



CHELAN COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT

**2022 Comprehensive Plan & Zoning Text
Amendment Staff Report**

TO: Chelan County Planning Commission
FROM: Chelan County Community Development
HEARING DATE: October 26, 2022
FILE NUMBER: ZTA-22-420 / CPA-22-421
2022 Docket #5 (code and policy to facilitate a business incubator)

RECOMMENDED MOTION

The Chelan County Planning Commission may make a motion to recommend approval or denial of the proposed Comprehensive Plan Amendments and Development Regulation Text Amendments to the Chelan County Board of County Commissioners, 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 recommends:

- A. Move to recommend **approval** of the Comprehensive Plan Amendment and Development Regulation Text Amendments to provide policy and regulatory support to conditionally allow for the business incubator use on publicly-owned property in some zones, given file number 2022 Docket #5, based upon the findings of fact and conclusions of law contained within the October 26, 2022 staff report.

GENERAL INFORMATION

Applicant	Chelan County
Planning Commission Workshop	September 27 and 28, 2022
Planning Commission Notice of Hearing Published	October 12, 2022
Planning Commission Hearing on	October 26, 2022
60-day State agency review	Initiated: October 6, 2022
SEPA Determination	October 12, 2022

SEPA Environmental Review

A Determination of Non-Significance was issued under WAC 197-11-355 for ZTA-22-420 / CPA-22-421 (Docket #5) on October 12, 2022 (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 6, 2022. Letter of acknowledgement included as attachment 3.

PROJECT DESCRIPTION – ZTA-22-420 / CPA-22-421 (Docket #5)

Proposal: The Board of County Commissioners has requested text amendments to the Chelan County Comprehensive Plan and County Code to facilitate the creation of a business incubator on publicly owned property. This includes: 1) proposed amendments to the Chelan County Comprehensive Plan to create a new policy in direct support of allowing this use on publicly owned property, and 2) amendments to the Chelan County Code to define the business incubator use and the zoning and conditions under which this use may be permitted.

The proposed new Comprehensive Plan policy would be under “Goal ED 1: Encourage efforts to diversify the existing economic base to focus on long-term sustainable economic development throughout the County” and would read as follows:

“Policy ED 1.4: Allow the creation of business incubator uses on publicly owned property to support entrepreneurs and small businesses, with an emphasis on food and handcrafts.”

The proposed amendments to the Chelan County Code are as follows in red text:

Chapter 14.98**DEFINITIONS****14.98.337 Business Incubator**

“Business incubator” means a facility that provides shared space, such as offices, a commercial kitchen, and/or a food truck or market area, for entrepreneurs and small businesses to create and sell local products, such as food and handcrafts. A business incubator may also feature entrepreneurship education programming.

Chapter 11.04**11.04.020 District Use chart.**

USE/ACTIVITY	RR20	RR10	RR5	RR2.5	RW	RRR	RV	RC	RI	RP	AC	FC	MC
COMMERCIAL USES													
Business Incubator	CUP	CUP	CUP	CUP	CUP	CUP	CUP				CUP		

Chapter 11.93

CONDITIONAL USE PERMITS

11.93.133 Business incubators.

The following minimum conditions shall apply to business incubators:

- (1) Business incubator uses shall be limited to publicly owned parcels equal to or greater than 10 acres in gross area, as measured by the zone standards.
- (2) All structures, temporary or permanent, that contain business incubator uses must be set back a minimum of 50 feet from all property lines, except on properties adjacent to commercial agricultural uses, where the setback shall be 100 feet from the property line.
- (3) The applicant shall submit a site design plan which addresses and mitigates, if necessary, the impacts of the facility. Such issues may include, but are not limited to, parking, noise, lighting, odor, drainage, critical areas, and traffic impacts. Review of permanent and temporary structures shall meet applicable building and fire code standards in CCC Title 3.
- (4) On-site retail must be outdoors and temporary in nature, such as portable food trucks or food booths. The facility may include a courtyard where live, non-amplified music may be permitted during events.
- (5) Business incubator uses shall operate on seasonal basis (April 1st through October 31st). Activities supporting business incubator uses may occur during other months where authorized by the County subject to Subsection (8).
- (6) Business incubator hours shall be limited to Thursday through Sunday, 9 am to 10 pm unless otherwise authorized by the County subject to Subsection (8).
- (7) Any business incubator use located in the AC zone must be an accessory use to agriculture and less than 1 acre in size inclusive of the temporary incubator spaces and parking, consistent with the requirements in RCW 36.70A.177.
- (8) The Director may authorize business incubator activities in alternative months, days, or hours of operation, if:
 - a. The business incubator activities size and location are compatible with planned or existing adjacent land uses.
 - b. Activities continue to be seasonal and temporary and would avoid or mitigate impacts addressed in Subsection (3).
 - c. Activities outside of standard periods support education, training, and organization of business incubators.

Commented [SH1]: Question for Deanna: Should we include anything restricting the types of products to be sold on site (for example, do they need to be items produced on-site or made from County produce)?

Commented [SH2]: Question for Deanna: Does this match the intent?

Discussion:

This proposal would conditionally allow the business incubator use in multiple zones. The proposed zones have the following intents, as detailed in CCC 11.06.020:

- RR20: Rural residential/resource: one dwelling unit per twenty acres
 - Uses appropriate for these areas include: open space; residential; agriculture; and forestry. Additional uses may be considered with supplemental provisions. These provisions shall address performance standards, impacts to the surrounding area, and be consistent with the goals and policies of the comprehensive plan. Such uses may include: natural resource support facilities and services; mineral resource activities; small-scale recreational or tourist uses that rely on a rural location or setting, but that do not include a new residential component; intensification of development on lots containing existing isolated nonresidential uses; home occupations; bed and breakfasts; and community facilities.
- RR10: Rural residential/resource: one dwelling unit per ten acres
 - Uses appropriate for these areas include: open space; residential; agriculture; and forestry. Additional uses may be considered with supplemental provisions. These provisions shall address performance standards, impacts to the surrounding area, and be consistent with the goals and policies of the comprehensive plan. Such uses may include: natural resource support facilities and services; mineral resource activities; intensification of existing development or new development of small-scale recreational or tourist uses that rely on a rural location or setting but that do not include a new residential component; intensification of development on lots containing existing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not principally designed to serve the existing and projected rural population and nonresidential uses, but do provide for job opportunities for rural residents; home occupations; bed and breakfasts; and community facilities.
- RR5: Rural residential/resource: one dwelling unit per five acres
 - Uses appropriate for these areas include: open space; residential; agriculture; and forestry. Additional uses may be considered with supplemental provisions. These provisions shall address performance standards, impacts to the surrounding area, and be consistent with the goals and policies of the comprehensive plan. Such uses may include: natural resource support facilities and services; mineral resource activities; intensification of existing development or new development of small-scale recreational or tourist uses that rely on a rural location or setting but that do not include a new residential component; intensification of development on lots containing existing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not principally designed to serve the existing and projected rural population and nonresidential uses, but do provide job opportunities for rural residents; home occupations; bed and breakfasts; and community facilities.
- RR2.5: Rural residential/resource: one dwelling unit per 2.5 acres
 - Uses appropriate for these areas include: residential; agriculture; and forestry. Additional uses may be considered with supplemental provisions. These provisions shall address performance standards, impacts to the surrounding area, and be consistent with the goals and policies of the comprehensive plan. Such uses may include: intensification of existing development or new development of small-scale recreational or tourist uses that rely on a rural location or setting but that do not include a new residential component; intensification of development on lots containing existing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not principally designed to serve the existing and projected rural population and nonresidential uses, but do provide job opportunities for rural residents; home occupations; bed and breakfasts; and community facilities.

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- RW: Rural waterfront
 - Uses appropriate for these areas include: open space and developed open space; residential; agriculture; and forestry. Additional uses may be considered with supplemental provisions. These provisions shall address performance standards, impacts to the surrounding area, and be consistent with the goals and policies of the comprehensive plan. Such uses may include: intensification of existing development or new development of small-scale water-related/water-dependent recreational or tourist uses, including commercial facilities to serve those recreational or tourist uses, that rely on a rural location or setting but that do not include a new residential component; intensification of development on lots containing existing isolated nonresidential uses; home occupations; bed and breakfasts; and community facilities.
- RRR: Rural recreational/residential
 - Uses appropriate for these areas include: open space and developed open space; residential; agriculture; and forestry. Additional uses may be considered with supplemental provisions. These provisions shall address performance standards, impacts to the surrounding area, and be consistent with the goals and policies of the comprehensive plan. Such uses may include: intensification of existing development or new development of small-scale recreational or tourist uses, including commercial facilities to serve those recreational or tourist uses, that rely on a rural location or setting but that do not include a new residential component; intensification of development on lots containing existing isolated nonresidential uses; home occupations; bed and breakfasts; and community facilities.
- RV: Rural village
 - Uses appropriate for these areas include: developed open space; residential; agriculture; and forestry. Additional uses may be considered with supplemental provisions. These provisions shall address performance standards, impacts to the surrounding area, and be consistent with the goals and policies of the comprehensive plan. Such uses may include: intensification of existing small-scale recreational or tourist uses that rely on a rural location or setting but that do not include a new residential component; intensification of development on lots containing existing isolated nonresidential uses; home occupations; bed and breakfasts; and community facilities.
- AC: Commercial agricultural lands
 - Uses appropriate for these areas include: agriculture; open space; residential; and forestry. Additional uses may be considered with supplemental provisions. These provisions shall address performance standards, impacts to the surrounding area, and be consistent with the goals and policies of the comprehensive plan. Such uses may include: natural resource support facilities and services; mineral resource activities; intensification of existing small-scale recreational or tourist uses that rely upon a rural setting but that do not include a new residential component; intensification of development on lots containing existing isolated nonresidential uses; home occupations; bed and breakfasts; and community facilities.

All of the above zoning designations describe “community facilities” as “uses appropriate for these areas.” A business incubator would be intended to serve a community function, as a shared community space and hub for entrepreneurship education programming on public property.

For context, the district use chart has the following regulations for comparable uses and uses with comparable impacts:

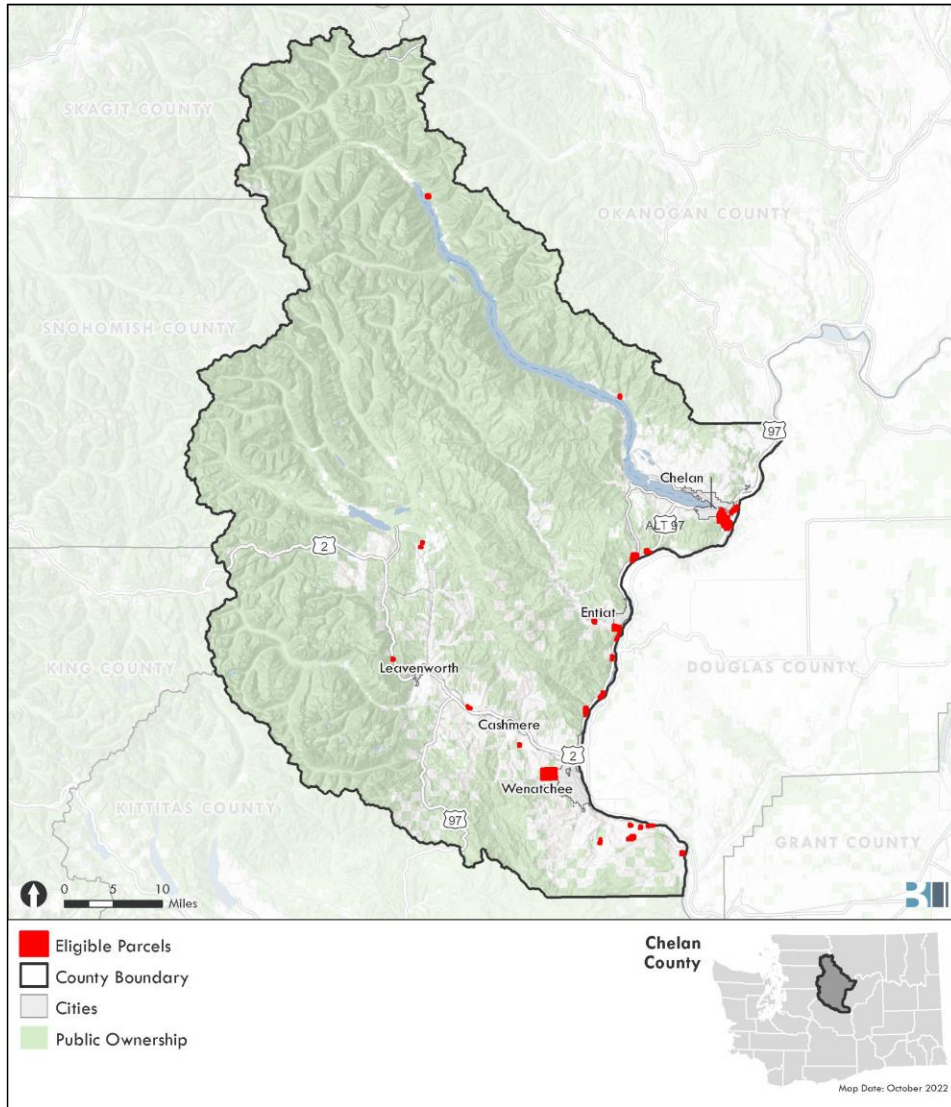
USE/ACTIVITY	RR20	RR10	RR5	RR2.5	RW	RRR	RV	RC	RI	RP	AC	FC	MC
AGRICULTURAL USES													
Accessory Uses That Support, Promote or Sustain Agricultural Operations	CUP	CUP	CUP	CUP							CUP		
Agricultural Support Services	CUP	CUP	CUP					P	P	CUP	CUP	P	CUP
Winery, Equal to or Less Than 1,500 sq. ft. of Retail Space	A(1)	A(1)	A(1)	A(1)	A(1)	A(1)	A(1)	P	A(1)		P		
Winery, Greater Than 1,500 sq. ft. of Retail Space	CUP	CUP	CUP	CUP	CUP	CUP	CUP	P	CUP		CUP	CUP	
COMMERCIAL USES													
Agricultural Theme Market											CUP		
Neighborhood-Oriented Commercial								P					
Restaurants and Drinking Establishments								P					
Restaurants and Drinking Establishments, Less Than 5,000 sq. ft.								P					
RETAIL USES													
Retail Sales								P					
Retail Sales, Less Than 5,000 sq. ft.								P					
PUBLIC/GOVERNMENT USES													
Developed Open Space	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)		P(1)	
Educational Institutions, Public or Private					CUP	CUP	CUP	CUP	CUP	CUP	CUP		
SERVICE USES													
Food and Beverage Services	A	A	A	A	A	A	A						
Places of Public and Private Assembly	CUP	CUP	CUP	CUP	CUP	CUP	CUP	P		CUP	CUP	CUP	

Certain non-residential uses, such as places of public and private assembly; developed open space; wineries; and accessory uses that support, promote or sustain Agricultural Operations; are already conditionally permitted in the RR zones. Educational institutions are currently conditionally permitted in the RW, RRR, RV, and AC zones (among other zones not included in this proposal).

Based on parcel data from 2020, 59 parcels greater than 10 acres in the allowed zones are owned by Chelan County, Chelan County PUD, Chelan County Public Works, the school districts, and the Port of Chelan County (see Exhibit 1). Note that this analysis does not include other land owned by the State of Washington; fire, school, hospital, road, or cemetery districts; or Chelan-Douglas Public Transportation, as this ownership is unlikely to be compatible with a business incubator use. Parcels owned by 501(3)(c) nonprofit organizations, such as Chelan-Douglas Land Trust or Malaga Coluckum Community Council, are also not included, as these are not considered “publicly owned.”

Commented [SH3]: Question for Deanna: What properties did Kevin Overbay have in mind in the Malaga area? Are they owned by the County or another entity?

Exhibit 1: Eligible Parcels for a Business Incubator Use



Business Incubator Examples

Several jurisdictions in Washington and other parts of the country have supported business incubators or similar uses:

- **Business Development Center (Kittitas County)** – The Business Development Center (BDC) is a community space in Cle Elum managed by the Kittitas County Chamber of Commerce. The BDC provides programs and workshops on business development for Kittitas County businesses. More information can be found at kittitascountychamber.com/business-development-center/.
- **Spice Bridge (Tukwila)** – Spice Bridge is a global food hall space and business incubator located in the Tukwila Village non-profit housing development. Spice Bridge was launched in 2020 to serve the needs of women of color and immigrant entrepreneurs in south King County. The business incubator program is operated by Food Innovation Network, a program of Global to Local, a SeaTac-based non-profit. It includes educational programming, connections to retail channels, and affordable commercial kitchen and kiosk space. The program also provides support with permitting, licensing, insurance, marketing, and business planning. Entrepreneurs participate in the program for a two-year period. More information can be found at spicebridge.org/join-the-incubator/.
- **Rutgers Food Innovation Center (Bridgeton, N.J.)** – The Rutgers Food Innovation Center (FIC) is a food business incubator located at Rutgers, a State University of New Jersey. The FIC provides mentoring, educational programming, and technical assistance to entrepreneurs and small food companies. More information can be found at foodinnovation.rutgers.edu/.
- **Union Kitchen (Washington, D.C.)** – The Union Kitchen incubator includes a central shared kitchen space and several retail outlets throughout Washington D.C., where participating businesses sell products such as soups, condiments, and candy. The Union Kitchen serves businesses at various stages of growth. More information can be found at unionkitchen.com/.

COMPREHENSIVE PLAN

Chelan County conducts an annual concurrent review of proposals to amend the Comprehensive Plan. The Plan represents the long-term vision for future land uses and development. Applicants must demonstrate the merits of the requested change as being consistent with adopted goals and policies.

The following Comprehensive Plan goals and policies are relevant to the request:

Goal LU 1: Residential designations shall provide for an adequate supply of land to accommodate the housing needs and strategies outlined by the comprehensive plan. Implementation regulations shall provide for a variety of residential opportunities to serve a full range of income levels.

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

Goal RE 2: Maintain natural environment features that support and enhance natural resource-based economic activities, wildlife habitats, traditional rural lifestyles, outdoor recreation, and open space.

Policy RE 2.2: Rural development should not preclude use of rural lands for agriculture and timber production and should avoid or mitigate impacts on existing agriculture or timber operations.

Policy RE 2.3: Ensure that rural development (residential, commercial and industrial) near designated resource lands occurs in a manner that minimizes potential conflicts and reduces conversion of farm and forest land to non-resource uses. Develop mitigating measures to provide adequate protection against potential conflicts

Goal ED 1: Encourage efforts to diversify the existing economic base to focus on long-term sustainable economic development throughout the County

Policy ED 1.1: Seek to attract businesses and industries that complement and build upon existing business and industry.

Policy ED 1.2: Incentivize development that creates local re-investment funds and provides jobs in the local community.

Goal ED 2: Encourage the retention and growth of recreational and tourist based industries consistent with the comprehensive plan.

Policy ED 2.1: Promote local tourism activities by developing brochures and media advertisements, and supporting local and self-contained events

Goal ED 3: Accommodate and support efforts to diversify the agricultural economy.

Policy ED 3.1: Strengthen and diversify the agricultural economy by promoting value-added agricultural activities.

Goal ED 4: Local economic development efforts should promote the advantages of working and living in Chelan County, such as availability of work, job security and stability, access to recreational and cultural activities, educational opportunities, quality health care, and affordable housing.

Policy ED 4.2: Encourage economic development efforts that invite broad community participation and address the needs, concerns, rights and resources of a diversity of cultural groups.

Policy ED 4.3: Foster a diverse private-sector job base that supports attractive wages and facilitates the

retention and expansion of existing businesses.

Policy ED 4.4: Support partnerships which expand vocational, post-secondary and higher education programs to promote a highly skilled, educated and a technically trained work force.

Goal ED 6: Establish a regulatory climate favorable for economic development.

Policy ED 6.2: Support development of tourism and recreational uses on both public and private lands.

REVIEW CRITERIA

The proposals were analyzed based on information provided by the applicant or when readily available, within existing County resources. While each application may or may not have met all the criteria, the applications 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 and Section 14.14.047, the following review criteria were used to evaluate the proposed amendments:

1. *The proposal is necessary to address a public land use issue or problem; and [\(CCC 14.14.047\(1\)\)](#) (comprehensive plan text amendment)*

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

Finding of Fact: There is no existing resource in Chelan County for entrepreneurs and small businesses to access shared office and kitchen facilities, educational programming, and seasonal market space. Such a space would create opportunities for small businesses, particularly food and handcrafts businesses, to grow and generate income and jobs. A business incubator would therefore strengthen the local economy, particularly the local food economy, and may also support tourism through seasonal product sales on-site. The proposed amendments would create policy support for and remove regulatory barriers to creating such a space on publicly owned land in the future.

Conclusion: The amendment is necessary to resolve a public land use issue or problem.

2. *The proposed amendment is consistent with the requirements of the Washington State Growth Management Act (Chapter 36.70A RCW as amended) and any applicable county-wide planning policies; and [\(CCC 14.14.047\(2\)\)](#) (comprehensive plan text amendment)*

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:

- (1) 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.

The following policy from the Countywide Planning Policies is also relevant to this proposal:

CPP 7 VIII. Encourage the retention and growth of existing industries and businesses by promoting the establishment of commercial/industrial, research, and educational activities which support those industries and businesses.

This proposal intends to amend the comprehensive plan and development regulations to conditionally allow a business incubator use on publicly owned parcels over 10 acres in specific zones. A business incubator, if created, would help existing and new entrepreneurs and small businesses to develop by providing a space to create products and services and sell them locally. Such a facility may also include educational programming on entrepreneurship topics. It could also function as a seasonal hub for food trucks and stalls, which would serve the local community and tourists.

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

3. *The text amendment complies with or supports the comprehensive plan's goals and policies or how amendment of the plan's goals or policies is supported by changing conditions or state or federal mandates; and [\(CCC 14.14.047\(3\)\)](#) (comprehensive plan text amendment)*

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 comprehensive plan and development regulations would support ED Goals 1, 3, 4, and 6 and ED Policies 1.1, 1.2, 2.1, 3.1, 4.2, 4.3, 4.4, and 6.2 by allowing for a business incubator use that would support the needs of entrepreneurs and small businesses. With an emphasis on food and crafts products, a business incubator could also contribute to a strong local food and artisan culture and provide space for seasonal events, which may strengthen Chelan County's agriculture and tourism industries. Any future construction related to a business incubator would be required to comply with Chelan County development regulations and critical areas code.

The proposed amendments would support LU Goal 1 and LU Policy 1.2 through the conditional use permit process, which, as proposed, would require mitigation of any impacts, wide setbacks, and limited facility hours. The amendments would also support RE Goal 2 and RE Policies 2.2 and 2.3 by requiring any business incubator use in the AC zone to be an accessory use to agriculture on less than one acre, per the requirements in RCW 36.70A.177.

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; and* ([CCC 14.14.047\(4\)](#) (comprehensive plan text amendment) and [CCC 14.13.040\(4\)](#) (code amendment))

Finding of Fact: This amendment would conditionally allow the business incubator use on publicly owned parcels over 10 acres in the AC zone. As proposed, any business incubator use would have to be an accessory use to agriculture and would be required to comply with Growth Management Act requirements for accessory uses on agricultural land (RCW 36.70A.177). Also, per 2020 GIS data, only two eligible parcels are located in the AC zone.

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 proposed text amendments to the Chelan County comprehensive plan would serve the interests of not only the applicant, but the public as a whole, including health, safety or welfare.* ([CCC 14.14.047\(5\)](#) (comprehensive plan text amendment))

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 applicant is Chelan County. The proposed Comprehensive Plan and Development Regulation Code amendments would serve the applicant's interest to create a regulatory framework in which a business incubator use could be implemented on publicly-owned land. This use is not expected to adversely affect public health, safety, or welfare, and proposed development standards would limit the size and scope of the activities to be compatible with the primary use of lands for public purposes and with surrounding uses. The implementation of a business incubator would benefit the general public by creating opportunities for residents to generate income and, depending on the types of businesses occupying the space, could also improve access to food and strengthen the local food economy. The provision of a commercial kitchen as part of a business incubator would also provide a sanitary space for small-scale food processing.

This proposal would conditionally allow the business incubator use in multiple zones with a wide range of possible surrounding land uses, such as single-family residential, agricultural, or commercial uses. Conditions for this use, including parcel size, setbacks, hours, and seasonality, are intended to minimize any negative noise, aesthetic, or traffic impacts of a business incubator use on surrounding land uses.

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 Comprehensive Plan consistent with RCW 36.70A. The County followed the procedures required for amendment of the Comprehensive Plan.
2. Growth Management Act (RCW 36.70A), Chelan County Comprehensive Plan and Chelan County Code outline provisions relating to the adoption and amendments to the Comprehensive Plan. The County used the applicable guidelines and regulatory review criteria for each amendment.
3. RCW 36.70A.210 requires that the Comprehensive Plan be consistent with the provisions of the adopted County-Wide Planning Policies.
4. 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 12, 2022.
5. The required State agency review with the Department of Commerce (COM) and other State agencies initiated on October 6, 2022 (Attachment 3), pursuant to RCW 36.70A.106.
6. A request for a Comprehensive Plan Text Amendment and amendments to Chelan County Code was made by Chelan County to provide policy and regulatory support to conditionally allow a business incubator use on publicly owned parcels in some zones.

CONCLUSIONS OF LAW

1. The amendments to the Chelan County Comprehensive Plan 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.

STAFF RECOMMENDATION

The Chelan County Planning Commission may make a motion to recommend approval or denial of the proposed Comprehensive Plan Amendments to the Chelan County Board of County Commissioners, 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 recommends:

- A. Move to recommend **approval** of the Comprehensive Plan Amendment and amendments to the Chelan County Code to provide policy and regulatory support to conditionally allow for the business incubator use on publicly-owned property in some zones, given file number 2022 Docket #5, based upon the findings of fact and conclusions of law contained within the October 26, 2022 staff report.

ATTACHMENTS

1. SEPA Determination, signed October 12, 2022
2. 60-day Review Acknowledgment Letter from WA Dept. of Commerce



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)**

Date of Issuance: October 12, 2022

Lead Agency: Chelan County Department of Community Development

Agency Contact: Deanna Walter, Interim Community Development Director
CD.Director@co.chelan.wa.us
(509) 667-6225

File Number: 2022 Docket #5

Project Description: The Board of County Commissioners has requested text amendments to the Chelan County Comprehensive Plan and County Code to facilitate the creation of a business incubator on publicly owned property. This includes: 1) proposed amendments to the Chelan County Comprehensive Plan to create a new policy in direct support of allowing this use on publicly owned property, and 2) amendments to the Chelan County Code to define the business incubator use and the zoning and conditions under which this use may be permitted.

Chelan County has determined that this proposal will not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030. We have reviewed the attached Environmental Checklist.

This determination is based on the following findings and conclusions:

The business incubator use would be limited to publicly owned parcels in specific zones. Business incubator uses in the AC zone would comply with requirements in RCW 36.70A.177. The submittal of a site design plan would be required, which would address and mitigate impacts such as parking, noise, lighting, odor, drainage, critical areas, and traffic impacts. The use would operate on a seasonal basis with limited hours. Any future business incubator use must comply with the Chelan County Code, including, but not limited to, zoning (Title 11), shoreline master program regulations (Chapter 13.22 CCC), flood hazard development (Chapter 3.20 CCC), critical areas regulations (Chapters 11.77 to 11.86 CCC), and stormwater regulations (Chapter 13.18 CCC).

This DNS is issued under WAC 197-11-340(2) and the comment period will end on 5 pm October 26, 2022.

**Responsible
Official:**

Deanna Walter, Interim Director / SEPA Responsible Official

Address:

Chelan County Department of Community Development
316 Washington Street, Suite 301
Wenatchee, WA 98801
(509) 667-6225

Phone:

(509) 667-6225

Signature:


Deanna Walter, SEPA Responsible Official

Date:



SEPA Environmental Checklist

Chelan County

2022 Comprehensive Plan Docket and Code Update – Business Incubator

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the [supplemental sheet for nonproject actions \(part D\)](#). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B—Environmental Elements—that do not contribute meaningfully to the analysis of the proposal.

A. Background

- 1) *Name of proposed project, if applicable:*

2022 Comprehensive Plan Docket and Code Update – Business Incubator

- 2) *Name of applicant:*

Chelan County

- 3) *Address and phone number of applicant and contact person:*

Deanna Walter

Interim Community Development Director / Chelan County Assessor

350 Orondo St Ste 206

Wenatchee, WA 98801

(509) 667-6367

- 4) *Date checklist prepared:*

October 4, 2022

- 5) *Agency requesting checklist:*

Chelan County – Department of Community Development

- 6) *Proposed timing or schedule (including phasing, if applicable):*

The Comprehensive Plan and Chelan County Code is to be amended by the end of December 2022.

- 7) *Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.*

This proposal would enable the creation of a business incubator use on public land. Any future construction relating to this proposal would be subject to the building permit and conditional use permit process.

- 8) *List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.*

None.

- 9) *Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.*

None known.

- 10) *List any government approvals or permits that will be needed for your proposal, if known.*

This proposal is to update the Comprehensive Plan and Chelan County Code to allow for business incubator uses on public land. Per Chelan County Code Chapter 14.04, the Planning Commission

and the Board of County Commissioners will review and consider the proposed amendments. Any future permitting for construction is subject to the building permit and conditional use permit process.

- 11) Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

This proposal, as part of the 2022 Comprehensive Plan Docket, would add policy language in support of the creation of a business incubator on public property. It would also include updates to the Chelan County Code to create a definition for “business incubator” and conditionally allow the business incubator use in the RR20, RR10, RR5, RR2.5, RW, RRR, RV, and AC zones on publicly owned parcels over 10 acres in size.

A business incubator use could include features such as a commercial kitchen and other shared work space, a seasonal market or food truck area, and entrepreneurship education programming. Produce or food products or crafts would be a focus, similar to agricultural produce stands or farmers markets, but be located in a defined location(s) on public lands sized appropriately for the activities and access.

- 12) Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

This Comprehensive Plan text amendment is a non-project action and would enable the creation of a business incubator on public land throughout Chelan County; the policy and criteria would limit the eligible public sites based on size of public lands that are at least 10 acres in size.

B. Environmental Elements

1. Earth

a. General description of the site:

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other

Chelan County contains varying topography.

b. What is the steepest slope on the site (approximate percent slope)?

Chelan County contains steep slopes over 40% in some locations. Any future business incubator project would be subject to the conditional use permit and building or fire permit process, including any required review of critical areas.

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

Soil types vary throughout Chelan County. Any future business incubator project would be reviewed for soil types as required at the time of permit application. As proposed, if a business incubator use were located in the AC zone, it would be required to be an accessory use to agriculture, be less than one acre in area, and meet other requirements in RCW 36.70A.177.

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

Not applicable—this is a non-project action. Any future business incubator project would be reviewed for critical areas, including landslide hazard areas (CCC 11.86.020), as required at the time of permit application.

- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

Not applicable—this is a non-project action and no filling, excavation, or grading will occur. Any filling, excavation, or grading for a future business incubator project would be reviewed as required at the time of permit application.

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

Not applicable—this is a non-project action and no clearing, construction, or use is proposed at this time. It is anticipated that the future use would primarily occur in temporary structures or outdoors seasonally. Public lands may already have defined parking areas, and places for vendor booths; or if created could result in grading and erosion; this would be subject to County review by Public Works. Construction projects must comply with stormwater runoff control requirements outlined Chapter 13.18 CCC.

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Not applicable—this is a non-project action and no construction is proposed at this time. Any future construction will be subject to the development standards in the Chelan County Code, including stormwater management requirements in Chapters 13.16 and 13.18 CCC.

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

Not applicable—this is a non-project action and no erosion impacts will occur. Any future business incubator project would be reviewed for erosion impacts via critical areas regulations, or development permit review (e.g. parking, stormwater) and measures as required at the time of permit application. Applicable codes include but are not limited to: Chapter 13.18 CCC, Construction and Post-Construction Stormwater Runoff Control Program, Chapter 11.86 CCC Geologically Hazardous Areas Overlay District (GHOD). Conditions for the conditional use permit for this use include the submittal of a site design plan, which would review and describe mitigation for critical areas.

2. Air

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

Not applicable—this is a non-project action and no emissions to air will occur. Any future business incubator project would be reviewed for emissions impacts as required at the time of permit application.

It is anticipated that the use would primarily occur in temporary structures or outdoors seasonally. Produce or food products or crafts would be a focus, similar to agricultural produce stands or farmers markets, but be located in a defined location(s) on public lands sized appropriately for the activities and access. Vendors and visitors would likely drive to the site and emissions could occur from cars. Public lands may already have defined parking areas, and places for vendor booths; or if created could result in grading and erosion; this would be subject to County review by Public Works.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

Not applicable—this is a non-project action not specific to any individual site. Any future business incubator project would be reviewed for any emissions or odor impacts as required at the time of permit application. Typical odors in the County could come from agricultural or industrial operations.

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:

Not applicable—this is a non-project action with no emissions or impacts to air. Any future business incubator project would be reviewed for any emissions impacts and measures as required at the time of permit application. Public Works Department review of parking areas to ensure they are designed/operated to limit dust or erosion, and vendor review by the Fire Marshall and Chelan-Douglas Health District should help ensure appropriate location of activities and equipment.

3. Water

a. Surface Water:

- 1) *Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.*

Chelan County contains many surface water bodies, including streams, lakes, ponds, and wetlands. This is a non-project action—any future related projects will be reviewed in the context of nearby water bodies and critical areas (including wetlands, frequently flooded areas, and fish habitat conservation areas) as required at the time of permit application.

- 2) *Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.*

Not applicable—this is a non-project action. Any future business incubator project would be reviewed for water impacts and impacts to critical areas as required at the time of permit application. It is unlikely that work would be need over or in a water body to create a business incubator use. Any future project would meet buffer requirements, including critical area buffers described in Chapters 11.78 and 11.80 CCC.

- 3) *Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.*

Not applicable—this is a non-project action and no fill or dredge material will be placed in or removed from surface water or wetlands. Any future business incubator project would be reviewed for water body impacts as required at the time of permit application. It is unlikely that fill or dredge material would be placed in or removed from water bodies to create a business incubator use.

- 4) *Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.*

Not applicable—this is a non-project action with no surface water withdrawals or diversions. Any future business incubator project would be reviewed for water body impacts as required at the time of permit application. Based on the intent of the business incubator use, surface water withdrawals or diversions are unlikely to be proposed.

- 5) *Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.*

Not applicable—this is a non-project action. Any future business incubator project will be reviewed for critical areas, including the 100-year floodplain, as required at the time of permit application and will be required to comply with Chapter 3.20 CCC (Flood Hazard Development).

- 6) *Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.*

Not applicable—this is a non-project action. Any future business incubator project would be reviewed for water body impacts as required at the time of permit application. This includes consistency with County shoreline master program regulations (Chapter 13.22 CCC), critical areas

regulations (11.77 to 11.86 CCC), stormwater regulations (Chapter 13.18 CCC Construction and Post-Construction Stormwater Runoff Control Program).

b. Ground Water:

- 1) *Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.*

Not applicable—this is a non-project action. The County critical aquifer recharge area regulations are evaluated at time of development permits. See County disclosure forms intended to ensure regulations are met: http://www.co.chelan.wa.us/files/community-development/documents/apps_form/Additional/aquifer.pdf.

- 2) *Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.*

Not applicable—this is a non-project action. Any future business incubator project would be reviewed for waste discharge and septic system size as required at the time of permit application. Septic systems in Chelan County are required to receive design and construction approval from the Chelan-Douglas Health District.

c. Water runoff (including stormwater):

- 1) *Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.*

Not applicable—this is a non-project action. Any future business incubator project would be reviewed for water runoff impacts required at the time of permit application. County regulations would apply, including stormwater regulations (Chapter 13.18 CCC Construction and Post-Construction Stormwater Runoff Control Program).

- 2) *Could waste materials enter ground or surface waters? If so, generally describe.*

Not applicable—this is a non-project action. Any future business incubator project would be reviewed for water runoff impacts required at the time of permit application. County regulations would apply, including Chapter 13.18 CCC Construction and Post-Construction Stormwater Runoff Control Program.

- 3) *Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.*

Not applicable—this is a non-project action. Any future business incubator project would be reviewed for impacts to drainage patterns as required at the time of permit application. County regulations would apply, including Chapter 13.18 CCC Construction and Post-Construction Stormwater Runoff Control Program.

- d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

Not applicable—this is a non-project action. Any future business incubator project would be reviewed for impacts to drainage patterns and measures as required at the time of permit application. See 11.82 CCC Aquifer Recharge Areas Overlay District (AROD) and Chapter 13.18 CCC Construction and Post-Construction Stormwater Runoff Control Program.

4. Plants

- a. Check the types of vegetation found on the site:

☒ deciduous tree: alder, maple, aspen, other
☒ evergreen tree: fir, cedar, pine, other
☒ shrubs
☒ grass
☒ pasture
☒ crop or grain
☒ Orchards, vineyards or other permanent crops.
☒ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
☒ water plants: water lily, eelgrass, milfoil, other
☒ other types of vegetation

Chelan County contains many types of vegetation, including those listed above.

- b. What kind and amount of vegetation will be removed or altered?

Not applicable—this is a non-project action. Any future business incubator project would be reviewed for impacts to vegetation and measures as required at the time of permit application. Proposed conditional use permit criteria and development permit review would ensure consistency with County requirements with fish and wildlife habitat protection standards and landscape standards.

- c. List threatened and endangered species known to be on or near the site.

Not applicable—this is a non-project action. Landscaping for any future business incubator would be reviewed as required at the time of permit application.

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

Not applicable—this is a non-project action. Any future business incubator project would be reviewed for impacts to vegetation and measures as required at the time of permit application. Codes that may apply include but are not limited to: Chapter 11.78 CCC Fish and Wildlife Habitat Conservation Areas Overlay District (FWOD) and Chapter 15.50 CCC Landscape Standards.

- e. List all noxious weeds and invasive species known to be on or near the site.

Not applicable—this is a non-project action. Any future business incubator project would be reviewed for noxious weeds as required at the time of permit application. The Chelan County Noxious Weed List (2022) contains more than 30 “Class A” weeds and more than 70 “Class B” and “Class C” weeds.

5. Animals

- a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site.

Examples include:

birds: hawk, heron, eagle, songbirds, other:

mammals: deer, bear, elk, beaver, other:

fish: bass, salmon, trout, herring, shellfish, other _____

A variety of birds, mammals, and fish can be found in Chelan County. Individual projects will be reviewed for impacts to animals as required at the time of permit application.

- b. List any threatened and endangered species known to be on or near the site.

This is a non-project action relating to many sites throughout Chelan County. Any future business incubator project will be reviewed for impacts to threatened and endangered species as required at the time of permit application.

The Washington Department of Fish and Wildlife Priority Habitats and Species 2022 List for Chelan County includes 12 priority habitats and more than 60 species, including several designated “endangered” by the State: the American White Pelican, Columbian Sharp-tailed Grouse, Northern Spotted Owl, Fisher, Gray Wolf, and Grizzly Bear.

- c. Is the site part of a migration route? If so, explain.

Chelan County is within the Pacific Flyway. The Columbia River, located along the east border of Chelan County, is a migration route for anadromous salmonids.

- d. Proposed measures to preserve or enhance wildlife, if any:

Not applicable—this is a non-project action. Any future business incubator project will be reviewed for impacts to wildlife and measures as required at the time of permit application.

- e. List any invasive animal species known to be on or near the site.

Not applicable—this is a non-project action. Any future business incubator project will be reviewed for invasive species as required at the time of permit application.

6. Energy and Natural Resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Not applicable—this is a non-project action. Any future business incubator project will be reviewed for energy needs as required at the time of permit application.

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

Not applicable—this is a non-project action. Any future business incubator project will be reviewed for impacts to solar as required at the time of permit application. Zone-based development standards would continue to apply. Heights are limited to 35 feet in most districts. Development is unlikely to interfere with solar use.

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

Not applicable—this is a non-project action. Any future business incubator project will be reviewed for energy impacts and measures as required at the time of permit application.

7. Environmental Health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

Not applicable—this is a non-project action. Any future business incubator project will be reviewed for environmental health hazards as required at the time of permit application.

- 1) *Describe any known or possible contamination at the site from present or past uses.*

Not applicable—this is a non-project action. Any future business incubator project will be reviewed for possible site contamination as required at the time of permit application.

- 2) *Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.*

Not applicable—this is a non-project action. Any future business incubator project will be reviewed for any existing hazardous chemicals/conditions as required at the time of permit application.

- 3) *Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.*

Not applicable—this is a non-project action. Any future business incubator project will be reviewed for any toxic or hazardous chemicals as required at the time of permit application.

- 4) *Describe special emergency services that might be required.*

Not applicable—this is a non-project action. Any future business incubator project will be reviewed for any special emergency services needs and fire code compliance as required at the time of permit application.

- 5) *Proposed measures to reduce or control environmental health hazards, if any:*

Not applicable—this is a non-project action. Any future business incubator project will be reviewed for any environmental health hazards and measures as required at the time of permit application.

b. Noise

- 1) *What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?*

Noise conditions vary throughout Chelan County. Any future business incubator project will be reviewed for any impacts from noise as required at the time of permit application.

- 2) *What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.*

Not applicable—this is a non-project action. Any future business incubator project will be reviewed for any noise impacts as required at the time of permit application. As proposed, a business incubator use is not expected to have substantial noise impacts, as it would emphasize food and small craft production. Proposed permit conditions also include submittal of a site design plan that would address noise, among other impacts.

- 3) *Proposed measures to reduce or control noise impacts, if any:*

Not applicable—this is a non-project action. Any future business incubator project will be reviewed for any noise impacts and measures as required at the time of permit application. The conditional use permit process would require submittal of a site design plan, which would include any mitigation measures needed. As proposed, the business incubator use would be limited to seasonal use with limited days and hours.

8. Land and Shoreline Use

- a. **What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.**

Not applicable—this is a non-project action. Eligible parcels for a business incubator, as defined by this non-project action, have varying current uses and adjacent uses.

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

Some areas throughout Chelan County have been or are currently used as working farmlands and forest lands. This is a non-project action and does not relate to a specific site. Any future business incubator project will be reviewed for farm and forest land impacts as required at the time of permit application. As proposed, if a business incubator use were to be in the AC zone, it would have to be an accessory use to agriculture, be less than one acre in area, and meet other requirements in RCW 36.70A.177. There are currently limited sites that are in the AC zone and publicly owned.

- 1) *Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:*

Not applicable—this is a non-project action. Any future business incubator project will be reviewed for farm and forest land business impacts as required at the time of permit application. As proposed, if a business incubator use were to be in the AC zone, it would have to be an accessory use to agriculture, be less than one acre in area, and meet other requirements in RCW 36.70A.177. Required setbacks are also proposed (50-feet, or 100-feet if adjacent to agricultural uses).

- c. Describe any structures on the site.

Not applicable—this is a non-project action. Any future business incubator project will be reviewed for impacts to existing structures as required at the time of permit application.

- d. Will any structures be demolished? If so, what?

Not applicable—this is a non-project action. Any future business incubator project will be reviewed for impacts to existing structures as required at the time of permit application.

- e. What is the current zoning classification of the site?

Not applicable—this is a non-project action. Eligible parcels for a business incubator, as defined by this non-project action, are located throughout Chelan County and have varying zoning classifications. As proposed, the publicly-owned parcels in the following zones may be eligible for a business incubator use: RR20, RR10, RR5, RR2.5, RW, RRR, RV, and AC.

- f. What is the current comprehensive plan designation of the site?

Not applicable—this is a non-project action. Eligible parcels for a business incubator, as defined by this non-project action, are located throughout Chelan County and have varying comprehensive plan designations. As proposed, the publicly-owned parcels in the following comprehensive plan

designations may be eligible for a business incubator use: RR20, RR10, RR5, RR2.5, RW, RRR, RV, and AC

g. If applicable, what is the current shoreline master program designation of the site?

Not applicable—this is a non-project action. Eligible parcels for a business incubator, as defined by this non-project action, are located throughout Chelan County and have varying shoreline master program designations. The RW zone is included in the proposed list of zones so some eligible properties may be subject to shoreline master program regulations.

h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

Not applicable—this is a non-project action. Eligible parcels for a business incubator, as defined by this non-project action, are located throughout Chelan County and will be reviewed for critical areas as required at the time of permit application. Critical areas regulations are found in Chapters 11.77, 11.78, 11.80, 11.82, 11.84, and 11.86 CCC. Conditions for the conditional use permit for this use include the submittal of a site design plan, which would review and describe mitigation for critical areas.

i. Approximately how many people would reside or work in the completed project?

If implemented, a business incubator use would not include any residents. The number of people working at the business incubator is unknown at this time. Any persons working onsite would only do so on a seasonal and part-time basis.

j. Approximately how many people would the completed project displace?

Not applicable—this is a non-project action. Any future business incubator project will be reviewed for any displacement impacts as required at the time of permit application.

k. Proposed measures to avoid or reduce displacement impacts, if any:

Not applicable—this is a non-project action. Any future business incubator project will be reviewed for any measures to avoid displacement impacts as required at the time of permit application.

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

Not applicable—this is a non-project action. Any future business incubator project will be reviewed for land use compatibility as required at the time of permit application. Conditions for the conditional use permit for this use include the submittal of a site design plan, which would review and describe mitigation for any impacts on nearby land uses. As proposed, the business incubator use would also operate seasonally with limited hours, which would mitigate impacts. Required setbacks are also proposed (50-feet, or 100-feet if adjacent to agricultural uses).

- m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

As proposed, if a business incubator use were to be in the AC zone, it would have to be an accessory use to agriculture, be less than one acre in area, and meet other requirements in RCW 36.70A.177. Conditions for the conditional use permit for this use include the submittal of a site design plan, which would review and describe mitigation for any impacts on nearby land uses. Required setbacks are also proposed (50-feet, or 100-feet if adjacent to agricultural uses).

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

Not applicable—no housing units would be included as part of the business incubator use.

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

Not applicable—this is a non-project action and no units will be eliminated. Any future business incubator project will be reviewed for impacts to housing as required at the time of permit application. It is unlikely that a business incubator use would have impacts to housing, as it would only be conditionally allowed on publicly-owned parcels, and the County has an interest in conserving existing housing stock. The minimum parcel size of 10 acres would also likely limit any impacts to housing.

- c. Proposed measures to reduce or control housing impacts, if any:

Not applicable—this is a non-project action and no units will be eliminated. Any future business incubator project will be reviewed for impacts to housing and measures as required at the time of permit application. It is unlikely that a business incubator use would have impacts to housing, as it would only be conditionally allowed on publicly-owned parcels, and the County has an interest in conserving existing housing stock.

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

Not applicable—this is a non-project action and no structures are proposed. Any future business incubator project will be reviewed for height impacts as required at the time of permit application. No changes to zone heights are proposed and the current maximum height is 35 feet.

- b. What views in the immediate vicinity would be altered or obstructed?

Not applicable—this is a non-project action and no views will be altered. Any future business incubator project will be reviewed for height impacts as required at the time of permit application.

- c. Proposed measures to reduce or control aesthetic impacts, if any:

Not applicable—this is a non-project action and no aesthetic impacts will occur. Any future business incubator project will be reviewed for aesthetic impacts and measures as required at the time of permit application.

11. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

Not applicable—this is a non-project action and will not produce any light or glare. Any future business incubator project will be reviewed for light and glare impacts as required at the time of permit application. Activities would largely be daytime and seasonal. Materials for permanent or temporary buildings will match County code requirements. The size of properties and limited eligibility are anticipated to limit potential for light and glare impacts.

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

Not applicable—this is a non-project action and will not produce any light or glare. Any future business incubator project will be reviewed for light and glare impacts as required at the time of permit application.

- c. What existing off-site sources of light or glare may affect your proposal?

Not applicable—this is a non-project action and eligible parcels for a business incubator, as defined by this proposal, are located at various locations, with various existing off-site sources of light and glare. Any future business incubator project will be reviewed for light and glare impacts as required at the time of permit application.

- d. Proposed measures to reduce or control light and glare impacts, if any:

Not applicable—this is a non-project action and no light or glare impacts will occur. Any future business incubator project will be reviewed for light and glare impacts and measures as required at the time of permit application. Conditions for the conditional use permit for this use include the submittal of a site design plan, which would review and describe mitigation for lighting impacts.

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?

Not applicable—this is a non-project action. Any future business incubator project will be reviewed for recreational impacts at the time of permit application.

- b. Would the proposed project displace any existing recreational uses? If so, describe.

Not applicable—this is a non-project action and no existing recreational uses will be displaced.

Eligible parcels for a business incubator, as defined by this proposal, are located at sites throughout Chelan County and will be reviewed for recreational impacts at the time of permit application. If located in a park or other recreational parcel, the business incubator use would be intended to support recreational uses. The business incubator use would also be seasonal with limited hours.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

Not applicable—this is a non-project action and no existing recreational uses will be displaced. Any future business incubator project will be reviewed for recreational impacts and measures at the time of permit application.

13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers ? If so, specifically describe.

Not applicable—this is a non-project action. Any future business incubator project will be reviewed for cultural and historic preservation impacts at the time of permit application.

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

Not applicable—this is a non-project action. Eligible parcels for a business incubator, as defined by this proposal, are located at sites throughout Chelan County and will be reviewed for cultural and historic preservation impacts as required at the time of permit application. The Washington Department of Archeology and Historic Preservation WISAARD Map predictive model shows varying levels of risk for archeological resources throughout Chelan County, from “low risk” to “very high risk.”

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

Not applicable—this is a non-project action. Eligible parcels for a business incubator, as defined by this proposal, are located at sites throughout Chelan County and will have varying levels of risk of impacts to cultural and historic resources.

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

Not applicable—this is a non-project action. Any future business incubator project will be reviewed for cultural and historic preservation impacts and measures as required at the time of permit application. Future SEPA review would include notice and review by tribes and state agencies. Properties located in the shoreline jurisdiction would follow Shoreline Master Program cultural resources policies and code.

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

Not applicable—this is a non-project action. Eligible parcels for a business incubator, as defined by this proposal, are located at sites throughout Chelan County with different transportation contexts.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

Not applicable—this is a non-project action. Eligible parcels for a business incubator, as defined by this proposal, are located at sites throughout Chelan County with different public transit contexts.

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

Not applicable—this is a non-project action and no parking spaces are proposed or eliminated. Any future business incubator project will be reviewed for parking impacts as required at the time of permit application. Conditions for the conditional use permit for this use include the submittal of a site design plan, which would review and describe mitigation for parking impacts. Off-street parking will meet the minimum standards set in CCC 11.90.060.

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

Not applicable—this is a non-project action and no parking spaces are proposed or eliminated. Any future business incubator project will be reviewed for required transportation improvements at the time of permit application. Conditions for the conditional use permit for this use include the submittal of a site design plan, which would review and describe mitigation for traffic impacts. Any improvements will comply with the development standards described in Chapter 15.30 CCC.

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

Not applicable—this is a non-project action. Any future business incubator project will be reviewed for impacts to water, rail, or air transportation as required at the time of permit application.

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

Not applicable—this is a non-project action. Any future business incubator project will be reviewed for vehicular trip volumes as required at the time of permit application.

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

Not applicable—this is a non-project action that will have no impacts on the movement of agricultural and forest products. Any future business incubator project will be reviewed for any such impacts as required at the time of permit application.

- h. Proposed measures to reduce or control transportation impacts, if any:

Not applicable—this is a non-project action. Any future business incubator project will be reviewed for any transportation impacts and measures as required at the time of permit application. Conditions for the conditional use permit for this use include the submittal of a site design plan, which would review and describe mitigation for traffic impacts.

15. Public Services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

Not applicable—this is a non-project action. Any future business incubator project will be reviewed for any public services impacts as required at the time of permit application. Future projects would also comply with the fire code and fire marshal review (CCC 3.04.080), as well as applicable Chelan-Douglas Health District review.

- b. Proposed measures to reduce or control direct impacts on public services, if any.

Not applicable—this is a non-project action. Any future business incubator project will be reviewed for any public services impacts and measures as required at the time of permit application. Future

projects would also comply with the fire code and Fire Marshal review, as well as applicable Chelan-Douglas Health District review.

16. Utilities

a. Circle utilities currently available at the site:

electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other _____

Not applicable—this is a non-project action. Eligible parcels for a business incubator, as defined by this proposal, are located at various sites throughout Chelan County with varying utility access. Future permit review would ensure that proposed parcels have adequate utilities to match the temporary, seasonal use. Chelan-Douglas Health District would review proposed on-site septic facilities and wells as needed.

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

Not applicable—this is a non-project action. Any future business incubator project will be reviewed for any necessary utilities as required at the time of application.

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: Deanna Walter

Name of signee Deanna Walter

Position and Agency/Organization Interim Director, CC Comm Dev.

Date Submitted: _____

D. Supplemental sheet for nonproject actions

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

- 1) *How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?*

The proposed amendments to the Comprehensive Plan and Chelan County Code would not likely result in an increased discharge to water, emissions to air, or release of hazardous substances. Any noise produced by a business incubator use would likely be minimal, as the intent is to provide space for food and small handcraft production. Water, emissions, toxic substances, and noise impacts would be reviewed in more detail at the time of conditional use permit application.

Proposed measures to avoid or reduce such increases are:

The conditional use permit process would apply to the business incubator use, for which the approval criteria includes:

“(8) Noise, light, heat, steam, erosion, water quality, glare, odors, air pollution, smoke, wastes, dust, vibration, electrical disturbance, physical hazards and related impacts on adjacent properties and to the vicinity can be mitigated or avoided.” (CCC 11.93.040(8))

Conditions for the conditional use permit for this use include the submittal of a site design plan, which would review and describe mitigation for emissions, odor, and noise impacts.

2) *How would the proposal be likely to affect plants, animals, fish, or marine life?*

The proposed amendments would not result in a direct impact and each project will be reviewed and, when appropriate, be required to mitigate impacts.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

The conditional use permit process would apply to the business incubator use, for which the approval criteria includes:

“(4) Detrimental impacts on the natural environment and productive use of surrounding natural resource lands can be mitigated or avoided.” (CCC 11.93.040(4))

Conditions for the conditional use permit for this use include the submittal of a site design plan, which would review and describe mitigation for critical areas.

3) *How would the proposal be likely to deplete energy or natural resources?*

The development of land uses may require additional energy sources, which would be determined at the time of the proposed use or development. No depletion of natural resources is likely based on the type of proposed amendments.

Proposed measures to protect or conserve energy and natural resources are:

The conditional use permit process would apply to the business incubator use, for which the approval criteria includes:

“(7) A finding shall be made that adequate provisions have been provided for roads, ingress and egress, stormwater, parking and loading, domestic and irrigation water, sanitary facilities, power, fire protection, and other necessary facilities, improvements or services consistent with the requirements of Titles 11 and 15 of the Chelan County Code. Primitive or forest service roads may be considered appropriate access as provided in Section 11.88.070.” (CCC 11.93.040(7))

- 4) *How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?*

Because the proposed amendments are programmatic, it is not anticipated they would affect environmentally sensitive areas. If located in a County park, the business incubator use is intended to compliment recreational uses.

Proposed measures to protect such resources or to avoid or reduce impacts are:

Any future construction associated with a business incubator use would be required to comply with Chelan County critical areas regulations. The conditional use permit process would also apply to the business incubator use, for which the approval criteria includes:

“(4) Detrimental impacts on the natural environment and productive use of surrounding natural resource lands can be mitigated or avoided.” (CCC 11.93.040(4))

Conditions for the conditional use permit for this use include the submittal of a site design plan, which would review and describe mitigation for critical areas.

- 5) *How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?*

The proposed amendments are consistent with existing plans. As a “community facility” on publicly owned property, the business incubator use is consistent with zone intents as detailed in CCC 11.06.020. Any proposed business incubator uses in shoreline jurisdiction would be subject to Shoreline Master Program requirements.

Proposed measures to avoid or reduce shoreline and land use impacts are:

The proposed amendments would be regulated through the conditional use permit process, building permit process, and/or code enforcement to address potential impacts.

Approval criteria for a conditional use permit includes:

“(3) Compatibility with the adjacent uses and the protection of the character of the surrounding area.” (CCC 11.93.040(3))

As proposed, all business incubator uses would also be required to meet a minimum setback and would be operated on a seasonal basis with limited hours. Conditions for the conditional use permit for this use include the submittal of a site design plan, which would review and describe mitigation for various impacts to surrounding land uses, such as traffic, noise, lighting, and odor. Limited parcels would be eligible for the business incubator use due to parcel size and public ownership requirements.

6) *How would the proposal be likely to increase demands on transportation or public services and utilities?*

The proposed amendments will not directly result in impacts. Any future business incubator project will be required to review transportation services and meet code requirements in place at that time.

Proposed measures to reduce or respond to such demand(s) are:

The conditional use permit process would apply to the business incubator use, for which the approval criteria includes:

“(5) No conditional use permit shall be issued without a written finding that:

(A) After adequate opportunity for review and comment, all providers of water, sewage disposal, schools, and fire/police protection serving the development have issued a letter that adequate capacity exists or arrangements have been made to provide adequate services for the development.

(B) No county facilities will be reduced below adopted levels of service as a result of the development.”

and;

“(7) A finding shall be made that adequate provisions have been provided for roads, ingress and egress, stormwater, parking and loading, domestic and irrigation water, sanitary facilities, power, fire protection, and other necessary facilities, improvements or services consistent with the requirements of Titles 11 and 15 of the Chelan County Code. Primitive or forest service roads may be considered appropriate access as provided in Section 11.88.070.”

(CCC 11.93.040)

7) *Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.*

The proposed amendments do not conflict with local, state, or federal laws relating to environmental protection.



STATE OF WASHINGTON
DEPARTMENT OF COMMERCE
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10/10/2022

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

Sent Via Electronic Mail

Re: Chelan County--2022-S-4415--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 2022 Docket with Comprehensive Plan text and map amendments and amendments to the Zoning Code.

We received your submittal on 10/10/2022 and processed it with the Submittal ID 2022-S-4415. Please keep this letter as documentation that you have met this procedural requirement. Your 60-day notice period ends on 12/09/2022.

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