



Planning Commission Agenda

Wednesday, March 1, 2023 at 7:00 PM
City Hall Council Chambers
700 Highway 2, Leavenworth, WA

Meeting hosted at City Hall with option to join via zoom by:

(1) connecting via the Zoom app: Meeting ID: 916 5926 4393 Passcode: 40805

(2) using the web link: <https://zoom.us/j/91659264393?pwd=L1JEa0NGemcrK0hPVFY5aGVuQ2Jqdz09> (3) calling: 1-253-215-8782. Alternative call-in phone numbers: <https://us02web.zoom.us/j/91659264393?pwd=L1JEa0NGemcrK0hPVFY5aGVuQ2Jqdz09>

The Planning Commission is responsible for long range planning and legislative policy recommendations to the City Council. Recommendations are based on thorough understanding of options and public comment/discussions. Every year, the City Council directs the Planning Commission work through the establishment of the [Docket](#).

Meeting Etiquette:

1. Have one discussion at a time and limit distractions.
 2. Seek to understand before being understood.
 3. Be respectful of each other; by assuming good intentions and acknowledging it is ok to disagree.
 4. Focus on constructive problem solving.
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Agenda

1. **Call Meeting to Order, 7:00 pm**
2. **Roll Call:** *Planning Commission Chair: Steven Booher (position #1 – expiration 2022)*
Planning Commission Commissioners: Kenny Renner-Singer (#2 - 2023), Brian Praye (#3 City Resident -2024), Drew Foulk (#4 - 2025), Angie Harrison (#5 - 2025), Colin Forsyth (#6 - 2022) and Alison Miller (#7 - 2022)
3. **Review and approval of Minutes** – (sent separately)
 - a. Sample Motion: *I move to approve the Planning Commission minutes from January 4, 2023.*
4. **Code Amendment Workshop:** proposed amendments are based on:
 - a. **Housing Action Plan Recommendations** – review of driveway standards and alley access; including easements for subdivisions; and, **Parking Requirements** – consider ways to increase options for housing; address code corrections/clarifications related to parking and access regulations.
 - b. **Landscaping** – modifying landscaping requirements and returning multifamily landscaping requirements to the code
 - c. **Definitions** – moving definitions to definition chapter and defining suite, hotel or motel
 - d. **Conditional Use Permit B&Bs** – returning limit of 3 bedrooms to code
5. **Open Discussion Items, at the Chair's discretion**
6. **Future Meeting Considerations** – Cottage Housing, Inclusionary Zoning, B&B Density, Parking and Residential Condominiums or Unit Lot Subdivisions
7. **Adjournment**

All Planning Commission meetings are open to the public

Driveway Standards Code Update

PURPOSE: The Planning Commission, working from the City Council 2022 Docket, is considering and seeking input on the Housing Action Plan recommendations related to driveways and access, specifically recommendations 4, 5, and 8 which encourage increased flexibility to access points and driveways to accommodate greater variety of housing types.

The current city code permits one driveway per lot and requires primary access from a city street or a shared private access. Shared private accesses are limited to serving three lots. Alley access is limited primarily to accessory uses when the owner signs an indemnity waiver.

The following proposed amendments would provide more than one access per lot when there is an accessory dwelling, would permit primary access from the alley (with an indemnity waiver), and would modify private access easement options. Additionally, the amendments will move driveway/access codes to a single chapter, move definitions to Chapter 21.90 and removes unnecessary code provisions.

Finally, these amendments address various code clarifications or corrections including, returning multifamily parking lot landscaping requirements (which were unintentionally removed during code consolidation), add the number of bedrooms permitted in a B&B (which were removed when definitions were amended), and address AI2022-01 clarifying the number of parking spaces required for hotel suites.

Chapter 14.12

OFF-STREET LOADING AND PARKING

14.12.010 Purpose.

It is the purpose of this chapter to assure an adequate number of off-street parking and loading stalls are provided within the city, and to provide adequate vehicular and pedestrian/bicycle ingress, egress, and loading facilities that will reduce on-street parking, increase traffic safety, maintain smooth traffic flow, and reduce the visual impact of parking lots. Further, it is the intent of this chapter to ensure that off-street parking and loading facilities are designed in a manner that will ensure efficiency, protect public safety and, where appropriate, protect surrounding land uses from adverse impacts.

14.12.020 Applicability.

This chapter shall apply to all developments, land use activities and permit applications undertaken in compliance with this title and LMC Titles 15, 16, 17 and 18, as well as any applicable activities governed by the city shoreline master program.

14.12.030 Compliance required.

The provision and maintenance of off-street parking and loading stalls are continuing obligations of the property owner. No development, land use, and/or building permit shall be issued until compliance with the provisions contained herein is reviewed and approved by the community development director. The subsequent occupancy and/or use of buildings, structures, and property for which a permit is issued shall be conditional upon the unqualified continuance and availability of the amount of parking and loading stalls required by this chapter. Use of property in violation hereof shall be a violation of this chapter, subject to the enforcement provisions found in LMC Title 21.

~~Underground parking facilities which are shared between commercial and multifamily zone districts and paid parking facilities in commercial zone districts that do not solely support a use on site shall be subject to the conditional use permit process outlined in Chapter 18.52 LMC. Parking facilities which support a use on site shall be allowed outright subject to review and approval for compliance with the requirements of this chapter. If a parking facility is a stand-alone project, accessory to the existing on-site structure, and is not being reviewed in~~

~~conjunction with a building permit, the city shall require submission of a separate application and fees per the city's fee schedule. This application will be subject to review and approval through the limited administrative review process. Construction of a parking facility as a primary use will be subject to the applicable zoning and development regulations and review process.~~

14.12.040 Change of use – Effect.

Should the owner or occupant of a lot or building change the use to which the lot or building is put, thereby increasing off-street parking or loading requirements, it is unlawful and a violation of this title to begin or maintain such altered use until the required increase in off-street parking or loading is provided.

14.12.045 Expansion of existing use – Effect.

Prior to occupancy of an expanded (enlarged) floor area, off-street vehicle parking shall be provided in accordance with LMC 14.12.150 based on the expanded square footage.

14.12.050 Requirements for other uses – Authority.

Off-street parking and loading requirements for types of buildings and uses not specifically listed in this chapter shall be determined by the ~~city~~[Community Development Director in consultation with the Public Works Director](#), based upon the requirements of comparable uses listed [or a professional traffic impact study](#).

14.12.060 Requirements – Where more than one use.

In the event several uses occupy a single structure or parcel of land, the total requirements for off-street parking and loading shall be the sum of the requirements of the various land uses computed separately. Off-street parking and loading facilities for one use shall not be considered as providing required facilities for any other use.

14.12.070 Joint use permitted when.

Owners of two or more uses, structures or parcels of land may agree to use jointly the same parking and loading stalls where the hours of operation do not overlap, provided substantial proof is presented to the city pertaining to the cooperative use of the parking facilities [for the life of the related uses](#).

14.12.080 Plan required.

A plan, drawn to scale, indicating how the off-street parking and loading requirements are to be fulfilled shall accompany a request for a building or other parking permit(s). Such plan shall be compliant with applicable development standards within this title.

14.12.090 Off-street loading ~~required when – Number of~~ berths.

- A. For each use for which a building is to be erected or structurally altered to the extent of increasing the floor area to equal the minimum floor area required to provide loading stalls, and which will require the receipt or distribution of materials or merchandise by truck or similar vehicle, there shall be provided off-street loading stalls on the basis of minimum requirements as follows. [Uses with an average of one delivery truck a day or more \(not including UPS, FedEx or similar delivery trucks\) shall provide a berth area in compliance with other requirements of this chapter:](#)

Use/Gross Square Feet	Required Loading Stalls
Industrial, manufacturing wholesale, warehouse, similar uses	
10,000 – 40,000 square feet	1 stall
40,001 – 60,000 square feet	2 stalls
60,001 – 100,000 square feet	3 stalls
Over 100,000 square feet	1 stall for each 50,000 square feet or part thereof, after the first 10,000 square feet
Restaurants	
20,000 – 50,000 square feet	1 stall
50,001 – 100,000 square feet	2 stalls
Over 100,000 square feet	1 stall for each 50,000 square feet or part thereof, after the first 20,000 square feet
Hospitals, convalescent/nursing homes and similar institutions	
10,000 – 50,000 square feet	1 stall
50,001 – 100,000 square feet	2 stalls
Over 100,000 square feet	1 stall for each 50,000 square feet or part thereof, after the first 10,000 square feet
Department stores, retail and other commercial uses	
10,000 – 20,000 square feet	1 stall
20,001 – 50,000 square feet	2 stalls
50,001 – 100,000 square feet	3 stalls
Over 100 50,000 square feet	1 stall for each 50,000 square feet or part thereof

~~B. Size. Within the central commercial zoning district, where a structure and/or use 30,000 square feet or less in size is required to provide off-street loading and it is adjacent to an existing alley, said alley may be used to fulfill the off-street loading stall.~~

~~C. —~~

~~D. 14.12.100 Off-street loading berth size.~~

B. A loading berth shall contain space at least 10 feet wide, 50 feet long and have a height clearance of at least 14 feet.

C. Location.

1. Within the central commercial zoning district, where a structure and/or use 30,000 square feet or less in size is required to provide off-street loading and it is adjacent to an existing alley, said alley may be used to fulfill the off-street loading stall.
2. Berth areas, whether physically designated or not, shall meet the requirements/intent of the fire code, shall not block parking, shall not impact traffic circulation in a negative manner, shall not impact adjacent properties in a negative manner, and shall not intrude into street rights-of-way.
3. The berth area is not required to be physically demarcated as a loading/unloading only area and may be used for multiple purposes so long as the functionality of the berth as a loading/unloading area is maintained.

E.D. Modification. If a loading stall has been provided in connection with an existing use, the loading stall shall not be eliminated if elimination would result in less stall area than is required to adequately handle the needs of the particular use, according to the standards set out in LMC 14.12.090 and 14.12.100.

~~14.12.105 Off-street loading berth location.~~

~~Uses with an average of one delivery truck a day or more (not including UPS, FedEx or similar delivery trucks) shall provide a berth area in compliance with other requirements of this chapter; however, the berth area is not required to be physically demarcated as a loading/unloading only area and may be used for multiple purposes so long as the functionality of the berth as a loading/unloading area is maintained.~~

~~Berth areas, whether physically designated or not, shall meet the requirements/intent of the fire code, shall not block parking, shall not impact traffic circulation in a negative manner, shall not impact adjacent properties in a negative manner, and shall not intrude into street rights-of-way.~~

~~14.12.110 Off-street loading elimination prohibited when.~~

~~If a loading stall has been provided in connection with an existing use, the loading stall shall not be eliminated if elimination would result in less stall area than is required to adequately handle the needs of the particular use, according to the standards set out in LMC 14.12.090 and 14.12.100.~~

14.12.115-100 Stacked parking.

Stacked parking areas must comply with all of the development standards in Chapter 14.12 LMC, except as superseded by this section.

- A. Dimensions. Minimum stall width shall be eight and one-half feet and depth shall be 16 feet.
- B. Enclosed. Stacked parking areas shall be located below ground level or enclosed within a structure. Additionally, stacked parking facilities may be located within a parking garage.
- C. Layout. Parking layout requirements may be modified when the stacked parking area is fully automated or accessed only by attendants (employees). Stacked parking accessed without an attendant shall meet the layout requirements of LMC 14.12.170(E) and (F). All layouts shall be reviewed and approved for adequate fire access.
- D. Striping. Stacked parking areas are not required to be striped.
- E. Landscaping. Stacked parking areas located below ground level or enclosed within a structure are exempt from landscaping requirements. Stacked parking within a parking garage shall meet the landscaping requirements of LMC 14.12.190(G).

14.12.120 Off-street parking required when.

In all districts, except the central commercial district, for each new structure or change of use which increases the structure or use in area 50 percent or more, there shall be provided and maintained off-street parking facilities in conformance with the provisions of this chapter; provided, however, that in the central commercial district, hotels, motels, bed and breakfasts, apartments and condominiums shall provide off-street parking on a ratio of one

parking stall per guest room, suite or dwelling unit, as the case may be. Off-street parking requirements, as contained in this chapter, shall also be mandatory for any new development in the central commercial district that is greater than 10,000 square feet in size.

14.12.130 Off-street parking elimination prohibited when.

If parking stall(s) has been provided in connection with an existing use or is added to an existing use, the parking stall(s) shall not be eliminated if elimination would result in less stall(s) than required by this chapter.

~~14.12.140 Off-street parking area measurements.~~

~~Where square feet are specified, the area measure shall be the gross floor area. Where fractional spaces result, the parking spaces required shall be rounded to the nearest whole number.~~

14.12.150 Off-street parking number of stalls required.

Standards for off-street parking shall be as follows:

When the city has received a shell building permit application, off-street parking requirements shall be based on the possible tenant improvements or uses authorized by the zone designation and compatible with the limitation of the shell permit. Where square feet are specified, the area measure shall be the gross floor area. Where fractional spaces result, the parking spaces required shall be rounded up to the nearest whole number.

A. Residential.

1. Single-, two- and multifamily dwellings, one stall per zero to 1,500 square foot dwelling unit and two stalls for 1,500 square foot and greater dwelling unit, however, multifamily developments, with more than 10 dwelling units, located within one-half mile from a public transit park-and-ride may reduce the associated parking requirements by 5% percent.
2. Boardinghouse, lodging or rooming house, two stalls per three guest accommodations plus one additional stall for the owner or manager and each employee.

B. Hotel or Motel.

1. Hotel or Motels, one stall per sleeping unit ~~guest room or suite~~ and one stall per three employees and staff;
- ~~2. Motel or resort, one stall per guest room or suite and one stall per three employees and staff.~~

C. Institutional.

1. Welfare or correctional institution, sanitarium, nursing home, retirement home, rest home or convalescent home, one stall per five beds for patients or inmates and one stall per 3,000 square feet for employees and staff;
2. Hospital, one stall per bed and one stall per 3,000 square feet for employees and staff.

D. Places of Public Assembly.

1. Church, one stall per 350 square feet of floor area;
2. Library, reading room, museum, art gallery, one stall per 250 square feet of floor area;
3. Preschool, nursery, day nursery, kindergarten, one stall per teacher or adult supervisor and one "pick-up" and loading zone for every 25 students;
4. Elementary or junior high school, one stall per 500 square feet of floor area;

5. High school or college, one stall per 250 square feet of floor area;
6. Auditorium, gymnasium, club, lodge hall, or other place of public assembly, one stall per 250 square feet of floor area.

E. Commercial Amusement.

1. Stadium, arena, theater, one stall per 250 square feet of floor area;
2. Bowling alley, one stall per 250 square feet of floor area;
3. Dance hall, skating rink, one stall per 250 square feet of floor area;
4. Outdoor commercial amusement enterprise (except golf course and drive-in theater), one stall per 300 square feet of ground area;
5. Archery club, gun club, tennis club, swimming club, or similar athletic club, one stall per 100 square feet of floor area in clubhouse or 300 square feet of ground area, whichever requirement is greater;
6. Golf course, one stall per 100 yards in length of the course plus one stall per 500 square feet in the clubhouse.

F. Commercial.

1. Retail store (except as provided in subsection (F)(2) of this section), one stall per 500 square feet of floor area;
2. Retail store exclusively handling bulky merchandise such as automobiles or furniture, one stall per 3,000 square feet of floor area;
3. Service or repair shop, one stall per 600 square feet of floor area;
4. Bank, office (except medical or dental), one stall per 300 square feet of floor area;
5. Medical or dental office, one stall per 200 square feet of floor area;
6. Mortuary, one stall per 250 square feet of floor area;
7. Eating or drinking establishments, one stall per 100 square feet of floor area. For the purposes of eating or drinking establishments parking calculations, the net floor area shall be used (assembly and service area only);
8. Open air market, used car sales lot, one stall per 1,500 square feet of land area.

G. Industrial. Manufacturing, fabricating, assembling, processing, packing, or storage establishments, wholesale establishment, freight depot, one stall per 1,000 square feet of area used.

H. Where electric vehicle charging stations are provided in parking lots or parking garages, accessible electric vehicle charging stations shall be provided [as 2% of the total spaces provided and shall meet standard ADA design and location requirements](#). ~~as follows:~~

~~1. Accessible electric vehicle charging stations shall be provided in the ratios shown on the following table:~~

~~2. Accessible electric vehicle charging stations should be located in close proximity to the building or facility entrance and shall be connected to a barrier-free accessible route of travel. It is not necessary to~~

~~designate the accessible electric vehicle charging station exclusively for the use of disabled persons. Below are two options for providing for accessible electric vehicle charging stations.~~

~~3. Designated Accessible Stall. A WAC 51-50-005 required accessible parking stall designated for the exclusive use of parking vehicles with a state disabled parking permit.~~

~~4. Accessible Electric Vehicle Charging Station. An electric vehicle charging station where the battery charging station equipment is located within accessible reach of a barrier free access aisle (minimum 44-inch width) and the electric vehicle.~~

14.12.155 Access Standards.

A. Alley access. The following alley access priority rating is intended to support alley use, when feasible. The feasibility shall be determined by the applicant:

1. First, Access from the alley, is preferred with when feasible and applicant signs indemnity waiver.
2. Second, Access from a shared driveway or easement to a rear parking area, or optionally to a side or front parking area.
3. Third, Access from a single driveway to a rear parking area, or optionally to a side or front parking area.

B. Access. When access is available from more than one street, the lesser classified street shall be used, if they have the same classification, the property owner may choose the access street. The following access priority is intended to support alley use, when feasible. The feasibility shall be determined by the applicant:

~~First, from the alley, when feasible and applicant signs indemnity waiver.~~

~~Second, from a shared driveway or easement to a rear parking area, or optionally to a side or front parking area.~~

~~Third, from a single driveway to a rear parking area, or optionally to a side or front parking area.~~

14.12.157 Driveway Standards.

A. Driveways shall be located a minimum 5' from the property line, except for shared driveways. All driveways shall be a minimum of 3' from above ground utilities (such as hydrants, power poles and water boxes).

B. Second Driveways. For accessory dwellings, duplexes or multifamily development, an additional driveway may be placed when all of the following can be met:

1. Access is not provided from a collector street (such as Ski Hill Drive and Pine Street); and,
2. No more than 40% of the property lot line, is used for combined driveways, is used for the driveway; and,
3. The driveway width shall be between 10'-24' feet for the first 10' (minimum) of the property, where it may widen to a maximum of 50 percent of the lot width. (what about other driveway?)

ADD GRAPHICS – STREET AND CORNER LOTS

C. Driveways shall be designed and constructed consistent with the adopted Construction Standards [Detail ST-11 and 12], except driveways from an alley may be graveled. Pervious paving may be used, after the first 18' feet from the access point, when meeting the Stormwater requirements. If there is a through driveway connecting to both a public street and unpaved alley, the driveway and associated parking shall be impervious surfaced.

D. Driveways shall be designed to meet stormwater requirements.

14.12.160-160 Off-street parking location requirements Residential Parking Standards.

In addition to the access standards of LMC 14.12.155 and driveway standards of LMC 14.12.157, all residential parking shall meet the following:

~~A. Off-street parking stalls for~~ For single- and two-family dwellings parking shall be located on the same lot ~~with as~~ the dwelling(s) and may be part of the driveway (so long as setbacks and snow storage requirements are met. ~~Stalls for residential must meet standard stall depth, and shall not block and/or encroach into sidewalk, and may be a part of the driveway.~~

~~B. Off-street parking stalls for~~ For multifamily dwellings, and roominghouses, lodgingshouses or boardinghouses, parking shall be located ~~not farther than~~ within 200 feet from the dwelling, measured in a straight line from the dwelling.

~~C. For nonresidential uses, required off-street parking shall be located in the same zone except as allowed by LMC 14.12.180 and 14.12.185.~~

~~D. Off-street parking stalls for all uses and buildings except as otherwise provided in this chapter shall be located not farther than 500 feet from the building or use they are required to serve, measured in a straight line from the building or use. Off-street parking required for uses in the central commercial district may be located not farther than 900 feet from the building or use it is intended to serve. When all or part of the required parking for a use is to be provided on a lot other than the lot on which the use requiring parking is located, a covenant must be recorded to establish off-site parking. The covenant must be submitted to the city by or on behalf of the owner of the off-site parking lot along with written consent of the owner of the lot on which the use requiring parking is located, or such owner's authorized representative. The covenant must be recorded only after the applicant has demonstrated that the off-site parking complies with all applicable requirements of this title and applicable zoning requirements within LMC Title 18. Parking for city-owned and/or managed projects where employees will not be working on site on a daily basis may be located anywhere within the commercial zone districts of the city. If employees work on site, parking for the employees and visitors shall be provided in accordance with the provisions of this chapter.~~

~~EC. In a residential district, the required off-street parking or loading area~~ Parking shall may not be located ~~within the first 10~~ after the first 7 feet ~~from the any property line abutting a street, alley or public access easement.~~ of the required front yard setback area, adjacent to the public right-of-way.

~~D. P~~ The parking area shall be paved with a minimum width of 10 feet or the width of the garage, parking stalls, and/or carport, and a maximum of 50 percent of the lot width. On 30-foot-wide lots, the paved area shall be a maximum of 10 feet in width and parking shall be at right angles to the street.

E. Parking areas shall follow the adopted construction standards, detail ST-6, except single-family, accessory and duplex parking off a city alley may be graveled. 1. In the single-family residential zone districts, off-street parking located to the rear of the property off of an unpaved city alley is not required to be connected with bituminous surface treatment (BST — also known as a seal coat or chip seal), asphalt, concrete, or paver surfaced driveway, but is required to gravel the required driveway and approved parking stall. If there is a through driveway connecting to both a public street and unpaved alley, the driveway and associated parking shall be impervious surfaced.

F. Each parking space shall be a minimum of 8.5 feet by 19 feet.

~~F. On-site parking in the central commercial district shall be paved with bituminous surface treatment, asphalt, concrete, or city approved pavers, and located to the rear of the building when alley access is available.~~

14.12.160 Commercial and Industrial Parking Standards.

In addition to the access standards of LMC 14.12.155 and driveway standards of LMC 14.12.157, all commercial and industrial parking shall meet the following:

- ~~C. For nonresidential uses, r~~Required off-street parking shall be located in the same zoning district except as allowed by LMC 14.12.180 and 14.12.185.
- ~~B. D-~~Off-street parking stalls for all uses and buildings except as otherwise provided in this chapter shall be located not farther than 500 feet from the building or use they are required to serve, measured in a straight line from the building or use.
- C. Off-street parking required for uses in the central commercial district may be located not farther than 900 feet from the building or use it is intended to serve.
- D. When all or part of the required parking for a use is to be provided on a lot other than the lot on which the use requiring parking is located, a covenant must be recorded to establish off-site parking. The covenant must be submitted to the city by or on behalf of the owner of the off-site parking lot along with written consent of the owner of the lot on which the use requiring parking is located, or such owner's authorized representative. The covenant must be recorded only after the applicant has demonstrated that the off-site parking complies with all applicable requirements of this title and applicable zoning requirements within LMC Title 18.
- E. Parking for city-owned and/or managed projects where employees will not be working on site on a daily basis may be located anywhere within the commercial zone districts of the city. If employees work on site, parking for the employees and visitors shall be provided in accordance with the provisions of this chapter.
- F. Parking designs shall be consistent with LMC 14.12.170.

14.12.165 _____ Off-street parking electric vehicle charging station stalls.

- A. Purpose. For all parking lots or garages, except those that include restricted electric vehicle charging stations.
- B. Number. No minimum number of charging station stalls is required.
- C. Minimum Parking Requirements. An electric vehicle charging station stall may be included in the calculation for minimum required parking stalls that are required pursuant to other provisions of this code.
- D. Location and Design Criteria. The following required and additional design criteria are provided in recognition of the various parking lot layout options:
 - 1. Where provided, parking for electric vehicle charging purposes is required to include the following:
 - a. Signage. Each charging station stall shall be posted with signage indicating the stall is only for electric vehicle charging purposes.
 - b. Maintenance. Charging station equipment shall be maintained in all respects, including the functioning of the charging equipment. A phone number or other contact information shall be provided on the charging station equipment for reporting when the equipment is not functioning or other problems are encountered.
 - c. Accessibility. Where charging station equipment is provided within an adjacent pedestrian circulation area, such as a sidewalk or accessible route to the building entrance, the charging equipment shall be located so as not to interfere with accessibility requirements of WAC 51-50-005.
 - d. Lighting. Where charging station equipment is installed, adequate site lighting shall exist, unless charging is for daytime purposes only.
 - 2. Parking for electric vehicles should also consider the following:
 - a. Notification. Information on the charging station, identifying voltage and amperage levels and any time of use, fees, or safety information.
 - b. Signage. Installation of directional signs at the parking lot entrance and at appropriate decision points to effectively guide motorists to the charging station stall(s).
- E. Data Collection. To allow for maintenance and notification, the city will require the owners of any private new electric vehicle infrastructure station that will be publicly available (see definition "electric vehicle charging station – public," LMC 21.90.030) to provide information on the station's geographic location, date of installation, equipment type and model, and owner contact information.

14.12.170 Off-street parking lot – Design requirements.

~~Parking lots shall meet the following standards:~~
~~A. “Off-street parking stall” means an off-street enclosed or unenclosed surfaced area permanently reserved for the temporary storage of one automobile and connected with a street by a surfaced driveway which affords ingress and egress for automobiles.~~

~~BA.~~ All parking, maneuvering and loading areas shall be paved.

~~CB.~~ Parking areas for other than single family or two-family dwellings shall be designed so that no backing movements or other maneuvering within a street, other than an alley, shall be allowed. No parking stalls for other than single family or two-family dwellings shall be allowed ~~located~~ within 20-15 feet of an ingress point of a parking lot ~~or designed in a manner in which permits backing movements or other maneuvering within a street, other than an alley, so as not to back up traffic on a public street while a vehicle is backing out of a parking stall.~~

~~DC.~~ Snow storage areas shall not cover catch basins nor eliminate any required parking stalls. If snow storage is not on site, a suitable agreement for off-site snow storage must be approved by the city.

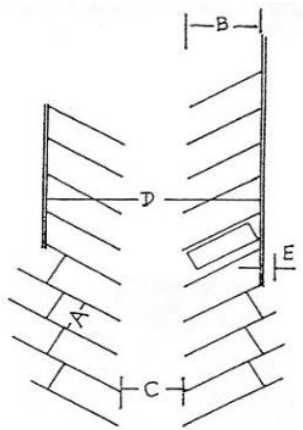
E. The following table shall be the required parking dimensional requirements. Alternatives may be approved by the City Engineer when meeting standard design principles. ∴

Angle (in degrees)	Stall Width ^a	Stall Depth ^b	One-Way Aisle Width ^{c, 5}	Parking Module Width ^d	Vehicle Overhang ^{e, 4}
<u>0 – Parallel Parking³</u>	8 ft. 6 in.	17 ft. 6 in.	10 ft. 0 in.	27 ft. 6 in.	2 ft. 6 in.
45	8 ft. 6 in.	17 ft. 6 in.	12 ft. 6 in.	47 ft. 6 in.	2 ft. 0 in.
50	8 ft. 6 in.	18 ft. 0 in.	13 ft. 0 in.	49 ft. 0 in.	2 ft. 1 in.
55	8 ft. 6 in.	18 ft. 6 in.	13 ft. 6 in.	50 ft. 6 in.	2 ft. 2 in.
60	8 ft. 6 in.	19 ft. 0 in.	14 ft. 6 in.	52 ft. 6 in.	2 ft. 3 in.
65	8 ft. 6 in.	19 ft. 0 in.	15 ft. 0 in.	53 ft. 0 in.	2 ft. 4 in.
70	8 ft. 6 in.	19 ft. 0 in.	16 ft. 0 in.	54 ft. 0 in.	2 ft. 5 in.
75	8 ft. 6 in.	19 ft. 0 in.	17 ft. 6 in.	55 ft. 6 in.	2 ft. 6 in.
90	8 ft. 6 in.	18 ft. 0 in.	20 ft. 0 in.	59 ft. 0 in.	2 ft. 7 in.

~~3. Parallel parking.~~

~~4. If the parking stall has a curb stop, the vehicle overhang dimension that corresponds to the parking angle shall count towards the parking stall depth dimension.~~

~~5. If the parking aisle also serves as a fire lane, the minimum unobstructed width shall be 20 feet.~~



- a. Stall width.
- b. Stall depth.
- c. Aisle width.
- d. Parking module width.
- e. Vehicle overhang.

F. Measurements.

1. Aisle width. The minimum aisle width for two-way traffic is 23 feet zero inches for all parking angles. The minimum aisle width for one-way traffic, service drives, or any other vehicle access is 10 feet. However, if the parking aisle also serves as a fire lane, the minimum unobstructed width shall be 20 feet.

2. Parking stall depth and Overhangs. If the parking stall has a curb stop, the vehicle overhang dimension that corresponds to the parking angle shall count towards the parking stall depth dimension.

3. Curb Cuts. Curb cuts to all off-street parking lots shall be a minimum of five feet from the aisle edge and not exceed maximum of 33 feet in total width for two-way traffic. Curb cut width shall be measured from the top of the curb slope. Curb cuts shall be separated a minimum of 10 feet

4. Curb cuts to all off-street parking facilities for one-way traffic shall be a minimum of 10 feet wider than the access aisle serving the off-street parking facility. The additional 10 feet in width shall be divided so as to ensure the access aisle lane is centered between the curb cuts.

G. Barrier-Free Parking. Parking stalls shall meet the standards set forth in Chapter 51-40 WAC as it now reads or is hereafter amended.

~~H. Curb cuts to all off-street parking facilities shall be a minimum of five feet from the aisle edge and not exceed maximum of 33 feet in total width for two-way traffic. Curb cut width shall be measured from the top of the curb slope. Curb cuts shall be separated a minimum of 10 feet. "Curb cut" means a depression in the curb for the purpose of accommodating a driveway that provides vehicular access between private property and the street.~~

~~I. Curb cuts to all off-street parking facilities for one-way traffic shall be a minimum of 10 feet wider than the access aisle serving the off-street parking facility. The additional 10 feet in width shall be divided so as to ensure the access aisle lane is centered between the curb cuts.~~

J. A stormwater drainage plan, including a maintenance plan, utilizing best management practices shall be submitted for approval by the city public works director. Stormwater drainage systems shall be maintained by the property owner.

K. All parking facilities shall be permanently maintained in such a way that dust is not emitted from the parking area/lot, and shall be free of weeds, litter, debris and graffiti. Parking areas/lots shall be striped biannually. Minimum surface requirements of the parking areas/lot shall follow the adopted construction standards, detail ST-6. (nongravel); [REMOVED GRAPHIC]

~~Compacted subgrade: 90 percent compaction required, and subsurface grubbed of organic material(s).~~

L. Lighting shall be in conformance with Chapter 14.28 LMC, Lighting Standards.

~~14.12.180 Off-street parking underground parking – Design requirements.~~

~~In addition to the design standards of~~ The following requirements shall be in addition to LMC 14.12.170, underground parking facilities shall meet the following requirements:

~~A. Underground parking shall be allowed in all commercial zones and the residential multifamily zone.~~

~~BA. Columns and other structural elements may encroach into the parking stall(s) a maximum of six inches on a side, except in the area of the car door openings, five feet from the longitudinal centerline or four feet from the transverse centerline of the parking stall. No wall, guardrail or other obstruction shall be permitted within the area for car door openings.~~

~~CB. The minimum vehicle height clearance shall be seven feet.~~

~~14.12.185 Off-street parking underground parking facility in the multifamily zone district to provide parking for a commercial zone district.~~

~~C. Underground parking facilities may be created on a property or properties located in the multifamily zone district to provide parking for use of a property or properties located on an adjacent land parcel (contiguous to or separated only by an alley) in the central commercial, tourist commercial, and/or general commercial zone districts. This is to allow for additional parking to be created which augments the supply of necessary or supplemental parking for the proposed project in a commercial zone district without reducing or eliminating land which is available and zoned for multifamily residential development, redevelopment and/or use. The following shall be in addition to the regulations set forth within LMC 14.12.170 and 14.12.180 and Chapter 18.22 LMC:~~

~~A. An underground parking facility in the multifamily zone district to provide parking for a commercial zone district shall be required to obtain approval through the conditional use permit process as outlined in Chapter 18.52 LMC.~~

~~14.12.190 Off-street parking~~ Landscaping requirements Requirements for Parking Lots.

The following provisions shall be required for all parking facilities except single-family, duplex, or accessory dwelling units. Multifamily developments, multifamily dwellings shall meet the requirements of (H) below, ~~which are regulated by the site plan approval standards in Chapter 18.22 LMC. Landscaping requirements for an underground parking facility in the multifamily zone district to provide parking for a commercial zone district shall be regulated through the conditional use permit process in Chapter 18.52 LMC.~~

A. Compliance with the provisions contained in this section shall be demonstrated during the permit review process by submittal of a scaled landscape plan prepared by the applicant. The plan shall include a legend showing botanical and common names, mature plant sizes according to the species and the variety and/or cultivar selected (armor and fruit-litter-free where possible), quantities, locations, dimensions of planted area and percentage of parking lot landscaping. Additionally, the applicant shall submit a separate irrigation plan showing the required permanent, underground automatic irrigation system with backflow prevention device. Both plans shall be reviewed and approved by the city prior to any permit approvals.

B. It is the responsibility of the property owner to ensure all landscaped areas shall be continuously maintained in a healthy growing condition, which shall be a pest-free condition (free of harmful insects, diseases, and weed infestations). If living tree, shrub and/or other plant materials are damaged or destroyed by any means, they shall be replaced with suitable materials in suitable quantities. An alternative replacement plan that maintains the continuity of the overall landscape program may be reviewed and approved by the city at the property owner's request.

C. If existing, well-established trees that have a trunk diameter of six inches or greater, as measured four feet above ground level, and/or vegetation (excluding noxious weeds and grasses) can realistically be utilized, they shall be preserved and incorporated into the overall landscape program.

D. A combination and variety of trees and/or shrubs, as well as living ground cover (can be in conjunction with natural ornamental landscaping materials such as bark), shall be provided in each landscaped area. The plant materials that are chosen shall be those best suited to the climate within the Leavenworth area, and shall be capable of providing shade to the parking facility within 15 years of planting.

E. A permanent, underground, and automatic irrigation system shall be installed and permanently maintained in all landscaped areas. Installation of the landscaping shall include preventative measures intended to reduce the necessary maintenance activities, particularly the incidence of weed growth.

F. The following minimum provisions shall be required for all parking facilities:

1. A minimum of 15 percent of the net asphalt area of all surface parking lots shall be landscaped. Projects with 3,000 square feet or less of gross area (pre-landscaping) may qualify for a reduction down to 10 percent (rather than 15 percent) required landscaping if designed with the assistance of a city-approved licensed landscape architect or designer. The city shall have the authority to approve, approve with conditions, or disapprove of the design and has the discretion to determine the required percentage anywhere between 10 and 15 percent. There are no administrative appeals to the decision of the city; however, the applicant may reapply with a revised or new proposal. "Parking lots" does not include walkways, pedestrian corridors and/or paths.

2. Where parking facilities adjoin a public right-of-way, except where located adjoining an alley, a landscaped planting strip at least six feet wide shall be established and continuously maintained between the back side of the public sidewalk and the parking lot. Where there exists area between the back side of the sidewalk and the property line, the entire distance between the sidewalk and the property line shall be landscaped. Any planting within 15 feet of a driveway shall not exceed 30 inches in height above street grade.

3. Where parking lots adjoin a residential or recreational zoning district, a landscaped planting strip at least 15 feet wide shall be established and continuously maintained between the parking lot and adjacent properties. If either a fence or wall is incorporated into this landscaping strip, the width may be reduced by 50 percent; provided, that any fencing shall be constructed of wood and be sight-obscuring; and any walls shall be constructed with masonry, blocks or textured concrete, with climbing plants and vines used to add texture and soften the appearance of both sides of the wall. Such wall or fence shall be a minimum of four feet in height, and not exceed the maximum allowed for fencing within the zoning district, and if no standard is specified, no fence or wall shall exceed eight feet in height. No fence within 15 feet of a driveway may exceed three feet in height. The ~~city administrator~~ [Community Development Director](#) or ~~his/her~~ designee, working in consultation with a landscape specialist, may allow an administrative deviation from the 15-foot-wide landscaping buffer, when demonstrated that the intent of screening, separation, stormwater control, plant health, snow storage and/or other aspects of buffer function and use are not adversely affected. For the purposes of this section, landscape specialist may include, but is not limited to, landscape architect, landscape designer, and/or person with knowledge of horticulture, design and biological science to create and maintain outdoor environmental space.

4. Provisions shall be made to ensure that ~~adequate~~ 5' pedestrian paths connecting the parking lot with the public right-of-way are provided throughout the landscaped areas.

5. At least one tree for every six parking stalls (if less than six, then no tree is required) shall be included in the development of the overall landscape program. The first priority in meeting this provision is to preserve existing, well-established trees that do not interfere with the safety, operation and functioning of the parking lot. Trees shall be dispersed throughout the parking lot, particularly adjacent to public

rights-of-way; however, appropriate clustering of trees may be permitted, as approved by the city, particularly when existing trees are preserved within the parking lot.

6. All areas in a parking facility not used for driveways, maneuvering areas, parking stalls or walks shall be permanently landscaped with suitable materials and shall be permanently maintained, pursuant to a maintenance program submitted by the applicant and approved by the city.

7. Landscape borders, such as landscape timbers or blocks, to retain the landscaping materials and also to protect them from intrusion by vehicles, ~~may be waived by the city administrator and/or designee.~~

8. To increase the parking lot landscaped area, a maximum of two feet ([vehicle overhang area](#)) of the parking stall depth may be landscaped in lieu of asphalt while maintaining the required parking dimensions.

G. The following minimum provisions shall be required for all structured parking:

1. For the purposes of this provision, structured parking means a multi-story car park (also called a parking garage, parking structure, parking ramp, or parking deck) which is a structure designed specifically to be for automobile parking and where there are a number of floors or levels on which parking takes place.

2. The structured parking shall have a continuous five-foot minimum perimeter landscaping strip except on the side property lines of interior lots where adjoining or common-wall construction is approved with an adjacent building. In addition to the applicable requirements of this section, the perimeter landscaping strip for a parking structure shall incorporate some vertical elements, [such as trees](#), at least every 20 feet.

3. Landscaping materials shall be provided in planters and/or pots for five percent of the total surface deck areas. The planters and/or pots shall be distributed throughout the top deck areas and along the perimeter of intermediate decks.

4. For parking incorporated into a building, only the portions outside of the primary structure serving nonparking uses shall be landscaped to the above standards.

[H. Multifamily Parking Facility](#)

[All multifamily parking facilities shall meet the following minimum landscaping standards:](#)

- [1. Planting Area. A minimum five-foot-wide planting strip shall be provided adjacent to all street frontages and along all property lines which front upon a residential district. The total landscaped planting area, exclusive of lawns, shall not be less than eight percent of the gross project area.](#)
- [2. Trees. One tree shall be required for each 250 square feet of required planting area. Trees of two-inch caliper \(measured three feet above ground level\) are required. At least one out of every four of the required trees shall be planted within the interior \(20 feet from any lot line, unless prevented by the structures\). Nuisance trees, which are susceptible to breakage, disease, or insect infestation, or which have undesirable growth habits \(roots which invade sewer lines, trees which produce messy blooms and/or fruit\) should be avoided.](#)
- [3. Shrubs. The planting area must be 50 percent covered with shrubs which are two feet or higher at maturity.](#)
- [4. Ground Cover. Ground cover is required to complete the landscaping of the planting areas.](#)
- [5. Other Areas. All areas not covered by structures, paving or landscaped planting areas shall be maintained in grass, when adjacent to a residential zoning district.](#)
- ~~[1.6. Irrigation and Maintenance. A permanent, underground irrigation system shall be provided for all planting areas and lawns. All plantings shall be the owner's responsibility to maintain and replace as needed.](#)~~

14.14 Utility Development Standards

14.14.150 ~~Access~~ Road and Fire Apparatus standards.

A. General Standards. All projects shall be provided with access via an improved road meeting the specifications contained in the adopted Construction Standards consistent with this chapter, and as designated in the city of Leavenworth comprehensive plan (for general location) and as ~~unless~~ otherwise provided for in the Leavenworth Municipal Code.

B. Design Standards for fire apparatus access shall meet the following: ~~The following table delineates the applicable road types and road designs which shall be required for all projects:~~

Type	ROW Width	Purpose
Urban collector	60 ft. (See adopted Standard Details)	Collects traffic from a region and/or the primary road to which local access roads from neighborhoods/commercial/industrial areas connect
Urban local access	50 ft. (See adopted Standard Details)	Provides access and circulation within commercial areas and single/multifamily neighborhoods
Industrial local access	44 ft. (See adopted Standard Details)	Provides access and circulation within industrial areas
<u>Dead end roads may be required to provide a turnaround. Flag lots which serve as access roads shall be regulated in the same manner as the roads to which they compare.</u>		
Driveway (private)	20 ft./10 ft. (See adopted Standard Details)	Serves one single family residential lot or the equivalent ADT producer for other land uses

~~Dead end roads may be required to provide a turnaround.~~

~~Flag lots which serve as access roads shall be regulated in the same manner as the roads to which they compare.~~

C. Fire apparatus roads and private **driveways** shall meet the following standards:

1. Fire apparatus roads shall serve no more than a total of three single-family residential lots and are intended to provide access to existing developed areas for infill development purposes.

~~2. Private driveways shall serve no more than a total of one lot, are intended to provide access to one single family residential lot, and are intended to provide access to existing developed areas for infill development purposes.~~

~~3.~~ Fire apparatus roads ~~and private driveways~~ shall require recording of a road maintenance and upgrading agreement. If subdivision is involved, a note shall be recorded on the plat regarding the agreement.

4. Fire apparatus roads ~~and private driveways~~ shall not be used for access where access to more remote properties would be inhibited or where the development standards for public streets outlined in this chapter could be

accommodated, or for properties that can be further subdivided, unless topography, wetlands, or other natural features necessitate this type of access.

5. Multiple fire apparatus roads ~~/private driveways~~ shall not be allowed in place of a city street adequate to serve the area or development built to the standards outlined in this title.

6. Access via a fire apparatus road ~~/private driveway~~ shall be limited to one such access on the parent parcel existing at the time of adoption of this code on April 13, 2004.

Chapter 14.14 Utility Development Standards

Chapter 14.14 Illustration 1

PRIVATE DRIVEWAY

~~A private driveway serving a maximum of one residential lot or equivalent ADT producer. A private driveway shall be 20 feet wide up to a point which provides fire access within 150 feet of existing or proposed structures. The remaining private driveway shall be composed of six inches of crushed gravel and two inches of hot mix, double shot BST mix or concrete.~~

~~(See adopted Standard Details)~~

17.14 General Subdivision Development Standards

17.14.100 Access standards.

All lots shall be provided with direct access to an improved public street meeting the specifications contained in LMC Title 14 and as designated in the City of Leavenworth Comprehensive Plan. Streets shall be improved to the standards as outlined in this code and as a condition of final plat approval. All streets shall be dedicated to the city except as otherwise provided for, and the following:

A. When access can be achieved by two streets, the access ~~to the residence~~ will be provided on the lower classified road, or as determined by the city consistent with the comprehensive plan.

B. Alley access for residential lots shall provided, when feasible.

BC. Private driveway easements over flag lots shall serve no more than a total of ~~two~~ four lots.

[ADD GRAPHIC]

Flag lots ~~are intended to be allowed only for existing developed areas for infill development purposes, provided the following standards are~~ shall comply ~~ied~~ with:

1. Lots accessed via a private driveway easement shall be created from legal lots of record.
2. Private driveway easement accesses shall be developed to the standards contained in LMC Title 14 ~~and shall be compliant with the requirements of Chelan County fire district No. 3.~~
3. For all lots with access via a private driveway easement, a road maintenance and upgrading agreement shall be recorded with the Chelan County Auditor. The city shall review the agreement prior to recording to ensure compliance with city standards. ~~will be required and shall be noted on the face of the final plat mylar or recorded by separate easement in the case of a boundary line adjustment.~~

4. Private driveway easements or flag lots cannot be used for access where the development standards for streets outlined in LMC Title 14 could be accommodated, or for properties that can be further subdivided, unless topography, wetlands, or other natural features necessitate this type of access.

5. Multiple private driveway easements shall not be allowed in place of a city street adequate to serve the area or development built to the standards outlined in LMC Title 14.

[ADD GRAPHIC]

€D. Street rights-of-way along the boundary of, or within, a subdivision shall conform to the provisions set forth in LMC Title 14, and as identified in the Leavenworth comprehensive plan.

Definition Code Update

21.90 Common Definitions.

21.90.030 Definitions

“Curb cut” means a depression in the curb for the purpose of accommodating a driveway that provides vehicular access between private property and the street.

“Driveway” means a vehicle access provided between a street or alley to a parking area or facility.

“Off-street parking stall” means an off-street enclosed or unenclosed surfaced area permanently reserved for the temporary storage of one automobile and connected with a street by a surfaced driveway which affords ingress and egress for automobiles.

“Parking Lot” means an area where five or more cars park adjacent or from the same access which are not related to a single-family or duplex use.

“Suite, Hotel or Motel” means a group of rooms, including sleeping unit(s), comprising a lodging unit. A “sleeping unit” is defined as a single bed, two twin bunk beds or two queen beds.

B&B Code Update

18.52.120 Conditional use permit – Bed and breakfast.

In granting a conditional use permit for a bed and breakfast in addition to the criteria in LMC 18.52.050 and 18.52.060 where applicable, the hearing examiner shall impose the following minimum conditions to allow a bed and breakfast as a conditional use:

A. The bed and breakfast facility shall be the principal residence of the property owner. A property owner must live on-site throughout the visitor’s stay.

B. A bed and breakfast shall be for no more than three bedrooms. Detached units with rooms are allowed. Accessory dwelling units may be allowed to be a part of the bed and breakfast.

C. A bed and breakfast may only be offered in a space intended for human habitation. For example, a property owner may not rent a space in an accessory structure that is a storage shed or garage.

D. The maximum number of occupants permitted to stay overnight shall be two people for each bedroom, excluding children under the age of six.

E. Bed and breakfast facilities shall meet all applicable health, fire safety, and building codes. New, converted, or annexed bed and breakfast facilities shall be inspected by the city of Leavenworth prior to operations. Thereafter

with renewal of annual permits, inspections shall be conducted by the property owner via the “Annual Building, Fire and Life Safety Occupancy Permit Application” provided by the city with the annual permit renewal process. All bed and breakfasts shall receive an annual permit from January 1st to December 31st, under limited administrative review, documenting conformance with city code and agreement to conform to all permits, licenses and permits. The International Fire, Residential, and Building Codes shall be applied at the time of permit for use.

F. Bed and breakfasts shall be residential in appearance.

G. Bed and breakfast facilities in or adjacent to residential districts shall not infringe upon the right of neighboring residents to reasonable peaceful occupancy of their homes. Bed and breakfasts shall obtain a city business license and separate annual permits provided by the city. In any advertisement of the bed and breakfast, the property owner must include the business license number issued by the city.

H. A written management plan shall be submitted for approval as a part of the conditional use permit process. It shall include, at a minimum, the proposed management structure, providing guests with information related to emergency exit routes, 24 hours a day seven days a week contact information, required guest rules and regulations, including for litter control, quiet hours, parking and proposed methods to enforce occupancy limitations and other requirements. In addition to providing the plan to the city of Leavenworth, contact information shall be provided to the adjacent properties, District 3 fire chief, and Chelan County sheriff. A legible sign shall be placed adjacent to the front door (outside), clearly visible to the general public listing the maximum number of occupants permitted to stay overnight, the maximum number of vehicles allowed to be parked on site, and the name and contact information of the contact person. Quiet hours shall, at a minimum, be from 10:00 p.m. to 7:00 a.m., or as otherwise provided by city or state regulations, whichever is more stringent. The management plan may be modified with amendment to the conditional use permit.

I. One nonilluminated sign, not to exceed four square feet, on the exterior of the bed and breakfast shall be permitted subject to the review process appropriate to the zoning district.

J. The property owner must clearly advertise the bed and breakfast as property owner occupied. This applies even in cases in which the bed and breakfast takes place in an accessory dwelling unit.

K. Driveways accessing a bed and breakfast which are more than 100 feet in length shall have an improved width of at least 12 feet with appropriately spaced cutouts to facilitate the passage of two vehicles traveling in opposite directions.

L. One off-street patron/visitor parking space, [meeting the residential requirements of Title 14](#), ~~not located within a required yard area~~, shall be provided for each room rented. All parking must be accommodated on site.

M. The hearing examiner may impose other conditions, such as additional parking, improved access, landscaping, or screening, if found necessary to protect the best interests of the surrounding properties of the neighborhood due to the nature of the site or the facility.

N. An affidavit certifying that the property owner will comply with all of the provisions of the bed and breakfast regulations, conditional use permit, business license conditions for operating a bed and breakfast, and all relevant laws shall be required.

O. Violation of the conditions of approval, as determined by the city, shall result in revocation of the bed and breakfast and a potential monetary penalty of \$2,000 enforced in accordance with Chapter 21.13 LMC. Re-establishment shall be allowed administratively with compliance and remittance of the monetary penalty, and any other fees necessary for permit issuance.

P. Within the annual permits provided by the city, the property owner shall report to the city the following minimum information:

1. The address of the bed and breakfast; and the contact name(s) of the property owner.

2. The total number of nights that the bed and breakfast was occupied for transient accommodation or lodging.

3. The property owner shall both have legal responsibility for the collection of all applicable taxes and remittance of the collected tax.

4. The property owner must provide its clients or potential clients the following disclosure:

On January 24, 2017, the Leavenworth City Council adopted the new Bed and Breakfast Ordinance reiterating its existing prohibition on the rental of entire dwellings as vacation rentals. The new Bed and Breakfast Ordinance also legalized the short-term rental of a portion of a person's home when the property owner lives on-site throughout the visitor's stay and when the property owner obtains appropriate permits, including a business license. The property owner is also required to collect and remit necessary taxes.

Q. The city of Leavenworth hereby adopts a fire and life safety self-inspection program for bed and breakfast facilities operating within the city limits of Leavenworth. After the initial inspections with permitting, the property owner from that time forward, shall conduct a self-inspection of their property annually and submit a self-inspection form to the city no later than 30 days after receipt from the city. The inspection is to be conducted by the property owner, or their designee.

R. A standard letter from the city will be mailed to the property owner requiring the self-inspection. A partial list of fire and building inspection review elements will be included with the inspection form. The city supplied self-inspection form shall be completed and signed by the property owner and returned to the city. A copy of the certificate of occupancy or change of use permit application must accompany the self-inspection form together with the applicable application fee as established by resolution of the city of Leavenworth.

S. In the event a property owner fails to timely file the self-inspection form with the city of Leavenworth, the city may order an on-site inspection by the city building and/or fire official or designee and the property owner shall be billed the applicable fee for said on-site inspection. Random inspections may be conducted by the city at the city's discretion. Within a three-year cycle, all properties shall be inspected by the city. The inspection fee shall be established by resolution of the city council.

T. Any person, partnership, association, firm or corporation who violates or fails to comply with this chapter is guilty of a civil infraction and is subject to the civil penalties and remedies and corrective actions as set forth in Chapter 21.13 LMC.