel storage, providing that they are housed in buildings completely enclosed by walls and windows, and the yard regulations of this district shall be observed; and provided further that no such lumber yards, building material yards, coal and fuel stores shall be maintained closer than one hundred feet to the side lines of the R/RM or residential districts;

J. Locksmiths, shoe and other clothing repair shops;

K. Manufacturing, production or treatment of products clearly incidental to the conduct of a retail business conducted on the premises;

L. Professional, ~~or medical~~ business offices;

M. Public offices and uses;

N. Printing establishments and newspaper printing;

O. Auto repair and battery shops, service stations, tire repair shops;

P. Restaurants, cafeterias and catering;

Q. Sales room or ~~store rooms~~ storerooms for motor vehicles and other articles of merchandise;

R. Studios, ~~art galleries~~;

S. Taverns, ~~bars~~, tasting rooms;

T. Theaters;

U. Commercial day care centers;

V. Open air markets;

W. Mobile food service unit.

(Ord. 1222 § 3 (Exh. C), 2004; Ord. 1163 § 1, 2001)

17.32.030 Conditional uses.

The following purposes and uses of buildings shall be allowed only upon approval of a conditional use permit in accordance with the provisions of Chapter 14.30.170. Conditional uses shall also require design review either in conjunction with or after the approval of a conditional use permit.

1. Residential uses;
2. Dancehalls, skating rinks, or other commercial amusement places;
3. Undertaking establishments and crematories;
4. Kennels;
5. Machine shops;
6. Mini-warehouses;
7. Host Short-term rentals (CEMC ~~17-08.335~~17.160).

8. Retail sales involving equipment or vehicles typically kept or exhibited outdoors and utilized for manufacturing, farming, or construction are permissible, provided that there is either a buffer area featuring fencing and landscaping (at least a B1, Low Screen Buffer) separating the sales or display area from the public right-of-way, or the equipment or vehicles for sale or display are set back a minimum of 20 feet from the front property line.

(Ord. 1492 § 1, 2018; Ord. 1486 § 1, 2018; Ord. 1163 § 1, 2001)

17.32.040 Dimensional standards.

A. *Height.* The height of structures should be consistent with those of existing buildings and not over three stories or thirty-~~six~~-five feet in height. Design features consistent with the historic context of the area such as building names in the cornice or block corner turrets may exceed the height limit by ten percent if approved as part of the design review process.

B. *Yards.* No yards are required except for lots adjacent to any "R" residential or "RM" multi-family residential district. Yards adjacent to the residential district shall be twenty feet in width. Yards adjacent to the multiple family residential district shall be ten feet in width.

C. *Minimum Lot Size.* A minimum of five thousand square feet is required for all new lots.

(Ord. 1163 § 1, 2001)

17.32.060 Landscaping.

A minimum of ten percent of the site shall consist of landscaping consistent with the requirements of Chapter 17.64. ~~See also Chapter 17.64.~~

(Ord. 1163 § 1, 2001)

17.32.080 Lighting.

1. Outdoor lighting shall be arranged so as not to direct light or glare on public roadways and/or neighboring properties; and
2. Outdoor lighting shall be directed downward and shielded to reduce unnecessary light and glare; and
3. Pedestrian scale lighting shall be placed at regular intervals along sidewalks throughout the development; and
4. Lighting may be used to accent key architectural elements of the buildings.

(Ord. 1163 § 1, 2001)

17.32.090 Design guidelines.

The following design standards apply to all development within the zoning district and are intended to upgrade the visual quality of the commercial areas in the city, reduce impacts to adjacent property, and to establish standards that reflect the character and quality of the city.

1. Buildings shall be located and designed to focus on the public street serving the development.
2. Building facades facing a public street shall have at least fifty percent of the total wall area in permeable surfaces (windows, pedestrian entrances, open shops, etc.) or permanent architectural details such as false windows.
3. When feasible, parking lots shall be located behind or to the side of structures, and shall not be located on a corner of two streets or between a building and the public street, provided, that building sites with more than one street corner are not required to place the building(s) on multiple corners. For additional off-street parking and design requirements see Chapter 17.56.
4. Pedestrian facilities shall be provided from the public right-of-way to the entrances of all buildings open to the public in a continuous and direct route to the primary pedestrian entrance.

Pedestrian routes shall be a minimum of six feet wide and shall be constructed of Portland cement concrete or brick or stone pavers. Pedestrian routes shall be protected from vehicle traffic by curbs, bollards, landscaping or other similar method. Where routes cross vehicle-maneuvering areas they shall be constructed of a different paving material than the vehicle-maneuvering areas.

5. Buildings of historic importance and value as indicated by their age and significance to the community or history may not be required to meet the specific design standards if the imposition of the standards will result in development that is less consistent with the historic character of the area.

Exhibit D

Chapter 17.70

ZERO LOT LINE AND COMMON WALL DEVELOPMENTS

Sections:

17.70.010 Purpose and intent.

17.70.015 Definitions

17.70.020 Zero lot line or common wall on existing lots of record.

17.70.030 Zero lot line or common wall with new subdivisions.

17.70.040 Zero lot line and common wall design standards.

17.70.050 Application procedure.

17.70.010 Purpose and intent.

The purpose of this chapter is to allow for development of single-family, duplex dwellings, and townhomes on properties with design standards prescribed to allow for zero lot line setbacks. This concept is intended to provide more usable yard area, maximize views, conserve energy, and provide development flexibility. Zero lot line and common wall development are intended to allow for alternate siting of single-family, duplex and townhouse dwellings on individual lots if the development standards of the residential zone can be met. The requirements of this chapter shall be considered as modifications to the zoning requirements relating only to setbacks. Any zero lot line or common wall development approval under this section shall be restricted to development as herein prescribed.

17.70.015 Definitions

"Common Wall Dwelling" means two single-family dwellings, each on their own lot, that are attached together at a common interior-property line. "Zero Lot Line Dwelling" means one or more single-family dwelling on their own lot where one side of the dwelling lies directly on an interior-property line.

17.70.020 Zero lot line or Common Wall on existing lots of record.

Zero lot line or common wall construction, meeting the provisions of CEMC 17.70.040, may be proposed on existing lots of record through the Conditional Use Process.

17.70.030 Zero lot line or Common Wall with new subdivisions.

A. A zero lot line or common wall development may be established in conjunction with the subdivision of property through a long plat or a short plat in conformity with CEMC Title 16. Zero lot line or common wall applications in conjunction with short plats shall be subject to a public hearing.

B. Each plat prepared pursuant to these standards shall contain the following notation on the face of the plat:

 This plat has been approved under the provisions of Chapter 17.70 CEMC relating to zero lot line or common wall construction. No building permit may be issued for any construction upon the lands encompassed within this plat except in strict conformity with the restrictions contained in the Cle Elum Municipal Code.

(Ord. XX § X, 20XX)

17.04.040 Zero lot line and Common Wall design standards.

Notwithstanding any other provisions in CEMC Title 16 and this title, a zero lot line or common wall development may be approved and thereafter developed in conformity with the following design standards in the following zoning districts, Single-Family Residential, Multi-Family Residential, and Planned Mixed Use:

A. All dwellings constructed under these provisions shall be so constructed in conformance with applicable building code(s) for structures located on a property line.

B. All lots located within the zero lot line or common wall development shall meet the minimum lot size requirements of the zone they are located in.

C. All lots within a zero lot line or common wall development shall be designated as having the following property lines:

1. Front street property line, which shall be the property line adjacent to the street or public thoroughfare;
2. Rear lot line, which shall be the lot line opposite the front street property line;
3. Interior property line, which shall mean the following:
 - a. The lot line shared with the adjoining parcel or lots except for corner lots, where the side street property line shall be known as the side street property line;

b. Zero lot line shall be the one interior lot line on each parcel containing a single-family dwelling built on that property line. The easement required below shall be located on the lot adjacent to the designated zero lot line.

c. Common wall property line shall mean the property line on which the attached single-family dwelling structure is located, and which is shared with an adjoining property owner.

d. The interior lot line opposite the zero lot line or common wall line shall be subject to all applicable setback requirements of the underlying zone.

4. For zero lot line and common wall development, the dwelling unit shall be placed upon only one interior property line with zero setbacks.

D. All dwelling units shall meet the development regulations of the zoning district they are located in: including setbacks (except for the designated zero lot line or common wall line), lot coverage, height, and density.

E. Accessory buildings and structures shall observe setback requirements applicable to the zone.

F. Each dwelling unit shall be provided with a separate water meter, electric meter, gas meter (if applicable), and sewer, wholly contained on its lot.

G. No zero lot line shall be allowed for the yard adjacent to a public or private street.

I. A minimum of two off-street parking spaces shall be provided on each platted lot.

J. Each dwelling shall be located on its own individual lot. The plat or site plan shall indicate the zero lot line or common wall property line(s).

K. Zero lot line developments shall dedicate an easement and restrictions appurtenant thereto. A construction maintenance agreement between the owners of the zero lot line lots shall be recorded in the County Auditor's Office, or on the face of the final plat. The easement shall provide for a minimum five foot easement extending in all directions from all zero setback walls. The purpose of the easement is for construction, maintenance, and repair of the dwellings located on the zero lot line.

(Ord. XX § X, 20XX)

17.04.050 Application procedure.

For all applications for zero lot line or common wall development, the applicant shall submit with the application the following exhibits:

A. A location map indicating existing zoning on the site and adjacent areas.

B. A site plan of no less than one inch to 100 feet, including the following information:

1. Lot lines and setbacks, including designation of the zero lot line or common wall line, location, shape, size, and height of existing and proposed buildings;
2. Existing and proposed landscaping (if applicable);
3. Recreation facilities (if applicable);
4. Location of off-street parking.

C. Information indicating the following:

1. Gross and net acreage;
2. Lot sizes (dimensions in square footage);
3. Building heights and stories;
4. Building coverage for each lot;
5. Such other architectural and engineering data as may be required to evaluate the project.

(Ord. XX § X, 20XX)