

**ORDINANCE NO. 2019-1556**

**AN ORDINANCE OF THE CITY OF CHELAN,  
WASHINGTON REVISING AND AMENDING PORTIONS  
OF THE CHELAN MUNICIPAL CODE CONCERNING  
ACCESSORY DWELLING UNITS AND GENERAL ZONING  
REGULATIONS.**

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WHEREAS, on May 16, 2018, the City Planning Commission conducted a proposal workshop on accessory dwelling units; and

WHEREAS, on June 20, 2018, the City Planning Commission reviewed proposed amendments to Chapters 17 and 19 of the Chelan Municipal Code related to accessory dwelling units, boat storage, and other zoning issues at a regular workshop; and

WHEREAS, public notice was published in the *Chelan Mirror* newspaper from July 4, 2018 to July 11, 2018 regarding a public hearing and open house regarding proposed amendments to the Chelan Municipal Code; and

WHEREAS, a public open house was held on July 18, 2018 from 5:00 p.m. to 6:00 p.m. for the public to review the proposed revisions cited above; and

WHEREAS, on July 18, 2018, the Planning Commission held a public hearing to hear public testimony on the proposed revisions cited above; and

WHEREAS, on August 15, 2018, the Planning Commission approved a motion to revise Chapters 17 and 19 of the Chelan Municipal Code relating to accessory dwelling units, boat storage, and other revisions; and

WHEREAS, The Planning Department notified the Department of Commerce on September 11, 2018 of the proposed revisions to Chapters 17 and 19 of the Chelan Municipal Code, requesting sixty-day review under RCW 36.70A.106, and

WHEREAS, the Department of Commerce did not comment on the proposed revisions to Chapters 17 and 19 of the Chelan Municipal Code; and

WHEREAS, pursuant to RCW 36.70A.130 the City Council has authority to continually review and revise the Comprehensive Plan and development regulations as needed;

The City Council of the City of Chelan, Washington, do ordain as follows:

**Section 1.** Incorporation of Recitals. The foregoing Recitals are incorporated into this Ordinance

**Section 2.** Revisions to Chapter 17.04. Chapter 17.04 of the Chelan Municipal Code shall be revised as set forth in Exhibit A, attached.

**Section 3.** Revisions to Chapter 17.20. Chapter 17.20 of the Chelan Municipal Code shall be revised as set forth in Exhibit B, attached.

**Section 4.** Revisions to Chapter 17.24. Chapter 17.24 of the Chelan Municipal Code shall be revised as set forth in Exhibit C, attached.

**Section 5.** Revisions to Chapter 17.48. Chapter 17.48 of the Chelan Municipal Code shall be revised as set forth in Exhibit D, attached.

**Section 6.** Revisions to Chapter 17.56. Chapter 17.56 of the Chelan Municipal Code shall be revised as set forth in Exhibit E, attached.

**Section 7.** Revisions to Chapter 19. Chapter 19 of the Chelan Municipal Code shall be revised as set forth in Exhibit F, attached.

**Section 8.** Revisions to Chapter 17.14. Chapter 17.14 of the Chelan Municipal Code shall be revised as set forth in Exhibit G, attached.

**Section 9.** Severability. If any term or provision in this Ordinance shall be held to be invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect the validity or enforceability of any other term or provision of this Ordinance.

**Section 10.** Publication and Effect. This Ordinance, or a summary thereof, shall be published in the official newspaper of the City of Chelan and shall take effect and be in full force thirty (30) days after passage and publication.

PASSED by the City Council of the City of Chelan, Washington, this 8th day of January, 2019.

APPROVED:

By: \_\_\_\_\_

Mike Cooney, Mayor

ATTEST:

By: Peri Gallucci  
Peri Gallucci, Clerk

APPROVED AS TO FORM:

By: Quentin Batjer  
Quentin Batjer, City Attorney

**FILED WITH THE CITY CLERK: December 12, 2018**  
**PASSED BY THE CITY COUNCIL: January 8, 2019**  
**PUBLISHED: January 16, 2019**  
**EFFECTIVE DATE: February 15, 2019**  
**ORDINANCE NO.: 2019-1556**

## **Exhibit A**

### **Chapter 17.04 GENERAL PROVISIONS**

#### **17.04.065 Livestock and poultry.**

A. Small stock animals, defined as any combination of four rabbits or chickens, are permitted on less than an acre and shall be housed within an enclosed structure that is set back ten feet from side yard property lines and are prohibited within the front yard setback area. No setback is required from the rear property line or an alley. Roosters are prohibited.

B. Livestock and poultry are permitted, provided the property ownership is at least one contiguous acre in size, and the following criteria are met:

1. The minimum pasture area maintained for each animal shall be as listed below, with additional young animals not included in determining the minimum pasture area:

a. One-half acre per each horse, pony, mule, cow, llama, alpaca and/or other similar size animal, with additional such animals under the age of one year not included;

b. One-quarter acre per each sheep, goat or other similar size animal, with additional such animals under the age of one year not included;

c. Twelve poultry per acre. Poultry may include any combination of chickens, ducks, geese, or similar type animals, with additional such animals under the age of three months not included. The keeping of roosters is prohibited;

d. Twelve small mammals per acre. Small mammals may include any combination of rabbits, guinea pigs, ferrets, or similar type animals, with additional such animals under the age of three months not included;

e. One acre per each swine. When located within an urban growth area no more than three swine are permitted per property ownership, with additional swine under the age of three months not included.

2. The property shall be maintained in a clean, sanitary condition so as to be free from offensive odors, fly breeding, dust, and general nuisances and shall be in compliance with health district regulations.

3. Adequate measures shall be taken to properly dispose of animal wastes. Accumulations of animal waste shall be prohibited from being stored closer than one hundred feet from any property line and/or any wells. Waste from swine shall be prohibited within two hundred feet of any domestic or irrigation well.

4. Barns, shelters, or other buildings or structures for the keeping or feeding of such animals shall be located a minimum of fifty feet from any property line or one hundred feet from any off-premises residential dwelling, whichever distance is greater.

5. Pastures are defined as that area which is enclosed within a perimeter fence, and shall not include that portion of the property used for residential purposes. Pastures shall be maintained with a permanent, uniform, vegetative top cover and shall be kept free of noxious weeds. The perimeter fence shall be designed, constructed and maintained sufficiently to keep the animals within the fenced area.

6. Any future division of property must comply with the minimum standards above. The minimum pasture area and condition requirements must be met by each additional individual lot or parcel, including the original parcel of record, in order to maintain livestock or poultry on the property.

7. Potentially dangerous wild animals, as defined in RCW [16.30.010](#), are prohibited.

8. Commercial slaughter houses, rendering plants, manure composting, and feed lots for cattle, swine, chickens, other livestock or poultry shall not be permitted.

9. Violations of this section shall constitute a nuisance, and shall be enforced according to the uniform procedures set out in Chapter [2.80](#). (Ord. 1512 § 2 (Exh. A) (part), 2016: Ord. 1502 § 4 (Exh. O), 2015: Ord. 1361 § 1, 2008).

**17.04.075 Intrusions into setbacks.**

Except as provided in Section [17.04.076](#) of this chapter, the setbacks required by this title are subject to the following intrusions:

A. A driveway, walkway, and/or parking area in compliance with current city of Chelan development standards as adopted in Chapter [25.05](#) of this code as now exists or as may be hereafter amended.

B. An uncovered patio or court, or other uncovered, ground-level improvement.

C. An uncovered deck which is not higher than thirty inches above grade may extend into a required side or rear yard up to the lot line.

D. Bay windows, eaves, cantilevered parts of a building and other elements of a structure, excluding gutters, that customarily extend beyond the exterior walls of a structure and do not require a foundation may extend up to eighteen inches into any required setback area. The total horizontal dimension of the elements that extend into a required yard, excluding eaves, may not exceed twenty-five percent of the width of the facade upon which it is located.

E. Fences may be located in required setback areas subject to the fence requirements specified in this title as it now exists or as may be hereafter amended.

F. Rockeries and Retaining Walls.

1. Rockeries and retaining walls equal to or less than forty-eight inches in height may be located in required setback areas if:

- a. The rockery or retaining wall is not being used as a direct structural support for a building; and
- b. The rockery or retaining wall complies with the clear sight zone standards specified in Section 10 of the city’s development standards adopted pursuant to Chapter [25.05](#) as now exists or as may be hereafter amended.

2. At the discretion of the planning director, the side setback requirement for rockeries and retaining walls more than forty-eight inches in height may be waived to allow a single rockery or retaining wall to support a slope on two adjacent parcels of land provided:

- a. The owners of adjacent parcels agree to the waiver; and
- b. The agreement is recorded as a notice to title on the titles of both of the affected parcels, and recorded by the Chelan County auditor.

3. Rockeries and retaining walls more than forty-eight inches in height and less than seventy-two inches in height shall have a five-foot minimum setback at the front, side and rear yards.

4. Rockeries and retaining walls more than seventy-two inches in height shall comply with Section [17.04.077](#).

5. Appropriate provisions for drainage must be made in the case of any rockery or retaining wall located in any required setback.

G. Heating, ventilation, and air conditioning (HVAC) equipment and liquid propane gas (LPG) tanks less than one-hundred-twenty-five-gallon capacity are prohibited from the front setback area and shall not be permitted within a required side setback area unless the equipment is at least five feet from the side property line. HVAC equipment shall be allowed up to two feet from one side property line if enclosed by a fence or vegetative plantings that, at maturity, will provide noise attenuation as solely determined by the city building official. Propane tanks of the capacity of one hundred twenty-five gallons or more are prohibited from the front setback area and shall be allowed in a required rear yard and side yard in compliance with setback requirements provided in the city's current International Fire Code as set forth in Title [15](#) of this code. (Ord. 1533 § 6 (Exh. 15) (part), 2017; Ord. 1328 § 4 (part), 2006; Ord. 1165 § 1, 2000; Ord. 1151 § 1, 1999).

H. Storage of boat, recreational, or travel trailers in required side yard and rear yard setbacks associated with a single-family residence or multi-family developments, regardless of land use zone, shall comply with requirements set forth in Sections 17.20.020 and 17.24.020 accordingly.

**17.04.100 Zoning lots.**

All zoning lots, or portions thereof, created or sold into two or more lots, as the result of land division or sale, shall conform to the dimensional standards set forth in the zoning district in which the lot is located. (Ord. 314 § 15 (E), 1962).

**Exhibit B**

**Chapter 17.20**

**ZONE R-L – SINGLE-FAMILY RESIDENTIAL DISTRICT**

**17.20.010 Permitted uses.**

Permitted uses are as follows:

A. One-family dwellings, but not to exceed one dwelling on any one lot; provided, that the lot abuts on a public street or private road;

B. Temporary construction offices within the tract or subdivision on which buildings are being erected and only for the duration of active construction;

C. Crop and tree farming, truck farming, and nurseries; provided no retail sales rooms or other retail buildings are maintained on the premises; and provided further, that the raising or keeping of livestock or poultry would not be permitted except as allowed in Section [17.04.065](#);

D. Travel trailers and recreational vehicles for occupied overnight parking are permitted for a six-month period during construction, provided the owner has a permit therefor. The owner may obtain a permit by paying the city a fee of five dollars after the purchasing of a building permit. All such vehicles shall have operable self-contained sanitary facilities or be connected to the city sewer system. The permit shall be prominently displayed on such vehicle so as to be visible on the abutting street;

E. Family day care homes, subject to licensing requirements of the Washington State Department of Social and Health Services and fire code requirements as set forth in Chapter [212-54](#) WAC;

F. Home occupations that involve no customers or other business-related visitors to the home business, no signs or other outward appearance that a business exists in the home, no delivery trucks, and no more than one individual residing within the home who is active in the home occupation business; provided, that if the planning director is given satisfactory proof of a physical disability of the individual wishing to engage in a home business or occupation, a volunteer or employee may assist in the home occupation. In addition, the home occupation must comply with the conditions for home occupation set forth in Section [17.56.060](#) and the fees for a home occupation permit as established by resolution of the city council must be paid. (Ord. 1533 § 6 (Exh. 25) (part), 2017; Ord. 1363 § 1, 2008; Ord. 1283 § 7, 2004; Ord. 1205 § 3, 2001; Ord. 1061



§ 27, 1997; Ord. 712 § 3 (part), 1983; Ord. 667 § 2, 1980; Ord. 415 § 4, 1970; Ord. 333 § 3 (part), 1965; Ord. 314 § 6A, 1962).

#### G. Alternative Housing Types Model Ordinance

Alternative housing types, including but not limited to tiny homes, cottage housing developments, or zero-lot line developments for the purpose of providing affordable housing or increasing the available stock of year-round housing through the Affordable Housing Program, once adopted or any similar policy of the city permitting such use.

#### **17.20.020 Accessory uses.**

Accessory uses are as follows:

##### A. Accessory Structures:

1. Garages or carports. Attached or freestanding private garage, carport or combination thereof not to exceed fifty percent of the floor area of the principal structure, including basement area; provided, that all single-family residences, regardless of size, shall be allowed a minimum size private garage or carport of nine hundred sixty square feet. A garage larger than the standards set out herein shall be allowed as a conditional use under the conditions set forth under Section [17.20.030](#). Detached garages or carports must be no closer to the front property line than the principal structure on a lot.
2. Accessory Dwelling Units. One accessory dwelling unit (ADU) is permitted per single-family dwelling provided all dimensional and lot coverage standards shall be met. ADUs may be detached (DADU), whereby it is free standing, attached to the primary structure (AADU), or attached to a permitted accessory structure provided the standards specified in the CMC 17.14.050(D) for ADUs in Housing Type Standards shall be met. Supplemental standards for ADUs in R-L zones shall be as follows:
  - a. Either the primary residence or the accessory dwelling unit must be occupied by the owner of the property;
  - b. The total number of occupants of both the primary residence and the accessory dwelling unit combined may not exceed the maximum number

established by the definition of “family” in Section 19.10.040, whereby no more than five residents may be unrelated;

- c. The square footage of the floor area of an ADU, excluding garage area, shall not exceed fifty percent of the total square footage of the primary residence or 1200 square feet whichever is less; except for a unit sharing a common floor-ceiling with a permitted accessory or primary structure. The planning director may permit an increased size allowance in order to efficiently use all floor area, so long as all the other standards are met;
- d. The construction of a second entry door facing on a street front for entrance into an ADU accessory unit is prohibited. ADU entrances are permitted on the sides and rear of a house, or on the front side facing on a street where no other door exists when the ADU is attached; provided, that existing single-family structures with two or more entry doors facing on a street shall not be prohibited from using one of the doors to access the ADU. A shared common entrance to both the primary and accessory dwelling, on the front side oriented toward the street frontage where no other door exists to access the existing single-family structures shall be allowed. When an ADU is attached to another permitted accessory structure, entrance to the ADU may be separate or in common with access to the structure.

B. Other accessory buildings collectively shall be twenty-five percent of the floor area of the principal structure, excluding the basement area, not to exceed six hundred square feet; provided, that, regardless of size of the principal structure, other accessory buildings collectively may be at least three hundred square feet. The total number of accessory structures, including ADUs, garages, workshops or the like may not exceed two, whereby the total number of permitted structures on a lot shall not exceed three including the primary structure.

C. The renting of rooms to not more than two boarders or lodgers.

D. Agricultural uses with the exception of the keeping of livestock per Section [17.04.065](#).

E. Boat and Trailer storage.

1. Not more than one each of a house trailer or truck, or two boats, may be stored in the rear yard area of any one zoning lot.
2. A maximum of one boat and accompanying trailer may be stored in a side yard provided the required setback is maintained; or
3. A maximum of one boat and accompanying trailer may be stored in a side yard setback, provided a sight-obscuring fence is maintained along the property boundary.
4. Boats and trailers shall not be stored in the front setback or front yard.

F. *Repealed by Ord. 1022.*

G. Fences:

1. Front yard: Forty-two inches maximum height. On corner lots, fences shall be limited to thirty-six inches in height for a distance of fifteen feet from the intersection of the property lines abutting the street and to forty-two inches for the remainder of the front yard facing on those streets.

Where two adjoining properties have front yards of differing depths, any fence built along the side yard between the two properties shall not exceed a height of forty-two inches adjacent to the front yard of either dwelling.

Front yard fence height may be increased to a maximum of four feet in those instances where a “family day care home, mini day care center and day care centers” have been established in accordance with the provisions of Section [17.56.080](#).

2. Side yard: Six feet maximum height.

3. Rear yard: Six feet maximum height.

4. Where there is a difference in grade between two adjoining properties, the base line for the fence height shall be the median of the difference between the grades of the two properties.

H. Covered patios:

1. A freestanding covered patio must meet the standards of this section. If the covered patio is attached to a dwelling, it is to be considered as a part of that dwelling.
2. Height limit: Ten feet; provided however, that a fireplace flue may extend beyond the maximum height limit to a height of not over thirteen feet.

I. Swimming pools:

1. All swimming pools must be located behind the front yard setback line and the yard or area around them must be enclosed by a fence of not less than five feet in height. At least a five-foot setback from all side and rear property lines must be maintained.

J. Cold storage warehouse, but only for produce grown on the premises, may be permitted accessory to the agricultural use of land.

K. Tenant residences; provided, that they are located behind the minimum setback distances prescribed for the district, may be permitted accessory to the agricultural use of land.

L. Low intensity agricultural tourism uses pursuant to Chapter [17.47](#). (Ord. 1533 § 6 (Exh. 26) (part), 2017; Ord. 1099 § 1, 1998; Ord. 1071 § 3, 1997; Ord. 1022 § 3, 1995; Ord. 897 § 2, 1990; Ord. 886 § 3, 1989; Ord. 333 § 3 (part), 1965; Ord. 314 § 6B, 1962).

**17.20.030 Conditional uses.**

Conditional uses are as follows:

A. Bed and breakfast under conditions set forth in Chapter [17.56](#).

B. Churches under conditions set forth in Chapter [17.56](#).

C. Historical site or structure under conditions set forth in Section [17.56.200](#).

D. Home occupations, not meeting the permitted use criteria set forth in Section [17.20.010\(F\)](#), under conditions set forth in Chapter [17.56](#).

E. Mini day care centers, and day care centers within churches and other semipublic building, under conditions set forth in Chapter [17.56](#).

F. Municipal buildings under conditions set forth in Chapter [17.56](#).

G. Parks and playgrounds, including park buildings.

H. Public schools and private schools offering curricula similar to public schools under conditions set forth in Chapter [17.56](#).

I. Telephone exchanges, electrical substations and similar uses of public service corporations provided they are either:

1. Completely enclosed within buildings which conform to and harmonize with surrounding buildings as to type of architecture and landscaping and comply with the setback requirements of the R-L zone; or

2. If the use is of an outdoor nature, such as a neighborhood electric substation, it shall be completely enclosed by a view-obscuring fence or hedge with the exterior grounds landscaped and the enclosure to meet the following setback requirements:

a. Front yard: Thirty feet;

b. Side yard: Twenty feet;

c. Rear yard: Ten feet if abutting on alley, otherwise twenty feet.

K. Garage and carport sizes larger than fifty percent of the floor area of the principal structure, including basement area; provided, that any detached garage or carport must be no closer to the front property line than the principal structure on a lot.

L. Community waterfront parks or recreation facilities. (Ord. 1533 § 6 (Exh. 27) (part), 2017; Ord. 1502 § 3 (part), 2015; Ord. 1491 § 7 (Exh. H) (part), 2015; Ord. 1205 § 4, 2001; Ord. 1099 § 2, 1998; Ord. 1058 § 2, 1996; Ord. 1041 § 1, 1996; Ord. 742 § 1, 1984; Ord. 712 § 3 (part), 1983; Ord. 625 § 1 (part), 1979; Ord. 415 § 5, 1970; Ord. 314 § 6C, 1962).

**Exhibit C**

**Chapter 17.24**

**ZONE R-M – MULTI-FAMILY RESIDENTIAL DISTRICT**

**17.24.010 Permitted uses.**

Permitted uses are as follows:

- A. Any use permitted in the R-L Residential District;
- B. Two-family, three-family and multi-family dwellings;
- C. Townhouses (a type of multi-family dwelling). (Ord. 1533 § 6 (Exh. 29) (part), 2017; Ord. 1355 § 3 Exh. 1 (part), 2008; Ord. 314 § 7A, 1962).
- D. Cottage housing developments pursuant to CMC 17.14.050.
- E. Alternative Housing Types Model Ordinance upon adoption

Alternative housing types, including but not limited to tiny homes, cottage housing developments, or zero-lot line developments for the purpose of providing affordable housing or increasing the available stock of year-round housing through the Affordable Housing Program, once adopted or any similar policy of the city permitting such use.

**17.24.020 Accessory uses.**

Accessory uses are as follows:

A. Single-family dwellings located in the R-M District shall be subject to the same conditions as in the R-L District set forth in Sections [17.20.020\(A\)](#), (B) and (C);

B. Accessory Dwelling Units (ADUs):

- 1. Appurtenant to existing or new single-family residences: ADUs shall comply with conditions in section 17.20.020, except that the requirement for owner-occupied units shall not be applied in the R-M zone. In the case where the owner desires two or more detached dwelling units for residential uses, the development shall be considered a multi-family development and conform to the cottage housing standards to the most extent possible on new developments, including the open space requirement.

2. Appurtenant to multi-family use: additional dwelling units that fit the size and dimensional standards of an ADU, whether attached or detached, shall be considered an additional multi-family unit of the development. In the case where an owner desires more than two detached residences as part of the multi-family development, the cottage housing standards shall be applied to the most extent possible at the discretion of the administrator with an emphasis on provisions for common open space. Such units shall be categorized as individual dwellings in a multi-family development and be charged appropriate system development fees.

C. Attached or freestanding private garages, carports, and ADUs sharing a common footprint of an accessory structure or combination thereof shall not exceed fifty percent of the floor area of the principal structure, including basement area; provided, that all primary single-family residences, regardless of size, shall be allowed a minimum size private garage or carport of nine hundred sixty square feet. A garage larger than the standards set out herein shall be allowed as a conditional use under the conditions set forth under Section [17.24.030](#). Detached garages, carports, or ADUs must be no closer to the front property line than the principal structure on a lot; Accessory uses other than private garages and carports for multi-family dwellings shall be restricted to one hundred square feet per dwelling unit;

D. Agricultural uses with the exception of the keeping of livestock;

E. Not more than one each of a truck of gross vehicle weight of twelve thousand pounds or greater, or a house trailer, or two boats, may be stored in the rear yard area of any one zoning lot;

F. *Repealed by Ord. 1022;*

G. Fences: Fences subject to the same conditions as in the R-L Residential District as set forth in Section [17.20.020](#)(G);

H. Swimming pools: Swimming pools subject to the same conditions as in the R-L Residential District as set forth in Section [17.20.020](#)(I);

I. Cold storage warehouse, but only for produce grown on the premises, may be permitted accessory to the agricultural use of land;

J. Tenant residences; provided that they are located behind the minimum setback distances prescribed for the district, may be permitted accessory to the agricultural use of land.

K. Low intensity agricultural tourism uses pursuant to Chapter [17.47](#). (Ord. 1533 § 6 (Exh. 30) (part), 2017; Ord. 1136 § 1, 1999; Ord. 1071 § 5, 1997; Ord. 1022 § 4, 1995; Ord. 940 § 1, 1992; Ord. 897 § 3, 1990; Ord. 314 § 7B, 1962).

L. Storage of boat and accompanying trailers on lots occupied by single-family dwellings in the RM zone shall not exceed one boat and accompanying trailer in a side yard provided the required side yard setback is maintained. A boat and accompanying trailer may be stored in a side yard setback, provided a sight-obscuring fence is maintained along the property boundary. Boat and trailers may not be stored in the front-yard setback including driveways.

M. Storage of boat and accompanying trailers on lots occupied by multi-family units shall comply with the standards set forth in Section N herein, whereby a maximum number of boat/trailer units occupying a side-yard setback may not exceed the number of residential units.



## Exhibit D

### Chapter 17.48 ZONE T-A – TOURIST ACCOMMODATIONS DISTRICT

#### **17.48.010 Permitted uses.**

Permitted uses are as follows:

- A. Single-family, two-family, three-family and multi-family dwellings, townhouses, and cottage housing developments provided they do not accommodate short-term nightly rentals and are intended to house year-round residents or seasonal employees for periods no less than 30 days;
- B. Motels, hotels, lodges or similar resort accommodation operations, short-term rental units, and bed and breakfasts pursuant to conditions in Section 17.56.230 whereby the bed and breakfast may be permitted as an Administrative Permit;
- C. Restaurants, exclusive of drive-ins;
- D. Barber or beauty shops;
- E. Travel agencies and tourist bureaus;
- F. Souvenir and gift shops;
- G. Bookstores and newsstands;
- H. Boat launching facilities, marinas and similar facilities;
- I. Professional offices;
- J. Special event as defined in and pursuant to the provisions of Chapter [5.50](#), as the same exists now or may hereafter be amended;
- K. Per Chapter [17.47](#), low intensity, moderate intensity, and high intensity agri-tourism uses are allowed in the T-A Overlay. (Ord. 1533 § 6 (Exh. 45) (part), 2017; Ord. 1355 § 3 Exh. 1 (part), 2008; Ord. 1245 § 3, 2002; Ord. 1114 § 3, 1998; Ord. 670 § 1, 1980; Ord. 338 § 2 (part), 1965; Ord. 314 § 13A, 1962).
- L. Alternative Housing Types Model Ordinance upon adoption

Alternative housing types, including but not limited to tiny homes, cottage housing developments, or zero-lot line developments for the purpose of providing affordable housing or increasing the available stock of year-round housing through the Affordable Housing Program, once adopted or any similar policy of the city permitting such use.

**17.48.020 Accessory uses.**

Accessory uses are as follows:

A. *Repealed by Ord. 1022;*

B. Fences permitted under the same conditions listed in Section 17.32.020D. (Ord. 1022 § 9, 1995; Ord. 886 § 8 (part), 1989; Ord. 670 § 2, 1980; Ord. 338 § 2 (part), 1965; Ord. 314 § 13B, 1962).

C. Accessory Dwelling Units (ADUs). ADUs are allowed provided they are accessory to a permitted single-family residence. One ADU appurtenant to a single-family residence is permitted, provided one unit, either the primary unit or ADU is either owner-occupied or leased on a long-term basis. ADUs associated with single-family residences shall comply with conditions set forth in CMC 17.20.020 and 17.14.50(D).

**17.48.030 Conditional uses.**

Conditional uses are as follows:

A. Municipal buildings and facilities;

B. Places of public or private assembly;

C. Campgrounds or recreational vehicle parks;

D. Recreation and amusement facilities;

E. Restaurants with cocktail lounges exclusive of taverns and bars, but not within one hundred fifty feet of any residential zone;

F. Self-service laundry;

G. Drive-ins;

I. Restaurants with brewpubs as an accessory use where the brewpub activity does not utilize more than forty-nine percent of the structure, excluding office space and shared storage. Restaurants with brewpubs are subject to conditions set forth in Section [17.56.270](#);

J. Marijuana producers;

K. Community waterfront parks, parks and playgrounds, including park buildings; and

L. Resort plans in the T-A Overlay. (Ord. 1533 § 6 (Exh. 46) (part), 2017; Ord. 1491 §§ 5, 7 (Exh. E) (part), 2015; Ord. 1474 § 8, 2014; Ord. 1120 § 1, 1998; Ord. 800 § 6, 1987; Ord. 670 § 3, 1980; Ord. 625 § 1 (part), 1979; Ord. 338 § 2 (part), 1965; Ord. 314 § 13C, 1962).

Exhibit E

**Chapter 17.56  
CONDITIONAL USES**

**17.56.230 Bed and breakfast.**

Minimum conditions are as follows:

A. Districts Permitted.

1. R-L Single-Family Residential District;
2. R-M Multi-Family Residential District;
3. DMR Downtown Mixed Residential;
4. DSF Downtown Single-Family;
5. C-HS Highway Service Commercial District;

B. Minimum Conditions.

1. The owner of the premises shall be the applicant for the conditional use permit.
2. The bed and breakfast facilities shall be the principal residence of the owner. The owner must full time occupy the residence while the bed and breakfast is in operation. Owner occupancy is defined in Section [19.10.040](#).
3. Bed and breakfast facilities shall meet all applicable health, fire safety and building codes and shall be operated so as to not give the appearance of being a business, and those facilities in or adjacent to residential districts shall not infringe upon the right of neighboring residents to peaceful occupancy of their homes.
4. *Repealed by Ord. 1022.*
5. Driveways accessing a bed and breakfast which are more than one hundred feet in length shall have an improved width of at least twelve feet with appropriately spaced cutouts to facilitate the passage of two vehicles traveling in opposite directions.
6. A minimum of three parking stalls shall be provided.

7. The hearing examiner may impose other conditions, such as additional parking, improved access, landscaping or screening, if found necessary to protect the best interests of the surrounding properties of the neighborhood due to the nature of the site or the facility.

8. Conditional use permits granted shall specify the number of rooms available for rental by the owner. (Ord. 1533 § 6 (Exh. 67) (part), 2017: Ord. 1491 § 6 (Exh. G), 2015: Ord. 1448 § 6 (Exh. G) (part), 2012: Ord. 1411 § 4 (Exh. C) (part), 2010: Ord. 1114 § 8, 1998; Ord. 1040 § 1, 1996; Ord. 1022 § 12 (part), 1995; Ord. 800 § 7, 1987).

## Exhibit F

The following definitions shall be revised or added to the definitions section of Chapter 19.10.040 of the Chelan Municipal Code in alphabetical order with the now existing definitions.

“Accessory dwelling units” (ADU) means a subordinate dwelling unit incorporated to a primary structure on a zoning lot. Accessory dwelling units may not be subdivided or otherwise segregated in ownership from the primary residence or structure and may not be rented for a period of less than 30 days.

“AADU” – attached accessory dwelling unit, sharing a common wall, common ceiling/floor, or under a common roofline.

“DADU” – a free standing accessory dwelling unit not sharing a common wall or ceiling to the primary structure.

“Boarding home/house” means a type of single-family dwelling in which no more than eight people or small family units unrelated to one-another and/or other boarders are housed, and each pay an individual rent for their unit. Each individual or family unit has a private bedroom but shares with other residents a common dining room, cooking, recreational room, or other facilities. Units may or may not have private baths. Meals and low level of caregiving may be provided by the owner or manager or agency of record.

“Boarding house, transient:” a dwelling meeting the above definition where rooms are rented on a short-term basis up to 30 consecutive days.

“Boarding house, non-transient:” a dwelling meeting the above definitions where rooms are rented on a long-term basis over 30 consecutive days.

“Congregate housing” means a multi-family dwelling that houses more than three people, unrelated to one another in separate, private sleeping quarters. While private units may have private baths, other facilities are communal. Individual units do not meet the requirements for a dwelling unit.

“Dormitory” means a multi-family dwelling housing type where private sleeping quarters are provided to each unit. All other facilities may be communal or private. Dormitory developments are associated with a primary employer or organization requiring seasonal, term, or semi-transient accommodations for employees, students, or trainees such as a school, hospital, or seasonal employer.

“Duplex” means a residential structure with two dwelling units sharing a common wall or ceiling, located on one tax parcel or zoning lot. Duplex units are considered multi-family dwelling units

for land use purposes only, whereby they are allowed in any zone that permits multi-family dwellings. When a size disparity of 40% or less exists between two units sharing a common wall or ceiling, the smaller unit shall be classified as an accessory dwelling unit.

“Group home” means a single-family dwelling financed, in whole or part, by the state department of community, trade, and economic development or by an affordable housing levy under RCW 84.52.105. A group home has multiple units occupied on a twenty-four hour basis for persons who are not related by birth or marriage and who are not dependent on each other financially. Residents of group homes typically receive financial assistance from federal or state government such as Social Security benefits for supplementary security insurance.

“Hostel” means tourist accommodations where individual beds or rooms, numbering more than 3, may be rented on a nightly basis. Hostels have shared common spaces for living, food preparation, and bathing, though private baths may be available as well. Hostels are subject to Washington State Department of Health licensing.

“Manufactured or mobile homes” means any home that meets the definition in RCW 65.20.020 as follows: a structure designed and constructed to be transportable in one or more sections and is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities that include plumbing, heating, and electrical systems contained therein. The structure must comply with the national mobile home construction and safety standards act of 1974 as adopted by chapter 43.22 RCW if applicable. "Manufactured home" does not include a modular home. A structure which met the definition of a "manufactured home" at the time of manufacture is still considered to meet this definition notwithstanding that it is no longer transportable.

(1) A "designated manufactured home" is a manufactured home constructed after June 15, 1976, in accordance with state and federal requirements for manufactured homes, which:

(a) Is comprised of at least two fully enclosed parallel sections each of not less than twelve feet wide by thirty-six feet long;

(b) Was originally constructed with and now has a composition or wood shake or shingle, coated metal, or similar roof of nominal 3:12 pitch; and

(c) Has exterior siding similar in appearance to siding materials commonly used on conventional site-built uniform building code single-family residences.

(2) "New manufactured home" means any manufactured home required to be titled under Title 46 RCW, which has not been previously titled to a retail purchaser, and is not a "used mobile home" as defined in RCW82.45.032(2).

“Micro-housing” or “micro-apartment” means a multi-family housing type where individual units are designed to maximize efficiency providing basic requirements of dwelling units for permanent dwellings not to exceed 500 square feet including lavatory, sleeping, bathing, and cooking. Larger communal spaces for community dining, cooking, and living are often provided as well.

“Short-term rentals” means residential units, or portions of residential dwelling units, that are rented out on a nightly basis for not more than 30 days to individual guests. They are commonly referred to as vacation rentals. They are a form of tourist or transient accommodations. Short-term rental units may be whole house rentals, apartments, condominiums, or individual rooms in homes. For the purpose administration and enforcement of this ordinance, the terms “overnight rental”, “nightly rental”, and “vacation rental” are interchangeable with short-term rentals. Subleasing or subletting of units for short term rental is prohibited if the underlying zone prohibits such use.

“Tiny house” means any dwelling, attached to a permanent foundation, that measures no more than 400 square feet excluding lofts, as per the International Residential Code. Homes between 400-750 square feet shall be inspected as a traditional home but may be located where tiny homes are allowed or as cottage homes.

“Tiny house on wheels” means a dwelling classified as a recreational or transient dwelling. Tiny homes on wheels are not allowed on parcels outside trailer plazas, manufactured home parks, or special districts designated for tiny homes.

“Triplex” means a multi-family structure with three dwelling units sharing common walls or ceiling on one tax parcel. Triplexes are considered multi-family dwellings for land use purposes only, whereby they are allowed in any zone that permits multi-family dwellings.



## Exhibit G

### **17.14.050 Housing type standards.**

#### A. Purpose and Applicability.

1. Purpose. This section provides supplemental direction for the design of new residential developments consistent with the goals and policies of the Chelan downtown master plan.
2. Applicability. Each subsection herein provides standards that apply to a particular type of housing within the downtown planning area. The provisions herein supplement the standards set forth in Section [17.14.020](#). Triplexes and townhouses are also subject to the provisions of Sections [17.14.030](#) and [17.14.040](#) unless otherwise noted.

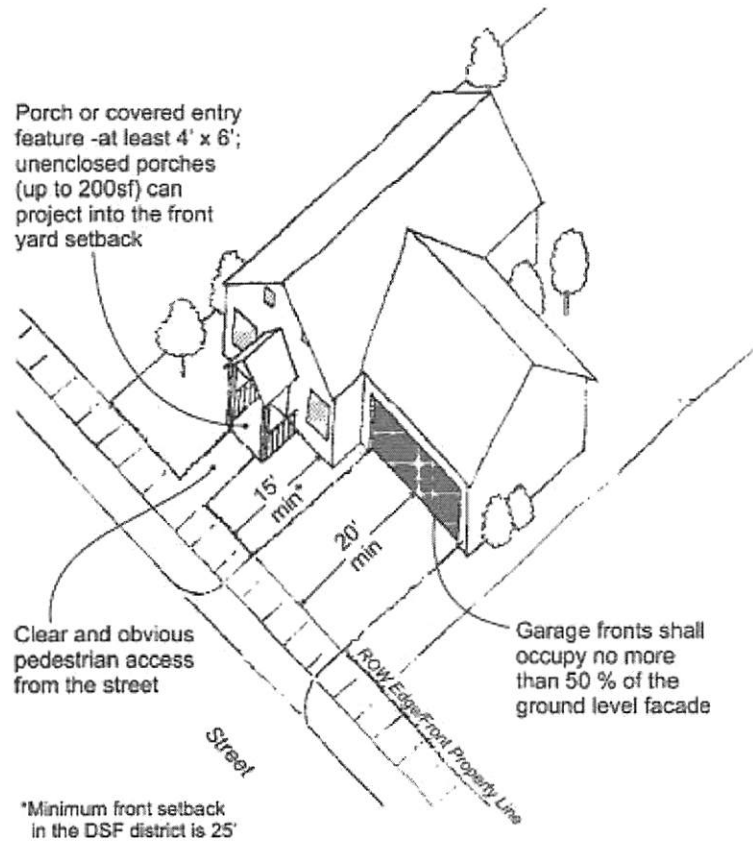
#### B. Single-Family Design Standards.

##### 1. Intent.

- a. To enhance the character of the street;
- b. To maintain “eyes on the street” for safety to pedestrians and to create a more welcoming and interesting streetscape;
- c. To deemphasize garages and driveways as major visual elements along the street; and
- d. To provide usable yard space for residents.

##### 2. Entries.

- a. Clear and obvious pedestrian access between the sidewalk and the building entry is required for new homes.
- b. All new houses shall provide a covered entry with a minimum dimension of four feet by six feet. Covered entries may project up to six feet into the front yard per Section [17.14.020\(C\)\(3\)](#).



**Figure 1. Single-family design requirements.**

**3. Garage Placement and Design.**

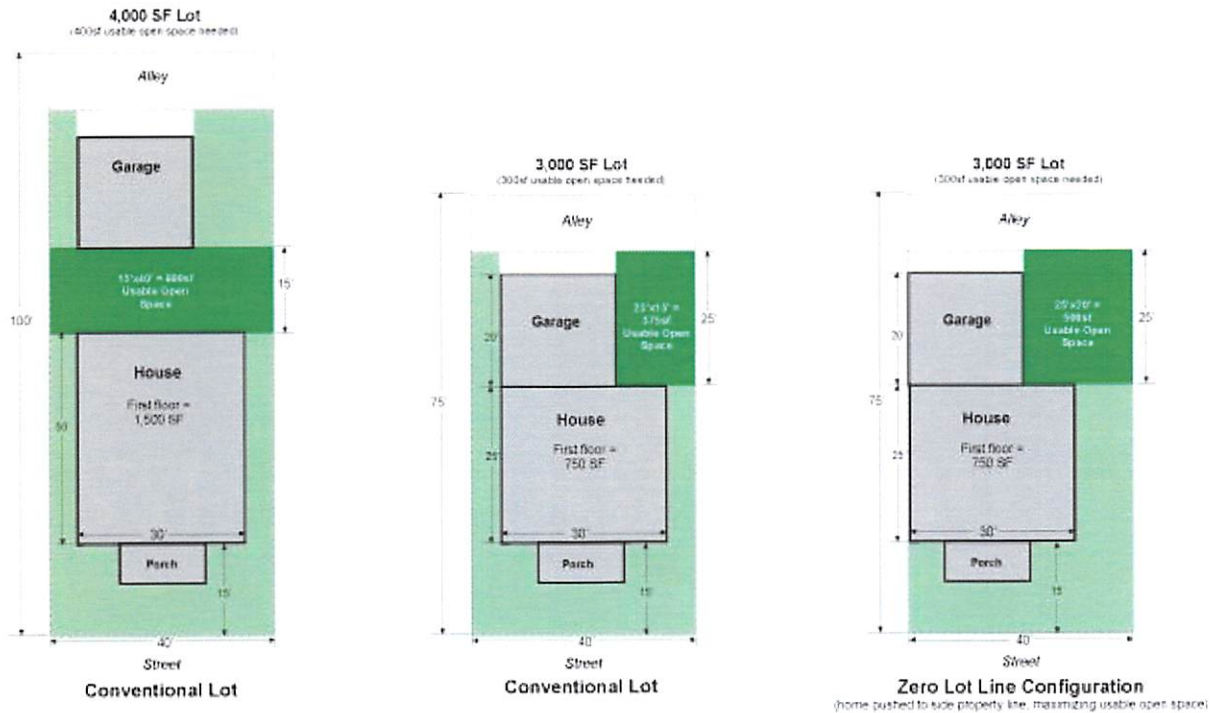
- a. Where lots abut an alley, the garage or off-street parking area is encouraged to take access from the alley.
- b. The garage face shall occupy no more than fifty percent of the ground-level facade facing the street.
- c. Garages shall be set back at least twenty feet from the front property line.

4. Driveway Standards. See Section 5 of the City of Chelan Development Standards Manual for applicable standards.

5. Minimum Usable Open Space. All new single-family residences shall provide a contiguous open space equivalent to ten percent of the lot size. Such open space shall not be located within the front yard. The required open space shall feature a minimum dimension

of fifteen feet on all sides. For example, a six thousand square foot lot would require a contiguous open space of at least six hundred square feet, or twenty feet by thirty feet in area. For lots in the DMR district where there is more than one single-family residence on the lot, each residence shall have access to a usable open space with minimum dimensions of fifteen feet on all sides. Driveways shall not count in the calculations for usable open space.

All single-family additions shall not create or increase any nonconformity with this standard.



**Figure 2. Open space requirements for alley-loaded lots.**

### C. Duplex and Triplex Design Standards.

1. Intent. Duplexes and triplexes should be designed similar in nature to single-family homes and shall feature a visible entry and windows facing the street. The visibility of driveways and garages should be minimized and sufficient private open space should be provided.

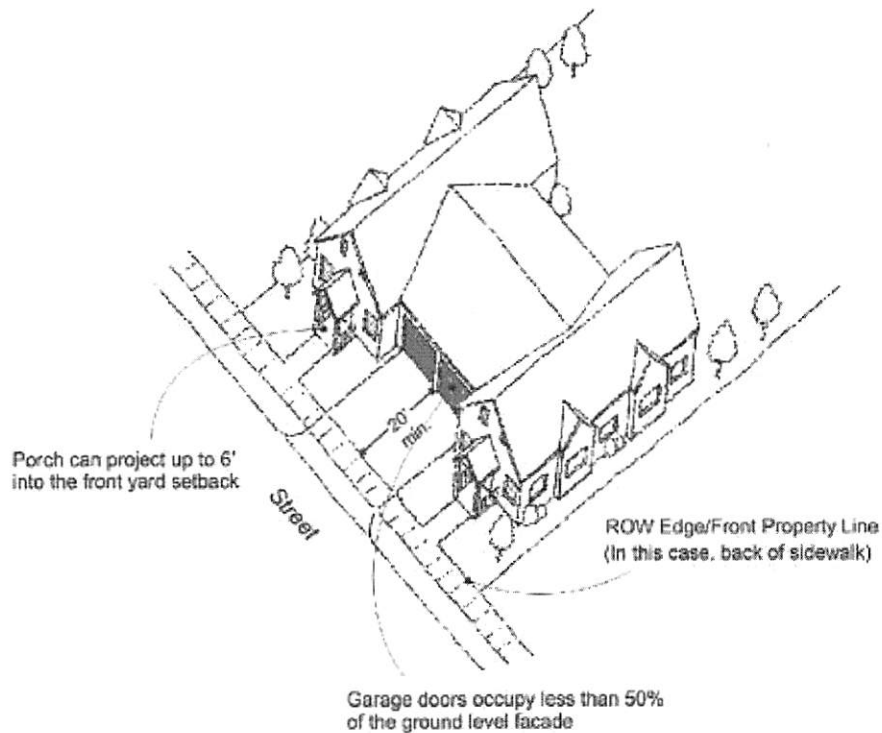
2. Design Standards. Specifically, duplexes and triplexes shall comply with the single-family design standards in subsection B of this section with the following exceptions and additional provisions:

- a. Duplexes and triplexes may include a twenty-foot-wide shared driveway or two

twelve-foot driveways on opposite ends of the lot;

b. Separate covered entries for each unit are required (applicable to new buildings only);  
and

c. Duplexes on corner lots shall place pedestrian entries on opposite streets (applicable to new buildings only).



**Figure 3. Diagram illustrating some duplex design standards.**

#### D. Accessory Dwelling Units (ADU).

##### 1. Intent.

- a. To provide infill housing opportunities downtown.
- b. To provide affordable housing options downtown and all residential zones.
- c. To provide an opportunity for rental income for downtown property owners.

##### 2. Standards for All ADUs in all zones. One accessory dwelling unit is permitted provided

all of the following conditions are met:

- a. ADU Entrance. The ADU entrance shall be subordinate (setback) to the principal dwelling unit entrance. The ADU entrance shall be less visible from the street view of the principal dwelling than the main entrance of the principal dwelling unit.
  - i. A pedestrian walkway shall be provided from the street or alley to the ADU entrance; and
  - ii. A stairway to access a second-story ADU shall be internal, or, if external, it must not be visible from the street;
- b. No more than two bedrooms shall be provided in an accessory dwelling unit;
- c. The square footage of an ADU, excluding garage area, shall not exceed fifty percent of the total square footage of the primary residence or 1,200 square feet whichever is less; except for a unit sharing a common floor-ceiling with a permitted accessory or primary structure, the planning director may permit an increased size allowance in order to efficiently use all floor area, so long as all the other standards are met;
- d. ADUs shall contain a minimum of 275 square feet in floor area, exclusive of stairways or garage area;
- e. One additional off-street parking space shall be required for an ADU;
- f. The presence of an accessory dwelling unit must be clearly identified on each entrance by proper numbering;
- g. Privacy. The orientation of the ADU shall, to the maximum extent practical as determined by the director, maintain the privacy of residents in adjoining dwellings as determined by the physical characteristics surrounding the ADU, including landscape screening, fencing, and window and door placement. The director may require that windows, doors, and balconies be relocated to maintain the privacy of the new unit and/or adjacent residences.

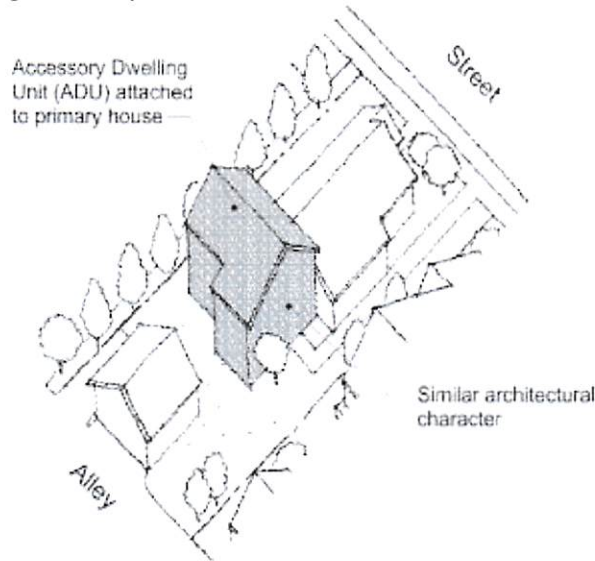
- h. The accessory dwelling unit shall meet all construction and utility code standards including, but not limited to, building, fire, plumbing, and Title [13](#), regulating water and sewers, all as now exist or as may be hereafter amended.
- i. Accessory dwelling units shall be permitted at homes approved for home occupations or bed and breakfast, provided these uses are attached to the primary structure, not the ADU.
- j. Detached accessory dwelling units must be screened from neighboring properties with a six-foot height solid visual barrier where necessary to protect abutting property owners' privacy, as determined by the director;

### 3. Standards for an Attached ADU.

- a. ADUs may not exceed fifty percent of the floor area of a primary dwelling unit or 1,200 square feet, whichever is less. Exception: The director may allow increased size for an attached ADU in order to efficiently use all floor area on one floor or a portion of an existing house or attached accessory structure (constructed as of November 9, 2010), as long as all other standards herein are met; and
- b. Additions to Existing Homes. The ADU shall be architecturally consistent with the principal unit. Specific standards:
  - i. Exterior Materials. The exterior finish material must be the same or visually match in type, size and placement the exterior finish material of the primary dwelling;
  - ii. Roof Pitch. The roof pitch must be the same as the predominant roof pitch of the primary dwelling;
  - iii. Trim. Trim must be the same in type, size, and location as the trim used on the primary dwelling;
  - iv. Windows. Windows must match those in the primary dwelling in proportion

(relationship of width to height) and orientation (horizontal or vertical). This standard does not apply when it conflicts with building code regulations; and

v. Front Facade. The front facade of the principal dwelling shall not be significantly altered to accommodate an ADU.

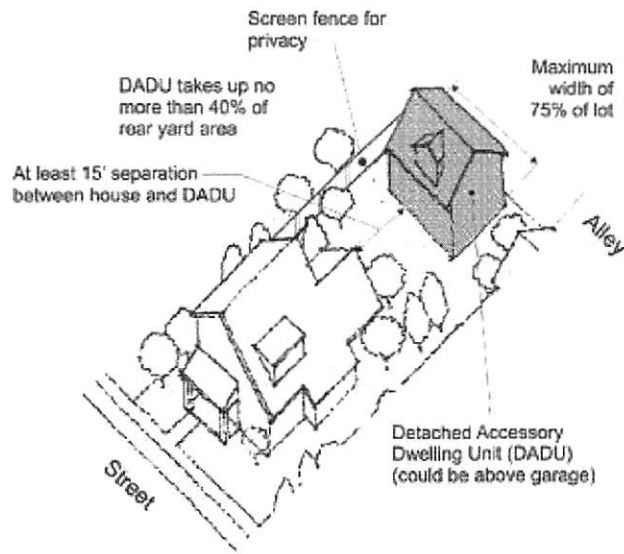


**Figure 4. Attached ADU example/standards.**

#### 4. Standards for a Detached ADU (DADU).

- a. The footprint or total square footage of DADUs may not exceed fifty percent of the floor area of a primary dwelling unit or 1,200 square feet, whichever is less;
- b. Detached DADUs may be separate freestanding structures located to the side or rear of a primary dwelling unit or may be placed next to and/or above a garage;
- c. DADUs are subject to the building placement standards set forth for the applicable land use district in Section [17.14.020\(C\)\(3\)](#);
- d. The site coverage of the DADU and accessory buildings shall not exceed forty percent of the rear yard area;
- e. There shall be a minimum separation of fifteen feet between the existing dwellings and the DADU, except where the DADU is built on top of and/or next to an existing

garage; and



**Figure 5. DADU example/standards.**

f. The maximum width of the DADU shall be seventy-five percent of the width of the lot, including all projecting building elements such as bay windows and balconies.