



City of Leavenworth

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TAB 1

City Council

Carl J. Florea - *Mayor*
Carolyn Wilson
Mia Bretz
Sharon Waters
Clint Strand
Jason Lundgren
Anne Hessburg - *Mayor Pro Tem*
Zeke Reister
Ana Cortez-Steiner - *City Administrator*

MEETINGS VIA ZOOM CONFERENCING

May 11, 2021 Pacific Time (US and Canada)

Morning Study Session Begins at 8:30 AM

Join Zoom Meeting

<https://us02web.zoom.us/j/89321540343?pwd=YytpYTd5VFYwVEwwejA2QUJ4L0lWdz09>

Meeting ID: 893 2154 0343

Passcode: 394987

Afternoon Committee Meetings Begins at 3:45 PM

Economic Development 3:45 – 4:30 PM * Parks 4:30 – 5:15 PM * Public Works 5:15 – 6:00 PM
Councilmembers will attend based on their specific assignments.

Join Zoom Meeting

<https://us02web.zoom.us/j/83351491204?pwd=KzNHUk56WHhncisrZE9oeUFBVWNvZz09>

Meeting ID: 833 5149 1204

Passcode: 017987

Regular Evening Meeting Begins at 6:30 PM

Join Zoom Meeting

<https://us02web.zoom.us/j/86820969851?pwd=WDZFS2x4WHRSaTFVU0phVUI2cUJ4QT09>

Meeting ID: 868 2096 9851

Passcode: 443786

All Meetings allow for the same dial by your location option using the number listed below:

+1 253 215 8782 US

Or find your local number: <https://us02web.zoom.us/j/kojwyKz7o>

PLEASE TAKE NOTICE, in consideration of the current COVID-19 pandemic, for the health and safety of the community, city staff, and councilmembers, City Hall is closed to the public.

We encourage all Councilmembers, Staff, and the public to utilize the Zoom Conferencing meeting feature. Staff will ensure hosting of the access approximately 10 minutes prior to each of the scheduled meetings; no meeting business may be discussed prior to the official opening of the meetings. The public is encouraged to submit written comments prior to the meetings by sending to the City Clerk at financedir@cityofleavenworth.com; comments via email will need to be submitted by no later than 5:00 PM on Monday, May 10, 2021 in order for them to be received and prepared for submission into the record; comments received for the evening meeting will be read aloud as part of the Comments From the Public on Items Not on the Agenda or during the discussion of specific items. If you would like to deliver comments, you may contact City Hall at (509) 548-5275 prior to 1:00 PM on Monday, Monday 10, 2021 to schedule an appointment for delivery. Comments received through US Mail will be included if they are received prior to the meetings.

LEAVENWORTH CITY COUNCIL AGENDA
Leavenworth City Hall – Council Chambers
May 11, 2021 – 6:30 PM

Call to Order
Roll Call

<u>Council Committees – 2nd Tuesday</u>

Economic Development 3:45 PM

Parks 4:30 PM

Public Works 5:15 PM

Consent Agenda

1. Approval of Agenda
2. Approval of April 27, 2021 Regular Meeting Minutes
3. April 2021 Payroll \$277,778.42
4. 2021 Claims \$954,335.16
5. PRSA Voucher Request \$87,900.00
6. Front Street Closure
7. Leavenworth Community Farmers Market Noise Variance
8. Appointment of Kaylin Bettinger to Chelan Douglas Housing Authority Board

Councilmember and Committee Reports

Mayor / Administration Reports

Comments from the Public on Items Not on the Agenda

9. **Public Hearing: Six-Year Transportation Improvement Plan**
10. **Public Hearing: Wildland Urban Interface Codes**
11. **Public Hearing: District Use Chart**
12. **Public Hearing: Code Consistencies**

Resolutions, Ordinances, Orders, and Other Business

13. Action: Resolution 11-2021 - Six-Year Transportation Improvement Plan
14. Action: Ordinance 1626 - Wildland Urban Interface Codes
15. Action: Ordinance 1627 - District Use Chart
16. Action: Ordinance 1628 - Code Consistencies
17. Discus: Future Council Meetings in Person

Information Items & Future Considerations

18. Economic Development Committee Agenda Items
19. Parks Committee Agenda Items
20. Public Works Committee Agenda Items
21. Development Services Monthly Report - April
22. Info Item: Joint Mid-Year Meeting with the Planning Commission on June 2, 2021 @ 7:00 PM
(Planning Commission Meeting)

Executive Session: RCW 42.30.110(1)(i)(ii) Potential Litigation

Adjournment

(Next Ordinance is 1629 – Next Resolution is 12-2021)

CONSENT AGENDA ITEMS / REPORTS / PUBLIC HEARING

1. City Council Meeting Agenda:

This item is included under **TAB 1**.

2. Regular Meeting Minutes – 4/27/2021:

This item is included under **TAB 2**.

3. April 2021 Payroll:

This item is included under **TAB 3**.

4. 2021 Claims:

This item is included under **TAB 4**.

5. PRSA Voucher Request

This item is included under **TAB 5**.

6. Front Street Closure

The City Administrator shares with the Council input from stakeholders about the advantages of keeping Front Street as a pedestrian mall for 2021. Front Street was originally closed in an effort to encourage social distancing and adhere to CDC recommendations. As the COVID-19 pandemic continues, and in response to the Downtown Community's desire for consistency and predictability, the City Administrator requests that the Council approve a proclamation that keeps Front Street in its present state, closed to traffic during the week with limited loading hours, until the day after Martin Luther King weekend in 2022.

The following item is included under **TAB 6**:

- Proclamation 2021-02

7. Leavenworth Community Farmers Market Noise Variance

The City Administrator asks Council to approve a noise variance. The Leavenworth Farmer's Market has requested a noise variance over the levels established in LMC Chapter 9.33 regarding public disturbance noise regulations. The request is for 20 decibels over the permitted levels on Thursdays at the Farmers Market from 5:00 PM – 7:00 PM. Prior to requesting this noise variance, Farmers Market Staff tested the noise levels created by playing amplified music at the Cascade School District parking lot, which is the location of the Farmers Market beginning this year. They found that the amplified music was typically 5 – 10 decibels over what is allowed in the residential district. Executive Director Cali Osborne and Board President Hana Butler have drafted a letter to the Council that details these findings, as well as providing additional information on their "Summer Music Series".

The following items are included under **TAB 7**:

- Compliance Analysis – Special Use Permit
- Letter of Request
- Special Use Permit Agreement
- LMC Chapter 9.33 Public Disturbance Noise Regulations.

8. Appointment of Kaylin Bettinger to Chelan Douglas Housing Authority Board

Mayor Florea wishes to appoint Kaylin Bettinger to the Chelan Douglas Housing Authority Board. Ms. Bettinger will be appointed to fill position #7, filling the unexpired term of Lisa Romine. This term expires on May 23, 2023.

There are no items included under **TAB 8**.

9. Public Hearing for Six-Year Transportation Improvement Plan

There are no items included under **TAB 9**; see **TAB 13**.

10. Public Hearing Wildland Urban Interface Codes

There are no items included under **TAB 10**, see **TAB 14**.

11. Public Hearing District Use Codes

There are no items included under **TAB 11**, see **TAB 15**.

12. Public Hearing Code Consistencies

There are no items included under **TAB 12**, see **TAB 16**.

SUPPLEMENTAL COUNCIL AGENDA

13. Resolution 11-2021 - Six-Year Transportation Improvement Plan

The City Administrator requests City Council approval of Resolution 11-2021, which is the City of Leavenworth Six-Year Transportation Improvement Plan (TIP) 2022-2027. A public hearing on the Six-Year TIP is being held prior to approval of the final document. The City Council reviewed the STIP at the April 13, 2021 Study Session meeting and was asked to review the document for any additional recommended changes; no changes have been requested.

The City utilizes an alternative format that is more user friendly than the Washington State Department of Transportation (WSDOT) format. Once the City Council has approved the amended Six-Year TIP for 2022-2027, the amended City TIP projects will be entered into the WSDOT format for submission to WSDOT for inclusion on the State Transportation Improvement Plan (STIP). The STIP is a planning document used by the State of Washington; projects that have qualified for state funding or will be considered for state funding need to be identified in the STIP

document. The City has the ability to amend the STIP at a later date should another project be identified that the City might consider in a grant program.

The following items are included under **TAB 13**:

- Resolution 11-2021 Amending the Six-Year Transportation Improvement Plan
- Attachment – List of Projects
- **MOTION:** *The Leavenworth City Council moves to approve Resolution 11-2021 Six-Year Transportation Improvement Plan.*

14. Ordinance 1626 - Wildland Urban Interface Codes

The City Administrator requests review and adoption of a new chapter in the Leavenworth Municipal Code, Chapter 15.06 Wildland-Urban Interface Building Standards. This code will require all new and some remodeled construction to comply with new building standards intended to reduce fire risk.

The following items are included under **TAB 14, related document under TAB C**:

- Ordinance 1626
- Memo second-story deck construction consistent with WUI
- Staff Report
- **MOTION:** *The City Council moves to adopt Ordinance 1626 Wildland Urban Interface Codes.*

15. Ordinance 1627 - District Use Chart

The Development Services Manager is requesting review and adoption of a new District Use Chart. The Planning Commission spent most of 2020 reviewing land uses within each zoning district to create a single chart of all uses within the City, known as the District Use Chart. This project was listed as a priority on the 2020 Planning Docket. The project had two goals, (1) streamline all uses into a single chart to provide clarity to residents and (2) review uses, such as commercial enterprise, to determine if/how they are desired in the community. Each use was reviewed in the context of the definition which resulted in several amendments to the definitions.

Some uses include the type of use, such as Accessory Dwelling Unit, and the standards for placing that use, such as owner occupied, in the same list. Moving the use to a chart also required moving the standards. For this reason, there are multiple code changes associated with the creation of the District Use Chart.

The City Council reviewed these amendments at the April 13, 2021 Study Session. From that meeting, staff has made a few minor modifications to the amendments, detailed in the attached memo. The question of mobile vendors is drafted to permit as a special use permit within the recreation/park zones and consider the use in commercial zones as part of the 2022 Docket.

The following items are included under **TAB 15**:

- Memo City Council Hearing
- Ordinance 1627
- Staff Report

- **MOTION:** *The City Council moves to adopt Ordinance 1627 District Use Chart.*

16. Ordinance 1628 - Code Consistencies

The City Administrator requests review and adoption of code amendments to address code consistency issues. These amendments were reviewed at the April 13, 2021 Study Session. As noted in TAB 15, Memo District Use Chart Public Hearing, staff is recommending a single chapter for all supplementary regulations. This change moves existing 18.24 Supplementary Residential District Regulations to 18.35 Supplementary Regulations. Legal review resulted in minor text changes, no substantive change, to 18.35, since the Council's last review.

To summarize, the proposed code consistency changes are:

- 1) Interpretation of the zoning code was updated to reference Title 21 procedures.
- 2) Variance Procedure was updated to reference Title 21 procedures. Additionally, the requirements to approve variances were updated.
- 3) LMC 18.24 Supplementary Residential District Regulations
 - a) Sight distance triangle or clear view triangle was defined (added to Chapter 21.90) and the text was clarified as to the use of this regulation for driveways and street intersections. Additionally, the graphic was updated.
 - b) Fences will require a building permit to ensure that they are placed in the proper location and height. Additionally, the code was changed to limit the front yard fence to three and one-half maximum height (not six feet) and require nonflammable fencing within four feet of a structure (fire protection).
 - c) Accessory building location was clarified to no closer to the property line than three feet.
 - d) Accessory Dwelling Unit requirements were moved from LMC 18.20.020(B)(5), as part of the creation of a District Use Chart.
 - e) Bed and Breakfast requirements were moved from LMC 18.20.030(P), again, as part of the creation of the District Use Chart.
 - f) Duplex Dwelling requirements were moved from LMC 18.20.030(I), again, as part of the creation of the District Use Chart. Additionally, the minimum lot size was reduced to 6,000 square feet (rather than 12,000 square feet) and requirements addressed in other code sections were removed.
 - g) Home Occupation requirements were moved from LMC 18.20.030(G) and (H), again, as part of the creation of the District Use Chart.

The following items are included under **TAB 16:**

- Ordinance 1628
- Staff Report

- **MOTION:** *The City Council moves to adopt Ordinance 1687 Code Consistencies.*

17. Future Council Meetings in Person

The City Administrator is seeking input from the City Council for future Council agenda meetings to be held in person. Some items to consider include time, location, staff support, and continued availability of zoom access with anticipation to occur no earlier than June.

There are no items included under **TAB 17**.

INFORMATIONAL & FUTURE CONSIDERATION ITEMS

18. Economic Development Committee Agenda Items

This item is included under **TAB 18**.

19. Parks Committee Agenda Items

This item is included under **TAB 19**.

20. Public Works Committee Agenda Items

This item is included under **TAB 20**.

21. Development Services Monthly Report – April

This item is included under **TAB 21**.

22. Info Item: Joint Mid-Year Meeting with the Planning Commission on June 2, 2021 @ 7:00 PM (Planning Commission Meeting)

There are no items included under **TAB 22**.