

**WENATCHEE PLANNING COMMISSION
SCHEDULED MEETING
December 11, 2019
WENATCHEE CITY HALL COUNCIL CHAMBERS
301 Yakima Street, 2nd Floor
Wenatchee, WA 98801**

AGENDA

I. CALL TO ORDER AND WELCOME

II. ADMINISTRATIVE AFFAIRS

- A. Approval of the minutes from the last regular meeting on November 20, 2019.
- B. Election of officers for 2020

III. PUBLIC COMMENT PERIOD

Comments for any matters not included on the agenda.

IV. OLD BUSINESS

None

V. NEW BUSINESS

- A. Public hearing: Amendments to WCC 10.72 Non-conforming signs to establish an amortization period for billboards.
- B. Workshop: Interim ordinance regarding assembly uses in the residential districts and outdoor amplification.

VI. OTHER

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: Josh Jorgensen, Joe Gamboni, Richard Erickson, and Rani Sampson. Absent were Commissioners Ace Bollinger and Susan Albert.

City Planning staff was represented by: Glen DeVries, Community Development Director; Stephen Neuenschwander, Planning Manager; Matt Parsons, Senior Planner; and Kim Schooley, Administrative Assistant. Also present were Steve King, Economic Development Director; and Allison Williams, Executive Services Director.

Chair Griffith advised that the agenda would be amended to include a workshop discussion at the end of the meeting regarding billboards and a draft amortization schedule that would come before the Commission at their December 11th regular meeting.

II. ADMINISTRATIVE AFFAIRS

A. Approval of the minutes from the regular meeting on October 16, 2019.

Commissioner Sampson moved to approve the minutes from the October 16, 2019 regular meeting. Commissioner Jorgensen seconded the motion. The motion carried.

III. PUBLIC COMMENT PERIOD

Bryan Campbell – 1220 Maple Street, Wenatchee, WA addressed the Commission regarding questions he had pertaining to the City's landscape and screening code requirements as compared to requirements outlined in the building code. In addition, he would like to see fire wise requirements added to the code pertaining to landscaping materials allowed.

IV. OLD BUSINESS

None

V. NEW BUSINESS

Chair Griffith provided an explanation of public hearing procedures and appearance of fairness.

A. Public Hearing: 2019 updates – Capital Facilities Plan

Allison Williams, Executive Services Director, and Steve King, Economic Development Director, presented the staff report.

Commissioners asked questions of staff.

Chair Griffith opened the hearing for public testimony. There was none.

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

Commissioner Jorgensen moved to forward to Council a recommendation of approval of the proposed amendments to the City of Wenatchee Capital Facilities Plan based upon the suggested findings of fact and conclusions of law contained in the staff report. Commissioner Sampson seconded the motion. The motion carried.

B. Public Hearing: 2019 updates – Wenatchee Urban Area Plan

Stephen Neuenschwander, Planning Manager, and Matt Parson, Senior Planner, presented the staff report.

Neuenschwander discussed the proposed amendments to the Comprehensive Plan and Zoning Map changes with regard to the Residential Foothills zoning designation and Neighborhood Commercial Zone map changes.

Commissioners asked questions of staff.

Matt Parsons, Senior Planner, discussed the Motorized Transportation Circulation Map, the adoption of a guidance document – Our Valley Our Future Action Plan 2017-2021, and the Land Use Implementation table.

Commissioner Sampson advised that she would recuse herself on a vote of the acceptance of the guidance document as she had been involved in the development process.

Commissioners asked questions of staff.

Commissioner Griffith opened the hearing for public comment.

Scott Davenport – 2500 Westwick Road, Wenatchee, WA expressed opposition to the residential foothills zoning as it affects his 37 acres of property. Davenport claimed the changes would reduce the value and density of his property by 75%.

Don Stone - 908 Westmoreland, Wenatchee, WA advised that the zoning change affected his property as well. He expressed opposition to the change which constrains development.

Greg Wright – 580 7th Street N.E., East Wenatchee advised that he was a managing broker at Nick McLean Real Estate Company in Wenatchee. Wright advised that he thought it was too soon to consider changing densities for the sake of protection from fire threat. He thinks it would be more appropriate to find ways to keep the community safe through responsible development. He questioned limited densities when the City has GMA growth requirements to accommodate.

Andy Dappen – 2332 Westview Drive, Wenatchee, WA advised that he wanted to applaud Commissioners for reviewing standards. Dappen said that he supports the decisions being made to make the foothills safer. He advised that he is very worried that if the zoning isn't changed and developments grow to the current capacity that would be allowed under current zoning, then the risk for loss of life and property is substantial.

Bryan Campbell – 1220 Maple Street, Wenatchee, WA again addressed the Commission and advised that he had worked as Chelan County Fire support staff on several fires. He said that he understands the concerns, but feels that acres of property with no homes are more dangerous than those that have been developed. He stated that he felt the more units per acre, the safer the area would be and easier for emergency personnel to protect.

Virginia Thomas - 925 Westchester Drive, Wenatchee, WA advised that she was sympathetic to landowners who want to develop, but also understands the threat of fire. She questions whether or not the zoning designation line could be altered to exempt Davenport's property.

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

With regard to the proposed zoning changes from RS to RF, Commissioner Erickson would like to see more time spent on consideration of that change before doing anything.

Commissioner Sampson advised that she believes the fire danger is real and would be opposed to spending more time on the matter.

Commissioner Gamboni advised that he agreed with the opinions expressed by Wright and thought there was greater danger with empty lots as opposed to developed property. He advised that he was against taking the property rights of individuals.

Commissioner Jorgensen advised that he agreed with Commissioner Gamboni.

Following their deliberation, Commissioners were agreed to move ahead with approval of most of the amendments, but that they would like to remove the action requested in item A of the staff report for continued evaluation to be done.

Commissioner Erickson moved to approve the requested actions in item A pertaining only to the Commercial Neighborhood Overlay zone and the Pine Shadow Subdivision zone changes, as well as the requested actions in items B through D contained in the staff report dated November 13, 2019, based upon the findings of fact and conclusions of law. Commissioner Jorgensen seconded the motion. The motion carried with four votes in favor and vote against by Commissioner Sampson.

C. Public Hearing: Chapter 10.50 WCC Sign Code

Chair Griffith called for a break at 7:52 p.m.

The meeting resumed at 8:01 p.m.

Neuenschwander presented the staff report.

Commissioners asked questions of staff.

Chair Griffith opened the hearing for public testimony.

Greg Peterson - 460 19th Street N.E., East Wenatchee, WA addressed the Commission regarding property he has part ownership of at 200 S. Ferry Street. Peterson expressed concern about the possibility of having to remove the long standing pole sign on that property under the constraints of new code language. He questioned whether or not certain signs could be grandfathered in. He advised that removing the high visibility sign at that location would be a problem for future tenants.

Mark Ball – 2 N. Wenatchee Avenue, Wenatchee, WA advised that he was owner of The Gilded Lily at that address and explained that his business currently utilizes vinyl signs on the alley way to attract people on Mission Street to their business. He expressed concern about the signs being in violation under the new code.

Steve Freeman – Smitty’s Pancake House, 1621 N. Wenatchee Avenue, Wenatchee, WA expressed opposition to the new sign code and the potential of having to remove the pole sign on his property in the event of a business name change or use.

Michael Noyd – 1720 Madison Street, Wenatchee, WA said that there had been a lack of engagement with property owners regarding the new sign code. He advised that he was supportive of a sign change, but concerned about requiring pole signs to be removed on north Wenatchee Avenue.

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

Chair Jorgensen advised that he would like to see no sign changes required if a business was just rebranding. He advised that he did not think it was fair to make the property owner pay to remove a non-conforming sign for a new tenant.

Glen DeVries, Community Development Director, advised that the impetus for non-conforming signs was addressed in the Comprehensive Plan, was the direction and desire given by Council, and was based on input from the public survey that was conducted.

Commissioner Sampson moved to approve the sign code draft update as presented with all of the amendments and changes outlined by staff; with an amendment to 10.50.110 (3)(a) that “Changes in directory and images” may be instantaneous or faded, striking the rest of the sentence; and that on Table 10.50.150(6) that the 5th table down would be changed to a Yes with regard to rebranding. Commissioner Erickson seconded the motion. The motion carried.

D. Billboard work session and discussion

Glen DeVries, Community Development Director, presented the staff report.

DeVries advised that the City Attorney, Steve Smith, recommended a 10-year amortization on billboard signs as opposed to a proposed 5-year as presented in draft form on the website. He advised that a draft document would come before the Commission at their December 11th regular meeting.

Commissioner Jorgensen advised that he thought that it was lousy and disagreed with extending the time limit for sign removal. He stated that all signs should be fully depreciated at this point, given the fact that they were prohibited in 2007.

VI. OTHER

None

VII. ADJOURNMENT

With no further business to come before the Planning Commission, Chair Scott Griffith adjourned the meeting at 9:10 p.m.

Respectfully submitted,

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

DRAFT

TO: City of Wenatchee Planning Commission
FROM: City of Wenatchee Community Development Staff
DATE: December 4, 2019
RE: Staff Report: amendments to Section 10.72.050 Nonconforming signs of the Wenatchee City Code

I. REQUESTED ACTIONS

Conduct a public hearing and formulate a recommendation to the City Council on the proposed amendments to the Wenatchee City Code (WCC) attached as Exhibit A to Section 10.72.050 Nonconforming signs.

II. ENVIRONMENTAL REVIEW

The City of Wenatchee has determined the proposed amendments to the Wenatchee City Code (WCC) will not have probable significant adverse impacts on the environment. The City of Wenatchee has issued a determination of non-significance (DNS). Notice of the environmental determination for the proposed amendments to the Wenatchee City Code was made on November 19, 2019.

III. PUBLIC PROCESS

The City has engaged in an open and ongoing public process to gather information and comment from the public, the development community, reviewing and commenting public agencies, the planning commission, and the City Council. The public process included:

- a website devoted to the amortization of billboards that included the draft materials, meeting notices, and additional information about the process;
- A community sign preference survey that received nearly 500 responses. Survey results are included in Exhibit C;
- A workshop with the planning commission on November 20, 2019.

Preceding this code process, the City has been working on a major update and overhaul of the sign standards in Chapter 10.50 WCC. While the topic of billboards was brought up during the sign code update, the amortization of billboards is being reviewed through a separate process. Some of the information from the sign code update is applicable to this process as well, including the sign survey. The Planning Commission held a public hearing and unanimously recommended that the City Council adopt the updates. The Council hearing is scheduled for December 5, 2019.

IV. AGENCY AND PUBLIC COMMENTS:

All public comments received by the city and a comment response matrix are included as Exhibit B.

V. COMPREHENSIVE PLAN GOALS AND POLICIES

The Wenatchee Urban Area Plan, Planning to Blossom 2037, is a planning and visioning document to ensure that growth and development in the urban area is consistent with the goals of the Washington State Growth Management Act (RCW 36.70A) and done in an orderly and efficient pattern. The plan has been revised and updated to reflect the growth of the community, the development patterns, and the changing environment. The plan includes numerous goals and policies that support the effort to review and update the sign regulations pertinent to the visual appeal, navigability, and . The following goals and policies are from the plan and form the basis of the updated development codes:

Applicable Policies from the Community Design and Healthy Communities Element

- GOAL 1: GATEWAYS -- Improve the visual appeal and navigability of Wenatchee by enhancing gateways into the city, its districts and neighborhoods.
- Goal 1, Policy 1: Develop visually attractive and identifiable gateways at primary entrances to the city using a combination of streetscape, signage, and building orientation to create memorable community entries.
- Goal 6: Dark Sky Design, Policy 6: All signs and lighting (including for streets, buildings, parking areas, and signs) should be designed so that they perform their function without being unduly disruptive to the visual appeal of the area.
- GOAL 7: Aesthetics -- Identify opportunities to improve the visual aesthetics of the community.
- Goal 7, Policy 4: Review sign standards to determine priorities on the amortization of nonconforming signage. Opportunities are available to improve the signage code to better meet community advertising needs while improving the cumulative visual impacts of signage.

VI. PROJECT ANALYSIS

The general purposes of the zoning code are identified in WCC 10.04.020 Purpose: *The general purposes of this title are to promote the public health, safety, and general welfare; to assist in the implementation of the Wenatchee urban area comprehensive plan;* to comply with the Growth Management Act; and to comply with the provisions and objectives of Chapter 44, Laws of Washington, 1935, as amended, and Chapter 17, Laws of 1990, First Extraordinary Session, as amended. In accordance with Chapter 35A.63 RCW, all territory within the corporate limits of the city of Wenatchee shall be classified according to the districts set out in WCC 10.06.015. (emphasis added)

The updates to the zoning code in Title 10 meet the first two purposes in WCC 10.04.020 – the promote the public health, safety, and general welfare and to assist in

the implementation of the Wenatchee urban area comprehensive plan, particularly Goal 7, Policy 4 of the Community Design and Healthy Communities Element.

The proposed amendments to the City Code would establish an amortization date, six (6) years from the effective date of an ordinance signed by the City Council, by which all existing nonconforming billboard signs would need to be removed. All billboards in existence at the time of the ordinance could continue to exist, without any structural alterations, until the amortization date of January 20, 2026. At such time, the billboards would need to be brought into conformance with the code by being removed.

The draft code also allows the City to not implement this timeline where the removal of the billboard requires the city to pay compensation under any federal, state, or other law including the Scenic Vistas Act in 47.42, RCW.

The City of Wenatchee has a history of enacting land use regulations placing limitations on off-site signs and billboards and ultimately prohibiting them. Below is a timeline of ordinances adopted by the city regarding off-site signs:

- a. The City adopted zoning standards, permitting new off-site signs in the General Commercial by Ord 2720 on June 21, 1988.
- b. The City initiated a moratorium on off-site signs by Ord 3017 on November 9, 1993.
- c. The City extended the moratorium on off-site signs by Ord 3046 on January 11, 1994.
- d. The City extended the moratorium on off-site signs by Ord 3061 on April 5, 1994.
- e. The City adopted off-site sign standards in the General Commercial district by Ord 3069 on July 19, 1994.
- f. The City extended the moratorium on off-site signs until September 21, 1994 by Ord 3073 which was signed on June 7, 1994.
- g. The City initiated a 180 day moratorium on off-site signs by Ord 2005-04 on January 27, 2005.
- h. The City extended off-site sign moratorium by Ord 2005-19 on July 14, 2005.
- i. The City prohibits off-site signs in the General Commercial and Industrial districts and establishes non-conforming standards for off-site signs by Ord 2005-22 on September 22, 2005.
- j. Off-site signs are prohibited in the community by Ord 2007-34 on October 12, 2007.

The Community Development Department has worked closely with the city attorney on the legal basis and the rationale for the six (6) year amortization timeframe. The legal basis for the amortization of billboards is included in suggested findings 23 – 28. The rationale for the 6 year amortization period of six (6) years, as determined by the city attorney, is included in suggested findings 29 – 35.

VII. Staff recommendation

Staff recommends **Approval** of the draft revisions to the Wenatchee City Code in Chapter 10.72 Nonconforming Signs, as attached in Exhibit A, based upon the suggested findings of fact and conclusions of law in section VIII of the staff report.

VIII. SUGGESTED FINDINGS OF FACT AND CONCLUSIONS OF LAW

Suggested Findings of Fact:

1. The City of Wenatchee has adopted the Wenatchee Urban Area Comprehensive Plan and a series of sub-area comprehensive plans pursuant to the Growth Management Act (GMA), RCW Chapter 36.70A, which cover the Wenatchee Urban Growth Area and all incorporated areas within the City of Wenatchee, that have been found to be consistent with each other and with the adopted GMA plans of the adjoining jurisdictions.
2. The City of Wenatchee Planning Commission is responsible for long range planning matters and providing implementation recommendations to assure compliance with the Growth Management Act for the City of Wenatchee Urban Growth Area in coordination with Chelan County and within the incorporated boundaries of the City of Wenatchee. These measures include updates and amendments to the comprehensive plan; development regulations, environmental regulations, and any other rules, actions or regulations deemed necessary to implement the Growth Management Act.
3. RCW Chapters 36.70 and 36.70A authorize the adoption of development regulations.
4. Section 10.04.020 Purpose of the Wenatchee Zoning Code identifies the purposes of the title as to promote the public health, safety, and general welfare; to assist in the implementation of the Wenatchee urban area comprehensive plan; to comply with the Growth Management Act; and to comply with the provisions and objectives of Chapter 44, Laws of Washington, 1935, as amended, and Chapter 17, Laws of 1990, First Extraordinary Session, as amended.
5. The Planning Commission conducted two public open houses on June 25, 2019 and August 21, 2019.
6. The Planning Commission conducted one public workshop on the proposed revisions on November 20, 2019.

7. The City of Wenatchee issued a determination of non-significance on November 19, 2019 and provided copies of the environmental documents to the Department of Ecology SEPA Register.
8. The City of Wenatchee and Chelan County issued a joint notice of the public 60 day review and comment period, and public hearing dates on November 19, 2019 which was published in the Wenatchee World.
9. On November 19, 2019, the City of Wenatchee provided formal notice to the Washington State Department of Commerce of the intent to adopt amendments to the Wenatchee City Code with a request for expedited review, pursuant to RCW 36.70A.106. Additional notices were provided to local and regional agencies for the review and comment periods/environmental determinations.
10. Public comments submitted during the comment period were reviewed by the Planning Commission and included in the official record.
11. On December 11, 2019, the City of Wenatchee Planning Commission conducted an advertised public hearing. The Planning Commission entered into the record the files on this amendment, accepted public testimony, and deliberated the merits of the proposal.
12. The City of Wenatchee Planning Commission has reviewed the entire record and public testimony as it relates to the proposed amendments to the Wenatchee City Code.
13. The City conducted a sign survey and invited the community to respond. The English version was online August 2-14, 2019 and the Spanish version was online August 6-18, 2019. The survey received a total of 498 respondents (492 English and 6 Spanish).
14. The written comments to the survey included community reference to reduce the amount of sign clutter including billboards, encouraged less signs, no new pole signs, and beautifying the entrance to the city, particularly the North Wenatchee Avenue corridor.
15. The State Scenic Vistas Act, Chapter 47.42 RCW, provides certain protections to billboards located within the jurisdiction of that Act.
16. Billboards are defined in Section 10.50.030, WCC (adopted by Ord 2019-50 on December 5, 2019) as a type of large permanent sign designed or used for high-visibility display of sign copy which is typically not associated with the property upon which the sign is placed. Billboards typically have a wood or steel structure with a single face or double face oriented to major traffic routes. Billboards are larger than permitted pole signs and may include catwalks.

17. GOAL 1 in the Community Design and Healthy Communities Element: GATEWAYS -- Improve the visual appeal and navigability of Wenatchee by enhancing gateways into the city, its districts and neighborhoods. *The amortization of non-conforming billboard signs serves to improve the visual appeal and navigability of the community.*
18. Goal 1, Policy 1 in the Community Design and Healthy Communities Element: Develop visually attractive and identifiable gateways at primary entrances to the city using a combination of streetscape, signage, and building orientation to create memorable community entries. *The amortization of non-conforming billboard signs will over time result in a more attractive gateways to the community.*
19. Goal 6 in the Community Design and Healthy Communities Element: Dark Sky Design, Policy 6: All signs and lighting (including for streets, buildings, parking areas, and signs) should be designed so that they perform their function without being unduly disruptive to the visual appeal of the area. *The amortization of existing digital billboards and non-conforming off-site signs would further the intent of this policy.*
20. GOAL 7 in the Community Design and Healthy Communities Element: Aesthetics -- Identify opportunities to improve the visual aesthetics of the community. *Community responses to the survey indicated a desire to improve the visual aesthetics of the community through removal of non-conforming billboard signs.*
21. Goal 7, Policy 4 in the Cultural and Historic Resources Element: Review sign standards to determine priorities on the amortization of nonconforming signage. Opportunities are available to improve the signage code to better meet community advertising needs while improving the cumulative visual impacts of signage. *The primary purpose of the code revision is to amortize out non-conforming billboard signs. The amortization timeframe balances out the community desire to enhance the gateways to the city and reduce sign clutter with property owner rights to obtain a financial return on their investment.*
22. The City has a history of enacting land use regulations placing limitations on off-site signs and billboards and ultimately prohibiting them:
 - k. The City adopted zoning standards, permitting new off-site signs in the General Commercial by Ord 2720 on June 21, 1988.
 - l. The City initiated a moratorium on off-site signs by Ord 3017 on November 9, 1993.
 - m. The City extended the moratorium on off-site signs by Ord 3046 on January 11, 1994.
 - n. The City extended the moratorium on off-site signs by Ord 3061 on April 5, 1994.
 - o. The City adopted off-site sign standards in the General Commercial district by Ord 3069 on July 19, 1994.

- p. The City extended the moratorium on off-site signs until September 21, 1994 by Ord 3073 which was signed on June 7, 1994.
 - q. The City initiated a 180 day moratorium on off-site signs by Ord 2005-04 on January 27, 2005.
 - r. The City extended off-site sign moratorium by Ord 2005-19 on July 14, 2005.
 - s. The City prohibits off-site signs in the General Commercial and Industrial districts and establishes non-conforming standards for off-site signs by Ord 2005-22 on September 22, 2005.
 - t. Off-site signs are prohibited in the community by Ord 2007-34 on October 12, 2007.
23. Billboards legally in existence since the adoption of Ordinance 2007-34 have been determined to be legally non-conforming signs.
24. New off-site billboard signs have been prohibited in the City of Wenatchee since the enactment of Ordinance 2007-34.
25. The Washington Supreme Court has directly addressed nonconforming uses and amortization of uses in many cases such as *City of Univ. Place v. McGuire*, 144 Wn.2d 640, 648–49, 30 P.3d 453 (2001), *Rhod-Azalea & 35th, Inc. v. Snohomish Cty.*, 136 Wn.2d 1, 9, 959 P.2d 1024 (1998), *Northend Cinema, Inc. v. City of Seattle*, 90 Wn.2d 709, 722, 585 P.2d 1153 (1978), and *Seattle v. Martin*, 54 Wn.2d 541, 342 P.2d 602 (1959).
26. Courts have consistently recognized that nonconforming uses are subject to subsequently enacted reasonable police power regulations. See *Goldblatt v. Town of Hempstead*, 369 U.S. 590, 82 S.Ct. 87 (1962).
27. “The policy of zoning legislation is to phase out a nonconforming use.” *Anderson v. Island County*, 81 Wn.2d 312, 323, 501 P.2d 594 (1972). Nonconforming uses are not favored, and may be extinguished, either after a period of nonuse **or a reasonable amortization period allowing the owner to recoup on investment.** *Rhod-A-Zalea*, 136 Wn.2d at 7, 959 P.2d 1024; see also *Choi v. City of Fife*, 60 Wn. App. 458, 803 P.2d 1330. (Emphasis added.)
28. In *Seattle v. Martin*, 54 Wn.2d 541, 342 P.2d 602 (1959) the WA Supreme Court recognized the power of a municipality to require termination of nonconforming uses within a reasonable period of time. The Court adopted a balancing test to determine the reasonableness of the termination period – that test is whether the harm or hardship to the user outweighs the benefit to the public to be gained from termination of the use.
29. Legally non-conforming off-site billboards have been able to recoup 12 years of financial benefit since the City adopted Ord 2007-34 on October 12, 2007.

30. The amortization of non-conforming off-site signs and billboards within 6 years is a reasonable timeframe that adequately balances the harm or hardship to the billboard owner and the benefit to the public gained from the termination of the non-conforming billboards and off-site signs.
31. The amortization of non-conforming off-site signs and billboards within 6 years is a reasonable timeframe for owners to recoup additional remaining financial value on their investment while balancing the community desire for their removal.
32. An amortization period of 6 years together with the 12 years of legal non-conforming use since the prohibition of offsite signs on October 12, 2007 is a reasonable amortization period.
33. An analysis of building permits issued for off-site signs or billboards indicates that the average age as being at least 20 years.
34. Off-site non-conforming billboards have been annexed into the City since the enactment of Ordinance 2007-34. These off-site non-conforming billboards were subject to the same non-conforming regulations as those legally established in city limits as of the enactment of Ordinance 2007-34. Historic building permit information is not immediately available to determine the age of the signs.
35. Pursuant to RCW 36.70A.370 and following the guidelines prepared by the Washington State Attorney General pursuant to RCW 36.70A.370, the proposed amendments were reviewed by City Staff to assure that adoption of the changes will not result in an unconstitutional taking of property. It was determined that amortizing non-conforming billboards did not prevent other viable economic uses of the properties; no fundamental property attribute was destroyed, derogated or implicated; the minimum period of 18 years of use mitigates the financial impact to the owners and does not unfairly disrupt the owners' investment expectations; and the new amortization code advances a legitimate city interest to implement and accomplish the goals of its Comprehensive Plan.

Suggested Conclusions of Law:

1. The procedural and substantive requirements of the State Environmental Policy Act have been complied with.
2. The procedural requirements of RCW 36.70A have been complied with.
3. The proposed amendments are consistent with the Chelan County Countywide Planning Policies and the City of Wenatchee Urban Area Comprehensive Plan.
4. The proposed amendments are consistent with the requirements of Revised Code of Washington, and the Washington Administrative Code.

5. The proposed amendments have been reviewed and processed in accordance with the requirements of Title 10 Zoning, Title 12 Environmental Protection, and Title 13 Administration of Development Regulations of the City of Wenatchee Code.
-

Exhibit A: Draft revisions dated December 4, 2019
Exhibit B: Public comments
Exhibit C: Sign code survey results

EXHIBIT "A"

Chapter 10.72 NONCONFORMING USES, STRUCTURES AND LOTS

Sections:

- 10.72.010 Intent and purpose.
- 10.72.020 Nonconforming uses.
- 10.72.030 Nonconforming structures.
- 10.72.040 Nonconforming lots.
- 10.72.050 Nonconforming signs.

10.72.050 Nonconforming signs.

(1) With the exception of billboards, code requirements applicable to nonconforming on and offsite signs are addressed in Section 10.50.150 Legal nonconforming signs, WCC. Billboards are not a permitted use under Chapter 10.50 Signs, WCC. Legally established billboard in existence at the time of adoption of this ordinance are considered nonconforming signs subject to the provisions of Section 10.72.050(2), WCC.

(2) Billboard sign amortization. Notwithstanding any other provisions of this Title, an existing nonconforming billboard may continue to be used for a period of six years after January 20, 2020. No structural alterations may be made after January 20, 2020, and the said billboards must be brought into conformity by removal before six years after January 20, 2020. The City may elect not to apply any provisions of this section if the removal of a billboard would require the city to pay compensation under any federal, state or other law, including RCW Chapter 47.42.

~~(1) Off-Site Signs.~~

~~(a) Off-site signs in existence on the date of adoption of the ordinance codified in this section, which were constructed, erected or maintained in compliance with all previous regulations, shall be regarded as nonconforming signs which may be continued, maintained and altered by changing the sign face or message, but shall not be allowed to change sign type, such as but not limited to the addition or changing of "effects," and shall not be allowed to increase in size, height or any other manner.~~

~~(b) Off-site signs in existence on the date of adoption of the ordinance codified in this section, which were constructed, erected or maintained in compliance with all previous regulations, which are destroyed by an act of God or accident may be replaced; provided, that the replaced sign meets the standards set forth in subsection (1)(c) of this section.~~

~~(c) Off-site signs in existence on the date of adoption of the ordinance codified in this section, which were constructed, erected or maintained in compliance with all previous regulations, may be moved or relocated on the same parcel of land when development of the property by the property owner requires relocation; provided, however, that the replacement sign conforms to the provisions of WCC 10.50.170 and the following standards:~~

~~(i) The new off-site sign shall be no greater in size (height and area) than the replaced sign;~~

- ~~(ii) The new off-site sign shall be similar in construction to the replaced sign (e.g., electronic versus painted, single face or double faced or V-type);~~
- ~~(iii) No off-site sign is located within 500 lineal feet of another off-site sign;~~
- ~~(iv) No off-site sign is located within 300 lineal feet of a residential zone;~~
- ~~(v) No off-site sign is located within 300 lineal feet of, or oriented to be viewed from, those areas known as Riverfront Park, Walla Walla Point Park, or Confluence Park, or as the same are subsequently known;~~
- ~~(vi) Off-site signs shall be limited in size to 300 square feet, including the frame area;~~
- ~~(vii) Maximum height of off-site signs shall be 30 feet above grade, measured from the base of the sign support;~~
- ~~(viii) The new off-site sign shall not contain any new "effects."~~

~~(2) On-Site Signs.~~

- ~~(a) An on-site sign which is legally nonconforming as of the effective date of the ordinance codified in this title by reason of restrictions on height, required setbacks or other requirements concerning on-site signs may be continued so long as it remains otherwise lawful.~~
- ~~(b) A nonconforming on-site sign shall not be altered, extended, enlarged, or otherwise physically changed in any manner that would have the effect of increasing its amount or degree of nonconformity.~~
- ~~(c) A nonconforming on-site sign destroyed by any cause to an extent exceeding 50 percent of its cost of replacement using new materials shall only be replaced with an on-site sign conforming to the provisions of this title.~~
- ~~(d) Nothing in this title shall be deemed to prevent the normal maintenance and repair of a nonconforming on-site sign or its restoration to a safe condition when declared to be unsafe by any official charged with protecting the public safety. (Ord. 2010-03 § 1 (Exh. A); Ord. 2007-34 § 2 (Exh. A))~~

From: [Parker Outdoor Inc](#)
To: [Matthew Parsons](#)
Cc: [Stephen Neuenschwander](#); [Glen DeVries](#)
Subject: Re: Public Hearing on Sign Code Update
Date: Tuesday, December 3, 2019 10:20:11 PM

Exhibit B

CAUTION: This email originated from outside of the City of Wenatchee. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Matthew,

Good evening, as a billboard operator I would suggest that you remove the proposal in the code to ban and amortize out billboards in the City.

The City is setting itself up for very expensive lawsuits. Even though I do not operate billboards in the City it would be in the best interest of the City to leave that portion of the Code unchanged. I attended a meeting several months ago and found that the suggestions to the Code to be the same suggestions this firm has proposed for most of the other cities that have hired them. For example monument signs everywhere would cause a traffic hazard for accessing the ROW. Whereas , Pole signs do not. They intend to eliminate pole signs in the City, bad idea. Just a thought a bit late I suppose.

Thanks

[Brad Sourbeer](#)
President
[Parker Outdoor, Inc.](#)
Cell: 509-264-9610
Office: 509-888-6633
Fax: 509-888-6631
www.parkeroutdoorinc.com

-----Original Message-----

From: Matthew Parsons <MParsons@WenatcheeWA.Gov>
Cc: Stephen Neuenschwander <SNeuenschwander@WenatcheeWA.Gov>; Glen DeVries <GDeVries@WenatcheeWA.Gov>
Sent: Tue, Dec 3, 2019 3:54 pm

Subject: Public Hearing on Sign Code Update

Good afternoon,

A public hearing on the proposed sign code update is on the agenda for the December 5 meeting of the Wenatchee City Council. The meeting starts at 5:15PM and will be held in the City Council Chambers at Wenatchee City Hall which is located at 301 Yakima St in Wenatchee on the second floor. The agenda and agenda packet can be downloaded from the following webpage:

<https://www.wenatcheewa.gov/Home/Components/Calendar/Event/10540/35?backlist=%2fhome>

The portion of the agenda packet specific to the sign code update can be downloaded at the following address: <https://www.wenatcheewa.gov/home/showdocument?id=22349> The text of the proposed code can be found on pages 10-58 of this portion of the agenda packet.

I encourage you to attend the hearing and share your thoughts on the proposed code amendments with the City Council during the public hearing.

Please let me know if you have any questions.

Thank you

Matt Parsons, AICP

Senior Planner

Community Development Department

City of Wenatchee



1350 McKittrick St., PO Box 519

Wenatchee WA, 98807-0519

Phone: (509) 888-3253 | Fax: (509) 888-3201

Email: MPARSONS@wenatcheewa.gov

NOTICE OF PUBLIC DISCLOSURE: This e-mail account is public domain. Any correspondence from or to this e-mail account may be a public record. Accordingly, this e-mail, in whole or in part, may be subject to disclosure pursuant to RCW 42.56, regardless of any claim of confidentiality or privilege asserted by an external party.

Wenatchee Sign Code Update

Online Survey Summary

August 2019

Overview

Following in-person surveys at a June sign code public open house and stakeholder group meeting, the sign code team developed an online version of the survey. The online version focused on the most critical sign issues which will benefit from the general public's feedback. It had eight multiple-choice questions and one written-comment opportunity.

The English version was online August 2-14 and the Spanish version was online August 6-18. The survey drew a total of 498 respondents (492 English and 6 Spanish). Of those respondents, 159 submitted written comments.

Key Findings

Close to 500 surveys were completed, making it clear that signs are an important topic for both the community's visual character and its economic development. The following are the key findings from the quantitative survey questions:

Strong Preference

- Nonconforming pole signs should be phased out (amortized)
- Signs with multiple businesses should have a limited amount of entries or minimum letter size
- Digital signs should have a minimum dwell time and prohibit video
- Monument signs should be subject to design standards
- Signs should have a limited amount of information based on the speed limit

General Preference

- New pole signs should be prohibited on North Wenatchee Avenue
- There should be an incentive for dark-colored monument signs

Slight Preference

- Channel letter signs may be acceptable in Downtown

Quantitative Data

* There were four answer choices for most questions. The score in the survey summary table is an average of the results, with the following basis:

- 1) Great idea/high priority (2 points)
- 2) Good idea (1 point)
- 3) Neutral/unsure (0 points)
- 4) Bad idea (-1 points) [*Note: Previous in-person surveys were given -1.5 points for this answer.*]

Colors are used to emphasize the level of preference for each of the concepts referenced in the survey questions, base on the scoring averages.

Average Score Color Coding		
Color	Average Score	Preference
Dark Green	>1.25	Strong Preference
Medium Green	1.00-1.25	
Light Green	0.50-0.99	General Preference
Yellow	0-0.49	Slight Preference
Red	<0	Negative

Survey Summary												
Question	Average Score*	Results Chart										
Pole Signs												
I. Should NEW pole signs be prohibited on North Wenatchee Avenue?	0.93	<table border="1"> <caption>Survey Results for Pole Signs Question</caption> <thead> <tr> <th>Response Category</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Great idea / high priority</td> <td>~42%</td> </tr> <tr> <td>Good idea</td> <td>~25%</td> </tr> <tr> <td>Neutral / unsure</td> <td>~18%</td> </tr> <tr> <td>Bad idea</td> <td>~15%</td> </tr> </tbody> </table>	Response Category	Percentage	Great idea / high priority	~42%	Good idea	~25%	Neutral / unsure	~18%	Bad idea	~15%
Response Category	Percentage											
Great idea / high priority	~42%											
Good idea	~25%											
Neutral / unsure	~18%											
Bad idea	~15%											
Monument Signs												

Survey Summary												
Question	Average Score*	Results Chart										
2. Should monument signs be subject to design standards?	1.10	<table border="1"> <caption>Results Chart Data for Question 2</caption> <thead> <tr> <th>Response Category</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Great idea / high priority</td> <td>40%</td> </tr> <tr> <td>Good idea</td> <td>40%</td> </tr> <tr> <td>Neutral / unsure</td> <td>8%</td> </tr> <tr> <td>Bad idea</td> <td>12%</td> </tr> </tbody> </table>	Response Category	Percentage	Great idea / high priority	40%	Good idea	40%	Neutral / unsure	8%	Bad idea	12%
Response Category	Percentage											
Great idea / high priority	40%											
Good idea	40%											
Neutral / unsure	8%											
Bad idea	12%											
3. Should signs with dark-colored backgrounds be encouraged?	0.85	<table border="1"> <caption>Results Chart Data for Question 3</caption> <thead> <tr> <th>Response Category</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Great idea / high priority</td> <td>32%</td> </tr> <tr> <td>Good idea</td> <td>33%</td> </tr> <tr> <td>Neutral / unsure</td> <td>22%</td> </tr> <tr> <td>Bad idea</td> <td>13%</td> </tr> </tbody> </table>	Response Category	Percentage	Great idea / high priority	32%	Good idea	33%	Neutral / unsure	22%	Bad idea	13%
Response Category	Percentage											
Great idea / high priority	32%											
Good idea	33%											
Neutral / unsure	22%											
Bad idea	13%											
Sign Clutter												
4. Should the amount of information allowed on signs be proportional to the posted speed limit?	1.07	<table border="1"> <caption>Results Chart Data for Question 4</caption> <thead> <tr> <th>Response Category</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Great idea / high priority</td> <td>40%</td> </tr> <tr> <td>Good idea</td> <td>37%</td> </tr> <tr> <td>Neutral / unsure</td> <td>15%</td> </tr> <tr> <td>Bad idea</td> <td>8%</td> </tr> </tbody> </table>	Response Category	Percentage	Great idea / high priority	40%	Good idea	37%	Neutral / unsure	15%	Bad idea	8%
Response Category	Percentage											
Great idea / high priority	40%											
Good idea	37%											
Neutral / unsure	15%											
Bad idea	8%											
5. Should signs used by multiple businesses limit the number of names or require a minimum letter size?	1.27	<table border="1"> <caption>Results Chart Data for Question 5</caption> <thead> <tr> <th>Response Category</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Great idea / high priority</td> <td>48%</td> </tr> <tr> <td>Good idea</td> <td>40%</td> </tr> <tr> <td>Neutral / unsure</td> <td>5%</td> </tr> <tr> <td>Bad idea</td> <td>8%</td> </tr> </tbody> </table>	Response Category	Percentage	Great idea / high priority	48%	Good idea	40%	Neutral / unsure	5%	Bad idea	8%
Response Category	Percentage											
Great idea / high priority	48%											
Good idea	40%											
Neutral / unsure	5%											
Bad idea	8%											
Downtown Sign Lighting												

Survey Summary												
Question	Average Score*	Results Chart										
6. Should the Downtown lighting standards be updated to also prohibit channel letter signs?	0.48	<table border="1"> <caption>Survey Results for Question 6</caption> <thead> <tr> <th>Response Category</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Great idea / high priority</td> <td>20%</td> </tr> <tr> <td>Good idea</td> <td>25%</td> </tr> <tr> <td>Neutral / unsure</td> <td>35%</td> </tr> <tr> <td>Bad idea</td> <td>20%</td> </tr> </tbody> </table>	Response Category	Percentage	Great idea / high priority	20%	Good idea	25%	Neutral / unsure	35%	Bad idea	20%
Response Category	Percentage											
Great idea / high priority	20%											
Good idea	25%											
Neutral / unsure	35%											
Bad idea	20%											
Digital Signs												
7. Should digital signs have a minimum image time and prohibit video?	1.14	<table border="1"> <caption>Survey Results for Question 7</caption> <thead> <tr> <th>Response Category</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Great idea / high priority</td> <td>48%</td> </tr> <tr> <td>Good idea</td> <td>28%</td> </tr> <tr> <td>Neutral / unsure</td> <td>15%</td> </tr> <tr> <td>Bad idea</td> <td>9%</td> </tr> </tbody> </table>	Response Category	Percentage	Great idea / high priority	48%	Good idea	28%	Neutral / unsure	15%	Bad idea	9%
Response Category	Percentage											
Great idea / high priority	48%											
Good idea	28%											
Neutral / unsure	15%											
Bad idea	9%											
Nonconforming Pole Signs												
8. What is your preferred approach for nonconforming pole signs?	N/A	<table border="1"> <caption>Survey Results for Question 8</caption> <thead> <tr> <th>Option</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Option A - NO CHANGE</td> <td>15%</td> </tr> <tr> <td>Option B - NEW BUSINESS REQUIREMENT</td> <td>25%</td> </tr> <tr> <td>Option C - PHASE OUT</td> <td>60%</td> </tr> </tbody> </table>	Option	Percentage	Option A - NO CHANGE	15%	Option B - NEW BUSINESS REQUIREMENT	25%	Option C - PHASE OUT	60%		
Option	Percentage											
Option A - NO CHANGE	15%											
Option B - NEW BUSINESS REQUIREMENT	25%											
Option C - PHASE OUT	60%											

Written Comments

There were 159 written comments submitted (159 English and zero Spanish). Key themes from the comments are the following:

- Wenatchee has a significant amount of sign clutter, particularly from tall signs and billboards and particularly on North Wenatchee Avenue. The clutter is over-stimulating and makes navigation difficult. The suggested changes would help improve community aesthetics.
- Billboards should be phased out.

- Concern that small businesses in multi-tenant centers will have less visibility with lower monument signs and/or a limited number of business entries on shared signs.
- Concern that monument signs obstruct sightlines and create traffic safety hazards.
- Some businesses may need financial incentives/assistance to improve the quality of their signs (e.g. tax credit, permit fee waiver, etc.). Monument signs are very expensive. There is a concern of unreasonable burdens on businesses that give the community its character and diversity.
- Concern that different businesses have different sign needs, and that uniformity may not necessarily be desired.
- Dark background signs may be a challenge for the visually-impaired (due to lower contrast).
- Video signs should be banned to reduce distracted driving, especially with too-bright signs at night.
- Illuminated and digital signs should be a maximum brightness at night, perhaps even with a cutoff time.
- Historic signs need to be considered, and some should be preserved.
- Concern about costs of planting street trees and blocking businesses' existing signs.
- Some businesses have an abundance of temporary signs. Sandwich board and flag signs need to be addressed.
- Concern with abundance of political signs.
- Directional/wayfinding signs and street name signs are poorly placed throughout the city.

The complete set of written comments is listed below, in no particular order. Comments are shown as originally submitted, except that personally-identifiable information has been removed.

#	Written Comment
1	Sign code updates seem like it should be a low priority focus compared to other more important issues.
2	I am glad the city is looking at this issue. I would love to see the most restrictions taken on businesses when it comes to their signs. I prefer to see dark background signs, none of which are on poles. Please take drastic measures to begin controlling the massive clutter of signs, even in town too. People will find where they need to go, massive signs are obsolete.
3	Large/tall signs and billboards are an eye sore on Wenatchee
4	I'm very happy that we are visiting this issue. I have heard for years that people visiting our town, approaching from the north have a very poor first impression, largely due to the signs. Much of Wenatchee is ugly building, ugly sign, ugly parking lot -- three things that cause a community to lose it's charm and general appeal.
5	Thank you for addressing this challenging topic. The North corridor is the entrance to our beautiful valley for many tourists and residents and should, not only function well (legible signage), but also promote an aesthetic appeal we are all proud of. Poor, distracting or chaotic signage plays a very large role into consumer perception and behavior. The current state of our North end signage may be pushing consumers AWAY from these businesses. I suspect their

#	Written Comment
	business may increase if their signage was legible, high quality with better placement. Thank you!
6	Great ideas overall. Thanks for your work on this very important issue! Our valley is beautiful but the signs are an eye-sore!
7	Some of these suggestions seem like they might make it hard for a new business, or a smaller business, to be seen. For example, I worry about smaller, local businesses in shopping centers who won't have their businesses on signs if the number of businesses on a sign is limited.
8	Nonconforming pole signs need to be aggressively addressed if the city appearance is to be improved.
9	Plant trees, but care for them properly. Electronic signs should go they distract drivers. We have enough clutter everywhere. Less is better.
10	I love this idea! Get did of all the ugly signs and beautify the main streets of Wenatchee!
11	Regarding the dark or light background: concern regarding legibility for those that are visually impaired (color contrast). Something to keep in mind.
12	Please consider accessibility when making decisions. Some changes, such as the suggestion to only allow signs with dark backgrounds, may be inaccessible to folks with low-vision. Please also consult local agencies on safety considerations related to wind and fire.
13	No
14	Thank you.
15	Impose a family/morality code for large visible signage. Billboards for recreational marijuana, AIDS medication, anti-abortion, sex shops, etc are not really things that should be imposed on young children. I'm all for freedom of speech and legal businesses, but don't want it in my face on giant billboards.
16	distracting signs are a safety hazard, in addition to the clutter they present. thanks for taking this on.
17	limit the amount of sandwich boards allowed on sidewalks or walkways.
18	We have a seriously overabundant supply of all types of temporary signs, all over town - some businesses have as many as five or six sail-type signs advertising products or services in addition to their main signage. I would propose that all temporary signs be connected to the sides of the establishment. The business still has the opportunity to advertise but you can take a huge bite out of the clutteriness and overkill of temporary a-frame type, sail-type signs, banners and 'stick in the ground type signs, and they are all right next to the street - sidewalk. This calls for consideration of safety and dangerous distractions taking our attention away from our driving. Thank You This sign code update was sorrowfully needed. I hope we stand strong in making updates that will fit with our vision for the future of Wenatchee.
19	I think that phasing our pole signs would make a big difference in the look and feel of our city.
20	It would make a great deal of difference to our town and presentation to change N Wenatchee Ave in these ways

#	Written Comment
21	Had not heard of trees to be placed on any part of the avenue. Seems like a terrible waste of money and I feel bad for existing businesses who may have their signage blocked.
22	Mix of all types such as on Chelan and Mission Streets, such as single pole, double pole, monument or wall, chosen at discretion of property tenant, is far better than all of one thing. The idea is to make attracting customer easy and profitable. Different types of businesses require different types of signage. A gas station is different from a barber shop is different from a hotel, which is different from a pizzeria, which is different from a clothing store, which is different from a non-profit, which is different from professional offices.
23	Additional way-finding signage for Pybus Market. Way-finding signs directing drivers to underpasses when train is parked in front of Pybus.
24	The Wenatchee Valley geography and surrounding landscape is beautiful but many of the commercial areas in the city are a cluttered mess. Specifically, North Wenatchee Ave, the gateway to Wenatchee, is a horrible eyesore. I am strongly in favor of limiting the signs. In addition, I would like to see all "video" signs banned entirely.
25	Signage is critical for patrons. Ability to light up signs would be great.
26	The signs in Wenatchee are dated, ugly and everywhere. I think it is vital that the city takes measures to restrict signs and remove old tacky signs. It reflects badly on our city. I also don't like all of the Cannabis as you enter the city. They send the wrong message. If Leavenworth can be ultra restrictive to preserve their town then we can certainly take stronger measures to enhance the look of ours town. Right now it's a mess. When we have visitors come visit us they tell us how ugly it is coming down Wenatchee Avenue. I am pro business but I am glad the city is taking measures to fix this. It's doing the responsible thing and will help businesses in the long run. I think the city and business community needs to work together to make this happen. The businesses should have some financial incentives to do it also. Thank you for taking steps in the right direction. 😊
27	I am concerned with the minimum wage increases coming, this kind of budget expense could force a business out of town. I understand the need. I like the idea. I just worry we will se more and more business leave Wenatchee.
28	Thank you - signs are the worst blight on our city.
29	Make the street signs easier to read. Place them out so they are closer to the main road so they can be seen before you drive right up to them.
30	These changes will improve the look of Wenatchee considerably.
31	More trees, less signs, please!!
32	Thank you for working to keep the Wenatchee Valley a beautiful place to live.
33	the huge billboards are very ugly and should also be phased out as well and not allowed to be put back up.
34	Neutral Colors. Not so many bright colors. It makes it look tacky like we are at the circus or vegas.

#	Written Comment
35	<p>The image of a city comes from an amalgam of sources; the business district(s), the residential district(s) and the nature of the Green areas, Parks and Recreation.</p> <p>To me a forest of Pole signs shout out "We are a prosperous City, good economy lost of jobs. That is a good thing. Pole signs do not pose the safety hazard that Monument signs present. Monument signs can block egress and ingress to parking lots OR may block the actual business sought to be advertised. Planting trees along a business district is a bad idea from many points: Damage to infrastructure by roots, falling limbs and leaf clogged drains. The potential economic loss alone militates against planting trees. Dollars used to maintain those trees could be better used in the green areas of the city. On the whole I am opposed to a change in the sign ordinance that puts ascetics over safety.</p> <p>Also, in the event that an existing sign is damaged whether or not it is natural damage (wind storm etc) of man made damage, the sign should be able to be repaired to its former configuration. It would amount to an unlawful taking to do otherwise. Thank you for your consideration.</p>
36	Non Conforming signs can interfere with vehicles, sight pulling out to attempt to get on road or side streets. Conforming signs will take up too much space...
37	Phase out signage option is good if you make a new business coming in replace the sign right away (as in option 2.
38	It will take a long time to change the "sign culture" in Wenatchee. Signage is expensive especially being a "one horse town". Maybe there could be some kind of incentive put in place. Also, I believe large address numbers are important especially in lots with multiple businesses.
39	I hope the signage changes are made. North Wenatchee Ave is such an eyesore.
40	N/A
41	It would be nice if there was a central place that small business's could hang banners for a period of time and it rotate monthly, but meet the city requirements. As there are many small business's that cant afford a sign on the road or dont have space for it due to location and building
42	Thank you for improving the appearance and identification of Wenatchee businesses, especially on both sides and ends of Wenatchee Avenue.
43	Like Leavenworth, be aggressive about better signs and the community will look better!
44	Put directional signs at a different height than business signs and put up directional signs to railroad underpasses PLEASE.. Also, signs showing where riverfront park is, public market, post office etc.
45	This will make a huge difference to the visual appeal of Wenatchee.
46	I think this is a great idea. I come from a community where signage is strictly mandated and it makes for a visually appealing community. When I moved here it felt like stimulation overload and disjointed.

#	Written Comment
	Also, I like the idea of the incentivized black background, just not that they can be bigger if they don't have a white background.
47	What about billboards? Anything change there?
48	Thank you for letting The People voice their opinion!
49	Phasing out the non conforming pole signs would be a major improvement for the city of Wenatchee! We are all for it!
50	I think it's great to look at the codes and update them. N. Wenatchee Ave is an eyesore. That said, costly signs disadvantage small businesses. Please don't put an unreasonable burden on local, independent businesses that give our community precious character and diversity.
51	THANK YOU so so so much for addressing this! It would make our city so much more attractive and safe to make these improvements. Wenatchee Ave is the gateway to our city and it does not make a good impression on visitors. Plus, as a North Wenatchee resident I have to drive by the ugliness every day twice a day on my way to work. THANK YOU THANK YOU!
52	THANK YOU for making this a priority! Driving into Wenatchee is such an eye sore - so happy to see our community caring about and respecting its aesthetics. It would also seem a theory that with GPS and Google, these giant signs are less necessary. Good work, City of Wenatchee!!
53	<p>The City of Wenatchee should immediately change the inaccurate Spanish signs at the Dog Park near the walking bridge.</p> <p>It appears a person, who is not fluent in Spanish used Google translate for the signs. WRONG!!!</p> <p>The Spanish sign when read, is actually encouraging people to smoke tobacco and marijuana.</p> <p>This is absurd. It is unbelievable that the City of Wenatchee has the lack of supervision, and employees who are truly bilingual to accurately provide translation skills when needed. If the City does not have such employees; contracting a real person who is certified in the Spanish should be a high priority.</p> <p>This will make a good story in the WenatcheeWorld, as the City is considering sign code updating. I expect the signs to be taken down by the end of this week.</p> <p>Thank you for your service.</p>
54	Your choices for some questions are two part with only one answer.
55	Please help clean up the visual entry to our town!!!!
56	Phasing out all pole signs in Wenatchee over the next five years would make a HUGE difference in the aesthetics of our city. We need to work on creating a sense of charm and character in this town, especially considering our huge potential as a tourist destination. Strict sign codes and phasing out the existing pole signs is the way to go!!

#	Written Comment
57	No
58	I think it would be good to remove the signs for any business that is not operational. I think it is a good idea to get control of the sign issue, but it will increase costs for the businesses, which will not be popular. As a person who isn't from Wenatchee but travels there regularly, I find all the signs distracting and confusing because there are so many of them and it makes things hard to find with the clutter.
59	It would be interesting and relevant to know the costs (both monetary and in city employee time) associated with updating and enforcing new sign code standards.
60	Is there any regulation that can support proximity to the right of way. Often times signs are right against the sidewalk or prove to be a pedestrian barrier. Can this be addressed with this code update?
61	Lower signs will make it difficult to see oncoming traffic. Why are you spending money to plant trees??? Have you been down Idaho, Oregon, Franklin, and all the other potholed streets? How about you address those before imposing other expensive and unnecessary ventures? Smaller, local businesses would be significantly impacted financially if forced to replace poles. Local business owners already give enough money to the city that claims to support them, but then tries to transform Wenatchee into Seattle, making it financially impossible for our own to stay in business. The dark background example you showed is not that easy to read compared to the white background. When you say "the city wants to know your thoughts", who exactly is it that came up with the ideas?
62	This is the best idea so far...decrease clutter and increase aesthetics with new signs and nice landscaping! Only comment would be to go all in with the phase out option otherwise all the good work will go unnoticed to most. Thanks for addressing this issue!!
63	I would hope there was/is a plan to engage local business as while resident may have a vision may of the option explored will have an economic impact to current and future business. Little discussion was asked about billboards and there use/placement.
64	Glad this is being worked on. The signs coming into town are an eye sore
65	DO NOT allow any signs or ANYTHING that blocks or impedes driver visibility entering and exiting roadway or intersections.
66	Make all the signage come down and make them redo to monument type! Our city looks so trashy with all of the signs - it looks like a free-for-all. The reader boards should be banned altogether - that's worse than texting and driving. Distracted driving at its best.
67	allow a process for approval of variances
68	Restrict video signs (see ug cashcarry on North side) from using blinding white background at night, and blue/red background as it confuses drivers to be LEO.
69	Thank you for doing this!
70	Nothing about sign code, but what about some trees for South Wenatchee Avenue? And how about enforcing codes in South Wenatchee?

#	Written Comment
71	Looks boujee
72	Keep our community how it's been with signs. Many times upgrading communities has had detrimental consequences.
73	Sounds like the city is trying to get every business to conform and all signs be the same. What about the whole diversity movement, does that not apply to signs too? I would say the city needs to address the cheap "homemade" plywood painted signs that some businesses have. There needs to be some guidelines and standards and the signs look professional.
74	Digital signs should also have clear photos, video, writing that can be easily seen and read. Many have a blurry look to them, and that is nuisance.
75	they should be staggered in visibility as some are not readable till you are right there and that is too late
76	North Wenatchee Avenue looks horrible due to sign pollution. Anything and everything the city can do to reduce and prevent this type of pollution is highly appreciated.
77	Thrilled that this issue is being addressed. Visited Banff, Canada years ago - they already knew how to do signs.
78	Wenatchee AVE desperately needs a sign clean up!
79	<p>1. I wouldn't offer an incentive that gives businesses the opportunity to use a bigger sign if they use a dark background; I would work to make dark backgrounds part of the code with the phase out model, but there could be exemptions for franchise owners who also have certain requirements.</p> <p>2. I wouldn't actually vary the amount of information on a sign based on the speed limit; I would have it all be based on a high speed limit as less is always more when driving.</p> <p>3. Instead of signs and billboards having a minimum time for each message to be displayed, I would personally phase out all signs that have revolving messages.</p>
80	The brightness of any lit sign needs to be at a maximum standard so as not to blind drivers at night.
81	I really wish we'd spend our tax-payers money on ACTUAL community problems (like mental health, homelessness) than on how a damn sign looks outside a TAX-PAYING establishment. Who cares if people are dying, as long as Wenatchee Ave. looks uniform for our tourists! :) As long as you're wasting money on stupid proposals like this, you'll never get a vote on a tax increase/retention from me. Do better with OUR money!
82	Safety is priority. Aesthetics is a sentiment. Free speech is a right. Take each of your ideas and plans and see what category they fit in to. Furthermore, tax dollars pay the bills and your salary. Perhaps not limiting the possibility of sales from lack of visibility should be paramount. Sales=tax dollars. Plain and simple. Thank you for your consideration.
83	The pole signs and digital signs on North Wenatchee Ave are a major distraction in an already congested and dangerous area. This area should be a priority.

#	Written Comment
84	<p>The photos used in the survey were chosen to skew the results in favor of the City's preferences. For example: in the downtown channel letter photos, the photos shown were not depicting downtown architecture. The photos were representative of strip mall signage, which is clearly not the look or feel of the downtown corridor. There are several types of lighting that can be used in channel letters and the main styles were not represented including reverse lit channel letters which is a very classy style. I believe the results from this survey will be incomplete and biased.</p> <p>While the design requirement suggestions for monument signs are visually appealing, they are very expensive and may not be afforded easily by small, local businesses. I believe this will show preference to franchises over local, family businesses.</p> <p>The more restrictive the code, the more difficult to manage. Is the City prepared to take on more administrative responsibility in this area?</p> <p>How does the City foster positive relationships with the businesses that drive the economics of our town? Is a more restrictive sign code going to help or hinder relationships and City trust?</p>
85	<p>On the first slide, you should define the difference between a pole sign and a monument sign for those of us who did not know. I am reluctant to add regulations/additional fees to businesses trying to start up, or take away iconic signage/recognition from existing long-standing businesses.</p>
86	<p>Stop trying to gentrify Wenatchee and start focusing on issues that actually matter and impact low-income communities. We have a housing crisis, invest your efforts in that. The sign code is to attract more tourism and affluent folk which we do not need.</p>
87	<p>I am glad to see this issue finally being addressed</p>
88	<p>Enforce any new signage regulations wit in one year of the regulation. If the old sign is not changed then take the prerogative to remove it at the one year date. Don't let the old signage keep remaining in place.</p>
89	<p>With how people drive around here businesses will pay a lot of money for fancy new signs only to have idiot drivers run them over....</p>
90	<p>I'm glad you are doing this. I think Wenatchee Avenue looks cluttered and unappealing. Updating the code and implementation of it will beautify the city.</p>
91	<p>All signs need to look professional.</p>
92	<p>Changing of the piles as little as 8t may seem could cost people their business or not being able to hire people. Signage and things are quite expensive. Yes it would be nice to have it more legible but it should not be forced. Maybe if their was an incentive or help but not required.</p>
93	<p>Super bright digital signs very distracting, ie, bright sign on URM is almost blinding at night.</p>
94	<p>I think the lower signs are a great option! They look nicer and I feel they are safer being at eye level for drivers.</p>

#	Written Comment
95	The LED signs need to have a brightness restriction and maybe required to be Turned off during certain hours of the night.
96	Yes. I support an update to the Wenatchee sign code, to phase out nonconforming signs. The business climate of Wenatchee will be the better for it.
97	Business owners need more say in what and how they represent themselves. Sky drones with drone on top of sign looked awesome. Cant base entire decision on vehicle access. For example new taco time sign blocks views of on coming traffic, a pole sign would be safer. 2nd, at some point older signs could become historic, and the design standard of this decade with low signs and brick borders might now work with an APP based culture, which is forthcoming.
98	Put limits in the size. Such as Harbour Freight is too massive and tacky.
99	New signs block the views when you are trying to enter into traffic. There should be requirements, just like in residential areas that give a clear view of all posted street signs, speed limit, stop signs, etc. As well as a clear view of vehicles. Focus there before taking more money from businesses in our area.
100	good idea
101	I like where the City of Wenatchee is heading in regards to it adding class to and cleaning up it's appears to the visiting and existing person.
102	Update street name signs and make the clear and visible alot of the street name signs can not be seen till your about to pass them due to how old they are and alot of them are being blocked by trees and bushes. It would be nice to have them replaced with more visible signs.
103	Do away with the 20% white space allowed over the max area allowed. It's confusing and can be taken advantage of once the sign is initially allowed
104	You wanna pass new laws you should be passing new laws to expand our freedom. Not restrict it.
105	Save Marts big Semi advertising Beautyrest should be removed. Its ugly, plus when trying to turn it blocks the view to see if traffic is coming, big hazard. There are signs advertising a business x blocks ahead. Its confusing because you think it is the location of the business when it is still x blocks ahead. Also, it adds to the clutter.
106	I am glad this is being looked into- it would really make wenatchee look nice if these suggestions were implemented!
107	Hopefully another survey will address other sign options like flag signs and sandwich board
108	Would these changes include sign clutter in construction zones?
109	I find all the signs VERY distracting as a driver. N. Wenatchee Ave looks so bad with all the signs. A improved code will help .
110	I'm so glad that this has finally come up for discussion. Entering Wenatchee from either the north or south, our city presents itself as one, long, cluttered strip mall. The only exception being a few nice blocks downtown, but as most visitor traffic enters from the north, a huge

#	Written Comment
	percentage of tourists don't make it that far. The addition of trees and the reduction of signage will make a huge difference. First impressions have been ignored for much too long.
111	Certain signs are part of Wenatchee's character and should be left in place. However some design options such as dark backgrounds would be a great idea.
112	Seems pointless to enforce.
113	Limit or prohibit reader boards
114	There should be something in the code about minimizing light pollution, but still lighting the signs at night.
115	I'm so glad you're making changes. North Wenatchee Avenue is so ugly and garish with its clutter of brightly colored signs and little greenery. These changes you are asking about would be a very welcome change and make our city's northern entrance much more inviting.
116	Focus on safety for the traveling public and pedestrians, not micromanaging businesses.
117	<p>Why is it businesses must conform to your sign codes, and banner bans</p> <p>But those running for political office who contribute nothing get exceptions?</p> <p>Stop with the regulations, policies, and rules. Havn't the dems in Olympia made it hard enough?</p>
118	Pole signs are easier for my eyes to see while I'm driving, and do not block my vision when turning onto Wen Ave from a driveway. I am against any signs that diminish the view of traffic from business driveways when turning onto Wen Ave. Design standards for signs should ensure the view of traffic is not diminished from the current signs.
119	The city has nothing better to do with time and money than to micromanage free enterprise?
120	Wenatchee is hideous. Look at Issaquah for a guide to development better city planning and beautification. They have low eye level signs, requirements for how buildings look, medians in the roads filled with trees. It's a growing city, but still attractive. Wenatchee will not attract new business looking like it does.
121	If painted, keep fresh
122	Our current signage and billboards when you come into town gives the avenue a cheap appearance.
123	Businesses need to be seen and to be found. They do this through signage. Don't plant a bunch of trees on North Wenatchee Avenue! Don't make new businesses tear down perfectly good pole signs when they move in to a new spaces that already have one. There are already height and size restrictions, and the ideas on limiting the amount of messaging on a particular sign are good. I don't want to drive the length of Wenatchee Avenue 20-30 years from now and have all the signs look the same. Individuality and "non-conformity" are not bad things!
124	Personally think it's a good idea. One that is long overdue. Happy to take part in this survey. Thanks.
125	Appreciate that you are taking a look at changing the sign code. North Wenatchee Avenue looks cluttered and trashy.

#	Written Comment
126	The high concentration of businesses and their giant ugly signs along N. Wenatchee Ave makes our town look like an ugly non-stop strip mall. It is the first impression that many people get of Wenatchee and it's terrible. I would be delighted to see some improvements made!!
127	The clutter of signs in Wenatchee do make our community "junky" looking.
128	Eliminate ALL digital signs
129	Very happy to hear that someone is addressing this issue. When returning to Wenatchee, one can't help but be impressed by the beautiful area we live in...that is, until you hit the avenue. Not to single them out, but does Harbor Freight really need a sign that can be read from two miles away? This signage blight needs to go!
130	Glad you are looking at this. Looking forward to what North Wenatchee Avenue will look like in the future.
131	Thank you for asking for input.
132	I appreciate that Wenatchee is addressing this issue. I don't want Wenatchee Ave to look like Aurora Avenue in ten years.
133	North Wenatchee Ave is the gateway to the city. Make it look nice. Make Wenatchee proud.
134	The flag signs by starbucks in north wenatchee block the view of oncoming traffic. Flags should be moved further back
135	Please consider the after dark light pollution so we can once again enjoy the stars.
136	Prohibit all digital signs. North Wenatchee is a blight with all of the signage. It is a terrible "welcome" to our sweet town. We look like a seedy stripmall
137	Downtown signage code should include basic design standards portable signage like A-frame message boards. Currently there are both good and bad example of them downtown. Advertisement signage written in sharpie marker should be replaced, as it is not professional. Updating and enforcing signage codes will make Wenatchee a more welcoming and inviting place for both locals and tourists. I myself have experience on signage development both in grad school and professionally at an architecture firm. I would love to see Wenatchee design a cohesive signage code.
138	This is something that should not involve government regulation, but needs to remain at the discretion of the business which needs to determine what works best for that business.
139	traffic signs are far to heavy, blended in and unreadable along the same sample areas. On portions of Wen Ave, Western, etc. there are traffic signs of one reason or another every 30-50 feet.
140	The signs throughout town are a terrible distraction, and they make our town less appealing. I have been waiting for years for a change!
141	This is just hoop jumping. You will do what you are expected to do. We must look like Bellevue.
142	If a phase out of pole signs is chosen everyone will wait until they are forced to do it because of the cost. This will be a contentious issue in the business community. Perhaps combine the two

#	Written Comment
	concepts - new businesses who acquire a property with a nonconforming sign are given 5 years to replace the sign. This would help new businesses who are already facing a lot of costs upfront. Perhaps some sort of tax or fee credit could be offered to encourage early compliance.
143	Street tress while attractive are an additional expense to purchase,install and irrigate, where will that money come from? Street trees will block visual cues to drivers looking for a business. Street trees will have no appeal in winter. Street trees will contribute to clogged catch basins and their maintenance. Please do not install street trees.
144	Thanks for doing this survey. The signage in our town really is out of control and a blight on our community.
145	Thank you for addressing this. I think the signage on Wenatchee Ave is an eye sore.
146	It is about time. The entrance to our city is embarrassing because of the inordinate amount of signs lining Wenatchee Ave.
147	"Digital" signs are a huge distraction to drivers and should not be allowed. Distracted driving causes crashes. Thank your interest in public opinion regarding this issue.
148	Putting signs at same height and close together causes traffic to slow down to read signs possibly causing rear end accidents.
149	What about window signage
150	I am embarrassed for the view that visitors first see when they enter Wenatchee via N Wenatchee Ave. I am deeply disturbed that the beautiful view of the scenery is marred by the trashy appearance of all of the uncontrolled signage.
151	Banners should be temporary. There are several businesses around town that are using banners as permanent signs. Businesses should not be allowed to fly banners longer than 6 months during the year.
152	LEAVE THEM ALONE
153	Businesses need exposure from their signage. More restrictions and regulations leave less choices for businesses to stand out. Please don't plant unnecessary sign-blocking trees on North Wenatchee Ave in order to force everyone into compliance.
154	Continue street tree requirement, have signs be placed considering the tree locations.
155	Hopefully this will help clean up the clutter of signs on North Wenatchee Avenue and make for a nice entrance to our city. Thank you!
156	My biggest gripe is seemingly the barely or unregulated repulsive proliferation of political signs which utterly destroy the neighborhood they are in. Hate them.
157	Monument signs should not be the only option because they can cause major blind spots for drivers pulling in and out of businesses.
158	Encourage good design with quality materials. Differentiate districts. What about sandwich boards and temporary signs?

#	Written Comment
159	Signs should be accessible for persons with low visual ability. Light background with contrasting lettering is most common.



**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

To: City of Wenatchee Planning Commission
From: Community Development Staff
Date: December 4, 2019
RE: Interim control on places of assembly and outdoor amplification

The Wenatchee City Council initiated an interim control by Ordinance 2019-13 on February 28, 2019. The interim control addresses two specific issues: (1) assembly uses in the residential zoning districts and (2) the impacts of outdoor amplification associated with assembly uses in residential zoning districts. A brief introduction to these two topics is provided below:

- **Assembly uses:** The city code authorizes neighborhood centers and places of assembly in residential zoning districts with the approval of a conditional use permit. The definition of a neighborhood center is the location where activities occur for a social, cultural, economic, or educational nature. Places of assembly include a building used in whole or in part for the gathering of people for deliberation, entertainment, amusement, or awaiting transportation. These definitions are overly broad and could lead to uses proposed that would be incompatible with their surrounding neighborhoods.
- **Outdoor amplification:** The city code does not include specific development or performance standards to adequately address and mitigate the impact of amplified sound generated by non-residential uses in residential districts. Outdoor events are becoming increasingly popular and without appropriate mitigation measures, negative impacts to existing neighborhoods will occur.

The Wenatchee Urban Area Comprehensive Plan includes goals and policies that require non-residential uses to be designed and operated in a compatible manner with the neighborhoods where they are located. The interim ordinance is necessary to give city staff and the Planning Commission time to study the land use impacts and the appropriate development standards.

The Planning Commission held a workshop on this topic at the May 2019 meeting. Since that meeting, as you are well aware, both City Planning Staff and the Planning Commission have been very busy with the Housing Code update, Sign Code, update and other important projects and have not had time for this project. With the recent adoption and upcoming potential adoption, of the aforementioned projects, the opportunity for addressing this issue is opening.

On November 21, 2019, Planning Staff discussed this matter with the City Council during their workshop meeting. The council was supportive of the updated project schedule that is outlined in the table below:

Time period	Action
December 11, 2019	Re-introduce topic to Planning Commission and review public comments received
January 2020	Public hearing with the City Council at one of their scheduled meetings on an Ordinance to extend the existing interim control.
January 15, 2020	Planning commission workshop
February 19, 2020	Open house and planning commission workshop
February 20, 2020	City Council workshop to report on planning commission process
March 18, 2020	Planning commission hearing
March 26, 2020	City council hearing

City staff is researching the topic in preparation for future discussions and workshops with the Planning Commission. Issues that staff are researching include:

- Refined definition of places of assembly;
- Review of the district use chart in section 10.10 of the city code;
- Appropriate hours of operation;
- Noise impacts and potential mitigation measures such as landscaping and building design;
- Parking and access standards; and
- Outdoor verses indoor assembly uses;

If there are additional issues/topics that you would like city staff to review, please come prepared at the meeting to suggest them. The purpose of this workshop is to re-introduce the Planning Commission to the issues, to outline the schedule and research topics, and gain feedback and direction from Planning Commission members on the relevant issues. Staff intends to come prepared to present the topic and associated issues in greater detail than is covered in this memo.

Attachments

1. Ordinance 2019-13
2. Public comments received on this topic as of the date of this memo.

Attachment #1

ORDINANCE NO. 2019-13

AN ORDINANCE, adopting a twelve (12) month interim control within the City of Wenatchee on the permitting of neighborhood centers, auditoriums, places of public assembly, and places of public worship in the RF, RS, RL, RM and RH zones.

WHEREAS, the Wenatchee Urban Area Comprehensive Plan in Policy 6 of Goal 12 and Policy 4 of Goal 15 in the Land Use/Urban Growth Element requires new non-residential development in existing residential neighborhoods to be designed and operated in a compatible manner; and

WHEREAS, places of assembly are defined in the Wenatchee City Code as "...a building used in whole or in part for the gathering together of persons for such purposes as deliberation, entertainment, amusement, or awaiting transportation"; and

WHEREAS, neighborhood centers are defined in the Wenatchee City Code as "...an area wherein an activity occurs which provides services of a social, cultural, economic or educational nature to the neighborhood in which it is located"; and

WHEREAS, the definitions of places of assembly and neighborhood center are overly broad and may have negative impacts such as noise, traffic, lighting, and hours of operation, if sited in existing residential neighborhoods; and

WHEREAS, the Wenatchee City Code does not include specific development or performance standards to adequately address and mitigate the impact of amplified sound generated by non-residential uses in residential districts; and

WHEREAS, City staff needs time to study the land use impacts of auditoriums, places of public assembly, and places of worship on residential zones, and any desired development standards to appropriately handle those impacts; and

WHEREAS, the Wenatchee City Council hereby finds that an interim control to preserve the status quo is necessary until the City can study the appropriate land use and/or permitting regulations to address the impacts of auditoriums, places of public assembly, and places of worship on residential zones; and

WHEREAS, RCW 36.70A.390 authorizes the City Council to adopt an interim control for a period of up to twelve (12) months if a public hearing on the proposal is held within at least 60 days of its adoption and a work plan is developed for related studies; and

WHEREAS, the City Council desires to impose a twelve (12) month interim control on the permitting of auditoriums, places of public assembly, and places of public worship in residential zones; and

WHEREAS, interim controls enacted under RCW 36.70A.390 are methods by which local governments may preserve the status quo so that new regulations will not be rendered moot by intervening development; and

WHEREAS, in conformity with the responsibilities of the City of Wenatchee to meet public safety, property or welfare requirements and provide zoning and land use regulations pursuant to state law, and the City's authority to regulate land use activities within its corporate limits, the City intends to develop appropriate zoning and permitting requirements for the permitting of auditoriums, places of public assembly, and places of public worship in residential zones; and

WHEREAS, the Wenatchee City Council initially adopted an interim control by Ordinance 2018-35 on November 8, 2018 and set a set date for January 10, 2019; and

WHEREAS, the City inadvertently failed to properly advertise the public hearing for January 10, 2019 rendering Ordinance 2018-35 null and void; and

WHEREAS, the City desires to reinstate the interim control as previously adopted by Ordinance 2018-35.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WENATCHEE, WASHINGTON, DO ORDAIN as follows:

SECTION I
Findings

The recitals set forth above are hereby adopted as the City Council’s findings in support of the moratorium imposed by this Ordinance.

SECTION II
Interim Control Imposed

Pursuant to Washington State law, an interim control is hereby enacted by amending WCC 10.10.020 and 10.65.080 to read as follows:

10.10.020 District Use Chart

Use	Residential				
	RF	RS	RL	RM	RH
Auditoriums and places of assembly	☒	☒	☒	☒	☒
Neighborhood Center	☒	☒	☒	☒	☒

10.65.080 Auditoriums/places of public assembly, and places of worship.

- (1) Maximum building height, RS, RL and RM: 40 feet. Other districts: same as the height limitation of the zoning district for other buildings.
- (2) Minimum Setback Distance.
 - (a) Front yard: same as required in the underlying zoning district;
 - (b) Rear and side yard: same as required in the underlying zoning district, plus one-half foot for each foot by which the building height exceeds 20 feet where a rear or side yard adjoins an RF, RS, RL or RM district.
- (3) Signs, when located in the RF, RS, RL, and RM zoning districts, shall comply with the following:
 - (a) One nonilluminated sign for each street frontage;
 - (b) Signs shall not exceed 12 square feet in area;
 - (c) Signs located in required setback areas shall observe the maximum height requirements that apply to fences;
 - (d) Any proposed reader boards/electronic message centers shall be reviewed as part of the conditional use permit.
- (4) Landscaping and Screening. Off-street parking shall comply with Chapter 10.62 WCC, Landscaping and Screening, as amended.
- (5) Architectural Scale. New nonresidential buildings in the RF, RS, RL, RM, and RH zoning districts shall meet WCC 10.48.080(4). Deviations to these standards may be considered where the applicant can demonstrate that the change or deviation in design is either necessary due to the inherent function of the facility, and/or the change provides for equal or greater compatibility with the character of the surrounding neighborhood. Consideration of such a deviation shall include an informal design review workshop recommendation of the planning commission, where input from the surrounding neighborhood shall be solicited, and incorporated in staff analysis before the hearing examiner.
- (6) Outdoor sound amplification for new or existing facilities, when located in the RF, RS, RL, RM, and RH zoning districts, shall not be allowed. Outdoor events consistent with the land use approval for the development may be authorized where no sound amplification is used.

SECTION III
Effective Period for Interim Control

The interim control set forth in this Ordinance shall be in effect for a period of twelve (12) months from the date this Ordinance is passed and shall automatically

expire at the conclusion of that twelve (12) month period unless the same is extended by the City as provided in state law or unless terminated sooner by Ordinance.

SECTION IV
Work Plan

The Mayor and other responsible staff are hereby authorized and directed to study and address issues related to the impacts of auditoriums, places of public assembly, and places of public worship in residential zones, and to propose solutions to such impacts, if necessary, for inclusion in the City's land use regulations. The Mayor and/or staff shall report their findings to city council within nine months of the date hereof.

SECTION V
Public Hearing

A public hearing on the interim control imposed herein shall be held on March 14, 2019, at 5:15 p.m., upon notice, in order to take testimony and to consider adopting further findings.

SECTION VI
Severability

If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance or its application to any person or situation should be held to be invalid or unconstitutional for any reason by a Court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this Ordinance or its application to any other person or situation.

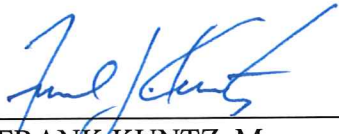
SECTION VII
Effective Date

This Ordinance, shall take effect thirty (30) days from and after passage and publication as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY WENATCHEE,


at a regular meeting thereof, this 28th day of February, 2019.

CITY OF WENATCHEE,
a Municipal Corporation

By: 
FRANK KUNTZ, Mayor

ATTEST:

By: 
TAMMY L. STANGER, City Clerk

APPROVED:
By: 
STEVE D. SMITH, City Attorney

Attachment #2

July 29, 2019
Lower Sunnyslope Neighborhood Association
311 Hilltop Place
Wenatchee, WA 98801

CITY OF WENATCHEE
JUL 31 2019

Stephen Neuenschwander
Manager
Planning Division
City of Wenatchee

Dear Sir:

Re City Interim Noise Control Review

As the unified voice of the 54 owner households that make up the Lower Sunnyslope Neighborhood Association, we write to you in support of Wenatchee's current interim noise control 2019-13, without amendment, as passed by City Council on February 28, 2019, and now in review by the City Planning Commission. We wish to take this opportunity to comment on the issue considering our particular community. We feel that our experience is at once generalizable to other Wenatchee neighborhoods.

Our neighborhood consists of single family dwellings, small-producing fruit orchards, an elementary school, and a church (Grace City Church) currently in construction on Melody Lane. Also nearby is Sunnyslope Church, the Chelan County Fire Department, and the Washington State Forest Service.

Our concern and interest in the issue of neighborhood noise control came about through the actions of Grace City Church. When their 2015 CUP approved the construction of "a traditional church", we welcomed them as a new neighbor. Our community expected a similar neighborly experience as we have had with Sunnyslope Church. However, Grace City Church's subsequent land use proposals for their property, their building designs, and the events that they have held on their property in the last two years, instead have revealed a self-described non-traditional church organization intent on making lots of noise, both indoor and outdoor, with no consideration given to the severe disruption of their fellow neighbors' homes.

Grace City Church has already demonstrated on two different occasions just how much noise they are capable of generating on this property. On Easter morning in 2017, a GCC religious service awoke neighborhood homeowners with loud speakers at 7:30 am. The announcements, sermon, baptisms, and music prevented adjacent neighbors from hosting planned family events, as the deafening noise made conversation

impossible even behind closed doors and windows. During the Church's groundbreaking ceremony on May 20, 2018, the excessive sound carried so far that it caused dishes to rattle inside kitchen cabinets on Peters Street and their speakers could be heard loudly beyond Sunnyslope Elementary. During both occasions, Melody Lane was completely overwhelmed by traffic, which spilled onto adjacent roads. In essence, these outdoor activities deeply disturbed the peaceful ambience of our community.

One could look at the Church's building permit granted in May of this year as evidence that moving forward, GCC will operate in compliance with their CUP and with the current city noise ordinance. However, these plans don't tell the whole story of their previous egregious outdoor noise violations on this property, and fail to consider the Church's self-disclosed future projected land uses, to include an outdoor amphitheater for frequent concerts and events.

On May 15, 2019, Chris Speten, Executive Pastor at GCC, publicly testified to the Planning Commission that he views their church activities through the lens of a "business model", and he brushed off their previously publicized amphitheater and outdoor event proposals as merely "an artist's rendition". Mr. Speten's comments appear to be dishonest, however, as a simple internet search finds multiple news articles about the project that directly quote church leaders regarding their intentions to build an outdoor amphitheater within our neighborhood.

Review of their initial proposal shows that the Church intended to construct a chapel separate from their main Event Center equipped with the quoted outdoor amphitheater. This chapel's back rear wall was to be constructed with motorized glass panels that could be retracted, opening the chapel onto to an outdoor stage with noise projection outwards into an amphitheater seating hundreds, utilized for outdoor concerts and other events.

Fortunately, the Planning Division found that the retractable chapel wall fell outside of their CUP and disallowed it. The Church was permitted to leave the back wall as glass panels without the installation of the corresponding motors. Through the permit process, the Church could have changed their plans to install a traditional back wall to the chapel, but didn't. As a community, we interpret this action as an indication that GCC intends to apply for these additions in the future, making this interim noise control even more crucial to protecting our neighborhood from constant outdoor noise disruption, as previously suffered on two separate occasions. This concern is coincident with Mr. Speten's public testimony on May 15, 2019, where he advocated for an amendment to the City's interim noise control to create a separate category for churches that would

allow them to project sound outside of the confines of their buildings in residential areas, including conducting outdoor events. We know firsthand that allowing churches to fall into a separate category would be exceedingly disruptive to Wenatchee's neighborhoods, as evidenced by GCC's events in 2017 and 2018. The City of Wenatchee cannot allow organizations to create noise disruptions in residential zones, whether it be for religious, commercial or other interests. All property owners must be held to the same strict standards outlined for residential zones in the City Council's interim noise control.

Mr. Speten's May 15, 2019 testimony offered a hypothetical example of a pastor presiding over outdoor wedding ceremonies with the use of a modest microphone and speaker system as a benign example of outdoor noise. However, unless this sort of use is required to adhere to the same strict rules regarding noise projection and maximal decibel readings within residential areas, this will place at risk our community tranquility, however small and restricted the Church might try to portray this example.

During the permit process, the Church eventually responded to the Planning Division's request to remove the outdoor speakers drawn into the plans for their Event Center. However, if the interim noise control is not adopted fully, the Church might well move to install these originally intended outdoor speakers, creating more disruption to our neighborhood from their noise projection.

Lastly, on May 15, 2019, Mr. Speten implied that it is their "First Amendment right" to free speech that should allow a church to be exempt from the noise controls outlined in the City ordinance. We see this as an unfounded argument and an over-interpretation of the First Amendment. As legal precedent in Washington state clearly outlines, in no way does the First Amendment allow religious groups to disrupt residential communities with noise pollution, and in no way does it allow churches to be exempt from ordinances pertaining to noise. We vehemently oppose the suggestion made by Mr. Speten that a separate category for churches and their associated activities be created within the noise ordinance to grant them additional leeway. Disruptive noise is disruptive noise, irrespective of its origin, and no one should be allowed to disrupt our neighborhoods.

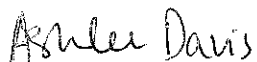
In conclusion, we support wholeheartedly the current interim noise control under study by the Planning Commission, and request that these additional controls be adopted in their entirety as part of the permanent code for the city of Wenatchee, as well as Chelan County. If approved through this process, these noise controls will have a profoundly positive impact on preserving the tranquility of Wenatchee's neighborhoods into the future, preventing neighborhoods from being harmed by noise production from commercial entities, churches, individuals, and other groups.

Submitted most respectfully,

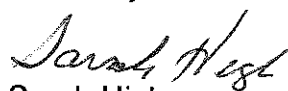
The Board of Lower Sunnyslope Neighborhood Association



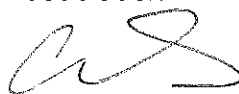
James Ethier
President



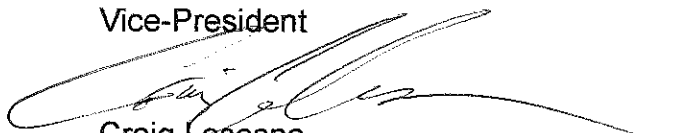
Ashlee Davis
Secretary



Sarah High
Community Liaison



Chris Davis
Vice-President



Craig Lesesne
Treasurer



Russ Keagle
Neighborhood Preservation

From: [Glen DeVries](#)
To: [Stephen Neuenschwander](#); [Matthew Parsons](#)
Subject: FW: Noise ordinance on tonight's agenda
Date: Thursday, November 21, 2019 12:51:38 PM
Attachments: [image002.png](#)

Could you please place this comment in the record? Thanks, Glen



Glen A. DeVries, AICP
Community Development Director
1350 McKittrick Street, Wenatchee, WA 98801
Email: gdevries@wenatcheewa.gov
Telephone: (509) 888-3252

NOTICE OF PUBLIC DISCLOSURE: This e-mail account is public domain. Any correspondence from or to this e-mail account may be a public record. Accordingly, this e-mail, in whole or in part, may be subject to disclosure pursuant to RCW 42.56, regardless of any claim of confidentiality or privilege asserted by an external party.

From: Tammy Stanger <TStanger@WenatcheeWA.Gov>
Sent: Thursday, November 21, 2019 12:50 PM
To: Glen DeVries <GDeVries@WenatcheeWA.Gov>
Subject: FW: Noise ordinance on tonight's agenda



Tammy L. Stanger, CMC CPRO
City Clerk

301 Yakima Street, 3rd Floor • P.O. Box 519 • Wenatchee, WA 98807-0519
Telephone: (509) 888-6204 • Facsimile: (509) 888-3636 • TTY: 711
Email: tstanger@wenatcheewa.gov • Web: www.wenatcheewa.gov
[Public Records Requests](#) • [Mayor/City Council](#) • [Document Center](#)

We are now located at 301 Yakima Street, 3rd Floor. This will be our temporary space until the new Wenatchee City Hall is completed on the main floor at that location.



Like us on Facebook
www.facebook.com/CityofWenatchee



Follow us on Twitter
[@WenatcheeCity](https://twitter.com/WenatcheeCity)

Report a concern:

<https://www.wenatcheewa.gov/services/citizen-requests>

NOTICE OF PUBLIC DISCLOSURE: This e-mail account is public domain. Any correspondence from or to this e-mail account may be a public record. Accordingly, this e-mail, in whole or in part, may be subject to disclosure pursuant to RCW 42.56, regardless of any claim of confidentiality or privilege asserted by an external party.

From: Tammy Stanger
Sent: Thursday, November 21, 2019 12:50 PM
To: City Council Staff <CityCouncilStaff@WenatcheeWA.Gov>
Subject: FW: Noise ordinance on tonight's agenda

From: Vickie & Sam Mills <smills@nwi.net>
Sent: Thursday, November 21, 2019 12:44 PM
To: City Clerk Web Email <cityclerk@WenatcheeWA.Gov>
Subject: Noise ordinance on tonight's agenda

CAUTION: This email originated from outside of the City of Wenatchee. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Councilpersons:

We very much wanted to attend tonight's council meeting regarding the issue of the noise ordinance. However, another obligation is forcing us to miss the meeting. We hope you will accept our written concerns regarding this issue. We apologize we are not able to be there in person.

The impact on churches to "grandfather" in current church events, but not allow any new events would be devastating. Like any other business, or group, churches are constantly needing to re-invent themselves to make sure they are meeting the CURRENT needs of their congregation. Demographics are changing, and what worked in the past, may not be effective currently. We feel this would certainly in effect violate our religious freedom and expression of worship.

We respectfully ask you to consider not only the immediate effects of this limit of church worship, but also the far-reaching negative ramifications.

Thank you for your time.

Sam and Vickie Mills

To: Wenatchee City Council, November 15th, 2019

Re: Ordinance 2019-13

As pastors of churches located in residential zones in the City of Wenatchee, we are writing to express our deep concern for the new interim ordinance prohibiting outdoor sound amplification for “places of worship and public assembly” as identified in section 2.6 of this ordinance. It is our understanding that the planning department initiated this ordinance and is conducting further research to determine whether to adopt it permanently. We were invited by Glen DeVries to share our concerns and are grateful for that opportunity.

Our first step upon hearing about the ordinance was to try and understand exactly if it affected us as churches or not. After discussions with Mr. DeVries (who has been very helpful) and after reviewing with our attorneys to ensure we were reading it properly, it is our understanding that this ordinance, were it to become permanent, would indeed negatively impact us. As written, it would restrict the churches of Wenatchee from carrying out normal church activities for which we are currently allowed to do in residential zones by our Conditional Use Permits and are protected by the Constitution as our free expression of religion. This is our point of concern, and the reason for bringing this to your attention.

As churches, we regularly host outdoor events that require minimal amplification in order for the event to be feasible. This includes weddings, receptions, memorials, celebrations of life services, community events for kids and families, baptisms, neighborhood Halloween events, car washes, fundraisers for mission trips, Vacation Bible Schools, Living Nativities, Easter Egg hunts, youth events, Serve Wenatchee back-to-school clothes drives, confirmations, etc. All of these are functions allowed under our CUP's, and all typically require some measure of amplification. Many would be impacted and some functionally shut down under this proposed ordinance. It would also negatively impact PE and recesses for schools that meet in our facilities.

We have no inclination to think this was is the intention of the ordinance, but it is the negative consequence of it, thus the desire to bring it to your attention.

We have hosted these community-strengthening events for decades, do them all during common sense business hours (not late at night), and always strive to be good neighbors. We also agree that churches in neighborhoods should carry out events within the parameters of the existing noise ordinance (Chapter 6A.40)

that applies to everyone in residential zones. We absolutely want to be good neighbors and have happily abided by these common-sense restrictions.

However, if passed, this new ordinance, placing additional and unique restrictions on churches by prohibiting them from using any and all forms of sound amplification on their private property, would not just make it difficult to continue hosting these events, it would significantly change many and shut some (if not many) of them down...not to mention any new ways and new ideas we come up with in the future to meet the ever-changing needs of our community. This is not only about protecting how we currently serve the community, but ensuring our future to continue doing so. This ordinance would significantly restrict our ability to “do church” and would subsequently be a huge loss for our community.

Our properties have been purchased and maintained by the generous donations of over 7,000 active members of our community. This ordinance would negatively impact everyone who attends and uses our facilities the way they were intended and have been for years.

We do not pretend to understand the complexities of zoning challenges for cities, and we're grateful for the careful thinking the city puts into how zoning impacts different people. We want to be good neighbors and feel the events we host on a regular basis strengthen the communities we live in.

It is our request that the city allow the temporary ordinance to lapse and not become permanent. If the city feels the need to adopt this new ordinance for other 'public assembly' entities, we would respectfully request that churches simply be exempted so that we would not be restricted from the common-sense use of our properties to love and bless the communities we feel called to serve.

Thank you for your time and consideration during this process, and for the invitation to participate in this important conversation. We are grateful for all you do in our community.

Sincerely,

Pastors of the City of Wenatchee

****This letter was written and approved by pastors with church buildings and properties located inside Wenatchee city limits and located in residentially zoned areas.****

Pastor Jay Caron
Calvary Crossroads Church
1301 Maple Street

Father Osmar Aguirre
St. Joseph's Catholic Church
625 S. Elliot Ave.

Pastor Dennis Hens
Saddlerock Evangelical Presbyterian Church
1400 S. Miller St.

Eric Devries, Principle
The River Academy
650 Crawford Ave.

Pastor Joe Savina
Wenatchee Seventh-Day Adventist Church
508 N. Western Ave.

Pastor Jerry Beebe
Wenatchee First Assembly of God
1520 McKittrick St.

Pastor Scott Bolander
Wenatchee Valley Baptist
650 Crawford Ave.

Pastor Steve Whitney
Calvary Bible Church
605 First St.

Pastor Mike Wilson
Sage Hills Church
1501 5th Street

Pastor Gene Helsel
Kings Cross Church
508 N. Western Ave.

Pastor Josh McPherson
Grace City Church
Melody Lane

Pastor Mike Malmin
Wenatchee Church of the Nazarene
1011 S. Miller St.

Reverend Matt Canlis
Trinity Church
525 Okanogan Ave.

Pastor Thom Nees
Serve Wenatchee Valley

cc: Mayor Kuntz
Rob Jammerman
Glen DeVries
Stephen Neunschwander