

**WENATCHEE PLANNING COMMISSION
SCHEDULED MEETING
June 17, 2020**

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AGENDA

I. CALL TO ORDER AND WELCOME

II. ADMINISTRATIVE AFFAIRS

- A. Approval of the minutes from the last regular meeting(s) on January 15, 2020 and February 19, 2020.

III. PUBLIC COMMENT PERIOD

Comments for any matters not included on the agenda.

IV. OLD BUSINESS

- A. Public hearing: Public assembly uses – code amendments

V. NEW BUSINESS

- A. Workshop: “Housing Code” revisions (assorted amendments to Title 10)
- B. Workshop: Residential Foothills Low (RF) code amendments
- C. Workshop: Feather signs

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

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 December 11, 2019.

Commissioner Albert moved to approve the minutes from the regular meeting on December 11, 2019. Commissioner Jorgensen seconded the motion. The motion carried.

III. PUBLIC COMMENT PERIOD

Jim Bailey, 844 Kittitas, Wenatchee, WA. Bailey complimented and expressed gratitude to Commission members for their service and hard work on difficult projects this past year, including the recent Housing Code Update and Sign Code amendments. As a Wenatchee City Council member, Bailey said that he felt he could speak on behalf of the entire Council in saying that the work of the Planning Commission as an advisory body was valued and appreciated.

IV. OLD BUSINESS

None

V. NEW BUSINESS

A. Planning Commission Applicant Interview

Commissioners interviewed Lael Isola.

Commissioners discussed Isola's application.

Commissioner Erickson moved to forward to Council a recommendation to appoint Lael Isola to the Planning Commission. Commissioner Bollinger seconded the motion. The motion carried.

Staff advised that since Isola had only recently become a resident of the City of Wenatchee following Council's approval of Ordinance 2020-02 which annexed her property into the City. Isola's appointment, if approved by Council, would have to wait until the legal effective date of the annexation sometime in March.

B. Workshop: Interim control on places of assembly and outdoor amplification

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

Staff advised that an open house would be scheduled in February followed by another workshop at Commissioners regular meeting in February. A public hearing on the matter would then be scheduled for the Planning Commission’s regular meeting in March.

Commissioners asked questions of staff.

Chair Sampson asked if the public had comments.

The following individuals provided comment to Commissioners for their consideration during the workshop.

- Katherine Keagle, 2904 Alvista Place, Wenatchee, WA
- Russ Keagle, 2904 Alvista Place, Wenatchee, WA
- Chris Davis, 313 W. Peters Street, Wenatchee, WA
- Kirk Hudson, 1437 Somerset Drive, Wenatchee, WA
- Tamra Hively, 2930 Alvista Place, Wenatchee, WA
- Wendy LeSesne, 217 W. Peters Street, Wenatchee, WA

Commissioners asked staff to email information from other municipalities in the state regarding their guidelines and administration of outdoor amplification and noise ordinances for their review.

VI. OTHER

None

VII. ADJOURNMENT

With no further business to come before the Planning Commission, Chair Rani Sampson adjourned the meeting at 7:33 p.m.

Respectfully submitted,

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

MINUTES

I. CALL TO ORDER

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

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

II. ADMINISTRATIVE AFFAIRS

A. Approval of the minutes from the regular meeting on January 15, 2020.

As there was not a quorum present, Commissioners agreed to postpone approval of the minutes until the next regular meeting.

III. PUBLIC COMMENT PERIOD

None

IV. OLD BUSINESS

None

V. NEW BUSINESS

A. Workshop: Interim control on places of assembly and outdoor amplification

Staff discussed additional comment received and alternatives regarding places of assembly and outdoor amplification considered since the last regular meeting in January.

B. Discussion: Draft 2020 Work Plan overview

Staff provided an outline of the 2020 work plan for the Planning Commission.

VI. OTHER

None

VII. ADJOURNMENT

With no further business to come before the Planning Commission, Chair Rani Sampson adjourned the meeting at 6:10 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: June 10, 2020
RE: Staff Report: public assembly uses code amendments

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 including amendments to Chapters 10.08 Definitions, 10.10 District Use Chart, 10.60 Off-Street Parking, 10.32 Waterfront Mixed Use (WMU) District, and 10.65 Conditional Uses relating to public assembly land uses and their associated standards.

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 February 24, 2020.

III. PUBLIC PROCESS

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

- A website devoted to this code update process that included a meeting schedule, links to meeting agenda packets, the draft materials once they became available, and additional information about the process;
- Correspondence with interested parties
- Workshops with the planning commission on May 15, 2019, December 11, 2019, January 15, 2020, and February 19, 2020.
- Workshop with the city council on November 21, 2019.
- Notification on February 24, 2020 of proposed code amendments, official comment period, environmental threshold determination, and notice of public hearings including legal ad in the Wenatchee World, email to agencies and tribes with jurisdiction including the SEPA register (SEPA contact list), email to interested parties, and update to project webpage.
- The public hearings that had been scheduled and advertised for March 18 and 26, 2020 were canceled due to the COVID-19 pandemic and the governor's emergency orders.
- A notification was published in the Wenatchee World newspaper legal ads on June 7, 2020 regarding the June 17, 2020 public hearing with the Planning Commission and the July 9, 2020 public hearing with the City Council.

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The two upcoming meetings include:

- Public hearing with the planning commission on June 17, 2020
- Public hearing with the city council on July 9, 2020

IV. AGENCY AND PUBLIC COMMENTS:

All public comments received by the city 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 following goals and policies are from the plan and provide some context and guidance for this code update:

1. Land Use Element – Goal 12 Policy 6 - New non-residential development in existing residential neighborhoods should be designed (landscaping and building design) and operated (traffic, noise, lighting, hours) to be compatible with the existing neighborhood. Compatibility for design can take the form of guidelines which objectively define a range of acceptable neighborhood non-residential building types and architectural details.
2. Land Use Element – Goal 15 Policy 4 - New non-residential development in existing residential neighborhoods should be designed (landscaping and building design) and operated (traffic, noise, lighting, hours) to be compatible with the existing neighborhood.
3. Cultural and Historic Resources Element Goal 4 Policy 1 - Recruit and support facilities that provide places for cultural and civic dialogue.
4. Cultural and Historic Resources Element Goal 5 Policy 4 - Enhance the presence of the performing, visual and creative arts.

VI. PROJECT ANALYSIS

On February 28, 2019, the Wenatchee City Council approved Ordinance 2019-13 instituting a 12-month interim control, which included a moratorium on new “Auditoriums and places of assembly” and “Neighborhood Center” and the addition of a standard in 10.65.080 banning the use of outdoor sound amplification for new or existing facilities when located in residential zoning districts. The ban on outdoor sound amplification was applicable to “Auditoriums/places of public assembly, and places of worship.” The impetus for instituting this interim control was a proposed development in a residential zoning district that may have included an indoor/outdoor event center and concert venue, which likely would have been considered a “Place of Assembly” in the land use

code, which is a conditional use in the particular zoning district where the development was proposed. Another situation that contributed to the interim control is that a place of worship held an outdoor event with amplified sound in a residential zoning district. The City Council felt that an interim control was necessary to prevent potentially incompatible land uses from establishing in residential areas.

Over the course of the public review process, the proposed set of code amendments have evolved as staff and the planning commission worked through the issues. The current set of recommendations are limited to the removal of the land use category “Place of Assembly”, associated revisions in response to that revision, and other amendments that are necessary in the affected code sections.

10.08 Definitions

Staff is recommending that the “Place of Assembly” land use category be removed because, as defined, it is too vague and subsequently creates a lot of ambiguity in the code surrounding a certain range of land uses. Instead, staff is proposing three new land use categories that fill in gaps created by the removal of “Place of Assembly”. Uses that would otherwise fit in this category will instead fall into either one of the three new categories or several existing uses such as auditorium or neighborhood center. Staff believes it has adequately addressed the range of land uses that are currently encompassed in the definition of “Place of Assembly”.

The three new land use categories include “Convention Center”, “Sports and Entertainment Venue”, and “Transportation Center”. The “Transportation Center” is intended to replace the “...awaiting transportation” component of the “Place of Assembly” definition. The “Convention Center” and “Sports and Entertainment Venue” definitions are intended to fill in gaps that would be created when “Place of Assembly” is removed. Generally, most of the smaller scale uses currently fitting in the “Place of Assembly” category will easily fit within categories like “neighborhood center” and “auditorium”. These two categories are meant to be large facilities and while staff does not anticipate that the community will see a new convention center or sports and entertainment venue any time soon, if ever, there needs to be category for these common uses.

Another proposed revision involves a new definition for “Place of Worship”. While this amendment is not critical to this project, staff believes it will create more predictability for applicants. The new proposed definition clarifies certain components that are included in this land use category and others that are not.

10.10 District Use Chart

The proposed amendments to 10.10 District Use Chart include the removal and addition of land use categories as discussed above. The three new categories are proposed to be allowed by conditional use in the more intense commercial and mixed-use districts and overlays.

10.60.080 Off-street parking requirements

In response to the addition and removal of land use categories mentioned above, amendments are proposed to the off-street parking requirements. Convention center and sports and entertainment venue are proposed to be in the same category as place of assembly is currently as these seem to be similar categories. Transportation center is proposed to join a category that imposes parking standards at the discretion of the hearing examiner. The reason for this is because a transportation center could take a variety of forms including having no enclosed structures which would make the “Gross Floor Area” metric ineffective.

10.32 Waterfront Mixed Use (WMU) District

Another amendment that is necessary due to the removal and addition of land uses is in the code chapter for the Waterfront Mixed Use District. In 10.32.050(8)(a) there is a mention of “places of assembly”. This has been revised to include the appropriate range of uses.

10.65 Conditional Uses

Staff is proposing amendments to the text of the section headings of 10.65.080 and 10.65.180. Neighborhood centers will not be addressed in 10.65.180 and instead be addressed in 10.65.080.

In 10.65.080, staff is proposing that the current subsection 3 be removed as it is no longer necessary after the recent sign code update. The proposed subsection 3 is being proposed to clarify how auditoriums are treated in residential areas.

VII. Staff recommendation

Staff recommends **Approval** of the draft revisions to the Wenatchee City Code in Chapter 10.08, 10.10, 10.60, 10.32, and 10.65 relating to public assembly land uses 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 public workshops addressing the topic of public assembly uses on May 15, 2019, December 11, 2019, January 15, 2020, and February 19, 2020.
6. The City of Wenatchee issued a determination of non-significance on February 24, 2020 and provided copies of the environmental documents to the Department of Ecology SEPA Register.
7. The City of Wenatchee and Chelan County issued a joint notice of the public expedited review and comment period, and public hearing dates on February 25, 2020 which was published in the Wenatchee World.
8. On February 24, 2020, the City of Wenatchee and Chelan County 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.
9. The Washington State Department of Commerce granted expedited review of the proposed amendment to the Wenatchee City Code on March 9, 2020.
10. The public hearings that had been scheduled and advertised for March 18, 2020 and March 26, 2020 were cancelled due to the COVID-19 pandemic and the governor's emergency orders.

11. The City of Wenatchee published a notice of public hearing in the Wenatchee World newspaper on June 7, 2020, advertising the June 17, 2020 public hearing with the Planning Commission and the July 9, 2020 public hearing with the City Council.
12. Public comments submitted during the comment period were reviewed by the Planning Commission and included in the official record.
13. On June 17, 2020, 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.
14. 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.
15. Goal 12 Policy 6 of the Wenatchee Urban Area Comprehensive Plan's Land Use Element reads as follows: "New non-residential development in existing residential neighborhoods should be designed (landscaping and building design) and operated (traffic, noise, lighting, hours) to be compatible with the existing neighborhood. Compatibility for design can take the form of guidelines which objectively define a range of acceptable neighborhood non-residential building types and architectural details."
16. Goal 15 Policy 4 of the Wenatchee Urban Area Comprehensive Plan's Land Use Element reads as follows: New non-residential development in existing residential neighborhoods should be designed (landscaping and building design) and operated (traffic, noise, lighting, hours) to be compatible with the existing neighborhood.
17. Goal 4 Policy 1 of the Wenatchee Urban Area Comprehensive Plan's Cultural and Historic Resources Element reads as follows: "Recruit and support facilities that provide places for cultural and civic dialogue."
18. Goal 5 Policy 4 of the Wenatchee Urban Area Comprehensive Plan's Cultural and Historic Resources Element reads as follows: "Enhance the presence of the performing, visual and creative arts."

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 the 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 March 11, 2020
Exhibit B: Public comments

Exhibit A

WCC10.08 Definitions

10.08.050 “C”

“Convention center” means a building or area designated to accommodate large groups of people usually for social occasions, or the exchange of information related to professional or commercial activity. Such a facility typically contains various large assembly halls, conference rooms, and food service facilities, and has a gross floor area of at least 20,000 square feet.

10.08.115 “P”

~~“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 a structure, group of structures, or portion thereof which is utilized for the purpose of conducting religious worship, services, or ceremonies. A place of worship may contain facilities such as a sanctuary or chapel, assembly rooms, offices, kitchen, parsonage, or multi-purpose room. Uses including, but not limited to, schools, dwelling units except parsonages, and child day care facilities shall not be considered incidental to the primary use, but may be allowed subject to other provisions of this title. ~~any building primarily used for congregations gathering for religious practices.~~

10.08.130 “S”

“Sports and Entertainment Venue” means a large event space intended for the viewing of sporting events, entertainment, trade shows, expos and other similar events. Gross floor area will generally be greater than 20,000 square feet in area.

10.08.135 “T”

“Transportation Center” means a place where people await transportation via bus, train, or other forms of mass transit at a regional hub outside the public right-of-way. This includes both public and private transportation services.

10.10 District Use Chart

District Use Chart

		<p>P = Permitted use P₁ = Permitted, not to occupy grade level commercial street frontage AU = Accessory use C = Conditional use C₁ = Permitted, not to occupy grade level commercial street frontage ~ = Prohibited use M = Permitted use in a corridor mixed use project within the MRC overlay</p>																	
Uses	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	C	C	C	C	C	C	C	C	~	C	C	C	C	C	C	C/M	~	C	C
Transportation Center	<u>C</u>	<u>C</u>	<u>C</u>	~	~	<u>C</u>	<u>C</u>	~	~	~	~	~	~	~	<u>C</u>	~	~	~	~
Convention Center	<u>C</u>	<u>C</u>	<u>C</u>	~	~	<u>C</u>	~	~	~	~	~	~	~	<u>C</u>	<u>C</u>	~	~	~	~
Sports and entertainment venue	<u>C</u>	<u>C</u>	<u>C</u>	~	~	<u>C</u>	~	~	~	~	~	~	~	<u>C</u>	<u>C</u>	~	~	~	~

10.60.080 Off-street parking requirements.

The following requirements shall be met in all zoning districts, except when specifically regulated elsewhere in this code:

Off-Street Parking Requirements

Land Use	Standards
Public Assembly	
Mortuaries/funeral parlor, place of worship, place of assembly , auditorium, <u>convention center</u> , <u>sports and entertainment venue</u>	1 space per 3 seats or 6 feet of bench, or 10 spaces per 1,000 square feet of GFA of the main assembly area(s) when no seats/benches are designated
Retail/Hotel/Restaurants	
Retail – handling bulky merchandise, autos, furniture,	1.5 spaces per 1,000 square feet of GFA

Off-Street Parking Requirements

Land Use	Standards
machinery, construction materials, tires, fuels, feeds, repair shops, printers, newspapers, bus and truck terminals, wholesale bakeries, boat sales and rentals, delivery services, rental services, recycling facilities	
General Commercial	
Golf course or golf driving range, public service facilities, essential public facilities, recreational vehicle park, <u>transportation center</u>	Per hearing examiner and consistent with approved use level

10.32 WATERFRONT MIXED USE (WMU) DISTRICT

10.32.050 Development standards.

Development in this district shall meet all of the applicable provisions of this title and all other rules, regulations and provisions of the WCC, including the provisions below. Also, most residential developments, including mixed use development that features at least one dwelling unit, are subject to conformance with applicable sections of the Residential Design Guidelines.

(8) Architectural Scale. The intent is to reduce the scale of structures and to incorporate architectural design features to increase visual interest. Articulation and modulation shall be for the full height and width of a building, except as otherwise allowed within this title.

(a) Building Size. The gross size of any new building footprint shall not be larger than 45,000 square feet except for auditoriums ~~and places of assembly, convention centers, places of worship, and sports and entertainment venues.~~

10.65 Conditional Uses

10.65.080 Auditoriums, neighborhood centers, ~~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) Street: same as required in the underlying zoning district;

(b) Rear and side: 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.~~

(3) 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 a new auditorium is proposed, it must be included in the review of the CUP for that property.

(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.

10.65.180 Libraries, and museums, ~~and neighborhood centers.~~

Exhibit B

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

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

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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.



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

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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

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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

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.

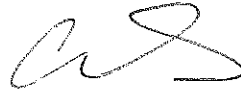
In conclusion, we support wholeheartedly the current interim noise control under study by the Planning Commission, and request that these additional controls be adopted in their entirety as part of the permanent code for the city of Wenatchee, as well as Chelan County. If approved through this process, 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



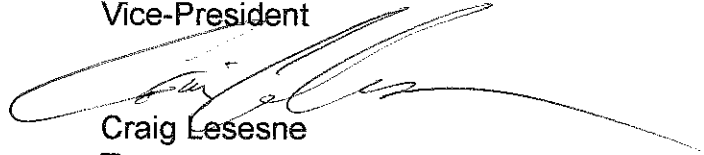
James Ethier
President



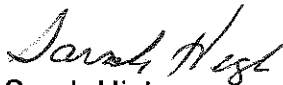
Chris Davis
Vice-President



Ashlee Davis
Secretary



Craig Lesesne
Treasurer



Sarah High
Community Liaison



Russ Keagle
Neighborhood Preservation



Northwest Religious Liberty Association

January 22, 2020

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Alan Reinach, Esq.
Karen Scott, Esq.
Lincoln Steed
Halvard Thomsen
Brancha Vukshich, Esq.
André Wang, Esq.
Edward Woods III

Administrative Assistant

Rhonda Bolton

Dear Mayor Kuntz and Counsel Members,

I am writing to you out of a great concern for religious liberty, especially as it relates to land use provisions the City has enacted impacting religious institutions in the Urban Growth Area of Wenatchee. The City of Wenatchee has adopted interim control ordinances banning churches and places of assembly from using any sound amplification devices in areas of residential zoning.

This draconian measure was taken as an interim control despite existing noise ordinances in the city, which are applicable to churches.

If we do research on this matter, I believe the evidence will show that the ordinances enacted—and your building and planning departments restrictions and interim controls—violate a federal law known as the Religious Land Use and Institutionalized Persons Act of 2000. [RLUIPA]

RLUIPA requires a local government which is restricting a religion, or religious functions and practices, to use the least restrictive means. For the past two years the City of Wenatchee has stated that no churches can use outdoor sound amplification devices, regardless of the amount of sound generated, or the activity. It does not ban residences from using sound amplification devices, or anyone else, in any zone. The outdoor Willie Nelson concert at the college was allowed; the marching band is allowed; announcers at the Apple Sox game are allowed; and sound amplification events happen in parks, open spaces, and all around our town, without much incident. Instead of enforcing the sound ordinances on the books, you go after churches, and outright ban any amplification devices.

As Vice President of the Northwest Religious Liberty Association (NRLA), and as a member of the Wenatchee Community, I request that you 1) let the interim controls expire, and 2) focus on enforcing your noise ordinances rather than continue to violate the rights of churches.

I have attached a copy of the Religious Land Use and Institutionalized Persons Act of 2000. [RLUIPA] for your information.

Charles R. Steinberg, Vice President

(a)Substantial burdens

(1)General rule

No government shall impose or implement a land use regulation in a manner that imposes a substantial burden on the religious exercise of a person, including a religious assembly or institution, unless the government demonstrates that imposition of the burden on that person, assembly, or institution—

- (A)** is in furtherance of a compelling governmental interest; and
- (B)** is the least restrictive means of furthering that compelling governmental interest.

(2)Scope of application This subsection applies in any case in which—

- (A)** the substantial burden is imposed in a program or activity that receives Federal financial assistance, even if the burden results from a rule of general applicability;
- (B)** the substantial burden affects, or removal of that substantial burden would affect, commerce with foreign nations, among the several States, or with Indian tribes, even if the burden results from a rule of general applicability; or
- (C)** the substantial burden is imposed in the implementation of a land use regulation or system of land use regulations, under which a government makes, or has in place formal or informal procedures or practices that permit the government to make, individualized assessments of the proposed uses for the property involved.

(b)Discrimination and exclusion

(1)Equal terms

No government shall impose or implement a land use regulation in a manner that treats a religious assembly or institution on less than equal terms with a nonreligious assembly or institution.

(2)Nondiscrimination

No government shall impose or implement a land use regulation that discriminates against any assembly or institution on the basis of religion or religious denomination.

(3)Exclusions and limits No government shall impose or implement a land use regulation that—

- (A)** totally excludes religious assemblies from a jurisdiction; or
- (B)** unreasonably limits religious assemblies, institutions, or structures within a jurisdiction.

(Pub. L. 106–274, § 2, Sept. 22, 2000, 114 Stat. 803.)

From: [Charles Steinberg](#)
To: [Frank Kuntz](#); [Matthew Parsons](#)
Cc: [Hamilton Greg](#); [Joe Savino](#)
Subject: Sound Amplification Devices Letter for Thursday's Council Meeting
Date: Wednesday, January 22, 2020 12:31:26 PM
Attachments: [20200122122826029.pdf](#)

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 Mayor Kuntz and City Counsel Members,

Please see attached letter regarding the Interim Control Ordinance from the Northwest Religious Liberty Association.

Charles Steinberg
STEINBERG LAW FIRM, PS
323 N Miller Street
Wenatchee, WA 98801
charles@ncwlaw.com

509 662 3202
509 662 5221 fax

MEMBER, WASHINGTON STATE ASSOCIATION FOR JUSTICE since 1996
Eagle Member since 2002

Vice President, Northwest Religious Liberty Association, www.nrla.com
An Organization dedicated to preserving religious liberty since 1906

From: [Charles Steinberg](#)
To: [City Clerk Web Email](#); [Anna Alvarez](#)
Cc: [Matthew Parsons](#); [Joe Savino](#)
Subject: INTERIM CONTROL ORDINANCE COMMENT FROM NORTHWEST RELIGIOUS LIBERTY ASSOCIATION
Date: Wednesday, January 22, 2020 12:37:23 PM
Attachments: [20200122122826029.pdf](#)

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Dear Tammy and Deputy Clerk Alvarez,

I was looking around the City's website, and was unable to find the e-mail addresses of the current individual council members, and it appears it has not been updated to include the new council members.

Can you get them to me?

I would like the attached letter to get to them before Thursdays Council meeting.

THANKS,

Charles

Charles Steinberg
STEINBERG LAW FIRM, PS
323 N Miller Street
Wenatchee, WA 98801
charles@ncwlaw.com

509 662 3202
509 662 5221 fax

MEMBER, WASHINGTON STATE ASSOCIATION FOR JUSTICE since 1996
Eagle Member since 2002

Vice President, Northwest Religious Liberty Association, www.nrla.com
An Organization dedicated to preserving religious liberty since 1906

January 22nd, 2020

City of Wenatchee Staff, City Council, Planning Commission, Neighbors of Grace City Church

Re: Concerns Expressed About Grace City Church

Dear Mayor and all interested parties,

We are writing in response to several requests made of us to give some context to concerns that have been raised by neighbors of our property on Melody Lane. As we understand it, these concerns stem from two outdoor events on our property before construction of our facility began...our outdoor Easter service on April 16th, 2017, and our ground-breaking ceremony on May 20th, 2018.

We have been hesitant to do this, namely because of things we've heard shared contradict our experience and understanding of those events. This has put us in the awkward position of appearing to disagree or even correct perceived inaccuracies. This letter is in no way an attempt to go point-counter-point or accuse anyone of intentional falsehoods. Certainly everyone's experience and interpretation has validity. This is simply our attempt to honor the multiple requests we've received to share our perspective and try to give some context for the concerns.

- **Regarding the Easter Sunday morning event...**We've been told that a concern was raised saying we played loud music at night. For context, after checking with the City of Wenatchee to get permission for the event, we set up everything *but* the sound system Saturday night (we were afraid of possible rain). We brought the sound system in the following morning, set up, and waited for the appropriate time pursuant the codes to start a sound check. After the event was over, we tore the sound equipment down and were off-site by 2pm.

At no point did we have a functioning sound system on property during off-hours, let alone play it. We also had a staff person sleep on the property to guard our other equipment, and they heard nothing all night. We're not saying it didn't happen, we're just saying that we weren't aware it was happening. Even so, we realize the music played on Easter Sunday morning bothered some. We tried our best to let folks know what we were doing, sent out mailings, talked with many face to face beforehand, and only received a warm welcome. It was our hope to eliminate anything that would cause a bother. But we realize sound doesn't stop at property lines. For those who were bothered by it, we apologize. This was a special one-time event done before we had our building, and we can assure the neighbors that nothing of it's type will happen now that we have our building constructed.

- **Regarding the lights on at night...**We've been told there is great concern for the lights in our parking lot. Again, we are so sorry for any distress this has caused. We were careful to purchase state of the art lights that minimize unnecessary light pollution. After installation the manufacturing specs requires a 30-day 24-7 burn, or the warranty is voided. That 30 day period recently ended and we can now turn them off at night. We've been encouraged to keep a few on for security purposes (both for our facility and surrounding neighbors), but we are more than willing to work with the neighbors about a suitable solution regarding that.
- **Regarding the dust complaints during construction...**We apologize for everyone who experienced dust last summer. We understand how annoying and troubling that can be. We hired a full-time water truck driver at the beginning of the project, calling on him many weekends as well. We tried to proactively kept the site watered and always responded promptly to any neighbors who called to let us know the dust was blowing. Even so, we know it's no fun living next to a construction site. We totally get that. We are so sorry for the inconvenience it caused and are glad we're through that phase.

Hopefully this provides a little context for some of the main concerns we have personally heard presented or been made aware of. If there are any other questions or concerns, we gladly welcome conversation and dialogue.

It has been our intention and commitment to be good neighbors and to work for win-win solutions for all involved from the day we bought the property. Though not comprehensive, here are a few of the things we've done in the spirit of being a good neighbor:

- **Sewer...**After pulling sewer to the property, we chose not to require late-comers fee to back-fill the expenses. Our board's hope was that in covering the cost completely, it would relieve any financial burden from those who could benefit from hooking up to sewer later if they so decided.
- **Blocked View...**After realizing that landscape code would require us planting trees that could potentially block some neighbors view at the top of the hill, we petitioned the city to allow us to move the location of those trees. The City staff saw the potential view obstruction and kindly obliged our request.
- **Removing Trees...**Several years ago some neighbors approached and asked if we would be willing to remove trees on our property that had always shed leaves on their property and blocked their view. So, 1 year before we planned to develop the property, we paid to have those trees removed, and happily so.

- **Sharing Space**...One neighbor asked if they could store rocks and dirt on our property while doing some development of their own. We happily obliged.
- **Landscaping**...One neighbor asked for landscaping help and dirt removal while we had equipment there. We talked to the contractor and got it done.
- **Irrigation Lines**...Several neighbors asked if they could come on our property to fix their irrigations lines, and we have happily obliged.

We don't list these to pat our own back...no one needs a medal for being a good neighbor. We get that. But hopefully it's a sampling that demonstrates our heart and intention. We've loved these opportunities to be good neighbors and look forward to many more. It is our desire that people would not have to "put up" with Grace City being in the neighborhood, but eventually would come to say, "Man, I'm so glad they're in our neighborhood!"

We doubt this letter has adequately addressed all questions or concerns, but hopefully it's given a little context for the last few years. We certainly don't claim to be perfect, but any disturbance experienced has never been intentional or malicious. Our intent is to do everything we can to be good neighbors, and we will continue to do so to the best of our ability.

To the neighbors who have reached out with questions, initiated dialogue, or welcomed us into the neighborhood with open arms, thank you! Your ongoing encouragement, emails, and phone calls have been very much appreciated. We feel very welcomed!

To the neighbors we have yet to meet, or who have ongoing questions, we would love to connect and get to know you, hear any concerns you have, and work towards solutions that would be mutually beneficial. We care about your quality of life.

To the planning commission, city council, and city staff, thank you for inviting us to participate in this process, for graciously answering our questions, and patiently explaining how the process works. Reading through the agendas alone is mind-numbing. The amount of issues you face and problems that require solving is staggering. We apologize if we've added to your work load. That has never been our intention. We hope to make our city stronger and better, and we are committed to working towards that end. Thank you for all the work you do. It is appreciated.

Thanks to everyone who's put so much work into this process, and thanks for taking the time to read this letter. I'm sure it hasn't solved all challenges, answered all questions, or addressed all concerns. But hopefully it has given some context, clarity, and understanding surrounding the primary concerns we were asked to address.

It is our intention and commitment to promote and participate in healthy dialogue and creative solutions so as to arrive at outcomes that benefit everyone involved. And to, above all,

be a good neighbor...both to our community at large and to those we live next to. We love our town, and we're committed to making it an awesome place to live, for everyone.

If there are concerns we haven't addressed or any questions for us, please don't hesitate to contact us or call our offices. We welcome conversation and working towards solutions.

For our city,

The Elders of Grace City Church

From: [Cindy Grubb](#)
To: [Matthew Parsons](#)
Subject: RE: Notice of Zoning Code Amendments, Request for Expedited Review, Environmental Determination, and Public Hearings
Date: Tuesday, February 25, 2020 11:54:51 AM

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Chelan County Public Works has no comments

Cindy Grubb
Development Review Tech
Chelan County Public Works

From: Matthew Parsons <MParsons@WenatcheeWA.Gov>
Sent: Monday, February 24, 2020 3:29 PM
To: Alice Meyer <ameyer@wrh2o.com>; Amanda Barg <amanda.barg@dfw.wa.gov>; andrea.jedel@ecy.wa.gov; Bill Gould <gouldw@wsdot.wa.gov>; Chelan Douglas Transportation Council <jeff@chelan-douglas.org>; Chris Hanson <CHanson@WenatcheeWA.Gov>; Cindy Blaufuss <cblaufuss@chelancountyfire.com>; Cindy Grubb <Cindy.Grubb@CO.CHELAN.WA.US>; City of East Wenatchee <LBarnett@east-wenatchee.com>; Cliff Burdick <CBurdick@WenatcheeWA.Gov>; Constance Iten - DFW <constance.iten@dfw.wa.gov>; Curt Kazen <ckazen@wm.com>; Cynthia McGlothern - WSDOT <McGlotC@wsdot.wa.gov>; Dave Woody - Cultural Resources Program Archaeologist <dwevh5150@yahoo.com>; Donald Nelson <DNelson@WenatcheeWA.Gov>; Douglas County Land Services <mkulaas@co.douglas.wa.us>; Dr. Karen Capuder <karen.capuder@colvilletribes.com>; Gary D. Graff - Ecology <gagr461@ecy.wa.gov>; Gary Owen <GOwen@WenatcheeWA.Gov>; Glen DeVries <GDeVries@WenatcheeWA.Gov>; Graham Simon <graham.simon@dfw.wa.gov>; Greg Thompson <thompson.m@wenatcheeschools.org>; Gwen Clear - Ecology <crosepacoordinator@ecy.wa.gov>; Jessica - Yakama Nation <jessica@yakama.com>; Jessica Shaw <JShaw@WenatcheeWA.Gov>; John Goodwill - Chelan County PUD <John.Goodwill@chelanpud.org>; Justen Harkness - Charter <Justen.Harkness@charter.com>; Kirsten Larsen <Kirsten.Larsen@CO.CHELAN.WA.US>; Lisa Juchmes - CCPUD <Lisa.Juchmes@chelanpud.org>; Maxwell Nelson <nelsonm@wsdot.wa.gov>; Rich Peters <rpeters@wvc.edu>; Rik Spraggins <Rik.Spraggins@charter.com>; Ron Andrus - USPS <ronald.g.andrus@email.usps.gov>; Scott Macdonald <Scott.Macdonald@BNSF.com>; SEPA - DAHP <SEPA@dahp.wa.gov>; SEPA Register <separegister@ecy.wa.gov>; SEPA Unit - Ecology <SEPAUNIT@ECY.WA.GOV>; Steve King <SKing@WenatcheeWA.Gov>; Tammy Fisher <Tammy.Fisher@chelanpud.org>; Ty Marshall-Charter <ty.marshall@charter.com>
Cc: Stephen Neuenschwander <SNeuenschwander@WenatcheeWA.Gov>
Subject: Notice of Zoning Code Amendments, Request for Expedited Review, Environmental Determination, and Public Hearings

External Email Warning! This email originated from outside of Chelan County.

NOTICE IS HEREBY GIVEN that the City of Wenatchee and Chelan County are providing joint notice of the following proposed amendments to the City of Wenatchee Code:

Amendments to Title 10 of the Wenatchee City Code including Chapters 10.08 Definitions, 10.10 District Use Chart, 10.60 Off-Street Parking, 10.32 Waterfront Mixed Use (WMU) District, and 10.65 Conditional Uses relating to public assembly land uses and their associated standards.

The amendments were sent to the Washington State Department of Commerce, with a request for expedited review, as required by RCW 36.70A.106. The state required notice period begins on February 25, 2020 and if expedited review is granted, concludes on March 10, 2020.

Comments on the proposed amendments should be submitted as soon as possible for consideration by city staff, the planning commission, and the city council. Comments are accepted up to and at the public hearing. Comments may be emailed to mparsons@wenatcheewa.gov or mailed to:

Planning Division
City of Wenatchee
1350 McKittrick Street, Suite A
Wenatchee, WA 98801.

The proposed code amendments are attached to this message. The project website is located at the following address: <https://www.wenatcheewa.gov/government/community-and-economic-development/current-projects/places-of-assembly-and-outdoor-amplification-code-update-2020>

The City of Wenatchee has determined the proposed amendments to the City of Wenatchee Municipal Code will not have probable significant adverse impacts on the environment and have issued a determination of non-significance (DNS) in compliance with RCW 43.21C. The DNS and SEPA Checklist are attached to this message.

NOTICE IS HEREBY GIVEN that the City of Wenatchee Planning Commission will hold a public hearing on March 18, 2020 at 5:30 PM in the Council Chambers of Wenatchee City Hall, 301 Yakima St, 2nd Floor, Wenatchee, WA 98801 to consider the proposed amendments. The public is invited to attend the public hearings and comment on all pertinent matters.

NOTICE IS HEREBY GIVEN that the Wenatchee City Council will hold a public hearing on March 26, 2020 at 5:15 PM in the Council Chambers of Wenatchee City Hall, 1301 Yakima St, 2nd Floor, Wenatchee, WA 98801 to consider the proposed amendments. The public is invited to attend the public hearings and comment on all pertinent matters.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in either of these hearings, 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.)

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

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DEPARTMENT OF COMMUNITY DEVELOPMENT

Public Services Center

1350 McKittrick Street, Suite A

Wenatchee, WA 98801

(509) 888-3200

Fax (509) 888-3201

TO: Planning Commission

FROM: Community Development Staff

SUBJECT: Workshop on "Housing Code" revisions

DATE: June 10, 2020

Attachment: Draft Code Amendments

In November 2019, the Wenatchee City Council adopted Ordinance 2019-35, Ordinance 2019-36, and Resolution 2019-43, also known as the "Housing Code Update. Staff has been monitoring and reviewing the newly adopted codes and design standards so that we can further refine the content and ensure it is meeting its objective. The content in this packet includes some of the draft updates staff has been working on. You can expect more code amendments in the coming months.

Analysis of proposed code updates:

Section 10.08.095: Amendment to definition of "Lot, corner"

The purpose of this amendment is to clarify that even if a street takes a roughly 90° turn and retains the same name, the lot on the inside of the turn is still a corner lot. Under the current definition, while the intent is clear, one could interpret it to mean that only if two separately named streets intersect is a lot eligible for review as a corner lot.

Section 10.08.095: New Definition for "Residential shared general storage"

See the analysis of the proposed section 10.48.320 for the explanation of this topic. The proposed definition and addition to the district use chart (WCC10.10) contribute to this proposed new land use designation.

Section 10.10.020 District Use Chart

There are amendments to this section relating to multiple projects and objectives, which are categorized below:

- The current code has a "P₁ = Permitted, not to occupy grade level commercial street frontage" and a footnote that reads "1 Manufactured homes are permitted only within a mobile/manufactured home park." The presence of two subscript/superscript 1s has potential for creating confusion. Fortunately, the context of each minimizes or eliminates potential confusion. Nevertheless, staff is proposing that the subscript be changed to a standard character size for the designations that are not footnotes.
- Accessory Dwelling Units in commercial zoning districts. A new footnote is proposed allowing the addition of accessory dwelling units to existing single family homes located in CBD, NWBD, SWBD, and CN. Staff proposes this set of code amendments for discussion purposes. Please note that these zones do not permit new single-family homes but the code permits existing single-family homes.
- Staff proposes removal of the code reference for "modular homes" because the referenced code section does not relate to modular homes; it was placed there by mistake.
- New land use category for "Residential shared general storage": See the analysis of the proposed section 10.48.320 for the explanation of this topic. The proposed definition (10.08.095) and addition to the district use chart WCC10.10 contribute to this proposed new land use designation.
- Home Occupations: Staff is proposing that home occupations (home based businesses) in the RS, RL, and RF zones be changed to permitted uses (P) rather than conditional uses (C) as they are now. This means an applicant would only need to apply for a business license rather than applying for both a business license and a conditional use permit. In staff's opinion, the home occupation standards in [WCC10.48.100](#) are adequate and the Type III process does not add anything substantive to the review but does add a substantial burden on the applicant including a higher permit fee, more complicated

application materials, some uncertainty, and additional review/processing time. As you will see, other residential zones, such as RM and RH, designate home occupations as a permitted use.

10.24.050(3) Central Business District Development Standards – affordable housing incentive

The existing standard grants an additional story to a building when the developer provides the required amount of affordable units. This was a good framework when we regulated by stories up to a maximum height. Now we just have a maximum height, so it is a little unclear how this would work, except that adding additional height would conflict with the standard set in the Comprehensive Plan. Staff welcomes a discussion on any types of incentives the PC is interested in providing considering there are no setbacks, no density limit, 90ft building height, and very low parking minimums. Staff supports pursuing the adoption of affordable housing incentives in the future but feel that additional time and research is necessary to develop an informed and appropriate framework.

10.32.050 Waterfront Mixed Use (WMU) Development Standards – affordable housing incentive

See discussion above for 10.24.050(3).

10.40.040 Waterfront recreational/residential overlay (RRO).

This is another example of a place in the code where we still have a story based height standard. Please note that 10.46.050 limits building height in this overlay to 60ft which is consistent with other zones or overlays that prior to the 2019 update had a height limit of “4 stories or 60ft”. Removing this height limit also limits potential confusion as height limits are typically found in 10.46 rather than a section or chapter for a zone or overlay.

10.40.070(2) Mixed Residential Corridor (MRC) building height exception

This is another example of a place in the code where we still have a story based height standard. In this case an extra story would be granted if structured parking was utilized. It appears that this would have only been applicable where the underlying zoning district was RH as it was the only residential district with a story based height standard (4 stories up to 60 feet). Now that all districts just have distance based height standard, granting a bonus story does not have much meaning. Staff recommends removal of this provision.

10.42.060 Planned Developments Criteria and Requirements

In this section, staff is proposing that certain subsections be readopted that were erroneously repealed with the adoption of the scrivener's error ordinance ([Ordinance 2020-07](#)) that was adopted in February. When the housing code update was adopted, certain errors were made in the formatting of codes for the ordinance, specifically relating to how tracked changes were handled resulting in sections that were intended for removal that were not indicated for removal in the ordinance. After adoption, when staff compiled a list of errors that needed to be fixed, somehow staff made another error in indicating that all of 10.42.060 should be repealed. The proposed amendment, returns this section to what the Planning Commission recommended for approval on October 16, 2019.

10.46.020 Residential Development Chart

The proposed amendments to this section relate to multiple objectives and projects which are discussed separately below:

- Proposed amendments to the standards for Residential Foothills Low (RF) – see the separate memo provided on this topic.
- Lot width at point of access – After adoption of the housing code update, staff realized that the code no longer had a minimum width at street frontage standard as existed in the former code. The amendments in this table seek to reinstate the standards that existed prior. The two departures are the framework and terminology as well as the standard for the Residential Foothills Low (RF) zoning district. The terminology has been changed to reflect the range of access options we permit in the subdivision process which don't always include street frontage (see WCC11.20.050(1)). The change to Residential Foothills Low is because, while the former code did not include a minimum lot width at street frontage for RF, staff can't think of a reason why and feel having a standard is in the City's best interest.

10.46.030 Mixed use development chart

See discussion above about lot width at point of access.

10.46.040 Nonresidential Development Chart

- Regarding the proposed amendment to the title of this section: There is some inconsistency in our code in how we refer to this grouping of zoning districts. The district use chart uses the term “commercial district”. Staff suggests this is a better term to use than “nonresidential” since certain residential uses are permitted in all districts except Industrial and subject to certain standards.
- Regarding lot width at point of access: see discussion above for 10.46.020.

10.46.050 Overlay development chart.

- Lot width at point of access: see discussion above for this topic on 10.46.020.
- MRC: Staff thought that it would make more sense for the lot dimension standards in this overlay to match the underlying zoning district.

10.46.070 Minimum lot width and depth calculations.

- Subsection (3) – This proposed text is the explanation of how to measure lot width at point of access, which we are proposing be re-added to the development standards chart.

10.46.080 Setback measurements and exceptions.

- Subsection (2)(a)(ii) – This code amendment provides a clearer and more appropriate determination of which frontage on a corner lot has the street setback vs the street side setback.
- Subsection (2)(c)(ii) – The current wording has a lot of potential for confusion or conflict with other related codes. Staff believes the proposed amendments clears things up.
- Subsection (2)(c)(iii) – The current code would allow a lot in RS, RL, or RF that is part of a cluster subdivision or served by a private lane to have a 10ft front yard setback if the garage is behind the front of the house. That is not the kind of streetscape that is intended in those zones. It seems the best solution is simply to delete this passage.
- Subsection (2)(d) – This is another situation where we are replacing the term “non-residential” with “commercial” for consistency and some additional clarity.
- Subsection (2)(d)(ii)(A) – This is another bad code reference that was not caught in the housing code update. Staff believe the proposed amendment is the correct reference.
- Subsection (3)(g) – The code prior to the housing code update allowed an owner of a corner lot to choose which property line was the side or rear among the two not fronting on a street. This code amendment would reinstate this provision.

10.47 Residential Use Standards

10.47.015 Applicability

- Staff is proposing the addition of this section to help clarify how the standards apply to both new construction and conversions.

10.47.150 Multifamily development.

- Subsection (2)(d)(i) – The language in the current code is strange and a little confusing. The proposed amendments should clear things up. The intent is that pedestrian paths are provided for shared entrances and exterior primary entrances but not ground floor patios if the primary entrance is in a different location.
- Subsection (2)(g)(iii) – These are grammatical and housekeeping edits.
- Subsection (2)(j) – This change is proposed because if standards are adopted for residential shared general storage is adopted, it makes more sense to cite that section than use a separate framework.

10.48 General Regulations

10.48.320 Residential Shared General Storage

Staff is proposing a new land use and a set of associated standards that would allow housing developments to designate an area for shared storage. This framework would provide for screening of the stored items of residents of the development. Items may include RVs, boats, ATVs, etc. Shared storage areas are already allowed for multi-family developments. Staff is proposing the extension of an option to all residential developments along with

and improved set of standards for screening and possibly design of any buildings. Subsection (4) is provided for discussion purposes. It seems like standards should be considered for exterior building materials or architectural standards in order to ensure compatibility with the neighborhood. However, many of those standards could be cost prohibitive or otherwise prevent this option from being used which is why it is being proposed for discussion purposes.

10.48.130 Fences and clear view triangle.

Subsection (1) –

- Addition of the word “high”: It was brought to staff’s attention that height was not explicitly stated in this subsection. While it is clearly implied, staff thought it would be good to go ahead and specify the purpose of the dimensional standards.
- Amendments clarifying fence height standards outside setbacks: Staff recommends making amendments to more clearly state that fences can be no higher than 6ft whether within or outside of a setback.

Chapter 10.08 Definitions

10.08.095 "L."

"Lot, corner" means a lot ~~located at the intersection of two or more public or private streets~~ with two or more street frontages that are roughly perpendicular to each other.

10.08.125 "R."

"Residential shared general storage" means an area shared by two or more dwelling units for the storage of personal property and recreational vehicles. Residential shared general storage areas are subject to WCC10.48.320.

Chapter 10.10 District Use Chart

10.10.020 District use chart.

District Use Chart

P = Permitted use P ₁₊ = Permitted, not to occupy grade level commercial street frontage AU = Accessory use C = Conditional use C ₁₊ = Permitted Conditional use, not to occupy grade level commercial street frontage ~ = Prohibited use M = Permitted use in a corridor mixed use project within the MRC overlay																			
Uses	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
Commercial, Retail																			
Furniture, home furnishings, and appliances	P	P	P	P	P	P	~	~	~	~	~	~	~	P	P	~	P	P	P ₁₊
General retail	P	P	P	P	~	P	~	~	~	~	~	~	~	P	P	~	~	P	P ₁₊
Neighborhood grocery	P	P	P	P	P	P	~	P	~	~	~	~	~	P	P	M	~	P	P ₁₊
Printing, commercial	P	P	P	~	~	P	P	~	~	~	~	~	~	P	P	~	~	P ₁₊	~

District Use Chart

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Uses	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
Commercial, Service																			
Drinking establishments	P	P	P	~	~	P	~	~	~	~	~	~	~	P	P	~	~	P	P ₁₊
Laundromats	P	P	P	P	~	P	P	C	~	~	~	~	~	P	P	M	~	~	P ₁₊
Radio/TV studios	P	P	P	~	P	P	P	~	~	~	~	~	~	P	P	~	~	P ₁₊	~
Restaurants, without drive-in or drive-through	P	P	P	P	~	P	P	C	~	~	~	~	~	P	P	M	~	P	P ₁₊
Service and repair, nonmotorized	P	P	P	P	P	P	P	C	~	~	~	~	~	P	P	~	P	P ₁₊	P ₁₊
Industrial																			
Mini-storage	P ₁₊	P ₈	P ₈	P ₁₊	P	AU	P	~	~	~	~	~	~	~	P	~	~	~	~
Wholesale products incidental to retail business	P	P	P	~	P	P	~	~	~	~	~	~	~	P	P	~	P	P ₁₊	~
Medical																			
Clinic	P	P	P	P	~	P	C	C	~	~	~	~	~	P	P	C	~	P ₁₊	~
Medical office	P	P	P	P	~	P	P	P	~	~	~	~	~	P	P	M	~	P ₁₊	~

District Use Chart

P = Permitted use P ₁₊ = Permitted, not to occupy grade level commercial street frontage AU = Accessory use C = Conditional use C ₁₊ = Permitted Conditional use, not to occupy grade level commercial street frontage ~ = Prohibited use M = Permitted use in a corridor mixed use project within the MRC overlay																			
Uses	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
Supervised living facilities	~	~	~	~	~	C	C	C	~	C	C	C	C	~	~	C	~	C ₁₊	C
Veterinary offices/clinics	P	P	P	P	~	P	C	C	~	~	~	~	~	~	P	~	~	P ₁₊	~
Office																			
Business offices	P	P	P	P	AU	P	P	P	~	~	~	~	~	P	P	M	~	P	P ₁₊
Public Assembly																			
Child day care centers	C	C	C	C	AU	C	C	C	~	C	C	C	C	C	C	C	AU	C ₁₊	C ₁₊
Humanitarian service and shelter facilities	C	C	C	C	C	C	C	C	~	~	~	~	C	C	C	C	~	C ₁₊	C
Night club	C	C	C	~	~	C	~	~	~	~	~	~	~	C	C	~	~	C	C ₁₊
Institution of higher education	C	C	C	~	C	~	C	C	~	C	C	C	C	C ₁₊	C	C	~	~	~
Recreation																			
Residential																			
Accessory dwelling unit (ADU) (WCC 10.47.040)	P₁₃	P₁₃	P₁₃	P₁₃	~	~	P	P	P	P	P	P	P	~	~	P	~	~	~
Group home (seven or more)	P ₁₊	P ₁₊	P ₁₊	P ₁₊	~	C	C	C	C	C	C	C	P	P ₁₊	P ₁₊	C	C	C	C

District Use Chart

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Uses	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	
Home occupation (WCC 10.48.100)	~	~	~	~	~	~	P	P	CP	CP	CP	P	P	~	~	P	~	~	P	
Modular home (WCC 10.48.150)	~	~	~	~	~	~	P	P	P	P	P	P	P	~	~	P	~	~	~	
Other Uses																				
Parking facility	P	P	P	C	P	C	C	C	~	~	~	~	C	P	P	~	P	C ₁₊	C ₁₊	
Residential Shared General Storage	~	~	~	~	~	~	~	AU	AU	AU	AU	AU	AU	~	~	AU	~	~	~	
Satellite dishes, commercial	P ₁₊	P ₁₊	P ₁₊	~	P	C	C	C	C	C	C	C	C	P ₁₊	P	~	P	C ₁₊	C ₁₊	

¹³Only permitted as an accessory use to a single family dwelling in existence as of November 7, 2019.

Chapter 10.24 Central Business District (CBD)

10.24.050 Development standards.

Development in this district shall meet all of the applicable provisions of this title and all other rules, regulations and provisions of the WCC, and shall comply with the provisions below. Also, most residential

developments, including mixed use development that features at least one dwelling unit, are subject to conformance with applicable sections of the Residential Design Guidelines.

~~(3) Housing Incentive. Any development that provides at least four dwelling units for families at or below 80 percent of the median income for Chelan County can add one story to the project. Dwelling units shall be provided for a minimum of 10 years for owner-occupied units, or 20 years for rental units.~~

Chapter 10.32 Waterfront Mixed Use (WMU)

10.32.050 Development standards.

Development in this district shall meet all of the applicable provisions of this title and all other rules, regulations and provisions of the WCC, including the provisions below. Also, most residential developments, including mixed use development that features at least one dwelling unit, are subject to conformance with applicable sections of the Residential Design Guidelines.

~~(1) Housing Incentive. Any development that provides at least two dwelling units for families at or below 80 percent of the median income for Chelan County may add one story to their project. Dwelling units shall be provided for a minimum of 10 years for owner-occupied units, or 20 years for rental units. This incentive must adhere to the 90-foot height restriction.~~

Chapter 10.40 Overlay Districts and Standards

10.40.040 Waterfront recreational/residential overlay (RRO).

This designation applies to those areas along the waterfront where the community encourages both residential and recreational uses. Office and small-scale retail uses are permitted on the ground and second floors as long as residential or recreational uses are the dominant uses of the site. ~~Permitted building heights extend up to four stories.~~ Development standards are again important, particularly to maintain a high quality of development and to enhance pedestrian access.

10.40.070 Mixed residential corridor (MRC).

Arterial corridors provide opportunities for infill, redevelopment and neighborhood services and serve as areas of higher density residential units which provide open space and multimodal facilities. The mixed residential corridor (MRC) is designated along arterial streets with high traffic volumes, multifamily units, public buildings and/or other nonresidential land uses. It is suitable for a range of residential, mixed use and nonresidential structures.

This section is applicable to properties within the MRC overlay as designated on the official zoning map that have street frontage and is only applicable to that portion of the property that is within 200 feet of the

identified arterial street frontage. Properties, or the portion thereof, that are farther than 200 feet from the identified public right-of-way shall go through the conditional use process before the MRC overlay may apply.

All permitted, accessory, conditional and prohibited uses within this overlay shall be as shown in Chapter [10.10](#) WCC, District Use Chart.

Development in this overlay shall meet all of the applicable provisions of this title and all other rules, regulations and provisions of the WCC, and in addition shall comply with the following:

~~(2) Maximum height limits may be increased by one additional story, no more than 14 feet high, when parking is included as a story or is below grade; provided, that at a minimum, the additional story is "stepped back" at least six feet from the preceding floor to allow for larger buildings to appear in scale with surrounding smaller buildings and dwellings.~~

Chapter 10.42 Planned Developments

10.42.060 Criteria and requirements.

(1) All planned developments, in addition to other requirements of the WCC and this title, shall meet the following criteria and requirements:

(a) The proposal shall conform with the Wenatchee urban area comprehensive plan, including any applicable subarea plans;

(b) The proposal will be harmonious with the surrounding area or its potential future use; and

(c) The proposal will be superior to or more innovative than conventional development and will provide greater public benefit than required under adopted zoning standards.

(2) Subdivision Requirements. A planned development shall abide by the procedures established in WCC Title 11, Subdivisions. If the land or structures within a proposed planned development are intended to be sold to more than one person, firm, or corporation, or are to include the dedication of land for the installation of improvements regulated by WCC Title 11, Subdivisions, then the proposed planned development shall be subject to the binding site plan, short or major subdivision proceedings, in addition to the requirements of this chapter.

(3) General Requirements.

(a) The developer shall bear the responsibility of achieving a compatible visual effect as seen from neighboring properties. Compatible includes, but is not limited to, size, shape, scale, mass, architectural design, screening, landscaping and separation sufficient to protect the interests of the surrounding properties, the neighborhood and the city as a whole;

(b) Planned development projects shall be complete developments and may be required to include facilities such as paved streets, curbs, sidewalks, street lights, drainage, open space, recreational improvements, sanitary sewers, underground power and telephone lines, landscaping and off-street parking in excess of underlying zoning district requirements;

(c) The applicant shall use a design/development team that at a minimum consists of a licensed architect, engineer, and landscape architect for the design and construction phases of the project;

(d) Roads, if privately owned and maintained, shall conform to the same construction standards as public streets of the same class;

(e) No planned development shall be approved that will exceed the reserve capacity of any public facility or service or that will cause the level of service to fall below the levels established in the comprehensive plan;

(f) All public facilities and services must be available concurrently with the demand for such facilities as defined by the comprehensive plan;

(g) The applicant shall furnish the city with a performance bond or other acceptable surety guaranteeing installation of required public improvements prior to final approval of any civil infrastructure plans and/or prior to the issuance of a building permit, whichever occurs first; and

(h) Planned development projects shall begin construction within three years of approval. If after three years no development permits or approvals have been issued for the approved planned development, the planned development overlay created for the project shall be nullified and the original zoning classification returned to the land therein. In the case of phased development, the timetable for development must be submitted with the application materials and conditioned upon the approval of the development. Prior to the expiration of the three-year period, the applicant may request a one-time, one-year extension, which will be reviewed based on the following criteria:

(i) Any change in the zoning designation for the subject property and/or surrounding properties;

(ii) Any change in the comprehensive plan land use designation and/or policies relating to the subject property and/or surrounding properties; or

(iii) Any change in surrounding uses or other circumstances that may affect the compatibility of the previously approved project and its current surrounding uses. (Ord. 2013-41 § 1 (Exh. B); Ord. 2010-03 § 1 (Exh. A); Ord. 2007-34 § 2 (Exh. A))

Chapter 10.46 Development Standards Chart

10.46.020 Residential district development chart.

(1) General Dimensional Standards. See WCC [10.46.060](#) through [10.46.110](#) for measurement methods and Chapter [10.47](#) WCC for more specific standards with respect to specific residence types. Where these standards conflict with Chapter [10.47](#) WCC, the city shall determine which requirement applies. Note that the column indicating conditions/exceptions/references is not all-inclusive. There may be other conditions in WCC.

Standard	RS	RL	RM	RH	RF	Conditions/ Exceptions/ Reference
Minimum Lot Dimensions						
Lot Area	7,250 except 10,000 sf for a duplex	5,500 sf, except 8,000 sf for a duplex	3,000 sf, except 4,500 sf for a duplex	3,000 sf, except 4,000 sf for a duplex	20 10,000 sf <u>except</u> <u>15,000 for</u> <u>a duplex</u>	WCC 10.46.060
Cluster subdivision lot	4,000 sf	3,000 sf	N/A	N/A	N/A <u>7,250</u> sf	WCC 10.47.060
Lot Width	70 feet	50 feet	30 feet	30 feet	100 feet	WCC 10.46.070
Lot width alley access	50 feet	30 feet	25 feet	25 feet	100 feet	
<u>Lot width at point of access</u>	<u>20 feet</u>	<u>20 feet</u>	<u>20 feet</u>	<u>20 feet</u>	<u>20 feet</u>	<u>WCC 10.46.070(3)</u>

Standard	RS	RL	RM	RH	RF	Conditions/ Exceptions/ Reference
Cluster subdivision lot	50 feet	30 feet	N/A	N/A	N/A 70 feet	WCC 10.47.060
Lot Depth	100 feet	80 feet	65 feet	60 feet	150-100 feet	WCC 10.46.070
Cluster subdivision lot	80 feet	60 feet	N/A	N/A	N/A 100 feet	WCC 10.47.060
Setback Standards (WCC 10.46.080)						
Street – Minimum	20 feet ^{(X)(Y)}	20 feet ^{(X)(Y)}	15 feet	10 feet	25 feet	WCC 10.46.080 (2) ^(X) 15 feet from private lanes ^(Y) 15 feet for cluster subdivisions
Street side – Minimum	10 feet	10 feet	10 feet	10 feet	20 feet	WCC 10.46.080 (2)(a)(ii)
Street – Minimum, individual garage, carport	20 feet				25 feet	WCC 10.46.080 (2)(b)
Street – Maximum	N/A	N/A	N/A	N/A	300 feet	WCC 10.46.080(2)
Rear – Minimum	20 feet	20 feet	15 feet ^(X)	10 feet ^{(Y)(Z)}	45-20 feet	WCC 10.46.080 (3) ^(X) 10 feet if adjacent to an alley ^(Y) 15 feet for ground related dwelling units ^(Z) WCC 10.46.090 (2)(c)

Standard	RS	RL	RM	RH	RF	Conditions/ Exceptions/ Reference
Side – Minimum	5 feet	5 feet	5 feet	6 feet	10 feet	WCC 10.46.080 (4)
Internal – Minimum	10 feet	10 feet	10 feet	10 feet	N/A	WCC 10.46.080 (5)
Building and Density Standards						
Maximum Building Height	30 feet	30 feet	35 feet	60 feet ^{(x)(y)}	30 feet	WCC 10.46.090 (x) WCC 10.46.090 (2)(b) (y) WCC 10.46.090 (2)(c)
Maximum Lot Coverage	40%	45%	55%	55%	20 35%	WCC 10.46.100
Duplexes, townhouses and multifamily	50%	55%	55%	55% ^(x)	N/A	(x) WCC 10.46.100 (2)(a)
Cluster lots	55%	55%	N/A	N/A	N/A 45%	
Maximum Density	6 dwelling units per acre	8 dwelling units per acre	20 dwelling units per acre	40 dwelling units per acre	1 4 dwelling units per lot acre	WCC 10.46.110

(Ord. 2019-35 § 5; Ord. 2016-22 § 1 (Exh. B); Ord. 2010-25 § 4; Ord. 2010-03 § 1 (Exh. A); Ord. 2007-34 § 2 (Exh. A))

10.46.030 Mixed use district development chart.

(1) General Dimensional Standards.

Standard	OMU	WMU	RMU	Conditions/ Exceptions/ Reference
Minimum Lot Dimensions				

Standard	OMU	WMU	RMU	Conditions/ Exceptions/ Reference
Minimum lot area	3,000 sf	None	5,000 sf	WCC 10.46.060
Lot width	40 feet	None	40 feet	WCC 10.46.070
Lot with alley access	30 feet	None	30 feet	
<u>Lot width at point of access</u>	<u>20 feet</u>	<u>None</u>	<u>20 Feet</u>	<u>WCC10.46.070(3)</u>
Lot depth	80 feet	None	80 feet	WCC 10.46.070
Minimum Setbacks (WCC 10.46.080)				
Street	10 feet	None	10 feet, except 25 feet for frontage on Orondo Ave.	WCC 10.46.080 (2)
Street, individual garage, carport	20 feet	20 feet	20 feet	WCC 10.46.080 (2) and 10.46.080 (2)(b)
Rear	10 feet ^(x)	None ^(x)	10 feet ^(x)	WCC 10.46.080 (3) and 10.46.080 (3)(f) ^(x) WCC 10.46.090 (2)(c)
Side	5 feet ^{(x)(y)}	None ^(y)	5 feet ^(y)	WCC 10.46.080 (4) ^(x) WCC 10.46.080 (4)(d) ^(y) WCC 10.46.090 (2)(c)
Building and Density Standards				
Maximum building height	60 feet ^(y)	90 feet ^{(x)(y)}	60 feet ^(y)	WCC 10.46.090 ^(x) 60 feet between First and Kittitas Streets ^(y) WCC 10.46.090 (2)(c)
Maximum lot coverage	50% ^(x)	100%	35% ^(x)	WCC 10.46.100 ^(x) WCC 10.46.100 (2)

(Ord. 2019-35 § 5; Ord. 2016-22 § 1 (Exh. B); Ord. 2010-03 § 1 (Exh. A); Ord. 2007-34 § 2 (Exh. A))

10.46.040 ~~Nonresidential~~Commercial district development chart.

(1) General Dimensional Standards.

Standard	CN	CBD	NWBD and SWBD	I	Conditions/ Exceptions/ Reference
Minimum Lot Dimensions					
Lot area	10,000 sf	None	None	None	WCC 10.46.060
Lot width	60 feet	None	None	40 feet	WCC 10.46.070
Lot with alley access	40 feet	None	None	40 feet	
<u>Lot width at point of access</u>	<u>20 feet</u>	<u>None</u>	<u>None</u>	<u>None</u>	<u>WCC10.46.070(3)</u>
Lot depth	100 feet	None	80 feet	80 feet	
Setback Standards (WCC 10.46.080)					
Street – Minimum	0 – 10 feet ^(x)	0 – 10 feet ^(x)	0 – 10 feet ^(x)	0 feet	WCC 10.46.080 (2) ^(x) WCC 10.46.080 (2)(d)
Front Street – Maximum	15 feet for ground-level nonresidential uses	None	15 feet for ground-level nonresidential uses	None	
Minimum sidewalk widths	10 feet	12 feet	10 feet	None	WCC 10.46.080 (2)(d)(i)
Street – Minimum, individual garage, carport	20 feet	None	20 feet	None	WCC 10.46.080 (2)(b) and (2)(d)

Standard	CN	CBD	NWBD and SWBD	I	Conditions/ Exceptions/ Reference
Rear – Minimum	0 feet ^(x)	0 feet ^(y)	0 feet ^{(x)(y)}	0 feet ^(y)	WCC 10.46.080 (3) ^(x) WCC 10.46.080 (3)(f) ^(y) WCC 10.46.090 (2)(c)
Side – Minimum	5 feet	0 feet ^{(x)(y)}	0 feet ^{(x)(y)}	0 feet ^{(x)(y)}	WCC 10.46.080 (4) ^(x) WCC 10.46.080 (4)(e) and (f)
Building Standards					
Maximum building height	35 feet	90 feet ^(x)	90 feet ^(x)	90 feet ^(x)	WCC 10.46.090 ^(x) WCC 10.46.090 (2)(c)
Maximum lot coverage	50% ^(x)	100%	100%	70%	WCC 10.46.100 ^(x) WCC 10.46.100 (2)

(Ord. 2019-35 § 5; Ord. 2016-22 § 1 (Exh. B); Ord. 2014-10 § 1 (Exh. B); Ord. 2010-03 § 1 (Exh. A); Ord. 2007-34 § 2 (Exh. A))

10.46.050 Overlay district development chart.

(1) General Dimensional Standards. If additional development standards apply, they are listed in Chapter [10.40](#) WCC.

Standard	MRC	WMU-RRO	WMU-PO	Conditions/ Exceptions/ Reference
Minimum Lot Dimensions				
Lot Area	Same as underlying zoning district	Same as underlying zoning district	Same as underlying zoning district	WCC 10.46.060
Lot Width	None Same as underlying zoning district	None	None	WCC 10.46.070

Standard	MRC	WMU-RRO	WMU-PO	Conditions/ Exceptions/ Reference
<u>Lot width at point of access</u>	<u>Same as underlying zoning district</u>	<u>Same as underlying zoning district</u>	<u>Same as underlying zoning district</u>	
Lot Depth	None <u>Same as underlying zoning district</u>	None	None	WCC 10.46.070
Setbacks (WCC 10.46.080)				
Street	15 feet	Same as underlying zoning district	Same as underlying zoning district	WCC 10.46.080 (2)
Rear	10 feet	Same as underlying zoning district	Same as underlying zoning district	WCC 10.46.080 (3)
Side	5 feet	Same as underlying zoning district	Same as underlying zoning district	WCC 10.46.080 (4)
Building Standards				
Maximum Building Height	Same as underlying zoning district ^(x)	60 feet	90 feet ^(y)	WCC 10.46.090 ^(x) WCC 10.46.090 (2)(c) ^(y) 60 feet between First and Kittitas Streets
Maximum Lot Coverage	55%	Same as underlying zoning district	Same as underlying zoning district	WCC 10.46.100

(2) Grandview Historic District Overlay. Standards applicable to the setbacks of primary structures in the Grandview historic district overlay as detailed in the Grandview Historic District Preservation Handbook, adopted by reference pursuant to WCC [10.40.060](#), supersede those development standards of the underlying zoning district. Accessory structures shall comply with the underlying zoning district standards.

(Ord. 2019-35 § 5; Ord. 2016-22 § 1 (Exh. B); Ord. 2013-09 § 3; Ord. 2010-03 § 1 (Exh. A); Ord. 2007-34 § 2 (Exh. A))

10.46.070 Minimum lot width and depth calculations.

(2) For non-rectangular-shaped lots, the minimum lot width circle applies to help ensure that there is a minimum buildable area included in each lot created consistent with the intent for each zoning district.

(a) The minimum lot width circle establishes that at least some portion of a lot shall be at least as wide as the minimum lot width. The lot width circle shall not include streams, wetlands, or their associated buffers as designated in Chapter [12.08](#) WCC.

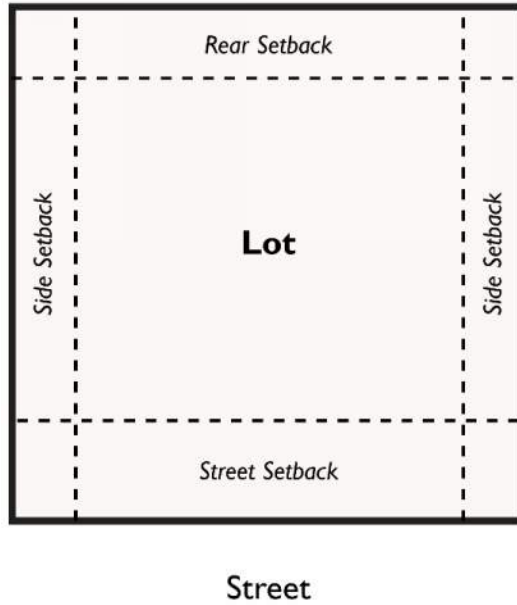
(3) Lot width at point of vehicular access

(a) The lot width at point of vehicular access is the horizontal linear distance a lot, or a portion of a lot, adjoins a public or private street or easement and is used to comply with WCC11.20.050(1).

10.46.080 Setback measurements and exceptions.

The development charts in this chapter provide minimum standards for street, side, rear, and interior setbacks. Figure 10.46.080 shows the location of some setback types on a typical lot. Clarification on how these setbacks are measured is provided in subsections (1) through (9) of this section.

Figure 10.46.080



Setback types.

(1) Measurement. All setbacks shall be measured at right angles, or as near to right angles as possible, to the nearest property line (unless where otherwise noted) in a plane horizontal to the ground. Setback directions and exceptions shall be determined as provided in subsections (2) through (59) of this section.

(2) Street Setbacks. The street setback is measured from the street right-of-way unless otherwise noted.

(a) Street Setback Clarifications/Exceptions in All Applicable Zones.

(ii) For corner lots in residential zones, the street setback is measured from the street right-of-way that ~~includes is~~ the property's ~~street address and primary vehicle access driveway~~. The other lot frontage is referred to as the street side setback.

(c) Street Setback Clarifications/Exceptions in Residential Zones.

(ii) ~~In all residential districts except the RH zone, setbacks on corner lots may be reduced to a minimum of 10 feet from the street right of way on the one side without a front entrance. In this case, in situations where the "Street Side – Minimum" setback applies, subsections (2)(a)(ii), (2)(a)(iii), and (2)(c)(iii) of this section are not applicable.~~

~~(iii) When the garage in the RF, RS or RL district is oriented to the side or located at or behind the required street setback, the front of the residence may extend five feet into the front setback.~~

(iii~~v~~) Upper floor decks constructed over driveways may project a maximum of eight feet into the required street setback in the RF, RS, and RL zones and up to three feet in the RM zone, provided such projections remain unenclosed, except for required guard rails.

(d) Street Setback Clarifications in Mixed Use and ~~Nonresidential-Commercial~~ Zones.

(3) Rear Setbacks.

(g) Only one rear setback is required. On corner lots that are generally rectangular in shape, an applicant may choose between the two property lines that are not adjacent to a street as to which will be used to measure the rear and side setbacks provided all existing and proposed structures comply with the applicable setback standards.

Chapter 10.47 Residential Use Standards

10.47.015 Applicability

The standards described in this chapter apply to the establishment of the applicable housing types, except as otherwise noted in this Chapter or in any cited codes or documents. Applicability includes the following situations:

- New construction
- The conversion of existing structure(s) to a particular housing type. When existing structure(s) are converted to housing, regardless of whether they contain housing units already, the applicant shall demonstrate compliance with the standards that apply to the proposed housing type(s).

10.47.150 Multifamily development.

All multifamily dwellings, as defined in WCC [10.08.055](#), and where allowed by Chapter [10.10](#) WCC, District Use Chart, are subject to compliance with the Residential Design Guidelines and shall meet the following standards unless otherwise regulated within this code. Exception: Courtyard housing (see WCC [10.47.120](#)) and townhouses (see WCC [10.47.130](#)) are exempt from the standards herein.

(2) Standards.

(d) Site Design and Orientation. Dwellings within a multifamily housing development shall be oriented to provide both access and privacy for the residents.

(i) Clear and obvious pedestrian access and visual access between the sidewalk (or the street if there is no sidewalk) and ~~the any shared multifamily entrance(s) or unit exterior primary entrances (if applicable)~~ are required for new multifamily dwellings.

(g) Access, Parking, and Garages.

(iii) Parking areas shall be located to the side or rear of multifamily units (not between the multifamily building and the street front unless no other configuration is feasible, as determined by the ~~cityDirector~~). Landscaping in ~~the~~ form of hedges or architectural barriers is required to screen surface parking lots for neighboring properties and common open spaces.

(j) General Storage. Storage of personal property and materials, ~~of residents as well as managers and owners of a development, shall be located outside of required street setback areas, and it shall be entirely within an enclosed building or screened from view of the surrounding properties with a sight obscuring fence and landscaping shall comply with WCC10.48.320.~~

Chapter 10.48 General Regulations

10.48.320 Residential Shared General Storage

Residential developments with more than one housing unit may designate an area for the common storage of personal property and recreational vehicles and shall meet the following standards:

- (1) The use of the storage area shall exclusively be available to residents, managers, and owners of the development.
- (2) The storage area shall be located outside of required street setback areas.
- (3) The storage area shall be either
 - a. Entirely within an enclosed building; or
 - b. 100% screened from view of the surrounding properties with a sight obscuring fence and landscaping per 10.62 WCC.
- (4) Any structure(s) used for storage shall comply with WRDG Section E.6 as it would apply if the structure were a housing unit.

10.48.130 Fences and clear view triangle.

All fences where allowed by this title shall meet the following standards unless otherwise regulated within this code:

(1) Residential and mixed use zoning district fences ~~in a required setback~~ shall not exceed the following standards:

(a) Street setback: four ~~fooeet~~ high solid fence. Or six feet high when the fence material is less than 50 percent view-obstructing, such as chain-link, lattice space picket or rail fences.

(b) Side setback: six feet high.

(c) Rear setback: six feet high.

(d) Fences outside of required setbacks shall not exceed 6 feet in height.



**City of
Wenatchee**

**DEPARTMENT OF
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Memorandum

To: City of Wenatchee Planning Commission
From: Community Development Staff
Date: June 10, 2020
Subject: Residential Foothills Low Zoning Code Text Revision

In 2019, the Planning Commission was presented revisions to the Comprehensive Plan land use map and Zoning Map for the western foothills to expand the Residential Foothills Low designation. After reviewing the matter, receiving multiple public comments for and against the proposal, the planning commission held a public hearing. The results of the hearing were that the Planning Commission did not recommend approval of the map change to the City Council rather recommended that the matter be retained by the Planning Commission for further study and review. At their December 2019 public hearing, the City Council rejected the planning commission recommendation and approved the map revisions with the caveat that the Planning Commission review the matter and staff return and report progress in August 2020.

Following the City Council adoption, Mr. Scott Davenport filed a timely appeal of the ordinance to the Washington State Growth Management Hearings Board. The City and Mr. Davenport held a pre-trial briefing with the GMHB panel at which they highly recommended the two parties enter into settlement discussions. During this discussion, the two parties came to an agreement that city staff would present a series of revisions to the zoning district to the planning commission and Mr. Davenport would withdraw his appeal.

The attached draft revisions are an effort to review a variety of concerns with the RF zone including density, lot size, development standards such as setbacks and lot coverage, and allowed housing types and development patterns.

Please read through the draft revisions and come prepared to discuss with the planning commission and staff. This will be the first of two workshops on this item before staff will report to the City Council as requested.

Overview of Draft Code revisions:

Revisions to Section 10.10.020 District Use Chart:

The proposed revision includes the addition of duplexes, patio homes and single-family clustered lots as development options in the RF zone. The addition of these housing types will provide flexibility to property owners to develop the property with a variety of housing types. The addition of clustering as an option would allow the property to identify and set aside a certain amount of open space that could be used as a fire break, for the retention and preservation of open space and recreational trails.

Revisions to Chapter 10.11 Residential Foothills Low (RF) District:

This code section includes several changes, including:

- The proposed revisions add attached dwellings as an appropriate housing type in the purpose statement section which is mirrored in the revisions in the district use chart in Section 10.10.020.
- Revisions to the development standards:

Current Standard	Reason for change
(4) All property within an identified geohazard area shall require a geotechnical report.	This section is proposed to be deleted as development occurring in a geologically hazardous area is already regulated by Chapter 12.08 Critical Areas and is duplicative in nature.
(5) Driveways shall be improved with a durable dustless surface of asphalt, concrete, or equivalent and shall not exceed 12 percent slope.	This section is proposed to be deleted as driveways, access, and slope are reviewed by the Public Works department for compliance with adopted street and driveway standards.
(6) All storm water shall be retained on site unless a public storm water collection system is available for discharge.	This section is proposed to be deleted as the Public Works Department reviews all new development for compliance with adopted stormwater guidelines and regulations.
(7) Turnarounds shall be required in accordance with the locally adopted fire code.	This section is proposed to be deleted as the fire code official administers the fire code relative to access and emergency vehicle access. This section is duplicative of the adopted fire code.
(9) The following standards shall apply to any property adjacent to undeveloped land: <div style="margin-left: 40px;"> (a) All roofs shall use Class A roofing material as defined in the locally adopted International Building Code. Existing roofs shall meet Class A standards when 50 percent or more is to be repaired/replaced. (b) Attic ventilation openings, foundation or underfloor vents, or other ventilation openings in vertical </div>	This section is proposed to be deleted as the City has adopted Wildland Urban Interface standards in Section WCC 3.36 which is also administered by the Fire Code Official. These requirements are duplicative and unnecessary.

exterior walls and vents shall be covered with noncombustible corrosion-resistant mesh with openings not to exceed one-fourth inch, or shall be designed and approved to prevent flame or ember penetration into the structure.

(c) Structures should have all underfloor areas enclosed to the ground with exterior walls; if any floor area is unenclosed, the underfloor/underside shall consist of a one-hour fire-resistant construction rating.

(d) Siding shall consist of ignition-resistant construction materials. Siding on existing structures must be replaced with ignition-resistant materials when 50 percent or more is to be repaired/replaced.

(e) Defensible space with a minimum distance of 30 feet shall be maintained around any structure. Defensible space consists of an area, either natural or manmade, where material capable of allowing a fire to spread unchecked has been treated, cleared or modified to slow the rate and intensity of an advancing wildfire and to create an area for fire suppression operations

to occur. (Ord. 2019-35 § 9; Ord. 2010-25 § 2)	
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Revisions to 10.46.020 Residential development chart

Current Standard	Proposed Revision
Lot Area	Proposed to change to 10,000 square feet for a conventional lot and 15,000 sf for a duplex lot. The overall density or lots per acre would still need to be met.
Cluster subdivision lot area	The purpose of clustering is to provide the opportunity for smaller lots in the development and then set aside the acreage difference into an open space area. The allowance for a smaller lot allows this option to occur.
Lot width at point of access	This change is occurring in conjunction with the other district changes to include a minimum frontage/point of access requirement.
Cluster subdivision lot width	Revisions necessary to allow for the development of the smaller clustered lots.
Lot Depth	Revision necessary to allow for the 10,000 sf lots proposed for the district.
Cluster subdivision lot depth	Revisions necessary to allow for the development of the smaller clustered lots.
Street maximum setback	This section is unnecessary and is an extreme standard to meet and is therefore proposed to be removed.
Rear Setback - minimum	The rear setback is proposed to be changed to align more with the other districts while at the same time reflecting the larger lot size and intent of the RF zone.
Maximum lot coverage	The maximum lot coverage is proposed to be increased to align more with the other districts while at the same time reflecting the larger lot size and intent of the RF zone.
Lot coverage – cluster lots	The maximum lot coverage for clustered lots is added to account for the smaller lot size intended with clustering and the ability to site a home on the property while at the same time reflecting the intent of the RF zone to

	maintain views of the mountains and foothills.
Maximum Density	This section is proposed to change from 1 dwelling unit per lot to 4 dwelling units per acre. This density is reflected in the 10,000 sf minimum lot size. This standard could not be violated if the property owner decided to utilize clustering or develop duplex or patio homes.

DRAFT Code Revisions relating to the Residential Foothills Low Designation

10.10.020 District use chart.

Uses	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
Commercial, Retail																			
Single-family cluster (WCC 10.47.060)	~	~	~	~	~	~	~	~	~P	P	P	~	~	~	~	~	~	~	~
Duplex (WCC 10.47.100)	~	P ₁₀	P ₁₀	P ₁₀	~	~	P	P	~P	P	P	P	P	~	~	P	~	~	~
Patio homes (WCC 10.47.110)	~	~	~	~	~	~	~	P	~P	P	P	P	P	~	~	P	~	~	~

Chapter 10.11 RESIDENTIAL FOOTHILLS LOW (RF) DISTRICT

Sections:

10.11.005 Purpose.

10.11.010 Land uses.

10.11.050 Development standards.

10.11.005 Purpose.

The RF land use classification is for areas that are situated along the base of the Wenatchee Foothills. These areas may be suited to a single-family living environment devoted to single-family attached or detached homes and accessory uses and, under very limited conditions, necessary supporting facilities and utilities which are required to service residential uses in residential areas. The intent of the RF is to assist property owners with the ability to develop their land while protecting the views and impacts to down-slope neighbors and protecting the general views of the foothills for the citizens and visitors to the city of Wenatchee. (Ord. 2010-25 § 2)

10.11.010 Land uses.

All permitted, accessory, conditional and prohibited uses within this district shall be as shown in Chapter [10.10](#) WCC, District Use Chart, provided all applicable provisions of the WCC are met. (Ord. 2010-25 § 2)

10.11.050 Development standards.

Development in this district shall meet all applicable provisions of this title and all other rules, regulations and provisions of the WCC, including the provisions below. Also, all housing types except some single-family residential uses are subject to conformance with applicable sections of the Residential Design Guidelines.

(1) Development standards applicable in the RF zoning district are detailed in WCC [10.46.020](#).

(2) Uses permitted in the RF zoning district shall meet applicable regulations as detailed in Chapters [10.47](#) and [10.48](#) WCC.

(3) Off-street parking shall be provided pursuant to Chapter [10.60](#) WCC.

~~(4) All property within an identified geohazard area shall require a geotechnical report.~~

~~(5) Driveways shall be improved with a durable dustless surface of asphalt, concrete, or equivalent and shall not exceed 12 percent slope.~~

~~(6) All storm water shall be retained on site unless a public storm water collection system is available for discharge.~~

~~(7) Turnarounds shall be required in accordance with the locally adopted fire code.~~

(48) Development shall preserve natural drainage ways.

~~(9) The following standards shall apply to any property adjacent to undeveloped land:~~

~~(a) All roofs shall use Class A roofing material as defined in the locally adopted International Building Code. Existing roofs shall meet Class A standards when 50 percent or more is to be repaired/replaced.~~

~~(b) Attic ventilation openings, foundation or underfloor vents, or other ventilation openings in vertical exterior walls and vents shall be covered with noncombustible corrosion-resistant mesh with openings not to exceed one-fourth inch, or shall be designed and approved to prevent flame or ember penetration into the structure.~~

~~(c) Structures should have all underfloor areas enclosed to the ground with exterior walls; if any floor area is unenclosed, the underfloor/underside shall consist of a one-hour fire-resistant construction rating.~~

~~(d) Siding shall consist of ignition-resistant construction materials. Siding on existing structures must be replaced with ignition-resistant materials when 50 percent or more is to be repaired/replaced.~~

~~(e) Defensible space with a minimum distance of 30 feet shall be maintained around any structure. Defensible space consists of an area, either natural or manmade, where material capable of allowing a fire to spread unchecked has been treated, cleared or modified to slow the rate and intensity of an advancing wildfire and to create an area for fire suppression operations to occur. (Ord. 2019-35 § 9; Ord. 2010-25 § 2)~~

10.46.020 Residential development chart.



(1) General Dimensional Standards. See WCC [10.46.060](#) through [10.46.110](#) for measurement methods and Chapter [10.47](#) WCC for more specific standards with respect to specific residence types. Where these standards conflict with Chapter [10.47](#) WCC, the city shall determine which requirement applies. Note that the column indicating conditions/exceptions/references is not all-inclusive. There may be other conditions in WCC.

Standard	RS	RL	RM	RH	RF	Conditions/ Exceptions/ Reference
Minimum Lot Dimensions						
Lot Area	7,250 except 10,000 sf for a duplex	5,500 sf, except 8,000 sf for a duplex	3,000 sf, except 4,500 sf for a duplex	3,000 sf, except 4,000 sf for a duplex	20 10,000 sf <u>except</u> <u>15,000 sf</u> <u>for a</u> <u>duplex</u>	WCC 10.46.060

Standard	RS	RL	RM	RH	RF	Conditions/ Exceptions/ Reference
Cluster subdivision lot	4,000 sf	3,000 sf	N/A	N/A	N/A 7,250 sf	WCC 10.47.060
Lot Width	70 feet	50 feet	30 feet	30 feet	100 feet	WCC 10.46.070
Lot width alley access	50 feet	30 feet	25 feet	25 feet	100 feet	
<u>Lot width at point of access</u>	<u>20 feet</u>	<u>20 feet</u>	<u>20 feet</u>	<u>20 feet</u>	<u>20 feet</u>	<u>WCC 10.46.070(3)</u>
Cluster subdivision lot	50 feet	30 feet	N/A	N/A	N/A 70 feet	WCC 10.47.060
Lot Depth	100 feet	80 feet	65 feet	60 feet	150-100 feet	WCC 10.46.070
Cluster subdivision lot	80 feet	60 feet	N/A	N/A	N/A 100 feet	WCC 10.47.060
Setback Standards (WCC 10.46.080)						
Street – Minimum	20 feet ^{(X)(Y)}	20 feet ^{(X)(Y)}	15 feet	10 feet	25 feet	WCC 10.46.080 (2) ^(X) 15 feet from private lanes ^(Y) 15 feet for cluster subdivisions
Street side – Minimum	10 feet	10 feet	10 feet	10 feet	20 feet	WCC 10.46.080 (2)(a)(ii)
Street – Minimum,	20 feet				25 feet	WCC 10.46.080 (2)(b)

Standard	RS	RL	RM	RH	RF	Conditions/ Exceptions/ Reference
individual garage, carport						
Street— Maximum	N/A	N/A	N/A	N/A	300 feet	WCC 10.46.080(2)
Rear – Minimum	20 feet	20 feet	15 feet ^(x)	10 feet ^{(y)(z)}	45-20 feet	WCC 10.46.080(3) ^(x) 10 feet if adjacent to an alley ^(y) 15 feet for ground related dwelling units ^(z) WCC 10.46.090(2)(c)
Side – Minimum	5 feet	5 feet	5 feet	6 feet	10 feet	WCC 10.46.080(4)
Internal – Minimum	10 feet	10 feet	10 feet	10 feet	N/A	WCC 10.46.080(5)
Building and Density Standards						
Maximum Building Height	30 feet	30 feet	35 feet	60 feet ^{(x)(y)}	30 feet	WCC 10.46.090 ^(x) WCC 10.46.090(2)(b) ^(y) WCC 10.46.090(2)(c)
Maximum Lot Coverage	40%	45%	55%	55%	20 <u>35</u> %	WCC 10.46.100
Duplexes, townhouses and multifamily	50%	55%	55%	55% ^(x)	N/A	^(x) WCC 10.46.100(2)(a)
Cluster lots	55%	55%	N/A	N/A	N/A <u>45</u> %	
Maximum Density	6 dwelling	8 dwelling	20 dwelling	40 dwelling	4 <u>14</u> dwelling	WCC 10.46.110

Standard	RS	RL	RM	RH	RF	Conditions/ Exceptions/ Reference
	units per acre	units per acre	units per acre	units per acre	units per to acre	



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**DEPARTMENT OF
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Memorandum

To: City of Wenatchee Planning Commission
From: Community Development Staff
Date: June 10, 2020
Subject: Sign code update regarding feather signs

In 2019, the Planning Commission completed a complete review and update of the city's sign regulations and forwarded a recommendation of approval to the City Council. The City Council adopted the updates on December 5, 2019 by Ordinance 2019-50.

During the update process, City staff committed to monitor the implementation of the ordinance and present revisions as necessary. One item that has come to our attention that as a difficult or nearly impossible task is the tracking and regulation of commercial feather signs. Feather signs are defined in the city code as "...a temporary and portable sign made of lightweight materials that is prone to move in the wind, and that contains a harpoon-style pole or staff that is driven into the ground or supported by means of an individual stand. This definition includes such signs of any shape including flutter, bow, teardrop, rectangular, shark, and U-shaped. See WCC 10.50.160(7)(e) for applicable standards."

During the review and update process, city staff and the planning commission discussed numerous challenges with temporary signs including sign duration, number of signs, location, and height all leading to difficulty in effectively implementing and enforcing the code. Staff and the planning commission discussed the potential for temporary sign permits to help in this process. The reality is that feather signs are a very popular advertising tool and very prolific along our commercial corridors. They are relatively easy to install and given their temporary nature occur on weeknights and on weekends. The City Code Enforcement staff have begun to inventory and track signage and have found the task to be monumental given the popularity of the sign type.

The current code for feather signs is included below and allows one sign per property unless the property has over 100 feet of frontage, a height limitation, some basic uniformity requirements, and an allowance for display without limit to duration.

WCC 10.50.160(7)(e) Type 5 – Feather Signs.

- (i) Location. May only be displayed on properties in a commercial or mixed-use zone.
- (ii) Quantity. One sign may be displayed per site/property. For site/properties with more than 100 feet of block frontage, multiple signs are allowed provided there's at least 100 feet of separation between signs.

(iii) Size. Maximum height is 13 feet.

(iv) Design. Signs shall be designed in a uniform manner, including consistent size and shape, where more than one sign is permitted.

(v) Duration. Signs may be displayed without limit to duration.

Due to the challenges with implementation and enforcement, staff would like to discuss with the planning commission potential revisions to the sign code that would either remove or significantly amend the regulation of feather signs.