

**WENATCHEE PLANNING COMMISSION
SCHEDULED MEETING
February 19, 2020
WENATCHEE CITY HALL COUNCIL CHAMBERS
301 Yakima Street, 2nd Floor
Wenatchee, WA 98801**

AGENDA

I. CALL TO ORDER AND WELCOME

II. ADMINISTRATIVE AFFAIRS

A. Approval of the minutes from the last regular meeting on January 15, 2020.

III. PUBLIC COMMENT PERIOD

Comments for any matters not included on the agenda.

IV. OLD BUSINESS

None

V. NEW BUSINESS

- A. Interim control on places of assembly and outdoor amplification
- B. Discussion: Draft 2020 Work Plan overview

VI. OTHER

None

VII. ADJOURNMENT

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Mayor's office at (509) 888-6204 (TTY 711). Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102-35.104 ADA Title 1.)

MINUTES

I. CALL TO ORDER

Chair Rani Sampson called the meeting to order at 5:30 p.m. with the following members in attendance: Ace Bollinger, Joe Gamboni, Susan Albert, Richard Erickson, and Josh Jorgensen.

City Planning staff was represented by: Glen DeVries, Community Development Director; Stephen Neuenschwander, Planning Manager; Matt Parsons, Senior Planner; and Kim Schooley, Administrative Assistant.

II. ADMINISTRATIVE AFFAIRS

A. Approval of the minutes from the regular meeting on December 11, 2019.

Commissioner Albert moved to approve the minutes from the regular meeting on December 11, 2019. Commissioner Jorgensen seconded the motion. The motion carried.

III. PUBLIC COMMENT PERIOD

Jim Bailey, 844 Kittitas, Wenatchee, WA. Bailey complimented and expressed gratitude to Commission members for their service and hard work on difficult projects this past year, including the recent Housing Code Update and Sign Code amendments. As a Wenatchee City Council member, Bailey said that he felt he could speak on behalf of the entire Council in saying that the work of the Planning Commission as an advisory body was valued and appreciated.

IV. OLD BUSINESS

None

V. NEW BUSINESS

A. Planning Commission Applicant Interview

Commissioners interviewed Lael Isola.

Commissioners discussed Isola's application.

Commissioner Erickson moved to forward to Council a recommendation to appoint Lael Isola to the Planning Commission. Commissioner Bollinger seconded the motion. The motion carried.

Staff advised that since Isola had only recently become a resident of the City of Wenatchee following Council's approval of Ordinance 2020-02 which annexed her property into the City. Isola's appointment, if approved by Council, would have to wait until the legal effective date of the annexation sometime in March.

B. Workshop: Interim control on places of assembly and outdoor amplification

Stephen Neuenschwander, Planning Manager, and Matt Parsons, Senior Planner, presented the staff report.

Staff advised that an open house would be scheduled in February followed by another workshop at Commissioners regular meeting in February. A public hearing on the matter would then be scheduled for the Planning Commission’s regular meeting in March.

Commissioners asked questions of staff.

Chair Sampson asked if the public had comments.

The following individuals provided comment to Commissioners for their consideration during the workshop.

- Katherine Keagle, 2904 Alvista Place, Wenatchee, WA
- Russ Keagle, 2904 Alvista Place, Wenatchee, WA
- Chris Davis, 313 W. Peters Street, Wenatchee, WA
- Kirk Hudson, 1437 Somerset Drive, Wenatchee, WA
- Tamra Hively, 2930 Alvista Place, Wenatchee, WA
- Wendy LeSesne, 217 W. Peters Street, Wenatchee, WA

Commissioners asked staff to email information from other municipalities in the state regarding their guidelines and administration of outdoor amplification and noise ordinances for their review.

VI. OTHER

None

VII. ADJOURNMENT

With no further business to come before the Planning Commission, Chair Rani Sampson adjourned the meeting at 7:33 p.m.

Respectfully submitted,

CITY OF WENATCHEE
DEPARTMENT OF COMMUNITY DEVELOPMENT
Kim Schooley, Administrative Assistant



**City of
Wenatchee**

DEPARTMENT OF COMMUNITY DEVELOPMENT

Public Services Center

1350 McKittrick Street, Suite A

Wenatchee, WA 98801

(509) 888-3200

Fax (509) 888-3201

To: City of Wenatchee Planning Commission
From: Community Development Staff
Date: February 12, 2020
RE: Interim control on places of assembly and outdoor amplification

The open house originally planned for February 19th prior to your regular meeting has been canceled. City staff has prepared draft code revisions that focus on the definitions and use category changes related to public assembly uses in residential neighborhoods. See staff analysis of these recommended changes below.

The topic of amplified sound has been postponed for the time being and will be revisited at a later date. This topic is not on the agenda and will not be pursued at this time. Review of other jurisdiction standards show that the topic of noise disturbances and amplified sound are addressed in the noise ordinance rather than in the zoning code. The important community issues that have been brought up through the public process with the City Council and the Planning Commission relative to amplified sound deserve additional time to research and discuss solutions that meet the ever changing needs of our community and navigating complex legal parameters.

Analysis of proposed code amendments

Staff has prepared a series of code amendments in response to the current interim control adopted under Ordinance 2019-13 and extended under Ordinance 2020-05. The draft code amendments are attached and analysis of the proposed code amendments is organized by code chapter below.

WCC10.08 Definitions

Central to the interim official control adopted by the city council is the definition of places of assembly. Staff is proposing the removal of the land use category called "Place of assembly" as it is a very vague and broad term. The approach is to update the definitions of existing land uses and include new definitions to help clarify assembly uses in residential areas. The definition of "place of assembly" was problematic in residential areas where it could be interpreted as allowing certain commercial assembly uses, such as an outdoor event venue, that were likely not intended and could have significant negative impacts to surrounding neighbors. In commercial zones, the category introduced ambiguity as to whether a conditional use permit is required for certain assembly uses that are often accessory to another use. The result of removing this category is that uses that would have otherwise been included in this category would need to fit into other categories to be permitted. In many cases, smaller scale uses that would be considered places of assembly are accessory to another use and thus do not need their own land use category. Staff has proposed three new categories and some modifications to existing categories.

- “Transit Center” is necessary to separate this use from other assembly uses so it can be handled differently as there are likely places where other assembly uses are desired but transit centers are not.
- “Convention Center” is necessary to ensure that the Wenatchee Convention Center still clearly fits within a land use category and similarly to allow similar type venues in appropriate zoning districts should one be proposed in the future.
- “Sports and entertainment venue” is necessary to ensure that Town Toyota Center has a category that it fits within and any similar uses that may be proposed or expanded in the future also have a clear land use designation.

Modifications are proposed for the definitions of the following land use category:

- “Place of worship” as included in the code is too vague and a complete definition replacement is proposed. This proposed definition brings more clarity to both staff and applicants about what the various incidental uses are associated with a place of worship and which additional uses (schools and day care) must be reviewed and approved separately. Staff believes that the definition as it is proposed here is consistent with current practice and therefore does not constitute a logistical change in the review of an application for this use.

Staff believes that this combination of changes will remove ambiguity from the code, subsequently making the permitting process more predictable for both the City and the applicant as well as meeting the intended purpose of the interim official control.

10.10 District Use Chart

Staff has proposed amendments to the district use chart corresponding to the addition and removal of land use categories. Please review the designations and provide staff with any feedback you may have. The additions of “transit centers”, “convention centers”, and “sports and entertainment venues” have been added to zoning districts with similar uses and consistent with the prior “place of assembly” use.

10.60 Off Street Parking

The purpose of the amendments proposed in 10.60.080 Off-street parking requirements is to address the addition or removal of land uses. Further review is likely required to determine what the appropriate approach is for “transit center” but for now it has been grouped with bus terminals.

10.32 Waterfront Mixed Use District

The amendment proposed in 10.32.050(8)(a) is simply replacing “place of assembly” with the new and existing applicable land uses “sports and entertainment venue”, “convention center” and “places of worship”.

10.65 Conditional Uses

Amendments are proposed to portions of 10.65 Conditional Uses to address a variety of issues.

- 10.65.060(8) a mention of noise standards has been added to the general

requirements for all conditional use permits. Applicants already had the requirement to comply with all city code (see subsection 3) but this will bring compliance with the noise standards into the permit review process.

- “Places of public assembly” has been removed from the title of 10.65.080 for consistency with the proposals mentioned above. “Neighborhood center” has been added to this group of uses as they have more in common with places of worship and auditoriums than libraries and museums.
- “Neighborhood center” has been removed from 10.65.180 for the reason stated above.
- The requirements pertaining to signs have been removed from 10.65.080(3) as they are no longer necessary after the adoption of the sign code.
- Code clarifying how “auditoriums” are handled has been added as the new subsection 3 in 10.65.080. This is necessary to ensure that auditoriums are not allowed in residential areas unless associated with a primary use such as a school, place of worship or neighborhood center.

Attachments:

A - Draft Code Amendments

WCC10.08 Definitions

“Place of assembly” means a building used in whole or in part for the gathering together of persons for such purposes as deliberation, entertainment, amusement, or awaiting transportation.

“Place of worship” means a structure, group of structures, or portion thereof which is utilized for the purpose of conducting religious worship, services, or ceremonies. A place of worship may contain facilities such as a sanctuary or chapel, assembly rooms, offices, kitchen, parsonage, or multi-purpose facilities. Uses including, but not limited to, schools, dwelling units except parsonages, and child day care facilities shall not be considered incidental to the primary use, but may be allowed subject to other provisions of this title. any building primarily used for congregations gathering for religious practices.

“Neighborhood center” means an area wherein an activity occurs which provides services of a social, cultural, economic or educational nature to the neighborhood in which it is located.

“Transit Center” means a place where people await transportation via bus, train, or other forms of mass transit at a regional hub outside the public right-of-way. This includes both public and private transportation services.

“Auditorium” means a large building used for public meetings or performances.

“Sports and Entertainment Venue” means a large event space intended for the viewing of sporting events, entertainment, trade shows, expos and other similar events. Meetings areas will generally be greater than 20,000 square feet in area.

“Convention center” means a building or area designated to accommodate large groups of people usually for social occasions, or the exchange of information related to professional or commercial activity. Such a facility typically contains various large assembly halls, conference rooms, and food service facilities.

10.10 District Use Chart

District Use Chart

Uses	P = Permitted use P ₁ = Permitted, not to occupy grade level commercial street frontage AU = Accessory use C = Conditional use C ₁ = Permitted, not to occupy grade level commercial street frontage ~ = Prohibited use M = Permitted use in a corridor mixed use project within the MRC overlay																		
	Commercial Districts					Mixed Use Districts			Residential Districts				Overlay Zones						
	CBD	NWBD	SWBD	CN	I	WMU	OMU	RMU	RF	RS	RL	RM	RH	HEO	CSO	MRC	IO	PO	RRO
<u>Public Assembly</u>																			
<u>Auditoriums and places of assembly</u>	C	C	C	C	C	C	C	C	~	C	C	C	C	C	C	C/M	~	C	C
<u>Transit Center</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>~</u>	<u>~</u>	<u>C</u>	<u>C</u>	<u>~</u>	<u>~</u>	<u>~</u>	<u>~</u>	<u>~</u>	<u>~</u>	<u>~</u>	<u>C</u>	<u>~</u>	<u>~</u>	<u>~</u>	<u>~</u>

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	CBD	NWBD	SWBD	CN	I	WMU	OMU	RMU	RF	RS	RL	RM	RH	HEO	CSO	MRC	IO	PO	RRO
Neighborhood center	C	C	C	C	~	C	C	C	~	~	C	C	C	C	C	C	~	C	C
Places of worship	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Convention Center	<u>C</u>	<u>C</u>	<u>C</u>	~	~	<u>C</u>	~	~	~	~	~	~	~	<u>C</u>	<u>C</u>	~	~	~	~
Sports and entertainment venue	<u>C</u>	<u>C</u>	<u>C</u>	~	~	<u>C</u>	~	~	~	~	~	~	~	<u>C</u>	<u>C</u>	~	~	~	~

10.60.080 Off-street parking requirements.

The following requirements shall be met in all zoning districts, except when specifically regulated elsewhere in this code:

Off-Street Parking Requirements

Land Use	Standards
Public Assembly	
Mortuaries/funeral parlor, place of worship, place of assembly, auditorium, convention center, sports and entertainment venue	1 space per 3 seats or 6 feet of bench, or 10 spaces per 1,000 square feet of GFA of the main assembly area(s) when no seats/benches are designated
Retail/Hotel/Restaurants	

Off-Street Parking Requirements

Land Use	Standards
Retail – handling bulky merchandise, autos, furniture, machinery, construction materials, tires, fuels, feeds, repair shops, printers, newspapers, bus and truck terminals, transit centers , wholesale bakeries, boat sales and rentals, delivery services, rental services, recycling facilities	1.5 spaces per 1,000 square feet of GFA

10.32 WATERFRONT MIXED USE (WMU) DISTRICT

10.32.050 Development standards.

Development in this district shall meet all of the applicable provisions of this title and all other rules, regulations and provisions of the WCC, including the provisions below. Also, most residential developments, including mixed use development that features at least one dwelling unit, are subject to conformance with applicable sections of the Residential Design Guidelines.

(8) Architectural Scale. The intent is to reduce the scale of structures and to incorporate architectural design features to increase visual interest. Articulation and modulation shall be for the full height and width of a building, except as otherwise allowed within this title.

(a) Building Size. The gross size of any new building footprint shall not be larger than 45,000 square feet except for auditoriums ~~and places of assembly~~, [conventions centers](#), [places of worship](#), [and sports and entertainment venues](#).

10.65 Conditional Uses

10.65.060 Conditional use permit criteria.

The development standards of this title shall be used by the applicant in preparing the conditional use permit application. The applicant has the burden of demonstrating that the proposed use is consistent with the following review criteria:

- (1) All requirements of a specified use can be satisfied;
- (2) The requirements of the zoning district within which the lot is located can be met;
- (3) All applicable requirements and regulations found within the WCC, as amended, can be satisfied;
- (4) The proposal is compatible with adjacent uses and will protect the character of the surrounding area;
- (5) The proposal will not result in the creation of nuisances to the public and/or nearby properties and existing uses;
- (6) The proposed use will not result in undue adverse impacts affecting the public health, safety, and welfare; and
- (7) The proposed use is consistent and compatible with the comprehensive plan and any implementing regulation.

(8) All activities shall comply with Chapter 6A.40 WCC regarding public disturbance noises.

10.65.080 Auditoriums, neighborhood centers, ~~places of public assembly,~~ and places of worship.

(1) Maximum building height, RS, RL and RM: 40 feet. Other districts: same as the height limitation of the zoning district for other buildings.

(2) Minimum Setback Distance.

(a) Street: same as required in the underlying zoning district;

(b) Rear and side: same as required in the underlying zoning district, plus one-half foot for each foot by which the building height exceeds 20 feet where a rear or side yard adjoins an RF, RS, RL or RM district.

~~(3) Signs, when located in the RF, RS, RL, and RM zoning districts, shall comply with the following:~~

~~(a) One nonilluminated sign for each street frontage;~~

~~(b) Signs shall not exceed 12 square feet in area;~~

~~(c) Signs located in required setback areas shall observe the maximum height requirements that apply to fences;~~

~~(d) Any proposed reader boards/electronic message centers shall be reviewed as part of the conditional use permit.~~

(3) Auditoriums in residential zoning districts must be accessory to another non-residential use such as a school, neighborhood center, or institution of higher education. A separate conditional use permit is not required for this use but if a new auditorium is proposed, it must be included in the review of the CUP for that property.

(4) Landscaping and Screening. Off-street parking shall comply with Chapter [10.62](#) WCC, Landscaping and Screening, as amended.

(5) Architectural Scale. New nonresidential buildings in the RF, RS, RL, RM, and RH zoning districts shall meet WCC 10.48.270 Deviations to these standards may be considered where the applicant can demonstrate that the change or deviation in design is either necessary due to the inherent function of the facility, and/or the change provides for equal or greater compatibility with the character of the surrounding neighborhood. Consideration of such a deviation shall include an informal design review workshop recommendation of the planning commission, where input from the surrounding neighborhood shall be solicited, and incorporated in staff analysis before the hearing examiner.

10.65.180 Libraries, and museums, ~~and neighborhood centers.~~

January 22nd, 2020

City of Wenatchee Staff, City Council, Planning Commission, Neighbors of Grace City Church

Re: Concerns Expressed About Grace City Church

Dear Mayor and all interested parties,

We are writing in response to several requests made of us to give some context to concerns that have been raised by neighbors of our property on Melody Lane. As we understand it, these concerns stem from two outdoor events on our property before construction of our facility began...our outdoor Easter service on April 16th, 2017, and our ground-breaking ceremony on May 20th, 2018.

We have been hesitant to do this, namely because of things we've heard shared contradict our experience and understanding of those events. This has put us in the awkward position of appearing to disagree or even correct perceived inaccuracies. This letter is in no way an attempt to go point-counter-point or accuse anyone of intentional falsehoods. Certainly everyone's experience and interpretation has validity. This is simply our attempt to honor the multiple requests we've received to share our perspective and try to give some context for the concerns.

- **Regarding the Easter Sunday morning event...**We've been told that a concern was raised saying we played loud music at night. For context, after checking with the City of Wenatchee to get permission for the event, we set up everything *but* the sound system Saturday night (we were afraid of possible rain). We brought the sound system in the following morning, set up, and waited for the appropriate time pursuant the codes to start a sound check. After the event was over, we tore the sound equipment down and were off-site by 2pm.

At no point did we have a functioning sound system on property during off-hours, let alone play it. We also had a staff person sleep on the property to guard our other equipment, and they heard nothing all night. We're not saying it didn't happen, we're just saying that we weren't aware it was happening. Even so, we realize the music played on Easter Sunday morning bothered some. We tried our best to let folks know what we were doing, sent out mailings, talked with many face to face beforehand, and only received a warm welcome. It was our hope to eliminate anything that would cause a bother. But we realize sound doesn't stop at property lines. For those who were bothered by it, we apologize. This was a special one-time event done before we had our building, and we can assure the neighbors that nothing of it's type will happen now that we have our building constructed.

- **Regarding the lights on at night...**We've been told there is great concern for the lights in our parking lot. Again, we are so sorry for any distress this has caused. We were careful to purchase state of the art lights that minimize unnecessary light pollution. After installation the manufacturing specs requires a 30-day 24-7 burn, or the warranty is voided. That 30 day period recently ended and we can now turn them off at night. We've been encouraged to keep a few on for security purposes (both for our facility and surrounding neighbors), but we are more than willing to work with the neighbors about a suitable solution regarding that.
- **Regarding the dust complaints during construction...**We apologize for everyone who experienced dust last summer. We understand how annoying and troubling that can be. We hired a full-time water truck driver at the beginning of the project, calling on him many weekends as well. We tried to proactively kept the site watered and always responded promptly to any neighbors who called to let us know the dust was blowing. Even so, we know it's no fun living next to a construction site. We totally get that. We are so sorry for the inconvenience it caused and are glad we're through that phase.

Hopefully this provides a little context for some of the main concerns we have personally heard presented or been made aware of. If there are any other questions or concerns, we gladly welcome conversation and dialogue.

It has been our intention and commitment to be good neighbors and to work for win-win solutions for all involved from the day we bought the property. Though not comprehensive, here are a few of the things we've done in the spirit of being a good neighbor:

- **Sewer...**After pulling sewer to the property, we chose not to require late-comers fee to back-fill the expenses. Our board's hope was that in covering the cost completely, it would relieve any financial burden from those who could benefit from hooking up to sewer later if they so decided.
- **Blocked View...**After realizing that landscape code would require us planting trees that could potentially block some neighbors view at the top of the hill, we petitioned the city to allow us to move the location of those trees. The City staff saw the potential view obstruction and kindly obliged our request.
- **Removing Trees...**Several years ago some neighbors approached and asked if we would be willing to remove trees on our property that had always shed leaves on their property and blocked their view. So, 1 year before we planned to develop the property, we paid to have those trees removed, and happily so.

- **Sharing Space**...One neighbor asked if they could store rocks and dirt on our property while doing some development of their own. We happily obliged.
- **Landscaping**...One neighbor asked for landscaping help and dirt removal while we had equipment there. We talked to the contractor and got it done.
- **Irrigation Lines**...Several neighbors asked if they could come on our property to fix their irrigations lines, and we have happily obliged.

We don't list these to pat our own back...no one needs a medal for being a good neighbor. We get that. But hopefully it's a sampling that demonstrates our heart and intention. We've loved these opportunities to be good neighbors and look forward to many more. It is our desire that people would not have to "put up" with Grace City being in the neighborhood, but eventually would come to say, "Man, I'm so glad they're in our neighborhood!"

We doubt this letter has adequately addressed all questions or concerns, but hopefully it's given a little context for the last few years. We certainly don't claim to be perfect, but any disturbance experienced has never been intentional or malicious. Our intent is to do everything we can to be good neighbors, and we will continue to do so to the best of our ability.

To the neighbors who have reached out with questions, initiated dialogue, or welcomed us into the neighborhood with open arms, thank you! Your ongoing encouragement, emails, and phone calls have been very much appreciated. We feel very welcomed!

To the neighbors we have yet to meet, or who have ongoing questions, we would love to connect and get to know you, hear any concerns you have, and work towards solutions that would be mutually beneficial. We care about your quality of life.

To the planning commission, city council, and city staff, thank you for inviting us to participate in this process, for graciously answering our questions, and patiently explaining how the process works. Reading through the agendas alone is mind-numbing. The amount of issues you face and problems that require solving is staggering. We apologize if we've added to your work load. That has never been our intention. We hope to make our city stronger and better, and we are committed to working towards that end. Thank you for all the work you do. It is appreciated.

Thanks to everyone who's put so much work into this process, and thanks for taking the time to read this letter. I'm sure it hasn't solved all challenges, answered all question, or addressed all concerns. But hopefully it has given some context, clarity, and understanding surrounding the primary concerns we were asked to address.

It is our intention and commitment to promote and participate in healthy dialogue and creative solutions so as to arrive at outcomes that benefit everyone involved. And to, above all,

be a good neighbor...both to our community at large and to those we live next to. We love our town, and we're committed to making it an awesome place to live, for everyone.

If there are concerns we haven't addressed or any questions for us, please don't hesitate to contact us or call our offices. We welcome conversation and working towards solutions.

For our city,

The Elders of Grace City Church