

Title 17

ZONING¹

Chapters:

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¹ For provisions on residential care facilities and adult family homes, see Ch. 8.48 CMC.

Chapter 17.04

GENERAL PROVISIONS

Sections:

17.04.010 Short title.

17.04.020 Map.

17.04.030 Purpose.

17.04.010 Short title.

This title shall be known as the “Cashmere Zoning Ordinance.” (Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.04.020 Map.

The ordinance codified in this title consists of the text codified in this title together with that certain map identified by the approving signatures of the mayor and the city clerk-treasurer and marked and designated as the “Map of the Cashmere Zoning Ordinance,” which map is on file in the office of the city clerk-treasurer, and which has been examined and approved by the city council and adopted as part of this title. The ordinance codified in this title and each and all of its terms is to be read and interpreted in the light of the contents of said map. If there is any conflict in the map and the text, the text shall prevail. (Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.04.030 Purpose.

This title is for the purpose of promoting public health, safety, and general welfare. It is part of the comprehensive plan prepared by the planning commission of the city for the physical and generally other advantageous development of the city, approved by the council, and in accordance with the laws of the state of Washington. (Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

**Chapter 17.08
DEFINITIONS**

Sections:

17.08.010 Definitions.

17.08.020 Rules of interpretation.

17.08.010 Definitions.

The definitions of terms to be used in all chapters of the Cashmere Municipal Code are those definitions contained in this chapter; other definitions may be found in individual titles.

Dictionary Reference

If a term is not specifically defined in this section, an applicant may request from the administrator an administrative interpretation, pursuant to CMC 14.03.020(B), in which the administrator shall reference the most current edition of Webster's Ninth New Collegiate Dictionary or the New Illustrated Book of Development Regulations.

A

"Abate" means to remove, destroy or to otherwise remedy an unlawful condition, by such means and in such manner as is necessary in the interests of the general health, safety and welfare of the community.

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

"Accessory dwelling" means a separate living unit (apartment) integrated within a single-family dwelling, or one located as a detached accessory dwelling located on the same lot as a single-family dwelling.

"Accessory use" means a use that is clearly incidental and subordinate to the principal use on the same lot.

"Adult entertainment business" means any business which sells, rents, displays, or provides adult stock in trade depicting, describing or relating to specified sexual activities or specified anatomical areas, or engages in or permits specified sexual activities on the premises, and which excludes any person by virtue of age from all or part of the premises. Adult businesses include, but are not limited to:

1. Adult bath house.
2. Adult bookstore in which 10 percent or more of the stock in trade is adult stock in trade.

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3. Adult cabaret which presents go-go dancers, strippers, male or female impersonators or similar entertainment.
4. Adult massage parlor in which massage or touching of the human body is provided for a fee, excluding massage practitioners licensed under RCW 18.108.010.
5. Adult retail store in which 10 percent or more of the stock in trade is adult stock in trade.
6. Adult sauna parlor.
7. Adult movie theater including a building, portion of a building, enclosure or drive-in theater which displays adult videos.
8. Adult video store in which 10 percent or more of the stock in trade is adult stock in trade.

“Adult family home” means the regular family abode of a person or persons who are providing personal care, room and board for more than one but not more than four adults who are not related by blood or marriage to the person or persons providing the services; except that a maximum of six adults may be permitted if the Washington State Department of Social and Health Services determines that the home and the provider are capable of meeting standards and qualifications provided for by law (RCW 70.128.010). Adult family homes are a permitted use in all areas zoned for residential use (RCW 70.128.175).

“Adult stock in trade” means all books, pictures or other printed materials, products or equipment, prerecorded video tapes, discs, or similar material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas where such material is generally available for rental, purchase, viewing, or use by patrons of the establishment, excluding material located in any storeroom or other portion of the premises not regularly open to patrons.

“Affordable housing” means housing where the occupant pays not more than a third of their adjusted monthly income for total shelter costs.

“Ag-related industry” means an activity supportive to the agricultural industry by providing refrigeration, packing and/or storage facilities, whether for private, cooperative or commercial use by agriculturists, including packing sheds, controlled atmosphere storage buildings, etc. Also means those industrial uses directly related to the packaging, processing, storage, or physical or chemical alteration of the agricultural product. Such industries include, but are not limited to: cold storage plants, controlled atmosphere; produce packing and processing facilities; excluding wineries and their accessory uses such as tasting and sales rooms.

“Agricultural land” means land primarily devoted to the commercial production of horticultural, viticultural, floricultural, dairy, apiary, vegetable, or animal products or of

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berries, grain, hay, straw, turf, seed, or livestock and land that has long-term commercial significance for agricultural production.

“Agriculture” means the art and science of cultivating the soil, raising/producing crops, forestry and horticulture, except that it does not include the keeping or raising of livestock.

“Aircraft hangar – personal use” means an accessory building used for storage, repair, or servicing personal aircraft.

“Alley” means a street or public way that affords only secondary means of access, to provide utility service, and other services to the abutting property.

“Alteration” means a change or rearrangement of the structural parts of existing facilities or an enlargement by extending the side or increasing the height or depth or moving from one location to another. In buildings for businesses, commercial, industrial or similar uses, the installation or rearrangement of partitions affecting more than one-third of a single floor area shall be considered an alteration.

“Animal shelter” means a building or structure (including outdoor fenced cages or yards) for the care of lost, abandoned, homeless or injured animals, whether domestic or wild.

“Antenna” means the specific device used to capture an incoming and/or launch radio-frequency signal. Antennas include, but are not limited to, the following types:

1. Omni-Directional (or “Whip”) Antenna. Receives and transmits signals in a 360-degree pattern, and which is up to 15 feet in height and up to four inches in diameter.
2. Directional (or “Panel”) Antenna. Receives and transmits signals in a directional pattern typically encompassing an arc of 120 degrees.
3. Parabolic (or “Dish”) Antenna. A bowl-shaped device that receives and transmits signals in a specific directional pattern.
4. Ancillary Antenna. An antenna that is less than 12 inches in its largest dimension and that is not directly used to provide personal wireless communications services. An example would be a global positioning satellite (GPS) antenna.

“Apartment building” means a building or portion thereof used, or intended to be used, as the home of three or more families or householders living independently of each other.

“Applicant” means a person seeking development approval from the city.

“Assisted living facility/retirement center” means a residential facility designed for and occupied by at least one person per unit who is able to live independently and without 24-hour supervision; and providing centralized services for the residents including meals, recreation, housekeeping, laundry and transportation.

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“Auto towing, secured” means temporary storage area associated with a licensed towing company for impounded vehicles that complies with all applicable federal, state and local regulations.

“Automobile graveyard” means any establishment or place of business that is maintained, used, or operated by storing, keeping, buying, or selling wrecked, scrapped, ruined, or dismantled motor vehicles or motor vehicle parts.

B

“Bed and breakfast” means a residence used to provide overnight accommodations to persons for a fee and with the provision of meals limited to only guests staying at the facility.

“Binding site plan” means a drawing to appropriate scale which:

1. Identifies and shows the areas and locations of all streets, roads, improvements, utilities, open spaces and any other matters specified by local regulations;
2. Contains inscriptions or attachments setting forth such appropriate limitations and conditions for the use of the land as are established by the city of Cashmere; and
3. Contains provisions requiring that any development be in conformity with the site plan.

“Block” means a group of continuous lots, tracts or parcels within well defined and fixed boundaries.

“Boarding house” means a dwelling unit, in which not more than two lodgers or boarders are housed or fed for compensation and where no provisions are made for cooking in any individual room or suite.

“Boundary line adjustment.” See “Lot line adjustment.”

“Building” means a structure having a roof for the shelter of persons or property. When a structure is separated by a division wall without openings, each portion of such building shall be deemed a separate building.

“Building area” or “building site” means an area within a lot upon which a building to accommodate the principal use of the lot could be practicably built, bound by the setbacks.

“Building code” means the International Building Code promulgated by the International Conference of Building Officials, as adopted by the city.

“Building elevation” means that side of any building structure that faces in each of four directions, to include front yard, rear yard, and both side yards.

“Building footprint” means the outer perimeter of the foundation of a building, including garage and all those structures subject to setback requirements, as shown on a site plan.

“Building height” means the vertical distance from the average of the lowest and highest point exposed by the finished ground level to the highest point of the building excluding chimneys.

“Building, principal or main” means the building that accommodates the principal use of a site or lot.

“Business or commerce” means the engaging in the purchase, sale, barter or exchange of services, goods, wares, or merchandise, and the maintenance or the operation of recreational or amusement enterprises.

“Business visit” means an individual trip made for the purpose of conducting business or receiving instruction, or for performing services, or for delivering goods or stock in trade.

C

“Card room” means a licensed establishment at which a “social card game” is played as defined in RCW 9.46.0282.

“Caretaker’s residence” means a residential dwelling unit accessory to an agricultural, commercial or industrial use for occupancy by the owner, caretaker or watchman.

“City” means the city of Cashmere.

“City administrator” means the city administrator of the city of Cashmere or his or her designee.

“City council” means the city council of the city of Cashmere.

“Clinic” means a health care facility for the treatment and diagnosis of outpatients.

“Closed record appeal” means an appeal to the city council based on the existing record.

“Code” means Cashmere Municipal Code (CMC).

“Co-location” means the use of a single support structure and/or site by more than one wireless communications provider.

“Commercial coach” means a structure or unit that is used for temporary commercial purposes. It is transportable in one or more sections and the frame is an integral part of the structure. Commercial coaches include, but are not limited to, structures or units designed and constructed as commercial coaches, conversions of a vehicle to a commercial coach, and vendor units.

“Comprehensive plan” means the Cashmere comprehensive land use plan as adopted in 1999 and as amended in the future.

“Comprehensive plan amendment” means an amendment or change to the text or maps of the Cashmere comprehensive land use plan.

“Concurrency” means a concept required by the Growth Management Act, describing the situation in which adequate capital facilities and services and utilities are available when impacts of development occur, or within a specified time thereafter.

“Conditional use” means a use allowed in one or more zones as defined by the zoning ordinance, but which, because of characteristics peculiar to such use, the size, technological processes or equipment, or because of the exact location with reference to surroundings, streets, and existing improvements or demands upon public facilities, requires a special permit in order to provide a particular degree of control to make such uses consistent and compatible with other existing or permissible uses in the same zone and mitigate adverse impacts of the use.

“Condominium” means real property, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions. Real property is not a condominium unless the undivided interests in the common elements are vested in the unit owners, and unless a declaration and a survey map and plans have been recorded pursuant to Chapter 64.34 RCW.

“Congregate care facility/retirement center” means a residential facility designed for and occupied by at least one person per unit who is able to live independently and without 24-hour supervision; and providing centralized services for the residents including meals, recreation, housekeeping, laundry and transportation.

“Contribution, voluntary” means a cash donation or other valuable consideration offered by the developer in lieu of public park, recreation and open space and accepted on the public’s behalf as a condition of approval of a subdivision, plat or planned area binding site plan.

“Conventional site-built housing” means residential dwelling units that are assembled at their permanent location from raw materials.

“Coverage” means the total ground coverage of all buildings or structures on a site measured from the outside of external walls or supporting members.

“Critical areas” means areas of environmental sensitivity, which include the following areas and ecosystems:

1. Wetlands;
2. Areas with a critical recharging effect on aquifers used for potable water;
3. Fish and wildlife habitat conservation areas;
4. Frequently flooded areas; and
5. Geologically hazardous areas.

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“Cul-de-sac” means a short street terminating in a vehicular turnaround space.

D

“Date of decision” means the date on which final action occurs and from which the appeal period is calculated.

“Day care center” means a person or agency, apart from their parents or guardian, governed by the state day care center licensing provisions and conducted in accordance with state requirements, that provides care for 13 or more children during part of the 24-hour day.

“Day care, family home – A” shall mean a child day care provider, governed by the state day care center licensing provisions and conducted in accordance with state requirements, who regularly provides child day care for not more than six children in the provider’s home in the family living quarters.

“Day care, family home – B” shall mean a child day care provider, governed by the state day care center licensing provisions and conducted in accordance with state requirements, who regularly provides child day care for more than six children but for not more than 12 children in the provider’s home in the family living quarters.

“Day care, mini” means a person or agency, governed by the state day care center licensing provisions and conducted in accordance with state requirements, providing care during part of the 24-hour day to 12 or fewer children in a facility other than a “Day care, family home – A” or a “Day care, family home – B.”

“Dedication” means the donation of land or infrastructure provided it meets or exceeds City standards to the city for any public purpose.

“Density” means the number of permitted dwelling units allowed on each acre of land or fraction thereof.

“Developer” means any person, firm, or corporation, who proposes an action or seeks a permit regulated by CMC Titles 14 through 18, inclusive.

“Development” means any land use permit or action regulated by CMC Titles 14 through 18, including but not limited to subdivisions, binding site plans, rezones, conditional use permits, or variances.

“Development code” means CMC Titles 14 through 18.

“Domestic pet” means an animal, such as a dog or cat, which has been domesticated by man so as to live and breed in a tame condition, except that it does not include livestock or exotic pets as defined herein.

“Driving surface” means that portion of a street intended for vehicular travel or parking.

“Duplex dwelling” means a single structure containing two dwelling units designed for occupancy by two families and connected by a common vertical wall or, in the case of multistory building, by common ceiling and floor.

“Dwelling unit” or “dwelling” means a single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitations. “Dwelling unit” does not include recreation vehicles. (See also “Multifamily dwelling” and “Single-family dwelling.”)

E

“Easement, access” means a private access or private driveway which provides vehicular access to a street.

“Easement, utility” means a strip or parcel of land, either purchased or dedicated, for the purpose of construction and maintenance of utility systems.

“Effective date” means the date a final decision becomes effective.

“Entertainer” means any person who provides live adult entertainment in an adult entertainment business whether or not an employee of the operator and whether or not a fee is charged or accepted for such entertainment.

F

“FAA” means the Federal Aviation Administration.

“Farmer’s market” means a site used for the retail sale of homemade fresh agricultural products, grown either on or off site, but may include as incidental and accessory to the principle use, the sale of factory sealed or prepackaged food products, arts, crafts, plants, flowers and other nonfood items. This definition does not include the sale of animals.

“FCC” means the Federal Communications Commission.

“Fence” means any arrangement of wood, stone, brick, metal, chain link, or other similar material running around, along, or by the side of any open area to prevent or restrict passage or to mark a boundary; provided, that fences composed solely of live shrubbery or plantings shall not be included under this definition. “Fence” does not include the use of materials that are not generally used and/or sold specifically for fencing, such as plywood, metal or fiberglass roofing panels, etc.

“Final decision” means the final action by the city administrator, hearing examiner, planning commission or city council.

“Floor area” means the total area of all floors of a building as measured to the outside surfaces of exterior walls and including halls, stairways, elevator shafts and basements.

“Foster-family home” means an agency which regularly provides care on a 24-hour basis to one or more children, expectant mothers, or persons with developmental

disabilities in the family abode of the person or persons under whose direct care and supervision the child, expectant mother, or person with a developmental disability is placed.

“Front door” means the access to a dwelling unit on the building elevation that faces the primary public access right-of-way, private driveway, private roadway or access easement.

G

“Garage, parking or commercial” means a building used for storage, repair or servicing of motor vehicles as a commercial use.

“Garage, private” means an accessory building or space within the building area used for storage of vehicles.

“Geologically hazardous areas” means areas that are susceptible to erosion, land sliding, earthquake, or other geological events, which could make the property unsuitable for development.

“Grade, established” means the street centerline grade as established on the final subdivision plat.

“Greenbelt” means an area of vegetation, either native stock or replanted, in public or private ownership lying outside and adjacent to the right-of-way line of streets or along real property lines. Greenbelts are intended to visually and physically screen and separate land uses or activities from each other.

H

“Hazardous waste” means all dangerous and extremely hazardous waste as defined in RCW 70.105.010(15), or its successor, except for moderate risk waste as set forth in RCW 70.105.010(17), or its successor.

“Hazardous waste storage” means the holding of hazardous waste for a temporary period as regulated by the State Dangerous Waste Regulations, Chapter 173-303 WAC, or its successor.

“Hazardous waste treatment” means the physical, chemical, or biological processing of hazardous waste for the purpose of rendering these wastes nondangerous or less dangerous, safer for transport, amenable for storage, or reduced in volume, as regulated by the State Dangerous Waste Regulations, Chapter 173-303 WAC, or its successor.

“Hazardous waste treatment and storage facility, on-site” means storage and treatment facilities which treat and store hazardous wastes generated on the same property.

“Health officer” is the legally designated head of the Chelan-Douglas health district or his/her designee.

“Hedge” means a fence or boundary formed by a dense row of shrubs or low trees.

“Home occupation” means an economic enterprise to make and/or sell a product or perform a service that is conducted or operated within a residential dwelling unit, or building accessory to a residential dwelling unit, by the resident occupant or owner, and which use shall be clearly incidental and secondary to the residential use of the dwelling unit, including the use of the dwelling unit as a business address in a directory or as a business mailing address.

“Home occupation, Group A” means a home occupation, as defined here, that does not involve customers coming and going from the residence, and within which only family members are employed.

“Home occupation, Group B” means a home occupation, as defined here, that may involve customers coming and going from the residence, and within which one other person than family members may be employed.

“Hot water” is water supplied to plumbing fixtures at a temperature of not less than 110 degrees Fahrenheit (43.3 degrees Celsius).

“Hotel” means any building containing six or more guest rooms where lodging, with or without meals, is provided for compensation, where no provisions are made for cooking in any individual room or suite.

I

“Irregular lot” means a lot that is shaped so that application of setback requirements is difficult. Examples include a lot with a shape that is not close to rectangular, or a lot with no identifiable rear lot line.

J

“Junk” means old or scrap copper, brass, rope, rags, batteries, paper, boxes, cardboard, glass, tires, mattresses, hay, grass, straw, weeds, litter or trash, rubber debris, waste, old appliances and furniture, any combustible or flammable waste or rubbish, building materials or junked, dismantled, or wrecked automobiles, or parts thereof, iron, steel, and other old or scrap ferrous or nonferrous material as defined in RCW 47.21.020.

“Junk vehicle” means a vehicle, as defined herein, that is inoperable, damaged, which may include, without limitation, having broken windows or windshields, missing wheels, tires, motors or transmissions. This definition does not apply to any vehicle or those parts thereof completely enclosed within a building in a lawful manner.

“Junk yard” means any lot, parcel, tract of land, building, structure or part thereof used for an establishment or place of business or residence that is maintained, operated, or used for storing, keeping, buying, trading, or selling junk, or for the maintenance or operation of an automobile graveyard, and the term includes garbage dumps and sanitary fills as defined in RCW 47.21.020. This definition shall not include recycling

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centers that are operated in legal conformance to applicable local, state and federal regulations.

K

“Kennel” means a structure or lot on which four or more domestic animals at least four months of age are kept.

L

“Livestock” means horses, sheep, goats, cows, hogs, poultry, rabbits and other similar animals.

“Lodging house.” See “Boarding house.”

“Lot” means a fractional part of divided lands having fixed boundaries, being of sufficient area and dimension to meet minimum zoning requirements for width and area. The term shall include tracts or parcels.

“Lot area” means the total horizontal area within the boundary lines of a lot, excluding any street right-of-way.

“Lot, corner” means a lot which has frontage on two or more streets where the streets meet.

“Lot depth” means the length of the lot measured on a line approximately perpendicular to the fronting street and midway between the side lot lines of the lot.

“Lot line” means any line enclosing the lot area.

“Lot line adjustment” means the adjustment of a boundary line between existing lots which results in no more lots than existed before the adjustment.

“Lot line, front” means the access to a dwelling unit on the building elevation that faces the primary public access right-of-way, private driveway, private roadway or access easement.

“Lot line, rear” means a lot line or lines which are opposite and most distant from the front lot line.

“Lot line, side” means any lot line that is not a front or rear lot line.

“Lot of record” means an area or parcel of land as shown on an officially recorded plat or subdivision, or an area or parcel of land to which a deed or contract is officially recorded as a unit of property, or which is described by metes and bounds or as a fraction of a section.

“Lot, through” means a lot fronting on two streets that is not a corner lot.

“Lot width” means the distance between the side lot lines measured at right angles to the line establishing the lot depth at a point midway between the front lot line and the rear lot line.

M

“Manager” means any person appointed by an owner or operator of an adult entertainment business who manages, directs, administers or is in charge of the affairs and/or the conduct or operation of an adult entertainment business and includes assistant managers.

“Manufactured home, new” means a manufactured home classified in accordance to RCW 35.63.160, which states “any manufactured home required to be titled under RCW Title 46, which has not been previously titled to a retail purchaser, and is not a ‘used mobile home’ as defined in RCW 82.45.032(2).”

“Manufactured home, old” means a manufactured home constructed after June 15, 1976, in accordance with the U.S. Department of Housing and Urban Development (HUD) requirements, and designed for transportation after fabrication in one or more sections on its own chassis and wheels arriving at a site where it is placed on a foundation and tied down and skirted, with towing tongue, axles and wheels removed. Such a unit includes the connection to electric power, water supply and sewage disposal facilities. This definition shall encompass all forms of mobile dwellings except for recreational vehicles.

“Mechanical code” is the International Mechanical Code promulgated by the International Conference of Building Officials, as adopted by the city.

“Mitigation contribution” means a cash donation or other valuable consideration offered by the applicant in lieu of: (1) a required dedication of land for public park, recreation, open space, public facilities, or schools; or (2) road improvements needed to maintain adopted levels of service or to ameliorate identified impacts and accepted on the public’s behalf as a condition of approval of a subdivision, plat or binding site plan. Voluntary contributions may be accepted by the city.

“Mobile home” means a factory-built dwelling built prior to June 15, 1976, to standards other than the national code, and acceptable under applicable Washington State codes in effect at the time of construction or introduction of the home into the state.

“Mobile vendor/peddler” means a person or traveler who sells, or offers for sale, by sample or description or otherwise directly to the consumer, any food, goods, wares or merchandise from a vehicle, mobile unit or truck.

“Modular home/housing” means a single-family dwelling unit built according to the International Building Code, International Mechanical Code, Uniform Plumbing Code and the National Electrical Code, which bears a “gold seal” issued by the Department of Labor and Industries.

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"Motel" means a building containing units which are used as individual sleeping units having their own private toilet facilities and sometimes their own kitchen facilities, designed primarily for the accommodation of transient automobile travelers. Accommodations for trailers are not included.

"Multifamily dwelling" means a building containing two or more dwelling units. Dwelling units may be attached or detached (i.e. two or more individual units may be built on one parcel if density allows).

N

"Nonconforming lot" means a lawfully established lot which does not conform to the provisions of CMC Titles 15, 16 and 17.

"Nonconforming structure" means a lawfully erected structure which does not conform to the provisions of CMC Titles 15, 16 and 17.

"Nonconforming use" means a lawfully established use which does not conform to the provisions of CMC Titles 15, 16 and 17.

"Nonresident worker" means an employee or other person who does not reside in the dwelling but who regularly performs services at the dwelling as part of, in pursuit of, or in furtherance of a home occupation.

"Nursing or convalescent home" means an establishment which provides full-time care for three or more chronically ill or infirm persons. Such care shall not include surgical, obstetrical or acute illness services.

O

"Office" means a building or separately defined space within a building used for business. The use of an office does not include on-premises sales or manufacture of goods.

"Off-street parking" means any area other than public rights-of-way, streets, alleys or parking lots needed to satisfy parking requirements.

"Open space" means any part of a lot unobstructed by structures from the ground upward.

P

"Parking area" means any area designed and used for parking motor vehicles including parking lots, garages, private driveways, and legally designated areas of public streets.

"Parking facilities" means a land area or building used for the storage of four or more vehicles excluding parking areas for single-family residences.

"Parking space" means an area accessible to vehicles and used exclusively or principally for vehicle storage.

“Party of record” means any person who has testified at a hearing or has submitted a written statement related to a development action and who provides the city with a complete address.

“People with functional disabilities” means:

1. A person who because of a recognized chronic physical or mental condition or disease is functionally disabled to the extent of:
 - a. Needing care, supervision or monitoring to perform activities of daily living or instrumental activities of daily living; or
 - b. Needing supports to ameliorate or compensate for the effects of the functional disability as to lead as independent a life as possible; or
 - c. Having a physical or mental impairment which substantially limits one or more of such person’s major life activities; or
 - d. Having a record of having such an impairment.
2. Being regarded as having such an impairment, but such term does not include current illegal use of or active addiction to a controlled substance.

“Person” means any person, firm, business, corporation, partnership or other associations or organization, marital community, municipal corporation, or governmental agency.

“Personal service” means businesses engaged in providing care of the corporeal person or his apparel, not including health care.

“Planned action” means a significant development proposal as defined in RCW 43.21C.031 as amended.

“Planned unit development” means a more flexible method of land development without exceeding the density of that zone and is described and conditioned by a binding site plan.

“Plat” means a scale drawing of a subdivision showing lots, blocks, streets or tracts or other divisions or dedications of land to be subdivided.

“Plat, final” means a precise drawing of a subdivision and dedications which conforms to the approved preliminary plat, meets all the conditions of preliminary approval and meets the requirements of the Chelan County auditor for recording.

“Plat, final short” means a precise drawing of a short subdivision and dedications which conforms to the approved preliminary short plat, meets all the conditions of approval and meets the requirements of the Chelan County auditor for recording.

“Plat, preliminary” means a neat and approximate scale drawing of a proposed subdivision, showing the existing conditions and the proposed layout of streets, lots, blocks and other information needed to properly review the proposal.

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“Plat, preliminary short” means a neat and approximate scale drawing of a proposed short subdivision, showing the existing conditions and the proposed layout of streets, lots, blocks and other information needed to properly review the proposal.

“Plat, short” means the plat of a short subdivision.

“Platter.” See “Developer.”

“Preschool” means a place where pre-kindergarten children are provided with instructional activities only, that meets all state and city requirements to conduct such activity.

“Primary or principal use” means the predominant use of the land or building to which all other uses are secondary.

“Private driveway” means a vehicle access route, on private property, providing an entrance from a public road onto the same parcel of land.

“Private parking” means parking facilities for the noncommercial use of the occupant and guests of the occupant.

“Private road” means a vehicle access route, on private properties, providing an entrance to two or more parcels of land, including any recorded easement or fee parcel that allows crossing of one property to enter another property, or to provide entrance to high density residential areas, commercial, agricultural or industrial sites.

“Project” means a proposal for development.

“Property buffer” means a greenbelt of varying width located on private property intended to serve as a tree preservation area and/or to separate contiguous developments. The property buffer may be a separate tract or an easement across property and shall be clearly depicted on the face of a plat or binding site plan.

“Public facilities and utilities” means land or structures owned by or operated for the benefit of the public use and necessity, including but not limited to public facilities defined in RCW 36.70A.030, as amended.

“Public hearing” means an open record hearing at which evidence is presented and testimony is taken.

“Public improvement” means any structure, utility, roadway or sidewalk for use by the public, required as a condition of development approval.

“Public nuisance” includes but is not limited to the following activities:

1. Any public nuisance as defined by Washington State statute or set forth in Washington State case law;
2. Any attractive nuisance whether in a building, on the premises of a building, or on an unoccupied lot. This includes any abandoned wells, shafts, basements or excavations; abandoned refrigerators, and junk vehicles as defined elsewhere in

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this chapter; or any structurally unsound fences or structures; or any lumber, trash, fences, debris or vegetation which may prove a hazard;

3. The existence of any dead, diseased, infested or dying trees that may constitute a danger to property or persons;

4. All noxious weeds, as identified by the Chelan County weed control board, located upon public or private property;

5. The existence of any tree, shrub or foliage, unless by consent of the city, which is apt to destroy, impair, interfere or restrict streets, sidewalks, sewers, utilities or other public improvements, or the visibility on, or free use of, or access to such improvements;

6. The existence of any vines or climbing plants growing into or over any street, public hydrant, pole or street light, or the existence of any shrub, vine or plant growing on, around, or in front of any hydrant, standpipe, sprinkler system connection or any other appliance or facility provided for fire protection purposes in such a way as to obscure the view thereof, or impair the access thereto;

7. The existence of a sidewalk or portion of a sidewalk adjacent to any premises which is out of repair, and in a condition to endanger persons or property, or in a condition to interfere with the public convenience and the use of such sidewalk;

8. All snow and ice not removed from public sidewalks within 24 hours of the snow and ice ceasing to be deposited thereon;

9. The existence of any obstruction to a street, alley, crossing or sidewalk, which is by ordinance prohibited, or which is made without lawful permission, or which, having been made by lawful permission, is kept and maintained after the purpose thereof has been accomplished, and for an unreasonable length of time;

10. Any use of property abutting a public street or sidewalk or any use of a public street or sidewalk which causes large crowds of people to gather, obstructing traffic and the free use of the streets or sidewalks;

11. All barbed wire fences which are located within three feet of any public sidewalk, and any fence charged with electricity in any amount whatsoever;

12. Allowing any substance to drain or spill onto a public street or sidewalk that results in slippery and/or unsafe conditions to vehicles or pedestrians;

13. Any buildings, walls and/or other structures which have been damaged by fire, decay or otherwise so as to endanger the safety of the public, including buildings unfit for human habitation through inadequate light, ventilation or sanitation facilities, structural defects, disrepair, risks of electrocution, and/or defects increasing hazards of fire or accidents from inadequate or missing parts. Any violation of CMC Title 15, Buildings and Construction;

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14. The erecting, maintaining, using, placing, depositing, leaving or permitting to be or remain in or upon any private lot, building, structure, or premises, or in or upon any street, alley, sidewalk, park, parkway, or other public or private place in the city, any one or more of the following: disorderly, disturbing, unsanitary, fly-producing, rat-harboring, disease-causing places, conditions or objects;
15. Any bottles, cans, glass, ashes, small pieces of scrap iron, wire, metal articles, bric-a-brac, broken stone or cement, broken crockery, broken glass, broken plaster and all such trash or abandoned material, unless it is kept in approved, covered bins or receptacles;
16. Any trash, litter, rags, accumulations of empty barrels, boxes, crates, packing cases, mattresses, bedding, straw or other packing materials, lumber not neatly piled, scrap iron, tin or other metal not neatly piled, or anything whatsoever in which flies or rats may breed or multiply, or which may be a fire hazard;
17. The depositing or burning or causing to be deposited or burned in any street, alley, sidewalk, park, parkway, or other public place which is open to travel, any hay, straw, paper, wood, boards, boxes, leaves, manure, or other rubbish or materials;
18. The existence of any pits, potholes or holes which would endanger safety;
19. The pollution of any public or private well or cistern or body of surface water, storm water or ground water by sewage, garbage or industrial wastes or other substances;
20. Failure to replace improperly functioning on-site sewage disposal system by connecting to the city sewer system, or where city sewer utility service is not available, to make immediate corrections and repairs;
21. All ponds or pools of stagnant water where mosquito breeding can occur;
22. The existence of any conditions that would produce dust or noxious odors; provided, that nothing herein shall be prohibited when done in conjunction with a lawful construction project for which a building permit has been issued and is being prosecuted diligently to completion. However, the contractor and owner shall be responsible for dust control through the development area;
23. Emissions into the air of dense smoke, noxious fumes, gases, soot and/or cinders when such emissions result in a health or safety hazard by means of causing breathing problems, irritated eyes or skin, obstructing safe driving conditions along public streets or result in deposits of airborne particulate on adjacent properties;
24. The existence of any fence or other structure or thing on private property abutting or fronting upon any public street, sidewalk or place which is in a sagging, leaning, fallen, decayed or other dilapidated or unsafe condition;

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25. The keeping or harboring of any dog or other animal which by frequent or habitual howling, yelping, barking or the making of other noises shall continuously or repeatedly annoy or disturb a neighborhood;
26. The keeping, using or maintaining of any pen, stable, lot, place or premises in which any animals of any sort may be confined or kept in such a manner as to cause foul or offensive odors;
27. Riding or leading horses upon sidewalks or within public parks and trails;
28. All diseased animals running at large, and carcasses of animals not buried or destroyed within 24 hours after death or left in conditions where other animals, rodents or insects can access the carcass;
29. Accumulations of manure or rubbish where rodents, insects or odors can accumulate or spread to adjoining properties;
30. Any offensive trades and businesses as defined by statute not licensed by the health department;
31. Any exposure of the public to contagious and communicable diseases in a manner in which that disease could be transmitted to another person;
32. Unlawful Disposal Sites. It is unlawful for anyone to deliver and/or deposit any garbage or rubbish generated within the city or without the city at any disposal site other than a refuse disposal, processing, transfer or recover site lawfully permitted according to applicable local and state regulations. Any waste container or garbage cans which are not tightly closed to prevent entry by insects, rodents and/or other animals are unlawful;
33. Any violations of the Cashmere development code as defined herein;
34. Any junk vehicle on any lot, parcel, tract or land located within the city;
35. Any vehicle located upon a public street, alley or city property for more than 48 hours;
36. Noises at volumes exceeding the standards authorized by Chapter 40.107 RCW and adopted by Chapter 173-60 WAC, including the frequent, repetitive or continuous sounding of starting, repairing or resting of any internal combustion engine, within a residential district, so as to disrupt or interfere with the peace, comfort and repose of any neighboring residents, or to interfere with the normal conversations of people on adjacent properties. This includes the unreasonable acceleration of motor vehicles so as to cause backfiring and/or excessive noise;
37. Between the hours of 10:00 p.m. and 6:00 a.m. allowing a meeting, contest, construction, operation of power tools or engines, partying, gathering, playing of electronic devices or musical instruments, the noise of which unreasonably disrupts or interferes with the peace, comfort and repose of a neighborhood or community.

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“Public space” means property conveyed to the city or other governmental unit and dedicated to the use of the public as a condition of approval of a subdivision or binding site plan.

R

“Recreational facilities” means facilities for recreational use such as swimming pools, athletic clubs, tennis courts, ball fields, play fields, and the like.

“Recreational park trailer” means a park trailer as defined in the American National Standards Institute A119.5 standard for recreational park trailers.

“Recreational vehicle” means a vehicular-type unit primarily designed for recreational camping or travel use that has its own motive power or is mounted on or towed by another vehicle. The units include travel trailers, fifth-wheel trailers, folding camp trailers, truck campers, and motor homes as defined in the American National Standards Institute A119.2 standard for recreational vehicles.

“Recycling center/facility” means a facility where discarded recyclable products such as aluminum, glass, paper, cardboard, concrete, asphalt, etc., are deposited, stored and processed for future human use.

“Rezone” means a change in classification from one zoning district to another.

“Roadway buffer/cutting preserve” means a greenbelt lying outside and adjacent to the right-of-way line of collector arterial roadways. Roadway buffers/cutting preserves shall be separate, designated tracts and depicted on the face of a plat or binding site plan.

S

“Screen” or “screening” means a continuous fence, hedge or combination of both which obscures vision through 80 percent or more of the screen area, not including drives or walkways.

“Secondary use” means a use, subordinate to the primary use, which may exist only when a primary use is existing on the same lot. The floor area of a secondary use must be less than that devoted to the primary use.

“Setback” means the minimum distance required by this title for buildings, including eaves, cornices, porches, etc., to be set back from the front, rear and side lot lines.

“Setback area” means the lot area between the lot lines and the setback lines.

“Setback line” means a line which is parallel to a lot line located at the distance required by the setback.

“Shipping or cargo containers” means containers, with or without axles, used to haul or transport freight.

“Sign.” See CMC 17.60.020.

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“Single-family dwelling” means a building containing only one dwelling unit.

“Site plan” means a scale drawing which shows the areas and locations of all buildings, streets, roads, improvements, easements, utilities, open spaces and other principal development features for a specific parcel of property.

“Site plan, binding” means a site plan reviewed and approved pursuant to CMC Titles 14 and 16, containing the inscriptions or attachments setting forth the limitations and conditions of use for a specific parcel of property and meeting the requirements of the Chelan County auditor for recording.

“Specified anatomical areas” means less than completely or opaquely covered human genitals, pubic region, buttock, or female breast below a point immediately above the top of the areola; or human male genitals in a discernibly turgid state, even if completely or opaquely covered.

“Specified sexual activities” means acts of human masturbation, sexual intercourse or sodomy; fondling or other erotic touching of human genitals, pubic region, buttock or female breast; or human genitals in a state of sexual stimulation or arousal.

“Stock in trade” means any item or good that is:

1. Produced, purchased, processed, finished or fabricated as part of a home occupation; or
2. Incorporated into any such item; or
3. Used to make, manufacture, produce, process, finish or fabricate any such item; or
4. Intended for resale on site; provided, that it does not include samples.

“Story” means that portion of a building included between the surface of any floor and the surface of the floor next above it, or, if there is no floor above it, then the space between such floor and the ceiling next above it, and not including a basement.

“Street” means a public right-of-way which provides vehicle access to adjacent lots.

“Street, developed” means a right-of-way developed to the minimum standards established by the city.

“Street lot line” means the lot line or lines along the edge of a street.

“Street setback” means the minimum distance required for buildings to be set back from the street lot line.

“Street, undeveloped” means a right-of-way not developed to the minimum standards established by the city.

“Structure” means a combination of materials constructed and erected permanently in or on the ground or attached to something having a permanent location on the ground, not

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including utility poles and related ground or pad mounted equipment, residential fences less than six feet high, retaining walls, rockeries and other similar improvements of a minor character less than four feet high measured from the bottom of the footing to the top of the wall).

“Studios” means the working place of a painter, sculptor or photographer; a place for the study of an art such as dancing, singing or acting; a place where motion pictures are made; and a place maintained and equipped for the transmission of radio or television programs.

“Subdivider.” See “Developer.”

“Subdivision Major” means a division of land into ten or more lots, tracts or other divisions. “Subdivision” includes re-subdivisions of previously subdivided land.

“Subdivision code” means CMC Title 16.

“Subdivision, short” means a division of land into nine or fewer lots or tracts. The terms “short subdivision” and “short plat,” as used in CMC Title 16, shall have the same meaning.

T

“Temporary building or structure” means a building or structure not having or requiring permanent attachment to the ground or to other structures which have no required attachment to the ground.

“Terrain, hilly” means terrain having a cross slope of over 15 percent.

“Terrain, ordinary” means terrain having a cross slope ranging from zero to eight percent.

“Terrain, rolling” means terrain having a cross slope ranging from eight to 15 percent.

“Title” means the ordinance codified in this title. Whenever the terms “this title” or “the ordinance codified in this title” are used, they include, where the context permits, any and all amendments thereto as the same may be hereafter from time to time adopted.

“Tower/tower structure” means a structure taller than its diameter which can stand alone or be attached to a building or other structure, and anything tall and approximately the shape of a column or tower.

“Townhouse” means a multiple-dwelling unit meeting the following criteria:

1. No dwelling unit connects to another vertically;
2. Common side walls joining units; and
3. Not more than six dwelling units in one structure.

“Tract or parcel” means a portion of a subdivision having fixed boundaries, not including lot.

“Tree survey” means a map portraying groups of trees, or the location of individual trees over eight inches in diameter.

U

“Urban growth area” means that area designated by the county as required by the Growth Management Act (RCW 36.70A.110), as being those areas where development should ultimately be provided with urban services and may become incorporated into the city.

“Use” means the purpose which lands or structures now serve or for which it is currently occupied, maintained, arranged, designed or intended.

“Utility uses and structures” means equipment installations for utility and service purveyors including, but not limited to, telephone exchanges, cellular repeaters, electrical substations, water reservoirs, pump stations, and similar facilities of service providers.

V

“Value-added operation” means any activity or process that alters the original agricultural product or commodity for the purpose of gaining a marketing advantage. Value-added operations may include bagging, packaging, bundling, pre-cutting, or processing food.

“Variance” means a permissible modification of the application of this title to a particular property, subject to approval of the hearing examiner.

“Vehicle” means a device capable of being moved upon a public highway and in, upon, or by which any persons or property is or may be transported or drawn upon a public highway, including without limitation recreational vehicles, boats, tractors, automobiles, trucks, mopeds, or other motor vehicles, excepting devices moved by human or animal power or used exclusively upon stationary rails or tracks.

W

“Walkway” means a hard-surfaced portion of a street, right-of-way, trail or easement intended for pedestrian use.

“Watercourse” means the course or route followed by waters draining from the land, formed by nature or man and consisting of a bed, banks, sides and associated wetlands and headwaters. A watercourse shall receive surface and subsurface drainage waters and shall flow with some regularity, but not necessarily continuously, naturally and normally, in draining from higher to lower lands. The watercourse shall terminate at the point of discharge into a larger receiving body such as a creek or river. Watercourses shall include sloughs, streams, creeks and associated wetlands.

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“Wetland” or “wetlands” means areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from nonwetland sites, including but not limited to irrigation and drainage ditches, grass-lined swales, canals, detention facilities, sewer treatment facilities, farm ponds, and landscape amenities. However, wetlands include those artificial wetlands intentionally created to mitigate conversion of wetlands.

“Winery” means a facility where fruit or other products are processed (e.g., crushed, blended, aged, and/or bottled) and may include as incidental and/or accessory to the principal use a tasting room, food and beverage service, places of public/private assembly, and/or retail sales area. Wineries may include storage in tanks, barrels and as finished products.

“Wireless communication facility (WCF)” means an unstaffed facility for the transmission and/or reception of radio frequency (RF), microwave or other signals for commercial communications purposes, typically consisting of an equipment enclosure, an antenna support structure or an alternative antenna support structure, and one or more antennas.

“Wireless communications service provider” means every person who provides wireless telecommunications service for rent, sale, lease or in exchange for other consideration, through the use of wireless communications facilities, whether or not such facilities are owned by or under the control of such person.

Y

“Yard” means an open space on a lot that is unobstructed from the ground upward except as may be provided for in this title.

“Yard, front” means the area between the front lot line and the building line extending the full width of the lot. On a corner and/or through lot there shall be two front yards, and on corner lots there shall be designated one rear yard area, with the remaining yard to be a side yard area.

“Yard, rear” means the area between the rear lot line and the building area extending the full width of the lot or the rear yard setback area.

“Yard, side” means the side setback area between the side lot lines and the building area, extending the full length of the building area.

Z

“Zone” or “zone district” means a defined area of the city within which the use of land is regulated and certain uses permitted and other uses excluded as set forth in this title.

“Zoning code” means this title.

“Zoning restrictions” means the restrictions contained in the zoning code. (Ord. 1196 § 1 (Exh. A), 2011; Ord. 1152 § 2 (Exh. B), 2009; Ord. 1138 § 1 (Exh. A), 2008; Ord. 1108 §§ 1, 2, 2007; Ord. 1097 § 1, 2007; Ord. 1047 § 1, 2004; Ord. 1046 § 1, 2004; Ord. 1039 § 1, 2004).

17.08.020 Rules of interpretation.

A. For the purposes of environmental policy (Chapter 18.04 CMC), the development code (CMC Title 14), the buildings and construction code (CMC Title 15), the subdivision code (CMC Title 16), and the zoning code (CMC Title 17), all words used in the codes shall have their normal and customary meanings, unless specifically defined otherwise in this code.

B. Words used in the present tense include the future.

C. The plural includes the singular and vice versa.

D. The words “will” and “shall” are mandatory.

E. The word “may” indicates that discretion is allowed.

F. The word “used” or “occupied” includes designed, intended, or arranged to be used or occupied.

G. The masculine gender includes the feminine and vice versa.

H. Distances shall be measured horizontally unless otherwise specified.

I. The word “building” includes a portion of a building or a portion of the lot on which it stands. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

Chapter 17.12

ADMINISTRATOR

Sections:

17.12.010 City administrator – Duties.

17.12.010 City administrator – Duties.

The city administrator, or designated city employee, at the direction of the mayor, shall perform duties including but not limited to the following:

A. The city administrator or designated city employee shall respond to questions which require an interpretation of the zoning ordinance pursuant to CMC Title 14. If the city administrator has a legal question of interpretation of any part of the zoning ordinance, such questions shall be forwarded to the city attorney in writing and a response shall be returned in writing to the city administrator;

B. The city administrator or designated city employee shall review each application for a building permit to ensure that the building will meet the requirements of the zoning ordinance and all building codes. After such review the city administrator or designated city employee shall sign the building permit;

C. The city administrator or designated city employee shall maintain the city's zoning map illustrating the various use districts as designated by the planning commission and approved by the city council;

D. The city administrator or designated city employee shall act as the staff advisor to the planning commission. (Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

Chapter 17.16

USE DISTRICTS

Sections:

- 17.16.010 Designated.
- 17.16.020 Division of property under single ownership.
- 17.16.030 Map interpretation.

17.16.010 Designated.

For the purposes of this title, the city is divided into eight districts, as follows:

A.(SF) Single-Family Residential. Residential areas where both city water and sewer are available. Residential areas where single-family dwelling units may be placed on lots of 7,000 square feet minimum size. Single-family dwelling units may be placed on lots of 5,000 square feet minimum size if platted prior to 1959 and other requirements are met.

B.(MF) Multifamily Residential. Residential areas which are suitable for multifamily dwellings and are served by both city water and sewer service and have adequate space for off-street parking. Allows apartments, multiplexes, multifamily dwellings or single-family dwellings.

C.(SR) Suburban Residential. Residential areas where single-family dwelling units, including manufactured housing, may be placed on lots of 10,000 square feet minimum size, or larger, if city sewer service is available, without sewer service lots are the minimum required according to Chapter 246-272 WAC and health district standards based on the soil's ability to treat effluent and type of water supply. Duplexes are allowed at 15,000 square feet with sewer available, without sewer service lots are the minimum required according to Chapter 246-272 WAC and health district standards based on the soil's ability to treat effluent and type of water supply.

D.(AR) Airport Residential. Residential areas where single-family dwelling units may be placed on lots of 10,000 square feet minimum size, or larger, if city sewer service is available, without sewer service lots are the minimum required according to Chapter 246-272 WAC and health district standards based on the soil's ability to treat effluent and type of water supply.

E.(DB) Downtown Business District. An area where remodeling of existing buildings and any new construction shall conform to and harmonize with surrounding buildings as to type of architecture, construction materials, design, visual appearance and landscaping.

F.(C/LI) Mixed Commercial/Light Industrial. Lands suitable for both commercial and light industrial activities.

G.(WI) Warehouse Industrial. An area of existing developed lands along either side of the railroad corridor through Cashmere. This designation recognizes existing lot sizes, shapes, buildings and properties that have significant economic value to the city, yet cannot meet the normal setback requirements for light industrial uses.

H.(P) Public. Reserved for lands that are owned by a public agency that provides facilities or services necessary for the functioning of the community. (Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.16.020 Division of property under single ownership.

If a district boundary line cuts a property having a single ownership of record on May 10, 1999, all such property may take the least restrictive classification, provided the property is developed as one unit. (Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.16.030 Map interpretation.

The boundaries of the various districts shall be shown on the map made a part of this title in Chapter 17.04 CMC. Unless otherwise indicated, district boundaries are the centerlines of streets or alleys as shown on the map. If streets and alleys vary from the showing of the same

on the map, as the same are actually used, the designations on the map shall apply as the streets and alleys are actually used. (Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

**Chapter 17.18
DISTRICT USE CHART**

Sections:

- 17.18.010 Purpose.
- 17.18.020 District use chart.

17.18.010 Purpose.

A district use chart is established and contained herein as a tool for the purpose of determining the specific uses allowed in each use district. No use shall be allowed in a zoning district that is not listed in the use chart as either permitted, accessory or conditional use, unless the administrator determines that an unlisted use is similar to one that is already enumerated in the use chart and may therefore be allowed, subject to the requirements associated with that use and all other applicable provisions of the

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CMC and city of Cashmere rules and regulations. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1047 § 1, 2004; Ord. 1039 § 1, 2004).

17.18.020 District use chart.

The use chart located on the following pages is made a part of this section. The below acronyms apply to the following use chart. For listed uses, if a cell within the chart is blank under a specific district column, that use is not allowed. For unlisted uses, the city administrator shall determine if said unlisted use is similar to one that is already enumerated in the use chart and may therefore be allowed, subject to the requirements associated with that use and other applicable provisions of the CMC.

- PRM – Permitted Use
- ACC – Accessory Use
- CUP – Conditional Use Permit
- HOP – Home Occupation Permit "A" or "B"
- PUD – Planned Unit Development
- * = Located on upper floor only
- ** = Existing residence only, as of the date of adoption of the ordinance codified in this section

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	SF	SR	AR	MF	P	DB	C/Li	WI
Residential Uses								
Accessory Dwelling		CUP	CUP	CUP				
Accessory Structure	ACC	ACC	ACC	ACC				
Adult Family Home	CUP	CUP	CUP	CUP				
Caretaker's Residence for Adult Family Home	ACC	ACC	ACC	ACC				
Aircraft Hangar – Personal Use			ACC					
Assisted Living Facility				PRM				
Caretaker's Residence for Assisted Living Facility				ACC				
Bed and Breakfast	CUP	CUP	CUP	CUP				
Boarding/Lodging House	ACC	ACC	ACC	ACC				
Caretaker's Residence for Boarding/Lodging House	ACC	ACC	ACC	ACC				
Condominiums – Residential	PUD	PUD	PRM	PRM				
Congregate Care	CUP	CUP	CUP	CUP				
Convalescent Home/Nursing Homes				PRM				
Caretaker's Residence for Convalescent Home/Nursing Homes				ACC				
Day Care Center		CUP	CUP	PRM		PRM	PRM	PRM
Day Care, Family Home – A	ACC	ACC	ACC	ACC		ACC	ACC	
Day Care, Family Home – B	CUP	CUP	CUP	CUP		CUP	CUP	
Day Care, Mini	CUP	CUP	CUP	PRM		PRM	PRM	PRM
Duplex Dwelling		PRM	PRM	PRM		PRM**	PRM**	
Foster Home	ACC	ACC	ACC	ACC				
Home Occupation – Group A	ACC	ACC	ACC	ACC				
Home Occupation – Group B	CUP	CUP	CUP	CUP				
Manufactured Home	PRM new	PRM old	PRM new	PRM new				
Manufactured Home Park – See Planned Unit Development								
Multifamily Dwelling (attached or detached)		PRM		PRM		PRM*	PRM*	
Planned Unit Development	PUD	PUD	PUD	PUD				
Single-Family Dwelling	PRM	PRM	PRM	PRM		PRM**	PRM**	
Public/Semipublic Uses								
Animal Shelter								
Cemeteries, Mausoleums					PRM			
Churches (Parsonages)	CUP	CUP PRM	CUP PRM	CUP PRM		PRM	PRM	PRM
Clinic, Medical, Dental, Etc.						PRM	PRM	PRM
Community Club, Grange, Lodge					PRM	PRM	PRM	PRM
Convention, Info and/or Community Centers, Museums					PRM	PRM	PRM	PRM
Courts of Law					PRM	PRM		
Detention Facility/Jail								
Educational Services (Public, Private)	CUP	CUP	CUP	CUP	PRM	PRM	PRM	PRM
Fire/Police Station		CUP		CUP	PRM	CUP	CUP	CUP
Hospital					CUP	CUP	CUP	CUP
Libraries, Public					PRM	PRM	PRM	PRM
Municipal Maintenance Buildings					CUP		PRM	PRM
Park and Ride				CUP	PRM	PRM	PRM	PRM

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Post Office					PRM	PRM	PRM	PRM
Preschool	CUP	CUP	CUP	CUP		PRM	PRM	PRM
Recycling Center, Transfer Station, Composting Facility					CUP		CUP	CUP
Trade/Vocational School					PRM	PRM	PRM	PRM
Utility Uses and Structures	CUP	CUP	CUP	CUP	CUP	CUP	PRM	PRM
Public Wastewater Treatment Facilities					CUP		PRM	PRM
Agricultural Uses								
Ag-Related Industry							PRM	PRM
Agriculture		PRM						
Commercial Composting					CUP		CUP	CUP
Exotic Animals		CUP		CUP				
Farm Equipment Sales/Service							PRM	PRM
Feed Lot								
Feed Store							PRM	PRM
Home Fruit Stand		ACC						
Horse Boarding/Training, Riding Stable								
Kennels								
Livestock/Poultry		ACC		ACC				
Nursery, Commercial/Retail/Wholesale		CUP				CUP	PRM	PRM
Poultry, Commercial								
Slaughterhouse								
Veterinary Clinic with Indoor Boarding Facilities						PRM	PRM	PRM
Veterinary Clinic with Outdoor Boarding Facilities							CUP	CUP
Caretaker's Residence for Veterinary Clinic with Outdoor Boarding Facilities							ACC	ACC
Value-Added Operation of Winery/Vineyard "A," Provided Property and Vineyard Are at Least One Acre in Size		PRM				PRM	PRM	PRM
Value-Added Operation of Winery/Vineyard "B," Provided Property and Vineyard Are at Least One Acre in Size		CUP				PRM	PRM	PRM
Vineyard, Provided Property and Vineyard Are at Least One Acre in Size		PRM				PRM	PRM	PRM
Commercial Uses								
Accessory Buildings, Structures						ACC	ACC	ACC
Adult Entertainment Business							CUP	CUP
Arts and Crafts, Antique Sales						PRM	PRM	PRM
Auto Towing – Secured							PRM	PRM
Auto/Truck Sales and Service							PRM	PRM
Bakery, Retail						PRM	PRM	PRM
Bakery, Wholesale						PRM	PRM	PRM
Boat Sales and Service							PRM	PRM
Car Rental							PRM	PRM
Car Wash						PRM	PRM	PRM
Caterer						PRM	PRM	PRM
Clothing Repair and Sales						PRM	PRM	PRM
Commercial Copiers/Printers						PRM	PRM	PRM
Convenience Store, Excluding Fuel Sales				CUP		PRM	PRM	PRM

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Convenience Store, Including Fuel Sales						PRM	PRM
Crematorium							
Cultural and/or Historical Facilities, Museums				PRM	PRM	PRM	
Drive-Up Food Service					PRM	PRM	PRM
Dry Cleaners, Laundromats					PRM	PRM	PRM
Farmer's Market				PRM PRM	PRM	PRM	PRM
Financial/Lending Institution (Bank, Etc.)					PRM	PRM	PRM
Funeral Home					PRM	PRM	PRM
Guest Ranches, Lodging Facilities		CUP					
Caretaker's Residence for Guest Ranches, Lodging Facilities		ACC					
Hardware/Garden Store					PRM	PRM	PRM
Heating and Plumbing Sales and Services					PRM	PRM	PRM
Hotels/Motels					PRM	PRM	PRM
Caretaker's Residence for Hotels/Motels					ACC	ACC	
Locksmiths					PRM	PRM	PRM
Lumber Yard						PRM	PRM
Mail and Internet Order Outlets					PRM	PRM	PRM
Manufactured Home, Sales						PRM	PRM
Merchandise, Furniture, Home Furnishings, Department Retail Sales and Service					PRM	PRM	PRM
Micro-Brewery					PRM	PRM	PRM
Mini-Storage, Commercial Users						PRM	PRM
Caretaker's Residence for Mini-Storage, Commercial Users						ACC	ACC
Mini-Storage, Personal Users			CUP		CUP	PRM	PRM
Caretaker's Residence for Mini-Storage, Personal Users			ACC		ACC	ACC	ACC
Mobile Vendor				ACC	PRM	PRM	PRM
Newspaper Publishing					PRM	PRM	PRM
Parking Lots – Commercial or Public				PRM	PRM	PRM	PRM
Personal Services (Barber, Salon, Etc.)		HOP			PRM	PRM	PRM
Pet Services		HOP			PRM	PRM	PRM
Pharmacies					PRM	PRM	PRM
Professional Services (Lawyer, Psychiatrist, Computer Services, Etc.)		HOP			PRM	PRM	PRM
Public/Private Corporate, Regional Headquarters, Administrative Offices for Commercial, Industrial, Noncommercial Uses					PRM	PRM	PRM
Rental Services (Equipment, Furniture and Storage Space)					PRM	PRM	PRM
Repair Services, Electronics/Appliances					PRM	PRM	PRM
Restaurant					PRM	PRM	PRM
Retail – Textiles, Sporting Goods, General Merchandise					PRM	PRM	PRM
Retail Stores (Grocery, Food, Specialty Foods, Etc.)					PRM	PRM	PRM
RV Sales and Service						PRM	PRM
Service Station						PRM	PRM
Signs, Off-Premises Ads – Billboards							
Taverns, Bars, Cocktail Lounges					PRM	PRM	PRM
Tractor, Trailer Sales						PRM	PRM
Travel Agencies					PRM	PRM	PRM

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Truck Stops							PRM	
Variety Stores, Antique and Secondhand Shops						PRM	PRM	PRM
Vehicle Repair and Service Shops							PRM	PRM
Industrial Uses								
Above/Below Ground Storage of Critical Material								CUP
Accessory Buildings, Structures/Containers							ACC	ACC
Airports and Supporting Aviation Activities			PRM				CUP	CUP
Caretaker's Residence for Airports and Supporting Aviation Activities			ACC				ACC	ACC
Apparel Manufacture						CUP	CUP	PRM
Asphalt Paving Plant								
Beverage Industry							PRM	PRM
Building/Construction Materials, Manufacture/Assembly/Fabrication, Lumber Yard							PRM	PRM
Bulk Fuel Distributor							CUP	CUP
Canning/Packing Foods						CUP	CUP	PRM
Cement/Concrete Plant							PRM	PRM
Construction Contractor's Yards							PRM	PRM
Caretaker's Residence for Construction Contractor's Yards							ACC	ACC
Electronic Product Manufacture/Assembly						CUP	PRM	PRM
Fabricated Metal Products, Sheet Metal, Welding							PRM	PRM
Food Processing						CUP	PRM	PRM
Furniture Products Manufacture/Assembly						CUP	PRM	PRM
Glass Products Manufacture/Assembly						CUP	PRM	PRM
Hardware Product Manufacture/Assembly						CUP	PRM	PRM
Hazardous Waste Storage, On-Site								
Hazardous Waste Treatment, On-Site								
Heliports			PRM				PRM	PRM
Caretaker's Residence for Heliports							ACC	ACC
Leather Products Manufacture/Assembly, No Processing						PRM	PRM	PRM
Lumber and Wood Manufacturing							CUP	PRM
Machinery/Heavy Equipment Manufacture/Assembly							CUP	CUP
Manufactured Homes, Travel Trailers, Campers, Manufacture/Assembly/Fabrication							PRM	PRM
Caretaker's Residence for Manufactured Homes, Travel Trailers, Campers, Manufacture/Assembly/Fabrication							ACC	ACC
Medical/Scientific Research, Product Manufacture/Assembly, Testing and Experimental Development Labs						CUP	PRM	PRM
Mineral Extraction, Crushing, Screening, Excavation, Etc.								
Packaging and Distribution Operations						CUP	PRM	PRM
Paper Products Manufacture/Assembly							CUP	PRM
Paperboard Containers Manufacture							CUP	PRM
Parcel Delivery Service, Packaging, Crating						CUP	PRM	PRM
Plastic Products Manufacture/Assembly							CUP	PRM
Prefabricated Wood Products							PRM	PRM
Printing, Publishing, Binding						PRM	PRM	PRM
Rebuilding and/or Repairing Nonmetal or Mineral Products							PRM	PRM

Rendering Plants									
Retail with Products Manufactured, Packaged or Otherwise Prepared on the Same Premises							CUP	PRM	PRM
Rubber Products, Manufacturing, Processing								CUP	CUP
Storage, Outdoor								ACC	ACC
Storage, Sales, Distribution of Hazardous Materials								CUP	CUP
Temporary Buildings for Construction Purposes	PRM	PRM	PRM	PRM	PRM	PRM	PRM	PRM	PRM
Truck, Freight Terminals								PRM	PRM
Vehicle and Machinery Repair and Storage								PRM	PRM
Vehicle Recycling Facilities									
Warehousing, Storage								PRM	PRM
Caretaker's Residence for Warehousing, Storage								ACC	ACC
Wholesale Establishments								PRM	PRM
Wholesale Trade/Storage of Durable and Nondurable Goods (Auto Parts, Tires, Furniture, Lumber)								PRM	PRM
Wireless Communication Facilities								PRM	PRM
Wrecking/Junk Yard									
Recreational Uses									
Arboretums and Gardens	PRM	PRM	PRM	PRM	PRM	PRM	PRM	PRM	PRM
Boat Launches, Water-Related Activities						PRM			
Bowling Alleys							PRM	PRM	PRM
Dancehalls							PRM	PRM	PRM
Drive-In Theater								PRM	PRM
Exercise Facility							PRM	PRM	PRM
Fairgrounds						PRM			
Golf Course, Driving Range								PRM	PRM
Gun/Sportsmen's Club								CUP	CUP
Miniature Golf							CUP	PRM	PRM
Mini-Casinos, Game, Card Rooms							PRM	PRM	PRM
Playfields, Playgrounds	CUP	CUP	CUP	PRM	PRM	PRM	PRM	PRM	PRM
Public Fishing Access, Fish/Wildlife Habitat Areas						PRM			
Publicly Owned/Operated Parks and Recreation Facilities	PRM	PRM	PRM	PRM	PRM	PRM	PRM	PRM	PRM
Racetrack/Speedway (Horse, Mini-Sprint, Etc.)									
Recreational Vehicle Park or Tent Campground (stay up to 14 days)		PUD		PRM				PUD	
Roller-Skating Rink							CUP	CUP	CUP
Theaters							CUP	CUP	CUP
Trail Systems	PRM	PRM	PRM	PRM	PRM	PRM	PRM	PRM	PRM
Video Rental							PRM	PRM	PRM

(Ord. 1196 § 2 (Exh. B), 2011; Ord. 1152 § 3 (Exh. C), 2009; Ord. 1138 § 1 (Exh. A), 2008; Ord. 1108 § 3, 2007; Ord. 1097 § 1, 2007; Ord. 1047 § 1, 2004; Ord. 1046 § 2, 2004; Ord. 1039 § 1, 2004).

Chapter 17.20
SF – SINGLE-FAMILY RESIDENTIAL

Sections:

17.20.010 Purpose.

17.20.020 Permitted, accessory, conditional and prohibited uses.

17.20.030 Development standards.

17.20.040 Performance standards.

17.20.010 Purpose.

The purpose of the single-family zoning district is to provide an area for low density residential uses, particularly single-family homes, where city water and sewer service is available, consistent with the goals and policies of the Cashmere Urban Area Comprehensive Plan. This district retains and enhances established neighborhoods, as well as providing guidance to the development of new areas, making them compatible and consistent with existing development. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.20.020 Permitted, accessory, conditional and prohibited uses.

Permitted, accessory, conditional and prohibited uses in this district shall be as identified in Chapter 17.18CMC, District Use Chart. Said uses shall be allowed, as indicated in the district use chart, only after the provisions of this chapter and all other applicable city of Cashmere rules and regulations are complied with. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.20.030 Development standards.

Development in this district shall meet all of the applicable provisions of this title and all other rules, regulations and provisions of the city of Cashmere, and shall comply with the following:

A. Minimum lot area: 7,000 square feet.

B. The maximum building height: two stories, or in any event not greater than 30 feet.

C. The maximum lot coverage including all accessory buildings: 35 percent of the total lot area.

D. Minimum yard areas are as follows:

1. Projection from Buildings. Cornices, eaves, gutters, sunshades and other similar architectural features may not project more than two feet into a required yard setback.

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2. Front yard: 25 feet from the front property line or 50 feet from the centerline of the street right-of-way, whichever is greater.
 - a. On corner lots there shall be two front yards and at least one rear yard.
 - b. On through lots there shall be two front yards.
 - c. In areas where an existing residential dwelling(s) located on an immediately abutting or adjoining lot(s) has a front yard of less than the required depth for the district, the front yard area may have a depth equal to one-third of the total lot width.
3. Rear yard: 10 feet from the rear property line. Accessory buildings, other than accessory dwellings, may be built within a rear yard, provided the required maximum lot coverage is not exceeded and the building is not closer than five feet to the rear lot line nor closer than five feet to the side lot line; and provided, that accessory buildings or structures located within a rear yard area adjacent to a platted alley right-of-way shall not be closer than eight feet from the rear lot line.
4. Side yard: five feet from the side property line. For all lots, if the building is oriented in such a way as the front and/or rear door(s) is facing a side yard, that side yard area shall be a minimum of 20 feet from the side property line. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.20.040 Performance standards.

Parking shall be provided in accordance with Chapter 17.54 CMC, Off-Street Parking, and all other applicable provisions of this title and other city of Cashmere codes. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

Chapter 17.22
MF – MULTIFAMILY RESIDENTIAL

Sections:

- 17.22.010 Purpose.
- 17.22.020 Permitted, accessory, conditional and prohibited uses.
- 17.22.030 Development standards.
- 17.22.040 Performance standards.

17.22.010 Purpose.

The purpose of the multifamily zoning district is to provide an area for moderate density residential uses such as duplex and apartment units, as well as single-family residences and manufactured homes, consistent with the goals and policies of the Cashmere Urban Area Comprehensive Plan. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

*City of Cashmere***17.22.020 Permitted, accessory, conditional and prohibited uses.**

Permitted, accessory, conditional and prohibited uses in this district shall be as identified in Chapter 17.18CMC, District Use Chart. Said uses shall be allowed, as indicated in the district use chart, only after the provisions of this chapter and all other applicable city of Cashmere rules and regulations are complied with. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.22.030 Development standards.

Development in this district shall meet all of the applicable provisions of this title and all other rules, regulations and provisions of the city of Cashmere, and shall comply with the following:

A. Minimum Lot Area.

1. Single-family dwelling: 7,000 square feet.
2. Duplex dwelling: 8,500 square feet.
3. Multifamily dwelling (attached or detached): 8,500 square feet for the first two dwelling units and 2,500 additional square feet for each additional unit.

B. The maximum building height: three stories, or in any event not greater than 40 feet.

C. The maximum lot coverage including all accessory buildings: 50 percent of the total lot area.

D. Minimum yard areas are as follows:

1. Projection from Buildings. Cornices, eaves, gutters, sunshades and other similar architectural features may not project more than two feet into a required yard setback.
2. Front yard: 20 feet from the front property line.
 - a. On corner lots there shall be two front yards and at least one rear yard.
 - b. On through lots there shall be two front yards.
 - c. In areas where existing residential dwelling(s) located on an immediately abutting or adjoining lot(s) has a front yard of less than the required depth for the district, the front yard area may have a depth equal to one-third of the total lot width.
3. Rear yard: 10 feet from the rear property line. Accessory buildings, other than accessory dwellings, may be built within a rear yard, provided the required maximum lot coverage is not exceeded, and the building is not closer than five feet to the rear lot line nor closer than five feet to the side lot line; and provided, that accessory buildings or structures located within a rear yard area adjacent to a platted alley right-of-way shall not be closer than eight feet from the rear lot line.

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4. Side yard: five feet for a one or two-story structure, or 10 feet for a three-story structure, all measurements to be measured from the side property line. For all lots, if the building is oriented in such a way as the front and/or rear door(s) is facing a side yard, that side yard area shall be a minimum of 20 feet from the side property line.

E. In any case where a plat has been accepted prior to May 10, 1999, or a plat has been accepted prior to 1959, in which platted lots do not conform with the requirements of this section, the proposal shall comply with the CMC for appropriate area necessary to comply with all applicable provisions, including without limitation requirements for off-street parking, ingress/egress, lot coverage, landscaping, etc. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.22.040 Performance standards.

All development in this district shall comply with the following performance standards:

A. Open Space/Recreation. Multifamily development shall provide common open space/recreation areas on site for use and enjoyment of owners and residents within the development, according to the following minimum provisions:

1. The area required for open space/recreation shall be 15 percent of the overall site area, with a minimum total area of 5,000 square feet, consisting of usable open space, critical areas and buffers and perimeter landscaping. Of the overall total open space areas, 75 percent must be usable open space.
2. Usable open space includes open play areas and outdoor recreational features, trails and paths, community gardens, and other similar types of areas. It shall be located and designed to be conveniently accessible to all residents from the interior of the development, and it shall be at a grade and with dimensions suitable for recreation use.
3. The open space/recreation areas shall be consistently maintained and shall be preserved through appropriate legal measures ensuring the continuation of the open space/recreation area, and prohibiting current and future owners from partitioning the open space/recreation areas and from converting the areas to other uses.
4. Open space/recreation areas do not include the following: parking lots, driveways, private/public street rights-of-way, required storage areas, etc.

B. Buffering/Landscaping. Multifamily development shall provide landscaping as described in Chapter 17.56CMC, Landscaping Standards, and when multifamily development is occurring adjacent to a single-family residential or suburban residential district, a sight-obscuring fence, or approved alternative method, shall be placed in addition to the landscaping provisions of Chapter 17.56 CMC.

C. Refuse Storage. For multifamily development, all outdoor trash, garbage and refuse storage areas shall be located outside of required yard areas, and shall be screened on

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all sides from public view and, at a minimum, be enclosed in sight-obscuring wood, concrete or masonry wall or fence and landscaping on all sides.

D. General Storage. For multifamily development, storage of personal property and materials, of residents as well as managers and owners of the development, shall be located outside of required front yard areas, and it shall be entirely within an enclosed building.

E. Vehicle Storage. For multifamily development, storage of recreational vehicles, boats, and similar off-road vehicles not used for daily transportation, of residents as well as managers and owners of the development, shall be prohibited unless a fully enclosed building is provided on site specifically for that purpose.

F. Signs. All signs permitted under this section shall comply with the applicable provisions of the CMC.

G. Parking shall be provided in accordance with Chapter 17.54 CMC, Off-Street Parking, and all other applicable provisions of this title and other city of Cashmere codes. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

Chapter 17.24
SR – SUBURBAN RESIDENTIAL

Sections:

17.24.010 Purpose.

17.24.020 Permitted, accessory, conditional and prohibited uses.

17.24.030 Development standards.

17.24.040 Performance standards.

17.24.010 Purpose.

The purpose of the suburban residential zoning district is to maintain low density residential uses within the urban growth area, consistent with the goals and policies of the Cashmere Urban Area Comprehensive Plan. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.24.020 Permitted, accessory, conditional and prohibited uses.

Permitted, accessory, conditional and prohibited uses in this district shall be as identified in Chapter 17.18CMC, District Use Chart. Said uses shall be allowed, as indicated in the district use chart, only after the provisions of this chapter and all other applicable city of Cashmere rules and regulations are complied with. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.24.030 Development standards.

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Development in this district shall meet all of the applicable provisions of this title and all other rules, regulations and provisions of the city of Cashmere, and shall comply with the following:

A. Minimum Lot Area.

1. Single-family dwelling: 10,000 square feet where city wastewater service is available, or the minimum required according to Chapter 246-272 WAC and health district standards based on the soil's ability to treat effluent and type of water supply, but in no case less than the minimum required above.

2. Duplex dwelling: 15,000 square feet where city wastewater service is available, or the minimum required according to Chapter 246-272 WAC and health district standards based on the soil's ability to treat effluent and type of water supply, but in no case less than the minimum required above.

B. The maximum building height: two stories, or in any event not greater than 30 feet.

C. The maximum lot coverage including all accessory buildings: 35 percent of the total lot area.

D. Minimum yard areas are as follows:

1. Projection from Buildings. Cornices, eaves, gutters, sunshades and other similar architectural features may not project more than two feet into a required yard setback.

2. Front yard: 25 feet from the front property line or 50 feet from the centerline of the street right-of-way, whichever is greater.

a. On corner lots there shall be two front yards and at least one rear yard.

b. On through lots there shall be two front yards.

c. In areas where existing residential dwelling(s) located on an immediately abutting or adjoining lot(s) has a front yard of less than the required depth for the district, the front yard area may have a depth equal to one-third of the total lot width.

3. Rear yard: 10 feet from the rear property line. Accessory buildings, other than accessory dwellings, may be built within a rear yard, provided the required maximum lot coverage is not exceeded and the building is not closer than five feet to the rear lot line nor closer than five feet to the side lot line; and provided, that accessory buildings or structures located within a rear yard area adjacent to a platted alley right-of-way shall not be closer than eight feet from the rear lot line.

4. Side yard: five feet from the side property line. For all lots, if the building is oriented in such a way as the front and/or rear door(s) is facing a side yard, that side yard area shall be a minimum of 20 feet from the side property line.

E. In any case where a plat has been accepted prior to May 10, 1999, or a plat has been accepted prior to 1959, in which platted lots do not conform with the requirements of this section, the proposal shall comply with the CMC for appropriate area necessary to comply with all applicable provisions, including without limitation requirements for off-street parking, ingress/egress, lot coverage, landscaping, etc. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.24.040 Performance standards.

All development in this district shall comply with the following performance standards:

A. Parking shall be provided in accordance with Chapter 17.54 CMC, Off-Street Parking, and all other applicable provisions of this title and other city of Cashmere codes.

B. Signs. All signs permitted under this section shall comply with the applicable provisions of the CMC. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

Chapter 17.26 AR – AIRPORT RESIDENTIAL

Sections:

17.26.010 Purpose.

17.26.020 Permitted, accessory, conditional and prohibited uses.

17.26.030 Development standards.

17.26.040 Performance standards.

17.26.010 Purpose.

The purpose of the airport residential zoning district is to maintain low density residential uses within the urban growth area, consistent with the goals and policies of the Cashmere Urban Area Comprehensive Plan. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.26.020 Permitted, accessory, conditional and prohibited uses.

Permitted, accessory, conditional and prohibited uses in this district shall be as identified in Chapter 17.18 CMC, District Use Chart. Said uses shall be allowed, as indicated in the district use chart, only after the provisions of this chapter and all other applicable city of Cashmere rules and regulations are complied with. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.26.030 Development standards.

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Development in this district shall meet all of the applicable provisions of this title and all other rules, regulations and provisions of the city of Cashmere, and shall comply with the following:

A. Minimum Lot Area.

1. Single-family dwelling: 10,000 square feet where city wastewater service is available, or the minimum required according to Chapter 246-272 WAC and health district standards based on the soil's ability to treat effluent and type of water supply.

2. Duplex dwelling: 15,000 square feet where city wastewater service is available, or the minimum required according to Chapter 246-272 WAC and health district standards based on the soil's ability to treat effluent and type of water supply.

B. The maximum building height: two stories, or in any event not greater than 30 feet.

C. The maximum lot coverage including all accessory buildings: 40 percent of the total lot area.

D. Minimum yard areas are as follows:

1. Projection from Buildings. Cornices, eaves, gutters, sunshades and other similar architectural features may not project more than two feet into a required yard setback.

2. Front yard: 25 feet from the front property line or 50 feet from the centerline of the street right-of-way, whichever is greater.

a. On corner lots there shall be two front yards and at least one rear yard.

b. On through lots there shall be two front yards.

c. In areas where existing residential dwelling(s) located on an immediately abutting or adjoining lot(s) has a front yard of less than the required depth for the district, the front yard area may have a depth equal to one-third of the total lot width.

3. Rear yard: 10 feet from the rear property line. Accessory buildings, other than accessory dwellings, may be built within a rear yard, provided the required maximum lot coverage is not exceeded and the building is not closer than five feet to the rear lot line nor closer than five feet to the side lot line; and provided, that accessory buildings or structures located within a rear yard area adjacent to a platted alley right-of-way shall not be closer than eight feet from the rear lot line.

4. Side yard: five feet from the side property line. For all lots, if the building is oriented in such a way as the front and/or rear door(s) is facing a side yard, that

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side yard area shall be a minimum of 20 feet from the side property line. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.26.040 Performance standards.

All development in this district shall comply with the following performance standards:

A. Parking shall be provided in accordance with Chapter 17.54 CMC, Off-Street Parking, and all other applicable provisions of this title and other city of Cashmere codes.

B. Signs. All signs permitted under this section shall be in accordance with Chapter 17.60 CMC, Signs.

C. Airplane hangars for personal use shall comply with the following minimum provisions:

1. Maximum width of the structure shall be 45 feet.
2. Maximum height of the structure shall be as for all structures.
3. Minimum yard areas and maximum lot coverage shall be as for all structures. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

**Chapter 17.30
DB – DOWNTOWN BUSINESS**

Sections:

17.30.010 Purpose.

17.30.020 Permitted, accessory, conditional and prohibited uses.

17.30.030 Development standards.

17.30.040 Performance standards.

17.30.010 Purpose.

The purpose of the downtown business zoning district is to provide an area for existing and future retail commercial activities. This district establishes opportunities for safe, aesthetically pleasing, accessible commercial development that contributes to a sound economic base for the community. It is intended that this district be a quality environment that appeals to all manner of consumers, including pedestrian shoppers, and is therefore appealing to new businesses. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.30.020 Permitted, accessory, conditional and prohibited uses.

Permitted, accessory, conditional and prohibited uses in this district shall be as identified in Chapter 17.18 CMC, District Use Chart. Said uses shall be allowed, as

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indicated in the district use chart, only after the provisions of this chapter and all other applicable city of Cashmere rules and regulations are complied with. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.30.030 Development standards.

Development in this district shall meet all of the applicable provisions of this title and all other rules, regulations and provisions of the city of Cashmere, and shall comply with the following:

- A. Minimum lot area: that area necessary to comply with all applicable provisions, including without limitation requirements for off-street parking, ingress/egress, lot coverage, landscaping, etc.
- B. The maximum building height: three stories, or in any event not greater than 40 feet, including all signs or decorations.
- C. The maximum lot coverage including all accessory buildings: 80 percent of the total lot area.
- D. Minimum Yard Areas.
 1. Front yard: equal to adjacent commercial buildings or zero feet where no adjacent buildings occur.
 2. Rear yard: zero feet from the rear property line; provided, that buildings or structures located adjacent to a platted alley right-of-way shall not be closer than eight feet from the rear lot line.
 3. Side yard: zero feet where common wall construction is used, or five feet from the side property line.
 4. Where development occurs adjacent to a residential district, the rear and side yard areas shall be 15 feet from the rear and side property lines. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.30.040 Performance standards.

All development within this district shall comply with the following performance standards:

- A. Permitted Multifamily Development. Shall be incorporated into the principal commercial structure and shall be located above street grade.
- B. Permitted Existing Single-Family Development. Where an existing single-family residence exists as of the date of adoption of the ordinance codified in this title, said residence shall be allowed to expand, remodel, rebuild, etc., and shall be allowed those accessory uses permitted in the single-family district, provided all such development complies with the standards in CMC 17.20.030 and 17.20.040.

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C. Buffering/Landscaping. When commercial development is occurring adjacent to a residential district, a sight-obscuring fence, or approved alternative methods, shall be installed to screen the commercial activities from the residential area.

D. Refuse Storage. All outdoor trash, garbage and refuse storage areas shall be screened on all sides from public view and, at a minimum, be enclosed in sight-obscuring wood, concrete or masonry wall or fence.

E. General Storage. Storage of materials and merchandise, other than for display purposes, shall be located outside of required yard areas, and it shall be entirely within an enclosed building.

F. Signs. All signs permitted under this section shall be in accordance with Chapter 17.60 CMC, Signs.

G. Parking shall be provided in accordance with Chapter 17.54 CMC, Off-Street Parking, and all other applicable provisions of this title and other city of Cashmere codes.

H. Landscaping shall be provided in accordance with Chapter 17.56 CMC, Landscaping Standards. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

Chapter 17.36
C/LI – MIXED COMMERCIAL/LIGHT INDUSTRIAL

Sections:

17.36.010 Purpose.

17.36.020 Permitted, accessory, conditional and prohibited uses.

17.36.030 Development standards.

17.36.040 Performance standards.

17.36.010 Purpose.

The purpose of the mixed commercial and light industrial zoning district is to provide an area that protects existing commercial and light industrial uses, as well as establishing opportunities for further development. This district supplies sufficient area, organized in a concentrated, positive working environment, to accommodate a broad range of commercial and light industrial type activities. It is intended that this district provide flexibility in development that encourages usual as well as innovative activities that enhance the economic stability of the community, while still providing protection to the immediate, surrounding properties. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.36.020 Permitted, accessory, conditional and prohibited uses.

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Permitted, accessory, conditional and prohibited uses in this district shall be as identified in Chapter 17.18CMC, District Use Chart. Said uses shall be allowed, as indicated in the district use chart, only after the provisions of this chapter and all other applicable city of Cashmere rules and regulations are complied with. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.36.030 Development standards.

Development in this district shall meet all of the applicable provisions of this title and all other rules, regulations and provisions of the city of Cashmere, and shall comply with the following:

- A. Minimum lot area: that area necessary to comply with all applicable provisions, including without limitation requirements for off-street parking, ingress/egress, lot coverage, landscaping, etc.
- B. The maximum building height: three stories, or in any event not greater than 40 feet, including all signs or decorations. Where development occurs adjacent to a residential or public district, the maximum building height for all structures and storage of materials shall be 30 feet.
- C. The maximum lot coverage including all accessory buildings: 80 percent of the total lot area.
- D. Minimum Yard Areas.
 - 1. Front Yard. On a public right-of-way designated as an arterial street, the front yard area shall be 55 feet from the centerline or 25 feet from the front lot line, whichever is greater. On other public rights-of-way, the front yard area shall be 50 feet from centerline or 20 feet from the front lot line, whichever is greater.
 - 2. Rear and side yards: 10 feet from the rear or side property line; provided, that where development occurs adjacent to a residential or public district, the rear and side yard areas shall be 10 feet from the rear and side property lines. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.36.040 Performance standards.

All development within this district shall comply with the following performance standards:

- A. Buffering/Landscaping. When development is occurring adjacent to a residential district, a sight-obscuring fence shall be installed to screen activities from the residential area.
- B. Refuse Storage. All outdoor trash, garbage and refuse storage areas shall be screened on all sides from public view and, at a minimum, be enclosed in sight-obscuring wood, concrete or masonry wall or fence.

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C. General Storage. Storage of materials and merchandise shall be located outside of required yard areas.

D. Signs. All signs permitted under this section shall be in accordance with Chapter 17.60 CMC, Signs.

E. Parking. Shall be provided in accordance with Chapter 17.54 CMC, Off-Street Parking, and all other applicable provisions of this title and other city of Cashmere codes.

F. Landscaping. Shall be provided in accordance with Chapter 17.56 CMC, Landscaping Standards. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

Chapter 17.40
WI – WAREHOUSE INDUSTRIAL

Sections:

17.40.010 Purpose.

17.40.020 Permitted, accessory, conditional and prohibited uses.

17.40.030 Development standards.

17.40.040 Performance standards.

17.40.010 Purpose.

The purpose of the warehouse industrial zoning district is to provide an area that protects existing industrial uses, as well as establishing opportunities for further industrial development. This district supplies sufficient area, organized in a concentrated, positive working environment, to accommodate a broad range of industrial type activities. It is intended that this district provide flexibility in development that encourages usual as well as innovative activities that enhance the economic stability of the community, while still providing protection to the immediate, surrounding properties. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.40.020 Permitted, accessory, conditional and prohibited uses.

Permitted, accessory, conditional and prohibited uses in this district shall be as identified in Chapter 17.18CMC, District Use Chart. Said uses shall be allowed, as indicated in the district use chart, only after the provisions of this chapter and all other applicable city of Cashmere rules and regulations are complied with. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.40.030 Development standards.

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Development in this district shall meet all of the applicable provisions of this title and all other rules, regulations and provisions of the city of Cashmere, and shall comply with the following:

- A. Minimum lot area, lot depth, lot width: that area necessary to comply with all applicable provisions, including without limitation requirements for off-street parking, ingress/egress, lot coverage, landscaping, etc.
- B. The maximum building height: three stories, or in any event not greater than 40 feet (existing allows 80 feet) including all signs or decorations. Where development occurs adjacent to a residential or public district, the maximum building height for all structures and storage of materials shall be 30 feet.
- C. The maximum lot coverage including all accessory buildings: 80 percent of the total lot area.
- D. Minimum Yard Areas.
 - 1. Front, Side and Rear Yards. No yard area is required except that where roof construction would result in snow sloughing off the roof onto pedestrian and/or vehicle travel ways, there shall be either a minimum yard area of eight feet, or adequate structural features, as determined by the city, to ensure the safe travel of pedestrians and vehicles on public streets, alleys, sidewalks and other public rights-of-way.
 - 2. Where development occurs adjacent to a residential district, the rear and side yard areas shall be 30 feet from those rear and side property lines. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.40.040 Performance standards.

All development within this district shall comply with the following performance standards:

- A. Buffering/Landscaping. When development is occurring adjacent to a residential district, a sight-obscuring fence shall be installed to screen activities from the residential area.
- B. Refuse Storage. All outdoor trash, garbage and refuse storage areas shall be screened on all sides from public view and, at a minimum, be enclosed in sight-obscuring wood, concrete or masonry wall or fence.
- C. General Storage. Storage of materials and merchandise shall be located outside of required yard areas.
- D. Signs. All signs permitted under this section shall be in accordance with Chapter 17.60 CMC, Signs.

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E. Parking. Shall be provided in accordance with Chapter 17.54 CMC, Off-Street Parking, and all other applicable provisions of this title and other city of Cashmere codes.

F. Landscaping shall be provided in accordance with Chapter 17.56 CMC, Landscaping Standards. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

Chapter 17.48
P – PUBLIC

Sections:

17.48.010 Purpose.

17.48.020 Permitted, accessory, conditional and prohibited uses.

17.48.030 Development standards.

17.48.040 Performance standards.

17.48.010 Purpose.

The purpose of the public district is to help further the enhancement of existing, publicly held properties, and to promote privately owned properties to develop into community-oriented uses, particularly those of a recreational nature. Providing adequate land area for needed public and recreational land uses is integral in maintaining the pattern and ratio of land uses within the community. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.48.020 Permitted, accessory, conditional and prohibited uses.

Permitted, accessory, conditional and prohibited uses in this district shall be as identified in Chapter 17.18 CMC, District Use Chart. Said uses shall be allowed, as indicated in the district use chart, only after the provisions of this chapter and all other applicable city of Cashmere rules and regulations are complied with. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.48.030 Development standards.

Development in this district shall meet all of the applicable provisions of this title and all other rules, regulations and provisions of the city of Cashmere, and shall comply with the following:

A. Minimum lot area, lot depth, lot width: that area necessary to comply with all applicable provisions, including without limitation requirements for off-street parking, ingress/egress, lot coverage, landscaping, etc.

B. The maximum building height: three stories, or in any event not greater than 40 feet, including all signs or decorations. Where development is adjacent to a residential

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district, the maximum building height shall be two stories or in any event not greater than 30 feet.

C. The maximum lot coverage including all accessory buildings: 80 percent of the total lot area.

D. Minimum Yard Areas.

1. Front yard: zero feet from the front property line.
2. Rear yard: zero feet from the rear property line; provided, that buildings or structures located adjacent to a platted alley right-of-way shall not be closer than eight feet from the rear lot line.
3. Side yard: zero feet from the front property line.
4. Where development occurs adjacent to a residential district, the rear and side yard areas shall be 30 feet from the rear and side property lines. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.48.040 Performance standards.

All development within this district shall comply with the following performance standards:

A. Buffering/Landscaping. When development is occurring adjacent to a residential district, a sight-obscuring fence shall be installed to screen activities from the residential area.

B. Refuse Storage. All outdoor trash, garbage and refuse storage areas shall be screened on all sides from public view and, at a minimum, be enclosed in sight-obscuring wood, concrete or masonry wall or fence.

C. General Storage. Storage of materials and merchandise shall be located outside of required yard areas.

D. Signs. All signs permitted under this section shall be in accordance with Chapter 17.60 CMC, Signs.

E. Parking. Parking shall be provided in accordance with Chapter 17.54 CMC, Off-Street Parking, and all other applicable provisions of this title and other city of Cashmere codes.

F. Landscaping. Landscaping shall be provided in accordance with Chapter 17.56 CMC, Landscaping Standards. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

Chapter 17.52

RECREATIONAL VEHICLE PARK

Sections:

- 17.52.010 Purpose.
- 17.52.020 Applicability.
- 17.52.025 Residency.
- 17.52.030 Siting standards.
- 17.52.040 Site development standards.
- 17.52.050 Application.
- 17.52.060 Annual license.

17.52.010 Purpose.

The recreational vehicle park is intended to accommodate the short-term rental of space for individual trailers, campers, and motor homes. Mobile homes are not permitted. All utilities, streets and improvements therein remain in one ownership to comply with the conditions of development. These standards are deemed necessary to ensure uniform, coordinated development of the community and to assure the general health, safety, and welfare of the occupants of the homes that may be located within such a development. (Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.52.020 Applicability.

No person, company or corporation shall lease, sell, or rent spaces for the placement of recreational vehicles, or develop a new or expand an existing recreational vehicle park, without first obtaining a planned unit development approval and a recreational vehicle park license from the city of Cashmere. (Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.52.025 Residency.

Recreational vehicle parks are intended for short-term residence and recreational activities. The length of stay within a recreational park shall not exceed 14 days per month. (Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.52.030 Siting standards.

The following minimum criteria shall apply to the siting of a recreational vehicle park:

- A. Zoning Requirements. Recreational vehicle parks are allowed only in those zoning districts identified in CMC 17.18.020, District use chart, provided a planned unit development approval is obtained in accordance with the applicable provisions of the CMC.
- B. Site development area: at least two acres of land area. (Ord. 1097 § 1, 2007; Ord. 1047 § 1, 2004; Ord. 1039 § 1, 2004).

17.52.040 Site development standards.

All new, expanded or remodeled recreational vehicle parks shall comply with all the site development standards listed in this section. A binding site plan shall be required and shall show the information contained in CMC 17.52.050, and the following minimum standards:

- A. Campsite: a minimum of 1,000 square feet of land per campsite, including a paved or gravel pad for parking a recreational vehicle and tow vehicle, where applicable.
- B. Campsite density: a maximum of 24 campsites per acre.
- C. Service Road Width. All roads within the recreational vehicle park shall have paved travel lanes that meet the following standards:

1. For two-way traffic: each travel lane shall be 11 feet in width.
 2. For one-way traffic: a 12-foot travel lane.
- D. All roads shall be clearly marked and signed for traffic direction and safety.
- E. Off-street parking spaces: one extra vehicle parking space for every five campsites.
- F. Setbacks. All structures and recreational vehicles shall be set back at least:
1. Front Yard. All recreational vehicle campsites, structures and accessory structures shall be a minimum of 50 feet from the centerline of all adjacent public streets, or 20 feet from the right-of-way line, whichever is a greater distance.
 2. Rear and Side Yards. All dwellings and accessory structures shall be a minimum of 20 feet from any property line adjacent to residential zoned districts, or at least 10 feet from nonresidential zoned properties.
 3. From other recreational vehicles at least 15 feet minimum spacing.
- G. Utilities. All utilities shall be placed underground, and shall remain the property of the recreational vehicle park owner.
1. Water. All water supplied within the park for washing, bathing, drinking or food preparation shall be obtained from the city water system or from a community water system meeting the standards of the Washington State Department of Health. Every campsite hookup shall be equipped with an anti-siphoning device; all outdoor faucets shall be constructed to prevent contamination from other sources including animals, wastewater or irrigation water.
 2. Restrooms Will Be Required. Restroom(s) must be accessible to all residents of the park and within 300 feet of any campsites and subject to any additional requirements of the Chelan-Douglas health district.
 3. Wastewater. All wastewater disposals from all sources of sanitation, washing, laundry, bathing facilities and trailer hookups and dump stations shall be connected to the city sewer system. All wastewater hookups shall be constructed with a self-closing lid, and elevated above ground to prevent storm water runoff or floodwaters from entering the wastewater system and subject to any additional requirements of the Chelan-Douglas health district.
 4. Solid waste disposal and recycling facilities shall be provided within 300 feet of every campsite and subject to any additional requirements of the Chelan-Douglas health district.
 5. Storm water runoff shall be designed and installed in accordance with specifications of the city of Cashmere design standards manual.
- H. Landscaping. All areas within the boundaries of the development shall be landscaped in accordance with Chapter 17.56 CMC.
1. All natural and artificial barriers, driveways, lawns, trees, buildings, occupied and unoccupied dwelling spaces, recreational and open space areas shall be maintained.
 2. The perimeter of the recreational vehicle park shall be enclosed with a fence that is no higher than six feet tall, maximum, except where a natural amenity provides the property boundary. (Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.52.050 Application.

The hearing examiner shall review all applications for new, expansion or upgrade of a recreational vehicle through the planned unit development process established in the CMC. All applications shall include the following information and shall, upon approval, be recorded with the Chelan County auditor as a binding site plan. Applications shall comply with CMC Title 14 and shall, at a minimum, include:

- A. Name of the proposed recreational vehicle park, name and address of owner(s).
- B. The legal description of the property, including acreage, and parcel number(s).

- C. A vicinity map clearly showing:
 - 1.The location of the property, date of application, map scale, north arrow, quarter section, section, township and range.
 - 2.Existing zoning and adjacent land uses.
- D. The proposed design of the recreational vehicle park, prepared by a licensed engineer or surveyor, showing:
 - 1.How the standards of CMC 17.52.040 will be met.
 - 2.Each proposed dwelling space, with space dimensions and area.
 - 3.Service roads, parking, and intersections with public streets.
 - 4.Utilities, with proposed points of connection to the public utilities, and proposed easements for repair and maintenance of the publicly owned portion of the utilities.
 - 5.Contour elevations as necessary to identify floodplains and/or storm water drainage flow.
 - 6.Location and dimensions of proposed common open space areas.
 - 7.A landscaping plan for the entire site, including the location of any existing environmentally sensitive areas (wetlands or shorelines, wildlife habitat).
 - 8.Location and dimensions of existing easements.
- E. A completed environmental checklist.
- F. Copies of all water rights or certificates that are associated with the property.
- G. Other information that may be required by the city of Cashmere in order to properly review the proposed recreational vehicle park. (Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.52.060 Annual license.

In addition to the planned unit development approval, an annual license shall be obtained from the city of Cashmere. Such license shall state the number of approved campsites contained within the boundaries of the development. The license will be issued to the property title holder, contract purchaser, or lease-holder, who shall be responsible for full compliance with this chapter. Licenses are transferable. All licenses are valid for the calendar year, expiring December 31st of each year. The annual license fee shall be set by resolution adopted by the Cashmere city council. (Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

Chapter 17.54

OFF-STREET PARKING

Sections:

- 17.54.010 Purpose.
- 17.54.020 Application.
- 17.54.030 Space requirements.
- 17.54.040 Standards.
- 17.54.060 Development and maintenance standards.
- 17.54.080 Parking perpetuation.
- 17.54.090 Loading.

17.54.010 Purpose.

The intent of this chapter is to ensure the harmonious development of land, minimize congestion, and ensure traffic safety. (Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.54.020 Application.

Off-street automobile parking, as hereinafter set forth, shall be provided and maintained:

- A. For any new structure or building erected;
- B. For additional seating capacity, floor area, guest rooms, or dwelling units added to any existing building or structure;
- C. When the use of the building or structure is changed, if the new use would require additional parking areas under the requirements of this title. (Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.54.030 Space requirements.

Space requirements for parking and loading shall be as set forth in subsections A through B of this section.

A. Minimum parking requirements shall be determined for each development using the following table to establish minimum spaces needed. For uses not identified within Section 17.54.030, the City shall use similar uses to determine space requirements.

B. Off-street parking for downtown business, mixed commercial/industrial, warehouse, and multifamily shall be designed so that no vehicle will encroach across the property line onto adjacent property, block any public sidewalk, or be parked so as to create a traffic safety hazard by blocking line of sight at corners and driveways. Uses identified within Section 17.18.020 located within the downtown business district may use city owned parking lots for satisfying twenty-five (25) percent of the parking requirements. The subject parking lots are located at the corner of Aplets Way and Elberta Ave, and corner of Aplets Way and BNSF Railroad tracks.

Property Use	Required Parking Spaces	
Residential		
Single-family, two-family residential	Per dwelling unit	2
Multifamily (three or more units)	Per dwelling unit	2
Accessory dwelling unit	Additional space	1
Caretakers Unit	Per dwelling unit	1
Bed and breakfast, boarding and lodging houses	Proprietor	2
	Plus, for each guest room	1

EXHIBIT A
City of Cashmere

Property Use	Required Parking Spaces	
Commercial		
Hotels and motels	Each guest room	1
Banks	200 sq. ft. gross floor area	1
Professional offices	300 sq. ft. gross floor area	1
Shopping centers	1,000 sq. ft. gross floor area	5.5
Restaurants, nightclubs, taverns, lounges	100 sq. ft. gross floor area	1
Retail garden nurseries	400 sq. ft. gross floor area	1
Wholesale garden nurseries	1,500 sq. ft. gross floor area	1
Retail stores, supermarkets, department stores	200 sq. ft. gross floor area	1
Personal service shops	200 sq. ft. gross floor area	1
Furniture, appliance, hardware	500 sq. ft. gross floor area	1
Household equipment service shops	500 sq. ft. gross floor area	1
Clothing stores and shoe repair shops	500 sq. ft. gross floor area	1
Drive-in businesses	100 sq. ft. gross floor area	1
New, used vehicle lots and uncovered businesses	5,000 sq. ft. retail sales area; plus, as required for buildings	1
Motor vehicle parts, repairs and service	400 sq. ft. gross floor area	1
Car washes	1,000 sq. ft. area	1
Veterinary	300 sq. ft. gross floor area	1
Animal services, tools, supplies, feed	500 sq. ft. gross floor area	1
Construction materials, sales and services	1,000 sq. ft. floor and yard area	1
Industrial		
Fruit packing facilities, manufacturing, research, testing laboratories, bottling plants, canneries	2,000 sq. ft. gross floor area	1
Warehouses, storage, controlled atmosphere building	2,000 sq. ft. gross floor area	1
Parcel delivery services	600 sq. ft. gross floor area	1
Cultural and Recreational		
Auditoriums, theaters, stadiums, outdoor sports areas, public assembly areas	3 fixed seats, or 175 sq. ft. of main assembly area not containing seats	1
Skating rinks	200 sq. ft. gross floor area	1
Golf driving ranges	Each practice tee	1
Miniature golf courses	Each hole	1
Bowling alleys	Each lane; plus, other service requirements	5
Indoor sports Arcades, billiards	400 sq. ft. gross floor area	1
Institutional		
Colleges and universities	Each employee	2.5
	Plus, every three students	1

Property Use	Required Parking Spaces	
Senior high schools	Each employee	2
	Plus, every 10 students	1
	Plus, each bus stored on-site	1
Middle and elementary schools	Each employee	2.5
	Plus, each bus parked on-site	1
Libraries and museums	250 sq. ft. public use and office space	1
Nursery schools and day cares	Each employee	1
	Plus, for each 12 children	1 loading space
Medical and dental offices	200 sq. ft. gross floor area	1
Convalescent, nursing and health institutions	Each two employees	1
	Plus, every three beds	1
Hospitals	Each staff doctor	1
	Plus, every three employees	1
	Plus, for each three beds	1
Churches, alterations to churches; expansions that expand seating shall require additional parking	A minimum of 10 or for each five seats in main auditorium	1
Mortuaries, funeral homes	Each 100 sq. ft. of assembly area	1

(Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.54.040 Standards.

Subsections A through D of this section shall apply city-wide.

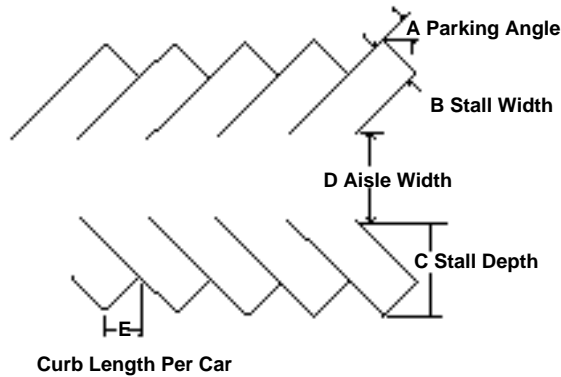
A. Locations. The maximum distance from use to parking shall be as follows:

1. For one-family and two-family dwellings: on the same lot with the building they are required to serve;
2. For multifamily dwellings: not more than 600 feet from the dwelling unit they are required to serve;
3. For hospitals, sanitariums, homes for the aged, asylums, orphanages, rooming houses, clubrooms, fraternity, and sorority houses: not more than 600 feet from the building they are required to serve;
4. For uses other than those specified above: not more than 800 feet from the building they are required to serve.

B. Dimensional Standards. All off-street parking lots shall be designed in accordance with the following standards as referred in subsections C and D of this section:

1. No parking shall be allowed within side yard setbacks.
2. Minimum parking layout dimensions: refer to exhibits in subsections C and D of this section.

C. Exhibit 17.54.040(C).



D.Exhibit 17.54.040(D).

Angle	Type	Stall Width	Stall Depth	Aisle Width	Curb Length
A		B	C	D	E
0°	Compact	8.0	20.0	12.0	20.0
0°	Standard	9.0	22.0	12.0	22.0
45°	Compact	8.0	19.1	14.0	11.3
45°	Standard	9.0	19.8	13.0	12.7
60°	Compact	8.0	20.4	19.0	9.2
60°	Standard	9.0	21.8	18.0	10.4
70°	Compact	8.0	20.6	20.0	8.5
70°	Standard	9.0	21.0	19.0	9.6
90°	Compact	8.0	16.0	24.0	8.0
90°	Standard	9.0	18.0	24.0	9.0

The following shall be access requirements to and from all primary and secondary arterials to all new developments in all districts, except the downtown commercial district:

Minimum Spacing Between Driveways

Arterial Speed (mph)	Minimum Separation (feet)
20	85
25	105
30	125
35	150
40	185
45	230

These standards may be subject to reduction, by approval of the city administrator, where necessary to provide access. Said standards are found necessary to protect the flow of traffic and the public safety. (Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.54.060 Development and maintenance standards.

Every parcel of land hereafter put to use as a public or private parking area, including commercial parking lots, shall be developed as follows:

A. Any off-street parking area other than for a one-family or two-family dwelling shall be effectively screened by a sight-obscuring fence, hedge, or planting on each side which adjoins property situated in a single-family or multifamily district, or the premises of any school or like

institution, as provided in this title. Screening along public streets shall be three feet in height. Screening between properties shall be six feet in height;

B. Any lighting used to illuminate the off-street parking areas shall be arranged so that it will not project light rays directly upon any adjoining property in a single-family or multifamily district. All off-street parking areas larger than 5,550 square feet shall be required to provide adequate illumination;

C. Except for one-family and two-family dwellings, groups of more than two parking spaces shall be so located and served by a driveway that their use will require no backing movements or other maneuvering within a street or right-of-way other than an alley;

D. Except for one-family and two-family dwellings, areas used for standing and maneuvering of vehicles, including driveways, shall be permanently surfaced and so drained as to avoid flow of water across sidewalks or onto adjacent properties. Individual spaces shall be marked with painted stripes. Parking lot design and drainage shall be subject to review and approval of the city administrator;

E. Except for parking to serve residential uses, parking and loading areas adjacent to or within residential zones, or adjacent to residential uses, shall be designed to minimize disturbance of residents;

F. Parking spaces along the outer boundaries of a parking area shall be contained by a curb or bumper rail so placed to prevent a motor vehicle from extending over an adjacent property line or a street, and to protect buildings and landscaping other than groundcover;

G. A private garage shall not have a capacity for more than three passenger automobiles for each dwelling unit, unless the lot whereon the dwelling and garage are proposed to be located has a lot area of 2,000 square feet for each parking space in such garage. (Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.54.080 Parking perpetuation.

To ensure the perpetuation of the off-street parking space herein required, the holder of certificate of occupancy must maintain such during his occupancy and use; and in the absence of maintaining said off-street parking, the certificate of occupancy shall be revoked. (Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.54.090 Loading.

A. Berths Required. Buildings or structures to be erected or substantially altered, and which require receipt, delivery, or distribution of materials and merchandise by trucks, shall provide and maintain off-street loading berths according to prescribed standards, except in the downtown commercial area.

B. Table of Standards – Business, Commercial Buildings. Business or commercial buildings (retail, wholesale, storage), goods display, markets, mortuaries, laundries, department stores, warehouses, industrial or manufacturing establishments, freight terminals, railroad yards, and similar uses, which have, or intend to have, an aggregate gross floor area of 5,000 square feet or more, shall provide truck loading and unloading berths in accordance with the following table of standards:

Number of Berths	Adjusted Gross Floor Area
11	5,000 sq. ft. up to 20,000 sq. ft.
22	20,000 sq. ft. up to 50,000 sq. ft.
33	50,000sq. ft. up to 100,000 sq. ft.
1 add'l for each	550,000 sq. ft. in excess of 100,000 sq. ft.

C. Table of Standards – Hotels, Restaurants, Office Buildings, Etc. Each office building, hotel, restaurant, assembly structure, hospital, and any similar structure, which has or is intended to

have an aggregate gross floor area of 20,000 square feet or more, shall provide off-street truck loading or unloading berths in accordance with this table:

Number of Berths	Adjusted Gross Floor Area
11	220,000 sq. ft. up to 50,000 sq. ft.
22	550,000 sq. ft. up to 100,000 sq. ft.
11 add'l for each	550,000 sq. ft. in excess of 1100,000 sq. ft.

D. Size of Berths. Berths required by preceding sections shall be 10 feet wide, 45 feet long, and 14 feet high for large trucks such as trailer vans.

E. Design Standards. Berths shall be provided in such a manner as not to obstruct freedom of traffic movement and driver vision on streets or alleys, and be adequate for standing, loading, and unloading services in order to avoid undue congestion and interference with public use of streets and alleys, and to provide safety.

F. Use of Yards. Space for such berth may occupy all, or any part of, any required yard space when uncovered.

G. Relationship to Residential Lots. No berth shall be located closer than 50 feet to any other lot in any residential district, unless wholly within a completely enclosed building, or unless screened from such lot in the residential district by a wall or uniformly painted fence not less than six feet in height.

H. Access to Alleys. Access to such berth shall be from an alley when such exists. Off-street truck loading areas shall be separated from the off-street parking area. The surface shall be light bituminous macadam or better.

Chapter 17.56

LANDSCAPING STANDARDS

Sections:

- 17.56.010 Purpose.
- 17.56.020 Applicability.
- 17.56.030 Landscape plan.
- 17.56.040 Landscape types and descriptions.
- 17.56.050 Landscape standards.
- 17.56.060 Adjustment of landscape requirements.
- 17.56.070 Landscape maintenance.
- 17.56.080 Performance assurance.

17.56.010 Purpose.

The purpose of the landscaping and screening requirements of this chapter include the following:

- A. Increase compatibility between different intensities of land uses by providing visual barriers that interrupt the barren expanse of paved parking lots;
- B. Screen undesirable views of surrounding properties;
- C. Provide a visual separation and physical buffer between varying intensities of abutting land uses;
- D. Reduce the impact of erosion and storm water runoff;
- E. Provide pervious surfacing to allow natural ground water recharge;
- F. Reduce heat, air and noise pollution;
- G. Promote safety through reduced glare and reduction of congestion;
- H. Provide visual separation between pedestrian and traffic movement; and
- I. Preserve and enhance the ecology of the region and the natural character of the community. (Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.56.020 Applicability.

A. This chapter shall apply to all permitted, accessory, and conditional uses, except as described below. Landscape plans shall be submitted with a development permit application prior to the issuance of any building permit or other land use action.

B. This chapter does not apply to:

- 1. Farms and accessory uses associated with farming;
- 2. Single-family residential dwellings, duplexes and their accessory uses when not developed as part of an overall development, i.e., subdivisions or planned developments, and while used for those purposes;
- 3. Subdivision(s) and short subdivision(s), except subdivision entrance signs, or landscape design standards required elsewhere in the city regulations;
- 4. Remodels representing less than 50 percent of the valuation of the structure as determined by using the most recent ICBO construction tables, or remodels adding less than 20 percent of gross floor area, whichever is greater; and
- 5. Changes or expansions in use(s) requiring less than five parking stalls or less than 10 percent of the required parking stalls.

C. The city shall review and may approve, approve with modifications or disapprove the landscape plans for all developments in accordance with the provisions of this chapter. The city may permit alternative landscaping, as set forth in CMC 17.56.060, when the overall site development plan, as proposed by the applicant, provides equal or better results than required

by this chapter. The city may adopt a tree standards manual that describes appropriate species, planting and maintenance techniques applicable to the Cashmere area.

D. The following terms are used in applying the landscape standards as enumerated within this chapter:

1. "Landscaping" shall mean an area devoted to or developed and maintained with plantings, lawn, groundcover, gardens, trees, shrubs, and other plant materials, decorative outdoor landscape elements, garden ponds or pools, fountains, water features, paved or decorated surfaces of rock, stone, brick, block, or similar material (excluding driveways, parking, loading, or storage areas), and sculptural elements.

2. "Landscaping, interior" shall mean a landscaped area or areas within the shortest circumference line defining the perimeter or exterior boundary of the parking or loading area, or similar paved area, excluding driveways or walkways providing access to the facility (as applied to parking and loading facilities or to similar paved areas).

3. "Landscaping, perimeter" shall mean a landscaped area adjoining and outside of the shortest circumference line defining the exterior boundary of a lot parking or loading area, or similar areas, excluding driveways or walkways providing access to the facility (as applied to parking and loading facilities or to similar paved areas).

E. All required landscaping shall be maintained by the landowner or, in the case of streetscape landscaping, by the adjacent landowner, unless it is part of a city maintenance program. (Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.56.030 Landscape plan.

All landscape plans shall be a scaled drawing submitted to and approved by the city when applicable and shall be consistent with the provisions of this chapter. At a minimum, the landscape plan shall contain the following:

A. A plant list indicating the type, size and quantity of proposed plant materials.

B. The landscape design must include the location and size of all existing and proposed planting areas on the site. An irrigation or specified method of watering shall also be submitted. Where utilized, the following items shall also be shown:

1. Indication of screening and buffer plantings required by ordinance;
2. Impervious surfaces;
3. Natural or manmade features and water bodies;
4. Existing or proposed structures, fences, and retaining walls;
5. Location and spacing of each plant to be planted, shown to scale;
6. Designated recreational open space areas, pedestrian plazas, or green areas; and
7. The location of all proposed lighting shall be included.

C. The landscape plan shall be submitted with the development application and approved prior to the issuance of a building permit or in conjunction with the development permit. (Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.56.040 Landscape types and descriptions.

The plant materials that are chosen shall be those best suited to the climate within the Cashmere area. The following landscape types required in CMC 17.56.050 are set forth below:

A. "Type I: Screen." Type I landscaping is intended to provide a very dense sight barrier to significantly separate incompatible uses and/or zoning districts. Existing natural buffers are encouraged but may need additional width or to be augmented with additional landscaping features to provide the required sight barrier. Type I landscaping shall contain the following minimum elements:

1. All plant materials and living groundcover must be selected and maintained so that the entire landscaped area will be covered a minimum of 75 percent within five years, with maximum coverage in eight years.

2. Any combination of trees (deciduous or evergreen), shrubs, earthen berms and related plant materials or design are allowed; provided, that the resultant effect is sight-obscuring from adjoining properties.

3. All trees and shrubs must be capable of growing to a minimum six feet and three and one-half feet in height respectively.

B. "Type II: Streetscape." Type II landscaping is intended to create a visual separation between property uses/activities and streets or roads, and to create visually aesthetic street corridors to help promote linkages between neighborhoods, commercial, industrial and recreational areas. Type II landscaping shall contain the following minimum elements:

1. Deciduous trees and a combination of shrubs and/or groundcover approved by the city and as set forth herein:

a. Trees shall be a minimum of six feet in height at the time of planting;

b. Trees shall be planted at intervals no greater than 50-foot centers;

c. Trees shall not be located closer than three feet to the curb and/or a sidewalk;

d. Evergreen trees that comply with subsections (B)(1)(a) through (B)(1)(c) of this section may be substituted for the deciduous trees, upon approval of the city, provided they will not cause sight distance impairment at intersections of public streets and/or driveways, and provided they will not cause operation and/or structural damage to sidewalks and/or storm drainage systems.

2. Shrubs shall be a minimum of one and one-half feet in height at the time of planting and may be dispersed throughout the landscaped planting area or in confined pockets or nodes.

3. Groundcover shall be designed to cover 60 percent of the required area. Groundcover shall consist of grass, shrubs, vines, or other similar living groundcover. The remaining area may be covered with bark, rock or other similar material. These areas may also contain trees, shrubs, and other permitted plant materials and pedestrian amenities (i.e., benches); however, areas planted in grass shall be designed and constructed in a manner that will make possible normal maintenance such as mowing and watering. Groundcover shall be planted so that a minimum of 75 percent of the area is covered at maturity within five years.

4. Street trees shall be planted adjacent to the right-of-way, but not closer than three feet to a public sidewalk or curb. In no case shall sight-obscuring landscaping be located within the clear view triangle area as set forth in Chapter 17.58 CMC.

5. It shall be the responsibility of the owner(s) of the lot adjacent to the streetscape area to maintain the trees and planting area in good growing condition and to replace dead or dying trees with similar tree or shrub species. The city shall have the right to prune and maintain trees and shrubs within the lines of the right-of-way, clear view triangle and other public areas as may be necessary to ensure public safety.

C. "Type III: Perimeter Landscaping." Type III landscaping is intended to provide landscaping on the perimeter boundary of a site and to provide a visual separation of uses from adjacent uses and parking areas. Type III landscaping shall contain the following minimum elements:

1. A combination of deciduous and/or evergreen trees, shrubs, and groundcover.

a. No more than 60 percent of the trees shall be deciduous;

b. Trees shall be a minimum of six feet in height at the time of planting; and

c. Trees shall be planted at intervals no greater than 30 feet on center, unless plantings are clustered into groups, then the planting intervals shall be planted at intervals no greater than 90 feet.

2. Shrubs shall be a minimum of one and one-half feet in height at the time of planting with approved living groundcover. Plant materials shall be planted so that the ground will be covered a minimum of 75 percent within five years.

3. Earthen berms with grass, vegetative groundcover or other landscaping features should be designed with the required landscaping standards of this chapter, provided the resultant

effect would provide a pedestrian-friendly environment and visual relief where clear sight is required and can be achieved.

D. "Type IV: Open Landscaping." Type IV landscaping is intended to provide visual relief where clear sight is desired, pedestrian plazas, green areas, around signs, intersections, buildings or other similar areas. Type IV landscaping shall contain the following minimum elements:

1. A combination of evergreen or deciduous trees or shrubs and groundcover planted adjacent to buildings in the following areas and shall meet the criteria as prescribed herein:

- a. At the main entrance and front of the building;
- b. Adjacent to a public road.

2. A minimum of 30 percent of the area as measured along the length of a building or structure shall be planted and landscaped in areas identified in subsection (D)(1)(a) of this section.

3. The landscape area shall not be located greater than 15 feet from the building or structure.

4. Accessory buildings associated with the primary use shall be exempt from the above requirements.

5. Landscaping located at road intersections or within a clear view triangle shall not exceed three and one-half feet in height as measured from road grade and shall meet the minimum criteria established in Chapter 17.58 CMC for clear view triangle.

E. "Type V: Parking Area Landscaping." Type V landscaping is intended to provide visual relief and shade in parking areas. Up to 100 percent of the required trees proposed for the parking area may be deciduous. Type V landscaping shall contain the following minimum elements:

1. Required Amount.

- a. Parking areas with fewer than 20 parking stalls are exempt from these provisions.
- b. A parking area with more than 20 but less than 100 parking spaces: at least 17.5

square feet of landscape area must be provided as described in this section for each parking stall proposed.

c. If the parking area contains more than 100 parking spaces at least 35 square feet of landscaping must be provided as described in this section for each parking stall proposed.

2. Each area of landscaping must contain at least 100 square feet of area and dimension and shall not be less than six feet in any direction. The area must contain at least one tree six feet in height at the time of planting. The remaining ground area must be landscaped with plant materials.

3. A landscaped area must be placed at the interior end of each parking row in a multiple-lane parking area. Each area must be at least four feet wide and must extend the length of the adjacent parking stall(s).

4. One shade tree shall be planted within the interior of the off-street parking area for every 10 parking stalls. The first priority in meeting this provision is to preserve existing, well-established trees that do not interfere with the safety, operation and functioning of the parking lot. The trees shall be capable of providing shade to an area equal to 30 percent of the parking facility within 15 years of planting.

5. All landscaped islands must have a minimum depth of topsoil of two feet for shrubs and four feet for trees, unless poor drainage conditions exist which would require modifications as approved by the city.

6. All landscaped islands shall be planted with a combination of shade trees, shrubs or living groundcover. This area may contain ornamental trees and shrubs if appropriate. All planting must be in the central portion of the island.

7. Screen planting of a dense evergreen material not less than five feet in height at the time of maturity shall be provided in any locations where lights from vehicles within the off-street parking area may shine directly into windows of adjacent residential buildings. In lieu of screen

planting, up to 50 percent of the required landscaping may be subtracted when a solid rock, masonry or wood fence is constructed, provided the fence is at least 42 inches high, but does not exceed five feet in height.

8.A screen planting of dense evergreen material not less than five feet high at the time of planting shall be required where overhead illumination is located within the off-street parking area and may shine directly into windows of adjacent residential buildings. The city may require a greater height if it is determined that the screen planting of five feet high does not properly screen the overhead illumination from adjacent residential buildings. Parking lot lights will not be permitted to shine over property boundaries.

9.Provisions shall be made to ensure that adequate pedestrian paths connecting the parking lot with the public right-of-way are provided throughout the landscaped areas.

10.All areas in a parking facility not used for driveways, maneuvering areas, parking spaces or walks shall be permanently landscaped with suitable materials and shall be permanently maintained, pursuant to a maintenance program submitted by the applicant and approved by the community development director.

11.All landscaped areas shall have a border, as approved by the community development director, such as railroad ties or blocks, to retain the landscaping materials and also to protect them from intrusion by vehicles. All landscaped areas shall be a minimum of six feet in width and contain a minimum area of 60 square feet. Except within 15 feet of a driveway, landscaped areas may include berming, ornamental block walls and similar techniques that provide variations and/or modulations in elevation, texture and similar characteristics.

12.To increase the parking lot landscaped area, a maximum of two feet of the parking stall depth may be landscaped in lieu of asphalt while maintaining the required parking dimensions.

13.All parking facilities shall be permanently maintained in such a way that dust is not emitted from the parking lot, and shall be free of weeds, litter, debris and graffiti. Parking lots shall be striped biannually.

14.Where lighting is provided, it shall be of low intensity and the lighting shall be shielded in such a way that light and glare is directed only onto the subject property. (Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.56.050 Landscape standards.

Landscaping shall be provided in all developments subject to this chapter and as set forth below, except as otherwise enumerated within the regulations of the city.

A.District Landscaping Designations and Minimum Width. The following standards listed below indicate the type and width of landscaping required for various proposed uses, depending on the zoning district, type of use and zoning of adjacent parcels, or as enumerated elsewhere in this title.

1.The minimum landscaping width along the rear and side yards may be reduced to an amount approved by the director, but in no case shall it be less than five feet, if an ornamental wall or fence is constructed in conjunction with the landscaping required.

2.The director may increase the minimum width of a landscaped area and type of planting if the use is located adjacent to a lower intensity use.

3.If existing, well-established trees that have a trunk diameter of six inches or greater, as measured four feet above ground level, and/or vegetation (excluding noxious weeds and grasses) can realistically be utilized, they should be preserved and incorporated into the overall landscape program.

4. Downtown Business (DB) and Mixed Commercial/Light Industrial (C/LI) Districts.

Yard/Area	Landscape Width	Landscape Type
a. Front yard	6 feet	Type II
b. Front yard if a pedestrian plaza or green area is provided	6 feet	Type IV
c. Side and rear yards adjacent to any residential and/or recreation district	10 feet	Type I
d. Adjacent to buildings and/or structures	5 feet	Type IV

5. Public (P) District.

Yard/Area	Landscape Width	Landscape Type
a. Front yard	6 feet	Type II
b. Front yard if a pedestrian plaza or green area is provided	6 feet	Type IV
c. Rear and side yards	5 feet	Type III
d. Yards adjacent to any residential and/or recreation district	10 feet	Type I
e. Adjacent to buildings and/or structures	5 feet	Type IV

6. Multifamily Residential (MF) and Planned Developments.

Yard/Area	Landscape Width	Landscape Type
a. Front yard	6 feet	Type II
b. Rear and side yards	6 feet	Type III
c. Yards adjacent to any other residential and/or recreation district	10 feet	Type I
d. Adjacent to buildings and/or structures	5 feet	Type IV

7. Warehouse Industrial (WI) District.

Yard/Area	Landscape Width	Landscape Type
a. Front yard	6 feet	Type II
b. Side and rear yards adjacent to any residential and/or recreation district	15 feet	Type I
c. Yards adjacent to any commercial district	10 feet	Type I
d. Adjacent to buildings and/or structures	5 feet	Type IV

8. Conditional Uses/Nonresidential Uses in Residential Districts.

Yard/Area	Landscape Width	Landscape Type
a. Front yard	6 feet	Type II
b. Rear and side yards	5 feet	Type III
c. Adjacent to buildings and/or structures	5 feet	Type IV

B. Landscape Standards for Signs Including Permanent Subdivision Signs. Entrance signs shall be landscaped with Type IV landscaping and have a minimum landscaped area of 50 square feet. (Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.56.060 Adjustment of landscape requirements.

A. An alternative landscaping plan for an overall site development may be submitted and approved by the city when the landscaping plan as proposed meets the minimum standards and general intent of this chapter. The landscaping plan shall be processed simultaneously with the overall site development plan.

B. The city may authorize reduced or expanded widths of plantings or may waive or require supplementation of some of the landscaping requirements in the following instances:

1. When the inclusion of significant existing vegetation located on the site would result in as good as or better satisfaction of the purposes of this chapter;
2. When the landscaping would interfere with the adequate flow of storm water runoff, as determined by the city engineer along drainage easements and/or when the landscaping would interfere with the adequate treatment of storm water in grassed percolation areas;
3. Requests for modifications to landscape plans under this subsection are classified in accordance with "limited administrative reviews" as set forth in CMC Title 14. (Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.56.070 Landscape maintenance.

A. All landscaping shall be maintained for the life of the completed development.

B. The applicant and/or landowner shall follow accepted nursery standards and practices in the planting and maintenance of vegetation required by this chapter. During site development, care shall be taken not to compact the planting areas and compacted soils shall be loosened.

C. A permanently installed irrigation system shall be provided with adequate water pressure and coverage to serve all landscaped areas, except for areas with existing native species that are incorporated into the approved design.

D. The property owner shall keep the landscaped areas free of weeds and trash, and shall replace any diseased, damaged, unhealthy or dead plants in conformance with the approved landscape plan. All landscape materials shall be pruned and trimmed as necessary to maintain a healthy growing condition. If the director determines the maintenance required under this subsection has not been performed, the city shall take enforcement action pursuant to the provisions of CMC Title 14.

E. Planting areas shall be clearly separated from parking spaces and driveways by a raised curb, earthen berm or other suitable formal separation permanently affixed to the ground. Planting areas shall not have artificial impervious material underlying the top soil. (Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.56.080 Performance assurance.

A. The required landscaping shall be installed prior to occupancy or the issuance of an occupancy permit, whichever occurs first, unless the director determines that a performance assurance device will adequately protect the interest of the city. In no case may the property owner/developer delay performance for more than one year, unless a time schedule is developed to phase in the landscaping and is approved by the director.

B. The city may require performance assurance as a warranty of plant survival. Such an assurance shall, if required, be in effect through one complete growing season following planting.

C. If a performance assurance device is required it shall be in a form acceptable to the city attorney, and in an amount that is 150 percent of the estimated cost of installation. (Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

Exhibit “C”

Chapter 17.58

GENERAL REGULATIONS

Sections:

- 17.58.010 Purpose, intent and applicability.
- 17.58.020 Accessory structures – Residential zones.
- 17.58.030 Family home day care.
- 17.58.040 Group A home occupations.
- 17.58.050 Fences and hedges.
- 17.58.060 Decks, patios, porches, and slabs.
- 17.58.070 Swimming pools.
- 17.58.080 Domestic animals.
- 17.58.085 Livestock and poultry.
- 17.58.090 Storage standards.
- 17.58.100 Establishment of public nuisance.
- 17.58.110 Clear view triangle.
- 17.58.120 Manufactured permanent/temporary units.
- 17.58.130 Caretakers.
- 17.58.140 Flag poles, towers, and tower structures.
- 17.58.150 Value-Added Operation of Winery/Vineyard “A”

17.58.010

Purpose, intent and applicability.

The purpose of the general regulations is to provide a concise reference to requirements that are common to many different zoning districts, thereby providing a more efficient utilization of this title. The provisions of this chapter shall apply to all districts unless otherwise stated. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.58.020

Accessory structures – Residential zones.

Where authorized pursuant to Chapter 17.18 CMC, District Use Chart, all accessory structures within residential districts shall meet the following minimum requirements:

- A. Accessory structures shall not be used as a place of human habitation.
- B. No accessory structure shall occupy any part of a required front yard area.
- C. Detached accessory structures shall be no larger than the primary structure, and in no instance shall they exceed 24 feet in height. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.58.030

Family home day care.

Family day care providers, as defined in Chapter 17.08 CMC, shall be subject to a limited administrative review to determine that the following minimum criteria are met:

- A. Comply with all building, fire, safety, health code, and business licensing requirements;

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B. Conform to lot size, building size, setbacks, and lot coverage standards applicable to the zoning district except if the structure is a legal nonconforming structure;

C. Are certified by the State Department of Licensing;

D. Provide a safe passenger loading area;

E. Signage conforming with Chapter 17.60 CMC;

F. Hours of operation shall be clearly established and complied with to facilitate neighborhood compatibility, while also providing appropriate opportunity for persons who use family day care and who work a nonstandard work shift. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.58.040

Group A home occupations.

Where authorized pursuant to Chapter 17.18 CMC, District Use Chart, all Group A home occupations within residential districts shall meet the following minimum requirements:

A. Have applied for the ability to obtain a valid city business license;

B. Only resident family members are involved in the business;

C. Customers do not come to the home to receive goods and/or services;

D. Not more than 20 percent of the total interior living space, not to exceed 600 square feet, is to be used for the Group A home occupation;

E. No exterior signs or indications that a business is present in the home;

F. No window display and no sample commodities displayed outside the building;

G. Stock in trade stored or for sale shall not exceed 25 percent of the total home occupation area;

H. No materials or mechanical equipment shall be used which will be detrimental to the residential use of the residence or adjoining residences because of vibration, noise, dust, smoke, odor, interference with radio or television reception or other factors. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.58.050

Fences and hedges.

The following standards shall apply to all fences, hedges, and other landscape material unless otherwise provided for in this title:

A. Front yard fences, hedges and trees shall be pruned or maintained to 42 inches maximum height, so that a vehicle entering the street from a driveway can be seen by vehicles, pedestrians and bicyclists traveling on the public street or sidewalk.

B. On corner lots, fences, hedges, shrubs and all other materials shall be limited in height to a maximum of 36 inches measured along the right-of-way line from the intersection at least 15 feet. Slopes and embankments may necessitate a greater line of sight clearance so that a traffic safety hazard does not result to the vehicles, bicyclists, or pedestrians who are approaching the intersection.

C. Where two adjoining properties have front yards of differing depths, any fence built along the side yard between the two properties shall not exceed 42 inches adjacent to the front yard of either dwelling.

D. All fences, hedges, shrubs and other landscape materials shall not obstruct the clear view triangle as described herein.

E. Rear yard fences and side yard fences located beyond the front yard shall not exceed six feet in height. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.58.060

Decks, patios, porches, and slabs.

The following standards shall apply to all decks, patios, porches and slabs unless otherwise provided for in this title:

A. A freestanding covered patio or deck must meet the standards of this section. If the patio or deck is attached to a dwelling, it is to be considered as part of the dwelling.

B. Any deck or porch of any height, if covered with a roof structure, must meet minimum setback requirements.

C. Any deck, including railings or any part of the structure attached to an adjoining structure or freestanding or attached porch, exceeding 30 inches in height above ground level, measured at the highest point, must meet minimum setback requirements for front, back, and side yards.

D. Any deck or porch, including railings or any part of the structure 30 inches or less in height above ground level, may be constructed within front, back, and side yard setbacks.

E. Masonry slabs, driveways, or patios constructed at ground level may be placed within front, back, and side yard setbacks. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.58.070

Swimming pools.

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 not less than five feet in height. A setback from all side and rear property lines of at least five feet must be maintained. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.58.080

Domestic animals.

It is lawful in all zoning districts to have domestic animals as long as all applicable provisions of the CMC are complied with, including without limitation the provisions of this chapter. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.58.085

Livestock and poultry.

A. Compliance Required. It is unlawful for any person or persons to keep or maintain any livestock or poultry within the city limits except as provided in this chapter. For the purposes of this chapter, the terms "livestock" and "poultry" shall be as defined in Chapter 17.08 CMC, Definitions.

B. Livestock and Poultry – Permitted Where. Livestock and poultry are permitted within different zoning districts as determined by this title, provided the property ownership is at least one contiguous acre in size or greater and the other provisions of this chapter are met.

C. Criteria. The following minimum criteria shall be met where keeping of livestock and poultry are permitted by the zoning district, and provided the property ownership is at least one contiguous acre in size or greater:

1. The minimum pasture area maintained for each animal shall be as listed below:

a. One-half acre per each horse, pony, mule, cow and/or other similar size animal, except animals under one year of age shall be exempt from this requirement;

b. One-quarter acre per each sheep, goat or other similar size animal, except animals under one year of age shall be exempt from this requirement;

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c. Twelve poultry per acre. Poultry may include any combination of chickens, ducks, geese, rabbits and similar type animals, except poultry under three months of age are exempt from this requirement;

d. One acre per each swine. When located within an urban growth area no more than three swine are permitted per property ownership. Swine under three months of age are exempt.

Example: The minimum land area required for one sheep and one horse shall be one acre, with three-quarters of an acre maintained in pasture as described below.

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. All livestock and poultry shall be kept in enclosures so constructed and maintained as to prevent the livestock from breaking through, out, or over the same and roaming at large through the city.

4. Adequate measures shall be taken to properly dispose of animal waste. Accumulations of animal waste shall be prohibited from being stored closer than 100 feet from any off-premises dwelling and/or any domestic or irrigation wells, and all accumulations of manure or refuse shall not be stored in excess of one week. Accumulated waste shall be prohibited within 200 feet of any domestic or irrigation well. Furthermore, all animals kept within the city shall be kept in a humane fashion and shall not create a noxious, foul or offensive condition.

5. Barns, shelters or other buildings or structures for the keeping or feeding of cattle, horses, goats, sheep, poultry or swine or other similar shelters for animals or birds shall be located a minimum of 100 feet from any off-premises residential dwelling.

6. 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. Pasture areas shall be maintained with a permanent, uniform vegetative top cover and shall be kept free of noxious weeds.

7. 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.

D. No person shall keep or maintain any wild, exotic, or nondomesticated animal within the corporate city limits. No exotic animals are allowed within an urban growth area without first obtaining a conditional use permit. The applicant shall submit the following facts:

1. The exotic or nondomesticated animals, at the location proposed, will not jeopardize, endanger, or otherwise constitute a menace to the public health or safety;

2. The proposed site is adequate in size and shape to accommodate the type of animal for which the permit is requested without harm to the animals or material detrimental to the use, enjoyment or valuation of the property of other persons located in the vicinity of the site; and

3. In no case shall a person have more than one poultry size or shape exotic animal per lot or parcel less than one acre. If greater than one acre, one exotic animal per acre.

All exotic animals shall comply with local, state and federal regulations. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007).

17.58.090

Storage standards.

It is unlawful and a violation of this title for the owner of any premises in the city, the owner's agent, or the occupant of any premises in the city to store, keep or accumulate junk and/or junk

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vehicles on such property, or to allow anyone else to store, keep or accumulate junk and/or junk vehicles on such property. Any violations of these provisions shall be considered a public nuisance and shall be subject to the enforcement procedures described in Chapter 14.13 CMC.

A. General. All permitted storage shall be considered accessory. Storage of materials shall be located entirely within an enclosed building or shall be screened from view of the surrounding properties with a sight-obscuring fence and/or landscaping, except as otherwise required by this title.

1. No storage of materials shall be located within any required front yard.
2. Storage of junk, scrap lumber, metals, glass and other material is prohibited within all zoning classifications.
3. The repair of any personal automobile, truck or other vehicle of any kind upon the public streets or alleys in any residential district is prohibited. Said repair of personal vehicles shall only be conducted within a fully enclosed garage or other suitable structure meeting all of the applicable dimensional standards of this title.
4. No vehicle shall be stored on the lot so as to obstruct sidewalks or create a traffic hazard.
5. No shipping or cargo containers shall be permitted.
6. No unlicensed or inoperable vehicles shall be permitted.
7. A maximum of four vehicles located outside of an enclosed storage structure per lot or parcel within the single-family (SF), suburban residential (SR), and airport residential (AR) zone districts.

B. Recreational Vehicles. Off-street storage or off-street parking areas shall be provided for all recreational vehicles, including without limitation boats, motor homes, travel trailers, or similar type recreational vehicles.

1. The storage of recreational vehicles shall be prohibited within a required front yard in a residential district or on the public right-of-way.
2. No more than one each boat and recreational vehicle per dwelling may be located outside of an enclosed building on any lot in any residential zoning district.

C. Refuse Storage. All outdoor trash, garbage and refuse storage areas associated with multifamily, commercial, public and/or industrial uses shall be screened on all sides from public view and, at a minimum, be enclosed with a five-and-one-half-foot-high wood, concrete or masonry wall, or sight-obscuring fence with landscaping on all sides.

1. Refuse storage shall be prohibited within a required front yard and within required rear or side yards when adjacent to a residential district.
2. Refuse storage areas shall be designed in accordance with the overall architectural theme of the associated building or structure. Single-family and duplex dwellings shall be exempt from this provision.

D. It is unlawful for anyone to deliver and/or deposit any garbage or rubbish generated within the city or without the city at any disposal site other than a refuse disposal, processing, transfer or recover site lawfully permitted according to applicable local and state regulations. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.58.100

Establishment of public nuisance.

A. For the purposes of the CMC, public nuisances shall include but not be limited to those activities and situations defined in Chapter 17.08 CMC. Public nuisances are any nuisance that affects equally the rights of the entire community or neighborhood, although the extent of damage may be unequal. Public nuisances are considered hazards to the public health, safety and

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welfare adversely affecting the value and habitability of property within the city of Cashmere as a whole and may specifically cause substantial damage to adjoining and/or nearby property. The accumulated impacts of public nuisances if not abated will materially and adversely impact the quality of life and economic well-being of the neighborhood and the city. Chapter 8.36 CMC also addresses public nuisances.

B. Activities deemed to be a public nuisance that are conducted or occurring in any way on any lot, tract, parcel or premises shall be enforceable through Chapter 8.36 CMC, Public Nuisances; Chapter 14.13 CMC, Enforcement and Penalties; and any applicable Washington State statute. A public nuisance may include but is not limited to any thing, act, omission to act, occupation or use of property which:

1. Unreasonably annoys, injures or endangers the safety, health, comfort or repose of the public; and/or
2. Offends public decency; and/or
3. Unlawfully interferes with, obstructs, or renders dangerous for passage rivers, streams, canals, or a public park, square, street, alley, highway or sidewalk; and/or
4. Renders the public insecure in life or use of property; and/or
5. Creates an attractive nuisance by which the presence of a condition or activities can result in the attraction of children into a situation where hazards can threaten their health or safety, including but not limited to unused or abandoned large appliances, unused or abandoned motor vehicles, structurally unsound or unsafe fences, unsecured or abandoned excavations, unmaintained buildings, wells, pits, cisterns, storage tanks and any lumber, trash, debris or vegetation which may prove a hazard for minors; and/or

6. Additional public nuisances may be identified by the city and found to be in violation of the CMC when such conditions can be documented as resulting in conditions that are a menace to public health, safety, welfare and/or the public peace. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.58.110

Clear view triangle.

A. A clear view triangle shall be maintained for vision safety purposes on all corner lots, driveways and intersecting public/private roads. No fence, sign, utility structure, associated landscaping or any other sight obstruction between 42 inches and eight feet in height above the existing road grade shall be placed or maintained within the triangle.

B. The clear view triangle shall be established as follows:

1. At street intersections, it shall be determined by measuring 25 feet from the point of intersection of the two property lines, along the property lines adjacent to each street. The third side of the triangle shall be a line connecting the end points of the first two sides of the triangle.

2. At a driveway intersection with a street right-of-way, it shall be determined by measuring 15 feet along the road right-of-way and 15 feet along the edges of the driveway, beginning at the respective points of the intersection. The third side of the triangle shall be a line connecting the end points of the first two sides of the triangle. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.58.120

Manufactured permanent/temporary units.

Manufactured units (new or old) shall be permitted as a single-family dwelling unit in all residential districts. The minimum width of all manufactured units within residential districts

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shall be 24 feet. In addition, units shall be pit set with the first floor elevation no more than 12 inches above finished grade. The pit shall be of sufficient depth to accommodate 18 inches of clearance below the frame of the unit with crawl space access located near utility connections. The foundation shall be installed in compliance with the requirements of the Washington Administrative Code, Revised Code of Washington, International Residential Code and International Building Code. Skirting or sidewalls shall be installed around the perimeter, and the tongue and axle shall be removed.

Manufactured units within nonresidential districts shall comply with local, state and federal regulations and the most recent edition of the International Building Code. Units shall comply with one of the following uses:

A. **Permanent Unit.** Manufactured unit shall comply with manufacturer's specifications for installations, and first floor elevation shall be no less than 18 inches above finished grade. The manufactured unit shall have a crawl space access located near utility connections. Skirting or sidewalls shall be installed around the perimeter, and the tongue and axle shall be removed.

B. **Temporary Unit.**

1. The maximum allowed time period for a temporary use is 45 days, and the use and placement of the units shall comply with the applicable zoning district's development standards. The time period for a temporary unit may be extended for an additional 45 days, unless otherwise specified below.

2. No more than two renewals shall be issued for a temporary unit on a property within a 12-month period, unless specified below.

a. **Specific Temporary Uses.**

i. **Construction Office.** Construction office may be permitted as a temporary use incidental to construction occurring on the same site as the construction office proposed. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007).

17.58.130

Caretakers.

A. The caretaker's residence shall be and remain incidental to the primary use of the property, and is limited to the duration of need associated with the custodial, maintenance or oversight of the owner's property, building, and/or use.

B. Caretaker's residences shall have separate utilities and meters.

C. The caretaker's residence including covered garages/carports shall be limited to one residential structure, attached or detached, containing not more than 900 square feet.

D. Caretaker's residence shall conform to lot size, building size, setbacks, and lot coverage standards applicable to the zoning district.

E. Both the title holder and the planning director shall sign a notice to title. Said notice to title shall be notarized, and be recorded by the Chelan County auditor for the property prior to building permit issuance stating:

The separate sale or division of the caretaker dwelling unit from the primary use of the land is prohibited, unless all standards in Cashmere Municipal Code can be met. This covenant is intended to run with the land burdening and benefiting the parties' successors and assigns.

(Ord. 1138 § 1 (Exh. A), 2008).

17.58.140

Flag poles, towers, and tower structures.

Flag poles, towers, and tower structures shall be permitted within all zoning districts.

A. Persons seeking to construct flag poles, towers, and tower structures pursuant to the provisions of this chapter shall complete and submit an application for a building permit for review and approval by city.

B. No more than three flag poles, towers, and tower structures shall be allowed per parcel or lot.

C. Flag poles, towers, and tower structures may be constructed within the warehouse/industrial, commercial/light industrial, and public lands to a maximum height of 15 feet greater than the established zoning district height requirement whether such structure is attached or freestanding. Flag poles, towers, and tower structures that exceed zoning district height requirements will require a conditional use permit, pursuant to Chapter 17.72 CMC, Conditional Uses.

D. Flag poles, towers, and tower structures shall comply with applicable zone district requirements unless otherwise stated within this chapter.

E. Flag poles, towers, and tower structures shall be located on the lot or license area so that the distance from the base of the tower or structure to any property line, license area boundary or adjacent/support structure is at least 100 percent of the proposed structural height.

F. Flag poles, towers, and tower structures shall comply with the most current edition of International Building Code (IBC) and International Residential Code (IRC).

G. Flag poles, towers, and tower structures that exceed zoning district height requirements shall have stamped signed plans and calculations submitted by an engineer to the city. Washington State professional engineer shall submit a report or letter showing that they addressed the following: wind speed of 90 miles per hour, seismic, snow and ice load, electrical grounding, and fall zone requirements.

H. Lighting of flag poles, towers, and tower structures are allowed. Downward and upward light shall be shielded and be incorporated into the design of the flag poles, towers, and tower structures. To contain the impacts of unsafe lighting and light pollution, the city prohibits the following, unless required by FAA, FCC or other federal, state, and local agencies:

1. Floodlights, searchlight, beacons, and laser source light fixtures.
2. Neon lighting.
3. Lighting which creates hazards to pedestrian and traffic safety, and which is a nuisance to surrounding properties because of excessive glare or light production.
4. Blinking, flashing, animated or moving lights.

I. All federal, state, and local regulations shall apply. (Ord. 1138 § 1 (Exh. A), 2008).

17.58.150

Value-Added Operation of Winery/Vineyard "A"

Value-Added Operation of Winery/Vineyard "A" means a winery or vineyard that is less than or equal to two-thousand five hundred (2,500) square feet in size. Value-added winery/vineyard "A" is permitted provided the property and vineyard are at least one (1) acre in size, and any and all cumulative ancillary uses are less than or equal to one thousand (1,000) square feet in size. Permitted ancillary uses may include decks, patios or terraces associated with the retail use and are limited to the small-scale processing and sale of wine or

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spirits, wine tasting, incidental and/or accessory food and beverage service, sale of ancillary items related to the winery and its products and small wine tasting events.

The following conditions shall apply to Value-Added Operation of Winery/Vineyard "A":

- a) The applicant shall submit a site design plan which addresses and mitigates, if necessary, the impacts of the operation. Such impacts may include, but are not limited to, parking, noise, lighting, odor, drainage, and traffic.
- b) The use shall adhere to all applicable building, fire safety and health codes, and all zoning restrictions of the district in which it is located.

Chapter 17.59

WIRELESS COMMUNICATION FACILITIES (WCF)

17.59 Wireless Communication Facilities (WCF).

The purpose of this chapter is to establish appropriate locations, site development standards, and permit requirements to allow for wireless communication services, in a manner which will facilitate the location of various types of wireless communication facilities in permitted zoning districts so they are consistent with the character of the city. Minimizing the adverse visual impact of these facilities is one of the primary objectives of this Chapter. This Chapter is intended to allow wireless communication facilities as provided in Chapter 17.18.020 District Use Chart, which are sufficient to allow adequate service.

17.59.010 Applicability.

The provisions of this Chapter apply to zoning districts identified in CMC Section 17.18-District Use Chart.

17.59.020 Exemptions.

The following are exempt from the provisions of this Chapter

- A. Amateur radio antenna operated by a federally licensed amateur radio operator, provided such antenna height does not exceed 100% of distance from base of antenna or support structure to nearest property line, or fifteen (15) feet above the existing or proposed roof line, whichever is greater.
- B. A temporary, commercial wireless communication facility, for the purpose of providing coverage of a special event, subject to approval by City, and subject coverage shall comply with all applicable state and federal regulations. Said wireless communication facility may be exempt from the provisions of this chapter two (2) days prior to special event and two (2) days after special event.
- C. VHF and UHF receive-only television antenna (s), provided they do not exceed fifteen (15) feet above the existing or proposed roof line,
- D. Telecommunication facilities within public road right-of-way, provided such facility or structure is not located within a clear view triangle and the structure does not exceed a height of forty-two (42) inches,
- E. Temporary Radar systems for military communication and navigation,
- F. Wireless radio or other temporary WCF utilized for temporary emergency communications in the event of a disaster,
- G. Satellite dish antennas less than 3.5 feet in diameter and no greater than fifteen (15) feet in height, including direct-to-home or business satellite service, when used as an accessory use on a property,
- H. Routine maintenance or repair of a WCF or related equipment, provided the following:
 - i. There is no increase in the number of antennas,
 - ii. There is no increase in the height of the antenna support structure,
 - iii. There are no added structures either on ground or attached to tower.

17.59.030 Criteria

1. Co-location : Applicant shall design, orient, construct, and operate Wireless Communication Facilities (WCFs) so as to facilitate sharing facilities with other utilities,

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to co-locate with other existing WCFs and to accommodate the co-location of future WCFs, where technically, practically and economically feasible. Co-location will be a requirement of approval unless the applicant submits a demonstration that supports, to the satisfaction of the approving authority, the conclusion that sharing space on existing facilities is not technically, practically or economically feasible or possible based on one or more of the following factors:

- v. Available space on existing facilities;
 - vi. The facility owner's ability to lease necessary space;
 - vii. The facility's structural capacity;
 - viii. Geographic service area requirements;
 - ix. Mechanical or electrical incompatibilities;
 - x. Any State or Federal limitation on facility or structural sharing;
2. WCF support structures shall be located on the lot or license area so that the distance from the base of the tower or structure to any property line, license area boundary or adjacent/support structure is at least one hundred (100) percent of the proposed structural height.
 3. Ground level buildings/structures shall be screened from view by landscape plantings, fencing, or other appropriate means. Required landscape plantings shall be installed around the perimeter of the required security fence.
 - i. A wall, slatted chain link fence, or wooden fence no less than six (6) feet in height from the finish grade shall be provided around WCF. Access to the tower shall be through a locked gate via Knox box.
 - ii. At least one (1) parking stall shall be provided in accordance with Chapter 17.54 of CMC for maintenance and repairs.
 - iii. Equipment structures mounted on the roof shall be screened to match existing wall finish similar to the exterior building walls.
 4. Lighting of WCF is allowed. All lights shall be downloading, and shielded and be incorporated into the design of the WCF. To contain the impacts of unsafe lighting and light pollution, the city prohibits the following unless otherwise required by FAA or State of Federal regulations:
 - i. Floodlights, searchlight, beacons, and lasers source light fixtures.
 - ii. Neon lighting.
 - iii. Lighting which creates hazards to pedestrian and traffic safety, and which is a nuisance to surrounding properties because of excessive glare or light production.
 - iv. Blinking, flashing, animated or moving lights.
 5. No advertising or display shall be located on any antenna support structure, antenna or security fencing. The owner of the antenna array shall place an identification plate indicating the name of the wireless service provider and a telephone number for emergency contact on site. Subject identification plate shall not exceed one and a half (1.5) square feet in size.
 6. The owner of the WCF shall notify the City when the tower is no longer operating as part of a wireless communication system authorized and licensed by the FCC. Within six (6) months of the date the facility ceases to operate as part of an authorized system, the facility must be removed from the site.
 7. The Applicant shall submit proof that the service provider has legal access to the proposed site/tower.
 8. The Applicant shall submit compliance letter signed by the Applicant stating the support structure will comply with all applicable federal, state, local regulations and laws.
 9. Applicant shall submit copies of any FCC licenses required under FCC regulations for the provisions of service within the County/City.

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10. All providers shall attest to and demonstrate compliance with FCC and Washington State laws relating to non-interference of emergency 911 regulations.

Exhibit 'E'

Chapter 17.60

SIGNS

Sections:

- 17.60.010 Statement of purpose.
- 17.60.020 Definitions.
- 17.60.030 General regulations.
- 17.60.040 Sign categories.
- 17.60.050 Specific sign regulations.
- 17.60.060 Nonconforming sign provisions.
- 17.60.070 Administration and enforcement.

17.60.010 Statement of purpose.

The purpose of this chapter is to accommodate and promote sign placement consistent with the character and intent of individual zoning districts and the comprehensive plan by providing minimum standards to safeguard life, health, and visual quality. This is accomplished by regulating and controlling the number, size, design, construction and location of all signs and sign structures. This chapter is further intended to preserve and improve the appearance of the city of Cashmere as a place to live and to promote trade and tourism in the community. It encourages sound signing practices as an aid to communication, business and public information dissemination. (Ord. 1097 § 1, 2007; Ord. 1082 § 1, 2006).

17.60.020 Definitions.

For purposes of this chapter, the following terms, phrases, words and their derivatives shall be defined as specified in this section:

A. "Abandoned sign" is a sign that represents or displays any reference to a business or use which has been discontinued for more than six months or for which no valid business license is in effect in the city, or any sign which pertains to any occupant, business or event unrelated to the present occupant or use.

B. "Alteration of sign" is any construction material, size, or location change to an existing sign, except for normal maintenance.

C. "Area" or "sign area" is the total area of a sign excluding the sign support structure. The area is calculated by measuring from the outside edge of the frame. For calculating the area of a double-faced sign, only one side of the sign is to be used. Architectural embellishments and decorative features which contain no written or advertising copy, which are not illuminated and which contain no logos or trademarks shall not be included in the sign area. Signs painted on or attached to a wall or awning are calculated by imaginary straight lines around the entire copy or grouping of letters, words, or symbols, using a maximum of eight lines.

D. "Awning" is an overhead shelter, supported entirely from the exterior walls of a building composed of a rigid supporting framework and a flexible or nonrigid covering.

E. "Building face" is the exposed exterior wall parallel and visible from the street, including windows and doors, of a building from the grade of the building to the eave line or parapet and the entire width of the building elevation.

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F. "Building side" is a surface of a building that extends more or less perpendicularly from an observer standing in front of a building.

G. "Canopy" is a freestanding permanent roof-like structure composed of rigid materials providing protection from the elements that may have support columns or it may be supported in whole or in part by an adjacent structure.

H. "Commercial" is any activity carried on for financial gain.

I. "Community event" means a specific event sponsored by an organization or business that provides a function that benefits a wide range of the public. Examples of "community events" are: Founder's Day Festival activities, Cashmere School District activities, Cashmere Chamber activities, festivals held in city parks, food drives, charity events, service club events, entertainment and education events at public facilities, Apple Days events, museum events and Chelan County Fairgrounds events. "Community event" does not include those events that occur at a place of business including: product sales, business promotions, entertainment and activities designed for attracting sales for the benefit of that place of business.

J. "Drive-in restaurant" or "refreshment stand" is any place or premises used for sale, dispensing, or serving of food, refreshments,

or beverages to customers in automobiles, including those establishments where customers may serve themselves and may eat or drink the food, refreshments, or beverages on the premises.

K. "Eave line" is the juncture of the roof and the perimeter wall of the structure.

L. "Erect" is to build, construct, alter, display, relocate, attach, hang, place, suspend, or affix any sign, and shall also include the painting of murals, window signs and wall signs.

M. "Freeway-oriented use" means any business or group of businesses that are located in a commercial and/or industrial zoning district that is within 500 feet of the centerline of the right-of-way of U.S. Highway 2/ State Route 97.

N. "Highway frontage" is property that abuts U.S. Highway 2/State Route 97 as designated by Washington State Department of Transportation.

O. "Historical site" or "historical structure" is any structure, or collection of structures, and their associated sites, deemed of importance to the history, architecture or culture of an area by an appropriate local, state or federal governmental jurisdiction. Included shall be structures on official national, state or local historic registers or official listings such as the National Register of Historic Places, the State Register.

P. "Material" is any wood, metal, plastic, glass, cloth, fabric, or any other substance used to construct a sign.

Q. "Multiple-building complex" is a group of structures housing two or more retail offices, or commercial uses sharing the same lot, access and/or parking facilities or coordinated site plan.

R. "Multiple-tenant building" is a single structure housing two or more retail, office or commercial uses.

S. "Normal maintenance" means to restore a sign to a state comparable to its original condition

T. "Public entity" is a state, county, district, public authority, or public agency.

U. "Repair" is to renew, refresh or restore to sound condition, but does not include a total replacement.

V. "Sign," in the singular or plural, means any communication device, structure or fixture using letters, symbols, trademarks, logos or written copy that is intended to aid the establishment, and/or to promote the sale of products, goods, services, or events. The term "sign" does not include stock in trade on display and available for sale. The term "sign" includes, without limitation, the following types of signs:

1. "Accessory commercial sign" includes, but is not limited to, open/closed signs, bank/credit card signs, travel club signs, welcome signs and vacancy/no vacancy signs; provided, that the sign does not advertise any business or product.

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2. "Animated sign" means any sign that includes the optical illusion of action or motion or color changes of all or any part of the sign facing to show or give the appearance of video or television-type pictures.

3. "Awning sign" is a sign applied to or incorporated into the covering of an awning. An awning sign shall be considered a wall sign for the purposes of this chapter.

4. "Banner sign" is a sign intended to be wall mounted, or hung between two or more objects, with or without a frame, possessing characters, letters, illustrations, or ornamentations applied to cloth, fabric, vinyl, cardboard or other nonrigid material.

5. "Bench sign" is a sign located on any part of the surface of a bench or seat placed on or adjacent to a public right-of-way.

6. "Booster club sign" is a sign located on Cashmere School District property that has been authorized by the Cashmere High School Booster Club, advertising a Cashmere Booster Club Member.

7. "Canopy sign" is a sign applied to or incorporated into a canopy. A canopy sign shall be considered a wall sign for the purposes of this chapter.

8. "Changing message center sign" or "electronic readerboard (Tri-Vision sign)" means an electronically controlled sign where different automatically changing messages, graphics or symbols are shown on the lamp bank or screen. This definition does not include time and temperature displays.

9. "Commemorative plaque" is a memorial plaque or plate, with engraved or cast lettering, which is permanently affixed to or near the structure or object it is intended to commemorate.

10. "Community bulletin board" is a sign associated with a government or municipal entity that provides an area for temporary signs/announcements of general public interest (not including commercial sales and/or services) in a centralized location, the use of which is determined by each public or semipublic entity providing the bulletin board sign.

11. "Construction sign" is a sign on the site of a construction project that identifies the project, its character or purpose and/or the architects, engineers, planners, contractors, or other individuals or firms involved.

12. "Directional/incidental sign" means signs indicating entrances, exits, service areas, loading only and parking areas, and that do not contain advertising or promotional information.

13. "Directory sign" is a sign on which the names and locations of occupants, or the use or uses, of a building or contiguous/connected use of buildings are given.

14. "Flashing sign" is a sign or other advertising structure, or portions thereof, having lights or illuminations that flash, move, rotate, scintillate, blink, flicker, vary in intensity or color, or use intermittent electrical pulsations, except for time and temperature signs.

15. "Freestanding sign" is a sign permanently supported from the ground in a fixed location by a structure of poles, uprights, and not supported by nor attached to a building. All portions of such sign shall be located on the business property.

16. "Freeway-oriented sign" means a sign that is associated with a "freeway-oriented use," as defined herein, and that is designed to be viewed primarily from U.S. Highway 2/State Route 97.

17. "Informational sign" means a sign within a multiple business property indicating only the name of a particular use and the direction in which it is located.

18. "Illegal sign" means a sign that has not been legally authorized by the city in accordance with this chapter, and/or does not meet the minimum criteria necessary to be considered a legal nonconforming sign.

19. "Illuminated sign" means an electric sign or other sign employing the use of lighting sources for the purpose of decorating, outlining, accentuating or brightening the sign area.

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a. "Indirectly illuminated signs" are signs that are illuminated from an external source that may or may not be attached to the sign.

b. "Internally illuminated signs" are signs where the source of illumination is inside the sign and light emanates through the message of the sign, rather than being reflected off the surface of the sign from an external source.

20. "Integral sign" is a memorial sign, tablet, name or date of erection of a building when cut into any masonry surface or when constructed of bronze or other incombustible material mounted on the face of a building.

21. "Kiosk" is a small structure, owned by a public entity, with one or more open sides, that is used to advertise local public and community events.

22. "Logo sign" is a sign bearing characters, letters, symbols, or characteristic design which, through trademark status or consistent usage, has become the customary identification for a business.

23. "Menu sign" is a wall or freestanding sign that advertises the menu of a food and/ or beverage service establishment.

24. "Monument sign" means a sign permanently affixed to the ground by a wide, solid base that is nearly the same width as the sign face.

25. "Moving sign" is a sign or other advertising structure having visible moving, revolving or rotating parts or visible mechanical movement of any kind or other apparent visible movement achieved by any means, except for street clocks and time and temperature signs.

26. "Neighborhood/subdivision sign" means a sign erected for the sole purpose of identifying a neighborhood and/or subdivision.

27. "Nonconforming sign" means a sign that was legally installed under laws or ordinances in effect prior to the effective date of the ordinance codified in this chapter or subsequent revisions, but that is in conflict with the current provisions of this chapter. Abandoned signs shall not be considered a nonconforming sign.

28. "Off-premises billboard sign" is a sign which displays a message not specifically related to a commodity, service, or use available at the same premises where such advertising sign is located.

28.5 "Off-premise directional signage" is a sign, which directs attention to a business, profession, product, activity, or service, which is not conducted, sold or offered on the premise where the sign is located.

29. "Pennants" or "streamers" are long tapering flags or strips of material used to attract attention to a business, place, or area.

30. "Permanent sign" is a sign or advertising display intended to be erected for more than 30 days that is typically painted on or permanently affixed to a building or the ground. Types of signs included in this category include but are not limited to: freestanding, monument, wall, window, canopy, and awning signs.

31. "Political sign" is a sign identifying or expressing a political candidate or viewpoint on public issues decided by ballot.

32. "Portable sign" is a sign, excluding sandwich board signs, that is capable of being moved easily and not permanently affixed to the ground, a structure or a building.

33. "Projecting sign" is a sign other than a wall sign that extends horizontally from a building or structure.

34. "Readerboard sign" is a sign face consisting of tracks to hold readily changeable letters allowing frequent changes of copy.

35. "Real estate sign" is a sign that advertises the real estate on which it is located for rent, lease, or sale.

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36. "Residential sign" means any sign located in a residential district that identifies the occupants of a residence and that contains no commercial message.

37. "Roof sign" is a sign erected or constructed wholly upon or over the roof of any building and supported on the roof structure.

38. "Sandwich board sign" is a two-sided, portable sign that is no more than 48 inches in height and 30 inches in width and weighted to prevent it from tipping over.

39. "Suspended sign" is a sign that hangs below the permanent overhang or canopy extending over public or private sidewalks or rights-of-way.

40. "Temporary sign" is a sign or advertising display intended to be displayed for no more than 30 days per calendar year. Types of signs included in this category include but are not limited to: community events, grand opening, special sales and special events.

41. "Time and temperature" is that portion of a sign intended to display only the time of day and current temperature.

42. "Trailer sign" means any sign mounted on a vehicle and/or trailer for advertising or promotional purposes.

43. "Wall graphic" or "mural" is a painting or design applied directly to a wall or roof or building in which color and form are part of an overall design on the building. For the purposes of this code, wall graphics and/or murals do not contain any advertising and/or commercial content, including a business name, logo, etc.

44. "Wall sign" is a sign painted, attached to or erected against and parallel to the wall plane of a building or structure. A wall sign shall be confined within the limits of said wall and shall not extend more than 12 inches from the face of the wall.

45. "Window sign" means any sign placed upon or painted on the interior or exterior surface of a window or placed inside the window within three feet of the window surface, which faces the outside and which is intended to be seen primarily from the exterior.

W. "Sign height" is the vertical distance measured from the grade below the sign to the highest point of the sign.

X. "Wall plane" is that portion of a building face, which is contained on one general plane. If there is a shift in the facade forward or back, a new plane is created. A single wall plane may contain windows and doors. (Ord. 1097 § 1, 2007; Ord. 1082 § 1, 2006).

17.60.030 General regulations.

All signs authorized herein shall comply with the following minimum standards:

A. All signs erected within the city of Cashmere shall require a sign permit issued by the city, consistent with the provision of this title;

B. All signs governed by the provisions of this chapter shall comply with all adopted building, electrical, structural, etc., codes;

C. Only lawfully existing enterprises are allowed to utilize signs as listed herein;

D. All signs, together with their supports, braces and guys shall be maintained in a safe and secure manner, as determined by the city;

E. Nothing in this section shall prohibit the city from adopting special sign districts as part of a specific plan, redevelopment plan, planned unit development or the like when special sign provisions are necessary or appropriate to implement the comprehensive land use plan provisions and goals;

F. Of the temporary and permanent signs identified below, only the following signs shall be authorized in the residential zoning districts:

1. Community bulletin board signs;

2. Signs associated with an authorized home occupation and/or conditional use permit;

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3. Neighborhood/subdivision signs, including those that identify an authorized multifamily and/or manufactured home complex;

G. A clear view triangle shall be maintained at all intersecting public or private streets, driveways, and/or curb cuts for traffic and pedestrian safety purposes based upon AASHTO guidelines from "A Policy on Geometric Design of Highways and Streets," 1990 Edition, as it now exists or may be hereafter amended, which are hereby adopted by this reference;

H. All freestanding and monument signs shall include, as part of their design, landscaped areas having a minimum of 50 square feet of planting area. The planting area shall be located around the base of the sign so as to prevent vehicles from hitting the sign, and to improve the overall appearance of the installation. Landscaping shall meet the minimum provisions established in CMC 17.56.040(D), Type IV: Open Landscaping;

I. Projecting, suspended, freestanding, and awning signs shall maintain a minimum clearance of seven and one-half feet above the finished grade over pedestrian ways; and shall provide a minimum of 13.5 feet over vehicular ways;

J. Except for exempt signs as provided herein, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame, or structure;

K. Illumination from any sign shall be shaded, shielded, directed, or reduced so as to avoid undue brightness, glare, or reflection of light onto private or public property or right-of-way in the surrounding area; and so as to avoid unreasonable distractions of pedestrians or motorists. Indirectly illuminated signs shall not project light from the light source across property lines, or directly towards traffic;

L. The following principles shall control the computation of sign area and sign height:

1. **Area of Individual Signs.** The area of a sign face (which is also the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, or rectangle that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed; but not including the area encompassing the address of the property, any supporting framework, bracing, or decorative fence or wall that is clearly incidental to the display itself. If there is a space between letters or groups of letters (horizontally or vertically) of 24 inches or more, the area of each grouping shall be calculated separately using the above method. In the case of a mural incorporating commercial wording, the sign area shall include only the portion of the mural that contains the wording, circumscribed as set forth above;

2. **Area of Multi-Faced Signs.** The sign area shall be computed by adding together the area of all sign faces. When two identical sign faces are placed back-to-back or in opposition of 130 degrees or less, the sign area shall be computed by the measurement of one of the faces. No greater than two faces are permitted per freestanding sign. If the opposing faces of a sign are more than 130 degrees, both opposing faces shall be used in calculating sign size;

3. **Height.** The height of a sign shall be computed as the distance from the base of the sign at the average finished grade of the lot to the top of the highest attached component of the sign. In cases where the average finished grade cannot reasonably be determined, due to topographical irregularities or the property is improved with curbs and gutters, sign height shall be computed on the assumption that the elevation of the average finished grade at the sign is equal to the average elevation of the area surrounding the proposed sign location and for a distance of 50 feet in any direction of the proposed sign;

4. Where calculations herein are based on building and/or wall face, this shall include all window and door areas and shall be measured from the sidewalk or ground line to the building eave line or parapet;

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M. Abandoned signs as defined in this chapter may be removed by the city and the cost of removal shall be paid by the owner of the sign and shall be a lien on the real estate from which the abandoned sign was removed subject to the same provisions for foreclosure of the lien as provided herein;

N. No sign of a private entity shall be erected and/or placed so as to encroach onto or into a public right-of-way, except provided herein for suspended signs attached under canopy of the Cottage Avenue downtown area or sandwich board signs; O. No signs shall be erected, placed, secured or hung in any manner on or between the posts of the canopy located in the downtown area;

P. In buildings with multiple tenants, it shall be the building owner's responsibility to apply for and obtain any sign permits, and to assign the allowed sign size and location between tenants to comply with the sign code;

Q. In general, each property is allowed one monument sign and one freestanding sign, provided the required setback can be met; and further provided, that except as allowed for freeway-oriented uses, only one monument or freestanding sign shall be located on a single street frontage. For multi-tenant buildings and/ or property choosing to use a directory sign described below, said directory sign shall be either the monument or freestanding sign that is allowed as described herein. Where a freeway-oriented use chooses a freestanding freeway-oriented sign, an additional monument sign that complies with all monument sign requirements will be allowed on the property where traffic enters the business's parking area. Wall and window signs are regulated based on coverage of the building face as defined and described herein. (Ord. 1097 § 1, 2007; Ord. 1082 § 1, 2006).

17.60.040 Sign categories.

All signs are categorized into the following categories, as identified below and as determined by the city. The administrator shall determine the category of an undefined sign, based on similarities to signs that are defined herein.

A. Exempt Signs. These signs generally do not require a permit, provided they are consistent with the provisions of CMC 17.60.050(A), as determined by the city.

B. Prohibited Signs. These signs are not allowed under any circumstances.

C. Temporary. These signs are regulated in a consistent manner and may require a permit to be issued by the city, consistent with the general requirements of this chapter, including the specific provisions of CMC 17.60.050(B).

D. Permanent. These signs are regulated in a consistent manner and require a permit to be issued by the city, consistent with the general requirements of this chapter, including the specific provisions of CMC 17.60.050(C).

Sign	Exempt	Temporary	Permanent	Prohibited
Accessory commercial	X			
Animated				X
Awning			X	
Banner	X	X		
Bench				X
Booster club sign	X		X	
Building construction	X			
Canopy			X	
Changing message center or electronic reader board				X

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Commemorative plaque	X			
Community bulletin board			X	
Community event	X	X		
Directional/incidental	X			
Directory			X	
Flashing				X
Freestanding			X	
Freeway-oriented sign			X	
Home occupations/CUP in residential zones			X	
Informational			X	
Indirectly illuminated			X	
Integral	X			
Internally illuminated			X	
Logo			X	
Monument			X	
Moving				X
Neighborhood/subdivision signs			X	
Neon			X	
Off-premises billboard signs				X
Off-premise directional signage			X	
Pennants/streamers		X		
Political	X			
Portable			X	
Projecting			X	
Readerboard			X	
Real estate	X			
Residential	X			
Roof				X
Sandwich board			X	
Suspended			X	
Time and temperature	X			
Trailer				X
Wall graphic/mural	X			
Wall			X	
Window			X	

(Ord. 1097 § 1, 2007; Ord. 1082 § 1, 2006).

17.60.050 Specific sign regulations.

All permitted signs shall conform to the following standards:

A. Exempt Signs. The following signs are exempt, based on the requirements contained herein. Any sign exceeding the parameters of the following requirements are not considered exempt and shall be regulated as provided elsewhere in this code:

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1. Noncommercial signs less than two square feet in area and bearing only property, numbers, postal box numbers or names of occupants of premises, flush-mounted on a primary structure;

2. A menu sign no greater than 10 square feet in area, flush-mounted on a primary structure;

3. Mailbox signs on commercial mailboxes; provided, that the wording shall be limited to the name of the business or addressee, and shall consist of lettering one inch high or smaller;

4. Flags and insignia of any government, including the flags that are placed by the city of Cashmere on the Aplets Way and Cottage Avenue bridges;

5. Signs of a public or semipublic body, noncommercial in nature, including, without limitation, community service informational signs, public transit service signs, public utility information signs, traffic control signs and all signs erected by a public officer in the performance of a public duty. Traffic control signs must also meet requirements of "Manual on Uniform Traffic Control Devices";

6. Integral, decorative or architectural features of buildings, except when such features include commercial wording, moving parts or moving lights;

7. Directional/incidental signs; provided, that such signs shall not exceed six square feet in area, and meet requirements of "Manual on Uniform Traffic Control Devices";

8. Commemorative plaques and integral signs with engraved lettering less than two inches in height;

9. Building construction signs; provided, that there is only one such sign per street frontage of a building; and provided, that the area of each sign shall not exceed 16 square feet in a residential district and 32 square feet in other zoning districts and that all such signs shall be removed within 30 days of completion of the building;

10. Real estate signs; provided, that there is only one such sign per street frontage and that the area of the sign shall not exceed eight square feet in area, excluding wrought-iron work and the post;

11. Political signs, provided the area of individual signs shall not exceed eight square feet. Political signs are not allowed to be placed within any public right-of-way, and all such signs shall be removed not later than one week after the election;

12. Community bulletin board signs; provided, that only one such sign per block shall be allowed, that the bulletin board contains no direct advertising of products or services and shall not exceed 32 square feet in area;

13. Accessory commercial signs; provided, that such signs shall not exceed two square feet;

14. Yard/garage sale signs used to advertise private sales of used goods may be erected so long as they are not displayed for a period of longer than three consecutive days. The date of posting shall be clearly written on the sign or it shall be removed and discarded. Said signs shall not be affixed to any utility pole, city trees, street light pole or standard, canopy poles in the downtown area, traffic sign or traffic control device pole or standard;

15. Time and temperature signs are allowed as exempt signs in the commercial and industrial zones, notwithstanding the general prohibition on changing message center signs, provided they are accessory to a commercial use and do not interfere with safe vehicular and pedestrian traffic. These signs may only display numerical information in an easily comprehensible manner and shall be kept accurate. They shall be part of another permanent sign, and they shall not exceed four square feet in area.

B. Temporary Signs. Temporary signs, as identified and defined herein, are allowed, subject to the following standards:

1. All temporary signs shall be securely affixed to the surface of a building wall or window, and shall not be affixed to any utility poles, city trees, street light pole or standard, canopy poles in the downtown area, traffic sign or traffic control device pole or standard;

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4. Community event temporary signs shall comply with the following additional standards:

a. Community event temporary signs may be up to 100 square feet per sign face in size;

c. Community event temporary signs may be displayed for up to 60 days prior to the community event, and shall be removed within 24 hours of the event completion;

5. Business sales and/or product event/ announcement temporary signs shall comply with the following additional standards:

a. Business sales and/or product event/announcement temporary signs shall not exceed eight square feet;

b. Business sales and/or product event/announcement temporary signs may be displayed for up to seven days prior to the event, and shall be removed within 24 hours of the event completion.

C. Permanent Signs. Permanent signs shall be subject to the following requirements:

1. Wall and Window Signs.

a. Wall signs shall not project above roof line;

b. Wall signs shall not extend more than 12 inches out from wall, and shall be mounted parallel with the building face;

c. Each wall and/or window sign, calculated together for any single building face, shall not exceed the percentage below:

Building Face	Maximum Sign Surface Area Per Building Face
Building Face	Up to 20 percent, provided combined signage shall not exceed 600 square feet.

2. Monument Signs.

a. Monument sign shall be no larger than 32 square feet;

b. Monument sign shall be no taller than 42 inches above street grade when located within the clear view triangle, and no taller than 72 inches above finished grade when located outside of the clear view triangle;

c. Monument signs shall be located outside of the clear view triangles for any driveways or walkway.

d. Only one monument sign is allowed on each property, including for multi-tenant buildings, provided it is not located on the same street frontage as an allowed freestanding sign.

3. Freestanding Signs.

a. Freestanding sign shall be no larger than 32 square feet;

b. Freestanding sign shall be no taller than 20 feet above the grade of the property or sidewalk, whichever is less;

c. Freestanding sign shall be set back at least 10 feet from front, side and/or rear property lines;

d. Only one freestanding sign is allowed on each property, including for multi-tenant buildings, provided it is not located on the same street frontage as an allowed monument sign.

4. Suspended/Projecting Signs.

a. Suspended and/or projecting sign shall be no larger than six square feet, and shall be at least seven and one-half feet above the grade of the public sidewalk;

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b. Suspended and/or projecting sign shall have at least two attachments to the building from which it projects and such other guy wires, chains, or cables as may be deemed necessary by the city;

c. No guy wires shall be spread at an angle less than 25 degrees and shall be fastened with approved expansion bolts to a solid brick or stone wall or by machine screws in an iron building face, or by light screws if the building face is solid woodwork;

d. Projecting sign shall not project more than five feet from the building face for an individual business. The structure around or supporting the sign, such as wrought-iron work, shall not be included in the total sign area;

e. Only one projecting sign shall be permitted per exterior building entrance.

5. Specific Sign Standards.

a. Sandwich Board Signs.

i. Only one sandwich board sign is allowed per business/use;

ii. Sandwich board sign shall be no taller than 48 inches and no wider than 30 inches;

iii. Sandwich board sign shall be properly anchored to ensure it does not tip over and/or blow away;

iv. Sandwich board sign shall only be placed in front of the business it pertains to, and only during business hours;

v. No sandwich board sign shall obstruct wheelchair ramps or in any other way obstruct pedestrian or vehicular traffic.

vi. Sandwich board location shall be approved, prior to placement, by the Mayor or his/her designee.

b. Canopy Signs.

i. Only one suspended and/or projecting sign per business shall be allowed under a canopy, and in no case shall the size of the sign exceed four square feet;

ii. Any projecting sign located under the canopy shall be mounted perpendicular to the building face or canopy;

iii. The lowest portion of any sign shall not be less than seven and one-half feet above the sidewalk;

iv. A suspended and/or projecting sign shall not be mounted such that any portion of said sign is closer than 12 inches to the street-side edge of the gutter/curb;

v. All signs extending over any public right-of-way shall have at least two attachments to the building from which they project and such other guy wires, chains, or cables as may be deemed necessary by the city;

vi. No guy wires shall be spread at an angle less than 25 degrees and shall be fastened with approved expansion bolts to a solid brick or stone wall or by machine screws in an iron building face, or by light screws if the building face is solid woodwork.

c. Booster Club Signs.

i. Booster club signs shall be located on the fence that borders on property owned by Cashmere School District in accordance with any regulations established by the District. Booster club signs shall not be allowed on fences bordering residential properties;

ii. Other than lighting from the existing street or school facilities, booster club signs shall not be illuminated in any way.

d. Neighborhood/Subdivision Signs, Multifamily and/or Manufactured Home Complexes.

i. The above-listed signs shall identify the particular development at a street and/or development entrance;

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ii. One monument sign, consistent with all provisions herein for monument signs, may be permitted per entrance from an access street to the property, provided the sign does not exceed 20 square feet and is 36 inches or less in height, or as approved by the city at the time of preliminary subdivision approval or building permit approval;

iii. The sign shall be indirectly illuminated and shall be shielded to prevent glare visible from public rights-of-way and neighboring properties; no internal illumination is permitted;

iv. Such signs shall only give the name and street address of the development;

v. Such signs shall not obstruct visibility, create blind spots or obstruct pedestrian travel.

e. Off-Premises Directory Signage.

i. Directory signs may be a wall, freestanding or monument sign, and must comply with the applicable provisions for those types of signs, including landscaping, height, and size;

ii. If a directory sign is either a freestanding or a monument sign, it shall take the place of said freestanding or monument sign, and shall comply with the requirement only allowing either one monument sign or one freestanding sign for a single street frontage;

iii. The property owner shall apply for the permit for the directory sign, and shall include the layout of the individual signs that make up the directory sign;

iv. Individual signs in an approved directory sign may be added, moved or substituted with signs for new businesses or uses without a fee; provided, that the design is consistent and the provisions of the original permit are met;

v. Only one directory sign shall be allowed for each public street frontage;

vi. For multi-tenant buildings, only one directory sign is allowed.

vii. Off-premise directional signage associated with freeway oriented Washington State Department of Transportation (WSDOT) approved signage.

a. Applicant shall apply for a permit for the directory sign.

b. Signage may include business name and logo.

c. Signage shall be placed on City approved 36" X 6" green fiberglass directional sign, and one sign per business.

d. No more than eight (8) directional signs per post. One (1) sign per business.

e. One (1) sign per business per post.

f. Signage shall be reviewed and approved by the City prior to placement, and City shall install sign, and shall comply with the requirements of "Manual on Uniform Traffic Control Devices."

g. Sign must be removed once business is discontinued or WSDOT sign on highway is removed.

h. Applicant shall pay all applicable fees associated with the placement and manufacturing of sign.

i. Locations of signage shall be placed on existing "Historic Cashmere" sign.

j. City may install additional signage post at various locations, which shall be approved by Cashmere City Council prior to placement.

k. Directional signs associated with federal, state or City-owned or sponsored facilities, such as the public library, post office, museum, Riverside Center, etc. are exempt from WSDOT sign requirements.

f. Community Bulletin Board Signs.

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i. One community bulletin board sign is permitted when associated with a government or municipal building, utility, public school, park, recreation facility, grange, fire station, church or other similar type uses;

ii. Community bulletin board signs can be either wall, freestanding or monument signs, and must comply with the applicable provisions for these types of signs, including landscaping, height, and size;

iii. The sign may be illuminated provided it is located on an arterial street.

g. Home Occupations in Residential Areas.

i. Signs for home occupations in residential areas shall only be authorized for a legally established home occupation;

ii. Only one home occupation sign shall be allowed;

iii. Home occupation signs shall be a flush-mounted wall sign, unlighted, and shall not exceed four square feet in area.

h. Conditional Use Permits in Residential Areas.

i. Signs for conditional use permits in residential areas shall only be authorized for those uses determined to be legally established;

ii. Each use is permitted one flush-mounted wall sign having a maximum sign area of four square feet.

j. Freeway-Oriented Signs.

i. In lieu of either an authorized freestanding or monument sign, a freeway-oriented use is allowed one freeway-oriented sign per property and located on the same parcel as the freeway-oriented use;

ii. Freeway-oriented sign structures shall be located in such a manner so as not to adversely obscure the visibility of another existing freeway-oriented sign structure from U.S. Highway 2/State Route 97;

iii. Freeway-oriented signs shall be located within 500 feet of the centerline of the right-of-way of U.S. Highway 2/State Route 97;

iv. The maximum height of a freeway-oriented sign shall be 40 feet;

v. The distance between the lowest portion of a freestanding freeway-oriented sign and ground level shall not be less than 15 feet in height;

vi. The maximum sign area shall be not more than 125 square feet; provided, that the sign face for a multi-tenant building/ structure freeway-oriented use is allowed a total of 300 square feet;

vii. The text on freeway-oriented signs shall be limited to corporate logos, products or business names only;

viii. All freeway-oriented signs shall contain no more than two sign faces, mounted back-to-back;

ix. Illumination of freeway-oriented signs shall be limited to internal lighting and shall not project onto the roadway or onto adjacent properties. (Ord. 1097 § 1, 2007; Ord. 1082 § 1, 2006).

17.60.060 Nonconforming sign provisions.

1. Signs that were in compliance with previous city or county codes and are now nonconforming solely because of the adoption of this code shall be allowed to continue in use until the business use changes;

2. Nonconforming signs shall be allowed the following repairs or modifications provided that there is no increase in square footage of the sign being repaired:

- a. Routine maintenance and updating of business information; or
- b. The sign is damaged requiring structural repairs.

17.60.070 Administration and enforcement.

Administration and enforcement of the provisions of this chapter shall be as established in CMC Title 14, Development Code Administration. Sign permits as required herein shall be processed consistent with the provisions for limited administrative review. (Ord. 1097 § 1, 2007; Ord. 1082 § 1, 2006).

Chapter 17.62

PLANNED UNIT DEVELOPMENT

Sections:

- 17.62.010 Purpose of a planned unit development.
- 17.62.015 Where permitted – Permitted uses.
- 17.62.020 Protection of critical areas – Provision of on-site recreation.
- 17.62.025 Dedicated lands.
- 17.62.035 Density credits.
- 17.62.050 Project description.
- 17.62.060 Association documents.
- 17.62.070 Phased developments.
- 17.62.100 Expiration.
- 17.62.110 On-site recreation and/or open space design requirements.
- 17.62.120 Minimum development standards.

17.62.010 Purpose of a planned unit development.

The purpose of the planned unit development (PUD) is to allow a more flexible use of land for residential development in all zones by encouraging the careful application of design components to achieve the creation of innovative housing developments and a more efficient utilization of public facilities in exchange for public benefits that achieve comprehensive plan goals. The PUD can also be used to protect wetlands, floodways, and other critical areas from development. A PUD is one that permits diversity in the location and type of structures; promotes the efficient use of land by facilitating a more economical arrangement of buildings, streets, utilities, and land use; preserves as much as possible critical areas and natural landscape features; and reduces development impacts to adjacent neighborhoods through design and mitigation.

Designation of a property as a PUD binds the property owners and their successors to the development described and depicted in the application, binding site plan and approval of the PUD, and applicable development standards of this chapter. The PUD designation confirms the PUD is consistent with the purpose of and provisions for planned unit developments and the comprehensive plan and provides the standards by which subsequent development permits, including building permits, shall be reviewed.

A PUD shall be reviewed according to the provisions for a quasi-judicial review process as described in CMC Title 14, except as otherwise provided for in this chapter. (Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.62.015 Where permitted – Permitted uses.

A.A PUD, when approved in accordance with the CMC and this chapter, is established as a development permit and, as such, does not reclassify the existing zoning district designation. A PUD may be permitted within any residential zoning district located within the Cashmere urban growth area, provided it is consistent with the comprehensive plan.

B.A PUD may include the following uses:

1.A combination of residential dwellings such as single-family attached, single-family detached, modular homes, manufactured homes, duplexes, townhouses, and other similar dwellings in accordance with this chapter and the CMC;

2.Accessory uses specifically designed to meet the needs of the residents of the PUD such as garages, carports, personal and recreational vehicle storage, and other similar non-commercial uses;

3.Developed recreational facilities such as clubhouses, tennis or racquetball courts, ball fields, trails, sports fields, spa facilities, horse arenas and riding academies, parks, undeveloped recreational areas, open space areas and other similar type uses;

4.Shared boat docks, launch facilities, and marinas compatible with the purposes of this chapter and the city of Cashmere shoreline master program; and

5.Cultural, community and entertainment facilities that are compatible with the purposes of this chapter. (Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.62.020 Protection of critical areas – Provision of on-site recreation.

A.Where critical areas exist on a site subject to a PUD, the benefits derived from the PUD, including without limitation decreased lot sizes and increased densities as provided for in this chapter, shall be achieved in exchange for a dedicated protection of another portion of the property containing critical areas; provided, that:

1.The critical areas to be protected are dedicated in perpetuity, and all future rights for development are traded in exchange for the rights to derive benefits from the PUD process;

2.Land protected by trading development density shall be protected from encroachment and maintained free of fill material, building and construction wastes, yard wastes and other debris that would diminish the property characteristics that the dedication was intended to protect. Any use of the critical areas on-site shall be governed by Chapter 18.10 CMC et seq., Critical Areas Code; and

3.Where critical areas within the development account for less than 25 percent of the overall area of the development, additional on-site recreation and open space areas, as provided for in this chapter and in the applicable zoning code provisions, shall be provided in addition to retention of critical areas in an amount that achieves a total area in critical areas/open space/on-site recreation use of at least 25 percent.

B.Where no critical areas exist on a site subject to a PUD, the benefits derived from the PUD, including without limitation decreased lot sizes and increased densities as provided for in this chapter, shall be achieved in part in exchange for a dedication of another portion of the property as an on-site recreation and/or open space area consistent with the provisions of this chapter and other applicable sections of the zoning code, that total at least 25 percent of the overall development; provided, that:

1.The on-site recreation may include a combination of natural areas, parks, landscaped areas, trails, and/or visual corridors; provided, that a minimum of 10,000 square feet or 60 percent of the on-site recreation, whichever is greater, is contiguous usable space;

2.The on-site recreation area/areas are dedicated in perpetuity, and all future rights for development are traded in exchange for the rights to derive benefits from the PUD process. (Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.62.025 Dedicated lands.

All lands dedicated for the preservation of critical areas, creation of open space or establishment of recreation facilities shall be held in common interest by all of the property owners within the planned unit development or remain in individual ownership, or donated to a public agency. Perpetual restrictions shall be placed upon the title to all dedicated areas and on the face of the PUD indicating that:

A.All land uses and development shall be limited to the stated purpose of the dedicated property.

B.All property owners within the planned unit development shall be mutually responsible for the maintenance and preservation of the dedicated lands.

C.Dedicated lands shall be maintained free of any liens or encumbrances that could interfere with the stated purpose of the dedication. (Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.62.035 Density credits.

A. The maximum number of dwelling units permitted per acre for a PUD shall be determined by utilizing the maximum density levels established by the comprehensive plan and zoning regulations, and the amount of public benefit or design elements provided within the proposed development. In all districts, exceeding the maximum density permitted within the district requires the connection to a domestic sanitary sewer system.

Residential Densities

Land Use Designation	Allowed Residential Density	Additional Density Not to Exceed
Single-Family	6 units per acre	8 units per acre
Suburban Residential	1 to 4 units per acre (depends on sewer service)	6 units per acre
Airport Residential	1 to 4 units per acre (depends on sewer service)	6 units per acre
Multifamily	15 units per acre	20 units per acre
Downtown Business	Upper level, secondary use only	Upper level, secondary use only
Commercial-Industrial	None	None
Warehouse	None	None
Public	None	None

B. Additional density shall be achieved by incorporating at least eight of the following 15 items into the design and construction of the PUD:

1. On-site storm water drainage retention facilities are integrated as usable recreation areas with a slope ratio not exceeding four units horizontal to one unit vertical.
2. Where a PUD is proposed along an existing transit route, transit stops and the construction of shelters, pull-outs and other associated transit systems shall be integrated into the project.
3. Trees shall be planted adjacent and along the entire frontage of public and/or private street rights-of-way on the property being developed. Planting areas shall be a minimum of five feet in width and consist of a minimum of 60 percent deciduous trees at least four feet high at the time of planting on no greater than 50-foot centers. Suitable groundcover including grasses and/or low-growing shrubs to complement the trees shall also be provided.
4. Where a proposed PUD consists of more than 10 units, parking areas are kept small (10 to 20 spaces) in any group and interspersed with landscaping, recreation features, structures, or other similar uses when applicable.
5. Provisions shall be made for bicycle, pedestrian and/or natural trail systems, the majority of which are physically and functionally separated from motor vehicle traffic by a distance of 10 feet or more. Separation may include such features as landscaping, undulated berms, natural features, topography, open space, or other similar features. Trail systems shall encompass the entire development and may be incorporated as part of the on-site recreation required. The trail system components shall connect all public open space, drainage ways, shoreline areas and other trail systems designated in the comprehensive plan. Trail system components shall be a minimum of eight feet wide and improved with an all-weather surface suitable for the type of trail proposed.
6. Natural drainage ways shall be incorporated into the overall PUD design and left undisturbed or enhanced with native ornamental landscaping when applicable.
7. Significant recreational areas shall be developed and equipped with such features as swimming pools, tennis courts, commercial-grade playground equipment, community centers or other significant features.

8. At least 25 percent of the site shall incorporate duplex, multifamily or zero-lot-line dwelling units.

9. Where a proposed PUD incorporates the development of duplexes, multifamily units and zero-lot-line lots, disperse their locations throughout the PUD.

10. Solar design and access considerations shall be incorporated into the design of the development and proposed buildings. This

may include using topographical features of the development, siting criteria for structures, or specific structure design requirements for solar use.

11. Accessory features such as benches, trash cans, tables and other similar attributes to enhance the character of the open space or other features shall be provided in the development. This shall not include primary garbage disposal areas. Trash cans shall be 42 inches high with a total radius of two feet or less. The accessory features shall be consistent with the overall design of the development.

12. An area shall be designated and developed with each PUD phase for the storage of personal property and/or recreation vehicle storage. Storage areas shall be sized and designed for the sole use by the residents within the development. Common features shall include perimeter landscaping to screen them from view, accessibility to all residents, minimal lighting, and similar architectural features as the proposed residential structures. Signs for advertising purposes are prohibited.

13. Pedestrian access, open space and recreation amenities shall be provided and incorporated into the PUD when the PUD adjoins cultural/historical sites or water bodies such as ponds, creeks, rivers or lakes, when applicable.

14. Landscape decks/garden porches shall be incorporated into the design of all duplexes and multifamily units.

15. The PUD shall incorporate some other unique site and/or design features not listed above that distinguish it from a typical subdivision. The hearing examiner shall determine the applicability and appropriateness of this provision during the review process for each PUD. (Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.62.050 Project description.

A written explanation of the design concept, planned features of the development, measures taken to meet the purposes of the PUD, the proposed sequence and timing of development, the provisions of ownership and management when developed, and covenants or other controls which might influence the development, operation or maintenance of the PUD shall be submitted. (Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.62.060 Association documents.

An outline of the documents of the owner's association, bylaws, deeds, covenants and agreements governing ownership, maintenance and operation of the PUD shall be submitted. PUD covenants shall include a provision whereby unpaid taxes on all property owned in common shall constitute a proportioned lien on all property of each owner in common. The city may require that it be a third party beneficiary of certain covenants with the right but not obligation to enforce the same. (Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.62.070 Phased developments.

If a PUD is planned to be completed in more than two years from the date of site plan approval, the PUD will be divided into phases or divisions of development, numbered sequentially in the order construction is to occur. The PUD site plan for each phase shall be approved separately through a "full administrative review" process pursuant to CMC Title 14, and shall be consistent with all provisions of the PUD. (Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.62.100 Expiration.

A PUD expires unless final approval is obtained from the city and recorded by the Chelan County auditor within two years from the date of approval. For a PUD that includes phases as permitted by this chapter, the PUD shall expire unless final approval is obtained for the first phase from the city, with subsequent phases falling within the identified phasing schedule, and recorded by the Chelan County auditor within two years from the date of approval. Minor revisions to the phasing schedule of a PUD that has not expired pursuant to this section may be granted by the city provided the schedule is consistent with the overall time frame anticipated for build-out of the PUD. An applicant who files a written request with the city administrator within 30 days before the expiration date shall be granted

a one-year extension upon a showing of a good faith effort to file the site plan or showing substantial progress of conditions of approval. (Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.62.110 On-site recreation and/or open space design requirements.

The following are minimum design requirements for PUDs that incorporate on-site recreation and/or open space:

A. The following areas shall not be calculated in whole or in part as a portion of the required on-site recreation or open space:

1. Public and/or private streets, parking lots and storm drainage, except as specifically enumerated within this chapter;
2. Slopes in excess of 35 percent, geologically hazardous areas, water bodies, and/or submerged or marshy/boggy land.

B. The location, shape, size and character of the open space shall be configured appropriate to the scale and character of the planned density, expected population, and topography of the area. On-site recreation areas shall be centrally located in the development and designed for active and passive recreation unless otherwise approved by the hearing examiner.

C. A minimum of 60 percent of the on-site recreation or open space shall be concentrated and/or connected into large usable areas. The remaining 40 percent may be designated as buffers, entry features, recreation facilities, streetscape, and/or used for a natural trail system or other uses approved by the hearing examiner.

D. On-site recreation areas or open space may contain such complementary structures and improvements as are necessary and appropriate for the benefit and enjoyment of residents of the PUD; provided, that the building coverage of such buildings or structures shall not exceed 50 percent of the minimum on-site recreation or open space required.

E. At least 60 percent of the on-site recreation area or open space required shall be reasonably level to accommodate active recreational uses with slopes no greater than six percent. On-site recreation areas shall be located on a public or private street with a minimum frontage width of 30 feet if the site is two acres or less in size and 60 feet of frontage width for areas larger than two acres. (Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.62.120 Minimum development standards.

A. Yard, Setback, and Width Requirements. The minimum yard, setback, and width requirements otherwise applying to the development in the zoning district may be modified from the standards of the district, provided:

1. The minimum front, side and rear yard requirement on the exterior boundaries of the proposed PUD shall not be less than 20 feet, unless a sight-obscuring fence and/or landscape strip is provided allowing for five-foot yard areas adjacent to said fence and/or landscaping. The minimum front yard area adjacent to a public street within the interior of the PUD shall not be less than 15 feet. Interior yards and setbacks, including the yard areas adjacent to private streets, shall be as approved on the PUD site plan and each development will be reviewed to ensure adequate provision of light, air and life safety for all structures.

2.All buildings that are not attached or do not have common walls shall be separated by a minimum distance of 10 feet.

3.Each lot utilized for residential purposes shall have a minimum width of not less than 30 feet on an interior public or private street. Lots located on an exterior perimeter street shall comply with the normal minimum lot width of the district.

B.Minimum Lot Size. The minimum lot size within a PUD may be modified from the normal standards of the district and reduced by 35 percent of the district requirement unless located on an exterior perimeter street. Lots located on the exterior perimeter boundary or along an exterior street of the PUD shall be reduced by not less than 10 percent of the normal minimum lot size requirement of the zoning district. Regardless of reduced minimum lot sizes, at no time shall the overall density of the development exceed the maximum densities identified in this chapter.

C.Maximum Building Coverage. The maximum lot coverage may be increased by 25 percent of the normal district requirement.

D.Maximum Building Height. The maximum building height within a PUD shall be the same as permitted in the district. Whenever possible, development of the PUD shall be designed to maximize views for each dwelling unit and to ensure that the views of surrounding properties have been considered.

E.Landscaping. Landscaping shall be required at entries into a PUD, for on-site recreation areas and facilities, and in conjunction with multifamily complexes. Natural landscape features including existing trees, shrubs and groundcover, drainage ways, rock outcroppings, and slopes shall be preserved to the greatest extent possible.

F.Buffer. A buffer shall be required when a PUD has a density and/or intensity greater than that allowed within the applicable zoning district. The buffer shall include a combination of additional landscaping, fencing, increased setbacks and/or other alternatives that mitigate impacts to adjacent properties.

G.Parking Requirements. Parking shall be provided in the same ratio as required for the district and shall meet the minimum provisions established in Chapter 17.54 CMC and the following:

1.For each 10 multifamily dwelling units, four additional parking spaces shall be required for visitor parking when on-street parking is unavailable. Special considerations may be given to low traffic generators such as senior citizen or assisted living housing.

2.Additional parking/storage areas shall be required for recreational vehicles (RVs) such as campers, boats, trail bikes, motor homes and other similar vehicles unless these types of vehicles are precluded by the developer in the form of covenants or other restrictions, approved by the director. When 30 or more dwelling units are proposed, one parking space shall be provided for every 10 dwelling units. The size of the parking/storage area shall be based on the following:

a.Parking/Storage Stalls. Minimum of 10 feet wide by 28 feet long;

b.Access Driveway. Minimum of 30 feet in width;

c.Parking/Storage Lot. The minimum area requirement for each space, together with access and maneuvering area, shall not be less than 700 square feet.

H.Special Areas. A PUD that is adjacent to any lake, river, drainage or other waterway shall provide pedestrian or vehicular access in accordance with Chapter 18.10 CMC et seq., Critical Areas Code.

I.Flexible Standards. A PUD may allow development standards different from those imposed under the CMC, except as provided in the applicable district in relation to permitted uses and provided a clear description of the approved development standards is provided. Any approved development standards that differ from that otherwise required by the city shall not require any further zoning district reclassification, variance from the CMC or other city approval apart from the PUD and any subsequent associated construction plan approvals. The development standards as approved through the PUD shall apply to and govern the development and

implementation of each PUD site in lieu of any conflicting or different standards or requirements elsewhere in the CMC. (Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

Chapter 17.64

NONCONFORMING USES AND STRUCTURES

Sections:

- 17.64.010 Purpose.
- 17.64.020 Nonconforming lots.
- 17.64.030 Nonconforming use of land.
- 17.64.040 Nonconforming structures.
- 17.64.050 Repairs, maintenance and safety of nonconforming structures.
- 17.64.060 Moving a nonconforming structure.
- 17.64.070 Changes to a nonconforming use.
- 17.64.080 Abatement of public nuisance.

17.64.010 Purpose.

It is recognized that certain existing lots, structures and uses will not conform to this title at the time of its adoption, May 10, 1999. The purpose of this chapter is to protect owners and/or tenants of property from unreasonable loss and hardship where such nonconformity is created as a result of the adoption of provisions contained in this title. It is also realized that land, structures, and uses of land and structures which do not conform to the provisions of this title can become nuisances, can disrupt the orderly development of the city, and can create unsafe, hazardous and unhealthful conditions; therefore, the city declares that, over time, all nonconforming structures and uses shall be terminated as provided in this chapter. (Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.64.020 Nonconforming lots.

A structure and its customary accessory buildings may be erected on any legal lot created before the effective date of the ordinance codified in this title. This provision shall apply even though such lot fails to meet the minimum dimensional requirements of the underlying zoning district; provided, that such structure is allowed within that zoning district and all uses of the nonconforming lot shall comply with all other provisions of this title including setbacks, dimensional standards and lot coverage requirements. (Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.64.030 Nonconforming use of land.

Where lawful use of the land existed 12 months prior to the effective date of the ordinance codified in this chapter, which is not permissible under the terms of this title, such use may be continued so long as it remains otherwise lawful, subject to the following provisions, except otherwise described in subsection E of this section:

A.No such use shall be enlarged or increased, nor extended to occupy a greater area of land, dimensions or volume than was occupied at the effective date of the ordinance codified in this chapter without the issuance of a conditional use permit.

B.No such use shall be changed in any manner which will increase its nonconformity to the requirements of the zoning district in which it is located.

C.If a nonconforming use is discontinued or inactive for a period of 12 months, it shall be deemed a discontinued nonconforming use. A discontinued nonconforming use cannot be re-established. Further use of property must conform to the provisions of this title. An application for a building permit within the 12-month period shall be conclusive evidence of resumption of activity or rebuilding within the meaning of this chapter; provided, however, if the building permit expires before rebuilding is completed, no extension of the permit shall be granted.

D. On any lot in any zoning district where livestock is prohibited, and where that use is existing on May 10, 1999, then the raising and keeping of livestock is permitted until January 1, 2010, or ownership of said lot changes to a different party, whichever occurs first; provided, that all the conditions set forth in CMC Title 6 are met. No such permission is extended to the raising or keeping of pigs and hogs.

E. No use of land in the city of Cashmere which would be included in the definition of "junk yard" as defined in Chapter 17.08 CMC shall be allowed following May 10, 1999, and this nonconforming use section shall not authorize any such use. (Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.64.040 Nonconforming structures.

Where a structure lawfully exists on May 10, 1999, which structure could not be built under the terms of this title, such structure may be continued as long as it remains otherwise lawful, subject to the following provisions:

- A. No such structure shall be enlarged or altered in a way which increases its nonconformity without the issuance of a conditional use permit.
- B. Nothing in this title shall require any change in plans, construction, alteration or designated use of a structure for which a legal valid building permit existed prior to May 10, 1999, and continues to exist on May 10, 1999, to this title, except that if the structure will be nonconforming it shall be built to conforming standards if not complete within two years of May 10, 1999.
- C. Any nonconforming structure which has been destroyed, damaged or has incurred a loss of not more than 80 percent of its value, which destruction, damage or loss is not the result of the intentional act of the property owner, may be rebuilt within the existing footprint of the damaged or destroyed building, provided no more than 12 months will be allowed in which to resume activity or rebuild, or the structure will be deemed nonconforming and any rebuilding must conform to the provisions of this title. Any rebuilding must conform to all other provisions of this title and other applicable city ordinances and state laws, including, but not limited to, the provisions of CMC Title 15 as the same exists now or may hereafter be amended, concerning the building code.
- D. Any nonconforming structure which has been destroyed, damaged or has incurred a loss more than 80 percent of its value may not be rebuilt or repaired unless it conforms to all provisions of this title and all other applicable city ordinances and state laws.
- E. For the purpose of this chapter, remodeling, alterations, or repairs to a nonconforming structure means work that does not exceed 80 percent of the latest county assessed or appraised value by a state-certified/licensed real estate appraiser of the building or structure before the improvements are started. (Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.64.050 Repairs, maintenance and safety of nonconforming structures.

Other than repairs prohibited by CMC 17.64.040(D), repairs and maintenance work may be undertaken on a nonconforming structure and nothing shall prevent the city from requiring repair of any nonconforming structure to protect health and safety. Maintenance work and repair on a nonconforming structure shall conform to the provisions of CMC Title 15, as the same exists now or may hereafter be amended. (Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.64.060 Moving a nonconforming structure.

If a nonconforming structure is moved, it shall conform to the zoning regulations of the zoning district to which it is moved. (Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.64.070 Changes to a nonconforming use.

A nonconforming use shall not be changed to another nonconforming use. A nonconforming use changed to a conforming use may not thereafter be changed back to a nonconforming use. (Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.64.080 Abatement of public nuisance.

Regardless of any provision in this title, any nonconforming use or structure deemed to present a hazard to the public health or safety or deemed to be a public nuisance by the city council may be terminated through civil legal proceedings commenced in Chelan County superior court. (Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

Chapter 17.68

VARIANCE

Sections:

17.68.010 Conditions for special exceptions.

17.68.010 Conditions for special exceptions.

Where difficulties exist rendering compliance with the zoning ordinance impractical and such compliance would create unnecessary hardship to the owner or user of land or buildings, the hearing examiner may grant a variance after investigation, provided all of the following conditions exist:

- A. The difficulty would apply to the particular land or building regardless of the owner;
- B. The request for variance is not the result of an illegal act on the part of the applicant;
- C. The plight of the owner is due to unique circumstances such as lot size or shape, topography and size of buildings, which are not the general condition of the surrounding area;
- D. The hardship asserted as a ground for a variance must arise out of the zoning ordinance;
- E. The practical difficulty or unnecessary hardship asserted as a ground for a variance must relate to the premises for benefit of which the variance is sought and not to other premises or personal conditions of the applicant;
- F. The granting of a variance must not create significant adverse environmental impacts to adjacent properties;
- G. The variance shall not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and district in which the property on behalf of which the application was filed is located;
- H. That such variance is necessary, because of special circumstances relating to the size, shape, topography, location, or surroundings of the subject property, to provide it with use rights and privileges permitted to other properties in the vicinity and in the district in which the subject property is located; and
- I. That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and district in which the subject property is situated. (Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

Exhibit "D"

Chapter 17.72

CONDITIONAL USES

Sections:

- 17.72.010 Approval required.
- 17.72.020 Permit – Contents.
- 17.72.030 Permit – Expiration.
- 17.72.040 Complaint investigation – Cease and desist order – Appeal.
- 17.72.050 Evaluation criteria and general standards.
- 17.72.060 Home occupations.
- 17.72.070 Bed and breakfast.
- 17.72.080 Public and private schools.
- 17.72.090 Day care, family home – B, mini day care and day care centers.
- 17.72.100 Schools, preschools and studios for group instruction.
- 17.72.110 Accessory dwelling units.
- 17.72.120 Churches and church-sponsored youth centers.
- 17.72.140 Utility substations and exchanges.
- 17.72.150 Value-Added Operation of Winery/Vineyard "B"

17.72.010

Approval required.

Conditional property uses, because of public convenience and necessity and their effect upon the neighborhood, shall be permitted only upon the approval of the hearing examiner, after due notice and public hearing, and a finding that they will not be detrimental to the general comprehensive plan or to adjacent and surrounding property. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.72.020

Permit – Contents.

Permits for conditional property uses shall be signed by the hearing examiner (Group A home occupations may be approved by the city administrator), and shall stipulate restrictions or conditions which may include a definite time limit, provisions for a front, side or rear yard greater than the minimum requirements of the zoning ordinance, suitable landscaping, off-street parking, and any other reasonable restrictions, conditions or safeguards that would uphold the spirit and intent of the zoning ordinance and mitigate any adverse effect upon the neighborhood properties by reason of the use, extension, construction, or alteration allowed. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.72.030

Permit – Expiration.

A. If not otherwise specified by the hearing examiner, conditional property use permits shall expire at the end of a period of one year from the time they are granted if the use for which the permit is granted is not established by that time.

B. The permit expires at the time the use for which the permit was granted is discontinued. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.72.040

Complaint investigation – Cease and desist order – Appeal.

The city administrator having charge of the enforcement of this code shall at any time have the right and duty to investigate complaints concerning the use of any structure or property or the continuance of use of any structure or property in accordance with the provisions of this title covering conditional property uses. Upon his finding that the use or continued use of the premises is contrary to the provisions of this title establishing conditions for such use, the city attorney shall forthwith issue a cease and desist order prohibiting the use or continuance of use of the premises for such purpose, and it shall be abated as a public nuisance. Any order of cease and desist issued by the city attorney provided in this section may be appealed in writing to the hearing examiner. Written notice of appeal must be filed with the city clerk-treasurer within 20 days after the issuance of the order. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.72.050

Evaluation criteria and general standards.

Conditional uses shall comply with the following evaluation criteria and general standards:

A. The proposed use will be harmonious and in accordance with the general and specific objectives of the comprehensive plan and all subarea plans.

B. The proposed use will be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity.

C. The traffic generated by the proposed use shall be mitigated so as not to burden the traffic circulation system in the vicinity.

D. The proposed use will be adequately served by facilities and services such as highways, streets, law enforcement, fire protection, storm water drainage, refuse disposal, domestic water and sanitary sewers and schools; or that persons or agencies responsible for the establishment of the proposed use shall provide adequate services.

E. The proposed use will not create excessive additional requirements at public cost for public facilities and services.

F. The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or general welfare by reasons of excessive production of traffic, noise, smoke, fumes, vibration, glare or odors.

G. Proposed ingress and egress, driveway widths, parking and street improvements shall be approved pursuant to applicable chapters of the CMC and the Cashmere Design Standards Manual.

H. Adequate buffering devices such as fencing, landscaping, or topographic characteristics shall be in place in order to mitigate and protect adjacent properties from potential adverse impacts of the proposed use, including visual and/or auditory effects.

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I. Conditional use permits shall comply with the CMC and all applicable local, state and/or federal regulations.

J. A conditional use shall ordinarily comply with the standards of the district within which the use is located and with the other applicable provisions of the CMC, except as modified by the approval of the conditional use permit and the standards of this chapter or as otherwise specified in the CMC.

K. The hearing examiner may, in addition to the standards and regulations specified in the CMC, establish other conditions found necessary to protect the health, welfare, safety and interest of surrounding properties, the neighborhood and the city as a whole. These conditions may address the following:

1. Increasing the required lot size or yard dimensions;
2. Limiting the coverage or height of buildings;
3. Mitigating traffic impacts through on-site and off-site improvements;
4. Increasing the number of off-street parking and loading requirements;
5. Limiting the number, location, design and size of signs and illumination devices;
6. Increasing required landscaping components to reduce noise and visual impacts, including glare;
7. Specifying time limits for construction and operation;
8. Requiring performance assurances acceptable to the city attorney;
9. Specifying time frames for compliance review; and
10. Other conditions deemed appropriate to address the requirements and intent of this chapter, the CMC and the comprehensive plan. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.72.060

Home occupations.

The minimum conditions for a Group B home occupation shall be as follows:

- A. Have applied for and the ability to obtain a valid city business license;
- B. The use of the premises as a home occupation will qualify as to the definition of a home occupation in Chapter 17.08 CMC;
- C. Not over 20 percent of the total interior living space, not to exceed 600 square feet, is to be used for the home occupation;
- D. The home occupation is to be a secondary use of the dwelling;
- E. Any member of the household and not more than one nonresident may be engaged in the home occupation;
- F. No commercial advertising on site except one sign bearing the name of the business or resident, no larger than four square feet and flush-mounted on the residence;
- G. No window display and no sample commodities displayed outside the building;
- H. Stock in trade stored or for sale shall not exceed 25 percent of the total home occupation area;
- I. No materials or mechanical equipment shall be used which will be detrimental to the residential use of the residence or adjoining residences because of vibration, noise, dust, smoke, odor, interference with radio or television reception or other factors;
- J. No parking of customers' vehicles in a manner or frequency as to cause disturbance or inconvenience to nearby residents or so as to necessitate off-street parking. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.72.070

Bed and breakfast.

The minimum conditions for a bed and breakfast shall be as follows:

A. Principal Residence. The bed and breakfast facility shall be the principal residence of the owner;

B. Impact. A bed and breakfast shall be compatible with the residential character of the neighborhood and the owners shall provide screening with shrubs, fencing and other suitable materials to minimize the impact upon the residential character of the neighborhood;

C. Other Regulations. The applicant for a conditional use permit for a bed and breakfast shall at the time of filing the application provide evidence to the hearing examiner of compliance with all health, building and fire regulations;

D. Off-street parking as required in Chapter 17.54 CMC shall be behind the front yard setback line and shall be screened so as to minimize the visual and audio impact upon the residential character of the neighborhood;

E. Sign. Each bed and breakfast guest house facility may have one sign advertising the facility which shall comply with the CMC;

F. Bathrooms. Bathrooms must be provided in accordance with county and state bed and breakfast regulations;

G. Duration of Stay. Guests shall limit their length of stay to not more than 14 consecutive days;

H. Nontransferable. All conditional use permits for bed and breakfast facilities shall be nontransferable to subsequent owners of the residence;

I. Usage Density. Not more than 25 percent of the square footage of floor space of any facility shall be used for bed and breakfast purposes;

J. Application. All applications for bed and breakfast conditional use permits shall be accompanied with a floor plan and lot plan setting forth bathrooms and bedrooms to be used for bed and breakfast guest house facilities, their size, location and the lot plan showing the location of off-street parking, its size and any additions to premises and screening;

K. Food. Serving meals to paying guests shall be limited to guests staying at the facility only. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.72.080

Public and private schools.

The minimum conditions for public and private schools shall be as follows:

A. Minimum land area standards as now established and as they may be subsequently established by the State Department of Public Instruction;

B. Fifty-foot setback on front, side, and rear yards for a proposed school located in any residential district;

C. Off-street parking area equal to at least five times the floor area of the auditorium or two stalls per classroom, whichever is the greater. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.72.090

Day care, family home – B, mini day care and day care centers.

The minimum conditions for mini day care and day care centers shall be as follows:

A. Submit a certificate of compliance with all applicable code requirements including without limitation all building, fire, safety, health code, and business licensing requirements;

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- B. Conform to lot size, building size, setbacks, and lot coverage standards applicable to the zoning district except if the structure is a legal nonconforming structure;
- C. Obtain the applicable licensing by Washington State;
- D. Provide a safe passenger loading area;
- E. Hours of operation shall be established by the hearing examiner;
- F. All equipment and play areas shall be located behind the front yard setback line;
- G. All play areas shall be fenced and screened in a manner approved by the hearing examiner so as to minimize noise and visual interference with the adjoining neighborhood;
- H. An on-site vehicle turnaround or separate entrance and exit points and passenger loading area must be provided. The city shall specifically consider the location and appearance of the proposed turnaround or access in determining the compatibility with the surrounding uses. The hearing examiner shall consider the traffic safety of the location for pickup and delivery of children;
- I. The hearing examiner may impose such other conditions to mitigate any potential adverse impact on the surrounding area. The hearing examiner shall specifically consider the need to limit the hours of operation of use. The hearing examiner shall establish the maximum number of children permitted in the child care service at any one time;
- J. Review and Transferability. This permit is nontransferable. This permit shall be revoked upon determination by the hearing examiner that a violation of the requirements has occurred. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1046 § 2, 2004; Ord. 1039 § 1, 2004).

17.72.100

Schools, preschools and studios for group instruction.

Preschools and studios for group instruction that occur in a building/structure other than a residence, and that occur independent of a home, mini day care or day care center shall comply with the standards identified for mini day care and day care centers, as provided herein. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.72.110

Accessory dwelling units.

The minimum conditions for accessory dwelling units shall be as follows:

- A. Only one accessory dwelling unit shall be allowed per building lot or home site in conjunction with a single-family structure, even if such structure is built on more than one platted lot.
- B. An accessory dwelling unit may be attached to, created within, or detached from a new or existing primary single-family dwelling unit.
- C. The property owner (which shall include title holders and contract purchasers) shall occupy either the primary unit or the accessory unit as their permanent residence. An annual ownership certification shall be required to ensure this condition is maintained.
- D. The accessory dwelling unit will require one parking space, which is in addition to any off-street spaces required for the primary single-family dwelling unit.
- E. The floor area for the accessory dwelling unit shall in no case exceed 900 square feet, nor be less than 300 square feet, and the accessory dwelling unit shall contain no more than two bedrooms. Additionally, the square footage of the accessory dwelling unit shall be no more than 50 percent of the area of the primary single-family dwelling.
- F. An accessory dwelling unit, together with the primary single-family dwelling unit and other accessory buildings or structures with which it is associated, shall conform to all other provisions

of this code, and no variance of yard setback or building lot coverage requirements will be granted.

G. The accessory dwelling unit shall meet the minimum requirements of the International Building Code, International Fire Code, health district and all other local, state and federal agencies.

H. The accessory dwelling unit shall have separate utility connections; however, the property owner, as shown on the Chelan County assessor records, shall be responsible for ensuring the utility bills associated with both the primary and accessory are paid in a timely fashion.

I. Future subdivision shall require compliance with all applicable provisions of the CMC including, without limitation, minimum lot size and yard area requirements.

J. Conversions of accessory storage structures, including without limitation garages and carports, to accessory dwelling units shall only occur when that existing structure meets the required yard setbacks for a residence, including without limitation the rear and side yard requirements. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.72.120

Churches and church-sponsored youth centers.

The minimum conditions for churches and church-sponsored youth centers shall be as follows:

A. Minimum lot area shall be 10,000 square feet;

B. Minimum lot frontage shall be 100 feet;

C. Site must be on or within one block of an arterial street as designated in the comprehensive plan;

D. Maximum lot coverage shall be 25 percent for all buildings;

E. Maximum height shall be 40 feet;

F. Minimum setback distances shall be as follows: front yard, same as required in district regulations, 15 feet for side yard, and 20 feet for rear yard. Buildings on corner lots shall observe the minimum setback on both streets. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.72.140

Utility substations and exchanges.

The minimum conditions for utility substations and exchanges shall be as follows:

A. 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 single-family district; or

B. If the use is of an outdoor nature, such as a neighborhood substation, it shall be completely enclosed in a view-obscuring fence or hedge, with the exterior grounds landscaped; such enclosure to meet the following setback requirements: front yard, 30 feet; side yard, 20 feet; and rear yard, 10 feet if abutting on alley, otherwise 20 feet. (Ord. 1138 § 1 (Exh. A), 2008; Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).

17.72.150

Value-Added Operation of Winery/Vineyard "B"

Value-Added Operation of Winery/Vineyard "B" means a winery/vineyard that exceeds 2,500 square feet, or includes cumulative ancillary uses of more than 1,000 square feet. Value-added wineries/vineyards "B" shall be permitted as a conditional or permitted use provided property and vineyard are at least one acre in size. Ancillary uses may include decks, patios or terraces

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associated with the retail use and are limited to the processing and sale of wine or spirits, wine tasting, incidental and/or accessory food and beverage service, and sale of items related to the winery and its products and wine tasting events.

Value-Added Operation of Winery/Vineyard "B" proposals shall comply with Section 17.72.050-Evaluation criteria and general standards of Cashmere Municipal Code.

Chapter 17.78

ENFORCEMENT

Sections:

17.78.010 Violations – Penalties.

17.78.010 Violations – Penalties.

Any person, partnership, association, firm or corporation who violates or fails to comply with this title is guilty of a civil infraction and is subject to the civil penalties and remedies and corrective actions as set forth in CMC 14.13.020, which remedies are cumulative, not alternative remedies, and are in addition to any other remedy to which the city may be entitled by law. Any violation of this title is declared to be a public nuisance, subject to abatement or injunctive relief in accordance with the laws of the state of Washington. (Ord. 1097 § 1, 2007; Ord. 1039 § 1, 2004).