



Planning Commission Agenda

Wednesday, June 2, 2021 at 6:30 PM

City Hall Council Chambers

700 Highway 2, Leavenworth, WA

Join the Zoom Meeting using one of the three options:

(1) connect via the Zoom app: Meeting ID: 861 8562 3369 Passcode: 224455

(2) use the web link:

<https://us02web.zoom.us/j/86185623369?pwd=YUVBQ2UxUETlVFUWVWZ2FGcWtPQT09> OR

(3) call in: 1-253-215-8782. Alternative call-in phone numbers may be used, visit zoom website for more information: <https://us02web.zoom.us/j/86185623369?pwd=YUVBQ2UxUETlVFUWVWZ2FGcWtPQT09>

The public is encouraged to attend via zoom. If that is not possible, please contact City Hall, at least one day prior to the meeting for special arrangements.

Staff will open the zoom hosting site approximately 10 minutes prior to the meeting for people to assemble. 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 6:00 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, 6:30 pm

2. Roll Call: *Planning Commission Chair: Andy Lane (position #3 – expiration 2024)*

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

3. Open and Role Call for City Council

4. Joint Meeting Discussion

- a. **2021 Docket – How it is going? Any changes?**
- b. **Open Discussion**
- c. **Close of Joint Meeting – City Council may stay for remainder of the meeting**

5. Review and approval of Minutes – May 5, 2021 (sent separately)

- a. **Motion:** *Planning Commission moves to approve the May 5, 2021 minutes.*

6. Shoreline Master Program Hearing – Public Comment

- a. **Motion:** *No action to be taken*

7. Housing Recommendation Phase I Review – (as time permits)

8. Future Meeting Considerations

- a. July 7, 2021: Housing Recommendations Phase I and start review of Phase II

9. Open Discussion Items, at the Chair's discretion

10. Adjournment

All Planning Commission meetings are open to the public

Planning Commission Docket

2021 Cycle of Amendments

The Planning Commission Docket is intended to provide a priority list of Comprehensive Plan and Development Regulation projects to be reviewed within the next year by the Planning Commission. The focus of the amendments is first with State required updates then City Council amendments, studies or reports. Pursuant to Leavenworth Municipal Code Section 21.03.040, the Docket addresses amendments to the Comprehensive Plan and amendments to Title 17, Subdivisions, Title 18 Zoning and Title 16 Critical Areas, excluding Chapter 16.04 SEPA. Additional amendments, studies or reports may be requested by the City Council.

The Docket is compiled each November/December with input from the Planning Commission, the City Council, the public and City staff. In January, the City Council hosts a joint meeting with the Planning Commission to review and prioritize the Docket.

Carryover projects from the 2020 Docket – expected to finalize by May

- i. Transportation Element Update – anticipated Council review March 2021
- ii. Housing Action Plan – anticipated Council review April 2021
- iii. District Use Chart – anticipated Council review May 2021
- iv. Shoreline Master Plan updates – anticipated Council review May 2021
- v. Fire Code Amendments – Wildland Urban Interface and other fire protection standards (Titles 14, 15 and 18) – anticipated Planning Commission review March 2021
- vi. Alley Access Whitepaper – Request for proposals went out in November 2020; selection in December; and, work to start after contract is finalized in early February.

Priorities for 2021

1. Housing Implementation – Updates to the Comprehensive Plan and Leavenworth Municipal Codes
 - i. Comprehensive Plan – Housing Action Plan recommendations (which will include updates to the Comprehensive Plan Housing Element and potential code amendments). *The reason for reviewing recommendations from the Housing Action Plan is to ensure the City is implementing changes to improve housing based on identified needs.*
 - ii. Housing Action Plan recommendations (which will include updates to the Comprehensive Plan Housing Element and potential code amendments). *The reason for reviewing recommendations from the Housing Action Plan is to ensure the City is implementing changes to improve housing based on identified needs.*
 - Ordinance 1589 – Development Standards tabled by the City Council pending completion of the Housing Action Plan.
 - Public Works Development Standards -updated and new construction standards for water, sewer, stormwater, roadways, driveways, etc. *The reason for updating standards is to address changes in requirements and provide missing standards so that development occurs in a uniform manner*
 - Alley Whitepaper may result in consideration of code amendments about use of alleys (primary residence and/or commercial use), development and maintenance of alleys (feasibility), vacation of alleys, etc.
2. Parking – Chapter 14.12 Off-Street Loading and Parking, including parking requirements, landscaping requirements (exempt alley parking lots), residential standards (14.12.160.A vs. 14.12.160.E) and parking lot standards (Title 14). Also, reference Alley Whitepaper for other updates. *The reason for reviewing parking is to consider impacts of development and parking options in the commercial zones. Additionally, the residential standards and parking lots need simplification.*

Planning Commission Docket

2021 Cycle of Amendments

3. On-going: Code Inconsistencies, Clarifications & Incorporation of Policies and Interpretations
 - Conflict - ADU's not permitted for transient but then permitted as B&B
 - One-year CUP review (use and development) and appeal timeline
 - Height Graphics
 - Fence heights in front yard

Remaining Items

Comprehensive Plan Updates

- A. Comprehensive Plan – Commercial District Mixed Use Incentives, codified in LMC Chapter 18.35. The mixed-use incentive district is not addressed within the Comprehensive Plan creating an inconsistency. *The reason for reviewing the Comprehensive Plan and/or the code is to ensure consistency between the Plan and City regulations.*
- B. Comprehensive Plan – Consider Urban Growth Boundary expansion request and land use designations. This includes a review/expansion of commercial and industrial lands. *The reason for reviewing the UGA is to ensure that the City is adequately planning for future growth.*
- C. Comprehensive Plan General Updates – add history to introduction, format changes, reduction in number of policies/goals, updating any identified split designation properties, etc. *The reason for reviewing general updates to the Comprehensive Plan is to improve usability, clarity and function of the Comprehensive Plan.*

Regulation Updates, Studies or Reports

- D. Density of Bed & Breakfast – consider a limited number of B&B's per block or neighborhood. *The reason for reviewing B&B density is to consider impacts to neighborhoods when multiple B&B's are located.*
- E. Commercial Setback requirements – eave overhangs in commercial zone, zero or 5' in commercial, etc. (Title 15 and 18). *The reason for reviewing commercial setbacks is to address construction, maintenance and snow for buildings located on or near the property line.*
- F. RV Park and Campground regulations (Title 18). *The reason for reviewing RV Parking regulations is at the request of KOA*
- G. Stormwater – removing conflicting references to the implementation of the 2016 Stormwater Plan (Titles 13, 14, and 15). *The reason for reviewing stormwater is to remove outdated code and streamline review.*
- H. Non-conforming annexation structures and uses (such as vacation rentals). *The reason for reviewing vacation rentals is to address existing County vacation rentals with clear regulations and a process for becoming conforming when annexing into the City.*

Placeholders – Urban Growth Area amendments due in March and development code amendments which may be submitted from the general public throughout the year for consideration.

Memorandum



City of Leavenworth
700 Highway 2
PO Box 287
Leavenworth, WA 98826
509-548-5275

Date: April 12, 2021
To: Planning Commission and Public
From: Leavenworth Development Services
Re: Shoreline Master Program Update – Summary of Proposed Amendments

The City of Leavenworth is updating the 2012 Shoreline Master Program, as required by the Washington State Shoreline Management Act (SMA), RCW 90.58.080(4). The review ensures the Shoreline Master Program stays current with changes in laws and rules, remains consistent with other City plans and regulations, and is responsive to changed circumstances, new information and improved data. Additionally, the City will consider ways to streamline the regulations and permit processes.

The Shoreline Master Program is both a comprehensive plan element and a regulating document for the lands within 200' of the ordinary high-water mark or associated floodplain, known as the shoreline jurisdiction. For the City of Leavenworth that covers lands from the Golf Course downstream to the KOA campgrounds. The shoreline jurisdiction is managed by both the City and Department of Ecology. This governing partnership includes an optional joint planning and updating process which is being used for this update.

The purpose of the memorandum is to summarize the proposed amendments which are detailed within the "Department of Ecology Periodic Review Checklist" and "DOE – Additional Amendments Checklist" documents available on the City website: <https://cityofleavenworth.com/city-government/development-services-department/shoreline-master-program-update/>

Generally, the amendments to the 2012 Shoreline Master Program included updates necessary to comply with changes in the State regulations – see Department of Ecology Periodic Review Checklist for each proposed amendment, and Additional Amendments, which include, but are not limited to:

- Removal of references to WAC, RCW and the Old SMP (County document) were removed
- Housekeeping changes included: replacing the "City of Leavenworth" references to "Shoreline Administrator" as appropriate; grammar corrections, updating of text for readability and simplification of text; moved application requirements to Section 7; and, removal of references that did not apply to the City
- Added reference to best available science
- Updated Appendix B, Critical Areas, to match amendments made to the City regulations by Ordinance 1597, approved by the City Council in 2019
- Removed or combined redundant regulations
- Updated Shoreline Use and Modification Matrix (Use/Permit Chart) to reflect definitions, designations and community needs for permitting; including removal of mining and forest practices as a permitted use
- Removed the requirement for written exemption letters for exempt activities
- Removed several buffer reductions, to better fit the City shoreline conditions; also moved buffer and reduction tables to new location (SMP Section 3.4) to improve flow/use of the SMP

MEMO

- Prohibited new subdivisions within the channel migration zone
- Required all new development to connect to City sewer – except recreational facilities
- Simplified recreational development requirements
- Simplified shoreline stabilization – new and repair, which includes maintenance; removed requirements for enlargement and replacement which will be reviewed as new
- Removal of Section 5.21, Redevelopment, Repair and Maintenance which is covered within the SMP, including the non-conforming section
- Added “pre-existing residential structures” to the non-conforming section to clarify how these may be maintained/repared, replaced and/or enlarged
- Streamlined other non-conforming regulations
- Updated the duration/expiration of permit timelines for clarity
- Updated definitions, removing terms that were unnecessary and modifying others to improve clarity or consistency with the SMP

The State Shoreline Management Act Guidelines require that the Shoreline Master Program policies and regulations be integrated and coordinated with the comprehensive plan and development regulations of the City. The proposed amendments will create consistency with the existing City (and State) regulations and/or the City policies which have been updated since 2012.