



Planning Commission Meeting Agenda

Wednesday, August 5, 2026 at 7:00 PM
City Hall Council Chambers
700 Highway 2, Leavenworth, WA

The Meeting will be hosted at City Hall, with an option to join via Zoom Webinar using one of the following options:

- (1) connecting via the Zoom app: Meeting ID: 918 5458 0303 Passcode: 093075
- (2) using the web link: <https://zoom.us/j/91854580303?pwd=GasMP6FqBaaYWQ4XjWzWlf3u6SEbdT.1>
- (3) calling: 1-253-215-8782. Alternative call-in phone numbers: <https://us02web.zoom.us/j/91854580303?pwd=GasMP6FqBaaYWQ4XjWzWlf3u6SEbdT.1>

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:

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.

1. Call Meeting to Order, 7:00 pm

2. Roll Call: Planning Commission Chair: Alison Miller (#7 – expiration 2030)

Planning Commission Commissioners: Elizabeth Sall (#1 - 2030), Amanda Taub (#2 - 2027), Simon Farivar (#3 - 2028), Drew Foulk (position #4 - 2029), James Whitesides (#5 - 2029), Colin Forsyth (#6 - 2030)

3. Review and approval of July 1, 2026 Meeting Minutes

- Sample Motion: *I move to approve the Planning Commission minutes dated July 1, 2026.*

4. Public Hearing – 2026 Comprehensive Plan

The Planning Commission will hold a public hearing to provide the public with an opportunity to comment on the proposed 2026 Comprehensive Plan.

- [Draft 2 – 2026 Comprehensive Plan Elements](#)
- [Draft 2 – 2026 Comprehensive Plan Appendices](#)

The Commissioners will discuss the plan and provide a final recommendation to the City Council. The Hearing will follow the standard procedure, as follows:

- Open Public Hearing
- Staff Presentation to PC and responds to their questions
- Open Hearing for Public Comment (Review Hearing Etiquette)
- Close Public Comment
- PC Motion and Discussion
 - Sample Motion: *Move that the Planning Commission recommend Approval to the City Council of the 2026 Comprehensive Plan Periodic Update, as drafted.*
 - *Motion may include ... “and with the following recommended edits” (list proposed edits).*
- Close Public Hearing

5. Development Regulations Review & Discussion

- a. B&B Code Update (2nd review): Review change to language regarding calculation of 4% housing stock. Discuss PC memo to council regarding pre-approved plans.
- b. Parking Code Update (1st review): Review memo from Commissioner Farivar. Review draft changes to parking code, Chapter 14.12.
- c. Co-Living Housing (2nd review): Review draft code, per RCW 36.70A.535.
- d. Discuss minor changes to LMC to comply with state law or address inconsistencies

6. Open discussion items, at the Chair’s discretion

7. Future Meeting Dates:

- a. September 2, 2026

8. Adjournment

All Planning Commission meetings are open to the public



Planning Commission Meeting Minutes

Wednesday, July 1, 2026, at 7:00 PM

City Hall Council Chambers
700 Hwy 2, Leavenworth WA

Open of the Meeting: Commissioner Chair Alison Miller called the meeting to Order at 7:03 pm

Planning Commission Roll Call: *Alison Miller, James Whitesides, Elizabeth Sall, Simon Farivar, and Colin Forsyth attended in person. Drew Foulk and Amanda Taub attended online.*

City Staff: Maggie Boles, Community Development Director ; Celeste Barry, Senior Planner; Amy McCoy, Assistant Planner

Community Present (in person and online): none

Review and approval of Minutes: The minutes for June 2, 2026, were reviewed. Commissioner Forsyth motioned to approve the minutes, and Commissioner Sall seconded. Motion carried by all.

Comp Plan Update

Ms. Boles reviewed the 2026 Comprehensive Plan Update Draft Element and the timeline so the Commissioners stay on track.

Development Regulations Review & Discussion

Ms. Boles initiated the discussion regarding the B&B, Co-Living, parking code updates, and R-3 zoning.

1. Discussion ensued over how to calculate the 4% housing stock cap for B&Bs and proposed code language. Ms. Boles shared the 2026 Office of Financial Management (OFM) Population Estimates Report, noting that the data for one-unit housing units and mobile homes could be used as the base "residential housing stock" used in the calculation. This would provide a more accurate count over the "Assessor's Code 11" which was inconsistently applied to land with "single-family" homes. Using the data for 2026, this would include a housing count of 896, which would allow for up to 37 B&Bs until April 1, 2026 (when the next OFM annual report is released).
2. "Athletic Club" definition was discussed. Commissioner Sall identified the differences between Athletic Club and Health/Fitness Facility, according to the Institute of Transportation Engineers, *Parking Generation Manual*.
3. Discussed LMC 18.42.060, Design standards for affordable housing. Noncompliant code language was removed, and the draft co-living code (per RCW 36.70A.535) was reviewed.
4. Discussed updates to LMC Chapter 21.90 Common Definitions. Commissioner Farivar supported using RCW definitions where applicable.
5. Discussed R-3 zoning regulations. The Commission recommended no changes to setbacks or building height. Discussed a minimum lot width of 30 feet and an increased lot coverage.

Future Meeting: August 5, 2026

Adjournment: Chair Alison Miller adjourned the meeting at 8:56 pm.

Respectfully Submitted,

Amy McCoy
Assistant Planner

§ 18.52.120 Conditional use permit – Bed and breakfast.

- A. The purpose of permitting bed and breakfasts within the residential zoning districts is to provide an option for property owners to supplement household income or to recoup maintenance/development costs for housing stock.
- B. No bed and breakfast shall be permitted:
 - 1. On lot sizes less than 6,000 square feet; and
 - 2. When the existing percentage of bed and breakfasts is at or above four percent of the total housing stock permitted within the residential zoning districts. The four percent shall be ~~defined by the assessor's data for residential dwellings (State Code 11) in residential zoning districts within the city limits~~ calculated using the most current Office of Financial Management (OFM) population estimates; specifically for one unit and manufactured housing units within the city limits.

Within the county UGA, the total percent of B&Bs shall be four percent of the UGA housing stock within the UGA's residential zoning districts, as determined by the Chelan County Community Development Director, ~~following the same calculation process as within the city.~~

- 3. [Insert any proposed language regarding limiting the use structures built using city pre-approved plans for a set period of time] – City Council Request
Example: Residences built using the City's pre-approved dwelling unit program shall not be permitted for use in conjunction with a bed and breakfast facility for a period of 5 years from the date of certificate of occupancy.

Postcensal Estimates of Housing Units, April 1, 2020 to April 1, 2026
Office of Financial Management, Forecasting and Research Division

County	Jurisdiction	2020 Base Census Estimate of Total Housing Units	2020 Base Census Estimate of One Unit Housing Units	2020 Base Census Estimate of Two or More Unit Housing Units	2020 Base Census Estimate of Mobile Homes and Specials	2021 Postcensal Estimate of Total Housing Units*	2021 Postcensal Estimate of One Unit Housing Units*	2021 Postcensal Estimate of Two or More Unit Housing Units*	2021 Postcensal Estimate of Mobile Homes and Specials*	2022 Postcensal Estimate of Total Housing Units	2022 Postcensal Estimate of One Unit Housing Units	2022 Postcensal Estimate of Two or More Unit Housing Units	2022 Postcensal Estimate of Mobile Homes and Specials	2023 Postcensal Estimate of Total Housing Units	2023 Postcensal Estimate of One Unit Housing Units	2023 Postcensal Estimate of Two or More Unit Housing Units	2023 Postcensal Estimate of Mobile Homes and Specials	2024 Postcensal Estimate of Total Housing Units	2024 Postcensal Estimate of One Unit Housing Units	2024 Postcensal Estimate of Two or More Unit Housing Units	2024 Postcensal Estimate of Mobile Homes and Specials	2025 Postcensal Estimate of Total Housing Units	2025 Postcensal Estimate of One Unit Housing Units	2025 Postcensal Estimate of Two or More Unit Housing Units	2025 Postcensal Estimate of Mobile Homes and Specials	2026 Postcensal Estimate of Total Housing Units	2026 Postcensal Estimate of One Unit Housing Units	2026 Postcensal Estimate of Two or More Unit Housing Units	2026 Postcensal Estimate of Mobile Homes and Specials
Chelan	Leavenworth	1,210	825	384	1	1,327	833	493	1	1,453	856	596	1	1,480	871	608	1	1,500	881	618	1	1,521	890	630	1	1,539	893	642	3

LAND USE CODES FOR CHELAN COUNTY

Residential

- 11 Household, single family units
 - 12 Household, 2-4 units
 - 13 Household, multi-units (5 or more)
 - 14 Residential, condominiums
 - 15 Mobile home parks or courts
 - 16 Hotels/Motels
 - 17 Institutional lodging
 - 18 All waterfront
 - 19 Vacation and cabin
- Code 19 will be used for vacation and recreational

Manufacturing

- 21 Food and kindred products
- 22 Textile mill products
- 23 Apparel and other finished products made from fabrics, leather, and similar materials
- 24 Lumber and wood products (except furniture)
- 25 Furniture and fixtures
- 26 Paper and allied products
- 27 Printing and publishing
- 28 Chemicals
- 29 Petroleum refining and related industries
- 31 Rubber and miscellaneous plastic products
- 32 Stone, Clay and glass products
- 33 Primary metal industries
- 34 Fabricated metal products
- 35 Professional scientific, and controlling instruments, photographic and optical goods, watches and clocks-manufacturing
- 36 Not presently assigned
- 37 Not presently assigned
- 38 Not presently assigned
- 39 Miscellaneous manufacturing

Transportation, Communication, and Utilities

- 41 Railroad transportation
- 42 Motor vehicle transportation
- 43 Aircraft transportation
- 44 Marine craft transportation
- 45 Highway and street right of way
- 46 Automobile parking
- 47 Communication
- 48 Utilities
- 49 Other transportation, communication, and utilities not classified elsewhere

Trade

- 50 Condominiums-other than residential condominiums
- 51 Wholesale trade
- 52 Retail trade-bldg materials, hardware, & farm equip
- 53 Retail trade-general merchandise
- 54 Retail trade-food
- 55 Retail trade-automotive, marine craft, aircraft and accessories
- 56 Retail trade-apparel and accessories
- 57 Retail trade-furniture, home furnishings and equip
- 58 Retail trade-eating and drinking
- 59 Other retail trade

Services

- 61 Finance, insurance and real estate services
- 62 Personal services
- 63 Business services
- 64 Repair services
- 65 Professional services
- 66 Contract construction services
- 67 Governmental services
- 68 Educational services
- 69 Miscellaneous services

Cultural, Entertainment and Recreational

- 71 Cultural activities and nature exhibitions
- 72 Public assembly
- 73 Amusements
- 74 Recreational activities
- 75 Resorts and group camps
- 76 Parks
- 77 Not presently assigned
- 78 Not presently assigned
- 79 Other cultural, entertainment and recreational

Resource Production and Extraction

- 81 Orchards
- 82 Agricultural related activities
- 83 Agriculture classified under current use chapter 84.34 RCW
- 84 Fishing activities and related services
- 85 Mining activities and related services
- 86 Not presently assigned
- 87 Not presently assigned
- 88 Designated forest land under chapter 84.33 RCW
- 89 Other resource production

Undeveloped Land and Water Areas

- 91 Undeveloped land-range, open land undeveloped
- 92 Noncommercial forest
- 93 Water areas
- 94 Open space land classified under chapter 84.34RCW
- 95 Timberland classified under chapter 84.34 RCW
- 96 Not presently assigned
- 97 Not presently assigned
- 98 Not presently assigned
- 99 Other undeveloped land

CHAPTER 14.12
OFF-STREET LOADING AND PARKING¹

§ 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. It is further the intent of this chapter to right-size parking supply to meet actual demand, reduce development costs, support housing affordability, minimize impervious surfaces, and advance the City's multimodal transportation and sustainability goals, consistent with the Comprehensive Plan and RCW 36.70A.622.

(Ord. 1146 (Exh. A), 2000; Ord. 1373 § 1 (Exh. A), 2010; Ord. 1432 § 1 (Att. A), 2012; Ord. 1672 § 1 (Att. A), 2023)

§ 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.

(Ord. 1146 (Exh. A), 2000; Ord. 1373 § 1 (Exh. A), 2010; Ord. 1432 § 1 (Att. A), 2012; Ord. 1672 § 1 (Att. A), 2023)

§ 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.

(Ord. 1146 (Exh. A), 2000; Ord. 1373 § 1 (Exh. A), 2010; Ord. 1432 § 1 (Att. A), 2012; Ord. 1672 § 1 (Att. A), 2023)

§ 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.

(Ord. 1146 (Exh. A), 2000; Ord. 1373 § 1 (Exh. A), 2010; Ord. 1432 § 1 (Att. A), 2012; Ord. 1672 § 1 (Att. A), 2023)

§ 14.12.045. Expansion of existing use – Effect.

§ 14.12.050

§ 14.12.090

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. (Ord. 1432 § 1 (Att. A), 2012; Ord. 1672 § 1 (Att. A), 2023)

§ 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 community development director in consultation with the public works director, based upon the requirements of comparable uses listed in this chapter or may be adjusted based upon a professional traffic impact study supplied to and accepted by the city. (Ord. 1146 (Exh. A), 2000; Ord. 1373 § 1 (Exh. A), 2010; Ord. 1432 § 1 (Att. A), 2012; Ord. 1672 § 1 (Att. A), 2023)

§ 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. (Ord. 1146 (Exh. A), 2000; Ord. 1373 § 1 (Exh. A), 2010; Ord. 1432 § 1 (Att. A), 2012; Ord. 1672 § 1 (Att. A), 2023)

§ 14.12.070. ~~Joint use permitted when~~ Shared parking reductions.

~~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 in the form of a written agreement pertaining to the cooperative use of the parking facilities for the life of the related uses.~~

- A. Purpose. This section enables parking reductions for mixed-use developments, recognizing that different uses peak at different times.
- B. Joint Use. Owners of two or more land uses, structures, or parcels of land may agree to jointly use the same parking and loading stalls provided:
 - 1. The hours of operation do not overlap;
 - 2. A shared parking agreement is recorded.
- C. Standard Reduction. A development with two (2) or more land uses may reduce total required parking by up to twenty-five percent (25%) without further study, provided:
 - 1. Uses have demonstrably different peak parking periods;
 - 2. A shared parking agreement is recorded;
 - 3. The shared area is within three hundred (300) feet of all uses served;
 - 4. The Community Development Director, working in coordination with the Public Works Director, approves the arrangement.
- D. Shared Parking Study. A reduction greater than twenty-five percent (25%) may be approved upon submittal of a Shared Parking Study by a qualified professional using ULI Shared Parking Manual methodology. The study shall identify peak demands, apply time-of-day and seasonal adjustment factors, and demonstrate no spillover to adjacent properties.
- E. Shared Parking Agreement. Any approved reduction requires a recorded agreement in a form approved by the City Attorney. If the arrangement terminates, parking shall be brought into compliance prior to termination.

Commented [MB1]: Add definition of “shared parking” to Title 12 definitions

§ 14.12.050

(Ord. 1146 (Exh. A), 2000; Ord. 1373 § 1 (Exh. A), 2010; Ord. 1432 § 1 (Att. A), 2012; Ord. 1672 § 1 (Att. A), 2023)

§ 14.12.090

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§ 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. (Ord. 1146 (Exh. A), 2000; Ord. 1373 § 1 (Exh. A), 2010; Ord. 1432 § 1 (Att. A), 2012; Ord. 1672 § 1 (Att. A), 2023)

§ 14.12.090. Off-street loading 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 in the table that 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.

Industrial, manufacturing wholesale, warehouse, similar uses	
	1 berth for each 50,000 square feet or part thereof, after the first 100,000 square feet
Restaurants	
	1 berth for each 50,000 square feet or part thereof, after the first 100,000 square feet
Hospitals, convalescent/nursing homes and similar institutions	
	1 berth for each 50,000 square feet or part thereof, after the first 100,000 square feet
Department stores, retail and other commercial uses	
10,000 – 20,000 square feet	1 berth
20,001 – 50,000 square feet	2 berths, and 1 additional berth for each additional 50,000 square feet

- B. Size. 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 is adjacent to an existing alley, said alley may be used to fulfill the off-street loading berth.
 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.
- D. Modification. If a loading berth has been provided in connection with an existing use, the loading berth shall not be eliminated if elimination would result in less berth area than is required to adequately handle the needs of the particular use.
(Ord. 1146 (Exh. A), 2000; Ord. 1373 § 1 (Exh. A), 2010; Ord. 1432 § 1 (Att. A), 2012; Ord. 1672 § 1 (Att. A), 2023)

§ 14.12.100. Stacked parking.

Stacked parking areas must comply with all of the development standards in this chapter, 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(D) and (E). 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). (Formerly 14.12.115; Ord. 1590 § 1 (Exh. A), 2019; Ord. 1672 § 1 (Att. A), 2023)

§ 14.12.105. Off-street loading berth location.

Repealed by Ord. 1672.

(Ord. 1268 (Exh. D), 2005; Ord. 1373 § 1 (Exh. A), 2010; Ord. 1432 § 1 (Att. A), 2012)

§ 14.12.110. Off-street loading elimination prohibited when.

Repealed by Ord. 1672.

(Ord. 1146 (Exh. A), 2000; Ord. 1373 § 1 (Exh. A), 2010; Ord. 1432 § 1 (Att. A), 2012)

§ 14.12.120. Off-street parking ~~required when~~ Requirements.

~~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.~~

Commented [MB2]: Consider rewording

Commented [MB3]: See PC analysis regarding parking stall appraised value

A. General requirement: In all zoning districts, off-street parking shall be provided and maintained in accordance with this chapter for the following:

1. Any new structure; and
2. Any change of use or occupancy that increases parking requirements by 50 percent or more; and
3. Any building expansion that increases the size of an existing structure by 50 percent or more; and

4. All new residential units and transient accommodations (e.g. hotels, motels, short-term rentals).

B. Fee-in-lieu options

1. Instead of constructing parking onsite, a developer of property located within the Central Commercial zoning district may pay a fee-in-lieu of providing parking. The Administrator may approve this option only when determined that the fee would benefit the city as much as, or more than, providing the parking onsite.
2. Fee Amount. The City Council sets the fee-in-lieu amount, which is published in the City's adopted rate and fee schedule.

(Ord. 1146 (Exh. A), 2000; Ord. 1373 § 1 (Exh. A), 2010; Ord. 1432 § 1 (Att. A), 2012; Ord. 1672 § 1 (Att. A), 2023)

§ 14.12.130. Off-street parking elimination prohibited ~~when~~.

If a 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 stalls than required by this chapter.

(Ord. 1146 (Exh. A), 2000; Ord. 1373 § 1 (Exh. A), 2010; Ord. 1432 § 1 (Att. A), 2012; Ord. 1672 § 1 (Att. A), 2023)

§ 14.12.140. Off-street parking area measurements.

Repealed by Ord. 1672.

(Ord. 1146 (Exh. A), 2000; Ord. 1373 § 1 (Exh. A), 2010; Ord. 1432 § 1 (Att. A), 2012)

§ 14.12.150. Off-street parking ~~number of~~ stalls required.

~~Standards for off-street parking shall be as follows:~~

- A. Off-street parking, where required, shall comply with the following minimum standards. Where square feet are specified, area measured is gross floor area (GFA) unless otherwise noted. Fractional spaces shall be rounded up to the nearest whole number.

~~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 measured shall be the gross floor area. Where fractional spaces result, the parking spaces required shall be rounded up to the nearest whole number.~~

Commented [MB4]: May need to establish more specific criteria to evaluate a proposal

<u>Land Use Categories¹</u>	<u>Off-Street Parking Required</u>
<u>Residential</u>	
<u>General Residential</u>	<u>1 per du</u>
<u>Co-Living</u>	<u>0.25 per sleeping unit</u>
<u>Assisted Living</u>	<u>0.5 per bed</u>
<u>Institutional</u>	
<u>Religious Institution</u>	<u>3 per 1,000 sf</u>
<u>Library</u>	<u>2.5 per 1,000 sf</u>
<u>Museum</u>	<u>1 per 1,000 sf</u>
<u>Day Care Center</u>	<u>1 per employee, 1 loading zone per 25 students</u>
<u>Elementary or Middle School</u>	<u>0.1 per student</u>
<u>High School or College</u>	<u>0.25 per student</u>
<u>Auditorium or Theater</u>	<u>0.25 per seat</u>
<u>Recreational</u>	
<u>Family Entertainment Center</u>	<u>2.75 per 1,000 sf</u>
<u>Athletic Club</u>	<u>3.25 per 1,000 sf</u>
<u>Health/Fitness Club</u>	<u>5.25 per 1,000 sf</u>
<u>Public Park</u>	<u>0.75 per acre</u>
<u>RV Park</u>	<u>1 per site</u>
<u>Commercial</u>	
<u>General Commercial/Office</u>	<u>2 per 1,000 sf</u>
<u>Medical/Dental Office</u>	<u>2.5 per 1,000 sf</u>
<u>Restaurant</u>	<u>9 per 1,000 sf</u>
<u>Restaurant with Drive Through</u>	<u>5 per 1,000 sf</u>
<u>Hotel</u>	<u>1 per sleeping unit</u>
<u>Industrial</u>	
<u>General Industrial</u>	<u>0.75 per 1,000 sf</u>
<u>Warehousing</u>	<u>0.5 per 1,000 sf</u>
<u>Mini-Warehouse/Vehicle Storage</u>	<u>1.25 per 100 units or storage spaces</u>

Notes: du = dwelling units, sf = square feet of gross floor area

1. Land uses listed in LMC 18.25.030 not included in this list require Director review or study to determine parking requirements

B. Where electric vehicle charging stations are provided in parking lots or parking garages, accessible electric vehicle charging stations shall be provided at 50 percent of the total required ADA spaces.

A.C. 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.

(Ord. 1146 (Exh. A), 2000; Ord. 1373 § 1 (Exh. A), 2010; Ord. 1398 § 1 (Exh. A),

Commented [MB5]: Update definition of "sleeping unit" to comply with co-living RCW definition

Commented [MB6]: Change to "guest room" and update definitions

Commented [MB7]: Does this need to be updated to reflect more current standards or to read more clearly?

§ 14.12.150
2011; Ord. 1432 § 1 (Att. A), 2012; Ord. 1672 § 1 (Att. A), 2023)

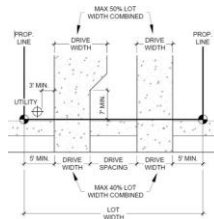
§ 14.12.157

§ 14.12.155. Access standards.

- A. Access Preference. The following priority rating is intended to encourage alley use, when feasible. Subdivisions and new access requests should consider how to use alleys for access rather than adding traffic through neighborhoods.
1. Access from the alley is preferred with an indemnity waiver.
 2. Access from a shared driveway or easement to a rear parking area, or optionally to a side or front parking area.
 3. Access from a single driveway to a rear parking area, or optionally to a side or front parking area.
- B. Access. When access is 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.
- (Ord. 1672 § 1 (Att. A), 2023)

§ 14.12.157. Driveway standards.

- A. Driveways shall be located a minimum five feet from the property line, except for shared driveways. All driveways shall be located a minimum of three feet from aboveground utilities (such as hydrants, power poles and water boxes).
- B. Second Driveways. For ~~accessory dwellings, duplexes or multifamily~~residential 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 percent of the property lot line, if used for combined driveways, is used for the driveway; and
 3. The driveway width (combined for more than one driveway) shall be between 10 and 24 feet for the first 10 feet (minimum) of the property, where it may widen to a maximum of 50 percent of the lot width.



C. Driveways shall be designed and constructed consistent with the adopted construction standards, except driveways from an alley may be graveled. Pervious paving may be used, after the first seven feet from the access point, when meeting the stormwater requirements. If there is a through driveway connecting to both a public street and an unpaved alley, the driveway and associated parking shall be impervious surfaces.

D. Changes to existing driveways, including but not limited to, paving, new approaches, and size increases require administrative review and approval prior to modification.

~~C.E.~~ Driveways shall be designed to meet stormwater requirements.
(Ord. 1672 § 1 (Att. A), 2023)

§ 14.12.160. 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. ~~For single and two family dwellings,~~ Residential parking ~~(any parking of requiring four or fewer parking spaces)~~ shall be located on the same lot as the dwelling ~~(s)~~ units it serves and may be part of the driveway so long as all required setbacks are met.
 1. Where the dwelling has approval as a bed and breakfast, parking may be accessed either from the alley or a street.
- ~~B. For rooming houses, lodging houses or boardinghouses, parking shall be located within 200 feet from the dwelling, measured in a straight line from the dwelling.~~
- ~~C.B.~~ Multifamily dwellings shall follow ~~the~~ parking lot requirements when five or more parking spaces are required.
- ~~D.C.~~ Parking may be located after the first seven feet from the property line abutting a street, alley or public access easement.
- D. Tandem parking is permitted and may count toward minimum off-street parking requirements at a rate of one space for every 18 linear feet, with provisions for turning radius, if necessary.
- E. 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

Commented [MB8]: Add state definition of "tandem parking" to Title 12 Definitions

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parking shall be at right angles to the street.

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F. Parking areas shall follow ~~the~~-adopted construction standards, with the following exceptions:

1. ~~except single family, accessory and duplex~~ Residential parking off a ~~city~~ platted alley may be graveled.
2. Residential parking spaces may use grass block pavers, when located outside of the required driveway approach area;
3. Legal nonconforming gravel surfacing within existing designated parking areas may be utilized to satisfy minimum off-street parking requirements for residential uses, up to a maximum of six parking spaces.

~~F.~~

G. Each parking space shall be a minimum of eight ~~and one-half~~ feet by 18 feet.

(Ord. 1146 (Exh. A), 2000; Ord. 1268 (Exh. D), 2005; Ord. 1373 § 1 (Exh. A), 2010; Ord. 1398 § 1 (Exh. A), 2011; Ord. 1432 § 1 (Att. A), 2012; Ord. 1672 § 1 (Att. A), 2023; Ord. 1694 § 1 (Att. A-1), 2024)

§ 14.12.162. 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:

- A. Required off-street parking shall be located in the same zoning district.
- B. 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.
(Ord. 1672 § 1 (Att. A), 2023)

§ 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).

~~D.F.~~ 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 of "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.

(Ord. 1398 § 1 (Exh. A), 2011; Ord. 1432 § 1 (Att. A), 2012; Ord. 1672 § 1 (Att. A), 2023)

§ 14.12.170. Off-street parking lot – Design requirements.

Parking lots shall meet the following standards:

- A. All parking, maneuvering and loading areas shall be paved.
- B. No parking stalls shall be located within 15 feet of an ingress point of a parking lot or designed in a manner which permits backing movements or other maneuvering within a street, other than an alley.
- C. 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.
- D. 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	Parking Module Width ^d	Vehicle Overhang ^e
0 – Parallel Parking	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.
60	8 ft. 6 in.	19 ft. 0 in.	14 ft. 6 in.	52 ft. 6 in.	2 ft. 3 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.

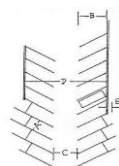
a. Stall width.

b. Stall depth.

c. Aisle width.

d. Parking module width.

e. Vehicle overhang.



E. Measurements.

1. Aisle Width (Item "c" in Graphic). 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 (Items "b" and "e" in Graphic). 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 a 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.

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

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- G. 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.
- H. 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.
- I. Lighting shall be in conformance with Chapter 14.28 LMC, Lighting Standards. (Ord. 1146 (Exh. A), 2000; Ord. 1268 (Exh. C), 2005; Ord. 1373 § 1 (Exh. A), 2010; Ord. 1432 § 1 (Att. A), 2012; Ord. 1672 § 1 (Att. A), 2023)

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

Repealed by Ord. 1672.

(Ord. 1146 (Exh. A), 2000; Ord. 1373 § 1 (Exh. A), 2010; Ord. 1432 § 1 (Att. A), 2012)

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

Repealed by Ord. 1672.

(Ord. 1373 § 1 (Exh. A), 2010; Ord. 1432 § 1 (Att. A), 2012)

§ 14.12.190. Landscaping requirements for parking lots.

The following provisions shall be required for all parking facilities ~~except single-family, duplex, or accessory dwelling units. Multifamily developments shall meet the requirements of subsection (H) of this section.~~

- 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 except single-family, duplex, triplex, or accessory dwelling units. Multifamily developments, shall meet the requirements of subsection (H) of this section.
 - 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 community development director or 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 five-foot 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 are required.
 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. The following minimum landscaping standards shall be required for all 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 with native ground cover or grasses when adjacent to a residential zoning district.
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.

(Ord. 1146 (Exh. A), 2000; Ord. 1268 (Exh. D), 2005; Ord. 1373 § 1 (Exh. A), 2010; Ord. 1432 § 1 (Att. A), 2012; Ord. 1672 § 1 (Att. A), 2023)

Fee-in-lieu (FIL) parking programs for Leavenworth

Simon Farivar

7/6/2026

City of Leavenworth Planning Commission:

The following is a proposal of ideas for a Fee-in-lieu (FIL) parking program for the commercial district in Leavenworth. The program allow developers to pay a fee instead of constructing required off-street parking spaces. The calculation methods vary significantly, below are a few approaches with examples.

1. Cost-to-Construct Method

The fee is based on the municipality's estimate of what it would cost to build one public parking space.

Formula:

$$\text{Fee} = \text{Average cost per structured parking space} \times \text{Number of waived spaces}$$

Example:

For Leavenworth, the table below calculates the cost based on the Downtown Parking Garage Feasibility & Design study provided by ARC in February of 2026:

Lot Option	Total # of Stalls	Estimated Cost	Per stall cost
A/B +315	399	\$38,400,418	\$96,242
A/B +240	324	\$36,191,108	\$111,701
A/B +212	280	\$26,985,150	\$96,376
A/B +318	354	\$41,130,520	\$116,188
D/E +566	660	\$43,285,496	\$65,584
D/E +252	346	\$33,649,783	\$97,254
D/E +202	296	\$33,434,007	\$112,953
D/E +195	245	\$23,243,884	\$94,873
Averages		\$34,540,046	\$98,896

Municipal costs approximately \$99,000 per stall (range \$65K-\$116K)

#2. Land Value + Construction Cost

Some cities calculate the fee using both the land consumed by a parking space and construction costs.

Example formula:

(Land value per square foot × 252 sq ft per parking stall including aisles) + construction cost + engineering + contingency

For example:

* Land value: \$138/sf

(based on vacant land sale NNA Front St, \$1.080MM, Evans EtAl)

* 252 sf per stall

(9x18 stall plus apron)

* Construction: \$6,300

(including grading and asphalt/concrete)

* Soft costs: \$4,000

(WAG)

Total:

Land = \$34,776 + Construction = \$10,300

Fee = \$45,076 per required space

This approach attempts to better reflect the 'true' economic cost of replacing private parking.

3. Percentage of Municipal Garage Cost

Some communities intentionally subsidize development where parking is already challenging. Instead of charging the full cost, they assess only a percentage.

Example for Leavenworth based on info in Method 1:

Municipal garage cost:

Approx \$99,000 per space

Developer discount table:

\$24,750	75%
\$29,700	70%
\$34,650	65%
\$39,600	60%
\$44,550	55%
\$49,500	50%
\$54,450	45%
\$59,400	40%
\$64,350	35%
\$69,300	30%
\$74,250	25%

Fee-in-lieu:

Established percentage

4. Flat Fee Established by Ordinance

Many cities simply adopt a fixed amount per parking space.

Examples have included:

*Kirkland, Burien, Blaine, and Port Townsend

These amounts are not consistent, vary widely with each municipality, and appear arbitrary in some instances.

Overall:

The ARC feasibility study appears to provide a concrete basis for estimating the public cost of supplying replacement parking. The table demonstrates that structured parking in Leavenworth is expensive. The most supportable methodology from a valuation

perspective appears to be the cost-to-construct approach, as it is directly tied to the municipality's actual cost of replacing parking spaces. Based on the 2026 Downtown Parking Garage Feasibility & Design Study, the estimated cost of structured parking in Leavenworth averages approximately \$98,900 per stall, with individual scenarios ranging from roughly \$65,600 to \$116,200 per stall. This analysis demonstrates the significant capital investment required for structured parking and provides a defensible benchmark for determining a fee-in-lieu amount.

The land value plus construction cost approach produces a substantially lower estimate of approximately \$45,100 per stall, most probably reflecting the cost of parking as a secondary or tertiary concern rather than truly structured parking as a primary concern.

While some jurisdictions establish fees through detailed cost analyses, others adopt flat fees by ordinance that may have limited correlation to actual parking replacement costs. This may be the easiest way to impose a fee, however it can appear quite arbitrary.

Opinion:

A fee-in-lieu parking program should be based on a rational, objective methodology rather than an arbitrary dollar amount. Establishing a fee without supporting analysis can create community concerns regarding fairness, consistency, and legal defensibility. If the fee is set too low, it will fail to recover the public cost of providing replacement parking, effectively shifting those costs to taxpayers. Conversely, if the fee is set too high, it may discourage redevelopment and function as a barrier to economic growth. In either case, an arbitrary fee may not reflect the actual economic impact of waiving required parking spaces.

Basing the fee on measurable factors such as the cost of constructing public parking facilities, the market value of land required to replace parking, or another documented cost methodology provides a transparent and defensible foundation for the program. An objective approach demonstrates to the Leavenworth constituency that the fee bears a reasonable relationship to Leavenworth's actual costs and policy objectives. Additionally, a methodology tied to periodically updated market data or construction costs allows the fee to remain relevant over time without relying on subjective adjustments or politically driven decisions.

Chapter 18.36.XX Co-living housing

- A. Purpose. This chapter provides regulations for co-living housing. The standards in this chapter are tailored to co-living housing and its sleeping units and communal facilities since they function differently from the typical multifamily dwelling. These regulations comply with State regulations for co-living housing under RCW 36.70A.535. In the event of a conflict between this chapter and the underlying development regulations applicable to a subject property, the standards in this chapter take precedence.
- B. The standards in this section only apply when established through new construction or conversion from a nonresidential use
- C. Density. Maximum density limits for the underlying zone shall apply. Sleeping units must be calculated as a quarter of a dwelling unit.
- D. Co-living housing developments established as new construction must meet Residential Design Standards in 18.36.025.
- E. Parking. 0.25 off-street parking spaces per sleeping unit shall be provided. Off-street parking is not required for co-living housing located within one-half mile walking distance of a major transit stop, as defined in Chapter [21.90](#) LMC;

RCW 36.70A.535 Co-living housing. (1) Cities and counties planning under this chapter must allow co-living housing as a permitted use on any lot located within an urban growth area that allows at least six multifamily residential units, including on a lot zoned for mixed-use development.

(2) A city or county subject to the provisions of this section may not require co-living housing to:

(a) Contain room dimensional standards larger than that required by the state building code, including dwelling unit size, sleeping unit size, room area, and habitable space;

(b) Provide a mix of unit sizes or number of bedrooms; or

(c) Include other uses.

(3) (a) A city or county subject to the provisions of this section also may not require co-living housing to:

(i) Provide off-street parking within one-half mile walking distance of a major transit stop; or

(ii) Provide more than 0.25 off-street parking spaces per sleeping unit.

(b) The provisions of (a) of this subsection do not apply:

(i) If a city or county submits to the department an empirical study prepared by a credentialed transportation or land use planning expert that clearly demonstrates, and the department finds and certifies, that the application of the parking limitations of (a) of this subsection will be significantly less safe for vehicle drivers or passengers, pedestrians, or bicyclists than if the jurisdiction's parking requirements were applied to the same location. The department must develop guidance to assist cities and counties on items to include in the study; or

(ii) To portions of cities within a one-mile radius of a commercial airport in Washington with at least 9,000,000 annual enplanements.

(4) A city or county may not require through development regulations any standards for co-living housing that are more restrictive than those that are required for other types of multifamily residential uses in the same zone.

(5) A city or county may only require a review, notice, or public meeting for co-living housing that is required for other types of residential uses in the same location, unless otherwise required by state law including, but not limited to, shoreline regulations under chapter 90.58 RCW.

(6) A city or county may not exclude co-living housing from participating in affordable housing incentive programs under RCW 36.70A.540.

(7) A city or county may not treat a sleeping unit in co-living housing as more than one-quarter of a dwelling unit for purposes of calculating dwelling unit density.

(8) A city or county may not treat a sleeping unit in co-living housing as more than one-half of a dwelling unit for purposes of calculating fees for sewer connections, unless the city or county makes a finding, based on facts, that the connection fees should exceed the one-half threshold.

(9) (a) A city or county subject to the requirements of this section must adopt or amend by ordinance and incorporate into their development regulations, zoning regulations, and other official controls the requirements of this section to take effect no later than December 31, 2025.

(b) In any city or county that has not adopted or amended ordinances, regulations, or other official controls as required under this section, the requirements of this section supersede, preempt, and invalidate any conflicting local development regulations.

(10) Any action taken by a city or county to comply with the requirements of this section is not subject to legal challenge under this chapter or chapter 43.21C RCW.

(11) For the purposes of this section, the following definitions apply:

(a) "Co-living housing" means a residential development with sleeping units that are independently rented and lockable and provide living and sleeping space, and residents share kitchen facilities with other sleeping units in the building. Local governments may use other names to refer to co-living housing including, but not limited to, congregate living facilities, single room occupancy, rooming house, boarding house, lodging house, and residential suites.

(b) "Major transit stop" means:

(i) A stop on a high capacity transportation system funded or expanded under the provisions of chapter 81.104 RCW;

(ii) Commuter rail stops;

(iii) Stops on rail or fixed guideway systems, including transitways;

(iv) Stops on bus rapid transit routes or routes that run on high occupancy vehicle lanes; or

(v) Stops for a bus or other transit mode providing actual fixed route service at intervals of at least 15 minutes for at least five hours during the peak hours of operation on weekdays. [2024 c 180 s 2.]

Intent—Findings—2024 c 180: "(1) The legislature makes the following findings:

(a) Washington state is experiencing a housing affordability crisis;

(b) Co-living housing is a type of housing that can provide rental homes affordable to people with moderate to low incomes without requiring any public funding, and rents in newly constructed, market-rate co-living housing in the Puget Sound region can be affordable to people with incomes as low as 50 percent of area median income;

(c) Co-living housing is a residential development with sleeping units that are independently rented and provide living and sleeping space, in which residents share kitchen facilities with residents of other units in the building;

(d) Co-living housing historically provided a healthy inventory of rental homes on the lowest rung of the private housing market, comprising up to 10 percent of housing in some cities;

(e) Starting in the mid-20th century, local governments began adopting restrictive zoning and other rules that increasingly prohibited co-living housing, or made it impractical to build or operate, and its numbers plummeted;

(f) Today, many cities and counties outright prohibit co-living housing on most of their residential land, or they enforce any number of restrictions that make it effectively impossible to build new co-living housing or to convert existing buildings into co-living housing;

(g) Co-living housing provides options for people who:

(i) Wish to lower their housing expenses by paying less for a smaller home;

(ii) Prefer a living arrangement with shared community spaces that facilitate social connections;

(iii) Wish to trade off location for space and, by living in a small home, also get to live in a high opportunity neighborhood they could not otherwise afford; or

(iv) Want a low-cost, more private alternative to having a roommate in a traditional rental;

(h) Many communities throughout Washington face a severe shortage of workforce housing, and co-living housing provides housing affordable to that income range and below, without public funding;

(i) Co-living housing reduces pressure on the limited amount of publicly funded affordable housing by providing housing that is affordable to lower income residents who might otherwise wait years for subsidized housing;

(j) Co-living housing works best for single-person households, but the housing for singles that it provides reduces demand for family-sized rentals from singles who would otherwise group together to rent large homes;

(k) Co-living housing provides a good option for seniors, especially those who want to downsize, or those who desire a living arrangement that is more social than a standard apartment. When located in walkable neighborhoods, co-living housing gives mobility options to seniors who can no longer drive;

(l) Co-living housing is well-suited for the conversion of office buildings to housing, because it typically requires less plumbing and fixtures for kitchens and bathrooms;

(m) Co-living housing is well-suited for very low-income people, supportive and recovery housing, and "housing first" homes for the formerly homeless;

(n) State building codes have established minimum sizes and other standards to ensure that co-living housing meets modern health and safety standards;

(o) Creating co-living housing near transit hubs, employment centers, and public amenities can help the state achieve its greenhouse gas reduction goals by increasing walkability, shortening household commutes, curtailing sprawl, and reducing the pressure to develop natural and working lands; and

(p) Co-living housing, because the units are small, is inherently more energy efficient than standard apartments, both saving residents money and reducing the state's energy demand.

(2) Therefore, the legislature intends to allow the creation of co-living housing as a means to address the need for additional affordable housing options for a diversity of Washington residents."
[2024 c 180 s 1.]

§ 17.08.030. Application.

An applicant shall submit a complete short subdivision application to the community development director. A complete application for the purposes of this chapter shall consist of the following:

- A. A fully completed and signed (by those individuals or corporations holding any ownership or security interest) short subdivision application form provided by the department of community development that contains the information as required by Chapter 21.05 LMC;
- B. ~~A Five copies of a~~ scaled drawing of at least one inch to 100 feet which provides the following information:
 - 1. A legal description of the area being divided;
 - 2. The boundaries of the section (or plat, or lots) within which the short plat lies;
 - 3. The boundary lines, dimensions and area of the short plat and the lots within it;
 - 4. Proposed short plat name and lot numbers;
 - 5. The location and width of all roads, access easements and driveways;
 - 6. The location and widths of all existing and proposed utility easements;
 - 7. The boundaries, dimensions and area of all tracts or parcels to be dedicated or reserved for public or community uses;
 - 8. The location of all existing and proposed water distribution systems, sewage disposal systems, stormwater systems, and irrigation systems;
 - 9. Fire hydrant locations within or adjacent that will be connected to;
 - 10. The location of the 100-year floodplain and floodway, if applicable;
 - 11. The location of all water courses and the ordinary high water mark and approximate boundaries of all areas subject to inundation, if applicable;
 - 12. The delineation, location, classification, and required analysis or mitigation plans as required for critical areas, including fish and wildlife habitat conservation areas, aquifer recharge areas, geologically hazardous areas, wetlands, and frequently flooded areas, as presently contained in this code, or as amended. At the discretion of the city, final analysis and plans may be required at the time of preliminary approval if adequate review of the proposal can occur;
 - 13. Location of all existing structures, wells, overhead and underground utilities, municipal boundaries, and other important physical features;
 - 14. Zoning and comprehensive plan designations; and
 - 15. North arrow;

- C. ~~Three sets of~~ Road plans and profiles for all proposed roads and improvement specifications;
 - D. Assessor's parcel map of property and surrounding properties within 500 feet;
 - E. Contours at two-foot intervals for zero to five percent cross slope; five-foot intervals for five to 30 percent cross slope; 10-foot intervals for over 30 percent cross slope; and spot elevations to determine the general locations of high and low points thereof;
 - F. SEPA checklist, if required;
 - G. Any other information deemed necessary by the city for the adequate review of the proposed short subdivision in conformance with the provisions of this title and all other applicable federal, state and local regulations; and
 - H. Payment of all applicable review fees.
- (Ord. 1223 § 1, 2004; Ord. 1463 § 1 (Att. A), 2014)

§ 17.08.050. Review criteria and required findings.

- A. The proposed preliminary short subdivision shall be reviewed and approved only when the following criteria and findings are satisfied:
 - 1. Consistent with the provisions of this title and all other applicable titles contained in this code;
 - 2. Conformity with all applicable zoning requirements;
 - 3. Consistent with the provisions contained in the comprehensive plan;
 - 4. Consistency with applicable design standards;
 - 5. Compliance with the provisions of any applicable federal, state and local law;
 - 6. Appropriate provisions are made for, but not limited to, the public health, safety, and general welfare, for open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds, and all other relevant factors, including safe walking conditions for students who only walk to and from school; and
 - 7. The public interest will be served by the short subdivision and dedications.
- B. Construction of compliant improvements will be required as a condition of approval. As necessary, deferred improvements shall be noted on the final plat.
- C. As a condition of approval, the community development director may require dedication of land to any public body, provisions for public improvements to serve the subdivision, and/or impact fees imposed under RCW 82.02.050 through 82.02.090. No dedication, provision for public improvements, or impact fees imposed under RCW 82.02.050 through 82.02.090 shall be allowed that constitute an unconstitutional taking of private property.
- D. Preliminary short subdivision approval is valid for a period of ~~seven~~ five years. During that period, the conditions of approval must be fulfilled or bonded for as

provided in Chapter 14.50 LMC and filed for record with the Chelan County auditor. If the conditions attached to the preliminary short subdivision approval are not satisfied or appropriately bonded for, and the short plat is not filed for record within the required period, preliminary approval of the short subdivision shall become null and void.

(Ord. 1223 § 1, 2004; Ord. 1463 § 1 (Att. A), 2014; Ord. 1694 § 1 (Att. A-1), 2024)

§ 17.08.060. Final approval and recording.

- A. Following city approval of a preliminary short plat, completion, verification/certification and acceptance of any required improvements, the applicant may cause the subdivision or any part thereof to be surveyed and a final plat map prepared within the time frame period provided in Chapter 58.17 RCW. An applicant shall submit a complete final short plat application to the community development director.
- B. Upon receipt ~~of six blue-line copies~~ of the final mylar, prepared by a surveyor in conformance with the provisions contained in this section; a plat certificate issued within the preceding 30 days including confirmation that the title to the lands as described and shown on said plat are vested in the owners whose names appear on the plat certificate or instrument of dedication, and any easements or restrictions affecting the property, with a description of the purpose and referenced by the auditor's recording number; and applicable review fees, the community development director shall circulate the blue-lines to agencies and individuals whose signatures are required on the final mylar for recording. Said corrected blue-lines (redlines) shall be returned to the applicant's surveyor with notice to the applicant within 21 days of receipt.
- C. The final short plat submitted for recording shall consist of one or more pages clearly and legibly drawn on a stable mylar or equivalent approved material at a scale of 100 feet to the inch (or a scale approved by the community development director) under the supervision of a land surveyor registered in the state of Washington who shall certify on the plat that it is a true and correct representation of the lands actually surveyed. All survey work shall conform to the requirements of the Survey Recording Act, Chapter 58.09 RCW, as it now exists or as amended. The final short plat mylar shall contain the following additional information:
 1. A certificate bearing the names of all persons having an interest in the land, signed and acknowledged by them before a notary public which:
 - a. States their consent to the division; and
 - b. Grants a waiver by them of all claims for damages against any governmental authority which may be occasioned to the adjacent land by the established construction, drainage, and maintenance of public roads;
 2. A space for approval and official seals of the short plat administrator, public works director, city engineer, acknowledgment of taxes paid by the Chelan County treasurer, and recording by the Chelan County auditor;
 3. Permanent control monuments shall be established at controlling corners on the boundaries of the subdivision, the intersections of the centerline tangents of roads within the subdivision or points of, the beginning and ends of curves on centerlines, and all block and lot corners. All other surrounding property

shall be labeled in dotted lines;

4. Bearings of all lots, tracts, and centerlines of public and private roads within the project boundary;
 5. For a short subdivision that contains or is subject to a dedication, a certificate shall be placed on the face of the final short plat mylar that contains the dedication of all streets and other areas to the public, and a waiver of claims;
 6. Subdivision name and number as assigned by the city;
 7. Legal description
 8. North arrow, numeric and graphic scale, and lot numbers;
 9. Assigned street addresses;
 10. All utility easements;
 11. All notes as required by the conditions of approval;
 12. Any restrictions or covenants affecting the property, with a description of the purpose and referenced by the auditor's recording number;
 13. Location, width, and name of all streets, alleys, and other public or private ways within and adjacent to the land division; and
 14. The delineation of the 100-year floodplain and floodway and any wetlands, when present.
- D. Upon the completion of improvements, the community development director shall prepare a final decision reviewing the final plat and its conformance to the requirements of this title and all other applicable titles contained in this code, and the review criteria outlined in this title.
- E. An approved short subdivision shall not be filed for record with the Chelan County auditor until the applicant has constructed or bonded for all improvements and satisfied all conditions as required by the city in the granting of preliminary approval.
- F. A short subdivision shall not be considered final until recorded with the Chelan County auditor.
- G. Any lots in a final short plat filed for record shall be a valid land use, notwithstanding any change in zoning laws for a period of ~~five~~seven years from the date of filing. A short subdivision shall be governed by the terms of approval of the final plat and the statutes, ordinances, and regulations in effect at the time of approval for a period of ~~five~~seven years after final short plat approval unless the city council finds that a change in conditions creates a serious threat to the public health or safety in the subdivision.
- (Ord. 1223 § 1, 2004; Ord. 1463 § 1 (Att. A), 2014)

§ 17.08.070. Prohibition on resubdivision.

Land within a short subdivision, the short plat of which has been approved within ~~five~~seven years immediately preceding, may not be further divided unless a final major subdivision has been approved and filed for record pursuant to Chapter 17.12 LMC;

except, a short subdivision containing fewer than nine lots may apply to further divide within ~~five~~seven-years, provided the total lots created do not exceed nine.
(Ord. 1223 § 1, 2004; Ord. 1463 § 1 (Att. A), 2014; Ord. 1610 § 1 (Att. A), 2020)

§ 17.10.030. Application.

An applicant shall submit a complete binding site plan application to the community development director. A complete application for the purposes of this chapter shall consist of the following:

- A. A fully completed and signed (by those individuals or corporations holding any ownership or security interest) binding site plan application form provided by the department of community development that contains the information as required by Chapter 21.05 LMC;
- B. ~~A Ten copies of a~~ scaled drawing of at least one inch to 100 feet which provides the following information:
 - 1. A legal description of the area being divided;
 - 2. The boundaries of the section (or plat or lots) within which the binding site plan lies;
 - 3. The boundary lines, dimensions and area of the binding site plan and the lots within it;
 - 4. Proposed binding site plan name and lot numbers;
 - 5. The location and width of all roads, access easements and driveways;
 - 6. The location and width of all existing and proposed utility easements;
 - 7. The boundaries, dimensions and area of all tracts or parcels to be dedicated or reserved for public or community uses;
 - 8. The location of all existing and proposed water distribution systems, sewage disposal systems, stormwater systems, and irrigation systems;
 - 9. Fire hydrant locations within or adjacent that will be connected to;
 - 10. The location of the 100-year floodplain and floodway, if applicable;
 - 11. The location of all water courses and the ordinary high water mark and approximate boundaries of all areas subject to inundation, if applicable;
 - 12. Contours at two-foot intervals for zero to five percent cross slope; five-foot intervals for five to 30 percent cross slope; 10-foot intervals for over 30 percent cross slope; and spot elevations to determine the general locations of high and low points thereof;
 - 13. Location of all existing structures, wells, overhead and underground utilities, municipal boundaries, and other important physical features;
 - 14. Zoning and comprehensive plan designations; and
 - 15. North arrow;
- C. ~~Three sets of~~ Road plans and profiles for all proposed roads and improvement specifications;

- D. The delineation, location, classification, and required analysis or mitigation plans as required for critical areas, including fish and wildlife habitat conservation areas, aquifer recharge areas, geologically hazardous areas, wetlands, and frequently flooded areas as presently contained in this code, or as amended;
 - E. Assessor's parcel map of property and surrounding properties within 500 feet;
 - F. SEPA checklist, if required;
 - G. Any other information deemed necessary by the director for the adequate review of the proposed binding site plan in conformance with the provisions of this title and all other applicable federal, state and local regulations; and
 - H. Payment of all applicable review fees.
- (Ord. 1223 § 1, 2004)

§ 17.10.040. Preliminary binding site plan review.

- A. Binding site plans shall be subject to the procedures established in Chapter 21.07 LMC.
 - B. Once the determination of a complete application is made, the director shall solicit comments on the proposal from the public works director, city engineer, fire chief or designee, building official, local utility purveyors, Cascade School District, Chelan County assessor, Chelan County treasurer, Washington State Department of Transportation (if the proposal abuts or could potentially adversely affect a state highway), irrigation district (if the proposal is within a district), Washington State Department of Ecology (if proposal involves a wetland or aquifer recharge area), LINK, and other appropriate agencies with jurisdiction or expertise. The referral agencies shall have 14 calendar days to return their written comments. Failure of the referral agencies to respond within the prescribed time will be interpreted as their having no comment on the proposal as submitted.
 - C. Pursuant to the timelines delineated within Chapter 21.09 LMC, or such other period as the applicant may authorize, the director shall approve, conditionally approve, or disapprove the proposed binding site plan in writing, subject to the review criteria and required findings as outlined in LMC § 17.10.050.
- (Ord. 1223 § 1, 2004)

§ 17.10.050. Review criteria and required findings.

- A. The proposed preliminary binding site plan shall be reviewed and approved only when the following criteria and findings are satisfied:
 - 1. Compliance with the provisions of this title and all other applicable titles contained in this code;
 - 2. Conformity with all applicable zoning requirements; provided, that for a division under LMC § 17.10.010(C) or (D), no minimum lot size, setback requirements, or density restrictions in the underlying zoning designation shall apply;
 - 3. Conformance with the provisions contained in the comprehensive plan;
 - 4. Consistency with applicable design and building standards;
 - 5. Compliance with the provisions of any applicable federal, state and local law;

6. Appropriate provisions are made for, but not limited to, the public health, safety, and general welfare, for open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds, and all other relevant facts, including safe walking conditions for students who only walk to and from school; and
 7. The public interest will be served by the binding site plan and dedications.
- B. The director may disapprove a proposed binding site plan because of flood, inundation, or swamp conditions. Construction of protective improvements may be required as a condition of approval, and such improvements shall be noted on the final plat.
 - C. As a condition of approval, the director may require dedication of land to any public body, provisions for public improvements to serve the subdivision, and/or impact fees imposed under RCW 82.02.050 through 82.02.090.
 1. No dedication, provision for public improvements, or impact fees imposed under RCW 82.02.050 through 82.02.090 shall be allowed that constitute an unconstitutional taking of private property.
 - D. Preliminary binding site plan approvals are valid for a period of ~~five~~ seven years. During that period, the conditions of approval must be fulfilled or bonded for as provided in Chapter 14.50 LMC and filed for record with the Chelan County auditor. If the conditions attached to the preliminary binding site plan approval are not satisfied or appropriately bonded for, and the binding site plan is not filed for record within the required period, preliminary approval of the binding site plan shall become null and void.
 - E. Pursuant to RCW 58.17.040(7), the binding site plan shall contain the following statement:

All development and use of the land described herein shall be in accordance with this binding site plan, as it may be amended with the approval of the city of Leavenworth having jurisdiction over the development of such land, and in accordance with such other governmental permits, approvals, regulations, requirements, and restrictions that may be imposed upon such land the development and use thereof. Upon completion, the improvements on the land shall be included in one or more condominiums or owned by an association or other legal entity in which the owners of units therein or their owners' associations have a membership or other legal or beneficial interest. This binding site plan shall be binding upon all now or hereafter having any interest in the land described herein.

(Ord. 1223 § 1, 2004; Ord. 1694 § 1 (Att. A-1), 2024; Ord. 1695 § 1 (Att. A), 2024)

§ 17.10.060. Final approval and recording.

- A. Upon receipt of ~~six~~ seven blue-line copies of the final mylar, prepared by a surveyor in conformance with the provisions contained in this section; a plat certificate issued within the preceding 30 days, including confirmation that the title to the lands as described and shown on said binding site plan is vested in the owners whose names appear on the plat certificate or instrument of dedication, and any easements or

restrictions affecting the property, with a description of the purpose and referenced by the auditor's recording number; and applicable review fees; the director shall circulate the bluelines to agencies and individuals whose signatures are required on the final mylar for recording. Said corrected bluelines (redlines) shall be returned to the applicant's surveyor with notice to the applicant within 21 days of receipt.

- B. The final binding site plan submitted for recording shall consist of one or more pages clearly and legibly drawn on a stable mylar or equivalent approved material at a scale of 100 feet to the inch (or a scale approved by the administrator) under the supervision of a land surveyor registered in the state of Washington who shall certify on the plat that it is a true and correct representation of the lands actually surveyed. All survey work shall conform to the requirements of the Survey Recording Act, Chapter 58.09 LMC, as it now exists or as amended, and the following additional information:
1. A certificate bearing the names of all persons having an interest in the land, signed and acknowledged by them before a notary public which:
 - a. States their consent to the division; and
 - b. Grants a waiver by them of all claims for damages against any governmental authority which may be occasioned to the adjacent land by the established construction, drainage, and maintenance of public roads;
 2. A space for approval and official seals of the binding site plan administrator, public works director, city engineer, acknowledgement of taxes paid by the Chelan County treasurer, and recording by the Chelan County auditor;
 3. Permanent control monuments shall be established at controlling corners on the boundaries of the binding site plan, the intersections of the centerline tangents of roads or points of intersections within the binding site plan, the beginning and ends of curves on centerlines, and all block and lot corners. Adjacent property shall be labeled in dotted lines as they intersect with the subject property;
 4. Bearings of all lots, tracts, and centerlines or public and private roads within the project boundary;
 5. For a binding site plan that contains or is subject to a dedication, a certificate shall be placed on the face of the final binding site plan mylar that contains the dedication of all streets and other areas to the public, and a waiver of claims;
 6. Binding site plan name and number as assigned by the director;
 7. Legal description;
 8. North arrow, numeric and graphic scale, and lot numbers;
 9. Assigned street addresses;
 10. All utility easements;
 11. All notes as required by the conditions of approval;
 12. Any restrictions or covenants affecting the property, with a description of the purpose and referenced by the auditor's recording number;

13. Location, width, and name of all streets, alleys, and other public or private ways within and adjacent to the land division; and
 14. The delineation of the 100-year floodplain and floodway and any wetlands, when present.
- C. An approved binding site plan shall not be filed for record with the Chelan County auditor until the applicant has constructed or bonded for all improvements and satisfied all conditions as required by the director in the granting of preliminary approval.
 - D. A binding site plan shall not be considered final until recorded with the Chelan County auditor.
 - E. Any lots in a final binding site plan filed for record shall be a valid land use notwithstanding any change in zoning laws for a period of ~~seven~~five years from the date of filing. A binding site plan shall be governed by the terms of approval of the final plat and the statutes, ordinances, and regulations in effect at the time of approval for a period of ~~seven~~five years after final binding site plan approval unless the city council finds that a change in conditions creates a serious threat to the public health or safety in the binding site plan.
- (Ord. 1223 § 1, 2004)

§ 17.12.030. Application.

An applicant shall submit a complete major subdivision application to the community development director. A complete application for the purposes of this chapter shall consist of the following:

- A. A fully completed and signed (by those individuals or corporations holding any ownership or security interest) major subdivision application form provided by the community development department that contains the information as required by Chapter 21.05 LMC;
- B. ~~Five copies of~~ A scaled drawing of the preliminary plat ~~which shall be a legibly drawn map 24 by 36 inches in size at a scale of one inch equals 50 feet or one inch equals 100 feet. If approved by the department, an alternative appropriate scale may be used;~~
- ~~C. One reduced (eight and one-half by 11 inches or 11 by 17 inches) copy of the preliminary plat or one digital copy of the preliminary plat on a format approved by the department;~~

~~D.~~C. The plat shall include the following information:

1. The purpose of the proposed subdivision;
2. A legal description of the area being divided;
3. The boundaries of the section (or plat) within which the major subdivision lies;
4. The boundary lines, dimensions and area of the major subdivision and the lots within it;
5. Proposed subdivision name, block and lot numbers. Block and lot numbers shall be laid out in a logical progression;
6. The location and widths of all existing and proposed roads, access easements, and driveways;
7. The location and dimensions of all existing buildings or structures and distances to proposed lot lines;
8. The location and widths of all existing and proposed utility easements;
9. The boundaries, dimensions, and area of all tracts or parcels to be dedicated or reserved for public or community uses;
10. The location of all existing and proposed water distribution systems, sewage disposal systems, stormwater systems, and irrigation systems;
11. Fire hydrant locations within or adjacent that will be connected to;
12. The location of the 100-year floodplain and floodway, if applicable;
13. The location of all water courses and the ordinary high water mark and approximate boundaries of all areas subject to inundation, if applicable;

14. Contours at two-foot intervals for zero to five percent cross slope; five-foot intervals for five to 30 percent cross slope; 10-foot intervals for over 30 percent cross slope; and spot elevations to determine the general locations of high and low points thereof;
15. Location of all existing structures, wells, septic tanks, drain-fields, overhead and underground utilities, municipal boundaries, and other important physical features;
16. Zoning and comprehensive plan designations; and
17. North arrow;

~~E.D.~~ ~~Three sets of~~ ~~R~~oad plans and profiles for all proposed roads;

~~F.E.~~ The delineation, location, classification, and required analysis or mitigation plans as required for critical areas, including fish and wildlife habitat conservation areas, aquifer recharge areas, geologically hazardous areas, wetlands, and frequently flooded areas as presently contained in LMC Title 16;

~~G.F.~~ Assessor's parcel map of property and surrounding properties within 500 feet;

~~H.G.~~ SEPA checklist or other environmental information as required in Chapter 16.04 LMC;

~~I.H.~~ Any other information deemed necessary by the city for the adequate review of the proposed subdivision in conformance with the provisions of this title and all other applicable federal, state and local regulations;

~~J.I.~~ Payment of all applicable review fees; and

~~K.J.~~ A plat certificate issued within the preceding 30 days, including confirmation that the title to the lands as described and shown on said plat is vested in the owners signing the application and whose names appear on the plat certificate or instrument of dedication, and any easements or restrictions affecting the property, with a description of the purpose and referenced by the auditor's recording number.

(Ord. 1223 § 1, 2004; Ord. 1463 § 1 (Att. A), 2014)

§ 17.12.040. Preliminary plat review procedures.

- A. Preliminary plats shall be subject to the procedures established in Chapter 21.07 LMC.
- B. Once the determination of a complete application is made, the community development director shall solicit comments on the proposed preliminary plat from the public works director, city engineer, fire chief or designee, building official, local utility purveyors, Cascade School District, Chelan County assessor, Chelan County public works (if the proposal abuts or could potentially adversely affect a county road), Chelan County treasurer, Washington State Department of Transportation (if the proposal abuts or could potentially adversely affect a state highway), irrigation district (if the proposal is within a district), Washington State

Department of Ecology (if the proposal involves a critical area), LINK, and other appropriate agencies with jurisdiction or expertise. The referral agencies shall have 14 calendar days to return their written comments. Failure of the referral agencies to respond within the prescribed time will be interpreted as their having no comment on the proposal as submitted.

- C. Upon the completion of the public comment period and the comment period required for SEPA, a public hearing shall be held for review of the proposed preliminary plat in conformance with the provisions contained in LMC § 21.09.050. The community development director shall submit a report with recommendations to the hearing examiner reviewing the proposed preliminary plat and its conformance to the requirements of this title and all other applicable titles contained in this code, and the review criteria outlined in LMC § 17.12.050.
- D. Pursuant to the timelines delineated within Chapter 21.09 LMC, or such other period as the applicant may authorize, the hearing examiner shall approve, conditionally approve, or disapprove the proposed preliminary plat in writing subject to the review criteria and required findings as outlined in LMC § 17.12.050. (Ord. 1223 § 1, 2004; Ord. 1463 § 1 (Att. A), 2014)

§ 17.12.050. Preliminary plat review criteria and required findings.

- A. The proposed preliminary plat shall be reviewed and approved only when the following criteria and findings are satisfied:
1. Consistency with the provisions of this title and all other applicable titles contained in this code;
 2. Conformity with all applicable zoning requirements;
 3. Consistency with the provisions contained in the comprehensive plan;
 4. Consistency with applicable design standards;
 5. Compliance with the provisions of any applicable federal, state and local law;
 6. Prior to approving any preliminary subdivision, the hearing examiner shall determine and make written findings of fact that appropriate provisions are made for the following:
 - a. The public health, safety, and general welfare;
 - b. Open spaces;
 - c. Drainage ways;
 - d. Streets or roads, alleys, other public ways;
 - e. Transit stops;
 - f. Potable water supplies;
 - g. Sanitary waste;
 - h. Parks and recreation;

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- i. Playgrounds, schools and school grounds;
 - j. Sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school;
- 7. Prior to approving any preliminary subdivision, the hearing examiner shall determine and make written findings of fact that:
 - a. The public interest will be served by the establishment of the subdivision and dedication(s);
 - b. The proposed subdivision is consistent with all applicable development code provisions; and
 - c. Other requirements found to be necessary and appropriate and for which written standards and policies have been adopted.
- B. As a condition of approval, the hearing examiner may require dedication of land to any public body, provisions for public improvements to serve the subdivision, and/or impact fees imposed under RCW 82.02.050 through 82.02.090. No dedication, provision for public improvements, or impact fees imposed under RCW 82.02.050 through 82.02.090 shall be allowed that constitute an unconstitutional taking of private property.
- C. Preliminary subdivision approval is valid for a period of seven ~~five~~ years, or as delineated by state law. During that period, the conditions of approval must be fulfilled or bonded for as provided in Chapter 14.50 LMC, and a final plat shall be filed for record with the Chelan County auditor. If the conditions attached to the preliminary subdivision approval are not satisfied or appropriately bonded for, and the final plat is not filed for record within the required period, preliminary approval of the subdivision shall become null and void.

(Ord. 1223 § 1, 2004; Ord. 1463 § 1 (Att. A), 2014; Ord. 1694 § 1 (Att. A-1), 2024)

§ 17.12.060. Preliminary plat approval – Continued development.

The plat map must delineate the separate divisions or phases that are to be developed. The preliminary plat approval is conditional upon the completion of the proposed phases in the stated sequence. Final plat approval is required for each separate phase or combined phases of the preliminary plat. All phases of said preliminary plat shall be completed and filed for record within the time period as outlined in LMC § 17.12.040(D).

(Ord. 1223 § 1, 2004; Ord. 1463 § 1 (Att. A), 2014)

§ 17.12.070. Final approval and recording.

- A. Following city approval of a preliminary plat, completion, verification/certification

and acceptance of any required improvements, the applicant may cause the subdivision or any part thereof to be surveyed and a final plat map prepared within the time frame period provided in Chapter 58.17 RCW. An applicant shall submit a complete final major subdivision application to the community development director. A complete application for the purposes of this chapter shall consist of the following:

1. ~~Six copies of t~~The final mylar, prepared by a surveyor in conformance with the provisions contained in this section;
 2. A plat certificate issued within the preceding 30 days, including confirmation that the title to the lands as described and shown on said plat is vested in the owners signing the application and whose names appear on the plat certificate or instrument of dedication, and any easements or restrictions affecting the property, with a description of the purpose and referenced by the auditor's recording number; and
 3. Applicable review fees.
- B. The community development director shall circulate the copies to agencies and individuals whose signatures are required on the final mylar for recording. Final plats shall be approved or returned with corrections to the applicant within 30 days from the date of filing thereof, unless the applicant consents to an extension of such time period. Upon return with corrections, said corrected copies (redlines) shall be processed in accordance with the time established pursuant to Chapter 21.07 LMC, as applicable. Said corrections shall be made and conformance to conditions imposed on the approved preliminary plat satisfied prior to submission of the final plat for recording.
1. No permit for the construction of improvements within an approved subdivision shall be issued by the city until all construction drawings, proposed performance guarantees, and other submittals in conformance with engineering design standards have been received and approved by the public works director or city engineer. All construction of improvements shall be inspected and approved in conformance with engineering design standards.
 2. The final plat submitted for recording shall consist of one or more pages clearly and legibly drawn on a stable mylar or equivalent approved material at a scale of 100 feet to the inch (or a scale approved by the city) under the supervision of a land surveyor registered in the state of Washington who shall certify on the plat that it is a true and correct representation of the lands actually surveyed. All survey work shall conform to the requirements of the Survey Recording Act, Chapter 58.09 RCW, as it now exists or as amended, and the final plat mylar shall contain the following additional information:
 - a. A certificate bearing the names of all persons having an interest in the land, signed and acknowledged by them before a notary public, which:
 - i. States their consent to the division; and
 - ii. Grants a waiver by them of all claims for damages against any governmental authority which may be occasioned to the adjacent land by the established construction, drainage, and maintenance of public roads;
 - b. A space for approval and official seals of the community development director, and public works director or city engineer, acknowledgment of taxes paid by the Chelan County treasurer, and recording by the Chelan County auditor;

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- c. Permanent control monuments shall be established at controlling corners on the boundaries of the subdivision, the intersections of the centerline tangents of roads within the subdivision or points of intersections, the beginning and ends of curves on centerlines, and all block and lot corners. All other surrounding property shall be labeled in dotted lines;
 - d. Bearings of all lots, tracts, and centerlines or public and private roads within the project boundary;
 - e. For a subdivision that contains or is subject to a dedication, a certificate shall be placed on the face of the final plat mylar that contains the dedication of all streets and other areas to the public, and a waiver of claims;
 - f. Subdivision name and number as assigned by the city;
 - g. Legal description;
 - h. North arrow, numeric and graphic scale, and lot numbers;
 - i. Assigned street addresses;
 - j. All utility easements;
 - k. All notes as required by the conditions of approval;
 - l. Any restrictions or covenants affecting the property, with a description of the purpose and referenced by the auditor's recording number;
 - m. Location, width, and name of all streets, alleys, and other public and private ways within and adjacent to the land division; and
 - n. The delineation of the 100-year floodplain and floodway and any wetlands, when present.
3. An approved subdivision shall not be filed for record with the Chelan County auditor until the applicant has constructed or bonded for all improvements, and satisfied all conditions as required by the granting of preliminary subdivision approval.
4. A subdivision shall not be considered final until recorded with the Chelan County auditor.
 5. Any lots in a final plat filed for record shall be a valid land use, notwithstanding any change in zoning laws for the period provided for within Chapter 58.17 RCW from the date of filing. A major subdivision shall be governed by the terms of approval of the final plat and the statutes, ordinances, and regulations in effect at the time of approval for a period of five years after final plat approval unless the city council finds that a change in conditions creates a serious threat to the public health or safety in the subdivision.
 6. Any failure to record the final plat within the time limit specified in Chapter 58.17 RCW shall render the plat null and void.

(Ord. 1223 § 1, 2004; Ord. 1447 § 1 (Att. A), 2013; Ord. 1463 § 1 (Att. A), 2014)

§ 17.14.040. Lot standards.

All lots shall be designed to be suitable for the general uses as allowed in their applicable zoning designation and shall have the minimum width and depth sufficient to meet the requirements of LMC Title 18 and the following standards:

- A. Lot shapes shall be designed to avoid awkward configurations or appendages.
- B. Each lot shall have a depth that can meet minimum yard setback requirements, provide a satisfactory building envelope, and provide areas for standards required in this code such as off-street parking, landscaping, etc.
- C. Side lot lines shall generally run at right angles to the street upon which the lot faces, but may be within 20 degrees of perpendicular, and on curved streets shall be radial to the curve, except where topography, the shape of the parent parcel, or natural features prohibit. Side lot lines may deviate (jog) at right angles to accommodate topography, the shape of the parent parcel, buildings, nonconforming corrections (minimum necessary to create a greater conformity), or natural features which prohibit a continuous straight line from the street to the rear of the lot.
- D. All proposed lots exceeding a 20 percent slope must demonstrate adequate areas to locate a level building area, including cuts and fills upon the request of the city. Cross-sections of driveways shall be required to ensure proposed grades are appropriate for access and emergency response.
- E. For the purposes of this section, "flag lot" means a lot which has a narrow frontage along the right-of-way created for the sole purpose of providing such lot with frontage on a public street and in order to accommodate the driveway (access strip/"pole") which accesses the wider, buildable portion of the lot ("flag").
- F. Flag lots are allowed to create lots for infill purposes, or when other options are not achievable as determined by the city:
 1. Flag lots shall comply with the requirements of the underlying zone. A land division or boundary line adjustment creating a flag lot shall also comply with any specific design criteria contained within this title.
 2. The lot depth shall be measured at the midpoint of the front and rear property lines of the "flag."
 3. Lot width shall be measured by a line connecting two points on opposite side yard property lines of the "flag" that will result in a line parallel to the street. Lot width shall be maintained for the entire lot depth of the "flag."
 4. The minimum lot width at the building setback line shall be consistent with that specified in the zoning district.
 6. All lots shall ~~front onto a city street~~, meet dimensional standards of this title, applicable zoning standards, and infrastructure standards and specifications.
 7. The portion of the lot containing the access strip ("pole") connected to a city

street shall be a minimum width required for fire access, and may be widened to accommodate snow storage, mail receptacles, garbage collection sites, and/or other needs, as determined by the city.

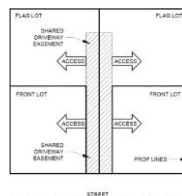
8. All buildings accessed from flag lots must post an address adjacent to the public street within the access strip ("pole").
9. Joint access for flag lots and adjacent lots under common ownership at the time of division of property shall be required. An access easement shall be recorded on the face of the plat.

(Ord. 1223 § 1, 2004; Ord. 1463 § 1 (Att. A), 2014; Ord. 1672 § 1 (Att. A), 2023)

§ 17.14.100. Access standards.

All lots shall be provided with direct access to an improved public street where feasible, 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 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 be provided, when feasible.
- C. Private driveway easements over flag lots shall serve no more than a total of four lots, when meeting the fire district requirements.



- D. Private or shared driveways shall comply with:
 1. Lots accessed via a private or shared driveway easement shall be created from legal lots of record.
 2. Private or shared driveway easement accesses shall be developed to the standards contained in LMC Title 14.
 3. For all lots with access via a private or shared 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.

4. Private or shared 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.
- E. 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.
- (Ord. 1223 § 1, 2004; Ord. 1463 § 1 (Att. A), 2014; Ord. 1672 § 1 (Att. A), 2023)

§ 18.25.030. District use chart.

The following acronyms apply to the district use chart. If there is no notation in the chart for the zoning district, that use is not permitted. All uses must meet city standards:

"P" Permitted Use. Those uses/development which are permitted when meeting the city regulations.

"AU" Accessory Use. A use or structure on the same lot that is incidental or subordinate to the primary use or structure, and which may exist only when a primary use is existing on the same lot. The floor area of the accessory use must be less than that devoted to the primary use or structure.

"C" Conditional Use. A use allowed in one or more zones as defined by the zoning code and this district use chart, but which, because of characteristics peculiar to such use, the size, technological processes or equipment, or because of the exact location with reference to surroundings, streets, and existing improvements or demands upon public facilities, requires an approval as provided by the code in order to provide a particular degree of control to make such uses consistent and compatible with other existing or permissible uses in the same zone and mitigate adverse impacts of the use.

" " (blank) Prohibited. A use/development which is not permitted.

Zoning Districts:

(RL6) Residential Low Density 6,000.

(R-8) Residential 8.

(MF) Multifamily Residential.

(GC) General Commercial.

(CC) Central Commercial.

(TC) Tourist Commercial.

(CDMUI) Commercial District Mixed Use Incentives (overlay).

(LI) Light Industrial.

(REC) Recreation.

(RP) Recreation-Public.

Land Uses	RL6	R-8	MF	CDMUI	GC	CC	TC	LI	REC	RP
Residential (Specified Use Below)										
Accessory Dwelling Unit	AU	AU	AU							
Boardinghouse, Lodging House, Rooming House Co-living housing			P		P	P	P			
Dwelling, Above Ground Floor				P	AU	AU	AU			
Dwelling, Cottage Housing	P	P	P							
Dwelling, Duplex	P	P	P	AU						

Land Uses	RL6	R-8	MF	CDM	GC	CC	TC	LI	REC	RP
Dwelling, Multifamily			P	P	P	P	P			
Dwelling, Single-Family	P	P	P	AU						
Dwelling, Tiny Home	P	P	P							
Emergency Shelter					P	P	P		P	P
Manufactured Home, Designated	P	P	P							
Manufactured Home/Mobile Home										
Vacation (Short-Term) Rental					P	P	P			
Accessory Structures and Uses										
Accessory Structure	AU	AU	AU		AU	AU	AU	AU	AU	AU
Adult Family Home	P	P	P	P	P	P	P			
Bed and Breakfast	C	C	C							
Child Day Care	AU	AU	AU	P	P	P	P			
Day Care Center	C	C	C	C	P	P	P			
Foster Home	P	P	P		P	P	P			
Group A Home Occupation	AU	AU	AU							
Group B Home Occupation	AU	AU	AU							
Nursing/Convalescent Home, Congregate Care Facility	C	C	C		C					
Stacked Parking	AU	AU	AU		AU	AU	AU			
Swimming Pools	AU	AU	AU		P	P	P		P	P
Youth Home			C							
Public/Semi-Public (Specified Use Below)										
Bus or Taxicab Stop	C^P	C^P	C^P	P	P	P	P	P		
Clinic					P	P	P	P		
Community Center	C	C			C				C	C
Composting Collection Center				P	P		P	P	P	P
Educational Centers	C	C		C	P	C	C	C	C	C
Educational Facilities	C	C		C						
Golf Courses									P	P
Hospital					C	C	C		C	
Place of Worship	C	C		C						
Preschool	C	C		C	C					
Public Facility, High Impact				P	P	P	P	P	C	C
Public Facility, Low Impact	C	C		P	P	P	P	P	C	C
Public Utility	C	C	C	C	C	C	C	P	C	C
Recreation, Outdoor Use	C	C	C		C	C	C		P	P
Recreation, Passive	P	P	P	P	P	P	P	P	P	P

Land Uses	RL6	R-8	MF	CDM	GC	CC	TC	LI	REC	RP
Recycling Center								C		
Wireless Telecommunications Facility	C		C		€	C	C	C	P	C
Development Options										
Commercial District Mixed-Use Incentives						P	P	P		
Condominiums (With Binding Site Plan or Plat)	P	P	P		P	P	P			
Incubator Planned Site Development								P		
Manufactured Home Park	C	C	P							
Temporary Subdivision Tract Offices	€	€								
Tiny Home Park	C	C	P							
Commercial/Retail										
Adult Entertainment Facilities						P	P	P		
Bakery					P	P	P	P		
Banks					P	P	P	P		
Battery Exchange Stations/ Rapid Charging Stations					P	P		P	P	
Car Wash						P			P	
Club, Lodge or Fraternal Organization			C			P	P	P		
Coffee Roasting					€	C	C	C	P	
Commercial Amusement Enterprise, High Impact										
Commercial Amusement Enterprise, Low Impact						C	C	C		
Copy/Printing Establishment					€	P	P	P	P	
Eating and Drinking Establishment					P	P	P	P		
Exercise Facilities					P	P	P	P		
Family Entertainment Enterprise						P	P	P		
Food/Grocery Store					P	P	P	P		
Gasoline Service Station						C		C	C	
Hostels						P	P	P		
Hotel or Motels					P	P	P	P		
Indoor Events/Auditoriums					P	P	P	P	P	P
Laundry or Dry-Cleaning Establishment					P	P	P	P		
Micro Brewery, Distillery or Winery					€	C	C	C	P	

Commented [CB1]: Can we just delete this as a use? Seems unnecessary. I would think a job shack/office could be a temporary use without being in our district use chart, and if it is left in should NOT need a CUP for a temporary job office

Land Uses	RL6	R-8	MF	CDM	GC	CC	TC	LI	REC	RP
Brewery								P		
Mobile Food Vendor									P	P
Parking Structure/Lots			AU		P	P	P	AU		
Personal Service				P	P	P	P	P		
Pet Care Centers/Kennels				C	C	C	C	P		
Professional Offices (Business and Professional)				P	P	P	P	P		
Recreational Vehicle Parks/ Campground					C		C		C	
Retail Stores and Services				P	P	P	P			
Vehicle Repair Services					P	P		P		
Vehicle Sales or Rental					P		P	P		
Veterinarian/Animal Hospital				C	C			P		
Industrial (Specified Use Below)										
Bulk Fuel Storage								C		
Construction Yards								P		
Cryptocurrency Mining								P		
Essential Public Facilities								P		
Feed Lots, Livestock, Rendering or Meat Packing Plants										
Hazardous Waste Facilities										
Heliports and Aviation Activities								C		
High Tech Industry, Computer Assembly and Similar Type Uses				C				P		
Junk/Wrecking Yards										
Landfills										
Light Industry				C	C	C	C	P		
Storage Facilities, Including Mini- and Self-Storage								P		
Truck and Freight Terminals, Warehousing and Storage, Parcel Delivery Service, Packaging and Crating								P		
Vehicle Repair, Service Maintenance, Paint, Powder Coating and Body Work								P		
Vehicle Towing, Including Secured Storage of Vehicles								P		
Warehousing Establishments								P		

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¹ On a collector or arterial street.

(Ord. 1627 § 2 (Att. B), 2021; Ord. 1651 § 3 (Att. C), 2022; Ord. 1673 § 1 (Att. A), 2023; Ord. 1693 § 1 (Att. A), 2024; Ord. 1695 § 1 (Att. A), 2024)

18.42 Affordable Low Income Housing Incentives:

§ 18.42.010. Purpose.

The affordable housing incentive program is intended to provide incentives to developing and building housing for purchasers or renters who work in service industry jobs, such as cashiers, hotel staff and retail and restaurant workers, which make up the majority of employees within Leavenworth. By providing housing incentives, as authorized by RCW 36.70A.540, the city intends to improve the quality of life for all residents of varying income levels by supporting health, increasing financial stability, reducing travel demands, and expanding population diversity.
(Ord. 1654 § 1 (Att. A), 2022)

§ 18.42.020. Applicability.

- A. Notwithstanding any other provision in this title, affordable housing developments are permitted in all zoning districts and encouraged within planned developments and commercial district mixed-use incentives developments.
- B. Affordable housing developments serve:
 - 1. Low-income renters with incomes of 50 percent or less of the county median family income, adjusted for family size.
 - 2. Low-income owner-occupied households with incomes of 80 percent or less of the county median family income, adjusted for family size.
 - 3. Notwithstanding subsections (B)(1) and (B)(2) of this section, the city council may increase, through a public hearing, low-income rental housing up to 80 percent of the county area median income ("AMI") or low-income owner occupancy housing up to 100 percent of the county AMI.
- C. Rental units, for occupiers meeting the criteria of subsections (B)(1) through (B)(3) of this section, are for the purposes of this chapter affordable housing.
(Ord. 1654 § 1 (Att. A), 2022)

§ 18.42.030. Other affordable housing options.

The following list of options is provided for overall education of what the city of Leavenworth has developed in support of affordable housing units. Use of these options, or others, is not a required part of this affordable housing chapter.

- A. Chapter 3.42 LMC, Affordable Housing Grant/Loan Program.
Chapter 3.43 LMC, Workforce Housing Grant/Loan Program.
- B. Chapter 3.44 LMC, Affordable Housing Funds.
- C. Preapproved accessory dwelling unit construction plans.
- D. Manufactured/tiny home parks.
- E. Manufactured home placement.
- F. Partnerships with nonprofit housing authorities/groups.

§ 18.42.040. Requirements for affordable housing options.

Any development of affordable housing for low-income housing units, whether rental or owner occupied, shall ensure that each affordable housing unit be retained as affordable housing into perpetuity from the date of final certificate of occupancy. Developers or owners of the housing, as the case may be, shall record a covenant as required by the city to retain the housing as affordable into perpetuity from the date of final occupancy.

(Ord. 1654 § 1 (Att. A), 2022)

The low-income housing units shall be provided in a range of sizes comparable to those units that are available to other residents. To the extent practicable, the number of bedrooms in low-income units must be in the same proportion as the number of bedrooms in units within the entire development. The low-income units shall generally be distributed throughout the development and have substantially the same functionality as the other units in the development

§ 18.42.050. Incentives for affordable housing.

When a development includes affordable housing for low-income housing units, the project may request any of the following deviations from the standard regulations:

- A. Density, low-income affordable housing units may be provided in the following manner:
1. For residential districts, one additional dwelling unit may be provided for low-income affordable housing. For example, a residentially zoned lot may have a single-family home, an accessory dwelling and one low-income housing unit; or, it may have a single-family home and two low-income housing units; or, it may have three low-income housing units.
 2. For multifamily residential districts, one low-income affordable housing unit per 1,500 square feet of lot area may be provided. Any fractional calculation shall be rounded down.

A combination of market rate and low-income units may be provided when consistent with the following methodology. The administrator shall determine the required number of low-income units and the maximum number of units based on the lot size for the project. Any fractional calculation shall be rounded down.

Lot Size ^a	Multifamily (one unit per 2,000 sq ft of lot area)	Low-Income Affordable (one unit per 1,500 sq ft of lot area)	Required Number of Low-Income ^b	Maximum Number of Units ^c
6000	3	4	1	4
10,000	5	6	1	6
20,000	10	13	3	13
43,560	21	29	8	29

^a Calculated based on a "lot of record," not including any right-of-way or land dedicated for a specific purpose on a plat

^b Difference between multifamily (2,000 square feet per unit) and low-income affordable (1,500 square feet per unit)

^c Number of maximum low-income affordable units

3. For the commercial and industrial districts, the minimum or maximum number of dwelling units is not defined.

B. Lot Coverage. When a development includes a minimum of three affordable housing units, the lot coverage may increase to 50 percent or the underlying zoning requirement, whichever is greater.

C. For residential zoning districts and multifamily districts, when a development includes at least one affordable housing unit, the front yard setback may be reduced to 19 feet; however, the allowance for a front porch within the front yard setback is not permitted.

D. Alley Access. Any development that includes affordable low-income dwellings may have primary vehicular access from the alley when meeting the city's development standards.

~~E.~~ Parking for low-income units shall be calculated as one-half parking space per dwelling unit.

~~F.~~ Housing units serving residents with incomes at or above 51 percent AMI shall provide one parking space per housing unit.

~~G.~~ Housing units serving residents with incomes below 50 percent AMI may reduce parking by 50 percent when located within one-half mile from a public transit park-and-ride.

~~H.E.~~ Any fractional parking shall be rounded up.

~~I.F.~~ Height, within the tourist commercial district, may increase to up to 50 feet excepting that the building height shall not exceed 35 feet for the first 30 feet of distance from the property line when adjoining a residential or multifamily district.

(Ord. 1654 § 1 (Att. A), 2022)

G. New construction must meet Residential Design Standards in 18.36.025.

REPEALED: § 18.42.060. Design standards for affordable housing.

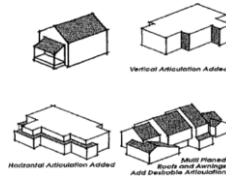
~~All development using this chapter shall meet the following supplemental development standards for low-income affordable housing units:~~

~~A.~~ Half of the affordable housing units must be of a similar size and makeup (number of bedrooms and bathrooms) as market rate units within the same development. The remaining half may be smaller or larger than the market rate units within the same development.

~~B.~~ Entries and front doors shall be consolidated whenever feasible so that only one entrance or front door is facing a city street. This provision does not apply to

~~townhomes.~~

- ~~C. Corner Lots. The development may include driveway access from each city street and/or the alley.~~
- ~~D. The design of the structures shall include at least one articulation of the facade (vertical articulation) or multiplaned roofs to soften the appearance of the structure.~~



- ~~E. Storage. For every dwelling unit under 500 square feet, a separate area for personal storage shall be provided of at least 90 cubic feet; for example: length five feet, width three feet, height six feet. Areas under four feet in height will not be calculated as storage.~~
- ~~(Ord. 1654 § 1 (Att. A), 2022)~~

Chapter 21.90 Common Definitions.

~~"Boardinghouse," "lodginghouse" or "roominghouse" means a building where lodging, with or without meals, is provided by members occupying such building. This term shall not be construed to include buildings which fit the definition of the term "motel."~~

"Co-living housing" A residential development with independently rented, lockable sleeping units that provide living and sleeping space and whose residents share kitchen facilities with other sleeping units in the building. This use may also be referred to as a boarding house, rooming house, lodging house, congregate living facility, single-room occupancy, or residential suites

"Family" means an individual, or two or more persons ~~related by blood or marriage,~~ or a group ~~of not more than five persons who are not all related by blood or marriage,~~ living together in a dwelling unit.

"Sleeping Unit" A lockable room or suite within a co-living housing development that is designed and intended for the exclusive use of one household or occupant for living and sleeping purposes. A sleeping unit may include a private bathroom and limited food preparation facilities, but does not include a full kitchen. Residents share one or more common kitchen facilities within the building.

"Suite, hotel or motel" means a group of ~~rooms, including guest rooms~~ sleeping unit(s), comprising a lodging unit. ~~A "sleeping unit" is defined as a single bed, two twin bunk beds or two queen beds.~~

"Guest Room" A room ~~or suite of rooms~~ within a hotel, motel, inn, or similar transient lodging establishment intended for occupancy by one guest party and designed to accommodate no more than four (4) persons.

"Hostel" means a type of lodging where guests rent a bed (rather than a room or suite), often ~~unusually~~ a bunk bed, in a dormitory with a shared lounge and bathrooms. A hostel may include a shared kitchen space. Hostels are intended to primarily serve backpackers and cycle tourists rather than vehicular travelers.

"Tandem parking" means having two or more vehicles, parked on in front of or behind the other, with a single means of ingress and egress.

"Shared parking" means parking used jointly by two or more uses with different peak demand periods.