



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, November 5th, 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/86571174630?pwd=aCUxHN4HWcaXCRnnqJfAf6tUCnrThV.1>

Meeting ID: 865 7117 4630

Passcode: 616214

Meeting to Order

I. Administrative

- A.** Review/Approval of Minutes from October 22nd, 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

- IV. CONTINUED 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.

A.

V. New Business

VI. Discussion, at the Chair's discretion

VII. 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: October 22, 2025

400 Douglas Street
Wenatchee, WA 98801

CALL TO ORDER

Meeting was called to order at 6:31 PM

COMMISSIONER PRESENT/ABSENT

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

STAFF PRESENT

Jessica Thompson, Permit Clerk
Susan Dretke, Planner

PUBLIC PRESENT: Brigitte Ranne, Michelle Burchett, Mickey Fleming

PUBLIC PRESENT VIA ZOOM: Brian P.

Minutes:

Vice Chairman Doug England starts the meeting and takes roll.

He proceeds, asking the commissioners if they had read the minutes from the September 24th meeting.

Commissioner Willoughby addressed corrections to the September 24th meeting minutes.

Hearing no additional corrections, changes, or additions.

Motion:

Motion made by commissioner Moushon, second by commissioner Willoughby, to approve meeting minutes with corrections from September 24th Planning Commission Meeting.

Vote – Unanimous

Motion carries

PUBLIC COMMENT PERIOD FOR ITEMS NOT ON THE AGENDA

No public comment.

New Business:

Old Business:

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.

Chairwoman Warren opens the continued public hearing.

Community Development Planner Susan Dretke gives a brief introduction.

Commissioners deliberate.

Motion:

Motion made by commissioner Moushon, second by commissioner Sines, to approve a 25% maximum deduction.

Commissioners deliberate.

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

Motion Failed

Motion:

Motion made by commissioner England, second by commissioner Redell, to approve a 50% maximum deduction.

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

Motion passed

Motion:

Motion made by commissioner England, second by commissioner Donaghue, to approve the proposed revision to section 14.22 of the Chelan County Code with corrections to the evaluation table.

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

Motion passed

Hearing for ZTA 25-101 PBRS closes.

Chairwoman Warren opens the public hearing for:

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.

Community Development Planner Susan Dretke presents the proposed revisions to Titles 7, 11, 12, and 14.

Commissioners deliberate.

Public Comment:

- Brian Pattersen

Commissioners continue deliberation.

Chairwoman Warren continued the hearing for ZTA 25-248 to November 5th, 2025 at 6:30 p.m.

Discussion at the Chair's Discretion:

ADJOURNMENT

Meeting Adjourned at 8:35 p.m.

Next Planning Commission Meeting to be held on November
5, 2025, at 6:30 pm

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



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" written in a larger, more prominent script than the last name "McCoy".

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.