

City of East Wenatchee, Washington

Ordinance No. 2016-06

An Ordinance of the City of East Wenatchee adding and amending provisions for automobile, boat, and recreation vehicles sales or leasing businesses by amending Chapter 17.34 (Commercial Zoning Land Use Matrix) and Section 17.72.010 (Off-Street Parking) of the East Wenatchee Municipal Code.

Una Ordenanza de la Ciudad de East Wenatchee añadiendo y modificando las disposiciones especiales para vehículos automóviles, embarcaciones, y recreativas ventas o negocios de arrendamiento por el que se modifica el Capítulo 17.34 (Commercial Zonificación Uso de la Tierra Matriz) y la Sección 17.72.010 (Fuera de la Calle) de la East Wenatchee Código Municipal.

1. Alternate format.

1.1. Para leer este documento en otro formato (español, Braille, leer en voz alta, etc.), póngase en contacto con el vendedor de la ciudad al alternatformat@east-wenatchee.com, al (509) 884-9515 o al 711 (TTY).

1.2. To read this document in an alternate format (Spanish, Braille, read aloud, etc.), please contact the City Clerk at alternateformat@east-wenatchee.com, at (509) 884-9515, or at 711 (TTY).

2. Recitals.

2.1. The City of East Wenatchee (“City”) is a non-charter code City duly incorporated and operating under the laws of the State of Washington; and

2.2. The City Council of East Wenatchee (“City Council”) finds that it is in the best interests of the City and its citizens to amend the East Wenatchee Municipal Code within Chapter 17 - the East Wenatchee Zoning Ordinance adding and amending provisions for automobile, boat, and recreation vehicles sales or leasing businesses.

3. Authority. RCW 35A.11.020 and RCW 35A.12.190 authorize the City Council to adopt ordinances of all kinds to regulate its municipal affairs and appropriate to the good government of the City.

THE CITY COUNCIL OF THE CITY OF EAST WENATCHEE DO ORDAIN AS FOLLOWS:

4. **Purpose.** The purpose of this ordinance is to limit the number of vehicles that can be stored on automobile sales lots to ensure that there is adequate space available for customer and employee parking including internal circulation and vehicular access to the property and to reduce visual clutter.
5. **Amendment 1.** The City Council amends Chapter 17.34 (Commercial Zoning Land Use Matrix) of the East Wenatchee Municipal Code (EWMC) to read as set forth in Exhibit A.
6. **Amendment 2.** The City Council amends EWMC 17.72.010 (Off-Street Parking) to read as set forth in Exhibit B.
7. **Findings of fact and conclusions of law.** The City Council adopts the following findings of fact and conclusions of law to support the approval of this ordinance.

7.1. Findings of fact.

- 7.1.1. Amend the East Wenatchee Municipal Code within Chapter 17 - the East Wenatchee Zoning Ordinance adding and amending provisions for automobile, boat, and recreation vehicles sales or leasing businesses to ensure that there are adequate parking spaces for employees and customers and adequate ingress and egress.
- 7.1.2. The proposal will be applicable to properties zoned General Commercial, Central Business District, and Waterfront Mixed Use within the city limits and in the unincorporated area within the urban growth area surrounding the city in Douglas County, Washington.
- 7.1.3. Douglas County and East Wenatchee have adopted a comprehensive plan in accordance with the provisions of the Growth Management Act and RCW Chapter 36.70A.
- 7.1.4. RCW Chapters 36.70A authorize the adoption of and amendments to development regulations.
- 7.1.5. The planning commission is responsible for long-range planning matters and providing implementation recommendations to assure compliance with the GMA.
- 7.1.6. A threshold determination and environmental review pursuant to RCW 43.21C the State Environmental Policy Act was completed and a Determination of Non-significance including a comment period was issued on April 22, 2016. The comment period for the Determination of Non-significance ended on May 12, 2016. No comments were received

indicating that the proposal would have a significant impact on the environment.

7.1.7. A notice of intent to adopt amendments to the development regulations and request for expedited review was submitted to Washington State Department of Commerce (Commerce) and other state agencies for review of the proposal on April 22, 2016. Expedited Review was granted on May 9, 2016. Commerce assigned Material ID 22319 to the proposal.

7.1.8. The notice of intent to adopt amendments to the comprehensive plan and development regulations was submitted to Douglas County, East Wenatchee Water District, Douglas County Sewer District, City of Wenatchee, and Chelan County on April 21, 2016 requesting comments by May 14, 2016.

7.1.9. The East Wenatchee Planning Commission held a public workshops on April 5, 2016 to discuss the proposed amendment. Advance notices of the public workshop was mailed and e-mailed to interested parties.

7.1.10. The East Wenatchee Planning Commission has reviewed the entire record including the goals and policies of the comprehensive plan, and public testimony (both written and oral) as it relates to the proposed development regulation amendments.

7.1.11. The East Wenatchee Planning Commission held a duly advertised public hearing on May 23, 2016 to consider the proposed amendment. The result of that hearing was a unanimous vote to recommend approval of the proposal.

7.1.12. Douglas County and East Wenatchee coordinate in long-range planning within the Greater East Wenatchee Area. The Douglas County Regional Policy Plan, as amended, established the protocol for amendments.

7.2. Conclusions of law.

7.2.1. The proposal has been processed in compliance with the procedural and substantive requirements of the State Environmental Policy Act, RCW 43.21C.

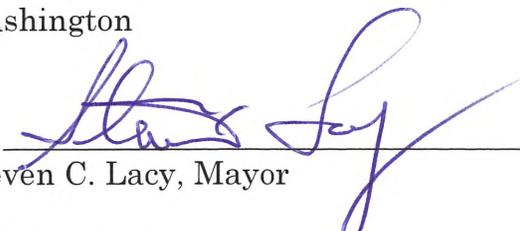
7.2.2. The proposed text amendments are consistent with and implement the goals and policies in the Greater East Wenatchee Area Comprehensive Plan.

7.2.3. Proper legal requirements of RCW 36.70A.106 and EWMC Title 19 were met and the community was given the opportunity to comment on the proposal at a duly noticed public hearing.

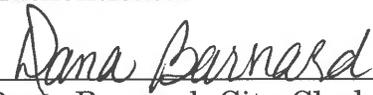
8. **Submittal of Notice of Adoption.** In accordance with RCW 36.70A.106, this Ordinance shall be transmitted by the Community Development Director to the Washington State Department of Commerce.
9. **Severability.** If a court of competent jurisdiction declares any provision in this Ordinance to be contrary to law, such declaration shall not affect the validity of the other provisions of this Ordinance.
10. **Publication.** The City Council directs the City Clerk to publish a summary of this Ordinance. The summary shall consist of the title of this Ordinance. The City Council directs the City Clerk to publish a copy of this Ordinance on the City's website.
11. **Effective Date.** This Ordinance becomes effective five days after the date its summary is published.

Passed by the City Council of East Wenatchee, at a regular meeting thereof on this 28th day of June, 2016.

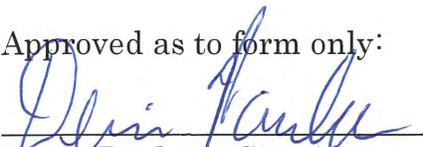
The City of East Wenatchee,
Washington

By 
Steven C. Lacy, Mayor

Authenticated:


Dana Barnard, City Clerk

Approved as to form only:


Devin Poulson, City Attorney

Filed with the City Clerk:

6/23/16

Passed by the City Council:

6/28/16

Published:

7/7/16

Effective Date:

7/12/16

**Summary of
City of East Wenatchee, Washington
Ordinance No. 2016-06**

On the 28th day of June, 2016, the City Council of the City of East Wenatchee, Washington approved Ordinance No. 2016-06, the main point of which may be summarized by its title as follows:

An Ordinance of the City of East Wenatchee adding and amending provisions for automobile, boat, and recreation vehicles sales or leasing businesses by amending Chapter 17.34 (Commercial Zoning Land Use Matrix) and Section 17.72.010 (Off-Street Parking) of the East Wenatchee Municipal Code

The full text of this Ordinance is available at www.east-wenatchee.com.

Dated this 28th day of June, 2016.

Dana Barnard
Dana Barnard, City Clerk

Exhibit A

Excerpt from EWMC 17.34 showing proposed amendments.

Code	2002 NAICS Land Use Description	EW Urban Area			
		G-C	MU	WMU	CBD
44-45	Retail Trade				
44110	New and Used Car Dealers	P6			P6
44120	Used Car Dealers	P6			P6
44121	Recreational Vehicle Dealers	P6			P6
44122	Motorcycle Dealers	P6		P6	P6
44122	Boat Dealers	P6		P6	P6
44129	All Other Motor Vehicle Dealers	P6			P6
44130	Automotive Parts and Accessories Stores	P			P
44132	Tire Dealers	P			P

Notes: See specific zoning district and use chapters for dimensional standards and other design standards that may be applicable to specific districts and uses.

- P Permitted use in that district.
All storage must comply with the requirements of EWMC 17.72.150 and the gross floor area of the building cannot exceed 5,000 s.f. (excluding general office space).
- P1 cannot exceed 5,000 s.f. (excluding general office space).
- P2 All storage must comply with the requirements of EWMC 17.72.150.
- P3 Subject to the requirements of EWMC 17.72.180.
- P4 Existing residential structures. It is recognized that existing residential structures, legally established before the effective date of this zoning district, are permitted to continue as a place of habitation; provided, if the structure housing the residential use obtains an occupancy permit for any other use established in this section, the residential status protected under this provision is revoked.
- P5 Large satellite dish, amateur radio tower, attached wireless or broadcast and relay tower communication facility subject to the provisions of Chapter 17.70 EWMC, as the same now exists or may hereafter be amended.
- P6 Automobile, boat, recreational vehicle sales or leasing, new or used, must comply with the following requirements:
 1. The business must be located on an arterial or collector;
 2. Any repairing, painting or body work must be conducted inside of a building and no parts storage or inoperable vehicles may be stored outside of a building;
 3. If abutting a residential zone, Type 1 landscape screening must be installed along all property lines abutting a residential zoning district in compliance with the requirements of EWMC 17.72.080(A);
 4. A minimum of a 25-foot setback shall be required of any building abutting any residential zone;
 5. Vehicle storage may not occupy more than 60 percent of the site that is not covered by structures, landscaping, required customer and staff parking, and unimproved portions of the property;
 6. The applicant must submit a parking plan showing the arrangement of motor vehicles within the proposed motor vehicle outdoor display and storage areas. The plan must delineate parking spaces for customers and employees. All outdoor vehicle display areas must be paved and striped according to the parking plan.
- A Accessory use -Must have a principal use established on the property.
- A1 Must be directly associated with the principal use of the property and shall comply with RCW 70.105.210 and WAC 173-303-282.
- A2 Large satellite dish, amateur radio tower, attached wireless or broadcast and relay tower communication facility subject to the provisions of Chapter 17.70 EWMC, as the same now exists or may hereafter be amended. Requirements for R-H district applicable to the mixed use districts.
- C Conditional Use Permit required
(Ord. 08-09 Sec. 3 Exh. A-1(11), 2008; Ord. 07-05 Sec. 5, 2007)

Exhibit B

Excerpt from EWMC 17.72.010(G) showing proposed amendments.	
COMMERCIAL LAND USES:	
Retail/Hotel/Restaurants	
Drive-through restaurants (no indoor seating)	Retail-food standards plus sufficient off-street loading for 6 vehicles. Vehicle loading area counts towards required parking spaces
Hotels, motels	1 space/guest room or unit
Car wash	1 space/wash stall plus sufficient off-street loading area for 2 cars per wash stall
Vehicle repair service	2 spaces per repair bay plus additional off-street parking for vehicle storage
Gasoline or fuel stations	3 spaces plus 1 space/300 s.f. of associated retail sales area
Restaurants, taverns, cocktail lounges, night clubs, pool halls, card rooms, adult entertainment facilities	10 spaces/1,000 s.f. of GFA
Retail food or merchandise, personal or professional services, offices, banks, radio and television stations and studios, self-service laundries, liquor stores	(1) Up to 2,000 s.f. of GFA: 4 spaces/1,000 s.f. of GFA (2) 2,001 – 7,500 s.f. of GFA: 3.5 spaces/1,000 s.f. of GFA (3) 7,501 – 40,000 s.f. of GFA: 2.85 spaces/ 1,000 s.f. of GFA (4) 40,001+ s.f. of GFA: 2.5 spaces/1,000 s.f. of GFA
Nursery or greenhouse	1 space for each 400 s.f. of interior sales area plus 1 space/each 1,000 s.f. of outdoor sales area
Retail stores exclusively handling bulky merchandise such as automobiles, recreational vehicles, boats, furniture, machinery, farm or agricultural equipment, lumber, construction materials, fuels, livestock feeds or heavy equipment, contractor yards, bus and truck terminals and wholesale bakeries	1.5 spaces/1,000 s.f. of GFA
<u>Automobiles, trucks, boats and recreational vehicles sales or leasing, new or used</u>	<u>1 space per 5,000 s.f. of outdoor sales area plus 1.5 spaces/1,000 s.f. of GFA for interior showroom and service facilities.</u>