



Planning Commission Agenda

Wednesday, July 2, 2025 at 7:00 PM
City Hall Council Chambers
700 Highway 2, Leavenworth, WA

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

- (1) connecting via the Zoom app: Meeting ID: 91854580303 Passcode: 093075
- (2) using the web link: <https://zoom.us/j/91854580303?pwd=GasMP6FqBaaYWQ4XjWzWJf3u6SEbdT.1>
- (3) calling: 1-253-215-8782. Alternative call-in phone numbers: <https://us02web.zoom.us/j/kOFTNV2hD>

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/discussion. Every year, the City Council directs the Planning Commission work through the establishment of the [Docket](#).

Meeting Etiquette:

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|--|---|
| 1. Have one discussion at a time and limit distractions. | 3. Be respectful of each other; by assuming good intentions and acknowledging it is ok to disagree. |
| 2. Seek to understand before being understood. | 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: Drew Foulk (position #4 - expiration 2025)*
Planning Commission Commissioners: Elizabeth Sall (#1 - 2026), Vacant (#2 - 2027), Simon Farivar (#3 - 2024), James Whitesides (#5 - 2025), Colin Forsyth (#6 - 2026) and Alison Miller (#7 - 2026)
3. **Joint Meeting with the City Council**
 - Review of the current 2025 Docket
 - Planning Commission update on status of Docket items
 - Discuss any new Docket items that should be added
 - Reprioritize docket items as necessary
4. **Review and approval of May and June 2025 Minutes** – (sent separately)
 - a. Sample Motion: *I move to approve the Planning Commission minutes from May 7, 2025 and June 4, 2025.*
5. **Open discussion items, at the Chair's discretion**
6. **Adjournment**

Planning Commission Docket

2025 Amendment Considerations

The Planning Commission Docket is intended to provide a priority list of Comprehensive Plan and Development Regulation projects to be reviewed over the next year by the Planning Commission. It is worth noting that regular meetings provide about 24 hours of time for the Commission to review items on the record. For this reason, only a few items can be reasonably considered annually.

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 SEPA¹. Additional regulations, studies or reports may be requested by the City Council. Each November/December the Docket is reviewed 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 prioritize the Docket.

Completed During 2024

- ✓ Condominiums – Ownership Options
- ✓ Unit Lot Subdivision
- ✓ Code Consistencies
- ✓ Cottage Housing
- ✓ Flood Regulations
- ✓ CIP Update
- ✓ B&B Density
- ✓ Multifamily Tax Exemption
- ✓ HB 5290 – Processing amendments

Continued from 2024 Docket

- **Review Manufactured housing** siting and form regulations
- **Urban Growth Boundary “swap”** under contract with AHBL.

2025 Docket Items

1. 2026 Comprehensive Plan Update

- A. Climate Element - New**
- B. Land Use Element – Update**
- C. Housing Element – Update**
- D. Parks & Recreation Element – Update**
 - Recreation Consultant for Level-of-Service (LOS) – This project would require the hiring of a consultant to review past Recreation Plans, review all existing facilities (in the city and optionally within the region), conduct public meetings and develop recreation LOS for the city with recommendations, if needed, for meeting/maintaining the recommended LOS.
- E. Economic Development Element – Update**
 - Sustainable Tourism Plan, see Sedona example: <https://sedonachamber.com/sustainability-in-sedona/sustainable-tourism-finding-balance/>
- F. Capital Facilities Element – Update**
- G. Utilities Element – Update**
- H. Transportation Element – Update**

2. 2026 Development Regulation Update

- A. State mandated updates to development regulations
- B. Allowances for balconies over the right-of-way with permitting and design standards.
- C. Vacation Rental regulations in commercial zones

3. Review Inclusionary Zoning or similar options for mandated affordable housing: *Inclusionary zoning requires a developer to include a set number or percentage of Affordable Low-Income dwellings per development. This will include hiring a consultant to assist in a feasibility/nexus study and to help in determining the percentage requirements and cash-in-lieu rates that would be appropriate for the community.*

¹ Leavenworth Municipal Code Section 21.03.040

4. **Parking – Chapter 14.12 Off-Street Loading and Parking:** including fee-in-lieu of parking in the CC zone, review of parking requirements, landscaping requirements (exempt alley parking lots), and parking lot standards (Title 14). *The reason for reviewing parking is to consider impacts of development and parking options in the commercial zones.*
5. **HB1337 – These changes are required with the next mandatory update 2026 or sooner.** HB1337 requires two accessory dwelling units on all lots located in all zoning district in a UGA (includes the city) with the following provisions:
 - May require city sewer connection (no change to Leavenworth code, but need to address for UGA)
 - Nonconforming lots may have a limited number of ADUs
 - Must permit ADU size to be 1,000 sqft or more (no change to Leavenworth code)
 - Height shall be consistent with the primary residence (no change to Leavenworth code)
 - Setbacks, lot coverage, restrictions on entry door locations, aesthetic requirements, or requirements for design review shall not be more restrictive than those for primary residence (no change to Leavenworth code)
 - Must permit ADU at the lot line if abuts a public alley unless the alley is plowed by the city
 - Must permit conversion of existing nonconforming (due to setbacks and lot coverage) structures into ADUs. This item relates to a 2023 Docket item: Review Non-conforming building requirements for ways to promote infill development Using non-conforming (not meeting the setback requirements or other regulations) buildings to permit infill development may provide for more housing options. An alternative is to amend the regulations (such as setbacks) for all development which would provide more housing options for all properties.
6. **Evaluate triplexes** as distinct land uses and open space options to ensure aesthetic compatibility with neighborhood. *The reason for reviewing triplexes is to increase housing supply and diversity.²*

Other Planning Considerations:

- **Consider a new R-3 zoning district** in areas of the city with historic nonconforming lot sizes (approx. 3,500 sq ft).
- **HB 1110** – These changes are not required due to Leavenworth’s population (less than 25,000); however, staff recommends review and adoption of several new State definitions: Administrative design review, Cottage housing, Courtyard apartments, Major transit stop, Middle housing, Single-family zones, Stacked flat, and Townhouses.
- **Review CUP regulations** to ensure criteria is tailored to community needs/concerns: *During the 2021 code amendments the city moved uses into a single chart. At that time it was determined that several conditional uses didn’t have specific review criteria and an overall review of the code intent would clarify what was needed for these uses.*
- **Code Inconsistencies:** Fence standards, Nonconforming regulations, and any other updates determined necessary for consistency and clarification.

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.

² 2021 Housing Action Plan and required per RCW36.70A.070

18.36.035 Accessory dwelling units.

Accessory dwelling units are permitted in all zoning districts that allow for single-family homes, provided the following minimum requirements are met:~~Accessory dwelling unit not used for transient accommodation (“accessory dwelling unit”), meaning a subordinate, habitable living unit added to, created within, or detached from a single-family dwelling that provides basic requirements for living, sleeping, eating, cooking and sanitation, provided the following minimum requirements are met:~~

A. There shall be no more than ~~one~~two accessory dwelling units per building lot ~~or home site~~ in conjunction with a single-family structure,~~even if such structure is built on more than one platted lot;~~

B. ~~An accessory dwelling unit may be attached to, created within, or detached from a new or existing primary single-family dwelling unit;~~Accessory dwelling units may be permitted in the following configurations:

1. One attached accessory dwelling unit and one detached accessory dwelling unit;
2. Two attached accessory dwelling units; or
- 1.3. Two detached accessory dwelling units, which may be comprised as either one or two detached structures.

C. ~~The~~Each accessory dwelling unit will require one off-street parking space, which is in addition to any off-street spaces required for the primary single-family dwelling unit.~~When two ADUs are proposed, the single-family unit shall require only one off-street parking space, regardless of its square footage, which may be accessed from an alley with the recording of a notice to title of an indemnity agreement regarding alley access and maintenance as provided by the city;~~

D. The total ~~habitable gross~~ floor area (interior habitable area including basements and attics, but excluding interior stairs, garage and unheated storage areas) of any accessory dwelling unit(s) shall in no case exceed 1,200 square feet;

E. ~~An a~~Accessory dwelling units, together with the primary single-family dwelling unit with which it is associated, shall conform to all other provisions of the city code. Conversions of existing structures to accessory dwelling units shall be allowed in conformance with Chapter 18.68 LMC, Nonconforming Provisions, excepting setbacks whereby the legally established structure may receive an administrative deviation to encroach no more than 20 percent into the setback; and may be converted from existing structures, including but not limited to detached garages, even if the existing structure violates the current code requirements for building setbacks or lot coverage;

F. Accessory dwelling units may be sold or conveyed independent of the principal unit in accordance with LMC Title 17;

G. Road improvements shall not be required as a condition of permitting an accessory dwelling unit.

H. Off-street parking is not required for accessory dwelling units located within one-half mile walking distance of a major transit stop, as defined in LMC Chapter 21.90.~~The accessory dwelling unit shall meet the minimum requirements of the International Building Code, International Fire Code, and all other life safety regulations of the city, fire district, health district and all other local, state and federal agencies. [Ord. 1694 § 1 (Att. A-3), 2024; Ord. 1628 § 1 (Att. A), 2021.]~~

I. Lot coverage may be increased to accommodate accessory dwelling units on an individual building lot, as follows:

1. The maximum lot coverage permitted by the underlying zoning district shall apply to the principal single-family dwelling unit located on an individual building lot.
2. Notwithstanding subsection (1) of this section, the total allowable lot coverage may be increased by five percent (5%) for each accessory dwelling unit (ADU) located on the same lot.
3. The lot coverage increase authorized by this section shall apply solely for the purpose of accommodating one or more accessory dwelling units and shall not be applied to increase the footprint of the primary single-family residence or other non-ADU structures.
4. Example. If the underlying zoning district permits a maximum lot coverage of thirty-five percent (35%), the construction of one accessory dwelling unit on the lot shall allow for a maximum total lot coverage of forty percent (40%). The construction of two accessory dwelling units shall allow for a maximum total lot coverage of forty-five percent (45%).

J. Impact fees for accessory dwelling units shall be limited to no more than 50 percent of those assessed to the principal housing unit.



Planning Commission Meeting Minutes

Wednesday, May 7, 2025, at 7:00 PM

Open of the Meeting: Commissioner Alison Miller called the meeting to Order at 7:02 pm.

Planning Commission Roll Call: *Drew Foulk (online), Colin Forsyth, James Whitesides, Alison Miller, and Elizabeth Sall; absent: Simon Farivar. Position #2 is vacant.*

City Staff: Maggie Boles, Community Development Director; Celeste Barry, Senior Planner (online); Amy L. McCoy, Assistant Planner

Community Present (in person and online): Katie Cote (BHC Consulting - online), Eli Mulberry (BHC Consultants-online), Amanda Taub (online), Sharon Waters.

Review and approval of Minutes: The minutes for March 5, 2025, were reviewed. Colin Forsyth motioned to approve; Elizabeth Sall seconded. Motion carried by all.

BHC Presentation

Katie Cote and Eli Mulberry introduced themselves and gave a presentation on Housing and Land Use data for the Comprehensive Plan Update.

Discussion ensued.

LMC 18.36.035 Accessory Dwelling Units

Ms. Boles reviewed the corrections made during the March 5, 2025, meeting.

Discussion ensued.

A hearing will be scheduled for the next meeting.

Future Meetings: June 4, 2025

Adjournment: Meeting was adjourned by Commissioner Miller at 8:53 pm.

Respectfully Submitted,
Amy McCoy
Assistant Planner



Planning Commission Meeting Minutes

Wednesday, June 4, 2025, at 7:00 PM

Open of the Meeting: Commissioner Alison Miller called the meeting to Order at 7:02 pm.

Planning Commission Roll Call: *Drew Foulk (online), Simon Farivar, James Whitesides, Alison Miller, and Elizabeth Sall; absent: Colin Forsyth. Position #2 is vacant.*

City Staff: Maggie Boles, Community Development Director; Amy L. McCoy, Assistant Planner

Community Present (in person and online): none

Review and approval of Minutes: The minutes for May 7, 2025, was tabled to the July 2, 2025, meeting.

Public Hearing on Accessory Dwelling Unity Updates

Ms. Boles presented the staff report and provided an overview of the proposed code amendments for LMC 18.36.035, Accessory Dwelling Units and LMC21.90, Common Definitions.

Commissioner Miller inquired about utility connections impacting the language in the code, impact fees, and updating LMC Chapter 14. The board discussed the changes made in regard to lot coverage. Subsection I will be redrafted for lot coverage. A 5% increase per additional Accessory Dwelling Units.

- Presiding Chair James Whitesides opened the hearing at 7:05 pm
- No public comments were made.
- Presiding Chair James Whitesides presented the motion. Commissioner Sall moved to approve the proposed code changes and present them to the Council for consideration. Commissioner Farivar seconded. Motion carried by all.
- Presiding Chair James Whitesides closed the hearing at 7:22 pm

Comprehensive Plan Land Use and Housing Appendices

Ms. Boles reviewed the data required by the State (provided by BHC consultants) for the Commission to be brought before the City Council to accept.

Updates to 14.12 Off-Street Parking and Loading

Ms. Boles reviewed and continued the updates for 14.12 Off-Street Parking and Loading from where the Commission left off from the May 7, 2025 meeting.

Discussion ensued.

- The wording needs to be made clearer and more simplified.

Next Meeting Discussion Items

- The topic of triplexes was tabled for the next meeting.

Future Meeting: Joint Commission/City Council meeting **July 2, 2025**

Adjournment: Presiding Chair James Whitesides adjourned the meeting at 8:24 pm.

Respectfully Submitted,
Amy McCoy
Assistant Planner