

**WENATCHEE PLANNING COMMISSION
SCHEDULED MEETING
January 15, 2020
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 December 11, 2019.

III. PUBLIC COMMENT PERIOD

Comments for any matters not included on the agenda.

IV. OLD BUSINESS

None

V. NEW BUSINESS

- A. Planning Commission Applicant Interview
- B. Workshop: Interim control on places of assembly 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: Joe Gamboni, Susan Albert, Richard Erickson, and Rani Sampson. Commissioner Josh Jorgensen arrived at 5:43 p.m. Commissioner Ace Bollinger was absent.

City Planning staff was represented by: Glen DeVries, Community Development Director; Stephen Neuenschwander, Planning Manager; Matt Parsons, Senior Planner; and Kim Schooley, Administrative Assistant.

II. ADMINISTRATIVE AFFAIRS

A. Approval of the minutes from the regular meeting on November 20, 2019.

Commissioner Erickson advised that there appeared to be a word missing on page 3 with regard to the motion that he made. Erickson advised that the word "one" should precede "vote against" in the last sentence.

Commissioner Sampson moved to approve the minutes as amended from the November 20, 2019 regular meeting. Commissioner Erickson seconded the motion. The motion carried.

B. Election of officers for 2020

Glen DeVries, Community Development Director, presented Chair Scott Griffith with a certificate signed by the mayor in recognition of his 13 years of service on the Planning Commission. DeVries advised that Griffith would reach his term limit on December 31, 2019, so this would be his last meeting, but expressed gratitude for his many years of service.

Chair Griffith nominated Rani Sampson for the position of Chair for 2020. Commissioner Erickson seconded the nomination. Commissioners voted in favor of the nomination.

Chair Griffith nominated Ace Bollinger to continue in the position of Vice Chair for 2020. Commissioner Albert seconded the nomination. Commissioners voted in favor of the nomination.

III. PUBLIC COMMENT PERIOD

None

IV. OLD BUSINESS

None

V. NEW BUSINESS

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

- A. Public hearing: Amendments to WCC 10.72 Non-conforming signs to establish an amortization period for billboards.

Glen DeVries, Community Development Director, and Stephen Neuenschwander, Planning Manager, presented the staff report.

Commissioners asked questions of staff.

Chair Griffith opened the hearing to public comment.

Lee Pfluger, CEO Building North Central Washington, 2201 N. Wenatchee Avenue, Wenatchee, WA addressed the Commission. Pfluger expressed opposition to the code changes and advised that they lease a portion of their property to Lamar for a billboard. Pfluger commented on the economic losses the organization would experience with removal of the sign. He said he felt there was too much weight placed on a sign survey that was only answered by 500 individuals.

Dennis Johnson, 1512 Anton Place, Wenatchee, WA addressed the Commission. Johnson advised that he wanted to speak against the amortization of billboards. He said he would also like to see a map showing all of the billboards affected by the proposed changes. Johnson advised that when he served as mayor in 2007, the elimination of billboards was not intended to be a taking by government. He advised that while there was a desire to prevent additional billboards from being erected, it was never the intention to take or remove those already in existence and there was no discussion of amortization at that time. He advised that there was significant economic loss to property owners holding the signs regarding loss of income, as well as the cost of removal. Johnson said that he felt the signs should remain and be treated as a non-conforming use.

Dan Beardslee, 325 32nd Street N.W., East Wenatchee, WA addressed the Commission. Beardslee advised that he served on the Building North Central Washington's Board of Directors. Beardslee spoke in opposition to the amortization of billboards and advised that the current sign on BNCW's property is a legal nonconforming use and that the regulatory taking of it would cause their organization an economic hardship. He advised that he felt the matter needed to be given more consideration.

Neal Schreiber, Real Estate Director, Lamar 1015 E. Cataldo, Spokane, WA addressed the Commission. Schreiber referenced a State of Washington legal decision, Herron vs. the City of Federal Way, in which the city attempted to implement similar changes and were subsequently required to pay the landowner, sign holder, and advertising company for their respective losses. He estimated that removal of billboards could come at considerable expense to the City. Schreiber referenced a survey done over 30 years regarding 36 poles and the economic impact to businesses associated as a result of billboard advertising. He advised that Lamar would like to work with the city to improve the aesthetics of signs if that was the issue, but the current code doesn't allow for that. Schreiber said that he did not want to be confrontational, but that their company would have liked to have been part of the conversation.

Benjamin Goro, local representative Lamar, 23 S. Wenatchee Avenue, Wenatchee, WA addressed the Commission. Goro advised that he wanted to point out that a lot had been stated about the economic impacts regarding the amortization of signs, but he also wanted to point out the people aspect of it. He advised that signs were utilized by both large and small businesses and that the income derived from them affected not only the businesses, but individuals who relied on the income generated by them. For those reasons, he hoped the matter would be looked at further in an effort to come up with a better solution.

Jim Snyder, 34 Jennings Street, Wenatchee, WA addressed the Commission. Snyder advised that he was in favor of the amortization of signs. He stated that some signs had been in existence for 30, 40, or 50 years. Snyder said that amortization was used in cities across the country. He said it was a question of how we wanted our city to look and that we did not need a large sign company to threaten the city with legal action in order to retain the signs. Snyder said that the city can't accomplish a plan developed for North Wenatchee Avenue if we can't get rid of the signs. Snyder said that he was in favor of seeing the scenic vista of our town cleaned up.

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

Commissioners asked questions of staff.

DeVries advised Commissioners that the city's legal counsel had reviewed the matter in full and is confident that amortization is a reasonable tool to address the signs, regardless of the legal positions taken and expressed by public input.

Commissioner Erickson noted that this was a step in a process to accomplish goals that the city had already identified.

Commissioner Gamboni advised that he was an advocate of property rights, but as the community has changed and grown, what was acceptable 30 years ago no longer is. Gamboni said that he felt it was important to consider public input as well as the law.

Commissioner Sampson advised that she would like to see consideration by Council regarding compensation for removal of all signs, not just those along the state route.

Commissioner Erickson moved to forward to Council a recommendation of 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. Commissioner Jorgensen seconded the motion. The motion carried.

B. Workshop: Interim ordinance regarding assembly uses in the residential districts and outdoor amplification.

Stephen Neuenschwander, Planning Managers, and Matt Parsons, Senior Planner, presented the staff report.

Chair Griffith called for a 5 minute break at 7:43 p.m.

The meeting resumed at 7:47 p.m.

Commissioners asked questions of staff.

Commissioner Erickson had to leave at 7:05 p.m.

Commissioners were in general agreement that they would like to see decibels used as a standard measure for noise assessment.

VI. OTHER

None

VII. ADJOURNMENT

With no further business to come before the Planning Commission, Chair Scott Griffith adjourned the meeting at 7:55 p.m.

Respectfully submitted,

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



**City of
Wenatchee**

DEPARTMENT OF COMMUNITY DEVELOPMENT

Public Services Center

1350 McKittrick Street, Suite A

Wenatchee, WA 98801

(509) 888-3200

Fax (509) 888-3201

To: City of Wenatchee Planning Commission
From: Community Development Staff
Date: January 8, 2019
RE: Interim control on places of assembly and outdoor amplification

At the December Planning Commission meeting, staff updated commission members on the interim control that is in place, provided background on the topic, and discussed the issues. Staff has developed some draft code amendments for the purpose of discussion. Based on the discussion at the meeting and the planning commission feedback, staff has prepared two alternatives for your consideration:

- Alternative 1 revises how the land use designation called “Places of Assembly” is handled and makes necessary revisions to applicable standards as needed to address the City Council’s concerns.
- Alternative 2 deletes the place of assembly land use category entirely.

The matter of using sound amplification devices for outdoor events is being addressed by adding compliance with the noise ordinance as a review component for conditional use permits for the listed uses. Staff has also drafted a “good neighbor policies” document with issues to consider when holding outdoor events.

Alternative 1 Analysis of Draft Code Amendments

After reviewing the relevant code sections, staff felt that rather than substantially revise the definition of “Place of Assembly, it would be better to revise where Place of Assembly and Auditoriums are permitted and the standards that apply. The one modification proposed for the Place of Assembly definition is to remove “awaiting transportation” from it and instead create a new category so that bus stations and other types of transit centers can be treated separately in the district use chart than place of assembly. Similarly, the “Places of Assembly” and “Auditoriums” uses are proposed to be split into two different categories. Currently they are combined in the district use chart. This allows them to be treated differently in different zones.

The code revisions proposed below, allows these land use categories as permitted uses in commercial zoning districts and conditional uses in mixed-use districts. In residential zoning districts, the “Place of Assembly” use would not be allowed and auditoriums would be a conditional use. As an addition to the conditional use permit standards for “Auditoriums/places of public assembly, and places of worship” two new standards are proposed including a requirement that all activities will meet city noise codes and that auditoriums in residential

areas must be accessory to other conditional uses. City noise codes are always applicable, however, by adding it to the specific requirements for a conditional use permit brings the matter into the review process and creates a better opportunity for compliance to be addressed as a specific condition of approval by the city's hearing examiner.

These proposed code amendments are submitted simply for discussion purposes. Staff welcomes your feedback and expect further revisions in the future as this process continues.

Draft Code Amendments

10.08 Definitions

"Place of assembly" means a building used in whole or in part for the gathering together of persons for such purposes as deliberation, entertainment, or amusement, ~~or awaiting transportation.~~

"Place of worship" means any building primarily used for congregations gathering for religious practices.

"Neighborhood center" means 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.

"Transit Center" means a place where people await transportation via bus, train, or other forms of mass transit at a regional hub. This includes public and private transportation services.

"Auditorium" means a large building used for public meetings or performances.

10.10

District Use Chart

Uses	P = Permitted use P ₁ = Permitted, not to occupy grade level commercial street frontage AU = Accessory use C = Conditional use C ₁ = Permitted, not to occupy grade level commercial street frontage ~ = Prohibited use M = Permitted use in a corridor mixed use project within the MRC overlay																			
	Commercial Districts					Mixed Use Districts			Residential Districts					Overlay Zones						
	CBD	NWBD	SWBD	CN	I	WMU	OMU	RMU	RF	RS	RL	RM	RH	HEO	CSO	MRC	IO	PO	RRO	
	Public Assembly																			
Auditoriums and places of assembly	GP	GP	GP	GP	GP	C	C	C	~	GP	GP	GP	GP	GP	GP	C/M	~	C	C	
Auditoriums	P	P	P	P	~	C	C	C	C	C	C	C	C	P	P	C	~	C	C	
Transit Center	C	C	C	~	~	C	C	~	~	~	~	~	~	~	~	~	~	~	~	
Neighborhood center	C	C	C	C	~	C	C	C	~	~	C	C	C	C	C	C	~	C	C	
Places of worship	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	

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 10.48.270. 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) All activities shall comply with Chapter 6A.40 WCC regarding public disturbance noises.

(7) Auditoriums in residential zoning districts must be accessory to another non-residential use such as a school, neighborhood center, or institution of higher education. A separate conditional use permit is not required for this use but if one is being added it must be included in the review of the CUP for that property.

Alternative 2

Analysis of Draft Code Amendments

This alternative simply removes the “Place of Assembly” land use altogether with all other standards matching Alternative 1. The uses that this encompasses would simply be covered by other land uses. The Place of Assembly category already involves uses that are typically covered by other uses and subsequently it is rarely utilized in the permitting process. Traditionally, places of assembly in residential areas have been at neighborhood centers, schools and places of worship.

Draft Code Amendments

10.08 Definitions

~~“Place of assembly” means a building used in whole or in part for the gathering together of persons for such purposes as deliberation, entertainment, amusement, or awaiting transportation.~~

“Place of worship” means any building primarily used for congregations gathering for religious practices.

“Neighborhood center” means 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.

“Transit Center” means a place where people await transportation via bus, train, or other forms of mass transit at a regional hub. This includes public and private transportation services.

“Auditorium” means a large building used for public meetings or performances.

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	Commercial Districts					Mixed Use Districts			Residential Districts					Overlay Zones					
	CBD	NWBD	SWBD	CN	I	WMU	OMU	RMU	RF	RS	RL	RM	RH	HEO	CSO	MRC	IO	PO	RRO
	Public Assembly																		
Auditoriums and places of assembly	<u>EP</u>	<u>PG</u>	<u>PG</u>	<u>PG</u>	<u>PG</u>	C	C	C	~	C	C	C	C	<u>EP</u>	<u>EP</u>	C/M	~	C	C
<u>Transit Center</u>	<u>C</u>	<u>C</u>	<u>C</u>	~	~	<u>C</u>	<u>C</u>	~	~	~	~	~	~	~	~	~	~	~	~
Neighborhood center	C	C	C	C	~	C	C	C	~	~	C	C	C	C	C	C	~	C	C
Places of worship	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C

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(1) Maximum building height, RS, RL and RM: 40 feet. Other districts: same as the height limitation of the zoning district for other buildings.

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(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) All activities shall comply with Chapter 6A.40 WCC regarding public disturbance noises.

(7) Auditoriums in residential zoning districts must be accessory to another non-residential use such as a school, neighborhood center, or institution of higher education. A separate conditional use permit is not required for this use but if one is being added it must be included in the review of the CUP for that property.

Noise from outdoor events

Another component of this project is addressing the impacts from outdoor events that use amplification. Staff is proposing three components for the purposes of discussion:

- Good neighbor policies as an informational flyer can be made available to the public reminding them of both recommended practices to consider when planning an outdoor event that uses amplification and information about the City noise codes that they must adhere to. A draft document has been provided for discussion purposes as Attachment A.
- A special event permit for large gatherings expected to attract more than a certain number of people. Staff has provided the Wenatchee Parks and Recreation outdoor amplification permit (Attachment B) and the sample notification letter (Attachment C) as examples for the purposes of discussion. If the Planning Commission thinks a special event permit for large gatherings on private property is something the City should look into staff can work on developing a framework for it.
- Possible recommendations for amendments to noise code. Staff has not proposed any amendments at this time and is simply submitted the code in full for discussion purposes. Please read this Chapter of the city code and bring any feedback you have to the meeting for discussion.

Schedule

The table below includes the current meeting schedule for the rest of the project:

Time period	Action
January 15, 2020	Planning commission workshop
January 23, 2020	Public hearing with the City Council at one of their scheduled meetings on an Ordinance to extend the existing interim control.
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

Attachments

- A. Draft "good neighbor guidelines for outdoor events" document
- B. City of Wenatchee Park and Recreation outdoor amplification permit

- C. City of Wenatchee Parks and Recreation notification of amplified sound event letter
- D. Wenatchee City Code Chapter 6A.40 PUBLIC DISTURBANCE NOISES

Attachment A

“Good Neighbor” guidelines for holding outdoor events in residential areas of the City of Wenatchee

Guidelines

When planning to hold an outdoor event in a residential area in the City of Wenatchee, please consider the following recommended guidelines:

- Notify surrounding property owners in advance about the event and consider including the following information:
 - Your name and/or Name of the Organization
 - Location
 - Date and Time
 - Description of the event
 - A phone number to call if the noise is bothering them.
- Consider providing neighbors with the RiverComm 911 non-emergency line which is (509) 663-9911. This is the most appropriate number to call to report a noise violation.
- Provide contact information to the Police Department so they know how to contact your organization if they receive a complaint.
- Speakers or outdoor amplification equipment shall be directed, to the extent feasible, toward the interior of the property and away from surrounding properties, particularly residential structures.
- When planning an event consider how adjacent residents may be impacted. In conjunction with this, consider how your event may affect nearby residents that may be elderly, young children, or may have any number of cognitive or physical disabilities. Certain groups may be more sensitive to noise, light, vibration, and other impacts your events may produce.
- Provide adequate trash receptacles to ensure that the property is kept clear of trash and debris.
- Provide adequate parking areas that are clearly identified for the event. Parking on neighborhood streets is discouraged for the duration of the event.

Codes and conditions of approval

While the guidelines described above are non-binding, please be aware that your event must remain in compliance with the Wenatchee City Code at all times. The chapter that is most relevant to this topic is 6A.40 PUBLIC DISTURBANCE NOISES which is addressed below. You should also be aware that if your organization is operating under a conditional use permit, it may include conditions that address your operations. Please review the applicable document (likely a Hearing Examiner Decision) and contact the City of Wenatchee Planning Division if you have any questions at (509) 888-3256.

The City's Noise Code can be found in Chapter 6A.40 of the Wenatchee City Code (WCC). Certain relevant subsections of WCC6A.40.030 have been included below. For the full text of Chapter 6A.40 please visit <https://www.codepublishing.com/WA/Wenatchee> and navigate to Chapter 6A.40. For questions about the enforcement of the City's noise code please contact the Wenatchee Police Department at (509) 888-4200.

6A.40.030 Public disturbance noises.

It is unlawful for any person to cause or make, or for any person in possession of property to allow to originate from the property, sound which is a public disturbance noise. Public disturbance noises include the following sounds or combinations of sounds:

- (2) Loud and raucous, or frequent, repetitive, or continuous sounds created by musical instruments, audio sound systems, band sessions, or other devices capable of producing, amplifying, or reproducing sound which unreasonably disturbs or interferes with the peace, comfort and repose of another and can be clearly heard by a person of normal hearing at a distance of 50 feet or more from the property from which the sound originates.
- (3) Yelling, shouting, hooting, whistling or singing on or near city streets, particularly between the hours of 11:00 p.m. and 7:00 a.m., or at any other time and place which unreasonably disturbs or interferes with the peace, comfort and repose of another.
- (6) Sound from portable audio equipment, such as a radio tape player or compact disc player, which is operated at such a volume that it can be clearly heard by a person of normal hearing at a distance of 50 feet or more from the source of the sound.
- (8) Habitual howling, yelping, whining, barking, or other oral noises that unreasonably disturb other persons.



Attachment B

CITY OF WENATCHEE PARKS, RECREATION AND CULTURAL SERVICES DEPARTMENT AMPLIFIED SOUND PERMIT APPLICATION

INTRODUCTION

Amplified outdoor sound in City park areas more than normal household portable stereo equipment and with fewer than 200 people in attendance, requires a Sound Permit from the City of Wenatchee. Events with over 200 people are required to complete a Special Event Permit in lieu of this application.

The permit requirement is designed to help minimize neighborhood noise complaints and make park visitors aware of the need to be sensitive to those around them. Even with a permit, complaints from neighbors about the amplification may result in a police visit and the plug being pulled.

REQUIREMENTS

All events with amplified sound must adhere to City Noise Code (WMC 6A.040). The portion of the code that restricts noise and applies to amplified sound restricts:

- Loud and raucous, or frequent, repetitive, or continuous sounds created by musical instruments, audio sound systems, band sessions, or other devices capable of producing, amplifying, or reproducing sound which unreasonably disturbs or interferes with the peace, comfort and repose of another and can be clearly heard by a person of normal hearing at a distance of 50 feet or more from the property from which the sound originates.
- Yelling, shouting, hooting, whistling or singing on or near city streets, particularly between the hours of 11:00 p.m. and 7:00 a.m., or at any other time and place which unreasonably disturbs or interferes with the peace, comfort and repose of another.
- Amplified sound must conclude no later than 9:00 p.m.

Speakers or outdoor amplification equipment shall be directed, to the extent feasible, toward open or unoccupied space and away from residential occupied property.

Although not required for events with fewer than 200 people, it is recommended that applicants notify persons living adjacent to park areas of the event a minimum of two weeks prior to the event. Sample letters are available if desired.

APPLICANT IS PROHIBITED FROM DRIVING VEHICLE WITHIN PARK BOUNDARY TO SET UP, OPERATE OR RETRIEVE SOUND EQUIPMENT.

The applicant shall turn down or terminate all amplified sound upon citizen complaint at the direction of any police officer.

No refunds of event fees will be given in the case of cancellations due to noise.

All permit applications are checked with the police department to determine whether there have been noise complaints from previous events. Previous violations can be reason for denial of the amplified sound permit.

EVENT INFORMATION

Applicant Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Contact Phone Number: _____ Contact Number During Event: _____

Email Address: _____

Event Name: _____ Estimated Attendance: _____

Event Date(s): _____

Park Area. Permit applications will be accepted for the following park areas (circle one):

Memorial Park Hale Park Lincoln Park Centennial Park Pioneer Park

Electrical service in park areas is limited. If the circuits are overloaded the power is automatically interrupted and will not continue. Depending upon the size of the sound equipment proposed to be used and location of event, it is recommended that the applicant provide their own external power supply.

Amplified Sound Time (s): *Includes sound check.*

Date: _____ Start Time: _____ End Time: _____

Date: _____ Start Time: _____ End Time: _____

Date: _____ Start Time: _____ End Time: _____

Date: _____ Start Time: _____ End Time: _____

Type of Amplifier/Sound:

- Band DJ Musician Karaoke Announcements/Speeches Radio
- Other describe: _____

I agree to the requirements set forth above for the use of amplified sound equipment in City of Wenatchee Park areas. I represent that I am authorized to bind the users and participants to the above conditions.

Signed

Date

Printed Name

Attachment C

NOTIFICATION OF AMPLIFIED SOUND EVENT

I, _____, of _____
(Name of Applicant) (Address of event)

intend to hold an event with amplified sound on _____, between the hours of
(Date)
_____ and _____.
(from) (to)

I have completed an application to the City of Wenatchee for an ***Amplified Sound Permit*** and as part of the permit process, residents and business in the immediate area that may be affected by this event are to be advised in advance that there will be amplified sound on the dates and times set forth above.

If the amplification is too loud, it is requested you contact me directly at _____
(Phone number at event)
so that I may correct the decibel level of sound.

Thank you for your cooperation.

Signature: _____ Date: _____

Attachment D**Chapter 6A.40
PUBLIC DISTURBANCE NOISES**

Sections:

6A.40.010 Purpose.**6A.40.020 Content of sound.****6A.40.030 Public disturbance noises.****6A.40.040 Exceptions.****6A.40.050 Penalty.****6A.40.010 Purpose.**

The purpose of this chapter is to control noise in a manner which promotes commerce; the use, value, and enjoyment of property; sleep and repose; and the quality of the environment. (Ord. 97-23 § 1; Ord. 2864 § 1, 1990)

6A.40.020 Content of sound.

The content of the sound shall not be considered in determining whether a violation of this chapter has occurred. (Ord. 97-23 § 2; Ord. 2864 § 1, 1990)

6A.40.030 Public disturbance noises.

It is unlawful for any person to cause or make, or for any person in possession of property to allow to originate from the property, sound which is a public disturbance noise. Public disturbance noises include the following sounds or combinations of sounds:

(1) Loud and raucous, or frequent, repetitive, or continuous sounds made by any horn or siren attached to a motor vehicle, except such sounds that are made to warn of danger or that are specifically permitted or required by law.

(2) Loud and raucous, or frequent, repetitive, or continuous sounds created by musical instruments, audio sound systems, band sessions, or other devices capable of producing, amplifying, or reproducing sound which unreasonably disturbs or interferes with the peace, comfort and repose of another and can be clearly heard by a person of normal hearing at a distance of 50 feet or more from the property from which the sound originates.

(3) Yelling, shouting, hooting, whistling or singing on or near city streets, particularly between the hours of 11:00 p.m. and 7:00 a.m., or at any other time and place which unreasonably disturbs or interferes with the peace, comfort and repose of another.

(4) The creation of frequent, repetitive or continuous sounds in connection with the starting, operation, repair, rebuilding or testing of any motor vehicle or internal combustion engine within a residential district, so as to unreasonably disturb or interfere with the peace, comfort, and repose of another.

(5) Sound from a motor vehicle audio system, such as a radio, tape player or compact disc player, which is operated at such a volume that it can be clearly heard by a person of normal hearing at a distance of 50 feet or more from the vehicle itself.

(6) Sound from portable audio equipment, such as a radio tape player or compact disc player, which is operated at such a volume that it can be clearly heard by a person of normal hearing at a distance of 50 feet or more from the source of the sound.

(7) Sounds from construction activity, including, but not limited to, motorized construction and equipment operation, hammering, blasting, drilling, and sawing, that are audible on residential property beyond the property lines of the property on which the construction activity is conducted between the hours of 10:00 p.m. and 6:00 a.m. Monday through Saturday, and between the hours of 6:00 p.m. and 8:30 a.m. on Sunday; provided, however, that this subsection shall not apply to sounds from construction activity conducted by the city of Wenatchee, or other governmental entities, necessary for the preservation of the public health, safety and welfare; provided further, that this subsection shall not be applicable to commercial areas as established by the city of Wenatchee zoning ordinance.

(8) Habitual howling, yelping, whining, barking, or other oral noises that unreasonably disturb other persons. (Ord. 2013-03 § 1; Ord. 97-23 § 3; Ord. 3004 § 1, 1993; Ord. 2864 § 1, 1990)

6A.40.040 Exceptions.

(1) The provisions of this chapter shall not apply to:

(a) Regularly scheduled community events conducted on property owned by a governmental agency or public school district and conducted with the express permission of an authorized representative of the property owner; and

(b) Regularly scheduled parades held in the city of Wenatchee and authorized by an appointed representative of the city; and

(c) Preparation for “regularly scheduled community events” as described below.

(2) For the purpose of this section, a “regularly scheduled community event” is:

(a) A public sporting event or public concert held on property owned by a governmental entity or public school district and conducted with the express permission of an authorized representative of the property owner; and

(b) Official public ceremonies sponsored by governmental entity or public school district.

(3) The ordinary and usual ringing of trolley bells by a mass transit carrier, e.g., Link trolley bus.

(4) The exceptions set forth in subsections (1) and (2) of this section shall not apply between 11:00 p.m. and 7:00 a.m. (Ord. 2013-03 § 2; Ord. 2005-13 § 1, 2005; Ord. 97-23 § 4; Ord. 2864 § 1, 1990)

6A.40.050 Penalty.

Violation of any of the provisions of this chapter may result in the issuance of a notice of infraction or citation for a infraction punishable by a fine with a base penalty of \$250.00, not including statutory assessments. The Infraction Rules for Courts of Limited Jurisdiction with the exception of IRLJ 4.1, 6.2, and 6.6 shall govern. (Ord. 2001-22 § 1; Ord. 97-23 § 5; Ord. 2864 § 1, 1990)