

**WENATCHEE PLANNING COMMISSION**  
**SCHEDULED MEETING**  
**February 20, 2019**  
**WENATCHEE CITY HALL COUNCIL CHAMBERS**  
301 Yakima Street, 2<sup>nd</sup> Floor  
Wenatchee, WA 98801

<b>AGENDA</b>
---------------

**I. CALL TO ORDER AND WELCOME**

**II. ADMINISTRATIVE AFFAIRS**

- A. Approval of the minutes from the last regular meeting on December 11, 2018.
- B. Election of 2019 Chair and Vice Chair

**III. PUBLIC COMMENT PERIOD**

Comments for any matters not included on the agenda.

**IV. OLD BUSINESS**

None

**V. NEW BUSINESS**

- A. Presentation: Richard DeRock – Link Transit
- B. Open Public Meetings Act Training
- C. Workshop: Critical Area exemptions for public and private utilities
- D. Workshop: Proposed code change to the Historic Entertainment Overlay to allow the adaptive re-use of bank drive-through facilities as drive-through restaurants

**VI. OTHER**

- A. None

**VII. ADJOURNMENT**

***In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Mayor's office at (509) 888-6204 (TTY 711). Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102-35.104 ADA Title 1.)***

MINUTES

**I. CALL TO ORDER**

Chair Scott Griffith called the meeting to order at 5:30 p.m. with the following members in attendance: Joe Gamboni, Susan Albert, Richard Erickson, Rani Sampson, and Josh Jorgensen. Absent was Commissioner Ace Bollinger.

City Planning staff was represented by: Glen DeVries, Community Development Director; Stephen Neuenschwander, Planning Manager; Matt Parsons, Associate Planner; Brooklyn Holton, Housing and Community Planner; and Kim Schooley, Administrative Assistant. Also present was Gary Owen, City Engineer.

**II. ADMINISTRATIVE AFFAIRS**

A. Approval of the minutes from the regular meeting on November 27, 2018.

**Commissioner Erickson moved to approve the minutes from the November 27, 2018 regular meeting. Commissioner Jorgensen seconded the motion. The motion carried.**

**III. PUBLIC COMMENT PERIOD**

Comments for any matters not included on the agenda.

There was no public comment.

Glen DeVries, Community Development Director, addressed the Commission about a future workshop with City Council on the housing code updates. It was suggested that the meeting would occur on January 17<sup>th</sup> and would be in lieu of the regularly scheduled Planning Commission meeting on the 16<sup>th</sup>. DeVries advised that the meeting would start at 5:15 p.m. and would be held in the new Council Chambers on the second floor of the federal building.

Commissioners were in agreement.

In addition, DeVries advised that staff would be having a workshop with Council January 10<sup>th</sup> during their regular meeting to provide a refresher and some background for the housing code update. He advised that Commissioners were invited to attend if interested, but that if they were unable to make it staff would still provide them with a packet of information.

**IV. OLD BUSINESS**

None

**V. NEW BUSINESS**

A. Workshop: Pedestrian Plan presentation – Brooklyn Holton

Brooklyn Holton, Housing and Community Planner, presented the staff report.

Gary Owens, City Engineer, spoke about the value of the plan to Public Works and future planning efforts.

Commissioners asked questions of staff.

Holton advised Commissioners that she would send them copies of the PowerPoint presentation, a larger map, and survey results for review before another meeting to be held the first part of the year.

**B. Public Hearing: Revisions to WCC Title 10 – Cryptocurrency**

Chair Griffith did not provide the explanation of hearing procedures as there was no public present.

Stephen Neuenschwander, Planning Manager, and Matt Parsons, Associate Planner, presented the staff report.

Chair Griffith closed the public hearing and opened deliberations of the Commission.

**Commissioner Jorgensen moved to recommend to City Council the adoption of Exhibit A as outlined by staff and based upon the suggested findings of fact and conclusions of law contained in the December 4, 2018 staff report, and including a condition for a two year review by staff, and the amended definition of “cryptocurrency mining” as proposed in Option A. Commissioner Sampson seconded the motion. The motion carried.**

**VI. OTHER**

None

**VII. ADJOURNMENT**

With no further business to come before the Planning Commission, Chair Scott Griffith adjourned the meeting at 6:50 p.m.

Respectfully submitted,

CITY OF WENATCHEE  
DEPARTMENT OF COMMUNITY DEVELOPMENT  
*Kim Schooley, Administrative Assistant*



**City of  
Wenatchee**

**DEPARTMENT OF  
COMMUNITY DEVELOPMENT**

Public Services Center  
1350 McKittrick Street, Suite A  
Wenatchee, WA 98801

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Fax (509) 888-3201

**Memorandum**

To: City of Wenatchee Planning Commission  
From: Community Development Staff  
Date: February 13, 2019  
Subject: Critical Areas Ordinance – Utility Exemption

At the conclusion of the recommendation and adoption process of the critical areas standards in 2018, the Chelan County Public Utility District expressed concern regarding the potential impacts that the critical area standards may have on their existing infrastructure. Attached are the PUD's comments. The City Council instructed Community Development staff to review the issue with the you. Our subsequent conversations indicated that you and staff were confident that the existing exemptions were appropriate to meet the needs of the PUD.

Since that discussion, the City Council has instructed staff to again review the exemptions section as it relates specifically to utilities and to draft a limited revision to provide additional clarity and predictability for utility infrastructure. The City has also had additional staff level conversations with the PUD regarding this matter.

The adopted critical areas code includes two specific exemptions relevant to this topic in Section 12.08.080 General provisions – Exemptions:

(1) Normal Maintenance or Repair of Existing Buildings, Structures, Roads or Development, Including Damage by Accident, Fire or Natural Elements. Normal repair of buildings and structures involves restoring to a state comparable to the original condition including the replacement of walls, fixtures and plumbing; provided, that the value of work and materials in any 12-month period does not exceed 50 percent of the cost of replacement using new materials as determined by using the most recent ICC construction tables, the repair does not expand the number of dwelling units in a residential building, the building or structure is not physically expanded, and, in the case of damaged buildings and structures, a complete application for repair is accepted by the department within six months of the event and repair is completed within the terms of the permit.

(3) Activities within an improved right-of-way, except those activities that alter a stream or wetland, such as a bridge or culvert, or result in the transport of sediment or increased stormwater.

These exemptions address activities in improved rights-of-way and normal maintenance and repair for existing roads or development. The PUD has expressed concern that neither exemption meets all of their needs. According to the PUD, the routine repair and maintenance

generally results in the complete replacement of utility infrastructure or its components. The replacement value component may be problematic. The exemption under (3) includes activities in rights-of-way, however some of the PUD utilities may not be within traditional or defined rights-of-way rather may be located in improved surfaces such as parking lots, gravel roads, or easements.

The PUD has suggested that the City consider revisions that are similar to the exemption for public and private utilities included in the Pierce County critical areas regulations. Staff has looked at numerous exemptions from across the state specific to utilities. Attached to this memorandum are these examples. Each jurisdiction has taken a slightly different approach, though with the common result of providing wide latitude to utilities and their infrastructure.

Based on the research from other jurisdictions, staff has drafted a proposed revision:

(3) Public and private utility ~~Activities~~ work (new construction, maintenance and repair) within an improved surface (e.g., driveways, parking lots, concrete or asphalt surfaces, gravel roads and road shoulders, rights-of-way or easements with existing or previously developed utility infrastructure) ~~right-of-way~~, except those activities that alter a stream or wetland, such as a bridge or culvert, or result in the transport of sediment or increased stormwater.

Please review the attached letters from the PUD, the critical area examples from across the state and the draft revision. At the workshop, please come prepared with any comments or suggestions. Following the workshop, city staff will include your recommendations into the draft, prepare a notice of the proposed code change, and schedule the public hearing.

If you have any questions, please contact Stephen Neuenschwander at [sneuenschwander@wenatchewa.gov](mailto:sneuenschwander@wenatchewa.gov).

**Sample critical area exemptions from other Washington cities and counties:**

**Pierce County**

**18E.20.030 Exemptions. Revised 5/17 Revised 3/18 Amended [Ord. 2013-45s4](#)**

The following activities are exempt from the provisions of this Title:

E. Public and private utility line work (new construction, maintenance and repair) within improved surfaces (e.g., driveways, parking lots, concrete or asphalt surfaces, gravel roads and road shoulders, and hard surface-earthen rights-of-way or easements).

**City of Covington**

**18.65.047 Exemptions.**

The following activities and developments are exempt from the provisions of this chapter. All exempted activities shall use reasonable methods to avoid potential impacts to critical areas. An exemption from this chapter is not an endorsement to degrade a critical area, ignore risk from natural hazards, or otherwise limit the ability of the Director to identify and abate such actions that may cause degradation to a critical area.

(2) Operation, maintenance, or repair of existing public improvements, utilities, public roads, parks, trails, or drainage systems if the activity does not further alter or increase impact to, or encroach further within, the critical area or buffer and there is no increased risk to life or property as a result of the proposed operation, maintenance, or repair, and no new clearing of native vegetation beyond routine pruning.

**City of Issaquah**

**18.10.400 Exemptions.**

The following are general exemptions to the provisions of this chapter and the administrative rules; however, provisions of this section are not exempt from the City of Issaquah Shoreline Master Program when applicable. These exemptions are not subject to any review or approval process, except where noted.

D. Public water, electric and natural gas distribution, public sewer collection, cable communications, telephone utility and related activities undertaken pursuant to City-approved best management practices, as follows:

1. Normal and routine maintenance or repair of existing utility structures, utility corridors or rights-of-way;
2. Relocation, repair, replacement, modification, operation and upgrading of facilities (i.e., lines, mains, pipes, equipment and/or appurtenances, and electric facilities, not including substations) within rights-of-way or utility corridors; provided, that such activities shall be undertaken in accordance with City-approved best management practices, which shall include restoration;
3. The relocation and upgrading of utilities within established easements and dedicated tracts shall include prior notification of the Director.

This does not exempt projects from other City permit review processes or SEPA review if required by the City's codes and regulations.

## **City of Spokane**

### **Chapter 17E.020** Fish and Wildlife Conservation Areas

#### **Section 17E.020.070** Exemptions

- A. When the director determines that the criteria in subsection A of this section are met, those activities are exempt from the provisions of this chapter, except [SMC 17E.020.020](#), [SMC 17E.020.030](#), [SMC 17E.020.040](#) and [SMC 17E.020.130](#).
2. Operation, maintenance or repair of public rights-of-way, legally existing roads, structures or facilities and associated right-of-way used in the service of the public to provide transportation, electricity, gas, water, telephone, telegraph, telecommunication, sanitary sewer, stormwater treatment and other public utility services are exempt from this chapter. Operation, maintenance or repair activities that do not require construction permits, if the activity does not further alter or increase impact to, or encroach further within, the critical area or buffer and there is no increased risk to life or property as a result of the proposed operation, maintenance or repair. Operation and vegetation management performed in accordance with best management practices that is part of ongoing maintenance of structures, infrastructure, or utilities, provided that such management actions are part of a regular ongoing maintenance, do not expand further into the critical area, are not the result of an expansion of the structure or utility, and do not directly impact endangered species. These ongoing activities are not subject to new or additional mitigation when they do not expand further into the critical area, are not the result of an expansion of the structure or utility, or do not directly impact endangered species. Whenever possible, maintenance activities will be confined to late summer and fall.

## **City of Chelan**

### 14.10.040 General provisions.

A. Applicability. All development or other alterations in or within two hundred and fifty feet of critical areas, whether public or private, unless exempted or excepted by another provision of this chapter, shall comply with the requirements and purposes of this chapter. Responsibility for the enforcement of the provisions of this chapter shall rest with the administrator.

#### C. Public Agency and Utility Exception.

1. If application of this title would prohibit development or other alteration by a public agency or public utility, the agency or utility may apply for an exception pursuant to this section. To qualify for an exception the agency or utility must demonstrate that:

- a. There is no other practical alternative to the proposed development which has less impact on critical areas;
  - b. The application of this title would unreasonably restrict the ability to provide utility services to the public;
  - c. The proposed use does not pose a threat to the public health, safety or welfare;
  - d. The proposal protects critical area functions and values to the extent feasible and provides for mitigation in accord with the provisions of this title; and
  - e. The proposal is consistent with other applicable regulations and standards.
2. Where a permit is required, a request for exception shall be submitted to the city with the permit application materials. Whether or not a permit is required, the request shall be supplemented with an explanation as to how the public agency and utility exception criteria are satisfied. The administrator may require additional information or studies to supplement the exception request.
3. A public agency and utility exception shall be processed according to the provisions of Title [19](#), Administration of Development Regulations, governing a Type IB review process.

### **City of Richland**

#### **22.10.360 General exemptions.**

The following activities shall be exempt from the provisions of this chapter, provided they are conducted using best management practices and minimize and/or mitigate the impacts to critical areas:

- B. Maintenance, operation and reconstruction of existing roads, streets, utilities, and associated structures; provided, that reconstruction of any structures may not increase the impervious area;
- I. The operation, maintenance, or reconstruction of existing canals, waterways, wasteways, drains, reservoirs or other facilities that lie within the boundaries of and are maintained by an irrigation district or company; provided, that any new construction or related activity does not encroach into a critical area.





**PUBLIC UTILITY DISTRICT NO. 1 of CHELAN COUNTY**

P.O. Box 1231, Wenatchee, WA 98807-1231 • 327 N. Wenatchee Ave., Wenatchee, WA 98801

(509) 663-8121 • Toll free 1-888-663-8121 • [www.chelanpud.org](http://www.chelanpud.org)

October 31, 2018

Via Regular Mail and Email

Stephen Neuenschwander ([sneuenschwander@wenatcheewa.gov](mailto:sneuenschwander@wenatcheewa.gov))  
Planning Manager-Community and Economic Development  
City of Wenatchee  
P.O. Box 519  
Wenatchee, WA 98807-0519

Re: Amendment to Critical Areas Regulation

Dear Mr. Parsons:

The District appreciates the opportunity to address the City Planning Commission at its November 27 meeting regarding the City Critical Areas Regulation and the District's concerns as to the regulation's impact on District utilities' infrastructure, including electric distribution and transmission, water, and fiber. District staff including Chad Rissman, Director-District Asset Management, Andy Wendell, Director-Customer Service, and Ron Slabaugh, Water/Wastewater Manager, plan to attend. Attached to this letter are previous letters to the City in this regard dated, June 12, June 13 and September 4, 2018, which the District re-submits for consideration by the Planning Commission, along with its presentation on November 27, 2018. The presentation will include a GIS overlay showing the District's infrastructure in the designated Critical Areas, (shown in the photograph attached) and which will be delivered by hand to the City in advance of the meeting.

The District appreciates your willingness to work cooperatively on this issue and appreciates your consideration of this proposal.

Sincerely,

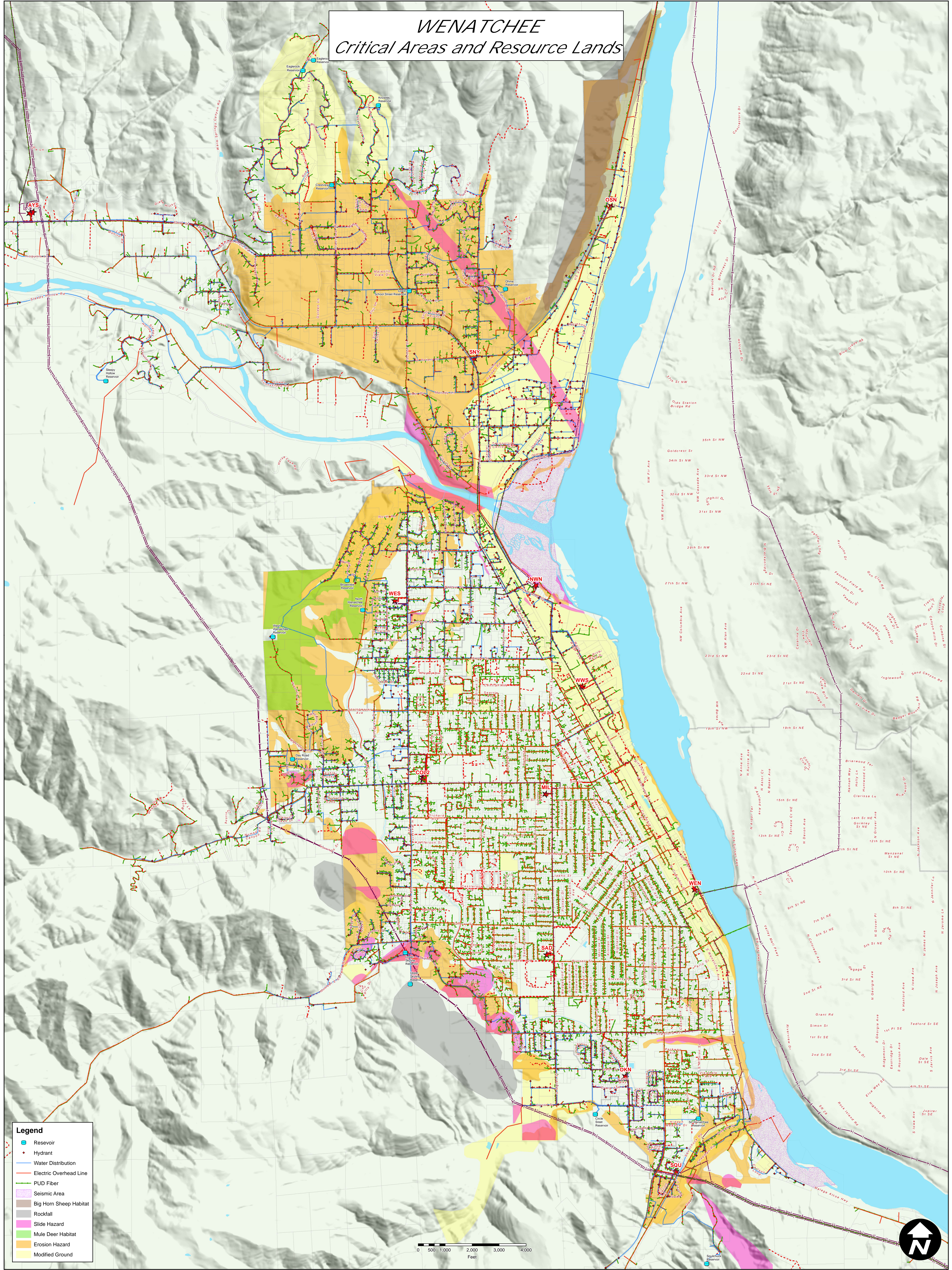
John Stoll  
Managing Director of Customer Utilities

cc: Glen DeVries, via email ([gdevries@wenatcheewa.gov](mailto:gdevries@wenatcheewa.gov))  
Matt Parsons ([mparsons@wenatcheewa.gov](mailto:mparsons@wenatcheewa.gov))

4 Enclosures

# WENATCHEE

## Critical Areas and Resource Lands



- Legend**
- Reservoir
  - Hydrant
  - Water Distribution
  - Electric Overhead Line
  - PUD Fiber
  - Seismic Area
  - Big Horn Sheep Habitat
  - Rockfall
  - Slide Hazard
  - Mule Deer Habitat
  - Erosion Hazard
  - Modified Ground

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September 4, 2018

Via Email ([gdevries@wenatcheewa.gov](mailto:gdevries@wenatcheewa.gov))

Glen DeVries, Director  
Community and Economic Development  
City of Wenatchee  
P.O. Box 519  
Wenatchee, WA 98807-0519

Re: Amendment to Critical Areas Regulation

Dear Mr. DeVries:

Please accept these additional comments by the Public Utility District No. 1 of Chelan County (District) and proposed language to address the maintenance and repair of utilities under the city Critical Areas Regulation.

1. Proposed Utility Exemption

The District proposes that the City of Wenatchee adopt a utility exemption for the maintenance and repair of utilities within critical areas similar to the following exemption in the Pierce County Critical Areas Ordinance:

**Public and private utility line work (new construction, maintenance and repair) within improved surfaces (e.g., driveways, parking lots, concrete or asphalt surfaces, gravel roads and road shoulders, and hard surface-earthen rights-of-way or easements).**

PCC 18E.20.030 (E).

2. Rationale for Additional Exemption for Utilities

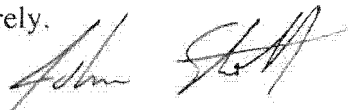
The District owns and operates electrical transmission and distribution systems within critical areas in the City of Wenatchee that are regulated under either the Critical Areas Regulation or the city Shoreline Master Program. These systems include vertical poles or structures, lines, and other equipment. These systems are in some cases also used for telephone and cable service systems. The typical approach to repair and maintenance of these systems is complete replacement of segments at the end of their useful life. At that time some of the systems may have to be enlarged to meet increased demand and current engineering and safety requirements.

The District continues to be concerned that routine maintenance activities for existing utility systems that will have no additional impact on critical areas will be subjected to unnecessary and burdensome critical area review. The definition of “repair and maintenance” in section 12.08.080 is limited to 50% of the value of a structure. This is problematic for the District where routine repair and maintenance, as with almost any utility, calls for the complete replacement of components at the end of their useful life. The District appreciates the interpretation you offered at the hearing on the Critical Areas Regulation on June 14, 2018, that this exemption would only be applied on a system or circuit basis. There is still ambiguity in the language of the ordinance, however, that would benefit from clarity and more precise language for a utility exemption.

The District also appreciates that the Critical Areas Regulation, at WCC 12.08.080(3), includes an exemption for “activities within an improved right-of-way, except those activities that alter a stream or wetland...” This exemption will cover the majority of repair and maintenance work within critical areas but there is still likely to be significant repair and maintenance activities within a range of “improved surfaces” as defined in the suggested language from the Pierce County Critical Areas Ordinance. This specifically includes parking lots, gravel roads, and easements. There is no definition of “improved right-of-way” in the Wenatchee municipal code as that term is used in WCC 12.08.080(3) and thus the exemption creates another potential area of conflict and differing interpretations that could adversely impact the maintenance of the District systems and all other utilities within critical areas of the city.

The District appreciates your willingness to work cooperatively on this issue and appreciates your consideration of this proposal.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Stoll', written over a horizontal line.

John Stoll  
Managing Director of Customer Utilities



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June 12, 2018

Matt Parsons  
Associate Planner - Community and Economic Development  
City of Wenatchee  
P.O. Box 519  
Wenatchee, WA 98807-0519

Re: Amendment to Critical Areas Regulation

Dear Mr. Parsons:

Please accept these comments by the Public Utility District No. 1 of Chelan County (District) on the proposed amendments to the Chapter 12.08 Wenatchee Code – Critical Areas Regulation.

1. Exemption for Repair and Maintenance

The District owns and operates electrical transmission and distribution systems and a fiber optic telecommunication system within critical areas in the City of Wenatchee that are regulated under either the Critical Areas Regulation or the city Shoreline Master Program. These systems include vertical poles or structures, lines, and other equipment. The typical approach to repair and maintenance of these systems is complete replacement of segments at the end of their useful life. At any time some - systems may have to be expanded to meet increased demand and current engineering and safety requirements.

The District requests that the definition of “repair and maintenance” in section 12.08.080 be consistent with the repair and maintenance exemption to shoreline permitting in the city Shoreline Master Program (SMP), section 7.5.3, that allows for complete replacement of structures where that is the typical method or repair and maintenance. The SMP provides:

Replacement of a structure or development may be authorized as repair where such replacement is the common method of repair for the type of structure or development and the replacement structure or development is comparable to the original structure or development including but not limited to its size, shape, configuration, location and external appearance and the replacement does not cause substantial adverse effects to shoreline resources or environment. (SMP, Sec. 7.5.3(B))

The District is concerned that routine maintenance activities for existing utility systems that will have no additional impact on critical areas will be subjected to unnecessary and burdensome critical area review. The District would also like to have a consistent regulatory process for systems regulated under the SMP and Critical Areas Regulation.

## 2. Mitigation Requirements

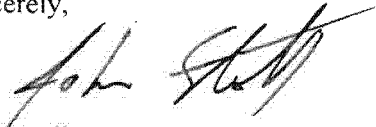
The District requests an exemption from the mitigation in proposed sections 12.08.125(3)(f) and (h) for the repair and maintenance of existing utility transmission and distribution systems. It is unduly burdensome for the District and the city to evaluate and implement mitigation on a segment-by-segment basis for existing infrastructure.

## 3. Maintenance of Existing Trails and Park Improvements

The District is also concerned about the maintenance of park facilities under the draft Critical Areas Regulation. While the District waterfront and some of the upland areas of our parks are within the shoreline jurisdiction and regulated under the SMP, significant portions of the upland areas of the District parks are within critical areas regulated under the draft amendment. These areas are within one or more of the critical area designations including Landslide Hazard, Erosion Hazard, Seismic Hazard, and Modified Ground/Undocumented Fill. All District parks facilities and trails are regulated under a federal license issued by the Federal Energy Regulatory Commission. Maintenance of our existing park improvements, such as, but not limited to, trails, restrooms, picnic shelters, playground equipment and utilities serving them, should be specifically exempt from the critical area review.

The District appreciates the consideration of these comments and would be happy to answer any questions or provide additional information regarding these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "John Stoll", written in a cursive style.

John Stoll  
Managing Director of Customer Utilities



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June 13, 2018

**Matt Parsons**  
Associate Planner – Community and Economic Development  
City of Wenatchee  
P.O. Box 519  
Wenatchee, WA 98807-0519

**R: Amendment to Critical Areas Regulation**

Dear Mr. Parsons:

The Public Utility District No. 1 of Chelan County (District) previously submitted a letter to the City with comments on the proposed amendments to Chapter 12.08 Wenatchee Code – Critical Area Regulation (copy enclosed). That letter, in part, specifically identified electrical transmission and distribution systems and a fiber optic telecommunication system owned and operated by the District and located within identified critical areas. The District also owns and operates a water distribution system within the identified critical areas. The District requests the exemptions for repair, maintenance and mitigation requirements identified in its previous letter also be considered for our water distribution system.

The District appreciates the opportunity to comment and would be happy to answer any questions or provide additional information.

Sincerely,

**Ron Slabaugh**  
Water & Wastewater Manager

encl.



**PUBLIC UTILITY DISTRICT NO. 1 of CHELAN COUNTY**

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June 12, 2018

**Matt Parsons**  
Associate Planner - Community and Economic Development  
City of Wenatchee  
P.O. Box 519  
Wenatchee, WA 98807-0519

**Re: Amendment to Critical Areas Regulation**

Dear Mr. Parsons:

Please accept these comments by the Public Utility District No. 1 of Chelan County (District) on the proposed amendments to the Chapter 12.08 Wenatchee Code – Critical Areas Regulation.

**I. Exemption for Repair and Maintenance**

The District owns and operates electrical transmission and distribution systems and a fiber optic telecommunication system within critical areas in the City of Wenatchee that are regulated under either the Critical Areas Regulation or the city Shoreline Master Program. These systems include vertical poles or structures, lines, and other equipment. The typical approach to repair and maintenance of these systems is complete replacement of segments at the end of their useful life. At any time some - systems may have to be expanded to meet increased demand and current engineering and safety requirements.

The District requests that the definition of “repair and maintenance” in section 12.08.080 be consistent with the repair and maintenance exemption to shoreline permitting in the city Shoreline Master Program (SMP), section 7.5.3, that allows for complete replacement of structures where that is the typical method or repair and maintenance. The SMP provides:

Replacement of a structure or development may be authorized as repair where such replacement is the common method of repair for the type of structure or development and the replacement structure or development is comparable to the original structure or development including but not limited to its size, shape, configuration, location and external appearance and the replacement does not cause substantial adverse effects to shoreline resources or environment. (SMP, Sec. 7.5.3(B))

The District is concerned that routine maintenance activities for existing utility systems that will have no additional impact on critical areas will be subjected to unnecessary and burdensome critical area review. The District would also like to have a consistent regulatory process for systems regulated under the SMP and Critical Areas Regulation.



## 2. Mitigation Requirements

The District requests an exemption from the mitigation in proposed sections 12.08.125(3)(f) and (h) for the repair and maintenance of existing utility transmission and distribution systems. It is unduly burdensome for the District and the city to evaluate and implement mitigation on a segment-by-segment basis for existing infrastructure.

## 3. Maintenance of Existing Trails and Park Improvements

The District is also concerned about the maintenance of park facilities under the draft Critical Areas Regulation. While the District waterfront and some of the upland areas of our parks are within the shoreline jurisdiction and regulated under the SMP, significant portions of the upland areas of the District parks are within critical areas regulated under the draft amendment. These areas are within one or more of the critical area designations including Landslide Hazard, Erosion Hazard, Seismic Hazard, and Modified Ground/Undocumented Fill. All District parks facilities and trails are regulated under a federal license issued by the Federal Energy Regulatory Commission. Maintenance of our existing park improvements, such as, but not limited to, trails, restrooms, picnic shelters, playground equipment and utilities serving them, should be specifically exempt from the critical area review.

The District appreciates the consideration of these comments and would be happy to answer any questions or provide additional information regarding these comments.

Sincerely,



John Stoll  
Managing Director of Customer Utilities



**City of  
Wenatchee**

**DEPARTMENT OF  
COMMUNITY DEVELOPMENT**

Public Services Center  
1350 McKittrick Street, Suite A  
Wenatchee, WA 98801

(509) 888-3200  
Fax (509) 888-3201

**Memorandum**

To: City of Wenatchee Planning Commission  
From: Community Development Staff  
Date: February 13, 2019  
Subject: Drive-in and drive-through code change in the Historic Entertainment Overlay (HEO)

The central core of downtown is considered the heart and soul of the community by the comprehensive plan and continues:

“Downtown has faced—and survived—competition from big-box retailers that have come into the area in the last few decades. What’s more, Wenatchee received the Great American Main Street Award in 2003.

The Central Business District Subarea Plan, which guides development in the downtown, was adopted in April 2007. The Subarea plan seeks to strengthen the vitality of downtown, create a cohesive identity, and provide incentive for downtown redevelopment and business retention. It makes a variety of recommendations to help improve streetscapes, foster ongoing investment, and led to the creation of development standards that seek to preserve and enhance downtown’s historic and unique identity.”

The Central Business District subarea plan established the vision for the Historic Entertainment Overlay as an area focused on entertainment, recreation, and educational activities with an attractive ground floor ambience and encouraging pedestrian activity.

As is often the case, as an area grows and changes over time, the City regulations must also adapt in order to allow for the redevelopment envisioned and encouraged in the subarea and comprehensive plans. As historic uses change the adaptive re-use of existing structures can be challenging. Sometimes buildings built for one purpose, such as a bank drive-through, are difficult to re-use because of their design and functionally.

The City is proposing a minor revision to the District Use Chart in Section 10.10.020 of the Wenatchee City Code (WCC). Currently the Historic Entertainment Overlay (HEO) permits banks with drive-through facilities. Restaurants with drive-in or drive-through features are not permitted. The proposed change would authorize in limited circumstances the adaptive re-use of an existing bank drive-through as a restaurant with a drive-in or drive-through. Within the HEO, there are three existing banks with a drive-through: (1) Chase bank located on the northwest quadrant at the intersection of Orondo and S. Mission, (2) the former Washington Federal Bank located on the northeast quadrant of Orondo and S. Mission, and (3) Keybank

on the southwest quadrant of Orondo and S. Wenatchee Ave. Both the Chase and Keybank drive-through facilities are currently in use. The former Washington Federal Bank building is currently undergoing an adaptive re-use process as the owners seek to re-use the former bank space in a new and creative way that supports the vision of the overlay district and the downtown core.

Below is the proposed code change for the planning commission to consider at the workshop. Staff will be looking for any feedback on the proposal prior to formally initiating the code change process and scheduling a public hearing.

**10.10.020 District use chart.**

Use	Commercial Districts				Mixed Use Districts			Overlay Zones					
	CBD	NWBD/ SWBD	C N	I	WMU	OMU	RM U	HEO	CSO	MRC	IO	P O	RR O
Restaurants, with drive-in or drive-through	P	P	P	~	C	~	~	<del>P</del> <sup>9</sup>	~	~	~	~	~

<sup>9</sup> Adaptive re-use of drive-in or drive-through facilities in existence as of (Insert date of adopting ordinance).

While the above noted change may seem like a minor change, it is part of an overall approach that the City and other partners such as the Chamber and Downtown Association are pursuing downtown supported by plan policies. This approach looks for opportunities for investment and adaptive re-use of Wenatchee’s rich cultural and historic resources. Opportunity zones, historic preservation tax credits, infrastructure investment, code and program changes for parking and housing, potential sale of the former Firestone Lot for a significant housing development downtown, and others are part of a larger vision for downtown.

If you have any questions, please contact Stephen Neuenschwander at [sneuenschwander@wenatcheewa.gov](mailto:sneuenschwander@wenatcheewa.gov) or Matt Parsons at [mparsons@wenatcheewa.gov](mailto:mparsons@wenatcheewa.gov).