

Selah Municipal Code Development Regulations – Proposed GMA Updates March 2017

Underline = text proposed for addition

Strikethrough = text proposed for deletion

2017 Modifications to draft regulations

Red Underline = text proposed for addition

Double Strikethrough = text proposed for deletion

TITLE 10 - ZONING

Chapter 10.02 - GENERAL PROVISIONS

10.02.030 - Purpose.

The controls set forth in [Title 10](#) are deemed necessary in order to:

Implement the city of Selah Urban Growth Area Comprehensive Plan enacted pursuant to the Washington State Growth Management Act;

Assure the orderly development of the city consistent with the Selah Urban Growth Area Comprehensive Plan goals and policies;

Provide regulatory and administrative actions that do not result in an unconstitutional taking of private property;

Encourage orderly growth while integrating new development and redevelopment into the fabric of the community while maintaining a high quality environment;

Encourage the most appropriate use of the land;

Regulate lot coverage, population density and distribution, and the location and height of structures;

Provide adequate light, air, sanitation, and drainage;

Protect the social and economic stability of resources and lands within the city;

Reduce the menace to the public safety resulting from the improper location of homes, commerce and industry in a single area; and

Otherwise promote the public health, safety and general welfare.

Chapter 10.08 - GENERAL ZONING DISTRICT REGULATIONS

Selah Municipal Code Development Regulations – Proposed GMA Updates March 2017

10.08.140 - Manufactured home siting requirements.

The provisions established herein are intended to assure the siting of manufactured homes in mobile/manufactured home parks, manufactured home subdivisions and on individual lots ~~in the LDSF, R-1, R-2, zoning district~~ are compatible with surrounding uses and preserves the general character and integrity of the mobile/manufactured park, manufactured home subdivision and/or adjacent residential uses.

(1) New Manufactured Homes. As defined in Title 10, Appendix A, new manufactured homes are allowed to be sited in the same manner as site built homes, factory built homes, or homes built to any other state construction or local design standard. New manufactured homes shall:

- (a) be set upon a permanent foundation, as specified by the manufacturer, and that the space from the bottom of the home to the ground be enclosed by concrete or an approved concrete product which can be either load bearing or decorative;**
- (b) comply with all local design standards applicable to all other homes within the neighborhood in which the manufactured home is to be located;**
- (c) be thermally equivalent to the state energy code; and**
- (d) Shall meet all other requirements for a designated manufactured home as defined in RCW 35.63.160.**

(2) Manufactured Homes. In addition to the specific regulations set forth in the LDSF use district the following regulations shall apply to the placement of manufactured homes **not defined by this Title as New Manufactured Homes in manufactured home subdivisions or on individual lots in the LDSF zoning district.** ~~(3)~~ All **such** manufactured homes shall:

(A) Have permanent steps or inclined planes affixed to all entrances;

(B) Maintain a minimum eighteen inch crawl space under the entire unit;

(C) Have permanent skirting or side walls installed to enclose all areas between the lower edge of the outside walls and the ground;

(D) Be placed and anchored per the manufacturer's installation instructions or per the design of a professional engineer or architect licensed in Washington [WAC 296-150M-610(1)(C)], except in flood prone areas placement and anchoring shall be in accordance with the provisions of [Title 11, Chapter 11.19](#), Appendix A;

(E) Have the tow tongue and axles removed.

~~(2) Manufactured homes located in manufactured home subdivisions or on individual lots in the LDSF zoning district shall also be required to meet the four siting requirements listed below:~~

Selah Municipal Code Development Regulations – Proposed GMA Updates March 2017

(~~A~~**F**) Roof Slope. Roof slope shall be not less than a two feet rise for each twelve feet of horizontal run.

(~~B~~**G**) Roofing Materials. Roofing materials shall be compatible in appearance with surrounding site-built homes, and consistent with fire safety standards.

(~~C~~**H**) Siding Materials. Siding materials shall be wood, masonite, or other material compatible with surrounding site-built homes.

(~~D~~**I**) Pit Set Manufactured homes shall be "pit set," with the bottom of the floor joist or frame no more than twelve inches above finished grade, except as necessary to accommodate terrain. The pit shall be of sufficient depth to accommodate an eighteen inch clearance below the frame of the unit with crawl space access located near utility connections.

Chapter 10.28 - PERMITTED, ADMINISTRATIVE AND CONDITIONAL USES

10.28.040 - Regulatory notes.

The following regulatory notes correspond to the uses listed in [Chapter 10.28](#), Table A:

- (a) Structures used to house livestock or other farm animals. In the low density single-family (LDSF) and the one-family residential (R-1) zoning districts, no portion of any structure used to house livestock or other farm animals shall be located within one hundred feet of any residence, other than the dwelling on the same lot.
- (b) Agricultural stands for the sale of agricultural products, excepting livestock, provided they:
 - (1) Are a seasonal operation;
 - (2) Have sufficient area to allow automobiles to park safely off the road right-of-way and to re-enter the traffic in a forward direction;
 - (3) Less than one thousand square feet in area;
 - (4) Limit sales to agricultural produce and to incidental related products. (See definition in [Title 10](#), Appendix A)
- (c) Campgrounds and recreational vehicle parks, as defined in [Title 10](#), Appendix A, shall be subject to approval of a binding site plan of the same nature required for manufactured home parks (See [Chapter 10.26](#)) except that alternate buffer requirements may be considered when consistent with the character of the area in which the facility is proposed. Review and conditioning of the proposal shall generally follow the requirements for manufactured home parks, as appropriate.

Selah Municipal Code Development Regulations – Proposed GMA Updates March 2017

(d) Outdoor commercial amusements, as defined in [Title 10](#), Appendix A, shall be subject to the following requirements:

- (1) Access to such uses shall be only from full width roads, which shall be paved or surfaced in accordance with specifications approved by the director of public works.
- (2) Parking areas for permanent outdoor commercial amusements shall be paved to eliminate dust or mud.

(e) Manufactured home parks, as defined in [Title 10](#), Appendix A, shall have a maximum density consistent with the comprehensive plan future land use map designation.

(f) The first floor of mixed (residential and commercial) use along the street frontage must be used for commercial uses. Dwelling units may be located above the first floor or to the back of the building. The proposal must be served by a municipal water supply and sewage disposal system. The mixed use shall provide sufficient off-street parking to accommodate the mixed uses in accordance with [Chapter 10.34](#)

(g) Bed and breakfast inns, as defined in [Title 10](#), Appendix A, shall be subject to the following requirements:

- (1) Bed and breakfast inns may only be permitted within the low density single-family (LDSF), one-family residential (R-1), professional business (B-1) and general business (B-2) zoning districts when established within an existing single-family residence.
- (2) Bed and breakfast inns shall meet all applicable health, fire safety and building codes and, within residential zones, shall be operated so as not to give the appearance of being a business and the inn shall not infringe upon the rights of neighboring residents to peaceful occupancy of their homes. Minimal outward modifications of the structure or grounds may be made only if such changes are compatible with the character of the area or the neighborhood.
- (3) Bed and breakfast inns shall be considered to be single-family residences, whether occupied and operated by the owner or by a hired manager. No additional dwelling shall be placed on the same lot as the bed and breakfast inn unless as otherwise permitted by this title.
- (4) Meals shall only be served to guests taking lodging in the inn, even if the inn is required to be licensed as a restaurant under state regulations.
- (5) The number of guestrooms shall not exceed five.
- (6) One off-street parking space per guestroom shall be provided. In residential zones the front yard area shall not be used for off-street parking for bed and breakfast guests unless the parking area is screened and found to be compatible with the neighborhood.

Selah Municipal Code Development Regulations – Proposed GMA Updates March 2017

(7) One non-illuminated or externally illuminated sign not to exceed the maximum size allowed within the zoning district in which located and bearing only the name of the inn and/or the operator shall be permitted.

(8) The administrative official may authorize use of the bed and breakfast inn for receptions, group meetings and special gatherings based upon the size of the inn, availability of adequate off-street parking space, access, public health considerations and compatibility with the surrounding neighborhood. Food may be served under these circumstances.

(9) Any commercial uses, such as gift stores, art galleries or the like, that are associated with or housed within the inn shall be subject to separate application, if listed as a Class 1, II, or III use in the underlying zoning district.

(h) Communication towers, as defined in [Title 10](#), Appendix A, shall be subject to the following requirements:

(1) The facility shall use state-of-the-art technology to reduce visual impact;

(2) At a minimum the facility shall be camouflaged to industry standards;

(3) Preferential consideration will be given to facilities which co-locate on existing towers, buildings, and structures without an increase in the tower, building, or structure height;

(4) Communication towers exceeding the zoning district height limitations established in [Section 10.08.050](#) shall require a variance approval;

(5) Communication towers shall meet the principal structure setback standards established in [Section 10.08.090](#), Table 8-3. Communication equipment buildings shall meet the accessory setback standards established in [Section 10.08.090](#), Table 8-4.

(i) Home occupations are classified as two distinct types: (1) minor and (2) major as defined in [Title 10](#), Appendix A. The intent of home occupations is to permit the resident(s) of a dwelling to conduct a business within the dwelling while limiting the impacts of the business on adjacent properties and the immediate residential neighborhood. Minor and major home occupations shall be subject to the following:

(1) Minor home occupations are limited to those occupations which are conducted within a dwelling and/or an on-site accessory building; the only employees are members of the family residing in the dwelling; there is no customer traffic to the dwelling; and the home occupation excludes all manufacturing, assembly and/or repair operations.

(A) There shall be no exterior evidence of the home occupation other than a permitted sign that would cause the premises to differ from its existing residential character: (e.g., outward physical appearance; lighting; the generation/emission of noise, fumes, or vibrations as determined by the administrative official using normal senses or create

Selah Municipal Code Development Regulations – Proposed GMA Updates March 2017

any visible or audible interference in radio or television reception or cause fluctuations in electrical line voltage serving the dwelling).

(2) Major home occupations are limited to those occupations which are conducted within a dwelling and/or an on-site accessory building by members of the family residing in the dwelling; may include non-resident employees; may attract customer traffic to the dwelling; and may include on-site services, sales, manufacturing, assembly and/or repair operations.

(A) There shall be no exterior evidence of the home occupation (e.g., outside storage of materials, equipment, supplies, or the display of goods or equipment) other than the following:

(i) A permitted sign;

(ii) One commercial vehicle as it pertains to the home occupation;

(iii) Employee and customer parking which shall be provided off-street in a location other than within the required front yard setback.

(3) Family Daycare Providers shall be reviewed under SMC 10.28.040(l), not as major home occupations.

(j) All canines in kennels, as defined in [Title 10](#), Appendix A, and veterinary clinics shall be provided with indoor sleeping areas, in order to minimize nighttime noise impacts to neighboring properties.

(k) Mini storage facilities, as defined in [Title 10](#), Appendix A, shall be subject to the following minimum requirements:

(1) The site is contiguous to a designated arterial or collector. Ingress and egress to the facility is directly onto such arterial or collector;

(2) Along all property lines abutting a residential district a six foot high, site obscuring, decorative fence or wall shall be installed and maintained;

(3) The facility is used exclusively for storage of personal property and/or recreational vehicles with no commercial storage or commercial sales authorized.

(l) Family Daycare providers, as defined in Title 10, Appendix A, are allowed in areas zoned for residential ~~or~~ or commercial uses. They shall be reviewed through Class 1 Review and the issuance of a City Business License. The following may be required as conditions of Class 1 approval:

**Selah Municipal Code Development Regulations – Proposed GMA Updates
March 2017**

- (1) That the facility comply with all building, fire, safety, health code and business license requirements;**
- (2) Unless the structure is legally nonconforming, that it conform to lot size, building size, setbacks and lot coverage standards of the zoning district;**
- (3) That the Department of Early Learning licenser certifies that the facility is provided with a safe passenger loading area**
- (4) That signage, if any, conforms to applicable regulations;**
- (5) Hours of operation may be limited to facilitate neighborhood compatibility. The City may allow extended hours of operation provided that:**
 - a. Extended hours of operation are requested by the applicant in writing in the application to the City.**
 - b. The applicant documents that extended hours provide appropriate opportunities for family day-care facility clients who work non-standard work shifts.**
 - c. The applicant documents that the extended hours are or will be authorized by his/her State of Washington license.**
- (6) That the family day-care provider, before licensing, provides proof of written notification to adjoining property owners of the intent to locate and maintain such a facility. If a dispute arises between the neighbors and the family day-care provider over licensing requirements, the licenser may provide a forum to resolve the dispute.**
- (7) Other zoning conditions on the establishment and maintenance of a family day-care provider's home provided that such conditions shall be no more restrictive than conditions imposed on other residential dwellings in the same zone and the establishment of such facilities are not precluded.**

~~Zoning restrictions should be no more restrictive than those imposed on other residential dwellings in the same zone, but may address drop-off and pickup areas and hours of operation.~~

~~(m) Manufactured Housing. Manufactured homes, as defined in Title 10, Appendix A, are allowed to be sited in the same manner as site built homes, factory built homes, or homes built to any other state construction or local design standard.~~

~~City may require that:~~

- ~~(a) A manufactured home be a new manufactured home;~~
- ~~(b) The manufactured home be set upon a permanent foundation, as specified by the manufacturer, and that the space from the bottom of the home to the ground be enclosed by concrete or an approved concrete product which can be either load bearing or decorative;~~
- ~~(c) The manufactured home comply with all local design standards applicable to all other homes within the neighborhood in which the manufactured home is to be located;~~
- ~~(d) The home is thermally equivalent to the state energy code; and~~
- ~~(e) The manufactured home otherwise meets all other requirements for a designated manufactured home as defined in RCW 35.63.160.~~

(Ord. 1634 § 103, 2004.)

**Selah Municipal Code Development Regulations – Proposed GMA Updates
March 2017**

City Of Selah Zoning Ordinance, Title 10 , Chapter 28, Table A-5							
Permitted Uses By Zoning District	LDSF	R-1	R-2	R-3	B-1	B-2	M-1
Residential							
Accessory structure, use or building*	1	1	1	1	1	1	1
Detached single-family dwelling*	1	1	1				
Manufactured home* / Mobile home* (See 10.08.140)	1	±	±				
<u>New Manufactured Home* (See 10.08.140)</u>	1	1	1				
Two-family dwelling (duplex) *			1	1			
Multiple family dwelling*:							
0—5 DUA			2	1			
<6-12 DUA			2	1			
>12 DUA				1			
Manufactured home parks* (See 10.28.040 [e])				3			
Retirement apartments			2	1			
Home occupations* (See 10.28.040 [i])							
Minor Home Occupations* (See 10.28.040 [i])	1	1	1	1	1	1	
Major Home Occupations* (See 10.28.040 [i])	2	2	2	2	2	1	

City Of Selah Zoning Ordinance, Title 10 , Chapter 28, Table A-2							
Permitted Uses By Zoning District	LDSF	R-1	R-2	R-3	B-1	B-2	M-1
Community Services							
Cemetery, Mausoleums and Columbariums	3	3					
Churches, Synagogues, Temples	3	3	3	1	1	1	
Community Center, Meeting Halls, Fraternal Organizations*				1	1	1	
Convalescent and Nursing Home*				1	1	1	
Child/Adult Daycare Facilities Child/Adult Daycare Facilities Family Daycare Providers* : (more than six but fewer than thirteen children or adults) <u>See 10.28.140[i]</u>	221	221	221	221	231	231	
Child/Adult Daycare Center*: (more than twelve children or adults <u>or any child daycare facility that does not meet the definition of Family Daycare Provider</u>)	3	3	3	3	3	3	

**Selah Municipal Code Development Regulations – Proposed GMA Updates
March 2017**

City Of Selah Zoning Ordinance, Title 10 , Chapter 28, Table A-2							
Permitted Uses By Zoning District	LDSF	R-1	R-2	R-3	B-1	B-2	M-1
Ambulance services					1	1	
Funeral homes					1	1	
Group homes*	2	2	2	2	2		
Halfway house*			3	3	3	3	
Hospitals*						1	
Correction facilities						3	
Libraries, Museums, Art galleries					1	1	
Municipal buildings (fire and police stations, city hall, municipal maintenance facilities, other municipal buildings)	3	3	3	3	3	1	1
Schools: Elementary, Middle, Intermediate and High Schools*	3	3	3	3	3	3	
Business and Vocation*, Community colleges					2	2	
Waste water lagoon and/or sprayfield	3						3

Selah Municipal Code Development Regulations – Proposed GMA Updates March 2017

City Of Selah Zoning Ordinance, Title 10 , Chapter 28, Table A-11							
Permitted Uses By Zoning District	LDSF	R-1	R-2	R-3	B-1	B-2	M-1
Utilities							
<u>Electric Vehicle Batter Charging Station*</u>					<u>1</u>	<u>1</u>	<u>1</u>
Communication towers* (See 10.28.040 [h])	3	3	3	3	3	3	3
Refuse transfer station							3
Sewage treatment plants, wastewater lagoons and sprayfields, and bio-solid composting							3
Utility substations (electric, telephone, gas, etc.)	3	3	3	3	3	3	3
Water reservoirs	3	3	3	3	3	3	3
Pumping stations	3	3	3	3	1	1	1
Wholesale Trade-Storage							
Self Service or mini storage* (See 10.28.040 [k])						1	
Warehouses* and storage facilities						2	1
Wholesale trade						2	1

Chapter 10.40 – AMENDMENTS

10.40.010 - Purpose.

From time to time a change in circumstances or conditions may warrant a change in the zoning text or map created by this title. The purpose of this chapter is to allow for early and continuous public participation by establishing the procedures to amend the zoning text and/or map when the proposed change would be consistent with the goals, objectives and policies of the comprehensive plan and intent of this title.

Chapter 10.50 - PLATTING AND SUBDIVISION REGULATIONS

10.50.032 - Council consideration.

At either the public meeting or public hearing the council shall determine whether the public interest would be served by approving the preliminary plat. It shall determine if appropriate provisions are made in the subdivision for, but not limited to, ~~drainage ways, drainage ways,~~ streets or roads, sidewalks, alleys, other public ways, transit stops, and other features that assure safe walking conditions for students; potable water supplies, sanitary wastes, and drainage ways (stormwater retention and detention); open spaces, parks and recreation, and playgrounds, sites for schools and school grounds, and shall consider all other relevant facts and determine whether

Selah Municipal Code Development Regulations – Proposed GMA Updates March 2017

the public interest will be served by the subdivision and dedication. If it finds that the plat makes appropriate provisions for the above, then the preliminary plat shall be approved.

10.50.033 - Effect of approval of preliminary plat.

(a) Approval of the preliminary plat by city council shall constitute authorization for the subdivider to proceed with developing the subdivision facilities in accordance with the standards and procedures established in this chapter, adopted by reference and including any conditions imposed by city council.

(b) The subdivider shall comply with the timeline below ~~have five years~~ ~~have five years~~ from the date of preliminary plat approval by city council to complete all improvements within the area of the preliminary plat and to comply with all conditions that may have been imposed by the council.

1) Seven years if the date of preliminary plat approval is on or before December 31, 2014

2) Five years if the preliminary plat approval is issued on or after January 1, 2015

3) Nine years if the project is located within city limits, not subject to the shoreline management act, and the preliminary plat is approved on or before December 31, 2007.

(c) If the subdivider is unable to complete the improvements within the prescribed ~~five year~~ ~~five year~~ period of time as designated in SMC 10.50.033(b), the subdivider may, prior to the expiration of the ~~five year~~ ~~five year~~ ~~time~~ completion period, apply to the city council for a one-time extension, limited in length to a maximum period of twelve months, to record the final plat. Council may grant such extension only upon evidence that the applicant has made a good faith effort to complete the required facilities within the ~~five year~~ ~~five year~~ ~~time~~ ~~five year~~ period and that failure to complete the required facilities was due to circumstances beyond his/her control. If a preliminary plat approval is subjected to judicial review the five year period will commence at the conclusion of such judicial review.

Proposed New Section

X.X.XXX Transportation Concurrency Review

A. Purpose. This section sets forth specific standards providing for compliance with the concurrency requirements of the State Growth Management Act (GMA) and for consistency between Selah and Countywide Planning Policies under the GMA. The GMA requires that the City of Selah “must adopt and enforce ordinances which prohibit development approval if the development causes the level-of-service on a transportation facility to decline below the standards adopted in the transportation element of the Comprehensive Plan, unless transportation improvements or strategies to accommodate the impacts of development are made concurrent with the development.” (RCW

Selah Municipal Code Development Regulations – Proposed GMA Updates March 2017

36.70A.070).

B. Exemptions. The following shall be exempt from the provisions of this chapter:

1. Development permits issued prior to the effective date of the ordinance codified in this chapter provided the permit or permits have not expired;
2. De minimis development, herein defined as ~~single family dwellings and~~ any proposed development generating less than 90 vehicular trips per day;
3. Public libraries, parks, and recreational facilities;
4. Publicly funded educational facilities;
5. Construction of public transportation facilities;
6. Highways of statewide significance, as designated by the Washington State Department of Transportation; and
7. Road or street projects undertaken by the city.

C. Level of service standards. For the purpose of this section, level of service (LOS) for transportation facilities shall be D for principal arterials and C for minor arterials, collectors and local access roads, as set forth within the transportation element of the City of Selah Comprehensive Plan and are hereby adopted by reference.

D. Review process. The ~~Town~~City shall utilize the following procedures for evaluating all projects or development activities for concurrency, unless the applicant otherwise noted in writing:

1. Certificate of Concurrency.

- a. The ~~mayor~~, Public Works Director or designee, shall complete a transportation concurrency evaluation at the time a development permit is applied for or during the course of permit review. The review shall conclude with a determination that the proposed project meets the level of service standards whereby a certificate of concurrency shall be issued and attached or incorporated to the development permit approval. When a project is determined to have not met level of service standards, the certificate of concurrency shall be conditioned in a manner that satisfies the requirements of this chapter, or the project shall not be approved.
- b. The applicant shall provide the city with all information necessary to complete the concurrency evaluation on the proposed development. It shall be the responsibility of the applicant to provide studies, surveys, traffic counts, engineering review or any other items determined to be necessary for an accurate concurrency evaluation.
- c. A certificate of concurrency shall be accorded the same terms and conditions as those for the underlying development permit. If a development permit timeline is extended the certificate shall also be extended for the same time duration. A certificate of concurrency shall be valid only for the development permit approved for the same parcel and may be transferable to any new owner(s) of the parcel to which it was issued.

2. Traffic Impact Calculations.

Selah Municipal Code Development Regulations – Proposed GMA Updates March 2017

- a. Trip Generation. Traffic calculations shall be based on the trip generation average described within the latest available edition of the Institute of Transportation Engineers (ITE) trip generation manual for the particular type and extent of the development being proposed.
 - b. Concurrency Test. The projected number of trips generated by a proposed development shall be subtracted from existing or new transportation capacity of the impacted transportation facility. If projected demand is less than available capacity, the project is not adverse to level of service standards and shall be issued a certificate of concurrency.
- E. Transportation concurrency mitigation methods. The city shall use the following procedures and criteria to review and approve the adequacy of mitigation methods unless the applicant is otherwise noted in writing:
1. If mitigation is determined necessary to maintain level of service standards for an impacted transportation facility, the applicant may choose among the following actions:
 - a. Reduce the size of the project until levels of service standards are met;
 - b. Enter into a legally binding development agreement with the ~~Town~~City whereby all required improvements will be constructed and completed within six years of the development approval date which also ensures that the financing is available to pay for the improvements at time of building permit approval;
 - c. Be subject to a development approval conditioned that the required improvements be completed prior to the issuance of building permits, final plat or site plan approvals associated with the development;
 - d. Propose transportation demand management strategies to reduce vehicle trips generated by the project development;
 - e. At the City's discretion, await the City's completion of mitigating improvements if such improvements are underway or planned as part of the City's six-year transportation improvement plan; or
 - f. Any combination of the above.
 2. Acceptable impact mitigation requires a finding of the following:
 - a. The mitigation contributes to transportation facility performance and established level of service standards;
 - b. The mitigation is consistent with the Comprehensive Plan;
 - c. Any improvements to an intersection or roadway do not shift traffic to residential areas or to other intersections where there is no mitigation being proposed;
 - d. Any adverse environmental impacts of the facility improvements may be reasonably minimized or eliminated; and
 - e. The improvements are consistent with established engineering standards.

Selah Municipal Code Development Regulations – Proposed GMA Updates March 2017

Title 21 - ADMINISTRATIVE PROCEDURES

Chapter 21.09 - REVIEW AND APPROVAL PROCESS

21.01.040 - Definitions.

The following definitions shall apply to this title. Additional definitions may be found in individual titles of the S.M.C.

“Essential public facilities” include those facilities that are typically difficult to site, such as airports, state education facilities and state or regional transportation facilities as defined in RCW 47.06.140, regional transit authority facilities as defined in RCW 81.112.020, state and local correctional facilities, solid waste handling facilities, and inpatient facilities including substance abuse facilities, mental health facilities, group homes, and secure community transition facilities as defined in RCW 71.09.020.

21.09.080 - Final decision.

(a)Time. The final decision on a development proposal shall be made within one hundred twenty days from the date of the letter of completeness. Exceptions to this include:

(1)Amendments to the comprehensive plan or city's municipal code.

(2)Any time required to correct plans, perform studies or provide additional information, provided that within fourteen days of receiving the requested additional information, the administrator shall determine whether the information is adequate to resume the project review.

(3)Substantial project revisions made or requested by an applicant, in which case the one hundred twenty days will be calculated from the time that the city determines the revised application to be complete.

(4)All time required for the preparation and review of an environmental impact statement.

(5)Projects involving the siting of an essential public facility, as defined in SMC 21.01.040 and in accordance with RCW 36.70A.200 (5) and WAC 365-196-550.;

(6)An extension of time mutually agreed upon by the city and the applicant.

(7)All time required to obtain a variance.

(8)Any remand to the hearing body.

(9)All time required for the administrative appeal of a determination of significance (DS).

Selah Municipal Code Development Regulations – Proposed GMA Updates March 2017

(b)Effective Date. The final decision of the council or hearing body shall be effective on the date stated in the decision, motion, resolution, or ordinance, provided that the date from which appeal periods shall be calculated shall be the date the council or hearing body takes action on the motion, resolution, or ordinance.

Appendix A – Definitions

"Dwelling" means a building, structure or portion thereof designed exclusively for residential purposes, including residential use and occupancy by persons with handicaps.

"Electric Vehicle Battery charging station" means an electrical component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles, which meet or exceed any standards, codes, and regulations set forth by chapter 19.28 RCW and consistent with rules adopted under RCW 19.27.540.

"Family" means an individual, or two or more persons related by blood, marriage or adoption or a group of not more than five persons, excluding servants, who are not related by blood, marriage or adoption, living together in a dwelling unit.

"Family home services" means and includes the following:

(1) "Adult daycare home" means a regular family abode of a person or persons providing personal care, or special care for less than twenty-four hours to more than one but not more than six adults who are not related by blood or marriage to the person(s) providing the services.

(2) "Adult family home" means a regular family abode of a person or persons providing personal care, or special care, room, and board to more than one but not more than six adults who are not related by blood or marriage to the person(s) providing the services.

~~(3) "Family Daycare Home, Child Home, Child Providers". "Child family daycare home"~~
~~"Child family daycare home"~~ means a licensed child ~~day~~daycare provider who regularly provides early childhood education and early learning services facility in the family residence of a state licensee providing regularly scheduled child daycare facility in the family residence of a state licensee providing regularly scheduled child daycare, for less than twenty-four hours, for not more than twelve children in the family living quarters, including children who reside at the home.

~~(3)~~(4) "Foster family home" means a dwelling unit in which foster care is provided on a twenty-four hour basis for not more than six unrelated 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 disabled person is placed as part of the family, and the dwelling unit is governed by the state foster care home licensing provisions and conducted in accordance with state requirements.

Selah Municipal Code Development Regulations – Proposed GMA Updates March 2017

~~(4)~~(5) Group Care Facility, Small. "Small group care facility" means a facility for handicapped, physically disabled or developmentally disabled adults, or dependent or pre-delinquent children, plus house parents, providing facilities residentially oriented in a home-like environment directed to allow a degree of community participation and human dignity not provided in an institutional atmosphere for only six or fewer such persons, plus house parents. Does not include "halfway house."

~~(5)~~(6) "Halfway house" means a home for juvenile delinquents, adult offenders, those leaving correctional and/or mental institutions, or a rehabilitation center for alcohol and/or drug users providing residentially oriented facilities which allow rehabilitation or social adjustment for persons who are in need for supervision or assistance in becoming socially reoriented but not in need of institutional care. Such facility provides a reintroduction of residents into a normal community life by providing a stable living situation rather than incarceration or a reintroduction without home, job or social reinforcement. Does not include a state licensed crisis residential facility as that term is used by statute.

~~(6)~~(7) Licensed Boarding Home, Small. "Small licensed boarding home" means any home or other institution however named which is advertised, announced or maintained for the express or implied purpose of providing domiciliary assisted living services and enhanced adult residential care to three to six aged persons not related by blood or marriage.

(8) "Safe/shelter home" means a place of temporary refuge (e.g. shelter) which includes access to adequate food and clothing offered on a twenty-four hour, seven day-per-week basis to victims of domestic violence and their children. A safe home is a component of or has a working agreement with a domestic violence service for up to two lodging units. A shelter home includes three or more lodging units.

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