



Chelan County Planning Commission

Chair: Cherié Warren Vice Chair: Doug England

Commissioners District 1: Tammy Donaghue, James Wiggs, Nik Moushon

Commissioners District 2: Cherié Warren, Mike Sines, Christopher Dye

Commissioners District 3: Christopher Willoughby, Jesse Redell, Doug England

Meeting Agenda

Wednesday, October 22nd, 2025 at 6:30 PM

Chelan County Community Development

400 Douglas Street,

Wenatchee WA, 98801

Or via Zoom- details listed below:

Join Zoom Meeting

<https://us02web.zoom.us/j/89247419818?pwd=HsZMlyYcl8FEnokKL7ap3ybnWBnygr.1>

Meeting ID: 892 4741 9818

Passcode: 988961

Meeting to Order

I. Administrative

- A. Review/Approval of Minutes from September 24th, 2025 Planning Commission Meeting.

II. Public Comment Period

- A. Comment for any matters not identified on the agenda (limit 2 minutes per person)

III. Old Business

- A. **CONTINUED HEARING: ZTA 25-101 PBRS** - Code text amendment for Title 14.22, Open Space Public Benefit Rating System regarding text amendments to address public benefit, criteria for rating, adjust maximum allowable tax reductions and allow for periodic review of open space designated parcels.

IV. New Business

- A. **HEARING: ZTA 25-248** - An application for text amendments to Chelan County Titles 7, 11, 12 and 14. Amendments will include:
Title 7 - Repeal existing language and replace with more specific language regarding public disturbance noise.
Title 11 - Delete Small Scale Recreation and Tourist Uses from RV

park/campground requirements. Revised Small Scale Recreation and Tourist uses to delete lodging and to add Farmstays on agricultural and forest lands. Revise nonconforming structure regulations to allow Accessory Dwelling Units in nonconforming setbacks as to structures. Revise storage regulations to clarify the number of cars per lot instead of per dwelling. Allow shipping containers as permanent storage in residential zones. Revised District Use Chart regarding Wireless Communication Facilities and clarify Small Scale Recreation and Tourist Use.

Title 12 – Revise the Boundary Line Adjustment purpose, approval criteria and application sections.

Title 14 – Adds a definition of a boundary line adjustment.

V. Discussion, at the Chair's discretion

VI. Adjournment *Meeting will go no longer than 8:30 PM.*

Materials available on the Community Development website

Any person may join this meeting via Zoom Video conference, of which the link is provided on the Chelan County Website. A Copy of the Agenda may be reviewed online <https://www.co.chelan.wa.us/community-development/pages/planning-commission>

Chelan County has been recording Planning Commission meetings which will continue to be accessible on the Community Development Planning Commission web page shortly after the meeting takes place.

**Next Regular Meeting
November 19, 2025 at 6:30 PM**

** All Planning Commission meetings and hearings are open to the public.*



CHELAN COUNTY PLANNING COMMISSION MINUTES

Chelan County Planning Commission
Chelan County Community Development

Date: September 24, 2025

400 Douglas Street
Wenatchee, WA 98801

CALL TO ORDER

Meeting was called to order at 6:30 PM

COMMISSIONER PRESENT/ABSENT

Doug England	Present	James Wiggs	Present
Tammy Donaghue	Present	Christopher Dye	Present
Cherie Warren	Present	Jesse Redell	Present - zoom
Chris Willoughby	Present - zoom	Mike Sines	Present
Nik Moushon	Present		

STAFF PRESENT

Jessica Thompson, Permit Clerk
Susan Dretke, Planner
Deanna Walter, CD Director

PUBLIC PRESENT: Brigitte Ranne, Michelle Burchett, Len Geren, Ryan Walker, Mickey Fleming

PUBLIC PRESENT VIA ZOOM: Erica, Denis & Irmi Atam, Hanne Beener

Minutes:

Chairwoman Cherie Warren starts the meeting and takes roll.

She proceeds, asking the commissioners if they had read the minutes from the August 24th meeting.

Hearing no corrections, changes, or additions.

Motion:

Motion made by commissioner Donaghue, second by commissioner Moushon, to approve meeting minutes from August 24th Planning Commission Meeting.

Vote – Unanimous

Motion carries

PUBLIC COMMENT PERIOD FOR ITEMS NOT ON THE AGENDA

No public comment.

New Business:

HEARING: CPA 25-060 Geren - The applicant is requesting approval of a comprehensive plan map amendment in order to change the designation of 2 contiguous parcels totaling 9.63 acres from Rural Recreation/Residential 2.5 (RR 2.5) to Rural Village (RV). The properties in question are located at 6290 and 6302 Pioneer Dr. Cashmere, WA 98815 and further identified as Parcel Numbers: 23-19-06-140-225 and 23-19-06-140-200. The parcels are immediately adjacent to the southwest of the Urban Growth Area Boundary for the City of Cashmere.

Community Development Planner Susan Dretke presents the application materials for CPA 25-060.

Commissioners ask questions and deliberate.

The land owner's agent, Ryan Walker, responds to inquiries from commissioners and offers further information about the project.

Commissioners deliberate.

Motion made by Commissioner Sines, second by Commissioner Donaghue to deny CPA 25-060.

Commissioners deliberate.

Vote- The following commissioners cast yes votes to deny approval: Sines, Willoughby, and Warren, respectively. Commissioners Moushon, England, Dye, Wiggs, Donaghue, and Redell vote against denial.

Motion Failed

MOTION:

Motion made by Commissioner Dye, second by Commissioner Redell to approve CPA 25-060.

Vote- The following commissioners cast yes votes to approve: Moushon, Englund, Dye, Wiggs, Donaghue, and Redell, respectively. Commissioners Sines, Warren, and Willoughby do not approve.

Motion Carries

HEARING: PBRS 25-161 Grubb Family Investments LLC - An application requesting approval of an 'open space' classification for 18.95 acres of land pursuant to the Public Benefit Rating System. The applicant has requested a 50% reduction due to the land containing one high priority resource and the provision of limited public access. The four parcels included in the application were previously planted with fruit trees and run as part of a family owned and operated commercial tree fruit operation. The parcels are currently vacant. The property is located on Grubb Road southwest of the Malaga Alcoa Hwy; Assessor Parcel Numbers: 22-20-25-925-685, 22-20-25-925-675, 22-20-25-925 670, & 22-20-25-925-710.

Community Development Planner Susan Dretke presents the application materials for PBRS 25-161.

Commissioners ask questions and deliberate.

MOTION:

Motion made by Commissioner Wiggs, second by Commissioner England to approve PBRS 25-161

Vote- Unanimous

Motion Carries

HEARING: ZTA 25-101 PBRS - Code text amendment for Title 14.22, Open Space Public Benefit Rating System regarding text amendments to address public benefit, criteria for rating, adjust maximum allowable tax reductions and allow for periodic review of open space designated parcels.

Community Development Planner Susan Dretke presents the application materials for PBRS 25-161.

Commissioners ask questions and take public comment.

Vote- The following commissioners cast yes votes to approve: Moushon, Englund, Dye, Wiggs, Donaghue, and Redell, respectively. Commissioners Sines, Warren, and Willoughby do not approve.

PUBLIC COMMENT:

1. Mickey Flemming
2. Bridget Ramy
3. Denis Atam
4. Hanne Beener
5. Mickey Flemming

Commissioners deliberate.

Motion made by Commissioner Dye to approve ZTA 25-101 as presented.

Vote- The following commissioners cast yes votes to approve: Moushon, Wiggs, Sines, and Dye, respectively. Commissioners Warren, Willoughby, England, Redell, and Willoughby do not approve.

Motion Failed

Commissioners agree to continue the hearing for ZTA 25-161 to October 22nd.

Chairwoman Warren closes the public comment and continues the hearing for ZTA 25-161 to October 22nd at 6:30pm.

Old Business:

Discussion at the Chair's Discretion:

ADJOURNMENT

Meeting Adjourned at 8:36 p.m.

Next Planning Commission Meeting to be held on October
22, 2025, at 6:30 pm

**All Planning Commission meetings and hearings are open
to the public**

CHAPTER 14.22 OPEN SPACE PUBLIC BENEFIT

Sections:

14.22.010 Purpose

14.22.020 Definitions

14.22.030 Process

14.22.040 Application Requirements

14.22.060 Open Space Public Benefit Criteria

14.22.065 Owner Notification of Revised Valuation

14.22.070 Severability

14.22.010 Purpose

Chapter 84.34 of the RCW was enacted by the Washington State Legislature in 1970 for the purpose of maintaining, preserving, conserving, and otherwise continuing in existence open space lands for the production of food, fiber and to assure the use and enjoyment of natural resources and scenic beauty for the economic well-being of the state and its citizens. This chapter provides a rating system pursuant to RCW Chapter 84.34 for the evaluation of open space lands and does not include and will not be used to assess agricultural or designated forest and timber land, pursuant to WAC 458-30, 458-40-530 and 458-40-540, as amended.

14.22.020 Definitions

Words used in this chapter are defined under Chelan County Code Chapter 14.98 and RCW 84.34.020, unless a different meaning is required by the context. In the case of reference to a specific regulation or department, the definitions within the referenced regulation shall prevail. In the case of the dispute or confusion, reference shall be made to Webster's Dictionary, Black's Law Dictionary or the New Illustrated Book of Development Regulations.

14.22.030 Process

All applications for Open Space Public Benefit shall be processed in the following manner:

1. Applications and fees shall be collected prior to or on the first Tuesday in September for processing by December 31st of the same year.
2. Review of applications shall be completed using the criteria of this chapter.
3. All applications received shall be reviewed by the Planning Commission for a recommendation prior to review and determination by the Board of Chelan County Commissioners.

14.22.040 Application Requirements

All applications for Open Space Public Benefit shall be made using the appropriate form adopted by Chelan County Community Development Department, consistent with CCC 14.06.010 and, at a minimum, shall include the following:

1. The total number of acres within the area to be considered for rating;
2. A narrative statement describing the resources present, ~~and~~ the type of public access to be provided and a public benefit rating sheet, see C-2 in Title 14 Appendix A; and
3. A verification of payment from the County Treasurer. The verification must indicate that all taxes, assessments, fees, fines and/or penalties of land have been satisfied. The Board of Chelan County Commissioners shall not consider an application without the Treasurer's certificate.

~~4. The Board of Chelan County Commissioners shall not consider an application without the Treasurer's certificate.~~

~~54.~~ For applicants requesting points for a conservation easement with Chelan County, the applicant shall provide a title report to ensure no judgments are outstanding against the parcel.

14.22.060 Open space public benefit criteria.

The public benefit rating system shall be used to value property for tax assessment purposes as provided in this program. This system and the amount of property tax reduction are based upon the number of eligibility points for which a property or a portion of a property qualifies.

Eligibility. The following must be met in order to be eligible for a tax reduction under the Public Benefit Rating System:

1. The site for consideration must contain a minimum of ten acres of defined priority resource unless modified in the provisions below.
2. Unlimited public access shall be provided to the open space resource unless prohibited by state or federal law or justification can be provided of why unlimited access cannot be granted.

~~All lands within Chelan County obtaining the required points under the valuation schedule (see C-1 in Section 14.22.080, Appendix A—Charts) and meeting the requirements of the public benefit rating system are eligible for consideration under this program. Additionally, lands containing structures are generally not eligible for consideration except where they are appurtenant to the priority resource.~~

(2) Eligibility Points. ~~Eighteen kinds of open space priority resources are identified in the public benefit rating system for classification as open space.~~ Detailed definitions and criteria for classification have been developed for each priority resource.

Eligibility and the public benefit rating system are based on a point system. The point system is composed of the following rating factors:

(A) Priority Resources. Resources are rated according to high or medium priority.

High equals ~~five~~ one points, medium equals ~~three~~ one-half points.

(B) Public Access. Points are accrued according to type of access.

Unlimited access equals ~~eight~~ one, limited access ~~(due to resource sensitivity)~~ equals ~~six~~ one-half, ~~limited access (seasonal and/or upon special arrangements) equals four, no public access equals zero.~~

(C) Bonus Categories. Variable points are accrued with regard to special conditions. Lands with at least one priority resource, a conservation easement, and public access qualify for the largest valuation reduction. (Up to a maximum of 25%)

(3) Priority Resources and Eligibility Point System. Lands which contain the following priority resources may be eligible for classification as open space, as outlined in this chapter:

~~(A) High Priority Resources. Five points one point each (seven categories maximum from subsections (3)(A) and (B) of this section).~~ Limited to one resource per application.

(i) Archaeological Sites.

Definition: All sites and locations of prehistorical or archaeological interest including but not limited to burial sites, camp sites, rock shelters, caves, and the artifacts and implements of the culture.

Data Source: Location and details of known sites are on file at the Washington State Office of Archaeology and Historic Preservation and the Chelan County P.U.D.

Eligibility: Eligible lands are those which are:

(a) On file at the Washington State Office of Archaeology and Historic Preservation; or

(b) On file with the Chelan County public utility district; or

(c) Verified by an expert in the field as containing the same features and acceptable by the State Office of Archaeology and Historic Preservation for addition to their inventory.

(ii) Farm and Agricultural Conservation Land.

Definition: Land that is traditional farmland, grazing land, or range land, may have been classified under agricultural open space, has not been irrevocably devoted to a use inconsistent with agricultural uses, or has a high potential for returning to commercial agriculture.

Data Source: Chelan County department of community development data (such as zoning maps, GIS data, etc.) and Chelan County assessor records will be used to determine if lands are presently zoned and/or classified as agricultural.

Eligibility: Commercial farm lands not presently classified under agricultural open space and meeting the definition of farm and agricultural land under RCW [84.34.020](#) and zoned for agricultural use.

(iii) Fish-Rearing Habitat: Ponds and Streams I.

Definition: Types 1, 2, 3, 4, and 5 waters as defined by WAC [222-16-030](#).

Data Source: Catalog of Washington Streams, Washington State Department of Fish and Wildlife.

Eligibility:

(a) Eligible lands contain water bodies designated as Types 1 through 5 by the Washington State Department of Natural Resources.

(b) The eligible area must include a minimum of three hundred feet of contiguous shoreline length or ponds and lakes greater than one-half acre. Eligible contiguous upland buffer area (any area beyond the ordinary high water mark) is limited to one acre per one hundred feet of shoreline length for streams and four times the lake or pond area.

(iv) Shoreline Environment.

Definition: A lake or stream shoreline and its “associated wetlands” as defined by WAC [173-18-080](#).

Data Source: Chelan County shoreline master program and WAC [173-18-080](#).

Eligibility: Eligible lands are those identified as shoreline environments and their associated wetlands in the Chelan County shoreline master program. Only those lands in the actual shoreline classification adjacent to the water shall be eligible for the public benefit rating system. This area encompasses two hundred feet upland from the ordinary high water mark, that area in the one-hundred-year floodplain, or the edge of the associated wetland boundary, whichever is greater. Use restrictions shall be placed within these areas and no forest practice shall take place.

(v) Historical Sites.

Definition: A building, structure, or site which is of significance to the county’s cultural heritage, including, but not limited to, Native American and pioneer settlements, old buildings, forts, trails, landings, bridges, or the sites thereof, together with interpretive facilities, and which is identified on a local, state, or national register of historic places.

Data Source: National Register of Historic Places, Washington State Register of Historic Places/Washington Heritage Register, and future local registers.

Eligibility: Properties eligible for open space classification are lands associated with properties listed on a state or national register or any local register of historic places which is developed in the future.

Improvements to the land, ~~including structures, not related to the historic site~~, are not eligible.

~~(vi) Private Recreation Areas.~~

~~Definition: An area devoted to facilities and equipment for recreational purposes, including swimming pools, tennis courts, golf courses, playgrounds, and other similar uses whether the use of such area is limited to private membership or open to the public upon the payment of a fee. Recreational vehicle parks are not eligible.~~

~~Data Source: No county inventory available.~~

~~Eligibility: Eligible lands are those meeting the above definition. Improvements to the land, including structures, will not be eligible. Lands with clubhouses, restaurants, parking areas, and other nonrecreation structures are not eligible.~~

~~(vii) Rural Open Space Outside Urban Growth Areas.~~

~~Definition: One or more acres of land located within two miles of an urban growth area designated by Chelan County. However, land which is open only to those paying a membership or initiation fee shall be considered open to the public only if the following conditions are met:~~

~~(a) Membership or other access is available without discrimination on the basis of race, religion, sexual orientation, creed, ethnic origin, or gender; and~~

~~(b) In the case of land affording recreational opportunities, it is open to use by organized groups from schools, senior citizen organizations, or bona fide educational or recreational organizations managed by a governmental entity or sponsored by an organization qualifying for tax exempt status under subsection 501(c)(3) of the Internal Revenue Code upon payment of no more than a reasonable user fee.~~

~~Data Source: Urban growth areas as designated within Chelan County comprehensive plans.~~

~~Eligibility: Eligible lands are those meeting the definition above.~~

(viii) Significant Wildlife Habitat Area.

Definition: An area which is characterized by the presence of important habitats and species or other animals in such frequency and diversity for critical ecological processes occurring, such as breeding, nesting, nursery, feeding, migration, and resting.

Data Sources: Washington State Department of Natural Resources, Natural Heritage Program Database (Tier 1 Wetlands) and Natural Area Preserves; shoreline master program for Chelan County; and Washington State Department of Fish and Wildlife, Priority Habitats and Species Database.

Eligibility:

(a) “Tier 1” wetlands identified by the Washington State Department of Natural Resources, Natural Heritage Program; or

(b) Shoreline environments, where a minimum of three hundred feet of contiguous shoreline length is included, and the contiguous upland buffer area (any area beyond ordinary high water mark, one-hundred-year floodplain, or associated wetland boundary) is no greater than one acre per one hundred feet of shoreline length; or

(c) Sites located within or adjacent to migration corridors identified by the Washington State Department of Fish and Wildlife, specifically the Squilchuck Creek Area, Navarre Coulee, Knapp Coulee, and future migration corridors; or

(d) Class I wetlands regulated under the Chelan County critical areas ordinance; or

(e) Important habitats and species regulated under the Chelan County critical areas ordinance; or

(f) Sites located adjacent to natural area preserves (NAP) as identified by the Washington State Department of Natural Resources, including Upper Dry Gulch NAP, Entiat Slopes NAP, Larkspur Meadows NAP, and future natural area preserves.

(g) Eligible lands include those that meet the definition above and the following conditions:

(l) The resources are confirmed by the data sources indicated or identified by either the appropriate state agency or a competent professional whose findings are substantiated by the appropriate state agency.

(II) The resources are included within a habitat management plan developed by a qualified wildlife habitat biologist that includes the following conditions the owners agree to follow:

- (1) Land use limitations needed for the long-term viability of the important species or habitat;
- (2) Limitations for access by humans and domesticated animals, as needed;
- (3) Management measures that will enhance the species' viability, if needed; and
- (4) Recommended review intervals for at least the following twenty years.

(ix vii) Special Plants Sites.

Definition: Those vascular plant species defined as being either endangered, threatened, or sensitive species in the Washington State Department of Natural Resources, Natural Heritage Program.

Data Source: Location and details of known sites are on file in the Natural Heritage database at the Washington State Department of Natural Resources, Natural Heritage Program.

Eligibility: Eligible sites are those in the Natural Heritage database or which are verified by an expert in the field as containing the same plants and which are acceptable by the state agency for addition to the database.

(x viii) Urban Growth Area Open Space.

Definition: One or more acres of land and located within the boundaries of an urban growth area designated by Chelan County. ~~However, land which is open only to those paying a membership or initiation fee shall be considered open to the public only if the following conditions are met:~~

~~(a) Membership or other access is available without discrimination on the basis of race, religion, sexual orientation, creed, ethnic origin, or gender; and~~

~~(b) In the case of land affording recreational opportunities, it is open to use by organized groups from schools, senior citizen organizations, or bona fide educational or recreational organizations managed by a governmental entity or sponsored by an organization qualifying for tax exempt status under subsection 501(c)(3) of the Internal Revenue Code upon payment of no more than a reasonable user fee.~~

Data Source: Urban growth areas as designated within Chelan County comprehensive plans.

Eligibility: Eligible lands are those meeting the definition above.

(xi ix) Trail Linkage.

Definition: Land used as a public urban or rural off-road trail linkage for pedestrian, equestrian, bicycle, or other uses which remains in private ownership. The trail linkage shall be no less than fourteen feet in width and the owner provides a trail easement to an appropriate public or private entity, acceptable to Chelan County as to form. Such an easement must be recorded with the Chelan County assessor within four months of the granting of a tax reduction for the property. Use of motorized vehicles is prohibited on trails receiving tax reductions in this category, except in the case of medical or police emergencies.

Data Source: Copy of recorded or proposed easement for review by Chelan County community development department.

Eligibility: Eligible site properties must be used as a public urban or rural trail linkage which remains in private ownership. The amount of land may be of less than any minimum size prescribed in any other category; provided, that the trail linkage and buffer shall be no less than fourteen feet in width, unless the reviewing agency determines that, for linkage purposes, an exception to this provision is allowable and the owner agrees to provide a trail easement, acceptable as to form to Chelan County, or to an eligible and appropriate public or private entity. The trail must be primarily off-road and separated from any road by at least twenty-five feet, unless the reviewing agency determines that for linkage purposes an exception to this provision is allowable. Sidewalks within a road right-of-way are not intended to qualify under this category. Fencing is not allowed within the right-of-way unless the fence is along a property line. Gates are only allowable subject to review and approval of the existing gate, proposed gate, or proposed replacement gate by the appropriate local parks division.

(xii) Aquifer Protection Area.

Definition: Those areas designated in the Chelan County critical areas ordinance as aquifer recharge areas.

Data Source: No inventory available.

Eligibility: Eligible sites are those meeting the above definition. Certain uses may be restricted due to the sensitive nature and function of the land. Native vegetation must be preserved or a plan for revegetation utilizing native vegetation must be submitted and approved.

(xiii) Surface Water Quality Buffer Area I.

Definition: An undisturbed zone of native growth vegetation adjacent to a lake, pond, river, stream, or wetland that will benefit a surface water body by protecting water quality and reducing erosion. To be considered a surface water quality buffer area, the property owner must provide livestock restrictions (fencing), if necessary, or be subject to a conservation plan approved by the natural resources conservation district.

Data Source: Catalog of Washington Streams, Chelan County shoreline master program, Chelan County critical areas ordinance, National Wetlands Inventory Maps.

Eligibility: Eligible lands must meet the definition above. In addition, the area must be preserved from clearing or intrusion by domesticated animals or structures. All such lands in or adjacent to pasture land must be fenced to prevent intrusion by domesticated animals. The buffer width is measured upland from the ordinary high water mark or the outer edge of a regulated wetland. The buffer does not include the body of water waterward of the ordinary high water mark or the wetland itself. There are two ways for eligible lands to meet these requirements:

- (a) Provide at least fifty percent additional buffer width beyond that required by regulation; or
- (b) Fence existing livestock out of the buffer required by regulation.

(B) Medium Priority Resources. ~~Three points~~ one-half point each. (Limited to one resource per application)

(i) Public Lands Buffer.

Definition: Lands lying adjacent to neighborhood parks, forests, wildlife preserves, natural area preserves, or sanctuaries.

Data Source: Washington State Department of Natural Resources Public Lands Map.

Eligibility: Lands being buffered shall be in public ownership.

(ii) Fish-Rearing Habitat: Ponds and Streams II.

Definition: Small lakes, over one-half acre in size, and streams and creeks located within a well-defined channel that carry a perennial flow throughout the year (ninety percent of the time or more) that are used in the life cycles of anadromous fish, based on data compiled by the Washington State Department of Fisheries and other agencies with appropriate expertise, and which also support anadromous fish.

Data Source: Catalog of Washington Streams, Washington State Department of Fish and Wildlife.

Eligibility: Eligible lands are those meeting the definition above. The area to be included encompasses two hundred feet upland from the ordinary high water mark or the edge of a wetland associated with that water body, whichever is greater. Use restrictions may be placed on these areas. Sites cannot qualify for both fish-rearing habitat: ponds and streams categories.

(iii) Scenic Vistas or Resources.

Definition: An area of natural features which is visually significant to the aesthetic character of the county and is visible from a public right-of-way.

Data Source: No inventory available.

Eligibility: Eligibility will be evaluated based on the following criteria:

~~(a) Historically significant view corridors which are visible to significant numbers of the general public from a public right-of-way.~~

~~(b)~~ a Areas designated as scenic highways or byways by a federal, state, or local government agency or an organization qualifying for tax exempt status under subsection 501(c)(3) of the Internal Revenue Code whose primary mission is the preservation of scenic vistas.

~~(c)~~ b Eligible lands must be of sufficient size to preserve substantially the scenic resource value and must contain a minimum of ten acres.

(iv) Geological Features.

Definition: Those special features that are unique in Washington, which can be destroyed easily, and which can be effectively protected in a natural area, generally including but not limited to special geologic locations (fossils), works of geomorphology (waterfalls), works of glaciation (patterned ground), and other special geological occurrences.

Data Source: Washington State Department of Natural Resources, Natural Heritage Plan.

Eligibility: Minimum area eligible for classification, whether in single or multiple ownerships, is ninety percent of the feature. Eligibility for geological features must be verified by a qualified geologist. A qualified geologist is a person who has earned a degree in geology from an accredited college or university, or a person who has equivalent educational training and has experience as a practicing geologist.

~~(v) Fee Recreation and Public Access Parking.~~

~~Definition: An area that has designated parking for the public and fee recreational activities. All recreational activities and fees collected must be administered by a nonprofit organization. The nonprofit organization shall have qualified and be certified as a nonprofit organization under subsection 501(c)(3) of the Internal Revenue Code.~~

~~Data Source: Not available.~~

~~Eligibility: Eligible sites are those in which the recreational activity is present and parking is provided. The site may not have been developed to its maximum potential under its current zoning classification.~~

(C) Bonus Categories. The following categories contribute to or in some way enhance the public benefit of the priority resources. Where applicable, the priority resource qualifications specify if they can be combined with other similar priority resources.

~~(i) Resource enhancement/restoration: five points.~~

~~Definition: Enhancement of a resource eligible for points under the PBRS.~~

~~Data Source: No inventory available.~~

~~Eligibility: Eligible lands are those that:~~

~~(a) Are eligible to receive points for the resource being enhanced; and~~

~~(b) Have an official enhancement plan developed in cooperation with the Natural Resources Conservation Service, the U.S. Fish and Wildlife Service, and/or the Department of Fish and Wildlife, which contains clear steps and timelines for completion.~~

~~(c) Eligible lands will be reviewed at the time projected for completion of the enhancement work and re-rated for open space classification if the enhancement plan has not been completed. The Chelan County community development department has discretion to allow extensions for completing enhancement work only with a written enhancement plan revision by the agency which developed the original plan.~~

~~(ii) Surface water quality buffer area II: three or five points.~~

~~Definition: A riparian or wetland buffer width of at least twice that required by the Chelan County critical areas ordinance or shoreline master program.~~

~~Data Source: Catalog of Washington Streams, Chelan County shoreline master program, Chelan County critical areas ordinance, and National Wetlands Inventory Maps.~~

~~Eligibility: Sites qualifying under the "surface water quality buffer area" receive additional points through the provision of additional buffer which is preserved from clearing and livestock intrusion.~~

~~Three additional points are awarded for buffers no less than two times the buffer required by the applicable ordinance, and five additional points are awarded for buffers no less than three times the buffer required by the applicable ordinance. Sites cannot qualify for points under both the priority resource and the bonus category.~~

~~(iii) Contiguous parcels under separate ownership: two points.~~

~~Definition: Contiguous parcels of land with the same open space resources, regardless of whether under the same ownership or not, are eligible for treatment as a single parcel if open space classification is sought under the same application. "Contiguous parcels" are defined as parcels abutting each other without any significant natural or manmade barrier separating them or parcels abutting a publicly owned open space but not necessarily abutting each other without any significant natural or manmade barriers separating the publicly owned open space and the parcels seeking open space classification or each other in the event that they do abut.~~

~~Data Source: Not applicable.~~

~~Eligibility: Treatment as contiguous parcels shall include the requirement to pay only a single application fee, and the requirement that the total area of all parcels combined must equal or exceed any required minimum (rather than each parcel being required to meet such minimums). Parcels given this contiguous parcels bonus must all be accepted under identical terms and conditions of access, easements, and restrictions. Individual parcels may be withdrawn from open space classification consistent with all applicable rules and regulations without affecting the continued eligibility of all other parcels accepted under the same application; provided, that the combined area of the parcels remaining in open space classification must equal or exceed any minimum size requirement established in the PBRs and that access to the remaining parcels is not affected. Contiguous parcels must meet the following conditions:~~

~~(a) The application must include two or more parcels.~~

~~(b) The owners of parcels included in the application must agree to identical terms and conditions for inclusions in the program.~~

(iv) Conservation/historic easement: ~~eight~~ one-half points.

Definition: An easement that restricts, in perpetuity, further potential development or other uses of a property and which may include a requirement for native growth protection.

Process: A conservation or historic easement is a legal means by which a landowner can voluntarily set permanent limitations on the future use of land thus protecting the land's particular attributes. The easement is conveyed to a qualifying conservation organization or public agency, but the land remains in private ownership and the owner retains full control over public access. Donation of a conservation or historic easement may also qualify as a charitable deduction on federal income, estate, or gift taxes.

Provisions: A conservation easement shall include those interests or rights authorized to be held or acquired by RCW [84.34.210](#) or [64.04.130](#). Among other things, a landowner could convey his rights to harvest timber, graze the property, subdivide, develop, construct additional roads, hunt, excavate, etc. Conservation easements, in some cases, have been applied to land which is developed, but the

easement provides for the retention of a specific natural area that contains an important resource or habitat.

Historic easements apply to historically important lands and to historic structures that are listed on the National Register of Historic Places (or are located in and contribute to the historic significance of a National Register Historic District). The easement typically results in a limitation on land development or structure modification which will ensure the ongoing preservation of a historic parcel of land or a historic structure and its setting.

Generally, the organization or agency receiving the easement may not conduct any development or management activities on the land, but usually has only the rights to inspect the property periodically to ensure that the terms of the easement are carried out and to enforce the easement in court if necessary.

~~(D) Super Bonus Category (One Hundred Percent Reduction). The following category contributes to or in some way enhances the public benefit of the priority resources. Where applicable, the priority resource qualifications specify if they can be combined with other similar priority resources.~~

~~(i) At least one high priority resource and public access and a conservation easement.~~

~~(E-D) Public Access. The following category contributes to or in some way enhances the public benefit of the priority resources. Where applicable, the priority resource qualifications specify if they can be combined with other similar priority resources.~~

~~(i) While public access is not required for most categories of open space, some degree of access is encouraged for all lands enrolled in the open space tax program unless access would be harmful to the resource, such as sensitive plants or animals. The kind of public access proposed shall be stated on the application request, e.g., a certain seasonal period, unlimited, signed nature trail, etc. When public access is proposed, it may be made a condition of approval by the board of Chelan County commissioners as provided in RCW 84.34.037.~~

Types of Access:

~~(a) Unlimited public access: **eight one points**. This provision provides for year-round access by any member of the public without specialized interest in the resource.~~

~~(b) Limited public access **(due to resource sensitivity): six one-half points**. When access to a parcel is to be limited due to the sensitive nature of the resource, the access shall be provided only to appropriate user groups. The activities of those user groups shall generally be limited to scientific, educational, or research purposes. Those appropriate user groups may include but not be limited to university researchers, Audubon Society, Nature Conservancy, Native Plant Society, or other organizations with specialized interest in the resource.~~

~~(c) Limited public access **(seasonal and/or upon special arrangements): four points**. Access to the public is allowed, unless prohibited by state or federal law, with or without special arrangements with the property, for any period of less than the full year (seasonal access).~~

~~(d) No public access: zero points. No public access is allowed or members only access which is restricted at all times to members of the organization utilizing the land.~~

(ii) ~~Where public access is provided, access~~ Access points shall be awarded according to physical accessibility as well as owner willingness for public access. No access points shall be awarded if the property is not reasonably accessible.

~~For properties where public access is provided, t~~The county may furnish and maintain a standardized sign or require the applicant to furnish and maintain a standardized sign designating the property as part of the open space tax program.

(iii) Limitations of Public Access. As a condition of granting open space classification, the legislative body may not require public access on land classified under RCW [84.34.020](#)(1)(b)(iii) for the purpose of promoting conservation of wetlands. (Res. 2014-38 (Atts. A, B) (part), 4/15/14; Res. 2012-99 (Att. A (part)), 10/30/12).

14.22.065

Once the county legislative authority adopts an open space plan, rating system, and assessed valuation schedule, the planning commission or other designated agent of the legislative authority must assign a recommended number of priority rating points to all land classified as open space using the adopted rating system.

The planning commission or agent will forward this recommendation to the county legislative authority for approval. After the number of priority rating points are assigned and approved, this information will be sent to the assessor.

The assessor will determine the new assessed value of the classified open space land based on the number of priority rating points assigned and the adopted assessed valuation schedule. Thereafter, the assessor must notify all owners of such land of the new assessed value of their land in the manner provided in RCW [84.40.045](#).

(a) Within thirty days of receipt of this notice of the new assessed value, the owner may request that the parcel(s) of land be removed from the open space classification without payment of additional tax, interest, or penalty.

(b) If previously classified open space land does not qualify for classification under the newly adopted open space plan and rating system, the assessor is not to remove the land from the open space classification. This land will retain its status as classified open space land. The assessor will determine the value of this land using the new priority rating system and valuation schedule.

14.22.070 Severability.

If any section, subsection, sentence, clause or phrase of this title is, for any reason, held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this title, it being hereby expressly declared that this title, and each section, subsection, sentence, clause, and phrase hereof, would have been prepared, proposed, adopted, approved, and ratified irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared invalid and unconstitutional. (Res. 2012-99 (Att. A (part)), 10/30/12).

14.22.080 Appendix A—Charts.

Numbers	Title
C-1	Valuation Schedule
C-2	Public Benefit Rating Sheet

C-1 Valuation Schedule		
Public Benefit Rating Points	Reduction in Fair Market Value	Current Use Value
0-4	0%	100%
5-10 <u>1</u>	50% <u>10%</u>	50% <u>90%</u>
11-15 <u>1.5</u>	60% <u>15%</u>	40% <u>85%</u>
16-20 <u>2</u>	70% <u>20%</u>	30% <u>80%</u>
21-34 <u>2.5+</u>	80% <u>25%</u>	20% <u>75%</u>
35+	90%	10%
Super Bonus	100%	0%

High Priority Resources: ~~5 Points~~ 1 Point Each
(7 categories 1 category maximum from High and Medium Priority Resource)

☐	Archaeological Sites
☐	Farm and Agricultural Conservation Land
☐	Fish-Rearing Habitat: Ponds and Streams I
☐	Shoreline Environments
☐	Historical Sites
☐	Private Recreation Areas
☐	Rural Open Space Close to Urban Growth Area
☐	Significant Wildlife Habitat Area
☐	Special Plants Sites
☐	Urban Growth Area Open Space
☐	Trail Linkage
☐	Aquifer Protection Area
☐	Surface Water Quality Buffer Area I

Bonus Categories

☐	Resource Enhancement/Restoration: 5 Points
☐	Surface Water Quality Buffer Area II: 3 or 5 Points
☐	Contiguous Parcels Under Separate Ownership: 2 points
☐	Conservation/Historic Easement: 8 Points

Public Access

☐	Unlimited Access: 8 Points <u>1 Point</u>
☐	Limited Access <u>.5 Point</u> (due to resource sensitivity): 6 Points
☐	Limited Access (seasonal and/or special arrangements): 4 Points
☐	No Public Access: 0 Points

☐ **Subtotal points from Bonus and Public Access**

Medium Priority Resources: ~~3 Points~~ .5 Point Each

☐	Public Lands Buffer
☐	Fish-Rearing Habitat: Ponds and Streams II
☐	Scenic Vista or Resources
☐	Geological Features
☐	Fee Recreation and Public Access Parking

☐	Subtotal points from High and Medium Priority Resources
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Super Bonus Category

Does the site meet the three criteria?

Check box if "Yes" to all (~~100%~~ 25% Reduction)

☐	Yes/No	One high priority resource
☐	Yes/No	<u>Unlimited</u> Public access
☐	Yes/No	Conservation easement

☐	Grand Total (Add subtotals)
☐	Reduction from Valuation Schedule



CHELAN COUNTY

Department of Community Development
316 Washington Street, Suite 301, Wenatchee, WA 98801
Telephone: (509) 667-6225 Fax: (509) 667-6475

SEPA NOTICE ISSUANCE OF DETERMINATION OF NON-SIGNIFICANCE (DNS)

Project Amendments to Chelan County Section 14.22
Description:
File Number: PL 2025-101 (Code Text Amendments)
Parcel Number: County Wide
Applicant/Owner: Chelan County
316 Washington St. Ste. 301
Wenatchee, WA 98801
Lead Agency: Chelan County Department of Community Development

An application for code text amendments to Chelan County Code Section 14.22 Open Space Public Benefit.

The lead agency for this proposal has determined that it does not have a probable significant impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). The decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public upon request.

This Determination of Non-Significance is issued under WAC 197-11-340(2), and the comment period will end at 5:00 p.m. on September 27, 2025.

Responsible Official: Deanna Walter, Director / SEPA Responsible Official
Address: Chelan County Department of Community Development
316 Washington Street, Suite 301
Wenatchee, WA 98801
Phone: (509) 667-6225

Signature:

Deanna Walter

Deanna Walter, SEPA Responsible Official

Date:

9/9/25

THANK YOU

We have received your amendment submission. Please allow 1-3 business days for review. Please keep the Submittal ID as your receipt and for any future questions. We will also send an email receipt to all contacts listed in the submittal.

Submittal ID: 2025-S-9851

Submittal Date Time: 09/09/2025

Submittal Information

Jurisdiction	Chelan County
Submittal Type	60-day Notice of Intent to Adopt Amendment
Amendment Type	Comprehensive Plan Amendment

Amendment Information

Brief Description

Proposed Code text amendment for Title 14.22, Open Space Public Benefit Rating System regarding text amendments to address public benefit, criteria for rating, adjust maximum allowable tax reductions and allow for periodic review of open space designated parcels.

- ☐ Yes, this is a part of the 10-year periodic update schedule, required under RCW 36.70A.130.
- ☐ Yes, this is action includes changes to Urban Growth Boundaries.

Planning Commissions Date 09/24/2025

Board of County Commissioners Date 10/07/2025

Anticipated/Proposed Date of Adoption 11/10/2025

Categories

Submittal Category
Annual Docket
Comprehensive Plan
Land Use
Open Space
Rural Lands

Attachments

Attachment Type	File Name	Upload Date
Comprehensive Plan Amendment - Draft	Code Attachments.pdf	09/09/2025 03:36 PM
SEPA Materials	ZTA 25-101 - SEPA Checklist.pdf	09/09/2025 03:36 PM
SEPA Materials	ZTA 25-101 PBRS - DNS signed 9.9.25.pdf	09/09/2025 03:36 PM
Supporting Documentation or Analysis	DRAFT #2 REVISIONS CHAPTER 14 PBRS.pdf	09/09/2025 03:38 PM

Contact Information

Prefix

First Name

Last Name

Title

Work

Cell

Email

Ms.

Deanna

Walter

Community Development Director

(509) 667-6228 Ext 6228

deannac.walter@co.chelan.wa.us

☐ Yes, I would like to be contacted for Technical Assistance.

Certification

☒ I certify that I am authorized to submit this Amendment for the Jurisdiction identified in this Submittal and all information provided is true and accurate to the best of my knowledge.

Full Name

Email

Jessica Thompson

jessicak.thompson@co.chelan.wa.us



CHELAN COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT
316 WASHINGTON STREET, SUITE 301
WENATCHEE, WA 98801
(509) 667-6225

TO: Chelan County Planning Commission
FROM: Chelan County Community Development
HEARING DATE: October 22, 2025
FILE NUMBER: ZTA 2025-248 Development Regulation Text Amendments

RECOMMENDED MOTION

The Chelan County Planning Commission may make a motion to recommend approval or denial to the Chelan County Board of County Commissioners of the proposed Development Regulation Text Amendments, pursuant to Chelan County Code Section 14.10.050. Suggested Findings of Fact and Conclusions of Law, which may be modified, are included in this staff report.

Staff finds that the proposed Development Regulation Text Amendments to provide regulatory support and clarification, given file number ZTA 2025-248, comply with Chelan County Countywide Planning Policies and the Growth Management Act based upon the findings of fact and conclusions of law contained within the October 8, 2025 staff report.

GENERAL INFORMATION

Applicant	Chelan County
Planning Commission Notice of Hearing Published	October 8, 2025
Planning Commission Hearing	October 22, 2025
60-day State agency review	Initiated October 2, 2025
SEPA Determination	October 9, 2025

SEPA Environmental Review

A Determination of Non-Significance was issued under WAC 107-11-340 for ZTA 2025-248 on October 9, 2025 (Attachment 1). The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). The decision was made after a review of a completed environmental checklist and other information on file with the lead agency.

Agency Comments:

None received to date. (If received prior to hearing, will be Attachment 2)

Public Comment:

None received to date. (If received prior to hearing, will be Attachment 2)

60-Day Notice

Sent to Department of Commerce October 2, 2025. (Letter of acknowledgement included as Attachment 3).

PROJECT DESCRIPTION – ZTA 2025-248

The Board of County Commissioners has requested regulation text amendments to numerous titles to the Chelan Code as part of the GMA annual update. These text amendments would provide regulatory support and clarification. These proposed changes include amendments to Chelan County Code Titles 7, 11, 12, and 14.

Title 7 – 7.35.030 Public Disturbance Noises would be deleted and replaced with noise regulations from WAC 173-60-040. New language would also regulate amplified in AC zones and defines Class A, B, and C noise environments.

Title 11-Zoning Multiple changes are proposed to Title 11 Zoning, see below for details.

11.04.020 District Use Chart

1. Wireless Communication Facilities-changes would affect the placement of Wireless Communication Facilities changing them to CUP's in the RR5, RR2.5 and AC zones and prohibiting them in the RW, RRR and RV zones.
2. Change use from Recreation/Tourist Uses to Small Scale Recreation and Tourism to match other sections of code. Revised footnote #2 so that 11.93.330 is referenced in addition to the comprehensive plan.
3. Adds Farmstay as a CUP in Rural Residential, Agricultural Commercial and Forest Commercial zones as long as properties meet the definition of agricultural lands found in RCW 84.34.

11.88.170(10)(E) Vehicles - clarifies that on-site parking of vehicles would be limited per parcel rather than per dwelling unit.

11.88.170(10)(F) Placement of Temporary storage Containers - revisions would allow permanent placement of shipping containers for personal storage and includes measures that require building permits if over 288 square feet and that the container must be altered to blend in with the surrounding residential uses.

11.93.330 Recreational vehicle parks/campground- eliminates small scale recreational and tourist uses from meeting development regulations for campgrounds.

11.93.370 Small-scale recreational or tourist use- Language is revised to eliminate provision for short term visitor accommodations from the use and adds in language allowing development of no more than 5 RV parking sites on agricultural defined lands in the rural area. The new section also includes development criteria.

11.97.015 Nonconforming Structures the proposed changes would allow a nonconforming building due to setbacks to be converted into an accessory dwelling as long as all other building requirements were met.

Title 12 Land Divisions

12.14.050(2) Restricts 20-acre parcels recognized under a Certificate of Exemption from further activity under a Boundary Line Adjustment for a period of five years.

12.18.005 Purpose- eliminates requirement that the county issue a certificate of exemption for boundary line adjustments.

12.18.020 Boundary line adjustments and applications-grants the county authority to waive a written narrative as a requirement for boundary line adjustment applications and combines two criteria into one that evidence must be provided that lots within a proposed boundary line adjustment are legal lots of record as defined in county code.

12.18.030 Boundary line adjustment criteria – eliminates all but one existing approval criteria and replaces it with all new criteria which addresses location of adjusted lot lines, protects access, requires compliance with plat and short plat conditions if part of a subdivision, prohibits lots to become substandard, and disallows the increase of nonconformity to any lots.

Title 14.98 Definitions

14.98.XXX adds a definition of a boundary line adjustment.

14.98.1795 small scale recreation and tourism- eliminates references to short term accommodations.

COMPREHENSIVE PLAN

Chelan County conducts an annual review of development regulation text amendments for compliance with the adopted Comprehensive Plan. The Comprehensive Plan represents the long-term vision for future land uses and development. For the county-initiated text amendments, the merits of the requested change must be demonstrated as being consistent with adopted goals and policies.

The following Comprehensive Plan goals and policies are relevant to the proposed request for ZTA 25-248:

Policy LU 1.1: Promote improved neighborhood character and compatibility through unified design and site requirements for both site built homes and manufactured and modular housing.

Policy LU 1.2: Protect residential neighborhoods from impacts associated with incompatible land uses through application of development standards and permit conditioning.

Policy RE 4.1: Permit rural development of small scale recreational, tourist, and resort uses that rely on a rural location and setting, including commercial facilities to serve such uses, provided they do not include new residential development and are otherwise consistent with other goals and policies of this plan.

GOAL AL 1: Support the viability of agriculture and encourage the continued use of rural and resource lands for agriculturally related land uses.

Policy AL 1.3: Encourage the maintenance of agricultural lands in current use property tax classification consistent with RCW 84.34, the Open Space Taxation Act.

Policy AL 1.6: Support public and private programs and efforts to ensure the viability of the agricultural industry.

Policy AL 1.9: Develop regulations promoting agriculture-related accessory uses on existing farms to supplement farm income, improve farming efficiency, and provide employment for farm family members.

Policy FL 1.2: Promote multiple uses of forest resource lands where such uses do not eliminate or limit commercial forest resource management.

REVIEW CRITERIA

The proposals were analyzed based on existing code provisions and past practices or when readily available, within existing County resources. While each proposed amendment may or may not have met all the criteria, the proposals must be weighed by their individual and collective impacts. Additionally, agency and public comment play a role in understanding potential impacts to surrounding land uses, impacts to rural character, and how the amendment may serve the general public's interest.

Pursuant to Chelan County Code (CCC) Section 14.13.040, the following review criteria were used to evaluate the proposed amendments:

1. *The amendment is necessary to resolve a public land issue or problem* ([CCC 14.13.040\(1\)](#)) (code amendment)

Finding of Fact: All proposed amendments are in response to either legislative changes at the state level or have been raised as issues of concern by the Chelan County Board of Commissioners to be addressed during the annual comprehensive plan and development regulation update.

Clarifying amendments to Titles 7, 11, 12, and 14 provide the public with a clear and predictable code, and the county with more consistent application of the code.

The proposed amendments would create regulatory support for public nuisance noises, provide new alternatives for income generation for agricultural properties, address compatibility concerns regarding wireless communication facilities and clarify the intent and purpose of boundary line adjustments as minor land use actions.

Conclusion: The amendments are necessary to resolve a public land use issue or problem.

2. *The amendment is consistent with goals of the Growth Management Act, Chapter 36.70A RCW.* ([CCC 14.13.040\(2\)](#)). (code amendment) *The amendment complies with or supports...county-wide planning policies.* ([CCC 14.13.040\(3\)](#)) (code amendment)

Finding of Fact: RCW 36.70A.020 describes 13 planning goals to guide the adoption of comprehensive plans and development regulations for counties and cities planning under the Growth Management Act. These goals include, but are not limited to:

(2) *Reduce sprawl. Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.*

According to WAC 458-61A-109, a boundary line adjustment is a “legal method to make **minor** changes to existing property lines between two or more contiguous parcels.” (emphasis added). It has become common practice in the county to utilize the Certificate of Exemption (COE) and Boundary Line Adjustment (BLA) code to create large, low density sprawling developments without the benefit of subdivision review. The proposed code changes would limit the use of the COE and BLA in tandem to eliminate this practice, thus reducing sprawl and confirm the use of BLA’s as a minor change to property lines.

(5) Economic development. Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.

A portion of this proposal intends to amend Title 11, to conditionally allow a low impact business activity in agricultural areas within Chelan County. This low impact activity, if created, would help existing agricultural producers develop additional income streams from their property.

Conclusion: The proposal is consistent with the goals of the Growth Management Act and any applicable county-wide planning policies.

3. *The amendment complies with or supports comprehensive plan goals and policies... [\(CCC 14.13.040\(3\)\)](#) (code amendment)*

Finding of Fact: The proposed amendments to the development regulations would support numerous goals and policies within the Land Use, Rural Element, Housing and Economic Development and Agricultural Resource Lands sections of the Comprehensive Plan by clarifying existing development standards for consistent and clear application of the code, along with providing new economic development opportunities for rural and agricultural properties.

Conclusion: The proposed amendments support the Chelan County comprehensive plan goals and policies.

4. *The amendment does not adversely affect lands designated as resource lands of long-term commercial significance or designated critical areas in ways that cannot be mitigated; [CCC 14.13.040\(4\)](#) (code amendment)*

Finding of Fact: The amendments affecting resource lands would allow those lands to be used in ways compatible with their resource designations and use.

Conclusion: This amendment does not adversely affect lands designated as resource lands of long-term commercial significance or designated critical areas in ways that cannot be mitigated.

5. *The development regulation amendment is based on sound land use planning practices and would further the general public health, safety and welfare. [\(CCC 14.13.040 \(5\)\)](#) (code amendment)*

Finding of Fact: The proposed development regulation amendments would provide relief to properties experiencing nuisance noises, would allow for additional compatible uses of resource lands, would limit boundary line adjustments to the original intent of minor lot line adjustments and would clarify ambiguous areas of code.

Conclusion: The proposed amendment serves the interests of both the applicant and the general public, including public health, safety, and welfare.

FINDINGS OF FACT

1. Chelan County adopted Title 14, Development Permit Procedures and Administration outlining provisions relating to the amendment of the Development Regulations consistent with RCW 36.70A. The County followed the procedures required for amendment of the development regulations.
2. The requirements of RCW 43.21C, the State Environmental Policy Act, and WAC 197-11, SEPA Rules, have been satisfied. To comply with the requirements of the State Environmental Policy Act for environmental review of a non-project action, the County, as lead agency issued a Determination of Non-significance on October 9, 2025.
3. The required State agency review with the Department of Commerce (COM) and other State agencies, pursuant to RCW 36.70A.106.
4. A request for amendments to Chelan County Code was made by Chelan County to provide regulatory support and clarifying language for clear and consistent application of the code, and for public predictability regarding application of the code.

CONCLUSIONS OF LAW

1. The amendments to the Chelan County development regulations are consistent with the requirements of the Growth Management Act (RCW 36.70A), Chelan County Comprehensive Plan and County-Wide Planning Policies.
2. The amendments are necessary to address a public land use issue or problem.
3. The amendments do not adversely affect designated resource lands of long-term commercial significance or designated critical areas in ways that cannot be mitigated.
4. Reviewing agencies and the general public were given an opportunity to comment on the proposed amendments.
5. The amendments are consistent with Chelan County Code Title 14 Development Permit Procedures and Administration.
6. The requirements of RCW 43.21C, the State Environmental Policy Act and WAC 197-11 SEPA Rules have been satisfied.
7. The adoption of these amendments is in the best interest of the public and furthers the health, safety, and welfare of the citizens of Chelan County.

ATTACHMENTS

1. SEPA Determination, published October 9, 2025
2. Agency and Public Comments (none at time of staff report issuance)
3. 60-day Review Acknowledgment Letter from WA Dept. of Commerce, dated October 2, 2025
4. Storage Vehicles and Storage Containers
5. WCF Revisions
6. Nonconforming Structures
7. Farmstays
8. COE

9. BLA
10. Noise



CHELAN COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT
316 WASHINGTON STREET, SUITE 301, WENATCHEE, WA 98801
TELEPHONE: (509) 667-6225

**SEPA NOTICE ISSUANCE OF
DETERMINATION OF SIGNIFICANCE (DNS)**

Pursuant to Title 14, Development Permit Procedures & Administration Section 14.08.030, Determination of Completeness, Chelan County Board of County Commissioners Resolution No. 2004-16, as amended.

Project Description: Proposed code amendments to Chelan County Code Titles 7,11,12 and 14.

File Number: ZTA 25-248
Parcel Number: Countywide
Parcel Address: N/A
Owner/Applicant: Chelan County
316 Washington St. Ste. 201
Wenatchee, WA 98801

Lead Agency: Chelan County Community Development

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). The decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public upon request. Pursuant to WAC 197-11-800(1)(b) the proposed development is not exempt from environmental review.

This DNS is issued under WAC 197-11-340(2), and the comment period will end at 5:00 p.m. on October 23, 2025.

Responsible Official: Deanna Walter – SEPA Responsible Official
Address: Chelan County Community Development
316 Washington St, Suite 301
Wenatchee, WA 98801
Phone: (509) 667-6225

Signature: Deanna Walter **Date:** 10/3/25



October 8, 2025

Chelan County
Department of Community Development
c/o Deanna Walter - Director
316 Washington St., Suite 301
Wenatchee, WA 98801
Via Email: DeannaC.Walter@co.chelan.wa.us

Re: Zoning Text Amendments to Titles 7, 11, 12 and 14 of the Chelan County Code (CCC) – Chelan County File No. ZTA 25-248

Dear Director Walter:

Residents Coalition of Chelan County (RC₃) submits the comments below on the proposed Zoning Text Amendments to Titles 7, 11, 12 and 14 of the Chelan County Code (CCC) associated with Chelan County File No. ZTA 25-248. Our comments follow the same order as the code changes provided in the underline/strikeout document included in the State Environmental Policy Act (SEPA) entry in the SEPA Register for the associated public comment period.

14.98.73X Farmstay

The County is proposing the following new definition:

Farmstay means a RV site accommodation unit used for short-stay guests on a farm or rural property which meets the definition of Farm and Agricultural land found in RCW 84.34.030(2).

We believe the correct RCW reference should be RCW 84.34.020(2).

The proposed code change document also indicates that “11.04020 Revised footnote #2 to also reference 11.93.330 in addition to the comp plan.” It is not clear why there would be a reference to 11.93.330 (Recreational vehicle parks/campground) when the proposed revisions to Small-Scale Recreational or Tourist Use exclude “tent and RV camp sites”. Perhaps the intention was to instead reference 11.93.370 (Small-Scale Recreational or Tourist Use)?

11.93.370 Small-Scale Recreational or Tourist Use

The proposed version of 11.93.370 includes a non-numbered section header that states “*The following uses and respective conditions shall apply in all zones except Commercial Agricultural (AC) and Commercial Forest (FC) zones:*”

First, the District Use Table in 11.04.020 does not allow these uses in Rural Industrial (RI) or Commercial Mineral Lands (MC) zone, so the reference to “*all zones*” is incorrect.

Second, the new proposed subsection (5) explicitly says that it applies only to Commercial Agricultural (AC) and Commercial Forest (FC) zones. This is just a structural issue with the proposed code. We suggest that the section header above be reworded to say:

The following uses and respective conditions shall apply in all zones allowed under 11.04.020, except as addressed in section (5) of this part:

Alternatively, subsection (5) could be a section separated from subsections (1) through (4) with appropriate section headers used. This would help eliminate any confusion.

In proposed subsection 11.93.370(1), it is indicated that “Commercial Agricultural (AC) and Commercial Forest (FC) zones” are defined below in subsection (5)(iii). However, subsection (5)(iii) contains no such definition. Perhaps the intent was for 11.93.370(1) to instead read:

Small-scale recreational and tourism uses include activities and facilities defined in Section 14.98.1795, except in Commercial Agricultural and Commercial Forest zones where such allowed activities and facilities are provided below in subsection (5).

In proposed subsection 11.93.370(2), the following change is made:

... , as well as ~~short term visitor accommodations such as lodges, cabins, tent an RV camp sites,~~ consistent with applicable ...

First, the text remaining after the deletion is made would not be grammatically correct.

Second, with this deletion, 11.93.370 would no longer be consistent with the definition of “Small-scale recreation and tourism in 14.98.1795, which currently reads (bold font for emphasis):

*“Small scale recreation and tourism” means a land use that relies on a setting to provide recreational or tourist use, including recreational center and commercial facilities to serve those uses, but that does not include new residential development. It includes activities and facilities such as, but not limited to, cultural/religious camps, retreat centers, **campgrounds, RV parks, lodges and cabin rentals, camping units,** outdoor equipment rentals, guide services, trails and trailhead facilities, and similar uses. Small scale recreational and tourist uses are of a size or intensity which has minimal impacts on the surrounding area and which makes minimal demands on the existing infrastructure and public service.*

To be consistent with the proposed revisions to 11.93.370(2), the definition in 14.98.1795 would need to be revised with the following deletion:

... It includes activities and facilities such as, but not limited to, cultural/religious camps, retreat centers, ~~campgrounds, RV parks, lodges and cabin rentals, camping units,~~ outdoor equipment rentals, guide services, trails and trailhead facilities, and similar uses. ”...

In a September 29, 2025, phone call between Brian Patterson (RC₃) and Susan Dretke (Chelan County Community Development), it was indicated that a change to 14.98.1795 would be proposed by the County, thus addressing RC₃'s comment. We therefore anticipate that this will be done.

In proposed subsection 11.93.370(5), the first paragraph ends with "... *as defined in RCW 84.34.030*". We believe that the code reference should instead be RCW 84.34.020(2).

RC₃ otherwise supports the proposed changes to 11.93.370.

14.98.XXXX Boundary Line Adjustment

12.18.005 Purpose

12.18.020 Boundary Line Adjustments Applications

12.18.030 Boundary Line Adjustment Criteria

In addition to cleaning up the code pertaining to boundary line adjustments (BLAs), it is our understanding that the intention of these changes is to ensure that landowners/developers cannot create subdivisions through the iterative application of BLAs and certificates of exemption (see CCC sections 12.02.020(3)(A) and 12.14.050) without going through the formal subdivision process as outlined in CCC 12.08 and other parts of Chapter 12 for non-exempt subdivisions.

The proposed addition of "14.98.XXXX Boundary Line Adjustment" reads:

Minor adjustment to property lines where at least two (2) existing property lines remain in their original location. although their length may change-

This sentence should end with "." instead of "-".

While this change will help to prevent the abusive use of BLAs in many cases, it will not by itself rule out the creation of subdivisions by landowners/developers through the use of BLAs and certificates of exemption. Surveyors working for developers would just get more creative.

In a September 29, 2025, phone call between Brian Patterson (RC₃) and Susan Dretke (Chelan County Community Development), it was indicated that the County had intended to also include a revision to CCC section 12.14.050 that would require a five-year pause between the use of a BLA and a certificate of exemption by a single landowner. This would further help to disincentivize the use of this mechanism to subdivide property outside of the more rigorous subdivision process in section 12 for non-exempt subdivisions.

While a five-year pause in this process might dissuade some developers from utilizing this process, other developers are likely to wait out this pause given the strong financial incentives to avoid the requirements of CCC Chapter 12 for non-exempt subdivisions.

This was recognized by the City of Chelan, which recently changed its BLA code for similar reasons. Instead of relying on a pause, Chelan changed the exemption criteria based on minimum lots sizes (previously 20 acres similar to the CCC) such that a minimum lot size for all lots created is now 640 acres (see Chelan Municipal Code 16.04.030(D)). This ensures that the combination of BLAs and certificates of exemption cannot be used to circumvent the normal subdivision process in nearly all cases.

RC₃ would prefer that the County modify CCC sections 12.02.020(3)(A) and 12.14.050 similar to the changes made to Chelan Municipal Code 16.04.030(D). If the County is not willing to do this, then we would like to see the pause extended to ten years instead of five. We believe this is necessary to prevent developers from circumventing the normal subdivision process.

RC₃ otherwise supports the proposed changes to these portions of the CCC related to BLAs.

7.35 Public Disturbance Noises.

RC₃ supports the amendment of Section 7.35.030 to substitute specified decibel levels for the current rather amorphous and subjective “sound which is a public disturbance noise.” We believe that incorporating specific, measurable decibel levels will aid enforcement efforts and eliminate the uncertainty for landowners that the present wording creates. We also believe, based on our research, that the decibel levels set forth in the amendment to this section, as well as the defined “source” properties and “receiving” properties, are reasonable and appropriate.

We offer these suggestions for your consideration:

We propose that amended section (2)(a), which reads “The noise limitations established are as set forth in the following table after any applicable adjustments provided for herein are applied” instead should read **“The noise limitations established are as set forth in the following table, subject to subparts (b) and (c) below.”** We believe this likely reflects the intention of the drafter, while making the provision more accurate.

Also, please note the typographical error in amended section (c), which reads “At any hour of the day or night the applicable noise limitations in **(a) and (b)** above may be exceeded for any receiving property by no more than....” For the sake of accuracy, we suggested that the words “the table” be substituted for the bolded language. We assume this is what was intended.

Also, note the typographical errors in the definition of Class C EDNAs: The word “normall” should read “normally” in both instances where it is used.

As for the “Note” concerning monitoring and enforcement of noise levels outside of business hours in respect to amplified music in outside seating areas, we appreciate the alternate suggestions posited to address this issue:

“A. Allow amplified music outdoors until a specified time (i.e. 8:00 pm) OR

B. Require that each facility conduct noise monitoring by a certified acoustical professional and submit a report to the county the next business day.”

RC₃ strongly favors option A in the above scenario. We believe the “self-policing” aspect of option B, particularly in that it logically will cause the landowner to incur expenses that they otherwise would not have, will prove unworkable and create additional headaches for Code Enforcement officials. Option A has the advantage of eliminating uncertainties and expenses for landowners and ease of enforcement for the County.

11.97.015 Nonconforming structures.

The proposed amendment to subsection (2) of this provision reads: “Conversion of an existing accessory nonconforming structure due to setbacks into an Accessory Dwelling Unit is permitted so long as it meets building requirements.”

We assume, although we have not confirmed, that this amendment was occasioned by the enactment of RCW 36.70A.681, allowing two ADUs per parcel in Urban Growth Areas. If that is the case, we cannot quibble with this amendment (although we have strong reservations about burdening all parcels in UGAs with two ADUs). We suggest, however, that the following would be an improvement on the current wording of the amendment to subsection (2):

“An existing accessory structure that is nonconforming under the current Code due to setback requirements may be converted to an Accessory Dwelling Unit as long as it meets building requirements.”

11.88.170 Storage-Vehicles and Storage Containers

RC3 supports most of the amendments to this section, in particular the amendment of Subsection (E) to provide that the number of vehicles that may be stored outside of an enclosed building (five) is per **parcel** rather than per **dwelling**.

As for the proposed amendment to Subsection (F), we agree with most of these revisions, but suggest a revision to proposed subpart (iv), which currently reads:

“Cargo container, railroad cars and semi-truck trailers and other similar storage containers shall be modified to reflect the residential character of the lot and surrounding neighborhood. Examples of modifications included but are not limited to: siding materials, pitched roof, removal of wheels and other similar features.”

We offer the following redraft for your consideration:

“Cargo container, railroad cars and semi-truck trailers and other similar storage containers shall be modified to reflect the residential character of the lot and surrounding neighborhood in all material respects, including but not limited to, siding material, roof pitch, and other material aesthetics. Wheels must be removed from all such storage containers.

11.04.020 District Use Chart.

We fully support the amendments to the District Use Chart pertaining to Wireless Communication Facilities such that a Conditional Use Permit is required to locate such facilities within zoning districts RR5, RR2.5, and AC. We believe this is an improvement and clarification of the current District Use Chart. We also support eliminating such facilities as a “permitted use” in zoning districts RW, RRR, and RV.

Page 6 of 6

Please contact RC₃ Board President Julie McCoy (julie@juliemccoylaw.com) with any questions or comments.

Sincerely,

A handwritten signature in blue ink, appearing to read "Julie McCoy". The signature is fluid and cursive, with the first name "Julie" and last name "McCoy" clearly distinguishable.

Residents Coalition of Chelan County
Board of Directors



STATE OF WASHINGTON
DEPARTMENT OF COMMERCE
1011 Plum Street SE • PO Box 42525 • Olympia, Washington 98504-2525 • (360) 725-4000
www.commerce.wa.gov

10/02/2025

Ms. Deanna Walter
Community Development Director
Chelan County
316 Washington Street Suite 301
Wenatchee, WA 98801

Sent Via Electronic Mail

Re: Chelan County--2025-S-9956--60-day Notice of Intent to Adopt Amendment

Dear Ms. Walter:

Thank you for sending the Washington State Department of Commerce (Commerce) the 60-day Notice of Intent to Adopt Amendment as required under [RCW 36.70A.106](#). We received your submittal with the following description.

proposed Development Regulation Text the Chelan Code, numerous titles, to provide regulatory support and clarification. This includes amendments to the Chelan County Code, specifically Titles 7, 11, 12, and 14,

We received your submittal on 10/02/2025 and processed it with the Submittal ID 2025-S-9956. Please keep this letter as documentation that you have met this procedural requirement. Your 60-day notice period ends on 12/01/2025.

We have forwarded a copy of this notice to other state agencies for comment.

Please remember to submit the final adopted amendment to Commerce within ten days of adoption.

If you have any questions, please contact Growth Management Services at reviewteam@commerce.wa.gov, or call Jo Anne Wright, (509) 601-0385.

Sincerely,

Review Team
Growth Management Services

DRAFT 11.88.170 Storage-Vehicles and Storage Containers

Section 11.88.170

(10) Vehicle and Other Storage.

(A) Outside storage shall be maintained in an orderly manner and shall create no fire, safety, health or sanitary hazard;

(B) Required front yard areas shall not be used for storage;

(C) Commercial/Industrial Storage. Every reasonable effort shall be made by persons operating a business to store all such materials within an enclosed building with the following exceptions:

(i) Where inside storage is not practical or desired for reasons related to health, fire or safety codes;

(ii) Where outside storage of merchandise is a normal and standard practice;

(D) Uninstalled mobile/manufactured homes or buildings from other sites, see Section 11.88.160;

(E) Vehicles. Unless addressed within a municipal urban growth area, no more than a combined total of five cars, boats, trucks or recreational vehicles per dwelling unit per parcel may be stored outside of an enclosed building on any lot, with no more than three of the five being inoperable vehicles regulated under Section 11.88.100. An exemption to this provision is the storage of operable agricultural equipment used for agricultural purpose.

(F) Placement of ~~Temporary~~ Storage Containers:

(i) Zoning Districts. ~~Temporary Storage~~ containers on rural residential zoned property are permitted only for the purpose of storage of household goods or personal items and not for commercial use or rent. during construction of the permanent residence.

(ii) Duration. ~~During construction on a lot or parcel pursuant to a valid building permit.~~ No limits

(iii) Size. ~~No greater than two hundred eighty-eight square feet total.~~ A building permit is required for any Storage Container larger than 288 square feet.

~~(iv) Removal. Temporary storage containers must be removed prior to final building inspection or the issuance of a certificate of occupancy for the permanent residence.it~~

(iv) Cargo container, railroad cars and semi-truck trailers and other similar storage containers shall be modified to reflect the residential character of the lot and surrounding neighborhood. Examples of modifications include but are not limited to; siding materials, pitched roof, removal of wheels and other similar features.

11.04.020 District Use Chart

PUBLIC/GOVERNMENT USES													
	RR20	RR10	RR5	RR2.5	RW	RRR	RV	RC	RI	RP	AC	FC	MC
Wireless Communication Facilities	P(4)	P(4)	CUP(4)	CUP(4)	P(4)	P(4)	P(4)	P(4)	P(4)	P(4)	CUP(4)	P(4)	

11.97.015 Nonconforming structures.

- (1) No structure or part of a structure shall be erected, moved, reconstructed, extended, enlarged, remodeled, repaired, or altered, except in conformity with all current Chelan County development regulations, except as permitted in this chapter.
- (2) Remodeling, alterations, or repairs to a nonconforming structure may occur so long as the construction is in compliance with current building codes. Conversion of an existing accessory nonconforming structure due to setbacks into an Accessory Dwelling Unit is permitted so long as it meets building requirements.
- (3) That portion of a nonconforming structure which is conforming to all Chelan County regulations may be expanded so long as the use of the structure is also conforming. For example, if a structure is nonconforming due to a front yard setback encroachment, that portion of the structure outside of the front yard setback may be expanded.
- (4) If required to meet the snow load requirements, a mobile or manufactured home may place a snow cover, meeting the building requirements, over an existing nonconforming mobile or manufactured home at the minimum size necessary to cover the home.
- (5) If a nonconforming structure is damaged or destroyed by accident, act of nature, or public enemy, it may be permitted to be rebuilt in the same footprint, and equal to or less than the square footage prior to damage, and for the same use; provided, a building permit application is submitted to Chelan County community development within three years after the structure(s) has been destroyed. If a building permit application is not submitted within three years, all future structures shall be in conformity with current Chelan County regulations.
- (6) No expansion shall encroach on setbacks or critical areas, unless allowed by code. (Res. 2018-8 (Att. A) (part), 1/30/18).

14.98.73X Farmstay

Farmstay means a RV site accommodation unit used for short-stay guests on a farm or rural property which meets the definition of Farm and Agricultural land found in RCW 84.34.030(2).

11.04.020 Change use from Recreation/Tourist Uses to Small Scale Recreation and Tourist and add use of Farmstay as CUP in all RR zones and AC and FC and reference footnote #2

USE/ACTIVITY	RR20	RR10	RR5	RR2.5	RW	RRR	RV	RC	RI	RP	AC	FC	MC
<u>Farmstay</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>							<u>CUP</u>	<u>CUP</u>	

11.04020 Revised footnote #2 to also reference 11.93.330 in addition to the comp plan

11.93.330 Recreational vehicle parks/campground.

The following minimum conditions shall apply to major recreational vehicle (RV parks/campgrounds, and minor recreational vehicle (RV) parks/campgrounds, ~~and small-scale recreational and tourist uses:~~

14.98.1795 Small scale recreation and tourism.

“Small scale recreation and tourism” means a land use that relies on a setting to provide recreational or tourist use, including recreational center and commercial facilities to serve those uses, but that does not include new residential development. It includes activities and facilities such as, but not limited to, cultural/religious camps, retreat centers, ~~campgrounds, RV parks, lodges and cabin rentals, camping units,~~ outdoor equipment rentals, guide services, trails and trailhead facilities, and similar uses. Small scale recreational and tourist uses are of a size or intensity which has minimal impacts on the surrounding area and which makes minimal demands on the existing infrastructure and public service. (Res. 2020-68 (Exh. C) (part), 6/16/20: Res. 2014-38 (Atts. A, B) (part), 4/15/14: Res. 2012-78 (part), 8/14/12)

11.93.370 Small-scale recreational or tourist use.

The following uses and respective conditions shall apply in all zones except Commercial Agricultural (AC) and Commercial Forest (FC) zones:

(1) Small-scale recreational and tourism uses include activities and facilities defined in Section 14.98.1795, except in Commercial Agricultural and Commercial Forest zones.

(2) Facilities and activities that may occur within small-scale recreational or tourist uses include administrative and storage buildings, meeting/conference facilities, recreational facilities including but not limited to trails, equestrian facilities, interpretive and/or educational facilities, ball fields, swimming pools, exercise facilities/gymnasiums, as well as ~~short-term visitor accommodations such as lodges, cabins, tent and RV camp sites~~, consistent with applicable building codes and the requirements of this code.

(3) No more than six thousand five hundred square feet of gross floor area shall be devoted to buildings and structures for each ten acres of land area within the project site. Caretakers' residences authorized herein may be in addition to the six thousand five hundred square feet of gross floor area for other buildings and structures.

(4) One single-family dwelling unit may be allowed for each twenty acres of land within the project site for the use of on-site staff or landowner. ~~The permitted residence may be a detached residential unit, or it may be part of an overall structure that includes additional services, as allowed by existing building codes, including but not limited to: an office, convenience store, recreation/game room, laundry, bathrooms/showers, etc. Such facilities are intended to serve the needs of the park facility users and staff only.~~ New residential development shall not be permitted on the site for year-round or second home residential housing, except as permitted herein for an on-site manager, caretaker, or landowner.

~~(5) Lodging facilities associated with small-scale recreational or tourist uses shall meet the following standards:~~

~~(A) Permitted lodges may include additional services to be located within the structure, as allowed by existing building codes, including but not limited to the following: office, convenience store, recreation/game facilities, laundry, bathrooms, showers, etc. Such facilities are intended to serve the needs of the park facility users and staff only. Commercial uses shall not be opened and/or available for use by the general public.~~

~~(B) Campground/RV parks shall have no more than twenty camp or RV sites or any combination thereof to the maximum of twenty.~~

~~(C) As approved by the hearing examiner, short-term/temporary occupancy of recreational vehicles for a time period of not more than ten days during any sixty-day period is permitted.~~

~~(D) Mixed use development allows the option to create up to five units within a lodge or five cabin units, and fifteen RV or tent sites, provided all other applicable provisions of this section are met.~~

(5) The following uses and respective conditions shall apply to small scale recreational/tourist uses (Farmstays) in the Agricultural Conservation (AC) and Forest Conservation (FC) zones and any other RR zoned property which meets the definition of Farm and Agricultural Land as defined in RCW 84.34.030.

(i) Facilities and activities that may occur within small-scale recreational or tourist uses include agricultural accessory buildings, recreational facilities including but not limited to trails, interpretive and/or educational facilities for agritourism experiences, and Farmstay accommodations in the form of self-contained RV camp sites, consistent with applicable building codes and the requirements of this code.

(ii) No more than three thousand square feet of gross floor area shall be devoted to agricultural structures within the project site.

(iii) Self-contained RV sites are subject to the following conditions:

(a) RV sites shall not be permitted in any area determined by the County to be unsuitable for such development because of poor drainage, physical topography, soil characteristics, rock formations, or other features that may be harmful to the public health, safety or general welfare.

(b) No more than five RV sites are allowed and they must be located in a single cluster.

(c) As approved by the hearing examiner, temporary occupancy of recreational vehicles for a time period of not more than ten days during any sixty-day period is permitted.

(d) Utilities in the form of water, sewage disposal shall not be provided. Electrical connections are allowed.

(e) The minimum area of an RV site shall be one thousand two hundred fifty square feet.

(f) All RV sites shall meet the applicable zoning requirements for setbacks from public and private roads, side and rear property lines.

(g) Screening landscaping shall be provided such that the project site remains visually compatible with the surrounding rural agriculture views.

(h) All lighting shall be designed so as to eliminate light and glare spillover onto adjoining properties pursuant to CCC 11.88.080.

(i) At a minimum, all access roads shall be on an adequate base, graded and surfaced to provide a dustless, all-weather surface and approved by the Department of Public Works, Washington State Department of Transportation and/or the Fire Marshal's office.

(j) All overnight guests must be provided the opportunity to participate in an agricultural tourism experience related to existing farm operations including but not limited to: U-pick, classes, guided tours, farm product tasting, farm product production, etc.

(Res. 2014-38 (Atts. A, B) (part), 4/15/14; Res. 2007-98 (part), 7/2/07; Res. 2006-114 (part), 8/29/06; Res. 2002-101 (part), 7/16/02; Res. 2002-8 (part), 1/15/02; Res. 2001-60 (part), 4/17/01; Res. 2000-129 (part), 10/17/00. Formerly 11.93.360).

12.14.050 Exemption categories and criteria.

The administrator may approve certificates of exemption based on one or more of the following exemption categories:

- (1) Platted Lots of Record. Any lot that is wholly within the boundaries of a recorded major subdivision, short plat or assessor's plats.
- (2) Over Twenty-Acre Lots. Any lot that is twenty or more acres or one-thirty-second of a section (RCW [58.17.040\(2\)](#)). **Any such lot recognized through this method may not be included in an application for a Boundary Line Adjustment for a period of five years.**
- (3) Laws of Descent. Any lot created by testamentary provisions or the laws of descent (RCW [58.17.040\(3\)](#)).
- (4) Division by Intervention. A lot created or reconfigured by a public road or intervening ownership. An open, maintained, forest service road is considered a public road for purposes of this exemption.
- (5) Public Use and Interest. A certificate of exemption may be issued for the purpose of dividing property to be deeded to the county, any city, taxing district, governmental body or utility provider authorized to hold land for public use and benefit based on such public use and interest when the administrator can determine that the general public health, safety, and welfare will not be compromised by issuing a certificate of exemption; and provided, that:
 - (A) The remaining portion of property has sufficient lot area, and meets all other criteria to comply with applicable Chelan County regulations; and
 - (B) A notice to title is recorded with the Chelan County auditor's office stating, "This public use land segregation was created solely for purposes of public use and benefit, in conformance with the provisions of Section [12.14.050\(9\)](#). Any subsequent conveyance of this property for purposes other than that approved pursuant to Section [12.14.050\(9\)](#) shall comply with all current Chelan County Code requirements for subdivision and development at the time of such conveyance and subsequent property development"; and
 - (C) A record of survey for the segregated property, prepared by a professional land surveyor licensed by the state of Washington, shall be submitted.
- (6) Historic Division. A lot created prior to October 17, 2000. The applicant shall provide recorded documentation to the administrator and/or other evidence to demonstrate the date of lot origination.
- (7) Reasonable Use. A lot that exhibits an extraordinary history or unusual circumstances that, in the judgment of the administrator, warrants issuance of a certificate of exemption to cure an inequity based on an unreasonable private loss when compared to relatively insignificant public benefit by maintaining the status quo. The administrator must enter a finding that the general

DRAFT Certificate of Exemptions Changes

public health, safety, and welfare will not be compromised by issuing a certificate of exemption. May be processed through Chapter [11.98](#) when deemed appropriate by the administrator.

(8) Innocent purchaser pursuant to RCW [58.17.210](#).

~~(9) Improved Lots. A lot that has previously received a building permit or land use permit from community development; provided, that the lot configuration is identical to the configuration at the time of building permit issuance.~~

~~(10) Parcel Remnant. A lot that originated as a result of being left over from an original parent parcel as a result of county approval of a short plat or major subdivision.~~

~~(11)~~ (9) Cemeteries and other burial plots while used for that purpose

DEFINITIONS (new):

14.98 XXXX Boundary Line Adjustment

Minor adjustment to property lines where at least two (2) existing property lines remain in their original location. although their length may change-

12.18.005 Purpose.

The purpose of this chapter is to provide a process and standards for boundary line adjustments consistent with RCW 58.17.040(6). Boundary line adjustments are exempt from Washington State and Chelan County's subdivision requirements under certain specific conditions. This procedure is intended to provide an efficient, low-cost procedure to affirm changes to existing property lines. ~~Chelan County shall issue a certificate of exemption for boundary line adjustments in conformance with the requirements and/or provisions of this title or to aggregate existing lots.~~ The boundary line adjustment may not be used to accomplish the purposes for which platting, replatting, plat alterations, or plat vacations were intended and required. (Res. 2010-68 (Exh. A) (part), 7/13/10).

12.18.020 Boundary line adjustments applications.

The following items shall be submitted for proposed boundary line adjustments on eight and one-half inch by eleven inch or eight and one-half inch by fourteen-inch sheets with one-inch margins on all sides and a three-inch top margin on the first page:

- (1) A written narrative describing the proposal including, but not limited to, the number of lots involved, the nature of surrounding properties and existing access, unless waived by the county;
- (2) A signed, dated, and notarized statement of indemnification, consent and waiver of claims, executed by the deeded owner of record. (Lien holders and other parties of interest are not required to sign the application.);
- (3) Written legal descriptions for the existing parcel(s) and written legal descriptions for the proposed adjusted or combined parcel(s);
- ~~(4) A plat certificate, dated within one hundred twenty days. The administrator may waive this requirement when it is determined by the administrator that the boundary line adjustment is minor;~~
- ~~(5) A copy of an original plat (or portion showing subject area) or the plat number/name for the subject property, as applicable;~~
- (4) Evidence that all lots within the proposed boundary line adjustment are legal lots of record pursuant to 14.98.1090.
- ~~(6)~~ (5) A scale drawing of the existing and proposed lots indicating present boundary lines as dashed and proposed boundary lines as solid; all lot measurements in feet; zoning; existing and proposed lot areas; the location of existing improvements such as buildings, wells and drainfields, if known; roads, easements, and other pertinent features.

~~(7)~~ (6) The applicant shall agree to and sign, on forms provided by Chelan County, an agreement to indemnify, release and hold Chelan County harmless for any losses or claims which may result from the inability of Chelan County to issue building/development permits for lots, tracts or parcels for which approval of a boundary line adjustment has been issued including but not limited to the following: lack of legal or physical access; water availability for domestic and/or irrigation purposes; and suitability of parcels for on-site sewage disposal. (Res. 2010-68 (Exh. A) (part), 7/13/10).

12.18.030 Boundary Line Adjustment Criteria

All boundary line adjustment requests shall be subject to the following criteria:

(1) A boundary line adjustment shall not result in the creation of any additional lots, sites, tracts, or parcels.

~~(2) A boundary line adjustment shall not create any lot, tract, parcel or division which contains insufficient area and dimension to meet minimum requirements for width and area for a building site as established herein, except as allowed in subsection (6) of this section, nor shall such adjustment or adjustments create a building setback violation.~~

~~(3) Lots may be reoriented within the perimeter of the contiguous lots.~~

~~(4) A boundary line adjustment shall not violate or be inconsistent with any conditions for approval of a previously filed plat or binding site plan.~~

~~(5) Only legal lots of record shall qualify for a boundary line adjustment.~~

~~(6) Lots resulting from a boundary line adjustment shall conform with the minimum lot size requirements of Title 11, Zoning, in effect at the time the application is submitted except:~~

~~(A) Whenever the boundary adjustment includes one or more existing parcels that do not conform with the lot size requirements; provided, that no lot becomes smaller than the smallest nonconforming lot, and the change does not result in more than one additional conforming lot becoming nonconforming; or~~

~~(B) Whenever deviations from the lot size requirements are required to accommodate natural features related to topography and/or terrain that establish natural physical barriers or boundaries; or~~

~~(C) Whenever deviations from the lot size requirements are required to accommodate structures such as buildings, roads, driveways, fences, utilities, drain fields, ditches or similar structures in existence prior to June 20, 2006; or~~

~~(D) Whenever deviations from the lot size requirements are required to accommodate developed open space such as orchards, parks or similar improved, cultivated or developed open space areas; or~~

~~(E) Whenever the boundary adjustment includes two or more existing parcels the parcels may be adjusted to provide one or more lots which meet or exceed the minimum lot size for the associated zoning district and only one parcel may be adjusted to result in a fractional lot, if permitted within the zoning district~~

DRAFT BLA Changes

~~minimum lot size standard. No future fractional lot(s) may be created for any parcel associated with a boundary line adjustment completed using this criteria.~~

(2) The proposed BLA is consistent with applicable development restrictions and the requirements of the general development standards of CCC Title 11.

(3) The proposed BLA will not cause boundary lines to cross a UGA boundary, cross or bisect on-site sewage disposal systems, prevent adequate access to water supplies, or obstruct fire lanes.

(4) The proposed BLA will not detrimentally affect access, access design, or other public safety and welfare concerns. The evaluation of detrimental effects may include review by the county health department, the department of public works, the county fire marshal or any other agency or department with expertise.

(5) The proposed BLA will not change existing access to the properties or create new access which is unsafe or detrimental to the existing road system because of sight distance, grade, road geometry, or other safety concerns, as determined by the department of public works.

(6) If within an approved subdivision, short subdivision, or binding site plan, the proposed BLA will not violate conditions of approval of that subdivision, short subdivision or binding site plan.

(7) The proposed BLA will not cause any lot that conforms with lot area or lot width requirements to become substandard.

(8) The proposed BLA may not increase the nonconformity of lots that are substandard as to lot area and/or lot width requirements.

7.35.030 Public Disturbance Noises.

~~It is unlawful for any person to unreasonably cause or make, or for any person in possession of property to allow to originate from the property, sound which is a public disturbance noise. Public disturbance noises include the creation of loud, raucous, frequent, repetitive or continuous sounds that exceed a reasonable person standard so as to disturb or interfere with the peace, comfort and repose of another. (Res. 2012-36 (part), 4/30/12).~~

(1) No person shall cause or permit noise to intrude into the property of another person which noise exceeds the maximum permissible noise levels set forth below in this section.

(2)(a) The noise limitations established are as set forth in the following table after any applicable adjustments provided for herein are applied.

<u>edna of</u> <u>noise source</u>	<u>edna of</u> <u>receiving property</u>		
	<u>Class</u> <u>A</u>	<u>Class</u> <u>B</u>	<u>Class</u> <u>C</u>
<u>class</u> <u>a</u>	<u>55</u> <u>dBA</u>	<u>57</u> <u>dBA</u>	<u>60</u> <u>dBA</u>
<u>class</u> <u>b</u>	<u>57</u>	<u>60</u>	<u>65</u>
<u>class</u> <u>c</u>	<u>60</u>	<u>65</u>	<u>70</u>

(b) Between the hours of 10:00 p.m. and 7:00 a.m. the noise limitations of the foregoing table shall be reduced by 10 dBA for receiving property within Class A EDNAs.

(c) At any hour of the day or night the applicable noise limitations in (a) and (b) above may be exceeded for any receiving property by no more than:

(i) 5 dBA for a total of 15 minutes in any one-hour period; or

(ii) 10 dBA for a total of 5 minutes in any one-hour period; or

(iii) 15 dBA for a total of 1.5 minutes in any one-hour period.

(3) At no time shall outdoor amplified music be allowed in the Commercial Agriculture (AC) designation without an approved Conditional Use Permit for Places of Public and Private Assembly which identifies and addresses, time, location and frequency standards, along with monitoring criteria.

Identification of environments (WAC 173-60-030)

Class A EDNA - Lands where human beings reside and sleep. (Residential Areas)

Class B EDNA - Lands involving uses requiring protection against noise interference with speech. (Commercial Areas)

Class C – Lands involving economic activities of such a nature that higher noise levels than experienced in other areas is normal to be anticipated. Persons working in these areas are normal covered by noise control regulations of the Department of Labor and Industries, (Industrial Areas)

NOTE: Monitoring and enforcement of noise levels outside of business hours, particularly amplified music at venues with outside seating areas, has consistently been a challenge. In order to address the issue, two suggestions have been put forward which could be added to CCC Section 11.93.15 Place of Private and Public Assembly approval criteria.

They are:

- A. Allow amplified music outdoors until a specified time (i.e. 8:00 pm) OR
- B. Require that each facility conduct noise monitoring by a certified acoustical professional and submit each report to the county the next business day.