



Planning Commission Agenda

Wednesday, April 1, 2020 at 7:00 PM
City Hall Council Chambers
700 Highway 2, Leavenworth, WA

City Planning Commission via Zoom Conferencing
May 6, 2020 06:30 PM Pacific Time (US and Canada)

Join Zoom Meeting

<https://zoom.us/j/92292943481?pwd=Q293LzZPRHhXS1dLN01Tb29XVkk2UT09>

Meeting ID: 922 9294 3481

Password: 110376

Dial by your location

Find your local number: <https://zoom.us/u/aeGK1g6nYa>

The public is encouraged to attend via zoom. However, City Hall will be open for the public that wants to attend the meeting in person. Social distancing will be required for those that choose to attend. Space may be limited.

Staff will open the zoom hosting site approximately 10 minutes prior to the meeting for people to assemble. The meeting will start at 7:00 PM. The public is encouraged to submit written comments prior to the meeting by sending to the Development Services Manager - dsmanager@cityofleavenworth.com; comments via email will need to be submitted by no later than 6:30 PM on the meeting day, in order for them to be received and prepared for submission into the record. Comments received through US Mail or delivered to City Hall will be included if they are received prior to the meeting.

1. Call Meeting to Order, 7:00 pm

2. Roll Call

Planning Commission Chair: Andy Lane (position #3 – expiration 2024)

Planning Commission Commissioners: Steven Booher (#1 - 2022), Chuck Reppas (#2 - 2023), Pete Olson (#4 - 2021), Angie Harrison (#5 - 2021), Colin Forsyth (#6 - 2022) an Alison Miller (#7 - 2022)

3. Review and approval of March 4, 2020 Planning Commission Minutes (provided separately)

4. Public Hearing on Code Amendments (to be re-noticed):

- a. (1) Reference to Code Enforcement within LMC 12.08 Street and Sidewalk Obstruction; (2) Right of Entry for application review, new LMC Section 21.07.015; (3) Exemption for Service Sign, LMC Section 14.10.055; and, (4) Clarifying pool requirements and exempt accessory structures in the building regulations, LMC Section 15.04.010.

5. Review of District Use Chart

- a. **Review of Purpose Statements, review residential types and uses; initial review of accessory types and uses**

6. Future Meeting Considerations - Housing Workshop Postponed; Remanded Development Standards

- a. **Open Discussion Items, at the Chair's discretion - Meeting hours – Do you want to keep the 7pm or match the City Council at 6:30 or do something different?**

7. Adjournment

All Planning Commission meetings are open to the public



Staff Report Code Amendments

To: Leavenworth Planning Commission
From: City of Leavenworth Development Services Department
Date of Report: March 11, 2020 for the April 1, 2020 Hearing
Subject: Code Amendments

OVERVIEW

The purpose of proposed amendments is to address minor inconsistencies in the Leavenworth Municipal Code.

- A. Chapter 12.08 Street and Sidewalk Obstruction – this section of code outlines a code violation process which is inconsistent with Chapter 21.13, Enforcement. The proposed amendment will remove some text and reference LMC 21.13 for consistent enforcement.
- B. Chapter 21.07 Application Process – the current processing review of land use applications does explicitly permit City staff to enter the applicant’s property. Site visits allow the staff to review the proposal in relation to the site conditions including, but not limited to, identifying potential environmental issues and mitigation options. The proposed amendment will add a “right of entry” provision.
- C. Chapter 14.10 Signs – the City has existing Service Activity Sign, identifying community groups such as the Lions Club and Rotary. This type of sign is not identified in the sign code and therefore nonconforming. Replacement and relocation of the signs is needed and for this reason clarification in the code is required. This proposed amendment will exempt service signs when they are less than fifty square feet (same size limit as a business sign).
- D. Chapter 15.04 Building Codes – the Building Official has identified two items which need to be clarified in the International Residential Code (IRC) building code adopted for the City. First, under Appendix G Pools should clearly state that pool covers are not a substitute for fencing and the fence height is required to be 5’. Second, exempt accessory storage sheds should clearly be defined and listed as no greater than 200 square feet.

The Planning Commission is being asked to review these amendments, consider public comment and make a recommendation to the City Council.

PUBLIC HEARING NOTICE COMPLIANCE

60-day Agency review – expedited review requested	Material ID# 2020-S-1290 Comment period ending 3/25/2020
SEPA Determination	Exempt per WAC 197-11-800(19) Procedural Action.
Notice of Planning Commission Public Hearing	Published in the Echo: March 18, 2020
Planning Commission Public Hearing	April 1, 2020

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 address minor inconsistencies in the Leavenworth Municipal Code, including, lack of reference to the enforcement regulations, inability to conduct site visits for active applications, missing sign type, and building clarifications.

Conclusion: The amendments are necessary to resolve inconsistencies in the provisions of the Leavenworth Municipal Code.

- 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 limited guidance on land use processing with one policy. The Comprehensive Plan is silent on building code and enforcement requirements. Finally, signs are noted as regulated under the Design Review board but there is no specific direction regarding exemptions.

Policy 5: Encourage efficient City permitting and design review processes.

Conclusion: The amendments are consistent with 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 have no impact on the assumptions/factors used to develop the Comprehensive Plan.

Conclusion: This criterion does not apply.

- 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: This criterion does not apply.

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: This criterion does not apply.

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 processes and will not change the requirements for concurrent infrastructure.

Conclusion: This criterion does not apply.

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.

- A. **Attachments:** (A) Chapter 12.08 Chapter 12.08 Street and Sidewalk Obstruction; (B) Chapter 21.07 Application Process; (C) Chapter 14.10 Signs; and, (D) Chapter 15.04 Building Codes

Enforcement is regulated pursuant to LMC 21.13. Older code section(s) have been updated to the correct reference chapter.

Chapter 12.08 Street and Sidewalk Obstruction

12.08.010 Prohibited – Exception.

It is a violation for any person or persons, corporation or corporations to obstruct any street, alley or sidewalk within the city by placing thereon any signs, boxes, merchandise, implements, vehicles, stands, fences, gate openings over sidewalks, wood piles, rubbish, garbage or other thing of any nature or description for purposes of display or storage or any other purpose, or to in any other fashion exclusively occupy by their person or possessions any street, alley or sidewalk within the city and obstruct the same. “Obstruct” shall mean to unreasonably impede or inconvenience passage of the public on the street, alley or sidewalk considering the congestion on the street, alley or sidewalk.

12.08.020 Violation – Penalty.

Any person or persons willfully violating LMC 12.08.010 is guilty of a civil infraction and shall pay a civil penalty of up to \$250.00 per day for each day of such violation, [pursuant to LMC 21.13](#).

12.08.025 Removal of overhanging or obstructing vegetation – Removal – Destroying debris.

A. The owner of any property in the city of Leavenworth is required to remove or destroy all trees, plants, shrubs or vegetation, or parts thereof, which overhang any sidewalk or street or which are growing thereon in such a manner as to obstruct or impair the free and full use of the sidewalk or street by the public. Any such owner is further required, at the direction of the mayor or the mayor’s designee, to remove or destroy all grass, weeds, shrubs, bushes, trees or vegetation growing or which has grown and died, and to remove or destroy all debris upon property owned or occupied by such owner which are a fire hazard or a menace to the public health, safety or welfare.

~~B. It is a violation of this section, subject to civil enforcement under subsection (C) of this section, for the owner of any premises in the city or the owner’s agent or the occupant of any premises in the city to overhang any sidewalk or street with growing vegetation thereon in such a manner as to obstruct or impair the free and full use of the sidewalk or street by the public.~~

~~C. Upon violation under subsection (B) of this section, a notice of violation shall be issued to the owner or occupant which shall order abatement of the condition. If compliance is not achieved, the city may itself abate the condition at the owner’s expense. Any such proceedings by the city directed to such property owner shall be initiated by a notice which shall describe the property involved and the hazardous condition, and require the owner to make such removal or destruction within five days of notice given as provided above. In the event the owner fails to make such removal or destruction after notice is given as provided in this section, the city may cause the removal or destruction thereof, and shall charge the cost to the owner of the property and may file a lien against the property for all such charges incurred. Notice of any such lien shall, as nearly as practicable, be in substantially the same form and filed with the same officer and within the same time and manner, and be enforced and foreclosed as is provided by law for liens for labor or materials under the laws of the state of Washington.~~

The City Codes provide for right of entry for multiple uses and inspections. Land Use application is currently not listed as a right to enter.

21.07 Application Process

21.07.015 Right of Entry.

Anyone submitting application for a pre-application meeting or an Administrative, Quasi-Judicial or Legislative action which is located on a specific site(s), is authorizing City staff or agent to enter the property for the purposes of verification of site conditions and evaluation of proposed use or development.

Amendment to Sign regulations to add a new "Service Activity Sign" as exempt.

14.10 Signs

14.10.055 Exempt signs.

The following types of exterior and visible from public rights-of-way or located in the interior of a structure and visible from public rights-of-way signs and devices do not require a permit, are exempt from compliance with the Old World Bavarian Alpine theme and LMC 14.10.180, and may be made of any material; provided, that any standards specified in this chapter are met; and such signs are not listed as prohibited within LMC 14.10.040. Temporary signs installed pursuant to this section do not have vested status and cannot become permanent installations. The city administrator or his/her designee shall be responsible for determining compliance of "exempt signs." Exemptions shall be construed narrowly. Only those signs that meet the precise terms of one or more of the listed exemptions may be granted exemption. For example: if the sign includes any nonexempt element, then the sign will not meet the exemption. An exempt sign is not an exemption from compliance with any other regulatory requirements. Such signage is not limited in number, height, size or area, and is exempt from compliance with the Old World Bavarian Alpine theme and LMC 14.10.180. For example: neon signs; provided, that such sign is not visible from the adjacent street, alley, sidewalk and/or right-of-way (neon signage located interior to a property and not visible from right-of-way).

- A) All signs interior to a building or property when not visible from public rights-of-way. Any signage located in such a way as to not be visible from any adjacent street, alley, sidewalk, and/or right-of-way (signage located interior to a property and not visible from public rights-of-way).
- B) Nonilluminated window signs; provided, that such sign is placed more than five feet back from the interior window surface.
- C) Sale/price tags attached to the product less than one square foot in total area.
- D) License plates, license plate frames or vehicle brand.
- E) Governmental flags (see Chapter 14.17 LMC).
- F) Signs of a public body (government).
- G) Signs affixed to and integral to vending machines, newspaper stands, and/or other similar freestanding dispensers/machines.
- H) Signs affixed to and integral to utilities or other equipment.
- I) Signs affixed to and integral to portable and temporary services including but not limited to: portable sanitary, garbage/recycle receptacles, and other similar facilities.
- J) Signs located on the property of a residence; provided, that the sign is noncommercial in nature and shall not exceed four square feet in area.
- K) Garage sale signs when located within residential district and not affixed to utility poles or within rights-of-way.
- L) Warning sign (public).
- M) Private use signs; provided, that:
 - 1) The signs are no more than two square feet in area;
 - 2) The signs are located in a residential district on private property, in a designated sign area, or within community bulletin boards;
 - 3) Signs shall not be posted on any utility post, traffic post or street light post;
 - 4) Signs shall be removed the day the event or special condition ends; and
 - 5) Such signs are considered temporary signs.
- N) Political speech signs; provided, that:

- 1) Such signs are considered temporary signs;
 - 2) The area of individual signs shall not exceed four square feet;
 - 3) Such sign may be made of any material; and
 - 4) Such signs are allowed within right-of-way; provided, that they shall not be located on sidewalks or other traveled ways. At no time shall signs block or obstruct safe sight distance, and/or become a nuisance, hazard and/or danger to the public as determined by the public works department.
- O) Political election signs; provided, that:
- 1) Such signs are considered temporary signs;
 - 2) The area of individual signs shall not exceed four square feet;
 - 3) Such signs are allowed within right-of-way; provided, that they shall not be located on sidewalks or other traveled ways. At no time shall signs block or obstruct safe sight distance, and/or become a nuisance, hazard and/or danger to the public as determined by the public works department; and
 - 4) Political election signs shall be removed no later than 15 days after the election.
- P) Label sign; provided, that:
- 1) Such signs shall not exceed one square foot in area; and
 - 2) Such signs are limited to one.
- Q) Integral signs; provided, that:
- 1) Such signs shall not exceed three square feet in area.
- R) Parking lot signs; provided, that:
- 1) Such signs shall not exceed four square feet in area;
 - 2) Such signs are limited to a maximum of one per five parking stalls; and
 - 3) Such signs shall be compliant with Chapter 46.55 RCW and/or state the rules for parking in the lot.
- S) Construction signs; provided, that:
- 1) Only one such sign shall be allowed per street frontage of a building;
 - 2) The area of each sign shall not exceed 32 square feet;
 - 3) The signs shall be removed within 30 days of completion or occupancy of the building, whichever comes first; and
 - 4) Such signs are considered temporary signs.
- T) Commemorative plaques; provided, that:
- 1) Such signs shall not exceed three square feet in area.
- U) Service Activity Sign (WAC 468-66-050); provided, that:
- 1) Individual service activity plaques contain the name of the nonprofit organization, its address, and/or time of its meeting or service. A service logo, medallion or symbol may be used; and,
 - 2) Overall sign area does not exceed fifty square feet.

Amendment for pools and clarification of exempt accessory structures

15.04 Building Codes

15.04.010 Adoption of referenced codes

B. The International Residential Code published by the International Code Council, Inc. (IRC) with the appendices and amendments set forth in Chapter 51-51 WAC as the same now exists or may hereafter be amended.

1. Appendix J, Existing Buildings and Structures;

2. Appendix G, Pools, with the following amendments:

i. Pool covers shall not be used to substitute for required fencing

ii. Fence height shall be at least 5’;

3. Appendix M, Home Day Care.

4. IRC Section Exemptions Section R105.2(1) Accessory structures shall be defined as “one-story detached accessory structures used as tool and storage sheds, playhouses and similar uses provided the floor area is not greater than 200 square feet.”

RL-6: ~~This~~ The Residential Low Density 6,000 District is intended primarily for ~~a restricted~~ residential ~~district of low density in which the principal use of land is for~~ single-family dwellings and accessory dwelling units, together with recreational, religious, public facilities, 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: The Residential Low Density 10,000 District ~~This is~~ intended primarily for ~~a restricted~~ residential ~~district of low density in which the principal use of land is for~~ single-family dwellings and accessory dwelling units, together with recreational, religious, public facilities, 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: The Residential Low Density 12,000 District ~~This is~~ intended primarily ~~a restricted~~ residential ~~district of low density in which the principal use of land is for~~ single-family dwellings and accessory dwelling units, 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: The Multifamily Residential District ~~This is~~ ~~a medium~~ intended primarily for high density residential ~~district designed~~ uses to accommodate multifamily uses, together with recreational, religious, public facilities, 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 ~~general commercial district classification~~ is intended to ~~be applied to areas suitable and desirable for~~ provide wholesale and retail sales and services serving the residents of the city and the surrounding area and not ~~properly a part of the central area~~ primarily serving visitor commercial uses. Accessory residential dwellings not occupying grade level street frontage are encouraged. Recognizing the established Bavarian Alpine Theme, it is the further purpose of this district regulation to protect and enhance the Bavarian Alpine Theme for the benefit of the city, businesses, property owner, and the general public.

CC: The Central Commercial District ~~central commercial district~~ is intended to provide an ~~appropriately located~~ area of concentrated retail stores, offices, and service establishments of limited nature serving primarily visitors and local residents.- Accessory residential and visitor dwellings not occupying grade level street frontage are encouraged. ~~serving the residents of the city and the surrounding area.~~ Recognizing the established Bavarian Alpine Theme ~~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~~ the Bavarian Alpine Theme for the benefit of the city, businesses, property owner, and the general public.

CT: The ~~tourist~~ Tourist commercial ~~Commercial district~~ 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. Accessory dwellings not occupying grade level street frontage are encouraged. Recognizing the

established Bavarian Alpine Theme, it is the further purpose of this district regulation to protect and enhance the Bavarian Alpine Theme for the benefit of the city, businesses, property owner, and the general public.

LI: The ~~purpose of the Light Industrial District light industrial district~~ is intended to promote the development of clean, light manufacturing ~~of goods and wares, warehousing, wholesale commercial, and processing.~~ ~~In addition, the light industrial district can accommodate storage type facilities.~~

RD: The ~~recreation Recreation district-District~~ is intended 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 Recreation-public Public district-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
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/update Chapter 14.16.080 MF standards and 14.16.090 Design Standards	“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											defined but not listed, commonly not permitted	“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
Townhomes											Defined but not specifically listed; need to update the definition regarding number of units	"Townhouse" means a duplex dwelling unit meeting the following criteria: (1) no dwelling unit overlapping another vertically; (2) common side walls joining units; (3) not more than two dwelling units in one structure; and (4) each unit being on its own lot of record.
Multi-family				P	P	P	P					"Dwelling, multifamily" or "multifamily dwelling" means a residential building designed for or occupied by three or more families, with the number of families in residence not exceeding the number of dwelling units provided for owner occupancy, rent, or lease on a monthly or longer basis.
Dwelling above ground floor					P	P	P				Added to provide clarity that residential uses are permitted in commercial zones	
Boardinghouse, lodging house, rooming house				P								"Boardinghouse," "lodginghouse" or "roominghouse" means a building where lodging, with or without meals, is provided by members occupying such building. This term shall not be construed to include buildings which fit the definition of the term "motel."
Transient Accommodation and/or Lodging					P	P	P				Defined but not specifically listed	"Transient accommodation and/or lodging" means the rental of any building or portion thereof used for the purpose of providing lodging for periods of less than 30 days.
Accessory Structures (specified use below)												
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>

Land Uses	RL – 6	RL – 10	RL – 12	MF	GC	CC	TC	LI	REC	RP	Notes	Definition LMC 21.90
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					“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.
Family Day Care/Mini-day Care	AU	AU	AU	AU	AU	AU	AU					“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. “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.
Foster Home											defined but not listed	“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.

Land Uses	RL - 6	RL - 10	RL - 12	MF	GC	CC	TC	LI	REC	RP	Notes	Definition LMC 21.90
Group A Home Occupation	AU	AU	AU	AU								<p>“Home occupation” means ...</p> <p>“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).</p>
Group B Home Occupation	P	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.</p>
Bed and Breakfast within a SFR or ADU	C	C	C	C								<p>“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.</p>
Nursing home, Retirement home, rest home or convalescent Home				C								<p>“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.</p>
Youth Home, Juvenile Home, Orphanage				C							defined but not listed	<p>“Congregate care facility” or “retirement center” means a residential facility designed for and occupied by at least one person per unit who is able to live independently and without 24-hour supervision; and providing centralized services for the residents including meals, recreation, housekeeping, laundry and transportation.</p>

Land Uses	RL – 6	RL – 10	RL – 12	MF	GC	CC	TC	LI	REC	RP	Notes	Definition LMC 21.90
Public/Semi-Public (specified use below)												
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		
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. RCW - streets, roads, water, storm, sewer, parks and schools

Land Uses	RL - 6	RL - 10	RL - 12	MF	GC	CC	TC	LI	REC	RP	Notes	Definition LMC 21.90
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 SANITORIUM)	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	defined but not listed	LMC 18.74
Communications Facilities, including radio and television broadcasting stations								P				

Land Uses	RL – 6	RL – 10	RL – 12	MF	GC	CC	TC	LI	REC	RP	Notes	Definition LMC 21.90
Bus or Taxicab Stop					P	P	P					“Bus and/or taxi stop” means a bus and/or taxi transfer area or facility providing passenger access to routes and adjacent activities.
Development Options												
Temporary subdivision tract offices	C	C	C									
Manufactured Home Park	C	C	C									“Manufactured home park” means any tract of land that is divided into rental spaces under common ownership for the purpose of locating two or more manufactured homes for dwelling purposes.
Subdivision (Minor & Major)									C			“Subdivision code” means LMC Title 17. PENDING UPDATE
Cluster Subdivision												“Cluster subdivision” means a subdivision technique that allows lot sizes to be reduced and buildings sited closer together; provided, that the total densities at the project level do not violate the density limits identified in the comprehensive plan and the applicable zoning district, for the protection of critical areas, to allow for the retention of open space, and to avoid areas with development limitations.
Planned Unit Development												“Planned unit development” or “planned development district” means a flexible method of land development which accomplishes the purposes of Chapter 18.40 LMC, as amended.
Public Improvement											similar to government structure/use	“Public improvement” means any structure, utility, roadway, or sidewalk for use by the public, required as a condition of development approval
Commercial District Mixed Use Incentives											Regulated LMC Chapter 18.35 but not permitted in any zone	
Condominiums (with Binding Site Plan)				P	P	P	P					“Condominium” means real property, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by owners of those portions. Real property is not a condominium unless the undivided interests in the common elements are vested in unit owners, and unless a declaration and a survey map and plans have been recorded in accordance with Chapters 64.32 or 64.34 RCW. Condominiums are not confined to residential units, such as apartments, but also include offices and other types of space in commercial buildings.
Incubator Planned Site Development								P				LMC 18.45.020(21)
Commercial/Retail												
Adult Entertainment Facilities											Regulated LMC Chapter 18.54 but not permitted in any zone	Regulated but not permitted in any zone

Land Uses	RL – 6	RL – 10	RL – 12	MF	GC	CC	TC	LI	REC	RP	Notes	Definition LMC 21.90
Drive-in Resturant											Defined but not listed	"Drive-in restaurant" or "refreshment stand" means any place or premises used for sale, dispensing, or serving food, refreshments, or beverages in automobiles, including those establishments where customers may serve themselves and may eat or drink the food, refreshments or beverages on the premises.
Club, Lodge or Fraternal Organization				C								
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.
Hostels											consider new use	Often requested use that is not clearly defined or regulated, specifically as to parking
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.

Land Uses	RL - 6	RL - 10	RL - 12	MF	GC	CC	TC	LI	REC	RP	Notes	Definition LMC 21.90
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.
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				consider Home Occupation?	
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				Consider adding signs as a specific use?	"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.

Land Uses	RL - 6	RL - 10	RL - 12	MF	GC	CC	TC	LI	REC	RP	Notes	Definition LMC 21.90
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 - consider new definition (wenatchee) Personal services" means a variety of businesses engaged in providing services to individuals, generally involving the maintenance of the human body, or other services to one's person or household pets. Such businesses include, but are not limited to, barber and beauty shops, instruction/music studios, photographic studios, tanning parlors, massage practitioners, pet grooming, tutoring, instructional services and activities. This does not include medical offices, kennels, veterinary clinics, schools, or institutions of higher education.	"Personal service" means businesses engaged in providing care of the corporeal person or his apparel, not including health care.
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.

Land Uses	RL - 6	RL - 10	RL - 12	MF	GC	CC	TC	LI	REC	RP	Notes	Definition LMC 21.90
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					
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.

Land Uses	RL - 6	RL - 10	RL - 12	MF	GC	CC	TC	LI	REC	RP	Notes	Definition LMC 21.90
Underground parking				P	P	P	P				Regulated in LMC 14.12.180.A but not listed Consider updating regulations to encourage underground parking development options	
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.
Industrial (specified use below)												
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							
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	

Land Uses	RL - 6	RL - 10	RL - 12	MF	GC	CC	TC	LI	REC	RP	Notes	Definition LMC 21.90
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			There are no resource lands within the City. Remove because it is addressed under manufacturing or warehousing	“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			need to define - (wenatchee) “Warehouse” means a building or portion thereof primarily used for storage and/or distribution of products, equipment, materials or commodities that are not available for retail sale on the premises.	
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
											consider Special Use Permits?	
											consider livestock	