



## Chelan County Planning Commission

Chair: Carl Blum

Vice Chair: Vicki Malloy

Commissioners District 1: Vicki Malloy, Ryan Kelso, James Wiggs  
Commissioners District 2: Jim Newberry, Ed Martinez, Joel Walinski  
Commissioners District 3: Carl Blum, Jesse Redell, Doug England

## Meeting Agenda

Wednesday, September 22, 2021 at 7:00 P.M.  
Chelan County Community Development

**In response to the [Governor's Proclamation 20-28](#), the Planning Commission will hold all of their Regular and Special Meetings via Zoom Video Conference until further notice. Click the link below to join the meeting.**

### Join Zoom Meeting

<https://us02web.zoom.us/j/88077708640?pwd=NnVPL2p0ZkdVNDFJdXBic3lQbEFDdz09>

**Meeting ID: 880 7770 8640**

**Passcode: 776680**

### Call Meeting to Order

#### I. Administrative

#### II. Public Comment Period

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

#### III. Old Business

A. 2021 Comprehensive Plan and Zoning Code Amendment Workshop

#### IV. New Business

A. Public Hearing ZTA 21-353 Wenatchee UGA to consider the land use plans, maps and regulations in the Wenatchee Urban Growth Area (UGA) as approved by the City under multiple ordinances.

B. Public Hearing ZTA 21-352 Limited Text Amendment to Titles 11, 12 and 14 related to definitions, accessory uses and structures, district use chart, livestock/chickens, and data centers.

C. New start time for the Planning Commission meetings

#### V. Discussion, at the Chair's discretion

#### VI. Adjournment \*Meeting will go no longer than 9:00 PM.\*

Materials available on the Community Development website

Any person may join this meeting via Zoom Video conference, of which the link is provided on the Chelan County Website. A Copy of the Agenda may be reviewed online <https://www.co.chelan.wa.us/community-development/pages/planning-commission> or requesting it by email at [CD.Director@co.chelan.wa.us](mailto:CD.Director@co.chelan.wa.us)

Chelan County has been recording Planning Commission meetings which will continue to be accessible on the Community Development Planning Commission web page shortly after the meeting takes place. If you need special accommodations to view the meetings while they take place, please contact us immediately at 509-667-6225 to set up a place for you to do so on the County Campus. Keep in mind you would be required to wear personal protective equipment and maintain social distancing guide lines at all times.

**Next Regular Meeting  
October 27, 2021 at 6:00 pm via Zoom**

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



# **CHELAN COUNTY PLANNING COMMISSION MINUTES**

Chelan County Planning Commission  
Chelan County Community Development VIA ZOOM  
Called to Order: 7:00 PM  
316 Washington St., Suite 301  
Wenatchee, WA 98801

Date: August 25, 2021

## **CALL TO ORDER**

Meeting was called to order at 7:00 pm.

## **COMMISSIONER PRESENT/ABSENT**

<b>Carl Blum</b>	<b>Present</b>	<b>Joel Walinski</b>	<b>Present</b>
<b>Vicki Malloy</b>	<b>Present</b>	<b>Ed Martinez</b>	<b>Present</b>
<b>Ryan Kelso</b>	<b>Present</b>	<b>Doug England</b>	<b>Present</b>
<b>Jim Newberry</b>	<b>Absent</b>		
<b>James Wiggs</b>	<b>Present</b>		

## **STAFF PRESENT**

**Jim Brown, Director**  
**Catherine Lorbeer, Assistant Director**  
**Jamie Strother, Planner II**  
**Wendy Lane, Permit Clerk**

## **PUBLIC PRESENT**

ZOOM MEETING – 11 PARTICIPANTS INCLUDING STAFF AND PC MEMBERS

Commissioner Ed Martinez asked for a point of information on why Agendas did not need approval to go before the Planning Commission. Chairman Carl Blum and Director Jim Brown addressed his concerns.

## **PUBLIC COMMENT PERIOD FOR ITEMS NOT ON THE AGENDA**

None

## **OLD BUSINESS:**

**2021 Comprehensive Plan Amendment Workshop**

Assistant Director Catherine Lorbeer gave the workshop presentation. Included was a tentative schedule for Planning Commission meetings through November 2021. Questions and comments, from the Commissioners, were addressed throughout the workshop. Director Jim Brown and Planner Jamie Strother assisted when needed.

**NEW BUSINESS:**

None

**DISCUSSION, at the CHAIR's DISCRETION:**

Director Jim Brown gave an update on future meetings. Several factors are in play at this point, including the rise in COVID, the remodel at the Commissioner's building, and the absence of necessary equipment. Alternative plans have been considered, and as of now, keeping the meetings in the Zoom format makes the most sense.

Chairman Carl Blum asked Director Jim Brown about filling the vacant spot on the Planning Commission. Mr. Brown informed the group that a name should be forthcoming soon.

Director Jim Brown updated the Planning Commissioners on the status of Short-term Rentals, the changes being made to the draft, and why it had to be revisited.

Commissioner Doug England offered further insight on how Agendas are established for the Planning Commission meetings.

**ADJOURNMENT**

**Meeting Adjourned at 7:40 pm.**

Next Planning Commission Meeting to be held on September 22, 2021, at 7:00 pm, – a Zoom meeting.

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

**See Separate PDF**

**ZTA 21-353 Wen UGA Update Staff Report**



**CHELAN COUNTY**  
**DEPARTMENT OF COMMUNITY DEVELOPMENT**  
316 WASHINGTON STREET, SUITE 301, WENATCHEE, WA 98801  
TELEPHONE: (509) 667-6225 FAX: (509) 667-6475

**STAFF REPORT**

**TO:** Chelan County Planning Commission  
**FROM:** Chelan County Community Development  
**HEARING DATE:** September 22, 2021  
**FILE NUMBER:** ZTA 21-352, Limited Text Amendment to Titles 11, 12 and 14.

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**RECOMMENDED MOTION**

The Chelan County Planning Commission may make a motion to recommend approval or denial of the proposed Limited Text Amendment 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 Limited Text Amendment to Titles 11, 12, and 14 to add clarity and usability, resolve discrepancies and inconsistencies, make technical corrections and add cross references where needed, and related to definitions, accessory uses and structures, district use chart, livestock/chickens, and data centers, given file number ZTA 21-352, based upon the findings of fact and conclusions of law contained within the September 22, 2021 staff report.

**GENERAL INFORMATION**

Planning Commission Workshops	June 23, 2021; July 28, 2021
60-day state agency review	Initiated August 10, 2021
Planning Commission Hearing	September 22, 2021
Board of County Commission Hearing	November 2, 2021 tentative

**STATE ENVIRONMENTAL POLICY ACT REVIEW (SEPA)**

Pursuant to WAC 197-11 and RCW 43.21C of the State Environmental Policy Act (SEPA), environmental review and a threshold determination was completed. An Optional Determination of Non-Significance (DNS) was issued on September 3, 2021 for the proposed limited text amendments. The SEPA Checklist and DNS are included within the file of record and adopted by reference (See Attachment 1).

**BACKGROUND**

Community Development staff regularly seeks ways to improve the usefulness and legality of the Zoning Code, in response to customer feedback, fundamental inconsistencies, technology and business changes, and community expectations for a quality built and natural environment. The on-going code evaluation has resulted in a list of potential amendments, some of which are presented in this staff report, while others will be brought forward at a future public hearing or will be placed on next year's docket for consideration.

A brief summary of the amendment is provided below and full details may be found in Attachment 2.

## **Livestock/Chickens**

In CCC Section 11.88.030 Livestock, changes are proposed to reduce the number of poultry allowed on properties outside the urban growth areas, including limiting the location and number for roosters. The proposed edits are in response to noise and nuisance concerns.

## **Accessory Structures and Uses**

For consistency with the hulk or abandoned vehicle number specified in CCC Section 11.88.100 Inoperable vehicles, the number in CCC Section 11.88.170(10)(E) Accessory uses and structures, Vehicle and other storage, is proposed to change from two to three inoperable vehicles.

Additional language for temporary storage containers is proposed in CCC Section 11.88.170(10) Accessory uses and structures, Vehicle and other storage, to enable properties undertaking new construction to store goods on-site. This provision is in response to customer requests for temporary storage while they are building their home and will assist with alleviating the pervasive issue of illegal dwelling unit conversions.

In CCC Section 11.04.020 District use chart, the footnote will be removed concerning placement of accessory structures prior to establishment of primary structure, as this language is in direct contradiction and violation of the zoning and building code definitions and intent. CCC Section 14.98.055 Accessory use/structure states that *“Accessory use/structure” means a use of land or building or portion thereof which is customarily incidental and subordinate to a principal use of the land or building and located on the same lot or within the same project as the principal use. For the purpose of determining an accessory use/structure, a dock/pier is not considered a principal use.*

Additionally, under the Washington State Residential Code (IRC), Section R1202 Definitions, an accessory structure is similarly defined as *a structure that is accessory to and incidental to that of the dwelling(s) and that is located on the same lot.* The IRC only classifies use and occupancy into two categories: dwellings or accessory structures, and per the definition of an accessory structure, it is clear that a use cannot be classified as accessory unless a primary residential dwelling exists on the same lot.

Therefore, the footnote must be deleted to eliminate the confusing and contradictory language. It has created insurmountable obstacles for future buyers, who end up with an illegally converted garage and now cannot build the home they envisioned. The proposed temporary storage language noted above is a more appropriate way to address customer needs.

## **New and Revised Uses**

As a follow up to last year's approval of CPA 20-007 SSRT Text Amendment, a footnote will be added to CCC Section 11.04.020 District use chart for the Recreation/Tourist Use. The footnote will indicate that the conditional use may be limited to intensification of existing areas only, as explained in the Comprehensive Plan designations/siting criteria for small scale recreational and tourist uses.

Data centers are also being added to CCC Section 11.04.020 District use chart as a permitted use in the Rural Industrial (RI) and Rural Public Lands and Facilities (RP) zoning districts.

## **Definitions**

New and revised definitions are proposed to CCC Section 14.98 Definitions, related to the terms *data center, micro brewery, rebuild, reconstruct, remodel, replace, treehouse, and winery.*

## **AGENCY AND PUBLIC COMMENT**

The required state agency review with the Department of Commerce (COM) and other state agencies was initiated on August 10, 2021, pursuant to RCW 36.70A.106 (see Attachment 3). Public noticing requirements have also been met. The Planning Commission will accept testimony during the public hearing.

## COMPREHENSIVE PLAN

Chelan County represents the long-term vision for future land uses and development. For the county-initiated text amendments, the merits of the requested change must be demonstrated as being consistent with adopted goals and policies.

The following Comprehensive Plan goals and policies are relevant to the proposed request for ZTA 21-352:

- LU 1.1: Promote improved neighborhood character and compatibility through unified design and site requirements for both site built homes and manufactured and modular housing.
- LU 1.2: Protect residential neighborhoods from impacts associated with incompatible land uses through application of development standards and permit conditioning.
- LU 9.3: Encourage industrial development to locate in areas with access to necessary support facilities, services, and transportation systems, and where industrial development would be compatible with nearby land uses.
- LU 9.5: Promote revitalization of existing developed industrial areas suitable for continued use.
- RE 1.2: Uses not specifically addressed or prohibited in the comprehensive plan are not automatically allowed and should be reviewed on their own merits for compatibility with existing goals and policies.
- RE 3.9: Allow the infill, development, and redevelopment of existing intensely developed rural areas where consistent with the goals and policies of the comprehensive plan, including recreational, residential, mixed-use, and shoreline developments.
- RE 4.1: Permit rural development of small scale recreational, tourist, and resort uses that rely on a rural location and setting, including commercial facilities to serve such uses, provided they do not include new residential development and are otherwise consistent with other goals and policies of this plan.
- ED 1.1: Seek to attract businesses and industries that complement and build upon existing business and industry.
- ED 1.3: Maintain the County's rural economic base by permitting limited development in rural areas of industrial and natural resource land uses that are not suitable for urban areas, provided critical areas and surrounding land uses are protected.

## REVIEW CRITERIA

Pursuant to Chelan County Code (CCC) Section 14.13.040, the following general review criteria for development regulation text amendments were used to evaluate the proposed changes.

1. *The proposal is necessary to address a public land use issue or problem; and*

Finding of Fact: The proposed text amendments serve to improve usability and resolve discrepancies and inconsistencies in the code. Proposed definitions will add clarity to existing standards and the reduction in poultry numbers will address noise and nuisance concerns. Consistency will be achieved regarding the number of inoperable vehicles allowed. Revised language concerning temporary storage containers and accessory structures will alleviate the pervasive issue of illegal dwelling unit conversions. The addition of the data center use and definition will support economic development and investment within rural industrial areas of the county.

Conclusion: The proposed amendments will ensure new development is compatible with the character of existing areas and follow sound planning goals and policies. The proposed amendments will ensure the zoning code remains current and consistent with existing laws and codes.

2. *The proposed amendment is consistent with goals of the Growth Management Act, Chapter 36.70A RCW; and*



Finding of Fact: The Growth Management Act (GMA) under RCW 36.70A.020 contains planning goals that include, but are not limited to, 5) Economic development, 7) Permits, and 11) Citizen participation and coordination. The GMA Economic Development Goal encourages 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 GMA Permits Goal states that applications for local government permits should be processed in a timely and fair manner to ensure predictability. The GMA Citizen Participation and Coordination Goal encourages the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts.

The proposed text amendments will add clarity to existing standards, provide consistency among code sections, ensure predictability for proposed development, and give the public an opportunity to comment on possible code language.

Conclusion: The proposal would be consistent with the GMA goals.

3. *The text amendment complies with or supports comprehensive plan goals and policies and/or county-wide planning policies; and*

Finding of Fact: The goal of this text amendment is to realize opportunities for more consistent, predictable, and desired development outcomes with regard to development regulation implementation.

The proposed amendments reinforce policy LU 1.1 and LU 1.2 because the changes address the impacts associated with incompatible land uses. The proposal also supports policy LU 9.3, LU 9.5, ED 1.1, and ED 1.3 because the new/revised definitions and uses will encourage attraction and location of new businesses, take advantage of existing infrastructure, and maintain the County's rural economic base. The Planning Commission is reviewing new uses on their own merits for compatibility with existing goals and policies, as guided under policy RE 1.2. Proposed changes to the district use chart for small scale recreation and tourist uses support policy RE 3.9 and RE 4.1, because the changes will tie conditional use approval to guidance in the comprehensive plan.

County-wide Planning Policies provide guidance to coordinated planning with the public and other affected jurisdictions.

Conclusion: The proposed amendment would be consistent with and does support the goals and policies of the Chelan County Comprehensive Plan and County-wide Planning Policies.

4. *The proposed amendment does not adversely affect lands designated as resource lands of long-term commercial significance or critical areas in ways that cannot be mitigated; and*

Finding of Fact: The proposed text amendment does not have an impact on the critical area regulations or resource land regulations. No adverse effects are expected as a result of the proposed text amendment. As development occurs, it will be evaluated in relation to designated critical areas and resource lands.

Conclusion: The proposed text amendments does not appear to adversely affect lands designated as resource lands of long-term commercial significant or designated critical areas in ways that cannot be mitigated.

5. *The amendment is based on sound land use planning practices and would further the general public health, safety and welfare.*

Finding of Fact: Addressing the number of poultrys allowed will reduce noise and nuisance issues. Eliminating confusing, inconsistent, and contradictory code language will support timely project review, remove obstacles for future home buyers, and add clarity and predictability to development review procedures. Adding data center uses will position the County to attract future investment.

Conclusion: The proposed text amendments are based on sound planning practices and would serve the public interest.

## **FINDINGS OF FACT**

1. Chelan County adopted Title 14, Development Permit Procedures and Administration outlining provisions relating to the amendment of Development Regulations consistent with RCW 36.70A. The County followed the procedures required for text amendments.
2. Growth Management Act (RCW 36.70A), Chelan County Comprehensive Plan and Chelan County Code outline provisions relating to the amendments to Development Regulations. The County used the applicable guidelines and regulatory review criteria for the proposed text amendment.
3. RCW 36.70A.210 requires that the Comprehensive Plan be consistent with the provisions of the adopted County-Wide Planning Policies. RCW Chapters 36.70 and 36.70A authorize the adoption of development regulations.
4. The requirements of RCW 43.21C, the State Environmental Policy Act, and WAC 197-11 SEPA Rules have been satisfied.
5. The required state agency review with the Department of Commerce (COM) and other state agencies initiated on August 10, 2021, Submittal ID No. 2021-S-3000 (Attachment 3), pursuant to RCW 36.70A.106.
6. A request for a Development Regulation Text Amendment to Titles 11, 12, and 14 to add clarity and usability, resolve discrepancies and inconsistencies, make technical corrections and add cross references where needed, and related to definitions, accessory uses and structures, district use chart, livestock/chickens, and data centers.
  - a. As recommended, the proposed changes are consistent with the Chelan County Comprehensive Plan as outlined in this staff report.

## **CONCLUSIONS OF LAW**

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

## **STAFF RECOMMENDATION**

The Chelan County Planning Commission may make a motion to recommend approval or denial of the proposed Limited Text Amendment 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 Limited Text Amendment to Titles 11, 12, and 14 to add clarity and usability, resolve discrepancies and inconsistencies, make technical corrections and add cross references where needed, and related to definitions, accessory uses and structures, district use chart, livestock/chickens, and data centers, given file number ZTA 21-352, based upon the findings of fact and conclusions of law contained within the September 22, 2021 staff report.

Attachments:

1. SEPA Checklist and DNS
2. ZTA 21-352 PC Draft Limited Code Amendments 09222021
3. Acknowledgement Letter from WA Dept. of Commerce, Submittal ID No. 2021-S-3000



## CHELAN COUNTY

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

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

**Project Description:** A limited code amendment to Titles 11, 12 and 14 has been initiated by Chelan County to add clarity and usability, resolve discrepancies and inconsistencies, make technical corrections, and add cross references where needed. Possible changes include provisions related to definitions, accessory uses and structures, district use chart, livestock/chickens, and data centers.

**Proponent:** Chelan County, Washington

**Project File Number:** PL 21-352

**Project Location:** The proposed amendments cover all of unincorporated Chelan County.

**Lead Agency:** Chelan County Department of Community Development

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

This Determination of Non-Significance is issued under WAC 197-11-355, Optional DNS. No additional comment period is required.

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

**Signature:**   
Jim Brown, SEPA Responsible Official

**Date:** 09/03/2021

## **SEPA ENVIRONMENTAL CHECKLIST**

### ***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 [\[HELP\]](#)**

### **1. Name of proposed project, if applicable:**

A limited code amendment to Titles 11, 12 and 14 has been initiated by Chelan County to add clarity and usability, resolve discrepancies and inconsistencies, make technical corrections, and add cross references where needed. Possible changes include provisions related to definitions,

accessory structures, district use chart, lot size reduction, minor plat amendments, boundary line adjustments, complete applications, and livestock/chickens.

2. Name of applicant:

Chelan County

3. Address and phone number of applicant and contact person:

Chelan County Community Development

316 Washington St., Suite 301

Wenatchee, WA 98801

509-667-6225

4. Date checklist prepared:

August 5, 2021

5. Agency requesting checklist:

Chelan County

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

Anticipated timing of the proposed amendments is:

- Planning Commission public hearing September 2021/October 2021
- County Commissioners public hearing: October 2021/November 2021

Antipater adoption: October 2021

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

Not applicable

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

None Known

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

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

Proposed amendments require adoption by the Chelan County Board of County Commissioners.

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.)

The proposal involves amendments to Chelan County Code (CCC):

- CCC Title 11, Zoning
  - CCC Chapter's 11.08, 11.10, 11.12 and 11.14, delete 'Lot size reduction' provisions, which have increased the number of sub-standard lots and often make lots less conforming.
  - CCC Section 11.88.030 Livestock, proposing to reduce the number allowed for poultry, rabbits or other similarly sized animals and would limit the locations and number of roosters.
- CCC Title 12.18, Boundary line adjustment
  - CCC Section 12.18.30, ~~creating more~~ nonconforming lots  
clarifying and reducing

- CCC Title 14, Development permit procedures and administration, add and/or revise definitions.

- Micro-brewery      ● Data Centers
- Rebuild
- Reconstruct
- Remodel
- Replace
- Treehouse
- Winery

#### CCC 11.04 District Use Chart

- Remove footnote from Accessory Use/Structure.
- Add Data Centers as permitted use in RI and RP.
- Add footnote to Recreation/Tourist Uses about certain CUPs.

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.

Throughout unincorporated Chelan County

## **B. Environmental Elements** [\[HELP\]](#)

### **1. Earth** [\[help\]](#)

#### a. General description of the site:

Locations vary throughout Chelan County. Section 1 of this Checklist does not apply to this non-project action. Please see section D for more information.

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

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

Various

#### 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.

Various

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

Not applicable

#### 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

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

Erosion could occur with any development. Chelan County Stormwater Runoff Control

Standards would apply.

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

Any development would have to comply with Chelan County Zoning standards.

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

Not applicable

## 2. Air [\[help\]](#)

- 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.

Section 2 of this checklist generally does not apply to this non-project action. Please see section D for more information.

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

Not applicable

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

Air quality standards are applied by the State Department of Ecology and would continue.

## 3. Water [\[help\]](#)

- a. Surface Water: [\[help\]](#)

- 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.

Locations vary throughout Chelan County. Section 3 of this checklist generally do not apply to this non-project action. Please see section D for more information.

- 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.

None Known

- 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

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

Not applicable

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

Not applicable

- 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

- b. Ground Water: [\[help\]](#)

- 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

- 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.

Any development would need to demonstrate adequate wastewater facility including compliance with Chelan-Douglas Health District standards.

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

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

Not applicable

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

Not applicable

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

Not applicable

**4. *Plants*** [\[help\]](#)

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

Locations vary throughout Chelan County. Section 4 of this checklist generally does not apply to this non-project action. Please see Section D for more information.

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

Not applicable

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

Not applicable

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

Not applicable

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

Not applicable

## 5. **Animals** [\[help\]](#)

- 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 \_\_\_\_\_

Locations vary throughout Chelan County. Section 5 of this checklist generally does not apply to this non-project action. Please see section D for more information.

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

Not applicable, not site specific

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

Not applicable, not site specific

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

Not applicable, not site specific

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

Not applicable, not site specific

## 6. **Energy and Natural Resources** [\[help\]](#)

- 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.

Locations vary throughout Chelan County. Section 6 of this checklist generally does not apply to this nonproject action. Please see section D for more information.

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

Not applicable

- 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:

None Known

## **7. Environmental Health** [\[help\]](#)

- 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.

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

Locations vary throughout Chelan County. Section 7 of this checklist generally does not apply to this non-project action. Please see section D for more information.

- 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

- 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

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

Not applicable

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

Not applicable

### **b. Noise**

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

Locations vary throughout Chelan County. Section 7 of this checklist generally does not apply to this non-project action. Please see section D for more information.

- 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, not site specific

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

Chelan County Code 7.35 Noise Control

## **8. Land and Shoreline Use** [\[help\]](#)

- 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.

Locations vary throughout Chelan County. Section 8 of this checklist generally does not apply to this non-project action. Please see section D for more information.

- 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?

Not applicable, not site specific

- 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, not site specific

- c. Describe any structures on the site.

Not applicable, not site specific

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

Not applicable, not site specific

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

Not applicable, not site specific

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

Not applicable, not site specific

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

Not applicable, not site specific

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

Not applicable, not site specific

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

Not applicable, not site specific

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

Not applicable, not site specific

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

Not applicable, not site specific

- L. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:  
Not applicable, not site specific
- m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:  
Not applicable, not site specific

## **9. Housing** [\[help\]](#)

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.  
Section 9 of this checklist generally does not apply to this non-project action. Please see section D for more information.
- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.  
Portions of the non-project action include solutions for the existing creation of sub-standard lot sizes.
- c. Proposed measures to reduce or control housing impacts, if any:  
Not applicable

## **10. Aesthetics** [\[help\]](#)

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?  
No such standards are changing and would be subject the standards in the zoning districts.  
Locations vary throughout Chelan County. Section 10 of this checklist generally does not apply to this non-project action. Please see section D for more information.
- b. What views in the immediate vicinity would be altered or obstructed?  
Not applicable, not site specific
- b. Proposed measures to reduce or control aesthetic impacts, if any:  
Compliance with zoning standards.

## **11. Light and Glare** [\[help\]](#)

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?  
Section 11 of this checklist generally does not apply to this non-project action. Please see section D for more information.
- b. Could light or glare from the finished project be a safety hazard or interfere with views?  
Not applicable, not site specific

- c. What existing off-site sources of light or glare may affect your proposal?  
Not applicable, not site specific

- d. Proposed measures to reduce or control light and glare impacts, if any:  
Not applicable. No significant adverse impacts are anticipated.

## **12. Recreation** [\[help\]](#)

- a. What designated and informal recreational opportunities are in the immediate vicinity?  
Locations vary throughout Chelan County. Section 12 of this checklist generally does not apply to this non-project action. Please see section D for more information.
- b. Would the proposed project displace any existing recreational uses? If so, describe.  
Not applicable, not site specific
- 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, not site specific

## **13. Historic and cultural preservation** [\[help\]](#)

- 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.  
Locations vary throughout Chelan County. Section 13 of this checklist generally does not apply to this non-project action. Please see section D for more information.
- 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, not site specific
- 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, not site specific
- 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.  
Compliance with federal and state laws to protect designated historic resources and archaeological resources associated with specific sites.

## **14. Transportation** [\[help\]](#)

- 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.  
Locations vary throughout Chelan County. Section 14 of this checklist generally does not apply to this non-project action. Please see section D for more information.

- 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?

Locations vary throughout Chelan County.

- 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, site and development specific

- 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, not site specific

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

Locations vary throughout Chelan County.

- 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, not site specific

- 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.

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

Application of CCC 11.90, Off-Street Parking and Loading and CCC 15.30, Development Standards.

## **15. Public Services** [\[help\]](#)

- 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.

Locations vary throughout Chelan County. Section 15 of this checklist generally does not apply to this non-project action. Please see section D for more information.

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

Not applicable

## **16. Utilities** [\[help\]](#)

- a. Circle utilities currently available at the site:

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



Locations vary throughout Chelan County. Section 16 of this checklist generally does not apply to this non-project action. Please see section D for more information.

- 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.

Locations vary throughout Chelan County. Section 16 of this checklist generally does not apply to this non-project action. Please see section D for more information.

### C. Signature [\[HELP\]](#)

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: Catherine Lorbeer

Name of signee CATHERINE LORBEER

Position and Agency/Organization Assistant Director/Chelan County

Date Submitted: 8/5/2021

Date Updated: 08-16-2021 cjl

### D. Supplemental sheet for nonproject actions [\[HELP\]](#)

(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?

There are no anticipated increases to discharge to water, emissions to air, release of toxic or hazardous substances, or production of noise. Any development would need to address stormwater and address any applicable County critical area regulations such as aquifer protection.

Proposed measures to avoid or reduce such increases are:

The proposed code amendments would not increase the density of housing in the RR20, RR10, RR5 and RR2.5 zoning districts and does require adequate services. Site specific projects would be reviewed independently at the time of application processing for compliance with County Codes.



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

The proposed code amendments would not have direct impacts to plants, animals, fish or marine life. Site specific project impacts would be reviewed at the time of application processing.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:  
None at this time as there are not direct impacts anticipated.

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

The proposed code amendments would not have an anticipated depletion of energy or natural resources. Dwelling units would be required to have access to power at time of construction and proposed regulations do not increase the density of homes allowed on a property or the building code requirement.

Proposed measures to protect or conserve energy and natural resources are:  
None at this time as there are not direct impacts anticipated.

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?

The proposed code amendments would not have an anticipated effect on sensitive areas or areas designated for protection. The regulations do not alter requirements for home construction which still must meet county, state, and federal regulations including flood hazard and critical area regulations.

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

None at this time as there are not direct impacts anticipated.

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 code amendments would not increase the density of homes or zoning or shoreline setbacks; the County's shoreline regulations and critical area regulations would remain. The amendments are compatible with existing Chelan County plans and documents.

Proposed measures to avoid or reduce shoreline and land use impacts are:  
Site specific project impacts would be reviewed independently at the time of application processing.

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

The proposed code amendments would not have an affect on transportation or public services or utilities.

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

Site specific project impacts would be reviewed independently at the time of application processing.

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 code amendments are not anticipated to conflict with local, state or federal laws or requirements for the protection of the environment.

The Chelan County Code, Title 11 Zoning, Chapter 11.04, District use chart, is hereby amended to read as follows (additions in **ALL CAPS**; deletions in ~~strikeout~~):

\* \* \*

**11.04.020 District use chart.**

(1) The use chart located on the following pages is made a part of this section.

(2) The following acronyms and notes apply to the following use chart. If a cell in the table is blank, the use listed in the left hand column is a prohibited use in the zone that is the heading for that cell.

- P — Permitted use
- P(1) — Permitted use subject to development standards in Chapters 11.88, 11.93 and/or within the applicable zoning district standards
- P(2) — Permitted use subject to development standards in Chapters 11.88, 11.93 and/or within the applicable zoning district standards, except for on parcels that are twelve thousand square feet or smaller, the use/structure must be located on a lot with an existing single-family residence
- P(3) — For short-term rentals newly permitted and first established after September 27, 2021, the minimum lot size requirement to establish a short-term rental is as provided in 11.88.290(2)(D)
- A — Accessory use
- A(1) — Accessory use subject to development standards in Chapters 11.88, 11.93 and/or within the applicable zoning district standards
- CUP — Conditional use permit - Subject to development standards in Chapter 11.93 and/or within this chapter

(3) Short-term rental land uses are commercial uses subject to all provisions of 11.88.290 except where expressly stated otherwise in this section.

**District Use Chart**

USE/ACTIVITY	RR20	RR10	RR5	RR2.5	RW	RRR	RV	RC	RI	RP	AC	FC	MC
Accessory Dwelling Unit	A(1)	A(1)	A(1)	A(1)	A(1)	A(1)	A(1)				A(1)	A(1)	
Agricultural Structure	P	P	P	P	A	A	P	A	P	P	P	P	P
Accessory Use/Structure <sup>+</sup>	A	A	A	A	A	A	A	A	A	A	A	A	A
Storage Container	A	A	A	A	A	A	A	A	A	A	A	A	A
* * *	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)

<sup>+</sup>—May be placed prior to establishment of primary structure

USE/ACTIVITY	RR20	RR10	RR5	RR2.5	RW	RRR	RV	RC	RI	RP	AC	FC	MC
* * *													
Recreation/Tourist Uses <sup>1</sup>	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP		CUP	CUP	CUP	
* * *													
Data Centers									P	P			
* * *													

<sup>1</sup> MAY BE LIMITED TO INTENSIFICATION OF EXISTING AREAS; SEE SSRT IN COMPREHENSIVE PLAN.

The Chelan County Code, Title 11 Zoning, Section 11.88.030 Supplementary Provisions and Accessory Uses, Livestock, is hereby amended to read as follows (additions in **ALL CAPS**; deletions in ~~strikeout~~):

\* \* \*

**11.88.030 Livestock.**

(1) A fence adequate to contain the animals shall be maintained at all times.

(2) Animal Densities.

(A) Inside a county urban growth area:

(i) Lots less than one acre:

(a) No livestock.

(b) Four poultry, rabbits or other similarly sized animals, excluding roosters.

(c) Two pot belly pigs.

(ii) Lots one acre or greater:

(a) One head of livestock per acre, including cattle, bison, sheep, goats, swine, horses, mules, llamas, ostriches and other like animals.

(b) Twelve poultry, rabbits or other similarly sized animals per acre.

(c) Two pot belly pigs.

(B) Outside an urban growth area:

(i) Lots less than one-half acre:

(a) No livestock.

(b) ~~Twenty-four~~ **SIX** poultry, rabbits or other similarly sized animals **EXCLUDING ROOSTERS**.

(c) Two pot belly pigs.

(ii) Lots one-half acre or greater, but less than five acres:

(a) One head of livestock per one-half acre, including cattle, bison, sheep, goats, swine, horses, mules, llamas, ostriches and other like animals.

(b) ~~Twenty-four~~ **SIX** poultry, rabbits or other similarly sized animals per one-half acre. **ROOSTERS, ARE LIMITED TO ONE PER HALF-ACRE.**

(c) Two pot belly pigs.

(iii) Lots five acres or greater:

(a) Four head of livestock per acre, including cattle, bison, sheep, goats, swine, horses, mules, llamas, ostriches and other like animals.

(b) ~~Twenty-four~~ **TWELVE** poultry, rabbits or other similarly sized animals per ~~one-half~~ acre. **ROOSTERS ARE LIMITED TO TWO PER ACRE.**

(c) Two pot belly pigs.

- (3) All structures for the housing of small stock (chickens, rabbits and similarly sized animals) must be located at least fifteen feet from any property line.
- (4) All structures for the housing of all other livestock must be located at least twenty-five feet from any property line.
- (5) The property shall be maintained in a clean, sanitary condition so as to be free from offensive odors, fly breeding, dust and general nuisances and shall be in compliance with health district regulations.
- (6) Adequate measures shall be taken to properly dispose of animal wastes. Accumulations of animal waste shall be prohibited from being stored closer than one hundred feet from any off-premises dwelling, surface water, and any domestic or irrigation well. Waste from swine shall be prohibited within two hundred feet of any surface water and domestic or irrigation well.
- (7) Pastures shall be maintained with a permanent, uniform vegetative top cover and shall be kept free of noxious weeds.

\* \* \*

The Chelan County Code, Title 11 Zoning, Section 11.88.170 Supplementary Provisions and Accessory Uses, Accessory uses and structures, is hereby amended to read as follows (additions in **ALL CAPS**; deletions in ~~strikeout~~):

\* \* \*

**11.88.170 Accessory uses and structures.**

Accessory uses are permitted upon compliance with the terms and provisions of this title. They must be clearly secondary to, supportive of, and must be compatible with the principal use(s) and consistent with the purpose and intent of the zoning district:

\* \* \*

**(10) Vehicle and Other Storage.**

- (A) Outside storage shall be maintained in an orderly manner and shall create no fire, safety, health or sanitary hazard;
- (B) Required front yard areas shall not be used for storage;
- (C) Commercial/Industrial Storage. Every reasonable effort shall be made by persons operating a business to store all such materials within an enclosed building with the following exceptions:
- (i) Where inside storage is not practical or desired for reasons related to health, fire or safety codes;
  - (ii) Where outside storage of merchandise is a normal and standard practice;
- (D) Uninstalled mobile/manufactured homes or buildings from other sites, see Section 11.88.160;
- (E) Vehicles. Unless addressed within a municipal urban growth area, no more than a combined total of five cars, boats, trucks or recreational vehicles per dwelling unit may be stored outside of an enclosed building on any lot, with no more than ~~THREE~~<sup>two</sup> of the five being inoperable vehicles regulated under Section 11.88.100. An exemption to this provision is the storage of operable agricultural equipment used for agricultural purpose.
- (F) PLACEMENT OF TEMPORARY STORAGE CONTAINERS:**

**(I) ZONING DISTRICTS. TEMPORARY STORAGE CONTAINERS ON RURAL RESIDENTIAL ZONED PROPERTY ARE PERMITTED ONLY FOR THE PURPOSE OF STORAGE OF HOUSEHOLD GOODS OR PERSONAL ITEMS DURING CONSTRUCTION OF THE PERMANENT RESIDENCE.**

(II) DURATION. DURING CONSTRUCTION ON A LOT OR PARCEL PURSUANT TO A VALID BUILDING PERMIT.

(III) SIZE. NO GREATER THAN 288 SQ. FT. TOTAL.

(IV) REMOVAL. TEMPORARY STORAGE CONTAINERS MUST BE REMOVED PRIOR TO FINAL BUILDING INSPECTION OR THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE PERMANENT RESIDENCE.

\* \* \*

The Chelan County Code, Title 11 Zoning, Chapter 14.98, Definitions, is hereby amended to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

\* \* \*

## **Chapter 14.98 DEFINITIONS**

\* \* \*

### **14.98.50X DATA CENTER.**

“DATA CENTER” MEANS A FACILITY WHERE A LARGE GROUP OF NETWORKED COMPUTER SYSTEMS AND ASSOCIATED COMPONENTS ARE USED FOR THE REMOTE STORAGE, PROCESSING, AND/OR DISTRIBUTION OF LARGE AMOUNTS OF DATA. A SERVER FARM, TELECOM HOTEL, CARRIER HOTEL, OR ANY OTHER TERM APPLICABLE TO FACILITIES WHICH ARE USED FOR THESE SPECIFIED PURPOSES SHALL BE CLASSIFIED AS A DATA CENTER.

\* \* \*

### **14.98.12XX MICRO BREWERY.**

“MICRO BREWERY” MEANS A PLACE WHERE LIMITED QUANTITIES OF BEER AND MALT LIQUOR ARE MANUFACTURED FOR SALE OR FOR LIMITED DISTRIBUTION WITH AN ANNUAL PRODUCTION OF LESS THAN 15,000 US BARRELS. FOR THE PURPOSE OF ADMINISTRATION OF CHELAN COUNTY CODES, MICRO BREWERY IS SYNONYMOUS WITH WINERY.

\* \* \*

### **14.98.15XX REBUILD.**

REBUILD. SEE “RECONSTRUCT.”

\* \* \*

### **14.98.15XX RECONSTRUCT**

“RECONSTRUCT” MEANS TO CONSTRUCT AGAIN AND INCLUDES THE DEMOLITION OF AN EXISTING STRUCTURE AND THE REBUILDING OF A NEW STRUCTURE.

\* \* \*

### **14.98.15XX REMODEL**

“REMODEL” MEANS TO ALTER OR MAKE LIMITED CHANGES TO AN EXISTING STRUCTURE AND THAT IS NOT A STRUCTURAL ALTERATION, NEW CONSTRUCTION, OR ENLARGEMENT.

\* \* \*

### **14.98.15XX REPLACE**

“REPLACE” MEANS TO PUT A NEW STRUCTURE IN PLACE OF AN EXISTING STRUCTURE.

\* \* \*

### **14.98.18XX TREEHOUSE**

“TREEHOUSE” MEANS A TREE-SUPPORTED ACCESSORY STRUCTURE BUILT IN, ON, OR ATTACHED TO TREES, WHEN THE FLOOR AREA DOES NOT EXCEED 288 SQUARE FEET. TREEHOUSES ARE NOT HABITABLE STRUCTURES AND MAY NOT BE USED AS A RESIDENCE.

\* \* \*

### **14.98.2005 Winery.**

“Winery” means a facility where fruit or other products are processed (i.e., crushed, blended, aged, and/or bottled) and may include as incidental and/or accessory to the principal use a tasting room, food and beverage service, places of public/private assembly, and/or retail sales area. Distilleries and **MICRO** breweries, for the purposes of placement in various zoning districts and regulation requirements, are synonymous with winery. (Res. 2020-68 (Exh. C) (part), 6/16/20; Res. 2018-8 (Att. A) (part), 1/30/18; Res. 2012-78 (part), 8/14/12).

\* \* \*



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

08/11/2021

Ms. Catherine Lorbeer  
Assistant Director  
Chelan County  
316 Washington Street Suite 301  
Wenatchee, WA 98801

Sent Via Electronic Mail

Re: Chelan County--2021-S-3000--60-day Notice of Intent to Adopt Amendment

Dear Ms. Lorbeer:

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 limited amendment to Titles 11, 12 and 14 to add clarity and usability, resolve discrepancies and inconsistencies, make technical corrections, and add cross references: related to definitions, accessory structures, district use chart, lot size reduction, minor plat amendments, boundary line adjustments, complete applications, and livestock/chickens.**

We received your submittal on 08/10/2021 and processed it with the Submittal ID 2021-S-3000. Please keep this letter as documentation that you have met this procedural requirement. Your 60-day notice period ends on 10/09/2021.

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](mailto:reviewteam@commerce.wa.gov), or call Scott Kuhta, (509) 795-6884.

Sincerely,

Review Team  
Growth Management Services