



## **Planning Commission Agenda**

Wednesday, March 4, 2020 at 7:00 PM

City Hall Council Chambers

700 Highway 2, Leavenworth, WA

### **1. Call Meeting to Order, 7:00 pm**

### **2. Roll Call**

*Planning Commission Chair: Vacant*

*Planning Commission Commissioners: Steven Booher (position #1 - expiration 2022), Chuck Reppas (#2 - 2023), Andy Lane (#3 - 2020), Pete Olson (#4 - 2021), Vacant (#5 - 2021), Vacant (#6 - 2022) and Vacant (#7 - 2022)*

### **3. Introduction of new members**

### **4. Appointment of new Planning Commission Chair**

### **5. Review and approval of February 5, 2020 Planning Commission Minutes *(provided separately)***

### **6. Public Hearing – LMC Chapter 14.08 Old World Bavarian Architectural Theme and Chapter 2.38 Design Review Board**

### **7. Public Hearing – LMC Title 17 Subdivisions and Chapter 21.90 Definitions**

### **8. District Use Chart – Overview**

- a. Review format
- b. Review existing zoning district purpose statements
- c. Identify common uses
- d. Discuss the amendment process – where to start (type of uses or zones, other), how/when to address controversial uses, how/when to address conditional uses, etc.

### **9. Prep for Missing Middle Community Workshop**

- a. Overview of meeting
- b. Assigning of stations to Planning Commission members

### **10. Draft Upcoming Meeting Topics**

- a. March 26, 2020 @ 6:30pm Community Housing Workshop @ High School
- b. April 1, 2020 – Recap of Community Workshop; District Use Chart – start review of uses

### **11. Open Discussion Items, at the Chair's discretion**

### **12. Adjournment**

*All Planning Commission meetings are open to the public*



## Staff Report

### Code Amendments to LMC Chapter 14.08, Old World Bavarian Architectural Theme and LMC Chapter 2.38, Design Review Board

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**To:** Leavenworth Planning Commission  
**From:** City of Leavenworth Development Services Department  
**Date of Report:** February 6, 2020 for the March 4, 2020 Hearing  
**Subject:** Code Amendments

#### **OVERVIEW**

The purpose of proposed amendments is to provide more clarity to the design requirements for Old World Bavarian Alpine Theme and permit review process and appeal requirements.

**Review History:** The Design Review Board code update was initiated by the 2019 Docket. The Board and staff started reviewing Chapter 14.08 Old World Bavarian Architectural Theme in May of 2019 and worked through December 2019. The initial review started as a discussion to provide for more administrative approval of sign permits but quickly changed into a discussion about how to provide clarity to the applicants and the Board on design objectives and process steps. Through the review process, several Board members asked about updating the reference images/materials. It was determined that we would first review the code and then take on changes to the Portfolio. It is anticipated that the Portfolio will be updated by City Council resolution rather than full review and recommendation with the Planning Commission.

The Planning Commission reviewed the proposed changes February 5, 2020 and made several recommended changes, shown in yellow highlight on Attachment A.

#### **PUBLIC HEARING NOTICE COMPLIANCE**

<b>60-day Agency review</b>	Material ID# 2020-S-1135 Comment period ending 3/17/2020
<b>SEPA Determination</b>	Exempt per WAC 197-11-800(19) Procedural Action.
<b>Notice of Planning Commission Public Hearing</b>	Published in the Echo: February 26, 2020
<b>Planning Commission Public Hearing</b>	March 4, 2020
<b>City Council Public Hearing:</b>	Tentatively Scheduled for April

#### **PUBLIC/AGENCY COMMENTS**

There were no public or agency comments received, at the time of drafting this staff report. The public is encouraged to attend the Planning Commission Hearing and provide testimony before a recommendation is forwarded to the City Council. The Planning Commission may incorporate comments and testimony into the recommendation. Additionally, the City Council will have an opportunity for public testimony at the Council Public Hearing.

## **RECOMMENDATIONS AND FINDINGS**

Staff recommends approval of proposed code amendments based on the following findings of fact and conclusions of law:

- 1. The amendment is necessary to resolve inconsistencies in the provisions of the comprehensive plan and/or development regulations or to address state or federal mandates.**

Staff Finding: The proposed amendments are intended to clarify design requirements for the Old World Bavarian Alpine Theme and to update process requirement to reflect procedures adopted in Title 21.

Conclusion: The amendments are not necessary to resolve inconsistencies in the provisions of the comprehensive plan or address regulations or mandates but rather provide clarity.

- 2. The amendment is consistent with the overall intent of the existing comprehensive plan and the other documents incorporated therein.**

Staff Finding: The Comprehensive Plan provides several goals and policies related to the Old World Bavarian Alpine Theme within the Economic Element, including:

*Policy 2: Maintain and enhance the Leavenworth area's natural, historical and cultural amenities and the City of Leavenworth's Old-World Bavarian Alpine Theme, in order to assist in attracting new businesses, retaining existing businesses, and promoting economic vitality.*

*Goal 3: Strengthen, preserve and enhance the Leavenworth Commercial districts as an active and economically viable place to shop, conduct business, reside, and enjoy events. Enhance and attract small and medium sized businesses, which serve the community's needs for goods and services.*

*Policy 1: Maintain and enhance the Old-World Bavarian Alpine Theme within the City of Leavenworth.*

Conclusion: The amendments are consistent with the overall intent of the existing comprehensive plan.

- 3. The amendment is consistent with the assumptions and/or other factors such as population, employment, land use, housing, transportation, capital facilities, economic conditions, etc., contained in the comprehensive plan.**

Staff Finding: The proposed amendments may provide site specific benefits for development but have no direct correlation to population, employment, capital facilities, or economic conditions.

Conclusion: The amendments do not impact the assumptions or other factors within the Comprehensive Plan.

- 4. The amendments are consistent with the requirements of the Growth Management Act and the county- wide planning policies.**

Staff Finding: The existing Comprehensive Plan is compliant with the Growth Management Act and the County-Wide Planning Policies. The proposed code amendments do not change the substance or intent of the Comprehensive Plan.

Conclusion: The amendments are consistent with the requirements of the Growth Management Act and the county-wide planning policies.

- 5. The amendments are consistent with and do not adversely affect the supply of land for various purposes which are available to accommodate projected growth over a twenty-year period.**

Staff Finding: The overall land available for development will not change as a result of the

proposed amendments.

Conclusion: The amendments are consistent with and do not adversely affect the supply of land for various purposes which are available to accommodate projected growth over a twenty-year period.

- 6. Where applicable, conditions have changed such that assumptions and/or other factors such as population, employment, land use, housing, transportation, capital facilities, economic conditions, etc., contained in the comprehensive plan have been revised and/or enhanced to reflect said conditions;**

Staff Finding: The proposed amendments do not pose any change to the Comprehensive Plan.

Conclusion: Not applicable.

- 7. Amendments to the comprehensive plan land use designation map(s) are either consistent and/or compatible with, or do not adversely affect, adjacent land uses and surrounding environment;**

Staff Finding: The proposed code amendments will not change the Comprehensive Plan maps.

Conclusion: Not applicable.

- 8. The proposed amendments are consistent with and do not negatively impact public facilities, utilities and infrastructure, including transportation systems, and any adopted levels of service.**

Staff Finding: The proposed amendments relate to design standards and review processes and will not change the requirements for concurrent infrastructure.

Conclusion: Not applicable.

- 9. The proposed amendment does not adversely affect lands designated resource lands of long-term commercial significance or critical areas.**

Staff Finding: There are no designated resource lands within the City limits. The proposed amendments have no change to the requirements for environmental review and compliance with critical area regulations.

Conclusion: The proposed amendments do not adversely affect lands designated resource lands of long-term commercial significance or critical areas.

**Attachment:** LMC Chapter 14.08, Old World Bavarian Architectural Theme; and, LMC Chapter 2.38, Design Review Board

## Chapter 14.08 OLD WORLD BAVARIAN ARCHITECTURAL-ALPINE THEME

### 14.08.010 Purpose.

The purpose of this chapter is to assist all involved in the design of new buildings, structures, walkways, plazas, lighting, or other miscellaneous items identified herein or the alteration of existing buildings, structures, walkways, plazas, lighting, or other miscellaneous items identified herein in order to develop and promote Leavenworth's ~~Old World Alpine-Bavarian Alpine village theme~~ Theme.

### 14.08.020 Applicability.

A. Within all of the commercial zone districts of the city and the city's urban growth area, the following shall conform in exterior design to the Old World Bavarian ~~architectural-Alpine Theme~~ to the greatest extent practicable:

1. New buildings, structures, walkways, plazas, lighting, or other miscellaneous items identified herein;
2. Additions, substantial alterations and individual changes to structures and buildings; and
3. Modifications to walkways, plazas, lighting and other miscellaneous items identified herein.

B. For purposes of subsection (A) of this section, the term "substantial alteration" shall be defined as any interior and/or exterior alteration of an existing building or structure, the total cost of which (including but not limited to electrical, mechanical, plumbing and structural changes) within any 18-month period equals or exceeds 75 percent of the value of that building or structure at the time that a permit is applied for. The value shall be determined by using a contractor's estimate for construction or the IBC construction estimates and either the most recent assessed value as stated in the Chelan County assessor's current year tax records or an appraisal submitted by a licensed real estate appraiser. The estimate and the appraisal shall be dated no later than six months prior to the date of permit submittal.

C. When a permit for new construction and/or an addition is applied for, the entire structure and/or addition shall comply with all of the requirements of this chapter except as follows:

1. For zero lot line buildings, at a minimum, partial-pitched roofs which comply with the requirements of LMC 14.08.040(B) shall be incorporated on all sides of the structure which front on a street and/or alley. At a minimum, the partial-pitched roof shall span the entire length of the wall fronting on the public street and/or alley and shall extend 16 feet from the perimeter edge of the structure back toward the center of the structure, which measurement shall not include that portion overhanging the edge of the structure.

D. When a permit for a substantial alteration is applied for, the entire structure, including all existing components, shall comply with all of the requirements of this chapter, with the exception of roof and wall treatments, which at a minimum shall comply with the following:

1. If the substantial alteration is equal to or greater than 75 percent, ~~but less than 90 percent~~ of the value of the structure (using the valuation methodologies and time frame in subsection (B) of this section), the following requirements shall apply:
  - a. If the existing roof is not in conformance with the requirements of this chapter, it shall be replaced on all sides of the structure which front on a street and/or alley with a partial-pitched roof which complies with the requirements of LMC 14.08.040(B). The partial-pitched roof shall span the entire length of the wall fronting on the public street and/or alley and shall extend 16 feet from the perimeter edge of the structure back

toward the center of the structure, which measurement shall not include that portion overhanging the edge of the structure.

- b. If the existing wall treatment is not in conformance with the requirements of this chapter, the entire surface of those walls of the structure which front on a public street shall be resurfaced with wall treatment which complies with the requirements of LMC 14.08.040(C). The remaining walls of the structure (which do not front on a public street) shall not be required to be resurfaced with a compliant wall treatment, but shall be painted in an identical or complementary color to the compliantly surfaced walls. This exception to wall treatment requirements applies only to the wall surfacing materials; all other requirements of this chapter, including, but not limited to, decorative windows, doors, and trims shall apply.

~~2.—If the substantial alteration is 90 percent or more of the value of the structure (using the valuation methodologies and time frame in subsection (B) of this section), the application shall be treated as new construction and/or an addition and the entire structure and/or addition shall comply with the requirements of this chapter except as follows:~~

- ~~a.—For zero lot line buildings, at a minimum, partial pitched roofs which comply with the requirements of LMC 14.08.040(B) shall be incorporated on all sides of the structure which front on a street and/or alley. At a minimum, the partial pitched roof shall span the entire length of the wall fronting on the public street and/or alley and shall extend 16 feet from the perimeter edge of the structure back toward the center of the structure, which measurement shall not include that portion overhanging the edge of the structure.~~

E. Every change to an exterior element of a structure, including, but not limited to, doors, windows, wall finishes, paint, roofing materials, and/or structural elements shall comply with the requirements of this chapter unless such change is routine maintenance and repair; in which case, it may be repaired with a material which is identical to that of the original materials or a material which is determined equally or more compliant by the ~~community development director or his/her designee~~ **Development Services Manager or designee**, pursuant to LMC 14.08.030.J. ~~The painting of a new or existing building in a color different from the color originally approved shall require approval by the design review board. This determination of compliance may be remanded at his/her discretion to the design review board. For purposes of this chapter, routine maintenance and repair is defined as corrective and/or preventative actions which do not result in an alteration but which allow for a structure to perform its intended, original purpose.~~

#### F. Noncompliant Structures.

~~An existing structure which is not compliant with the Old World Bavarian Architectural Theme shall not be relocated to the commercial zone districts or be moved from one place to another within the commercial zone districts. A determination of the compliance or noncompliance of the structure shall be made by making application to the design review board, which shall render findings of fact in making this determination. If a structure can be determined to be compliant with minor improvements which do not exceed 25 percent of the value (using the valuation methodologies in subsection (B) of this section), the structure shall be allowed to be relocated subject to compliance with conditions placed on the permit by the design review board. To ensure that when a structure is placed it shall comply completely and in a timely manner with the permit requirements, the applicant shall be required to bond for all improvements at 150 percent of the total value (using valuation methodologies in~~

~~subsection (B) of this section) and all improvements shall be completed within 120 days of the date of permit approval. Noncompliance will result in a requirement for the property owner to remove the structure.~~

1. Moving Noncompliant Structures. An existing structure which is not compliant with the Old World Bavarian Architectural Alpine Theme shall not be relocated to the commercial zone districts or be moved from one place to another within the commercial zone districts.- Except, if a structure can be determined to be compliant with minor improvements which do not exceed 25 percent of the value. (using the valuation methodologies in subsection (B) of this section), the structure shall be allowed to be relocated subject to compliance with conditions placed on the permit by the design review board. To ensure that when a structure is placed it shall comply completely and in a timely manner with the permit requirements, the applicant shall be required to bond for all improvements at 150 percent of the total value (using valuation methodologies in subsection (B) of this section) and all improvements shall be completed within 120 days of the date of permit approval. Noncompliance will result in a requirement for the property owner to remove the structure.

G. Change in Use or occupancy.

A change of occupancy which results in physical changes to the structure shall be treated as either new construction, a substantial alteration or changes to individual elements in accordance with how the said change or changes meets the thresholds described in subsections (B) through (F) of this section and shall be held to the requirements as delineated thereto with the following exceptions:

1. An existing single-family residential structure which converts to a another use ~~other than an overnight rental~~ and undergoes a change of use or occupancy, pursuant to the building code, shall be treated as new construction and shall comply with the requirements of this chapter applicable to new construction; except the roof shall not be required to be brought into compliance; however, fascia shall be trimmed with materials which comply with the requirements of this chapter.
  - a. When roof materials and/or structural roof components are replaced in a manner which is not routine maintenance and repair (e.g., a patch job), the materials and structural components shall comply with the requirements of LMC 14.08.040(B).
- ~~2.—An existing single family residential structure which converts to an overnight rental shall not be required to comply with this chapter except as follows:~~
  - ~~a.—If there are exterior and/or interior alterations proposed to the structure which exceed 50 percent of the value of the structure (using the valuation methodologies and time frame in subsection (B) of this section) the structure shall be treated as new construction and shall comply with the requirements of this chapter; except the roof structure shall not be required to be brought into compliance with this chapter.~~
  - ~~b.—When roof materials and/or structural roof components are replaced in a manner which is not routine maintenance and repair (e.g., a patch job), the materials and structural components shall comply with the requirements of LMC 14.08.040(B).~~
  - ~~c.—When an overnight rental converts to a subsequent use, it shall be required to comply with subsection (G) of this section.~~

14.08.025 Exemptions.

Temporary structures used for festivals and events may include white or solid colored tents with no signage (or lettering).

### 14.08.030 Design review board review.

A. No building or structure (regardless of the size), walkway, plaza, lighting or other miscellaneous items identified herein shall be placed, constructed, changed, altered, added to, and/or undergo a change in occupancy status pursuant to the building code in any commercial zone district without first obtaining design review board approval and a permit. All applications for permits for construction, changes, alterations, additions, and/or changes of use of buildings, structures, walkways, plazas, lighting, or other miscellaneous items identified herein shall first be submitted to and be reviewed and approved by the design review board, who shall determine if the application is compliant with this chapter for the Old World ~~Bavarian architectural~~ Alpine Theme.

B. All applications for permits required by this chapter shall be accompanied by a complete set of plans and blueprints clearly defining the construction, changes, alterations, or remodeling and stating the proposed location, dimension, and types of construction and design. The plans and blueprints shall be drawn to scale and shall clearly define the roofing materials and siding materials to be used and also the finish, paint or other materials to be used or applied on all exterior walls, trims, and other details and shall state a contemplated date of commencement and completion of the project, and shall become the property of the city upon submission of the application. All applications submitted shall be accompanied by payment of a permit fee for the amount identified in the city's fee schedule.

C. The applicant shall submit an accurate colored rendering of the proposal. The colored rendering shall either be done in a form of paint, colored pencils, colored pens, or be computer-generated. Paint chips or paint samples shall be submitted with the colored rendering for all colors included in the rendering.

D. In determining whether the proposed placement, construction, change, addition, or alteration conforms to exterior design of the Old World ~~Bavarian architectural~~ Alpine Theme, the design review board shall consider the compatibility of the proposed exterior design with the existing design review board approved Bavarian structures and designs in the commercial zone districts of the city and the city's urban growth area and may, in addition, consult the following publications which contain many examples of architecture, including some examples that are specific to the Old World Bavarian ~~architectural~~ Alpine Theme:

1. "Bayern in Bildern." Illustrations of Bavaria. Munchen, L. Muller (1971);
2. "Häuser in den Alpen," by Viktor Proksch. Pinguin Verlag, Innsbruck, and Umschau Verlag, Frankfurt A.M. (1964) (this book is also available in an English/French version);
3. "Bemalte Fassaden," by Margarete Baur-Heinbold. Verlag Georg D.W. Callwey, Munchen (1975);
4. "Bayern – Bavaria – La Baviere: e. Bildbd.," by Otto Siegener. Munchen-Pullach: Simon (1975);
5. "Wohnen im Alpenland," by S. Staffa. Verlag, Kitzbuhel;
6. "Die Schönsten Bauernhöfe Oberbayerns," by Ottmar Schuberth. Munchen (1999).

E. Copies of the above publications and similar related reference works shall be kept on hand by the city for review by applicants and by members of the design review board.

F. An applicant may submit a preliminary sketch prior to furnishing a complete application for review at a regularly scheduled design review board meeting. Following review by the board, the applicant shall complete the application as directed by the board in accordance with this chapter.

G. Design review applications shall be processed in accordance with the quasi-judicial review process, pursuant to Chapter 21.09 LMC. In order to schedule a design review board meeting, a complete application shall be received by the development services department at least 10 working days prior to the meeting.

H. Changes to a design review board approved design, which are subsequently proposed after the initial approval of the design review board permit, shall require submission of an application to the design review board for approval prior to construction of the change.

I. Supporting reference materials shall be supplied to the design review board by the applicant at the request of the board.

J. The ~~development~~ Development services ~~Services manager~~ Manager or designee may administratively approve, conditionally approve or deny individual components of a project, listed below, when not associated with a larger project that would require design review board review. However, the Development Services Manager has the discretion to require ~~At the discretion of the city, the application, or portions of the application, may be required~~ the application or portions of the application to be submitted ~~presented~~ to the design review board for review and approval. Additionally, the Development Services Manager may consult with Design Review Board on the merits of whether or not a project applies to the Old World Bavarian Alpine Theme.  
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1. ~~design of r~~ Retaining walls, landscaping structures, landscaping planter sign bases, lighting, fences or fence-type walls, garbage enclosures, walkways, plazas, publicly owned equipment, or similar structures when they are not proposed in conjunction with a larger project that would require design review board review. In addition, the development services manager or designee may administratively approve
2. ~~C~~ Changes to the individual exterior elements (LMC 14.08.020) which collectively do not exceed five percent of the value of the structure (using the valuation methodologies and time frame in LMC 14.08.020(B)) when they are not proposed in conjunction with a larger project that would require design review board review. Approval shall be subject to the standards contained in this chapter. ~~At the discretion of the city, the application, or portions of the application, may be required to be submitted to the design review board for review and approval.~~
3. Moving approved signs which meet the design standards of LMC Chapter 14.08.080.
4. Repair of structures with identical materials to the original materials or a material which is determined equally or more compliant by the Development Services Manager. For purposes of this chapter, routine maintenance and repair is defined as corrective and/or preventative actions which do not result in an alteration but which allow for a structure to perform its intended, original purpose.

K. The applicant or a representative of the applicant shall be in attendance at the design review board meeting for an application to be reviewed by the design review board.

L. Chelan County has adopted the city's codes within the city's urban growth area, including this chapter, the Old World Bavarian architectural Alpine Theme. The city's design review board will perform reviews of applications for projects located in the urban growth area and relay its findings to the county for inclusion in the county decision-making process. The county is the decision-making authority within the geographic boundary of the city's urban growth area.

#### 14.08.035 Design review permit – Conditions and effect.

Architectural design review permits issued on the basis of plans and applications approved by the design review board or administrative official (as applicable) authorize only the arrangement and design set forth in such approved plans and applications, and no other use, arrangement, design or construction. Use, arrangement, design or construction at variance with that authorized shall be deemed violation of this title and punishable as provided in Chapter 21.13 LMC.

### 14.08.040 Design elements.

The design review board, in granting or denying approval of a permit in accordance with this chapter, should consider the following criteria. This list is intended to serve as a guide for prospective developers of representative Old World Bavarian design features which have proven effective on commercial buildings in the city. The following design elements shall be incorporated, as applicable, in design proposals brought before the Leavenworth design review board to implement the Old World Bavarian architectural Alpine Theme in the City of Leavenworth. A minimum of three decorative design details (in addition to structural elements) shall be included on a building or structure. Decorative design details include, but are not limited to, painted trim, decorative fascia, window treatments, balconies, and murals.

#### A) Typical building shapes and streetscapes, see Portfolio Chapter A.

~~The single most defining shape of Bavarian Alpine architecture is the low pitched roof with expansive overhangs, regardless of building size. An alpine roof is designed to hold snow for insulation. The overhangs deal with ice buildup and help keep the area right next to the house free of snow. In the rainy regions of Germany where snow is not prevalent, the roofs are very steep in order to shed water.~~

- 1) Buildings are rectangular or are combinations of rectangles, square, rectangular, and/or combinations thereof.
- 2) Projecting window bays, ecker or sections of balcony may be added.
- 3) ~~Very large warehouse-~~Adjoining Structures. Consideration of where structures join or how rooflines meet or overhang should be considered.
- 4) Non-traditional buildings or market-type buildings pose special ~~problems~~ challenges to this design theme. They must, however, include traditional Bavarian design elements and materials.

#### B) Roofs, see Portfolio Chapter B.

- 1) Low-pitched roof. The single most defining shape of Bavarian Alpine architecture is the low-pitched roof with expansive overhangs, regardless of building size. An alpine roof is designed to hold snow for insulation and safety.
- 2) Expansive Overhangs. The overhangs deal with ice buildup and help keep the area right next to the structure free of snow.
- 3) Primary Roofs have a pitch of 3:12 to 6:12. On occasion, there will be projects that warrant steeper or lower pitches; these will be reviewed on a case-by-case basis. ~~three and one-half to five and one-half.~~
- 4) Roof overhangs are expansive on the front and sides and usually require rafter and lookout beams. Typical overhangs are 24 inches or more on the sides and 36 inches or more at the front with the back reflecting either the side or front. "Expansive" shall be determined by the Design Review Board based on the building size and overall design to balance the building. For example, larger buildings will have larger overhangs. Large: 4' on sides, and 6'+ on front overhangs are encouraged and increase the appeal of a building's roof aesthetic.
- 5) Lookout or rafter beams shall be scrolled and/or have decorative faceplates (pfettenbretter). The scrolling shall be traditional Rococo, Baroque or folk designs. Lookout beams shall not extend beyond the fascia.
- 6) Face plates (pfettenbretters) shall be behind the fascia.
- 7) Pitched Roof Materials.

- a) Tile, simulated tile, standing seam metal, high-profile asphalt shingles, composite wood-appearance shake/shingles or heavy shakes (when approved by the Fire District) are acceptable. Copper as a roof or as an accent roof are also typical. "High-profile" means the depth of the shingle overlay or the distance from the top of a shingle or layer to the top of the overlaying shingle or layer. For highly visible areas, high-profile asphalt roofing shall have a depth of at least ¼ inch.
- b) Acceptable colors for standing seam metal are clay red (to mimic "terracotta" tile), brown, green (to mimic oxidized copper) or gray. Acceptable colors for tile or asphalt shingle colors should be red, gray, or brown earth tones (to mimic wood shingles).
- ~~b)c) Unacceptable materials include galvanized metal, overlap metal, plain shingles, and profileless (less than ¼-inch) asphalt shingles. Tile or asphalt shingle colors should be red, gray, or brown earth tones.~~
- ~~c) Standard overlap metal, plain shingles, and profileless asphalt shingles are not acceptable.~~
- 4)8) Fascia shall be scrolled or multiple profile. Other designs from Bavaria may be approved by the Board. "Multiple profile" means a minimum of three layers of wood with each overlapping layer being shorter than the previous. Differing depth of each layer is also common. If a scrolled layer is incorporated, a minimum of three layers shall be used, not including the drip edge. Scrolling shall be traditional Rococo, Baroque or folk designs.
- 5)9) When snow guards are used or intended to be used, they shall be included in the overall design review approval. Preferred styles are turned logs, tab style to match the roof or bar style but not bent ("v" shaped) metal.
- 6)10) If roof rafters are exposed (open soffit), the underside of the roof covering shall be one of the following materials to mimic traditional Bavarian exterior: resawn plywoods, tongue and groove boards (beveled or plain), plywood mimicking solid wood T-111 run lengthwise, solid wood, or exterior finish sheathing. Additional fire protection measures may be required by the Fire and Building codes.
- C) Walls, see Portfolio Chapter C. Wall treatments shall consist of the following:
- 1) Stucco or stucco-like material. Stucco should have minimal or concealed expansion joints, which will be emphasized during project review;
  - 2) Wood, usually on typically the whole building or on the upper level of the wall a first level stucco base building;
  - 3) A combination of stucco for the first floor and wood for additional floors;
  - ~~2)4) Slate, stacked stone or other rectangular rock/stone (not river rock) is usually at the foundation;~~
  - ~~3) A combination of the above;~~
  - 4)5) Unacceptable materials or methods are (see Portfolio Chapter K):
    - a) Metal siding;
    - b) Stucco board, or panelized preapplied stucco, except that the use of Hardipanel® cementitious panel may be allowed for ~~zero lot line walls where there are no required side yard setbacks and where another building either has already been built to each side of the new building or is being built concurrently~~ adjoining buildings, and when the walls being covered with Hardipanel® cementitious panel will not be generally visible;
    - c) Half timbering (generally defined as 1/2 round or timber frame with panel infill) ~~(see LMC 14.08.100(K));~~
    - d) Concrete block (cracked or plain). If concrete block is used, it shall be stuccoed;

6) Retaining walls, landscaping structures, permanent or semi-permanent (because of size and/or weight) landscape planters, landscaping planter sign bases, and similar structures may be constructed of stucco, landscaping timbers (~~not railroad ties~~), stacked stone, irregularly shaped rock, large boulders, poured concrete, split-faced concrete block landscaping stones, or other new materials as approved by the design review board. Cultured stone that has the appearance of stone, irregularly shaped rock or large boulders is acceptable.

~~e)a) Unacceptable material include railroad ties and r~~Round river rock ~~is not acceptable;~~

7) Fences or fence type walls may be constructed of decorative metal, wrought iron, wood, stone, stucco, irregularly shaped rock, poured concrete, split-faced concrete block stones, or other new materials as approved by the design review board. Cultured stone that has the appearance of stone, irregularly shaped rock or large boulders is acceptable.

~~f)a) Unacceptable materials are r~~Round river rock ~~and is not acceptable.~~ Chain link fencing ~~is not allowed in any commercial zone district~~, except chain link may be approved as follows:

~~g)b)~~When required by state or federal law.

~~h)c)~~When deemed necessary by a public safety official for public safety purposes.

~~i)d)~~When used for security purposes on property owned and/or leased by a public entity.

~~j)e)~~When used as temporary construction fencing.

~~k)f) At the At its~~ Development Services Manager's discretion, they ~~city~~ may require that shielding components be incorporated into the fencing, apply time limits to the installation, and/or apply other conditions as determined necessary to mitigate impacts.

D) Balconies, see Portfolio Chapter D. Balconies are optional. Where architectural balconies not intended for actual use are proposed, they shall have an apparent means of access, i.e., a door or false door, or large window. If balconies are present, they shall contain traditional design elements, such as:

- 1) Heavy beam supports;
- 2) Scrolled slats;
- 3) Flower boxes (optional). ~~This is the traditional location for them.~~

E) Doors and Doorways, see Portfolio Chapter E. A handcrafted wood door is preferred.

1) Doors are constructed of wood or materials with a wood-like appearance; however, doors used for utility and/or service entrances (generally not visible from the right-of-way) can be constructed of other materials but shall be colored to blend with adjacent surfaces.

2) Where wood is utilized on the wall surface, the door trim shall be wood. Where stucco is utilized, the stucco shall be wrapped around the inset for the door.

3) Doors frames shall be recessed (not surfaced mounted), preferably 3 inches or more.

4) Doors, doorways and entryways like vestibules or porticos are often ~~Many doorways are~~ arched. The arched doorway or entryway should be constructed of wood or stucco.

~~E)F)~~ Windows, see Portfolio Chapter F. Window treatment options are:

1) White or wood appearance is acceptable if harmonious with surrounding structure.

~~1)2)~~ Recessed (preferably 3 inches), with or without painted decorative trim;

3) Where wood is utilized on the wall surface, the window trim shall be wood or wood appearance. Where stucco is utilized on the wall surface, the recessed window area shall be wrapped in stucco.

- 2)4) ~~When s~~Shutters are used, they shall be proportional to the window and appear operable. Shutters are desirable when painted trim is not applied;
- 3)5) Painted decorative trim;
- 4)6) ~~Grid inserts in the glazing~~Gridded divisions in the glazing (also known as muntins, simulated grids or divided lites) may be required by the Board in proportion to the window size and location. Such grids shall be on the exterior of the window glazing;
- 7) A minimum of one of the following treatment options, or a combination of options, shall be included:
- Painted decorative treatments around windows located on stucco walls with Baroque, Rococo, Classical or Bavarian folk art in design;
  - Shutters with or without painted trim
  - ~~a)c)~~ Flower boxes, wood finish or painted;
  - ~~b)d)~~ Arched wWindows may be arched;
  - ~~c)~~ A combination of the above is acceptable; however, one of the window treatment options in subsections (F)(1) through (5) of this section is mandatory;
- 8) Flush, ~~unadorned-~~ mounted windows are unacceptable.
- 5)9) ~~On occasion, there may be a case for an unadorned window; this will be viewed on a case-by-case basis.~~

F)G) ~~Trim, see Portfolio Chapter G.~~ Trim is the least of the design elements, not the focus of the design.

- ~~Scrolling-~~Decorative scroll work shall be required on fascia board and/or other trim. In general, scrolling follows traditional or Rococo designs. Design details for scroll work shall be included with the application.
- Stone ~~is-~~can be used in rectangular linear forms for accents. River rock, concrete block (cracked or plain), and irregular stone slabs are unacceptable.
- Wood shall not be used as trim over stucco.

G)H) ~~Decorative Painting, see Portfolio Chapter H.~~ Designs for murals or art work on exterior walls or around windows and doors shall be presented for design review board approval before application to the building. All murals are subject to design approval by the design review board. Murals may incorporate a sign, or may stand alone. When a sign is incorporated into the mural, then a sign permit and compliance with Chapter 14.10 LMC, Signs, are required.

- Corner walls may be painted to simulate rectangular stone quoins using a trompe l'oeil style.
- Three-dimensional painting is encouraged around windows and doors when shutters are not present. Classic as well as Rococo designs should be used.
- Murals may be of a traditional Bavarian theme. Scenic murals are also acceptable.
- Mural placement shall be floating rather than framed by trim or other design elements. All murals are subject to design approval by the design review board. Murals may incorporate a sign, or may stand alone. When a sign is incorporated into the mural, then a sign permit and compliance with Chapter 14.10 LMC, Signs, are required.
- ~~3)5)~~Murals are accents. The intent is not to cover a complete wall with a mural.

H)I) Colors, see Portfolio Chapter I. Color selection shall incorporate the following:

- The predominant stucco color is white or off-white. Pastels are acceptable, ~~but only~~ with white or off-white accents, or stone accents, on stucco trim.

- a) Unacceptable – any bold bright colors ~~are unacceptable.~~
- 2) All wood trim (including beams, fascia and siding) shall may be stained with transparent wood-tone stain or, occasionally stained with. ~~Very seldom is~~ opaque stain or painted. ~~(color) trim used over wood. However, hunter green and other accent colors are sometimes used for shutters and flower boxes.~~
- ~~(a)~~
- 2)3) A paint chip or paint sample shall be submitted with the colored rendering of a design for all colors incorporated in the rendering. This requirement applies to the sign and architectural theme sections of this code. The sign portion of the mural is not exempt from this requirement, although the rest of the mural is.

#### 14.08.050 Supplemental regulations.

A. The design review board may require the following structures or items to comply to the maximum extent practical and feasible with the Old World ~~Bavarian architectural~~ Alpine Theme when they are located in any commercial zone district:

1. Street furnishings.
2. Walkways and/or plazas.
3. Garbage enclosures.
4. Kiosks.
5. ~~Public telephone booths~~ Vehicle infrastructure, such as gas, pay and charging stations.
6. Display cabinets per LMC 5.22.030
7. Any type of display or permitted structure not enclosed within a building structure.

B. Meters, utility boxes, vents, louvers, conduit covers and other similar items shall be colored to blend with adjacent surfaces or colored black.

C. Serving windows to outdoor, privately owned staging areas shall be set back a minimum of eight feet from the sidewalk or public right-of-way.

D. The terms, provisions and requirements of this chapter shall be in addition to and not in lieu of the requirements set forth in the International Building Code and other uniform codes adopted by the city or in any other ordinance, state statute or regulation governing the construction, building, zoning or other similar regulations applicable to the city.

E. The painting of a new or existing building in a color different from the color originally approved shall require approval by the design review board.

F. Buildings shall not be occupied or opened for business until the approved exterior design features of that building are finished. A temporary certificate of occupancy/exemption may be granted by the city with a surety to perform work for not more than the time period allowed by the surety to perform work; provided, that the reason for delayed completion is due to weather or other circumstances beyond the control of the owner.

G. Until all applicable fees, charges, and expenses have been paid in full, as required, no action shall be taken by the city on any application, appeal or request excepting that of design review board consultation.

H. Design review board approved architectural and sign permits shall expire in conformance with LMC 15.04.030 and associated building permits (as necessary).

I. All mechanical equipment, e.g., heating and air conditioning equipment, air handling ducts, and compressors, shall be screened from view. False balconies, false chimneys, railings, and parapet walls may be utilized as long as they do not detract from the Bavarian Alpine Theme. Screening plans/designs must be included in architectural elevations presented for board review and approval. Reduction of fire hazards should be considered in the material and design of screening.

J. Rain gutters, downspouts, and heat tapes shall be required for all eaves to eliminate the possibility of drainage onto sidewalks.

~~K. As a condition of approval for the issuance of permit of any design review board approved architectural and sign permit or any permit issued under this title or other associated titles contained in this code,~~ a performance or surety bond may be required, subject to the following:

1. The city attorney shall approve all performance and surety bonds as to form and securities.
2. The director(s) of the affected department(s) shall approve all performance and surety bonds as to amount and adequacy.
3. Alternative sureties may be considered by the city upon approval by the city attorney and the affected departments of the city.
4. The value of the bond/surety shall be equal to at least 150 percent of the estimated cost of the improvement(s) to be performed for improvements completed within a one-year time frame or 200 percent for improvements completed within a two-year time frame, or to be utilized by the city to perform any necessary work, or to reimburse the city for performing any necessary work and documented administrative costs associated with action on the bond/surety. To determine this value, the applicant must submit a bid for the improvements to be performed. If costs incurred by the city exceed the amount provided by the assurance device, the property owner shall reimburse the city in full, or the city may file a lien against the subject property for the amount of any deficit. Upon written request, the city may grant a one-time extension of the bond/surety.
5. Upon completion of the required work by the property owner and approval by the city at or prior to the completion date identified in the assurance device, the city shall promptly release the device.
6. If the performance bond or surety is required, the property owner shall provide the city with an irrevocable notarized agreement, with a form provided by the city or form acceptable to the city, granting the city and its agents the right to enter the property and perform any required work remaining uncompleted at the expiration of the completion date identified in the assurance device.

~~J. Rain gutters, downspouts, and heat tapes shall be required for all eaves to eliminate the possibility of drainage onto sidewalks.~~

#### 14.08.060 Small commercial buildings.

Small commercial buildings less than 160 square feet, see Portfolio Chapter J, shall meet the following standards:

- A. ~~Single-story buildings, such as roadside stands, bratwurst stands, etc., that are less than 160 square feet, follow~~ Follow the same low-angle Bavarian Alpine roof construction as larger buildings.

- B. These buildings may have all wood outside wall construction. If all wood siding is used, the siding must be tongue and groove cedar, pine, or squared log construction. Usually the siding is applied horizontally. Plywood siding is unacceptable. Stucco may be used.
- C. These buildings should have extensive overhangs front and back, with more modest overhangs on the sides.
- D. Natural wood tone stains predominate in Bavaria, with little or no painting of the trim.
- E. Most of the ornate features are scrolled trim with window shutter cutouts.
- F. Roofing materials are the same as for larger buildings.
- G. The overall feeling should be rustic in nature.

#### ~~14.08.070 Mechanical equipment.~~

~~All mechanical equipment, e.g., heating and air conditioning equipment, air handling ducts, and compressors, shall be screened from view. False balconies, false chimneys, railings, and parapet walls may be utilized as long as they do not detract from the Bavarian Alpine theme. Screening plans/designs must be included in architectural elevations presented for board review and approval.~~

#### 14.08.080 Signs.

- A. All signs must conform with the city sign ordinance, [LMC Chapter 14.10](#).
- B. Examples of approved signs are found in LMC 14.08.100(M).
- C. General locations for signing is to be indicated on the design review application drawings, with evidence that flowers and other features will not interfere.

#### 14.08.090 Enforcement.

This chapter shall be enforced pursuant to Chapter 21.13 LMC.

#### 14.08.100 Appendix: Portfolio of Photographs of Old World Bavarian Architecture and Signs for the City of Leavenworth.

The community development director shall make color copies of the "Portfolio of Photographs of Old World Bavarian Architecture and Signs for the City of Leavenworth" available to the public to view. The "Portfolio of Photographs of Old World Bavarian Architecture and Signs for the City of Leavenworth," dated January 23, 2001, is incorporated herein by this reference and is hereby adopted as part of this chapter. A monetary deposit according to the city's adopted fee schedule shall be required to check out the portfolio of photographs. The following are included in the portfolio:

- A. Typical building shapes and streetscape;
- B. Roofs;
- C. Walls;
- D. Balconies;
- E. Doorways;
- F. Windows;
- G. Trim;
- H. Decorative painting;
- I. Colors;
- J. Small buildings;
- K. Inappropriate design elements;
- L. Local Bavarian Alpine buildings;
- M. Signs;
- N. Regional Bavarian Alpine building styles and map.

## Chapter 2.38 DESIGN REVIEW BOARD

### 2.38.010 Created – Membership, terms, appointments, approval and compensation.

A. There is established a design review board consisting of five members, [plus an alternate and a construction advisor](#). The term of appointment to the board shall be four years and members can be reappointed for succeeding terms. Positions one, two, and five shall have terms expiring June 1st of succeeding years. Positions three and four shall have terms that expire December 1st of succeeding years. New appointments shall be made in a timely manner in order to assure staggering of time for appointments.

B. All members shall be appointed by the mayor and confirmed by a majority of the city council. Vacancies occurring other than through the expiration of a term shall be filled by the mayor with confirmation by a majority of the city council. Any member may be removed at any time by the mayor.

C. Members shall be selected without regard to political affiliation. Serving on the design review board requires residing within the boundaries of the Cascade School District or being a resident of Chelan County and owning a business within the city. Prior to appointment, members must demonstrate a fundamental knowledge of Old World Bavarian Alpine design and the purpose of the city's ordinances regulating architectural design and signs. The mayor shall appoint members based on consideration of the candidates' knowledge regarding the Old World Bavarian Alpine theme and/or demonstration of the following:

1. Travel throughout the Bavarian Alpine region of Bavaria;
2. Working or living in the Bavarian Alpine region of Bavaria;
3. Demonstrate a fundamental knowledge of Old World Bavarian Alpine architecture through the design or building of Old World Bavarian Alpine style structures;
4. Demonstrate a fundamental knowledge of Old World Bavarian Alpine design elements such as color, window treatment, murals, overhangs and building materials;
5. Demonstrate, via travel throughout Germany, Austria, and/or Switzerland, the ability to differentiate between regional design elements.

~~D. One member shall be "at large." This "ombudsman" will serve as a trusted intermediary between meeting the criteria above and representing the broad scope of the Old World Bavarian Alpine theme. Such individual should have knowledge from study of the Old World Bavarian Alpine theme.~~

~~E~~D. Members of the design review board shall serve without compensation.

~~F~~E. An alternate design review board member shall be appointed by the mayor, as outlined in subsection (B) of this section, and shall be selected as outlined in subsection (C) of this section. The alternate shall

serve a term of four years from time of appointment and can be reappointed for succeeding terms. The alternate shall be called upon to attend design review board meetings which cannot obtain a quorum, and shall fill the seat of any regular member of the design review board that is absent. Should the full board be present and the alternate also be present, the alternate shall not make motions or vote but may participate in the discussion. The alternate shall serve without compensation. The alternate shall automatically be appointed to a regular position should a vacancy in such position occur during the alternate's tenure.

F. A non-voting construction advisor may be appointed by the mayor, as outlined in subsection (B) of this section, and shall be selected as outlined in subsection (C) of this section. The advisor shall provide technical expertise to the design review board members when requested. They shall serve a term of four years from time of appointment and can be reappointed for succeeding terms. The advisor shall serve without compensation.

### **2.38.020 Powers and duties.**

A. Generally. The design review board shall perform all duties specified under Chapters 14.08 and 14.10 LMC as the same now exist or are hereafter amended, together with any other duties or authorities which may be conferred upon them by the city council; provided, that nothing in this chapter shall be construed as limiting the right of the city to exercise any power granted to a code city as provided by law.

B. Rules and Procedures. The design review board may adopt rules of procedure for the conduct of meetings and other functions delegated to the design review board by the city council; provided, that the rules of procedure adopted are in accordance with state law and city ordinances.

### **2.38.030 Report to council.**

The design review board shall, as requested by the council, make a written report to the mayor and city council. In its report, the design review board shall make written recommendations to the mayor and city council on matters that are covered under the prescribed duties and authority of the design review board.

### **2.38.040 Meetings.**

The time and place of the board's meetings shall be established in the bylaws. All meetings shall be open to the public and shall be conducted in accordance with Chapter 42.30 RCW, State Open Public Meetings Act, as the same now exists or is hereafter amended.

### **2.38.050 Quorum and voting.**

A. Three members of the design review board shall constitute a quorum for the transaction of business.

B. A quorum shall be required for the transaction of any business of the design review board.

C. Each regularly appointed member, including the chairperson, shall be entitled to one vote on any matter that may come before the design review board. The alternate member shall vote when one of the regular members is absent; otherwise, the alternate shall participate but not vote. The record shall show the individual vote of each member.

D. Actions requiring a vote of the design review board must have a simple majority of the quorum present for a favorable vote.

E. If there are only three board members at a meeting and one member is subject to the appearance of fairness doctrine, the meeting may proceed under the doctrine of necessity. However, the board may postpone its review of an item until the next meeting if the affected applicant agrees to the postponement.

F. The design review board shall take action to approve, approve with conditions, deny, or continue a decision to another specified time and date on any matter which comes before it on which it is authorized to act. On any matter that the design review board is authorized to act, if there is failure to make a motion to approve, approve with conditions, or continue a decision on such matter, such shall be regarded as a denial.

### 2.38.060 ~~Secretary~~ Roles and Procedures.

~~A. The city administrator or his/her designee shall serve as secretary to the design review board. The design review board secretary shall be charged with preparing and transmitting a report with compliance review of applicable sections of code to the design review board.~~ The design review board roles and responsibilities are defined in LMC 21.03.050.

~~B. The report shall include compliance analysis with the location, dimension, size, and other applicable technical standards and specifications outside Old World Bavarian Alpine theme for signs.~~ All applications shall be processed consistent with LMC 21.09.060.

~~C. The report shall include compliance analysis with LMC 14.08.020, 14.08.030(A) through (C), and 14.08.050 for building/structure design.~~

~~D. Compliance analysis shall include, but is not limited to, comparing the submitted application with the Portfolio of Photographs of Old World Bavarian Alpine Architecture and Signs for the City of Leavenworth.~~

~~E. The secretary shall prepare action sheets for all approvals, approvals with conditions, and denials of submitted applications.~~

~~F. The action sheet shall be forwarded to (mailed or emailed) the applicant within 10 working days of final action.~~

### 2.38.070 Appeals.

Any person aggrieved by a final decision on a sign or design application may ~~within 10 days of a decision on the permit file an appeal. The appeal shall be heard by the city's hearing examiner.~~ appeal pursuant to LMC 21.11.025.



## Staff Report

### Code Amendments to LMC Chapter 17.08 Short Subdivisions, Chapter 17.12 Major Subdivisions and Section 21.90.030 Common Definitions

**To:** Leavenworth Planning Commission  
**From:** City of Leavenworth Development Services Department  
**Date of Report:** February 6, 2020 for the March 4, 2020 Hearing  
**Subject:** Subdivision Code Amendments

#### **OVERVIEW**

The purpose of the proposed amendments is to permit the administrative review of Short Subdivisions of nine or fewer lots (rather than the existing four). Major Subdivisions would change from five or more lots to ten or more lots.

A subdivision is the division of land into multiple plots, sites, parcels, or tracts. All subdivisions, regardless of the number of lots created are required to meet zoning standards and buildout requirements for infrastructure (such as roads). This amendment would not change the standards or buildout requirements.

A Short Subdivision is reviewed administratively while a Major Subdivision is reviewed quasi-judicially. Below is a simplified summary of the two processes.



The benefits of a Short Subdivision are the reduced time processing which intern means reduced costs and not having to present at a hearing. For the City, the benefits of a Short Subdivision include

encouraging infill development where existing city services are readily available. Infill development increases the number of users on water and sewer lines without extending City infrastructure resulting in reduced costs for all users and reduced maintenance for City workers. Most infill development within the City has been for housing.

**PUBLIC HEARING NOTICE COMPLIANCE**

<b>60-day Agency review</b>	Material ID# 2020-S-1133, expedited review approved 2/4/2020
<b>SEPA Determination</b>	Exempt per WAC 197-11-800(19) Procedural Action.
<b>Notice of Planning Commission Public Hearing</b>	Published in the Echo: February 19, 2020
<b>Planning Commission Public Hearing</b>	March 4, 2020
<b>City Council Public Hearing:</b>	Tentatively Scheduled for April

**PUBLIC/AGENCY COMMENTS**

There were no public or agency comments received, at the time of drafting this staff report. The public is encouraged to attend the Planning Commission Hearing and provide testimony before a recommendation is forwarded to the City Council. The Planning Commission may incorporate comments and testimony into the recommendation. Additionally, the City Council will have an opportunity for public testimony at the Council Public Hearing.

**PROPOSED AMENDMENTS**

*Chapter 17.08 Short Plats*

*17.08.010 Applicability.*

*Every division of land into ~~four~~nine or fewer lots, plots, sites, parcels, or tracts within the city of Leavenworth shall proceed in compliance with this chapter.*

*17.08.070 Prohibition on re-subdivision.*

*Land within a short subdivision, the short plat of which has been approved within five years immediately preceding, may not be further divided unless a final major subdivision has been approved and filed for record pursuant to Chapter 17.12 LMC; except, ~~the owner who filed the original application for~~ a short subdivision containing fewer than ~~four~~nine lots may apply to further divide within five years, provided the total lots created do not exceed ~~four~~nine.*

*Chapter 17.12 Major Subdivisions*

*17.12.010 Applicability.*

*Every division of land into ~~five~~ten or more lots, plots, sites, parcels, or tracts within the city of Leavenworth shall proceed in compliance with this chapter.*

### LMC 21.90.030 Definitions

“Plat, final short” means the final drawing of the short subdivision (~~four~~-nine lots or less) and dedication prepared for filing for record with the Chelan County auditor and containing all elements and requirements set forth in Chapter 58.17 RCW and LMC Title 17, as amended.

“Plat, final” means the final drawing of the subdivision (~~five~~-ten or more lots) and dedication prepared for filing for record with the Chelan County auditor and containing all elements and requirements set forth in Chapter 58.17 RCW and LMC Title 17, as amended.

“Subdivision, major” means the division or redivision of land into ~~five~~-ten or more lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership, in conformance with Chapter 17.12 LMC.

“Subdivision, short” means the division or redivision of land into ~~four~~-nine or fewer lots, tracts, parcels, sites or divisions for the purpose of sale, lease, or transfer of ownership, in conformance with Chapter 17.08 LMC.

### **RECOMMENDATION AND FINDINGS**

Staff recommends approval of proposed code amendments based on the following findings of fact and conclusions of law:

- 1. The amendment is necessary to resolve inconsistencies in the provisions of the comprehensive plan and/or development regulations or to address state or federal mandates.**

Staff Finding: The proposed amendments are intended to permit the short subdivision of land into the maximum of nine lots, when meeting the zoning and other applicable standards. Major subdivisions would change from five or more lots to ten or more lots.

Conclusion: The amendments are not necessary to resolve inconsistencies in the provisions of the comprehensive plan or address regulations or mandates but rather encourage land division and thereby encourage infill development and infill housing.

- 2. The amendment is consistent with the overall intent of the existing comprehensive plan and the other documents incorporated therein.**

Staff Finding: The Comprehensive Plan provides goals and policies focus primarily on efficient land use. The subdivision process, regardless of short or major subdivision, helps achieve land development for residential and commercial purposes. It is anticipated that short subdivisions will be used primarily for infill residential development. Related policies include:

*Policy 6: Chelan County and the City should encourage increased density in communities with existing infrastructure. Rationale: The intent of the GMA is to encourage population growth in urban areas, reduce urban sprawl and thereby lessen the burden on counties to provide urban type infrastructure and services to large population centers.*

*Policy 4: Recognize that the infill of vacant, partially used, and underutilized land in existing developed areas of the City is an important aspect of the efficient development of the UGA and City limits and should strongly be encouraged. Rationale: Many parcels of land are available within existing developed areas of the City that can accommodate further development. Infill within these areas will allow public facilities and services to be provided in a more efficient manner.*

Conclusion: The amendments are consistent with the overall intent of the existing comprehensive plan.

3. **The amendment is consistent with the assumptions and/or other factors such as population, employment, land use, housing, transportation, capital facilities, economic conditions, etc., contained in the comprehensive plan.**

Staff Finding: The proposed amendments provide a change to the processing for land divisions and will have no direct correlation to population, employment, capital facilities, or economic factors contained within the Comprehensive Plan.

Conclusion: The amendments do not impact the assumptions or other factors within the Comprehensive Plan.

4. **The amendments are consistent with the requirements of the Growth Management Act and the county- wide planning policies.**

Staff Finding: The existing Comprehensive Plan is compliant with the Growth Management Act and the County-Wide Planning Policies. The proposed code amendments do not change the substance or intent of the Comprehensive Plan.

Conclusion: The amendments are consistent with the requirements of the Growth Management Act and the county-wide planning policies.

5. **The amendments are consistent with and do not adversely affect the supply of land for various purposes which are available to accommodate projected growth over a twenty-year period.**

Staff Finding: The amendments are intended to support subdivisions consistent with the Comprehensive Plan and Zoning regulations. Subdivisions are necessary to provide future development lots which are required for growth of the community.

Conclusion: The amendments are consistent with and do not adversely affect the supply of land for various purposes which are available to accommodate projected growth over a twenty-year period.

6. **Where applicable, conditions have changed such that assumptions and/or other factors such as population, employment, land use, housing, transportation, capital facilities, economic conditions, etc., contained in the comprehensive plan have been revised and/or enhanced to reflect said conditions;**

Staff Finding: The City is experiencing an increase in residential development and major subdivisions. However, at this time, there are no notable changes in population, employment, land use, housing, transportation, capital facilities or economic conditions affecting the Comprehensive Plan.

Conclusion: Not applicable.

7. **Amendments to the comprehensive plan land use designation map(s) are either consistent and/or compatible with, or do not adversely affect, adjacent land uses and surrounding environment;**

Staff Finding: The proposed code amendments will not change the Comprehensive Plan maps.

Conclusion: Not applicable.

8. **The proposed amendments are consistent with and do not negatively impact public facilities, utilities and infrastructure, including transportation systems, and any adopted levels of service.**

Staff Finding: The proposed amendments relate to how subdivisions are processed and will not change the requirement for concurrent development of public facilities.

Conclusion: Not applicable.

**9. The proposed amendment does not adversely affect lands designated resource lands of long-term commercial significance or critical areas.**

Staff Finding: There are no designated resource lands within the City limits. The proposed amendments have no change to the requirements for environmental review and compliance with critical area regulations.

Conclusion: Not applicable.



## District Use Chart

### 18.xx.010 Purpose

A district use chart is established and contained herein as a tool for the purpose of determining the specific uses permitted in each zoning district. No use shall be permitted in a zoning district that is not listed in the use chart as either a permitted, accessory or conditional use, unless the administrator determines that an unlisted use is similar to one that is already enumerated in the use chart and may therefore be permitted subject to the requirements associated with that use and all other applicable provisions of code.

### 18.xx.020 District Use Chart

The following acronyms apply to the District Use Chart. If there is no notation in the chart for the zoning district, that use is not permitted. All uses must meet City standards.

“P” Permitted Use

“AU” Accessory Use

“C” Conditional Use

#### Zoning Districts:

- (RL-6) Residential Low Density 6,000
- (RL-10) Residential Low Density 10,000
- (RL-12) Residential Low Density 12,000
- (MF) Multi-Family Residential District
- (GC) General Commercial
- (CC) Central Commercial
- (TC) Tourist Commercial
- (LI) Light Industrial
- (REC) Recreation
- (RP) Recreation-Public

### 18.xx.030 District Use Chart

RL-6: This is a restricted residential district of low density in which the principal use of land is for single-family dwellings, together with recreational, religious, and educational facilities required to serve the community. The regulations for this district are designed and intended to establish, maintain and protect the essential characteristics of the district, to develop and sustain a suitable environment for family life where children are members of most families, and to prohibit almost all activities of a commercial nature and those which would tend to be inharmonious with or injurious to the preservation of a residential environment.

RL-10: This is a restricted residential district of low density in which the principal use of land is for single-family dwellings, together with recreational, religious, and educational facilities required to serve the community. The regulations for this district are designed and intended to establish, maintain and protect the essential characteristics of the district, to develop and sustain a suitable environment for family life where children are members of most families, and to prohibit almost all activities of a commercial nature and those which would tend to be inharmonious with or injurious to the preservation of a residential environment.

RL-12: This is a restricted residential district of low density in which the principal use of land is for single-family dwellings, together with recreational, religious, and educational facilities required to serve the community. The regulations for this district are designed and intended to establish, maintain and protect the essential characteristics of the district, to develop and sustain a suitable environment for family life where children are members of most families, and to prohibit almost all activities of a commercial nature and those which would tend to be inharmonious with or injurious to the preservation of a residential environment.

MF: This is a medium density residential district designed to accommodate multifamily uses, together with recreational, religious, and educational uses required to serve the community. This district is intended to provide for increased variety and range of cost for housing in Leavenworth. The multifamily district is also intended to serve as a buffer between commercial and single-family districts, and to provide incentive for renewal and redevelopment of older residential areas.

CG: The general commercial district classification is intended to be applied to areas suitable and desirable for wholesale and retail sales and services not properly a part of the central area.

CC: The central commercial district is intended to provide an appropriately located area of concentrated retail stores, offices, and service establishments of limited nature serving the residents of the city and the surrounding area. Recognizing the established character and attractive scale of the central part of the Leavenworth business area, it is the further purpose of this district regulation to protect and enhance this area for the benefit of the city, businesses, property owner, and the general public.

CT: The tourist commercial district classification is intended to be applied to areas suitable and desirable for motels, restaurants, service stations and similar uses to accommodate auto-oriented patrons.

LI: The purpose of the light industrial district is to promote the development of clean, light manufacturing of goods and wares. In addition, the light industrial district can accommodate storage type facilities.

RD: The recreation district is to promote both passive and active recreation. This district is suitable for such uses as wildlife refuge and sanctuaries, municipal parks, ball fields, playgrounds, and golf courses. This designation is not applicable to commercial amusement parks and other such activities. This designation may also be appropriate for institutions that utilize play fields and/or open space as part of their normal day-to-day operation or landscaping.

PR: The recreation-public district is intended to be applied to publicly owned properties for public recreation and utility uses. This district is suitable for recreational and public uses, and commercial uses that are determined by the city's legislative authority to be in the best interest of the community.

Land Uses	RL-6	RL-10	RL-12	MF	GC	CC	TC	LI	REC	RP	Notes	Definition LMC 21.90
Shoreline Development (see the Shoreline Master Program)												
Residential (specified use below)												
Single-Family Residential	P	P	P	P								“Dwelling, single-family” or “single-family dwelling” means a detached residential dwelling unit, which is site-built, manufactured, modular, or other type of similar construction not including recreation vehicles, travel trailers, or similar structures, designed for and occupied on a monthly or longer basis by one family.
Manufactured Home, Designated	P	P	P	P							defined but not listed, see Chapter 14.16	“Manufactured home, designated” means a manufactured home constructed after June 15, 1976, in accordance with the state and federal requirements for manufactured homes, which:1. Is comprised of at least two fully enclosed parallel sections each not less than 12 feet wide by 36 feet long; 2. Was originally constructed with and now has a composition or wood shake or shingle, coated metal or similar roof of nominal 3:13 pitch; and3. Has exterior siding similar in appearance to siding materials commonly used on conventional site-built International Building Code (International Construction Code) compliant single-family residences
Manufactured Home/Mobile Home												“Manufactured home or mobile home” means a structure, designed and constructed to be transportable in one or more sections, and which is built on a permanent chassis, and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities that include plumbing, heating, and electrical systems contained therein. The structure must comply with the National Mobile Home Construction and Safety Standards Act of 1974 as adopted by Chapter 43.22 RCW, State Government – Executive, Department of Labor and Industries, if applicable. Manufactured home does not include a modular home. A structure which met the definition of a “manufactured home” at the time of manufacture is still considered to meet this definition notwithstanding that it is no longer transportable.
Accessory Dwelling Unit	P	P	P	P								
Duplex	P	P	P	P								“Duplex” means a single building containing two dwelling units, totally separated from each other by an unpierced wall. “Dwelling/duplex, two-family” or “two-family dwelling/duplex” means a detached residential building containing two dwelling units, designed for occupancy on a monthly or longer basis by not more than two families. Each unit shall be designed for and occupied on a monthly or longer basis.



Land Uses	RL-6	RL-10	RL-12	MF	GC	CC	TC	LI	REC	RP	Notes	Definition LMC 21.90
Garage/Carport/Parking space	AU	AU	AU	AU								<p>“Garage, private” means an accessory building or a space within the principal building used for the storage or parking of vehicles.</p> <p>“Carport” means an accessory building or portion of a main building used as a covered shelter for an automobile and open on two or more sides.</p> <p>“Parking, private” means parking facilities for the noncommercial use of the occupant and guests of the occupant.</p> <p>“Parking space, off-street” means an off-street enclosed or unenclosed impermeable surface area permanently reserved for the temporary storage of one automobile and connected with a street by an impermeable surface driveway which affords ingress and egress for automobiles. “Parking structure” means a partially or fully enclosed surfaced area, either underground or aboveground, permanently reserved for the temporary storage of one or more automobiles and connected with a street by a surfaced driveway that affords ingress and egress for automobiles.</p>
Work/Storage Sheds for noncommercial use or equipment	AU	AU	AU	AU								
Swimming pools	AU	AU	AU	AU								
Cabana, Children Play structures or Gazebo	AU	AU	AU	AU								
Stacked Parking	AU	AU	AU	AU	AU	AU	AU					<p>“Stacked parking” means the use of a mechanical system, such as a hydraulic lift or automated parking system, to move one or more vehicles in a manner which provides additional parking. The vehicle can be transported vertically (up or down) and horizontally (left and right) to a vacant parking space until the car is needed again.</p>
Family Day Care/Mini-day Care	AU	AU	AU	AU	AU	AU	AU					<p>“Family day care home” means a home which regularly provides care during part of the 24-hour day to six or fewer children. Such number shall be reduced by the number of permittee’s own children and foster children under 12 years of age who are on the premises.</p> <p>“Mini-day care center” means a center for the care of 12 or fewer children during part of the 24-hour day in a facility other than the family abode of the permittee, or a home for the care of from seven through 12 children in the family abode of the permittee. Such number shall be reduced by the number of permittee’s own children or foster children under 12 years of age who are on the premises.</p>

Land Uses	RL-6	RL-10	RL-12	MF	GC	CC	TC	LI	REC	RP	Notes	Definition LMC 21.90
Foster Home												"Foster home" means a home licensed and regulated by the state and classified by the state as a foster home, providing care and guidance for not more than three unrelated juveniles.
Adult Family Home	AU	AU	AU	AU	AU	AU	AU					"Adult family home" means a residence licensed by the state of Washington where personal care, special care, room, and board are provided for more than one but not more than six adults who are not related by blood or a marriage to the person or persons providing the services, per Chapter 70.128 RCW.
Group A Home Occupation	AU	AU	AU	AU								"Home occupation" means ... "Home occupation, Group A" means a home occupation that meets all of the home occupation minimum standards of Chapter 18.20 LMC, as amended, and has no nonresident worker. In addition, limited customers visit the business. Group A home occupation is not visible from outside the home. The business must be conducted in the home by a resident and have no impact on the surrounding neighbors. Examples of Group A home occupation include, but are not limited to: "desk and telephone" occupations, cottage crafts where mail services are used, and a consultant's office with infrequent customer and/or client visits (maximum of two per month).
Group B Home Occupation	P	P	P	P								"Home occupation, Group B" means a home occupation that meets all of the home occupation minimum standards of Chapter 18.20 LMC, as amended, and has a maximum of one nonresident worker. In addition, customers visit the business. Group B home occupation allows more flexibility, including the potential of impacting the neighbors; therefore, a full administrative review of applications is required. Examples of Group B home occupation include, but are not limited to: hairdressers, music teachers, and a consultant's office with customer and/or client visits (more frequent than two per month). Transient accommodations and/or lodging are not considered a home occupation and are prohibited within residential zones.
Bed and Breakfast within a SFR or ADU	C	C	C	C								"Bed and breakfast" means an activity whereby the property owners allow visitors in their homes, up to three rooms for compensation, for periods of 30 consecutive days or less, while at the property, owner lives on site, in the dwelling unit, throughout the visitors' stay.
Nursing home, Retirement home, rest home or convalescent Home				C								"Nursing or convalescent home" means an establishment which provides full-time care for three or more chronically ill or infirm persons. Such care shall not include surgical, obstetrical or acute illness services.

Land Uses	RL-6	RL-10	RL-12	MF	GC	CC	TC	LI	REC	RP	Notes	Definition LMC 21.90
Youth Home, Juvenile Home, Orphanage				C								
<b>Public/Semi-Public (specified use below)</b>												
Parks and public pools	P		P	P	C	C	C		P	P		
Outdoor recreation facility											Defined but not listed	"Outdoor recreation facility" means an area designed for active recreation, whether publicly or privately owned, including, but not limited to, baseball diamonds, soccer and football fields, golf courses, tennis courts and swimming pools.
Passive recreation											Defined but not listed	"Passive recreation" means recreational development generally associated with a low level of human activity and limited construction-related impacts, which may include natural trails and similar uses.
Golf Courses (excluding miniature golf, putting courses and driving ranges)	C	C	C						P	P		
Churches, convents and monasteries	C	C	C						C		REC - PERMITTED WITH CONDITIONS	
Educational Institutions	C	C	C									"Educational institutions and facilities" means uses that provide state mandated basic education, public and private institutions of learning offering instruction from kindergarten to grade 12 required by the Education Code of the state of Washington; certified by the Washington State Board of Education; and/or under the authority and/or oversight of the Washington State Office of Superintendent of Public Instruction (OSPI). Preschools and pre-kindergarten facilities (day cares) are not educational institutions and facilities for the purposes of this definition.
Educational Centers for advanced study and research in an academic field of learning	C	C	C						C	C	REC - PERMITTED WITH CONDITIONS	
Business, Technical or Trade School					P	C	P	C			COMBINED Trade and/or Vocational School; includes colleges	"Business, technical or trade school" means a facility which offers post-secondary professional and training education.
Day nurseries and nursery schools	C	C	C									
Community Center, nonprofit	C	C	C						C		REC - PERMITTED WITH CONDITIONS	
Public Libraries	C	C	C		C	C	C			C		

Land Uses	RL-6	RL-10	RL-12	MF	GC	CC	TC	LI	REC	RP	Notes	Definition LMC 21.90
Government Buildings (STRUCTURE OR USE)	C	C	C		P	P	P		C	C	REC - PERMITTED WITH CONDITIONS	"Public facilities and utilities" means land or structures owned by or operated for the benefit of the public use and necessity, including but not limited to public facilities defined in RCW 36.70A.030, as amended.
Public/private facilities such as law enforcement and fire stations, corporate headquarters, regional headquarters and administrative offices or commercial, industrial, financial, governmental and charitable organizations, public animal control facilities and other similar non-commercial uses					C			P			GC - NOTE LIMITED USES	
Public Utility Structures (NOT DEFINED - CHANGE TO PUBLIC FACILITIES UTILITIES WHICH IS DEFINED)	C	C	C	C					C	C	COMMERCIAL ZONES DEFINE AS PUBLIC BUILDINGS, UTILITIES, SERVICE STRUCTURES OR INSTALLATIONS & GROUNDS	
Public utility and municipal uses such as substations, fire stations, wastewater treatment facilities, water wells and/or treatment facilities and maintenance shops								P				
Recycling Centers (collection and storage)								C				
Hospital/Clinic (MF - INCLUDE SANATORIUM)	C	C	C	C	C	C	C		C		COMBINED HOSPITAL AND CLINIC	"Hospital" means an establishment whose primary function is to provide sleeping and eating facilities to persons receiving medical or surgical care with nursing service on a continuous basis. "Clinic" means a building designed and used for the medical, dental and surgical diagnosis and treatment of outpatients under the care of doctors and nurses, having a central reception room for one or more doctors with one or more associated licensed personnel, and operating under a general management.
Public Museums and Art Galleries	C	C	C		C	C	C		C	C	REC - PERMITTED WITH CONDITIONS; PUBLIC AND PRIVATE IN COMMERCIAL ZONES	
Wireless Telecommunications Facilities	C			C	C	C	C	C	C	C		LMC 18.74



Land Uses	RL-6	RL-10	RL-12	MF		GC	CC	TC	LI	REC	RP	Notes	Definition LMC 21.90	
Day Care Center	C	C	C	C		C	C	C						"Day care center" means a center for the care of 13 or more children during part of the 24-hour day.
Hotel or Motels						P	P	P				also defined "lodging unit" and "suite"	"Hotel" means a building or portion thereof designed or used for transient rental of more than five units for sleeping purposes. A central kitchen and dining room and accessory shops and services catering to the general public or for the operation of the hotel, such as laundry, can be provided. Not included are institutions housing persons under legal restraint or requiring medical attention or care. "Motel" means a building or group of buildings in which lodging is offered to transient guests for compensation and providing parking accommodations for automobiles adjacent to the lodging. This term includes tourist court, motor lodge, auto court, cabin court, motor inn and similar names.	
Automobile, boat, truck, trailer, or similar motor vehicle sales, service, display, rental or storage						P								
Battery Exchange stations/Rapid Charging Stations						P		P	P			Also see Battery charging station	"Battery exchange station" means a fully automated facility that will enable an electric vehicle with a swappable battery to enter a drive lane and exchange the depleted battery with a fully charged battery through a fully automated process, which meets or exceeds any standards, codes, and regulations set forth by Chapter 19.27 RCW and consistent with rules adopted under RCW 19.27.540.	
Bakery						P	P	P					"Bakery" means a facility preparing baked goods for retail sales and offering baked goods including pies, doughnuts, cakes and breads for sale to the public.	
Banks						P	P	P					"Banks, savings and loan and other financial institutions" means offices and service facilities for banks, savings and loans, credit unions or other financial institutions, including drive-through windows.	
Barber/Beauty Shop						P	P	P					"Barber/beauty shop" means a facility offering haircuts, manicures and similar personal services.	
Car Wash						P			P				"Car wash" means facilities for the washing of passenger cars and light trucks as either a principal use or accessory to fueling stations, convenience stores or similar permitted uses.	

Land Uses	RL-6	RL-10	RL-12	MF	GC	CC	TC	LI	REC	RP	Notes	Definition LMC 21.90
Eating and Drinking Establishment					P	P	P					"Eating and drinking establishment" means an establishment designed and constructed to serve food and beverages for consumption on the premises, in an automobile or for carry-out for off-premises consumption and which establishment may or may not have on-premises dining room or counter. Such establishment may include, but is not limited to: restaurant, coffee shop, cafeteria, short-order cafe, tavern, bar, lounge, sandwich stand, soda fountain, catering and all other eating or drinking establishments, as well as kitchens or other places in which food or drink is prepared for sale. Mobile lunch cart or other temporary mobile food vendors are excluded from this definition.
Catering					P	P	P					
Exercise Facilities					P	P	P					
Indoor Sports Arenas, Auditoriums and Exhibition Halls					P	P	P					"Indoor sports arenas, auditoriums, and exhibition halls" means a building for indoor (open wall) sports, theater, concert hall, or other public building, in which the audience sits, and/or building for gatherings or entertainment.
Incidental/Accessory Structures and Uses on the same site with, and necessary for, the operation of a permitted use					AU	AU	AU					"Accessory or secondary use or structure" means a use or structure on the same lot with an incidental or subordinate to the primary use or structure, and which may exist only when a primary use is existing on the same lot. The floor area of a secondary use must be less than that devoted to the primary use.
Laundry or Dry-Cleaning Establishment					P	P						"Laundry/dry cleaning" means a facility providing machines for the washing and drying of clothes and personal items. This definition does not include an industrial facility providing laundry, dry cleaning, linen supply, and uniforms on a regional basis.
Copy/Printing Establishment					P	P	P					"Copy and/or printing establishment" means a retail print service, including blueprinting, photostat copies, copier and other business support services.
Pharmacy/Drug Store					P	P	P					"Pharmacy/drug store" means an establishment where medicinal drugs are dispensed and sold.
Professional Offices (business and professional)					P	P	P	P				"Office, professional" or "office" means a building or separately defined space within a building occupied by doctors, dentists, accountants, attorneys, optometrists, architects, professional engineers and surveyors, licensed real estate brokers and persons engaged in similar occupations. The use of an office does not include on-premises sales or manufacture of goods.
Personal service											defined but not listed	"Personal service" means businesses engaged in providing care of the corporeal person or his apparel, not including health care.

Land Uses	RL-6	RL-10	RL-12	MF	GC	CC	TC	LI	REC	RP	Notes	Definition LMC 21.90
Retail Food/Grocery Store					P	P	P					"Retail food/grocery store" means a retail establishment offering a wide variety of comestibles (edible/eatable), beverages and household supplies for sale.
Retail sales, rental or repair of nonmotorized recreation equipment					P	P	P					
Retail stores and service establishments					P	P	P					"Retail stores and service establishments" means an establishment where the majority of sales of goods or services (or of both) is for resale and is recognized as retail sales or services in the particular industry.
Theater					P	P	P					"Indoor sports arenas, auditoriums, and exhibition halls" means a building for indoor (open wall) sports, theater, concert hall, or other public building, in which the audience sits, and/or building for gatherings or entertainment.
Commercial Amusement Enterprise					C	C	C					"Commercial amusement enterprise" means a location where recreation activities take place. These activities can include but are not limited to stadium, arena, outdoor theater (amphitheaters or outdoor music events, theme parks, equestrian facilities, rodeos, circuses, skateboard parks, race tracks, go karts, ATV or motorcycle tracks, and sports stadiums or arenas), bowling alley, dance hall, skating rink, archery club, gun club, private tennis club, private swimming club, or similar athletic club, batting cages, BMX courses, paintball and golf driving ranges. If these activities are an appurtenant use to another commercial use and will occupy less than 25 percent of the floor area of a business, they will not be considered a commercial amusement enterprise and will not require a conditional use permit.
Commercial Entertainment Enterprise							C					
Family Entertainment Enterprise					C	C	P					"Family entertainment enterprise" means an indoor location, on a smaller scale than a commercial amusement enterprise, where family-oriented recreation activities take place. These activities can include but are not limited to video games, indoor miniature golf, billiard tables, foosball tables, air hockey tables, table tennis, and darts. If these activities are an appurtenant use to another commercial use (i.e., video games in a pizza parlor) and will occupy less than 25 percent of the floor area of a business, they will not be considered a family entertainment enterprise and will not require a conditional use permit.
Food Bank					C	C	C					

Land Uses	RL-6	RL-10	RL-12	MF	GC	CC	TC	LI	REC	RP	Notes	Definition LMC 21.90
Gasoline Service Station					C			C			SEPERATED FROM BULK GAS STORAGE	"Gasoline service station" means buildings and premises where gasoline, oil, grease, batteries, tires and automobile accessories may be supplied and dispensed at retail and not to include a repair garage or body shop.
Garage, parking or commercial											defined but not listed	"Garage, parking or commercial" means a building used for storage, repair or servicing of motor vehicles as a commercial use.
Parking Structure											defined but not listed	"Parking Structure" means a partially or fully enclosed surfaced area, either underground or aboveground, permanently reserved for the temporary storage of one or more automobiles and connected with a street by a surfaced driveway that affords ingress and egress for automobiles.
Parking Facilities (structures and lots)					C	C	C	P			COMBINED WITH Parking lots, commercial or public	"Parking facility" or "parking lot" means an area permanently reserved for the temporary storage of one or more automobiles and connected with a street by a surfaced driveway that affords ingress and egress for automobiles.
Rapid Charging Stations						C					also defined are slow charging	"Rapid charging station" means an industrial grade electrical outlet that allows for faster recharging of electric vehicle batteries through higher power levels and that meets or exceeds any standards, codes, and regulations set forth by Chapter 19.28 RCW and consistent with rules adopted under RCW 19.27.540. A rapid charging station typically operates on a 60-amp or higher dedicated breaker on a 480-volt or higher three-phase circuit with special grounding equipment.
Pet Care Centers					C	C	C					"Pet care center" means an indoor kennel which provides boarding and grooming services.
Private Clubs and Lodges					C		C					?see commercial amusement enterprise
Recreational Vehicle Parks					C		C		C		COMBINED WITH CAMPGROUND - WILL REQUIRE CODE REVIEW	"Recreational vehicle park" means a tract of land under single ownership or control upon which two or more recreational vehicle sites are located, established or maintained for occupancy by the general public as temporary living quarters for recreation or vacation purposes.
Veterinarian/Animal Hospital					C			P				
Animal Boarding Facilities/Kennels								P			VET WITH BOARDING/KENNEL	"Kennel" means a structure or lot on which four or more domestic animals at least four months of age are kept.
<b>Industrial (specified use below)</b>												
Upholstery Shop					P							"Upholstery shop" means a retail service for the upholstery and re-upholstery of furniture.
Cabinet or Glass Shop					C							
Electric, Plumbing or Heating shop					C							

Land Uses	RL-6	RL-10	RL-12	MF	GC	CC	TC	LI	REC	RP	Notes	Definition LMC 21.90
Micro Brewery, Distillery or Winery					C	C	C					
Coffee Roasting					C	C	C					
Storage Facilities, including mini- and self-storage								P			SIMPLIFIED TITLE	
Construction Yards								P				
Heliports and Aviation Activities								C				
Bulk Fuel Storage								C			SERPERATED FROM GAS STATION	
Scientific and Agricultural Research, Testing and Experimental Development Laboratories								C				
Processing and Packaging food, drugs, pharmaceuticals, perfumes and cosmetics								P				
High tech industry, computer assembly and similar type uses								P				
Repair services for electronics or appliances								P				"Repair" means any change that is not construction, addition, demolition, moving, or alteration.
Wholesale trade establishments and storage of durable and nondurable goods including automobile parts and supplies, tires and tubes, furniture and home furnishing, lumber, manufactured homes, recreational vehicles, boats and campers and construction materials								P				
Light manufacturing, assembly, processing, packaging, treatment or fabrication of wood, glass, metal, food, furniture, fixtures, computers, scientific materials, lumber, clothing, or textile goods, products and machinery								P				

Land Uses	RL-6	RL-10	RL-12	MF		GC	CC	TC	LI	REC	RP	Notes	Definition LMC 21.90
Agricultural Uses – sorting, packing, storage, processing, refrigeration and shipping of agricultural products, feed stores, nursery/greenhouse or other similar uses									C				“Existing and ongoing agricultural activities” means those activities conducted on lands defined in RCW 84.34.020(2), and those activities involved in the production of crops and livestock, including but not limited to operation, maintenance and conservation measures of farm and stock ponds or drainage ditches, irrigation systems, changes between agricultural activities, and normal operation, maintenance or repair of existing serviceable structures, facilities or improved areas. Activities which bring an area into agricultural use are not part of an ongoing activity. An operation ceases to be ongoing when the area in which it was conducted is proposed for conversion to a nonagricultural use or has lain idle for a period of longer than five years, unless the idle land is registered in a federal or state soils conservation program. Forest practices are not included in this definition.
Breaking of bulk and redistribution of smaller lots, including packaging, repackaging, or bottling products, such as liquors or chemicals									P				
Warehousing establishments									P				
Truck and freight terminals, warehousing and storage, parcel delivery service, packaging and crating									P				
Vehicle (including recreational vehicles), tractor, car, truck, boat, manufactured home and implement sales, repair, service maintenance and rental, including paint, powder coating and body work									P				
Auto/Vehicle towing, including secured storage of vehicles									P				
Auto Repair (not body shop)						C							

Land Uses	RL-6	RL-10	RL-12	MF	GC	CC	TC	LI	REC	RP	Notes	Definition LMC 21.90
Manufacturing, Assembly, Fabricating, Processing, Packing, Repairing or Storage of goods which have not been declared a nuisance					C	C	C				CG- DEFINED DIFFERENTLY	“Light industry” means industrial uses which are consumer-oriented industry. Such products are produced for end users (and storage) rather than as intermediates for use by other industries. Light industry facilities have less environmental impact than those associated with heavy industry, and may be near residential areas. It is the production of small consumer goods. Examples of light industries include the manufacturing of clothes, shoes, furniture, consumer electronics and home appliances. Conversely, ship building would fall under heavy industry.
Cryptocurrency Mining								P				“Cryptocurrency mining” means the operation of specialized computer equipment for the primary purpose of mining one or more blockchain-based cryptocurrencies such as Bitcoin. This activity typically involves the solving of algorithms as part of the development and maintenance of a blockchain which is a type of distributed ledger maintained on a peer-to-peer network. Typical physical characteristics of cryptocurrency mining include specialized computer hardware; high density load (HDL) electricity use; a high energy use intensity (EUI) where the operating square footage as determined by the utility is above 250kWh/ft2/year and with a high load factor in addition to the use of equipment to cool the hardware and operating space. For the purposes of the associated regulations, cryptocurrency mining does not include the exchange of cryptocurrency or any other type of virtual currency nor does it encompass the use, creation, or maintenance of all types of peer-to-peer distributed ledgers.
Junk/Wrecking Yards												
Feed Lots, Rendering or Meat Packing Plants												
Landfills											Review Essential Public Facilities RCW 36.70A.200	
Hazardous Water facilities											defined but not listed	Hazardous waste facilities, off-site means hazardous waster treatment and storage facilities that treat and store waste from generators on properties other than those on which the facilities are located. Also see, on-site, storage, treatment, etc
Temporary Parking Lot											Special Use Permit	
Temporary Recreational Vehicles											Special Use Permit	
Temporary Wireless Telecommunication Facilities											Special Use Permit	