

EAST WENATCHEE RESIDENTIAL BUILDING CAPACITY MUNICIPAL CODE UPDATES

60-Day Review DRAFT December 3, 2020

Note to reviewers: This draft is based on existing code. Changes are tracked with ~~deleted text~~ and new text shown as such. Text colors include blue and red since multiple edits have been made to this document..

Orange text boxes such as this one provides additional information, context, and alternatives to reviewers and the public. The boxes will be deleted prior to final adoption.

Note that for proposed new sections, we've often left an "xxx" section number placeholder – the code reference number will be inserted once the amendments are in final form.

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Chapter 17.08 DEFINITIONS

Note to reviewers: Due to the large number of terms, we are leaving out any definitions that are not being changed/added/removed. Terms with a * asterisk are retained with edits to the body text.

Sections:

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- 17.08.640 Yard, rear.*
- 17.08.650 Yard, side.*
- 17.08.660 Zero lot line development.*

17.08.010 General definitions.

A. The words ^[SB3]_[BB4]“used” or “occupied” shall be considered as though followed by the words “or intended, arranged or designed to be used or occupied.”

B. “Board” means the board of adjustment of the city.

C. “City” means the city of East Wenatchee, a municipal corporation.

D. “Comprehensive Plan” means the current Comprehensive Plan of the city together with the Comprehensive Plan maps.

E. “Council” means the city council for the city of East Wenatchee.

F. “Planning commission” means the planning commission of the city of East Wenatchee.

G. Whenever the term “this title” or the term “the ordinance codified in this title” is referred to, it shall include all amendments.

H. Use and interpretation generally. Words, terms and phrases contained within this chapter, and their interpretation, are generally based upon common custom and meanings set forth in broadly recognized dictionaries.

I. Interpretation in case of conflicting definitions. In addition to the words and terms defined in this chapter, several sections of this title contain definitions specifically related to those sections. In the event of conflict between definitions in this list and those shown in other sections of this title, the definition in the other section shall govern within the context of the section within which it appears.

(Ord. 91-5 § 2, 1991)^[SB5]

17.08.015 Abutting.

"Abutting" means having a common boundary except that parcels having no common boundary other than a common corner shall not be considered abutting.

17.08.XXX Affordable housing.

"Affordable housing" means, unless the context clearly indicates otherwise, residential housing whose monthly costs, including utilities other than telephone, do not exceed thirty percent of the monthly income of a household whose income is:

A. For rental housing, sixty percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development; or

B. For owner-occupied housing, eighty percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development.

17^[SB6].08.xxx Access point.

“Access point” means that location on a public street where a driveway or private street connects.

17.08.130 Building line.

~~“Building line” means the line of that facet or corner or part of a building nearest the property line and parallel to the property line. (Ord. 91-5 § 2, 1991) |~~

[SB7] 17.08.198 Density.

“Density” means the permissible number of dwelling units that may be developed on a specific amount of land area, measured in number of dwelling units per acre.

1 [SB8] 7.08.xxx Driveway.

“Driveway” means a private access way connected to a public street serving a single residential or commercial unit.

17 [SB9] .08.xxx Driveway, joint usage.

“Driveway, joint usage” means a private access way connecting to a public street serving up to three adjacent residential or commercial units at a single point.

17.08.200 Dwelling. [BB10]

“Dwelling” means a building or portion thereof designed exclusively for a residential occupancy ~~including one family, two family, three family and multifamily dwellings,~~ but not including hotels, boardinghouses and lodging houses. (Ord. 91-5 § 2, 1991)

17.08.xxx Dwelling, courtyard

“Courtyard dwelling” means a multifamily building arranged around a courtyard and complying with the provisions of EWMC 17.72.xxx.

17.08.240 Dwelling, ~~two-family or duplex.~~

~~“Two-family dwelling” or “duplex dwelling” means a building that contains two dwelling units on one lot, containing two kitchens and designed to be occupied by two families living independently of each other. The units must share a common wall or common floor/ceiling. This definition does not include accessory dwelling units. (Ord. 91-5 § 2, 1991)~~

17.08.220 Dwelling, multifamily. [SB11]

~~“Multifamily dwelling” means a building containing more than two kitchens and designed to be occupied by more than two families living independently of each other. [BB12] means a building containing three or more dwelling units. (Ord. 91-5 § 2, 1991)~~

17.08.230 Dwelling, single-family.

~~“Single-family dwelling” means a detached building containing one kitchen designed for and occupied exclusively by one family and the household employees of that family. means a building containing one dwelling unit on one lot, other than an accessory dwelling. A single-family dwelling unit can be either attached or a detached unit, provided each dwelling unit is located on a separate lot. (Ord. 91-5 § 2, 1991)~~

17.08.231 Dwelling, single-family small lot.

“Small lot single-family dwelling” means a single-family dwelling on a lot that is less than 5,000 square feet.

17.08.xxx Dwelling, townhome.

“Townhome dwelling” means a building containing a row of at least three dwelling units in which each unit has its own front access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more common walls. Townhomes qualify as a type of multifamily dwelling.

17.08.xxx Dwelling, triplex.

“Triplex dwelling” means a building that contains three dwelling units. Each unit must share a common wall or common floor/ceiling with at least one other unit. Triplexes qualify as a type of multifamily dwelling.

17.08.250 Dwelling unit.

“Dwelling unit” means a building or portion thereof containing living facilities, including provision for sleeping, eating, cooking, and sanitation for not more than one ~~family~~household. (Ord. 01-03 § 1, 2001; Ord. 91-5 § 2, 1991)

17.08.xxx Emergency vehicle access.

“Emergency vehicle access” means an improved easement providing access to structures for fire apparatus and other emergency vehicles as provided for in Section 503.1 of the International Fire Code as adopted by East Wenatchee and meeting the requirements of a fire apparatus access street as per EWMC 15.16.010.

17.08.XXX Extremely low-income household

“Extremely low-income household” means a single person, family, or unrelated persons living together whose adjusted income is at or below thirty percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development.

17.08.260 Family.

~~“Family” means an individual, or two or more persons related by blood or marriage, or a group of not more than three persons, excluding servants, who need not be related by blood or marriage, living together as a single housekeeping unit in a dwelling unit.~~

“Family” means an individual or two or more persons living together as a single housekeeping unit. (Ord. 91-5 § 2, 1991)

17.08.xxx Household.

“Household” means the person or persons occupying a dwelling unit.

17.08.190374 Land coverage.~~Coverage.~~^[SB13]

“Coverage” means the total ground coverage of all buildings or structures on a site measured from the outside of external walls or supporting members, not including: pools; uncovered patios; uncovered decks less than 30 inches in height (exclusive of safety railings); driveways and parking areas; open steps and buttresses; terraces; and ornamental features projecting from buildings or structures which are not otherwise supported by the ground. (Ord. 2000-02 § 1, 2000; Ord. 91-5 § 2, 1991)

17.08.xxx Low-income household.

"Low-income household" means a single person, family, or unrelated persons living together whose adjusted income is at or below eighty percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development.

17.08.xxx Lot, corner^[BB14].

"Corner lot" means a lot located at the intersection of two or more streets. A lot abutting a curved street or streets must be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than 135 degrees.

17.08.xxx Multifamily development^[BB15].

Multifamily development" means a grouping of individual structures where each structure contains one or more dwelling units. The land underneath the structures is not divided into separate lots. A multi-dwelling development project may include an existing single-dwelling detached building with one or more new detached structures located to the rear or the side of the existing house. It might also include a duplex in front with either one or more single-dwelling houses behind or one or more duplex units or multi-dwelling structures behind. The key characteristic of this housing type is that there is no requirement for the structures on the sites to be attached.

17.08.493 Open space^{[BB16][SB17]}.

"Open space" means that portion of a lot or parcel not developed or built upon or occupied by buildings, parking areas, driveways and the like.

17.08.494 Open space, common.

"Common open space" means that portion of lot or parcel^{[BB18][SB19]} not developed, built upon or occupied by buildings, parking areas, driveways and the like; other than minimal appurtenances such as walkways designed and intended to make such open space usable and accessible, and the use of which is intended for and accessible to all of the persons residing in the development of which the open space is a part.

17.08.495 Open space, usable.

"Usable open space^{[BB20][SB21]}" means undeveloped or unbuilt portions of land designed and maintained in a manner which makes such open space accessible and usable by and for the persons for whom the space is intended.

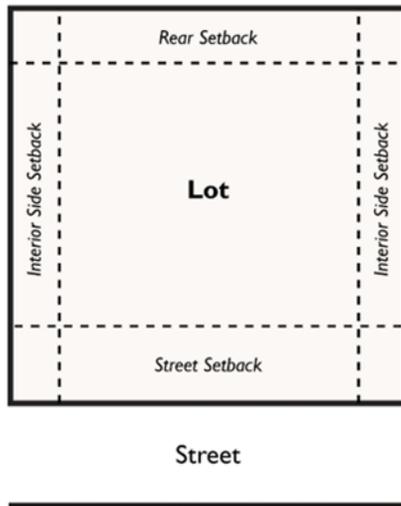
17.08.xxx Pet boarding.^[SB22]

"Pet boarding shall be defined as the keeping of otherwise healthy animals not requiring medical or surgical treatment for one or more nights." –

17.08.540 Setback distance.

"Setback distance" means the horizontal distance from the property line and located at the minimum setback distance from the property line. means the minimum required

distance between a structure and a specified line such as a lot line, easement or buffer line that is required to remain free of structures. (Ord. 91-5 § 2, 1991)



17.08.550 Setback line.^[SB23]

“Setback line” means a line parallel to the property line and located at the minimum setback distance from the property line. (Ord. 91-5 § 2, 1991)

17.08.590 Structure.

“Structure” means that which is built or constructed; an edifice or building of any kind or any piece of work artificially built up or composed of parts joined together in some definite manner. means a combination of materials constructed and erected permanently in or on the ground or attached to something having a permanent location on the ground, not including utility poles and related ground or pad mounted equipment, fences less than six feet in height, retaining walls, rockeries and other similar improvement of a minor character less than three feet in height. (Ord. 91-5 § 2, 1991)

17.08.600 Substandard street.

“Substandard street” means a street having less than a 60-foot right-of-way the standard right of way for the class of street as required by Chapter 16.20, as the same exists now or may hereafter be amended. (Ord. 91-5 § 2, 1991)

17.08.xxx Very low-income household

"Very low-income household" means a single person, family, or unrelated persons living together whose adjusted income is at or below fifty percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development.

17.08.xxx Veterinary hospital.

"Veterinary hospital" means a place where animals are given medical care and the boarding of animals is limited to short-term care incidental to the hospital use.

17.08.630 Yard, front.^[BB24]^[SB25]^[BB26]

“Front yard” means an open area that extends across the full width of a lot lying between the front lot line and the front yard setback line nearest point of a building—measured horizontally and perpendicular from the front lot line. (Ord. 02-22 § 9, 2002; Ord. 91-5 § 2, 1991)

17.08.640 Yard, rear.

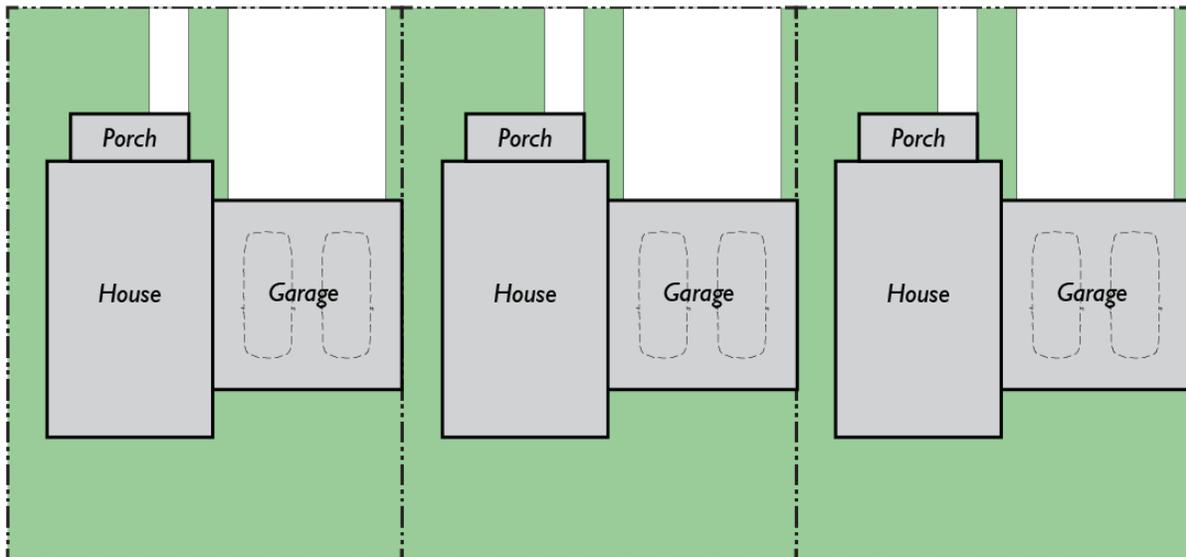
“Rear yard” means an open area that extends across the full width of a lot lying between the rear lot line and the nearest point of a building measured horizontally and perpendicular from the rear lot line rear yard setback line. (Ord. 02-22 § 10, 2002; Ord. 91-5 § 2, 1991)

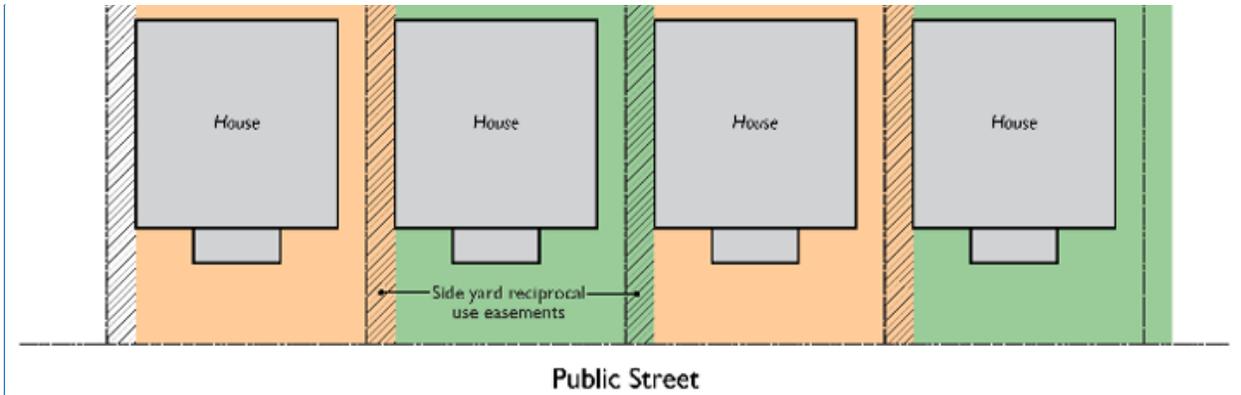
17.08.650 Yard, side.

“Side yard” means an open area that extends from the front yard setback line to the rear yard setback line between the side lot line and the nearest point of a building measured horizontally and perpendicular from the side lot line. (Ord. 02-22 § 11, 2002; Ord. 91-5 § 2, 1991)

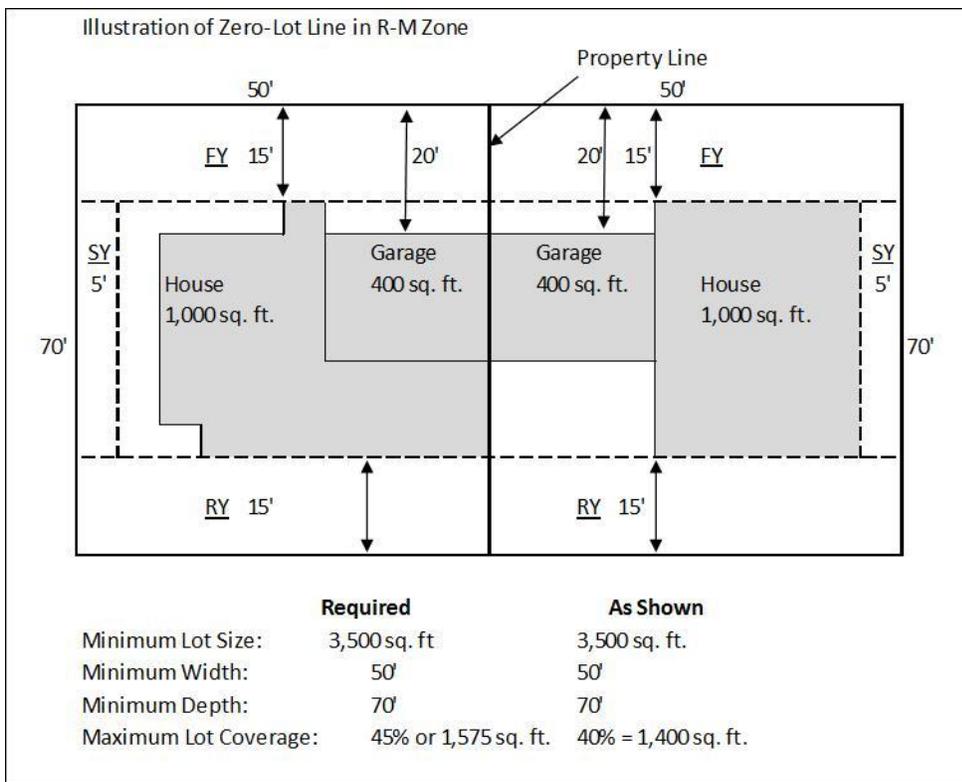
17.08.660 Zero lot line development.

“Zero lot line development” means the location of a building on a lot in such a manner that any portion of one or more of the building’s walls rests directly on a side or rear lot line. Each dwelling in a zero-lot line development shall be located on its own individually platted lot. See 17.72.212 EWMC for standards.





[SB27][BB28]



~~(Ord. 16-13 § 11, 2017)~~

Chapter 17.24 R-L RESIDENTIAL LOW DENSITY DISTRICT

Sections:

17.24.010	Purpose.
17.24.020	Permitted uses.
17.24.030	Accessory uses.
17.24.040	Conditional uses.
17.24.045	Prohibited uses.
17.24.050	Dimensional standards.
17.24.060	Off-street parking requirements.
17.24.070	Landscaping requirements.
17.24.090	Design standards and guidelines.

17.24.010 Purpose.

The R-L residential low density district is a land use classification primarily suited for single-family residential living. Uses are limited to residential uses and under certain conditions public and service uses which by their nature as support services or facilities are necessarily better served by locating within the residential sector. (Ord. 16-09 § 5 (Exh. A), 2017; Ord. 07-05 § 4, 2007; Ord. 01-03 § 1, 2001; Ord. 91-5 § 2, 1991)

17.24.020 Permitted uses.

The following uses shall be permitted uses in the R-L district:

- A. Single-family dwellings including modular and manufactured housing constructed in accordance with the design requirements set forth in Chapter 15.38 EWMC, but not to exceed one dwelling on any one lot unless otherwise permitted by this title;
- B. Temporary construction offices within the tract or subdivision on which buildings are being erected, and only for the duration of active construction;
- C. Residential planned unit developments approved pursuant to Chapter 17.68 EWMC and the applicable sections of the Greater Wenatchee Urban Area Design Standards and Guidelines which are adopted by this reference as if fully set forth herein;
- D. Adult family homes licensed by the Washington State Department of Social and Health Services and meeting the definition in EWMC 17.08.055;
- E. Bus passenger amenities meeting the requirements of EWMC 17.72.185;
- F. Agricultural uses of a horticultural nature such as vegetable gardens, fruit and nut trees, grape vines, and other horticultural stock;
- G. Duplex dwellings; provided, the property is immediately adjacent to a commercial zoning district (i.e., shares a common lot line or is directly across a public street from) and has sufficient land area to provide 8,000 square feet of land area per duplex structure in addition to the land area required for any other dwellings existing on the same property.

H. Duplexes on corners. This provision allows new duplexes in locations where their appearance and impact will be compatible with the surrounding houses. Duplexes on

corner lots can be designed so each unit is oriented towards a different street. This gives the structure the overall appearance of a house when viewed from either street.

1. Development standards. Both units of the duplex or attached houses must meet the following standards to ensure that the two units have compatible elements. Adjustments to this paragraph are prohibited. The standards are:
2. Minimum lot size. The minimum lot size for duplexes on a corner lot is 8,000 square feet in area.
3. Entrances. Each of the units must have its address and main entrance oriented towards a separate street frontage. Deviation from this standard may be permitted if one of the streets is an arterial and the driveway would adversely impact circulation on that street. Where an existing house is being converted to two units, one main entrance with internal access to both units is allowed.
4. Exterior finish materials. The exterior finish material must be the same, or visually match in type, size and placement.
5. Roof pitch. The predominant roof pitch must be the same for both units.
6. Eaves. Roof eaves must project the same distance from the building wall.
7. Trim. Trim must be the same in type, size and location.
8. Windows. Windows must match in proportion and orientation.
- 4.9. Overall design. The overall design of the duplex must be consistent in bulk and character with the homes in the neighborhood.

I. Triplex dwellings, [SB29][BB30] provided they meet applicable minimum lot size standards in EWMC 17.24.050(A) and the following locational requirements:

1. The triplex is on a lot that is immediately adjacent to a commercial zoning district (i.e., shares a common lot line or is directly across a public street from).
2. The triplex is on a corner lot.

J. Courtyard dwellings, provided they meet applicable minimum lot size standards in EWMC 17.24.050(A) and the following standards: [SB31][BB32]

1. The development is located on a corner lot or immediately adjacent to a commercial zoning district (i.e., shares a common lot line or is directly across a public street from).
2. The development meets applicable minimum lot size standards in EWMC 17.24.050(A).
3. The development has no more than six [BB33] dwelling units.
4. The development is no more than two-stories tall.

(Ord. 16-09 § 5 (Exh. A), 2017; Ord. 07-05 § 4, 2007; Ord. 05-07 § 1, 2005; Ord. 01-03 § 1, 2001; Ord. 98-3 § 2, 1998; Ord. 94-2 § 1, 1994; Ord. 91-5 § 2, 1991)

17.24.030 Accessory uses.

Subject to the dimensional standards set forth in EWMC 17.24.050, the following uses shall be accessory uses in the R-L district:

A. Attached or detached accessory buildings and structures clearly incidental to the residential use of the lot, such as the storage of personal property, including private garages;

B. Family day care home as defined in EWMC 17.08.155(B);

C. Not more than a total of eight cars, trucks, or recreational vehicles per dwelling^[BB34] unit may be parked outside of a building on any lot. Said vehicles shall be parked to the rear of the front yard setback line, except when parked in the driveway. For purposes of this section, "recreational vehicles" shall mean any travel trailers, truck campers, tent trailers, motor homes, snowmobiles, boats or jet skis, utility trailers for hauling materials or recreational vehicles, and similar equipment;

D. Fences as provided for in EWMC 17.72.160;

E. Covered Patios.

1. A freestanding covered patio must meet the standards of this title. If the cover over the patio is attached to a dwelling or within six feet of the dwelling it is to be considered as part of that dwelling for the purposes of determining the setback for the dwelling;

2. Height limit: 10 feet for a detached structure with a flat roof; provided, however, that a fireplace flue may extend beyond the maximum height limit to a height of not over 13 feet; in all other cases the roof height shall not exceed the provisions of EWMC 17.24.050(D);

3. Area limit: Must not exceed the provisions of EWMC 17.24.050(E);

F. Swimming Pools.

1. All pools must be located behind the front yard setback line and maintain at least a five-foot setback from all side and rear property lines;

2. All pools and the yard or area around them must be enclosed by a fence/barrier of not less than 48 inches in height meeting the requirements established in the Uniform Building Code for Barriers for Swimming Pools, Spas and Hot Tubs, as the same now exists or may be amended as adopted in Chapter 15.04 EWMC and the following general provisions:

a. Such fence/barrier shall be constructed and maintained as to prevent, within reason, any person from gaining access beneath, over, or through said fence/barrier;

b. Gates or doors to the pool area shall be of the same height as the fence/barrier and substantial in construction;

c. All gates or doors shall be equipped with self-closing mechanisms and devices for locking, and shall be kept locked at all times the pool is unguarded, unattended or not in use;

G. Large satellite dish, amateur radio tower, or attached wireless communication facility subject to the provisions of Chapter 17.70 EWMC, as the same now exists or may hereafter be amended;

H. Accessory dwelling units pursuant to the provisions of EWMC 17.72.190, as the same exists now or may hereafter be amended;

I. The keeping and raising of farm animals, livestock and poultry, as specified in EWMC 17.72.200; provided, that no commercial structure shall be constructed or maintained on the premises;

J. Home occupations as specified in Chapter 17.66 EWMC.

(Ord. 16-09 § 5 (Exh. A), 2017; Ord. 13-04 § 6, 2013; Ord. 13-03 § 4, 2013; Ord. 07-05 § 4, 2007; Ord. 05-07 § 3, 2005; Ord. 02-22 § 12, 2002; Ord. 01-03 § 1, 2001; Ord. 2000-02 § 4, 2000; Ord. 91-5 § 2, 1991)

17.24.040 Conditional uses.

The following uses shall be conditional uses in the R-L district under conditions set forth in Chapter 17.64 EWMC:

A. Public schools and private schools;

B. Public parks and playgrounds;

C. Churches;

D. Municipal buildings;

E. Public facilities and utilities;

F. Neighborhood centers;

G. Child day care centers – Group 1 facilities only as defined in EWMC 17.08.155(A)(1);

H. Bed and breakfast facilities.

(Ord. 16-09 § 5 (Exh. A), 2017; Ord. 13-04 § 7, 2013; Ord. 07-05 § 4, 2007; Ord. 05-07 § 6, 2005; Ord. 01-03 § 1, 2001; Ord. 2000-02 § 5, 2000; Ord. 91-5 § 2, 1991)

17.24.045 Prohibited uses.

All uses not listed above as permitted uses, accessory uses, or conditional uses shall be prohibited uses. Upon application to the board of adjustment, the board may rule that a use not specifically named in the permitted uses of a district shall be included among the allowed uses if the use is of the same general type and is similar to the permitted uses; however, this section does not authorize the inclusion of a use in a district where it is not listed when the use is specifically listed in another district.

(Ord. 16-09 § 5 (Exh. A), 2017; Ord. 07-05 § 4, 2007; Ord. 01-03 § 1, 2001)

17.24.050 Dimensional standards.

The following are dimensional standards in the R-L district:

A. Minimum lot area:

1. Single-family dwelling: 5,000 square feet, except as provided in EWMC 17.72.020(D);

- 2. Duplex dwellings: 8,000 square feet;
- 3. Triplex dwellings: 10,000 square feet.
- 4. ~~[SB35][BB36]~~ Courtyard dwellings: 15,000 square feet.

B. Minimum width of lot ~~at building line~~: 50 feet. Corner lots shall have a minimum width at ~~the building line~~ of 60 feet, except as provided in EWMC 17.72.020(D);

C. Minimum lot depth: 80 feet;

D. Maximum building height: 35 feet, except where otherwise noted^[BB37];

E. Maximum land coverage:

- 1. Single-family dwellings and all other structures: 40 percent ~~for all buildings~~;
- 2. Duplex, triplex, and courtyard apartments: 45 percent^[BB38].

F. Minimum setback distances, except as provided in EWMC 17.72.040:

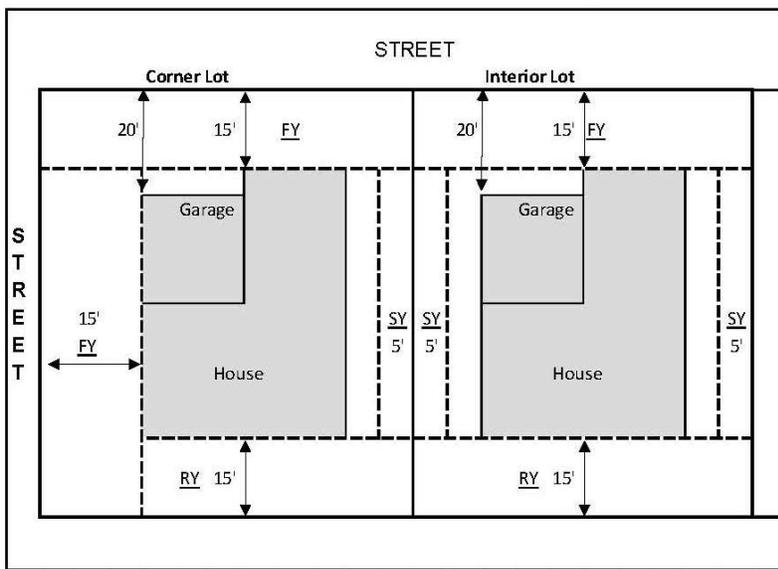
1. Front yard: 15 feet, provided any garage or carport with vehicle entrances facing a street shall be set back at least 20 feet from the front lot line. Unenclosed porches and covered entries may project up to six feet into the front yard setback^{[BB39][SB40]};

2. Rear yard: 15 feet;

3. Side yard: five feet

4. Corner lots. Buildings on corner lots shall observe the minimum front yard setback on both streets and shall provide at least one rear yard setback. (See illustration below.)

~~Flag lots. ^[SB41]The lot in front of a flag lot may reduce its side building setback along the flag pole lot line to 5 feet. Eaves may be within 2 feet of the flag pole lot line. All other setback requirements remain the same.~~



(Ord. 16-09 § 5 (Exh. A), 2017; Ord. 08-09 § 3 Exh. A-1(2), 2008; Ord. 07-05 § 4, 2007; Ord. 01-03 § 1, 2001; Ord. 91-5 § 2, 1991)

17.24.060 Off-street parking requirements.

Off-street parking requirements for the R-L district shall conform to the provisions in Chapter 17.72 EWMC, as the same exists now or may hereafter be amended. All required parking shall be located to the rear of the front yard setback. (Ord. 16-09 § 5 (Exh. A), 2017; Ord. 07-05 § 4, 2007; Ord. 01-03 § 1, 2001; Ord. 91-5 § 2, 1991)

17.24.070 Landscaping requirements.

All developments in this district shall be subject to the landscaping requirements in Chapter 17.72 EWMC, as the same exists now or may hereafter be amended. (Ord. 16-09 § 5 (Exh. A), 2017; Ord. 07-05 § 4, 2007; Ord. 01-03 § 1, 2001)

17.24.090 Design standards and guidelines.

Development within this district shall comply with the applicable sections of the Greater East Wenatchee Urban Growth Area Design Standards and Guidelines which are adopted by this reference as if fully set forth herein. (Ord. 16-09 § 5 (Exh. A), 2017; Ord. 07-05 § 4, 2007)

Chapter 17.28 R-M RESIDENTIAL MEDIUM DENSITY DISTRICT

Sections:

- 17.28.010 Purpose.
- 17.28.020 Permitted uses.
- 17.28.030 Accessory uses.
- 17.28.040 Conditional uses.
- 17.28.045 Prohibited uses.
- 17.28.050 Dimensional standards.
- 17.28.060 Off-street parking requirements.
- 17.28.070 Landscaping requirements.
- 17.28.080 Site plan review.
- 17.28.090 Design standards and guidelines.

17.28.010 Purpose.

The R-M residential medium density district is a land use classification suitable for residential uses with a variety of housing types, forms and densities to provide a greater degree of flexibility of design as an alternative to conventional single-family detached development. Uses are limited to residential uses and under certain conditions public and private service uses which are required to service residential uses in residential areas. (Ord. 16-10 § 5 (Exh. A), 2017; Ord. 07-05 § 4, 2007; Ord. 01-03 § 1, 2001; Ord. 91-5 § 2, 1991)

17.28.020 Permitted uses.

The following uses shall be permitted uses in the R-M district:

A. Any permitted use allowed in the R-L district with the exception of agricultural uses. Location or proximity requirements of the R-L district do not apply to the R-M district;

B. Single-family small lot dwellings;

C. Duplex, triplex, townhome, courtyard, and multifamily dwellings;

D. Assisted living facilities;

E. Residential planned unit developments approved pursuant to Chapter 17.68 EWMC.

~~B. Apartments, duplexes, assisted living facilities, other multifamily dwelling units up to 15 dwelling units per acre; and multifamily dwellings.~~

~~C.D. Residential planned unit developments approved pursuant to Chapter 17.68 EWMC.~~

(Ord. 16-10 § 5 (Exh. A), 2017; Ord. 07-05 § 4, 2007; Ord. 01-03 § 1, 2001; Ord. 91-5 § 2, 1991)

17.28.030 Accessory uses.

Subject to the dimensional standards set forth in EWMC 17.28.050, the following uses shall be accessory uses in the R-M district:

All accessory uses allowed in the R-L district under conditions applicable to the R-L district as set forth in EWMC 17.24.030; except for the provision in EWMC 17.24.030(c).

(Ord. 16-10 § 5 (Exh. A), 2017; Ord. 07-05 § 4, 2007; Ord. 01-03 § 1, 2001; Ord. 2000-02 § 6, 2000; Ord. 94-14 § 1, 1994; Ord. 91-5 § 2, 1991)

17.28.040 Conditional uses.

The following uses shall be conditional uses in the R-M district under conditions set forth in Chapter 17.64 EWMC:

- A. Churches;
- B. Hospitals;
- C. Child day care centers – Group 1 facilities only as defined in EWMC 17.08.155(A)(1);
- D. Municipal buildings;
- E. Public facilities and utilities;
- F. Bed and breakfasts or boardinghouses;
- G. Neighborhood centers;
- H. Public schools and private schools;
- I. Public parks and playgrounds;
- J. Manufactured home parks.

(Ord. 16-10 § 5 (Exh. A), 2017; Ord. 13-04 § 8, 2013; Ord. 07-05 § 4, 2007; Ord. 01-03 § 1, 2001; Ord. 91-5 § 2, 1991)

17.28.045 Prohibited uses.

All uses not listed above as permitted uses, accessory uses, or conditional uses shall be prohibited uses. Upon application to the board of adjustment, the board may rule that a use not specifically named in the permitted uses of a district shall be included among the allowed uses if the use is of the same general type and is similar to the permitted uses; however, this section does not authorize the inclusion of a use in a district where it is not listed when the use is specifically listed in another district.

(Ord. 16-10 § 5 (Exh. A), 2017; Ord. 07-05 § 4, 2007; Ord. 01-03 § 1, 2001)

17.28.050 Dimensional standards.

The following are dimensional standards in the R-M district:

- A. Minimum lot area: 4,000 square feet.

~~1. Four thousand square feet^(3,942) for single-family dwellings, or 3,500 square feet for attached single-family dwellings; _~~

~~2. Six thousand square feet for two-family dwellings;~~

~~3. Six thousand square feet for the first two dwellings plus 2,900 square feet per each additional dwelling unit for a multifamily dwelling structure up to a maximum density of 15 dwelling units per acre;~~

B. Maximum density: 15 dwelling units per acre;

CB. Minimum width of lot at building line: 50 feet. Alley-loaded lots shall have a minimum width of 40 feet. Corner lots shall have a minimum width ~~at the building line~~ of 60 feet;

DC. Minimum lot depth: 70 feet;

ED. Maximum building height: 50 feet;

FE. Maximum land coverage: ~~45-50~~ percent for all buildings.

GF. Minimum setback distances: except as provided in EWMC 17.72.040(B), (C), (D), (F) and (H):

1. Front yard: 15 ~~to 20~~ feet^[SB43], provided any garage or carport with vehicle entrances facing a street shall be set back at least 20 feet from the front lot line; Unenclosed porches and covered entries may project up to six feet into the front yard setback

2. Rear yard: 15 feet;

3. Side yard: five feet plus one-half foot for each foot by which the building height exceeds 35 feet. To comply with the increased setback requirement for buildings over 35 feet, the building may be designed with the first floor at five feet and the upper floors stepped back to meet the increased setback requirement. Single-family small lots may utilize the zero-lot line standards under EWMC 17.72.xxx.

Buildings on corner lots shall observe the minimum front yard setback on both streets and shall provide at least one rear yard setback.

(Ord. 16-10 § 5 (Exh. A), 2017; Ord. 08-09 § 3 Exh. A-1(3), 2008; Ord. 07-05 § 4, 2007; Ord. 01-03 § 1, 2001; Ord. 2000-02 § 7, 2000; Ord. 91-5 § 2, 1991)

17.28.060 Off-street parking requirements.

The off-street parking requirements shall be as set forth in EWMC 17.72.010, as the same exists now or may hereafter be amended.

(Ord. 16-10 § 5 (Exh. A), 2017; Ord. 07-05 § 4, 2007; Ord. 01-03 § 1, 2001; Ord. 91-5 § 2, 1991)

17.28.070 Landscaping requirements.

All developments in this district shall be subject to the landscaping requirements in Chapter 17.72 EWMC, as the same exists now or may hereafter be amended.

(Ord. 16-10 § 5 (Exh. A), 2017; Ord. 07-05 § 4, 2007; Ord. 01-03 § 1, 2001)

17.28.080 Site plan review.

Site plan review and approval pursuant to Chapter 17.80 EWMC shall be required prior to the use of land for the location of multiple dwelling units.

(Ord. 16-10 § 5 (Exh. A), 2017; Ord. 07-05 § 4, 2007; Ord. 01-03 § 1, 2001)

17.28.090 Design standards and guidelines.

Development within this district shall comply with the applicable sections of the Greater East Wenatchee Urban Growth Area Design Standards and Guidelines which are adopted by this reference as if fully set forth herein.

(Ord. 16-10 § 5 (Exh. A), 2017; Ord. 07-05 § 4, 2007)

Chapter 17.32 R-H RESIDENTIAL HIGH DENSITY/OFFICE DISTRICT

Sections:

- 17.32.010 Purpose.
- 17.32.020 Permitted uses.
- 17.32.030 Accessory uses.
- 17.32.040 Conditional uses.
- 17.32.045 Prohibited uses.
- 17.32.050 Dimensional standards.
- 17.32.060 Off-street parking requirements.
- 17.32.070 Landscaping.
- 17.32.080 Site plan review.
- 17.32.090 Design standards and guidelines.

17.32.010 Purpose.

The R-H residential high density/office district is a land use classification suitable for high level of diversity and density in residential housing types and offices and limited commercial opportunities that can be integrated into the residential area. Uses are limited to residential and office uses and those uses deemed not to be unduly detrimental to the character of the district. (Ord. 16-11 § 5 (Exh. A), 2017; Ord. 07-05 § 4, 2007; Ord. 01-03 § 1, 2001; Ord. 91-5 § 2, 1991)

17.32.020 Permitted uses.

The following uses shall be permitted uses in the R-H district:

The maximum density is already stated below under section 17.32.050(B). We recommend the best practice of avoiding standards duplication.

A. Any permitted uses allowed in the R-L district with the exception of agricultural uses. Location or proximity requirements of the R-L district do not apply to the R-H district;

B. ^[SB44]Single-family small lot dwellings;

C. Duplex, triplex, townhome, courtyard, and multifamily dwellings;

D. Assisted living facilities;

~~B. Apartments, duplexes, assisted living facilities, and other multifamily dwelling units up to 24 dwelling units per acre; and multifamily dwellings.~~

~~C~~E. Boardinghouses, lodging houses and housekeeping rooms;

~~F~~D. General or professional offices; provided, all of the following criteria are satisfied:

1. The term “general or professional offices” for this section includes a building or separately defined space (which may include more than one building) occupied by doctors, dentists, accountants, bookkeepers, insurance agents, realtors,

attorneys, optometrists, architects, professional engineers and surveyors, or any group or combination with a professional or personal service business, excluding commercial laundries, funeral services or other services where the use of hazardous chemicals, equipment, or process which creates noise, vibration, glare, smoke, dust, fumes, odors, heat or electrical interference with any radio or television receivers. In case of a dispute the administrator shall determine whether or not the proposed use is a professional or personal service business;

2. The use of an office does not include retail sales or manufacture of goods unless incidental and subordinate to the primary use of the property for the professional or service business, provided such operation or use does not exceed 30 percent of the floor area of the primary structure, or 3,000 square feet in area, whichever is less;

3. The lot has frontage on an arterial or collector street as shown on the comprehensive plan and uses such frontage as its primary access;

4. Off-street parking is provided in compliance with the provisions of EWMC 17.72.010, as the same exists now or may hereafter be amended;

5. Screening shall be provided on any property line abutting a residential land use consisting of a continuous fence supplemented with landscape planting or a continuous wall, evergreen hedge or combination thereof which effectively screens the area which it encloses. All required screening shall be constructed to the maximum heights allowable for fences;

6. Business hours are limited to between 7:00 a.m. and 10:00 p.m. daily;

GE. Mobile/manufactured home parks meeting the standards of EWMC 17.64.130, including all future amendments.

(Ord. 16-11 § 5 (Exh. A), 2017; Ord. 13-04 § 9, 2013; Ord. 13-03 § 5, 2013; Ord. 12-20 § 6, 2012; Ord. 07-05 § 4, 2007; Ord. 01-03 § 1, 2001; Ord. 91-5 § 2, 1991)

17.32.030 Accessory uses.

Subject to the dimensional standards set forth in EWMC 17.32.050, the following uses shall be accessory uses in the R-H district:

A. All accessory uses allowed in the R-L district under conditions applicable to the R-L district as set forth in EWMC 17.24.030, except the keeping and raising of livestock and poultry and except for the provision in EWMC 17.24.030(c).

(Ord. 16-11 § 5 (Exh. A), 2017; Ord. 13-03 § 6, 2013; Ord. 07-05 § 4, 2007; Ord. 01-03 § 1, 2001; Ord. 2000-3 § 4, 2000; Ord. 2000-02 § 8, 2000; Ord. 91-5 § 2, 1991)

17.32.040 Conditional uses.

The following uses shall be conditional uses in the R-H district under conditions set forth in Chapter 17.64 EWMC:

A. Public schools and private schools;

B. Churches;

C. Clinics (not otherwise qualifying under EWMC 17.32.020(D)), hospitals and sanitariums;

D. Child day care centers (Groups 1 and 2);

E. Public facilities and utilities;

F. Bed and breakfast facilities;

G. Neighborhood centers;

H. Public parks and playgrounds;

I. Off-street parking facilities as a primary use may be permitted in the R-H district on zoning lots physically contiguous to any commercial district. Such parking uses shall be screened along any property line that abuts or faces a lot zoned for residential purposes pursuant to the requirements for Type I screening in EWMC 17.72.080. Any parking lot created under this section shall directly serve the permitted uses in the contiguous commercial districts. Parking thus provided may be credited toward the required off-street parking requirements for such permitted commercial uses;

J. Broadcast relay tower communication facility subject to the provisions of Chapter 17.70 EWMC, as the same now exists or may hereafter be amended.

(Ord. 16-11 § 5 (Exh. A), 2017; Ord. 13-04 § 10, 2013; Ord. 07-05 § 4, 2007; Ord. 02-22 § 13, 2002; Ord. 01-03 § 1, 2001; Ord. 91-5 § 2, 1991)

17.32.045 Prohibited uses.

All uses not listed above as permitted uses, accessory uses, or conditional uses shall be prohibited uses. Upon application to the board of adjustment, the board may rule that a use not specifically named in the permitted uses of a district shall be included among the allowed uses if the use is of the same general type and is similar to the permitted uses; however, this section does not authorize the inclusion of a use in a district where it is not listed when the use is specifically listed in another district.

(Ord. 16-11 § 5 (Exh. A), 2017; Ord. 07-05 § 4, 2007; Ord. 01-03 § 1, 2001)

17.32.050 Dimensional standards.

The following are dimensional standards in the R-H district:

A. Minimum lot area: 3,200 square feet^[BB45].

~~1. Three thousand two hundred square feet for single-family dwellings or 3,000 square feet for single-family attached dwellings;~~

~~2. Five thousand square feet for a two-family dwelling;~~

~~3. Five thousand square feet for the first two dwellings plus 1,700 square feet for each additional dwelling unit for multifamily dwelling structures;~~

~~4. Seven thousand square feet for general and professional offices;~~

B. Maximum density: 24 dwelling units per acre;

C. Minimum width of lot ~~at building line:~~

1. 40 feet for one- or two-story buildings;

2. 50 feet for three- to four-story buildings;

3. 60 feet for corner lots ~~shall have a minimum width at the building line of 60 feet,~~ except as provided in EWMC 17.72.020(D);

D. Minimum lot depth: ~~80~~ 60 feet;

E. Maximum building height: 50 feet;

F. Maximum land coverage: ~~50~~ 60 percent for all structures;

G. Minimum setback distances: except as provided in EWMC 17.72.040(B), (C), (D), (F) and (H):

1. Front yard: 10 feet from the front property line. Any garage or carport with entrances facing a street shall be set back at least 20 feet;

2. Rear yard: 15 feet;

3. Side yard: Five feet plus one-half foot for each foot by which the building height exceeds 35 feet. To comply with the increased setback requirement for buildings over 35 feet, the building may be designed with the first floor at five feet and the upper floors stepped back to meet the increased setback requirement. Single-family small lots may utilize the zero-lot line standards under EWMC 17.72.xxx.

4. Buildings on corner lots shall observe the minimum front yard setback on both streets and shall provide at least one rear yard setback.

(Ord. 16-11 § 5 (Exh. A), 2017; Ord. 08-09 § 3 Exh. A-1(4), 2008; Ord. 07-05 § 4, 2007; Ord. 01-03 § 1, 2001; Ord. 2000-02 § 9, 2000; Ord. 91-5 § 2, 1991)

17.32.060 Off-street parking requirements.

A. The off-street requirements shall be as set forth in EWMC 17.72.010, as the same exists now or may hereafter be amended.

B. All of the parking shall be located to the rear of any front yard setback line and shall not project beyond any side yard setback line.

(Ord. 16-11 § 5 (Exh. A), 2017; Ord. 07-05 § 4, 2007; Ord. 01-03 § 1, 2001; Ord. 91-5 § 2, 1991)

17.32.070 Landscaping.

All developments in this district shall be subject to the landscaping requirements in Chapter 17.72 EWMC, as the same exists now or may hereafter be amended.
(Ord. 16-11 § 5 (Exh. A), 2017; Ord. 07-05 § 4, 2007; Ord. 01-03 § 1, 2001; Ord. 91-5 § 2, 1991)

17.32.080 Site plan review.

Site plan review and approval pursuant to Chapter 17.80 EWMC shall be required prior to the use of land for the location of any commercial activity or for the location of multiple dwelling units.

(Ord. 16-11 § 5 (Exh. A), 2017; Ord. 07-05 § 4, 2007; Ord. 01-03 § 1, 2001; Ord. 91-5 § 2, 1991)

17.32.090 Design standards and guidelines.

Development within this district shall comply with the applicable sections of the Greater East Wenatchee Urban Growth Area Design Standards and Guidelines which are adopted by this reference as if fully set forth herein.

(Ord. 16-11 § 5 (Exh. A), 2017; Ord. 07-05 § 4, 2007)

33Chapter 17.34 Commercial Zoning District Land Use Matrix

Due to the large size of the matrix, we are using only an excerpt and the footnotes as a basis for drafting.

Code	2002 NAICS Land Use Description	EW Urban Area			
		G-C	MU	WMU	CBD
72	Accommodation and Food Services				
	Residential (Single-Family Dwelling Units) ^[SB46]		P ^[SB47]	P ^[SB48]	
	<u>Residential (Single-Family Small Lot Dwelling)</u>				
	<u>Residential (Townhome)</u>	P7	P	P	P7 ^[BB49]
	<u>Residential (Duplex)</u>				
	<u>Residential (Triplex)</u>				
	<u>Residential (Courtyard Dwelling)</u>				
	Residential (Multifamily Dwelling Units)	A/G P7 ^[SB50]	P	P	A/G P7
	Residential (Existing) ^[SB51]	P4	P	P	P4
721110	Hotels (Except Casino Hotels) and Motels	P	P	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.

P1 – All storage must comply with the requirements of EWMC 17.72.150 and the gross floor area of the building cannot exceed 5,000 sq. ft. (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.

P7 – Residential uses are prohibited on the ground floor of buildings (or portions thereof) facing the street. Buildings facing the street (or portions thereof) must reserve ground level space at least 60-feet deep for other permitted uses. Exception: Residential lobbies may be located on the ground floor of buildings facing the street.

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.

Chapter 17.72 GENERAL REGULATIONS

Note to reviewers: Due to the large number of sections in this chapter, sections that have not been changed have not been included.

Sections:

Sections:

- 17.72.005 Purpose.
- 17.72.010 Off-street parking. [Amended](#)
- 17.72.020 Use of land or buildings. [Amended](#)
- 17.72.030 Recreational vehicles.
- 17.72.035 Building height measurement.
- 17.72.040 Structures generally. [Amended](#)
- 17.72.045 Lot size averaging.
- 17.72.050 Landscaping – Purpose and intent.
- 17.72.060 General landscaping.
- 17.72.070 Parking lot landscapes. [Amended](#)
- 17.72.080 Screening requirements.
- 17.72.090 Existing site vegetation.
- 17.72.100 Maintenance.
- 17.72.110 Performance assurance/bonding.
- 17.72.120 Minor modification of landscaping requirements – Technical review committee.
- 17.72.130 Payment in lieu of landscaping.
- 17.72.140 Landscaping for additions to existing buildings.
- 17.72.150 Storage and display standards.
- 17.72.160 Fences. [Amended](#)
- 17.72.170 Garbage containers – Placement and screening.
- 17.72.180 Adult entertainment facilities.
- 17.72.185 Bus passenger amenities.
- 17.72.190 Accessory dwelling units.
- 17.72.200 Farm animals, livestock, and poultry.
- 17.72.210 Lot frontage. [Amended](#)
- ~~17.72.211 Flag lots. [NEW]~~
- ~~17.72.212 Access easement lots. [NEW]~~
- ~~17.72.213 Zero lot line standards. [NEW]~~
- 17.72.220 Storage facilities associated with residential development.
- 17.72.230 On-site recreation – Space required.
- 17.72.240 Pedestrian and/or bicycle trail access.
- 17.72.250 Preservation of public and private open space.
- 17.72.255 Electric vehicle infrastructure.
- 17.72.260 Required use of public sanitary sewer system.
- 17.72.270 Cryptocurrency mining.

17.72.005 Purpose.

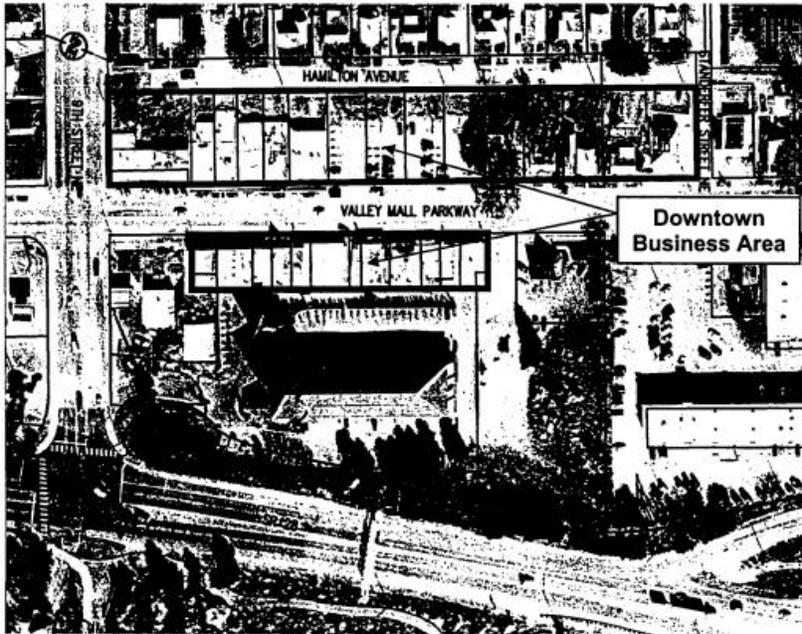
The purpose of the general regulations chapter is to provide a concise reference to requirements that are common to many different zoning districts, thereby providing a more efficient utilization of this title. (Ord. 07-05 § 7, 2007)

17.72.010 Off-street parking.

G. Off-Street Parking Requirements – Specified Uses. The following requirements shall be met in all zones, except as provided for in subsection (B)(1) of this section. These parking requirements are referenced to spaces per square foot and are to be computed on the basis of gross floor area unless otherwise specified in this table.

LAND USE	STANDARDS MINIMUM PARKING SPACES
RESIDENTIAL LAND USES:	
Accessory dwelling unit	1 space/unit
Bed and breakfast	1 space/ guestroom bedroom
Boarding or lodging home or room	1 space/ guestroom bedroom
Duplexes	2 spaces/dwelling unit 1 ^[SB52] space per bedroom, but not more than 2 spaces per dwelling unit
<u>Triplexes</u>	1 space per bedroom, but not more than 2 spaces per dwelling unit
<u>Townhome</u>	1 space per bedroom, but not more than 2 spaces per dwelling unit
Institutional: welfare or correctional institution, sanitarium, nursing home, assisted living facility, retirement home, rest home or convalescent center, congregate care facility	1 space/5 beds or 1 space/5 dwelling units, whichever is less
Multifamily <u>(includes courtyard apartments)</u>	<u>Studio and one-bedroom</u> units: 1 space/dwelling unit; <u>Two-bedroom units: 1.5</u> space/dwelling unit Two-Three or more bedroom units: 2 spaces/dwelling unit; Plus ^[SB53] 50.25 spaces/dwelling unit for guest parking
Student or group housing	1 space/bedroom
Single-family and manufactured home parks	2 spaces/dwelling unit

I. Downtown Business Area Figure.



(Ord. 16-12 § 5, 2017; Ord. 16-06 § 6 (Exh. B), 2016; Ord. 02-18 § 10, 2002; Ord. 91-5 § 2, 1991)

17.72.020 Use of land or buildings.

Except as herein provided:

A. No building or structure shall be erected and no existing building or structure shall be moved, altered, added to or enlarged, nor shall any land, building, structure, open space or premises be used, designed or intended to be used for any purpose or in any manner other than a use listed in this title as permitted in the use district in which the land, building, structure or premises is located.

B. No building or structure shall be erected nor shall any existing building or structure be moved, reconstructed or structurally altered to exceed in height the limit established by this title.

C. No yard or other open spaces provided about any building or structure for the purpose of complying with the regulations of this title or amendments thereto shall be considered as providing a yard or open space for any other building or structure.

D. In the residential districts for lots which were lots of record prior to the passage of the ordinance codified in this title and which contain less than the required width and/or less than the required minimum lot area, ~~but [SB54] contain an area of not less than 5,000-square feet and a minimum width at building line of not less than 40 feet,~~ a building permit may be issued by the administrator of this title without a hearing before the hearing examiner; provided, that the structure built on any such nonconforming lot of record shall meet all of the remaining dimensional standards required in the district in which the structure is located. (Ord. 16-12 § 6, 2017; Ord. 07-05 § 7, 2007; Ord. 01-03 § 1, 2001; Ord. 91-5 § 2, 1991)

17.72.040 Structures generally.

A. No accessory building shall be used as a place of habitation, unless expressly permitted otherwise by this title and city building, life and safety codes.

B. Accessory structures [SB55] may be built within a rear yard; provided, that the maximum lot coverage is not exceeded and that no structure or combination of structures cover more than 50 percent of the land area of within the rear yard. A five-foot setback from all property lines is required except as provided below.

C. No accessory structure shall occupy any part of a required front yard area.

D. ~~Accessory structures may observe a three-foot setback [SB56] the side and rear yard areas; provided, that no combination of structures extend more than 50 percent of the horizontal distance of the rear or side property line.~~ Accessory buildings-structures may observe a zero setback [SB57] where a rear or side property line is adjacent to an alley. In all other circumstances, accessory buildings shall observe a five-foot setback in rear and side yard areas. No roof eave or any other part of the structure may project or overhang across any property line and said structure shall be constructed with a roof that directs stormwater runoff away from any neighboring properties.

E. All gasoline station pump islands shall be set back at least 15 feet from all property lines.

F. If a lot in a residential district not facing on a substandard street or half-street is adjoined on both sides by lots on which structures are set back less than the required front yard setback, a new structure on the heretofore vacant center lot may set back a distance equal to the average setback of the two adjoining properties but in no case shall the garage setback be less than 20 feet. All lots used for this average setback provision must be located within the same zoning district.

~~G. Cul-de-Sacs or Irregular Lots. No building or structure shall be erected where the front building setback line [SB59][BB59] measures less than 60 feet wide, except when located in a manufactured home park or if specifically approved as a part of a planned development.~~

17.72.070 Parking lot landscapes.

The purpose of parking lot landscape development is to soften the visual effect created by large expanses of barren asphalt. It shall meet the following criteria:

A. Required Area.

1. Commercial and industrial zoning districts. Planting areas shall constitute at least ~~four six~~ [SB60] percent of the parking area ~~in the commercial and industrial zoning districts.~~

2. In all other ~~developments zoning districts~~ [SB61] except for single-family districts, 10 percent of the parking area shall be landscaped.

Such amounts of landscaping may be included in the overall amount of landscaping required by [SB62] EWMC 17.72.060(G).

B. Minimum Width and Length. Planting areas shall have a minimum average width of five feet. When located in a row of parking stalls, planting areas shall be the same length as the adjacent parking stalls.

C. Location of Plantings. All planting areas should be located between parking stalls or the end of parking columns. Where [SB63] vehicle overhang extends into landscape areas, a setback shall be provided that allows adequate growing space for all trees and shrubs.

D. Tree Requirements. A minimum of one tree shall be required for each 150 square feet, or fraction thereof, of required landscape areas. Deciduous trees shall have a clear trunk of at least five feet above the ground, and the remaining area shall be landscaped with shrubs and/or groundcover.

E. Landscape [SB64] areas next to a pedestrian walkway shall be planted to provide a clear view zone between 3 and 8 feet from ground level within a minimum of 3 feet abutting the edge of the walkway.

~~E~~F. Any trees, shrubs, or plants which are susceptible to damage or injury by pedestrian or motor traffic shall be protected by appropriate curbs, tree guards or other protective devices. (Ord. 07-05 § 7, 2007; Ord. 91-5 § 2, 1991)

17.72.160 Fences. [SB65]

Fences in all zoning districts shall meet the following requirements except as may be provided in a specific district:

A. Fence Heights. In any use zoning district, except as otherwise provided in that district or in Chapter 10.28 EWMC or in subsection B of this section, no fence shall exceed the following height standards:

1. Front yard: 48 inches maximum height as measured from the finished grade of the lot within 10 feet of the front lot line. On corner lots and when located within a sight distance triangle as defined in Chapter 10.28 EWMC, no fence or other physical obstruction shall be higher than 48 inches as measured from the established road grade.
2. Side yard: a maximum of 48 inches in height as measured from the established road grade within 10 feet of the front lot line, at which point it may be a maximum of six feet in height as measured from the finished grade of the lot.
3. Rear yard: six feet maximum height from the finished grade of the lot.

B. Double Frontage Lots within Residential Districts. Double frontage lots within a residential district and located on a collector or arterial road may construct a fence six feet in height on the front lot line adjacent to the arterial or collector. The fence height shall be measured from the established road grade. ~~The~~ All of the following criteria shall be met to achieve the maximum fence height, otherwise the maximum height is 48 inches within five feet of the lot line and six feet beyond:

1. Vehicular access is prohibited from the arterial or collector roadway for the affected lot;
2. If a gate is located for each affected lot ~~that it be~~ and which is designed for pedestrian access only;
3. The fence complies with the minimum standards set forth in Chapter 10.28 EWMC for sight distance triangles; and
4. The fence shall be maintained and kept in good repair. [BB66][SB67]

C. Fences Enclosing Special Public or Private Buildings. A fence enclosing public or private school grounds, playfields, municipal buildings, cemeteries, or utilities may be a maximum height of eight feet as measured from the established road grade provided the requirements of Chapter 10.28 EWMC for sight distance triangles is observed.

D. Fence posts and decorative features may exceed the maximum fence height by no more than 18 inches provided the features are spaced at least ~~six~~ 6 feet apart. (Ord. 07-05 § 7, 2007; Ord. 01-03 § 1, 2001; Ord. 91-5 § 2, 1991)

17.72.210 Lot frontage.

Residential lots shall have not less than 40 feet of frontage on a public or private roadway, except when located within a cul-de-sac, a manufactured home park, a planned development or when the lot is accessed from a joint-use driveway or access easement meeting the requirements of Chapters 12.50 through 12.60 EMMC, comprehensive street standards, and any amendments. A minimum of 20 feet of contiguous frontage is required for lots located on a cul-de-sac (road right-of-way) in all use districts and lots located on the outside of a road curve with a radius between 50 and 75 feet unless a shared driveway is approved by the city engineer. (Ord. 16-12 § 10, 2017; Ord. 10-09 § 8, 2010; Ord. 07-05 § 7, 2007)

17.72.211 Flag lots. [NEW]

The following regulations apply to flag lots:

A. Purpose. These regulations allow the creation of flag lots in limited circumstances. The limitations minimize the negative impacts of flag lots and additional driveways on an area while allowing land to be divided when other options are not achievable.

B. When a flag lot is allowed. A flag lot is allowed only when the following are met:

1. ~~[SB68]~~ No more than three lots are proposed, only one of which is a flag lot; and

2. ~~Minimum density requirements for the zoning district~~ District ~~[SB69]~~ will be met; and

3. One of the following ~~are~~ conditions exist:

a. An existing dwelling unit or attached garage on the site is located so that it precludes a land division that meets the minimum lot width standard of the District within which the property is located. The dwelling unit and attached garage must have been on the site prior to the adoption of this section; or

b. The site has dimensions that preclude a land division that meets the minimum lot width standard of the District within which the property is located; and

~~2. No more than three lots are proposed, only one of which is a flag lot; and~~

~~3. Minimum density requirements for the zoning district will be met.~~

C. Flag lot access pole. The pole portion of the flag lot must meet the following standards. Adjustments are prohibited:

1. The pole must connect to a ~~street~~ ~~[SB70]~~;

2. The pole must be at least 20 feet wide for its entire length; and

3. The pole must be part of the flag lot and must be under the same ownership as the flag portion; and

4. No buildings are permitted to be constructed within the pole area.

D. Minimum lot area. Only the area of the flag portion is included when calculating the minimum lot area. The area of the pole portion of the lot is not included.

E. Minimum lot dimensions.

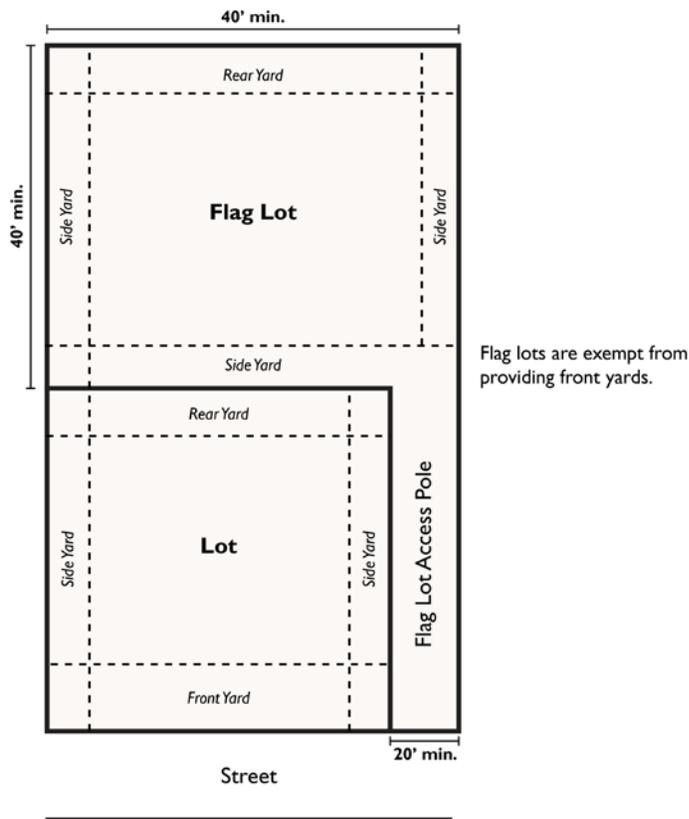
1. Flag lots must have a minimum street frontage of 20 feet.

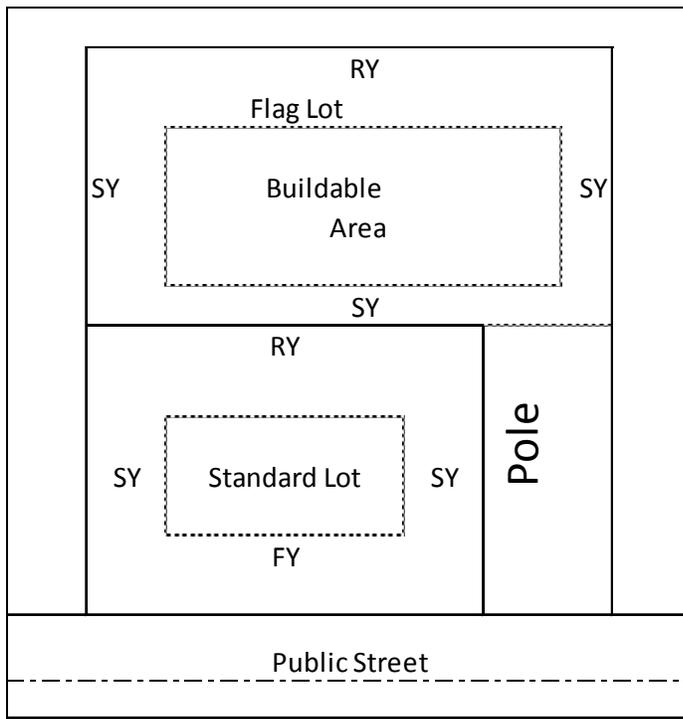
2. The minimum lot width and minimum lot depth required for each flag lot is 40 feet.

3. For the purposes of this subsection width and depth are measured at the midpoints of the opposite lot lines of the flag portion of the lot. All other lot dimension standards must be met.^[BB71]

F. ^[SB72] **Minimum setbacks.** The lot line opposite the public right of way will be considered the rear lot line for the flag lot. A 15-foot setback is required from the rear lot line. ~~Other lot lines shall be considered Side Yard side yards, requiring a 5-foot setback. No ^[SB73] buildings are permitted to be constructed within the pole area.~~ See diagram below. The rear and side yards meet the dimension standards of the applicable District. Flag lots are exempt from providing front yards.

Flag Lot Diagram^[SB74]





17.72.212 Access easement lots. [NEW]

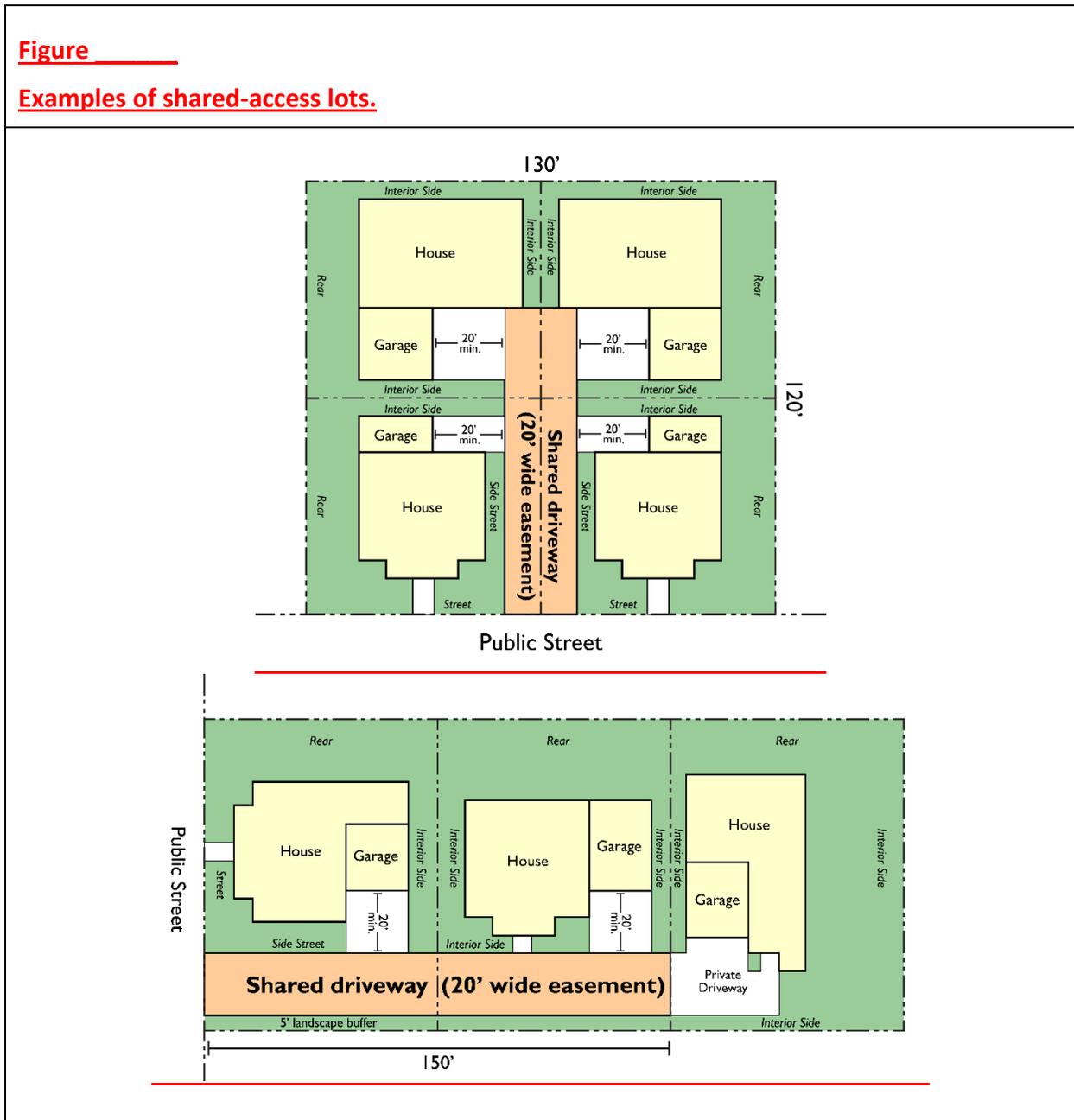
This includes a series of lots clustered around a shared driveway (see EWMC 12.53.010). Standards:

1. Maximum number of lots served by a shared-access: Six^[BB75] [this includes lots fronting the street on either side of the shared-access as shown in Figure ____].
2. Maximum length and width of shared-access: See EWMC 12.53.010.
3. Setback standards and options for lots served by a shared driveway.
 - a. Lots fronting on a public street and containing a shared driveway on one side are considered corner lots for the purpose of determining setbacks.
 - b. Garages facing a shared driveway easement must be setback at least 20-feet from the easement line.
 - c. For interior lots featuring a shared driveway and easement extending through one side of the lot, no street setback is required. Such lots are subject to interior side setbacks on three sides. For the side of the lot featuring the access easement, the interior side setback is applied from the edge of the easement. The rear setback is located opposite the shared driveway.
 - d. Lots sited at the terminus of a shared driveway easement are exempt from the street setback requirement. Such lots must meet interior side setbacks on three sides and a rear setback on one side.

See Figure _____ for examples of subdivisions served by shared driveways and clarification of street, interior, and rear setbacks.

Figure _____

Examples of shared-access lots.



17.72.213 Zero-lot line standards. [NEW]

A. Purpose. This is a configuration where the house and/or garage is built up to one of the side property lines within the development, providing the opportunity for more usable side setback space.

B. Standards:

1. Dwelling units and accessory structures may be placed on one interior side property line that is part of the development. The opposite side setback must be at least 10 feet. Also see applicable sections of the Greater East Wenatchee Urban Growth Area Design Standards and Guidelines for small lot single-family development standards, including minimum usable open space requirements.

2. Privacy Wall. In order to maintain privacy, no windows, doors, air conditioning units, or any other types of openings in the walls along a zero lot line structure are allowed except for windows that do not allow for visibility into the interior side setback of the adjacent lot. Examples include clerestory or obscured windows. See the graphic below for an example of a privacy wall for a zero lot line house.

3. Eaves along a zero-lot line may project a maximum of 18 inches over the interior side property line.

4. Lots intended for zero-lot line homes must be noted on the plat, together with minimum side setback areas and maximum building envelopes.



Side setback and privacy wall for a zero-lot line house.

Chapter 12.53 DRIVEWAYS, ACCESS EASEMENT, PEDESTRIAN FACILITIES, WALKS AND TRAILS

Sections:

- 12.53.010 Driveways and access easement.
- 12.53.020 Pedestrian facilities (urban areas).
- 12.53.030 Walkways, bikeways and trails.
- 12.53.040 School access.
- 12.53.050 Alleys.

12.53.010 Driveways and access easement.

A. General.

1. Dimensions, slopes and details for all driveway and access easements connecting to a city street shall be as indicated on Figure 4-1 in EWMC 12.60.010. Driveways entering streets with curb and gutter shall meet the requirements contained within WSDOT Standard Plans as approved by the city engineer.
2. All new or revised driveways and accesses onto a city street (including temporary or construction accesses) require approval from the city engineer in accordance with the provisions of this chapter.

B. Conditions for Approval of New Driveways and Access Easements.

1. Driveways directly providing access onto arterials and collectors shall be denied if alternate access is available. Access onto arterials and collectors may be permitted where no other alternative is available and is approved by the city engineer.
2. Where property has frontage on more than one street, driveways and accesses shall be limited to the lowest volume street.
3. Circular driveways shall have a minimum separation of 100 feet unless the lot width is insufficient to accommodate the 100-foot separation and the shorter distance is supported by an analysis demonstrating that the two access points are necessary and will not adversely impact traffic circulation on the connecting street.
4. Driveways and access easements should be located at the greatest distance possible from an intersection of two streets. Driveways and access easements should not be located closer than 125 feet from the nearest edge of the intersection as measured from the closest point of the driveway edge when either intersecting street is an arterial or collector and 75 feet when the streets are both local access streets. The city engineer may issue a permit for a driveway or access easement not meeting city location and spacing criteria standards if a conforming connection is not attainable at the time of the permit application submittal and denial would leave the property without a reasonable means of connection to the street system. The city engineer may require the applicant to provide a traffic impact analysis to support the request for a nonconforming

driveway or access easement. Nonconforming driveway or access easement permits shall specify conditions or limits including, but not limited to, the following:

- a. Joint Use Connection. The city may issue a driveway or access easement connection permit requiring a legally enforceable joint use driveway when determined by the city engineer to be in the best interest of the city in maintaining the operational efficiency and safety of the street.
- b. Traffic Volume. The maximum vehicular usage of the connection shall be specified in the permit.
- c. Future Alternate Access. The permit shall specify that a conforming connection be constructed if and when future alternate means of access becomes available, and that the nonconforming connection must be removed.
- d. Users. The permit shall specify the properties to be served by the connection; and any other conditions as necessary to ensure the safe operation of the driveway or access easement and the intersecting street.

5. In areas zoned residential, the minimum separation of individual parcel driveways or accesses, as measured from the centerlines of the driveways or accesses, shall not exceed one-half of the sum of the accessed parcel frontage and each of the adjacent parcel frontages. Joint usage driveways may be required where sufficient spacing is not available.

6. Only one driveway per single residential or commercial unit will be permitted unless the applicant can demonstrate that additional driveways or accesses are needed due to the amount of traffic generated by the project, traffic distribution patterns, impacts to the city street system or public safety and there is sufficient space to accommodate the additional driveway or access. Joint usage driveways are encouraged.

7. All abandoned driveways shall be removed and restored by the applicant or agent.

8. Maintenance of driveways and approaches (and associated culverts where required) onto a city street shall be the responsibility of the applicant.

C. Standards.

1. Common to All Driveways and Access Easements.

- a. Clear View Triangle. In addition to providing sufficient sight distances as required in subsection (C)(1)(c) of this section, a clear view triangle as described in Chapter 10.28 EWMC shall be maintained for vision safety purposes.
- b. Alignment. All driveways and access easement shall intersect the main street at an angle between 75 and 105 degrees, with 90 degrees being preferable.

c. Sight Distance. Sufficient sight distances for vehicles to safely enter onto a public street or streets as well as for other vehicles on the street or streets to avoid accidents with entering or exiting vehicles is required for all driveways and access points. For all driveways and access easement, stopping sight distance in accordance with the AASHTO Green Book is required as follows:

To calculate sight distance for existing streets serving a proposed driveway or access, first convert the posted speed to an operating speed as per Table 12.53.010-1:

Table 12.53.010-1

Posted Speed	Add for Operating Speed
20 mph	0
25 mph	0
30 mph	5 mph
35 mph	5 mph
40 mph	10 mph
45 mph and above	10 mph

Secondly, use the operating speed and determine the minimum stopping sight distances from Table 12.53.010-2 (based on an approaching vehicle driver’s eye height of three and one-half feet and an object at the driveway of two feet).

Table 12.53.010-2

Operating Speed (mph)	Minimum Stopping Sight Distance (feet)
20	115
25	155
30	200
35	250
40	305
45	360
50	425
55	495
60	570

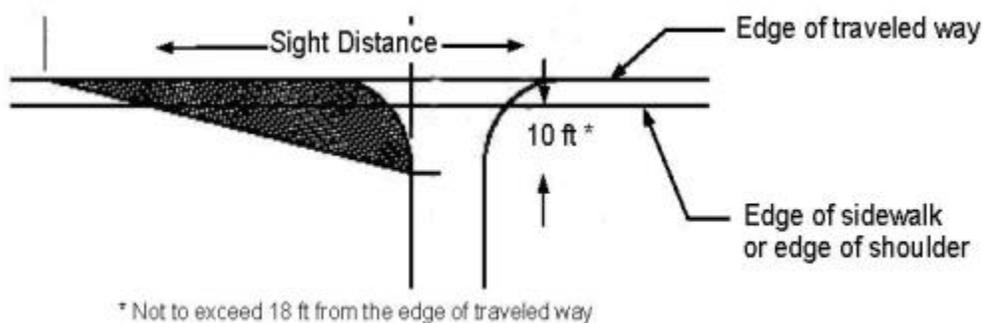
The grade of the street can also affect the minimum sight distance required. The following Table 12.53.010-3 provides the increase for downgrades and the decrease for upgrades modifiers.

Table 12.53.010-3

Operating Speed (mph)	Increase (feet) for Downgrades			Decrease (feet) for Upgrades		
	3%	6%	9%	3%	6%	9%
20 to 30	10	20	30	—	10	20
31 to 40	20	40	70	10	20	30
41 to 50	30	70	—	20	30	—
51 to 60	50	110	—	30	50	—

Situations with sight distances less than the above must be approved by the city engineer. In these cases, the applicant may also be required to obtain the services of a professional traffic engineer to assess the situation and provide written justification for lesser sight distances.

Sight distances shall be measured from a point 10 feet back of the edge of shoulder or back of sidewalk each way along the edge of the traveled way of the main street as shown in the figure below.



d. Drainage. Approaches shall be constructed in such a manner as to minimize the runoff from a driveway or other access easement onto the main street.

All approaches at points where there is an existing roadside ditch shall be constructed with a culvert pipe meeting the specifications of the city engineer.

e. Surfacing within Right-of-Way. That portion of a driveway or access easement connecting to a paved public street that is within the right-of-way of the public street shall be surfaced with a minimum of two and one-half inches of compacted asphalt concrete pavement or equivalent surfacing material to the street.

f. Maintenance. Maintenance of all driveways and access easement including approaches to public streets shall be the responsibility of the owner(s). All shared driveways and access easements shall have a maintenance agreement recorded with the final project approval that specifies consistent maintenance in accordance with the approved project plans.

2. Driveways and Joint Usage Driveways. ~~Driveways and joint usage driveways serving no more than two lots have no minimum width or surfacing requirements beyond requirements of subsection (C)(1) of this section. The minimum width of a driveway or a joint usage driveway is 20 feet.~~^[BB76] In addition to the provisions in subsection (C)(1) driveways and joint use driveways must meet the following standards:

- a. Driveways providing access to one single-family home should have a maximum improved width of 20 feet and a minimum improved width of 10 feet.
- b. Joint use driveways should have a minimum improved width of 15 feet and a maximum improved width of 30 feet. The width of the easement shall be sufficient to accommodate the driveway surfacing, any required storm water drainage features, and any utilities. In no case shall the easement be less than ~~30~~20 feet in width. The full width of the easement shall be clear of sight obstructions to a height of 13 feet six inches. The maximum grade shall be 12 percent.
- c. All driveways shall be improved with a minimum of six inches of compacted gravel base, crushed surfacing base course or crushed surfacing top course. The surfacing shall be concrete, asphalt or an alternative treatment providing surfacing capable of supporting a typical residential vehicle load. The use of pervious surfacing is encouraged.
- d. All driveways greater than 150 feet in length shall be improved with an approved turnaround for emergency vehicles such as a cul-de-sac or hammerhead unless the fire marshal determines that alternative access for fire protection is available. See Figure 4-2 in EWMC 12.60.010 for acceptable turnaround designs.

3. Access Easements. Property accesses serving no more than four lots are access easements. Unless an alternate approved emergency vehicle access is provided, access easements shall also serve as an emergency vehicle access. Access easements are privately owned and maintained by the property owners being served and are not the responsibility of the city. Access easements shall comply with EWMC 15.16.010 and have the following minimum requirements:

- a. The minimum width of the tract or easement for an access easement shall be ~~30~~20 feet for access easements if no fire hydrant is located along the easement. Thirty feet of easement width is required if a fire hydrant is located along the easement.
- b. The minimum base shall be six inches of compacted gravel base, crushed surfacing base course or crushed surfacing top course. The surfacing shall be concrete, asphalt, or other approved surfacing capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds.

c. The base and surfacing shall provide a minimum unobstructed width of 20 feet. Where a fire hydrant is located on an access easement, the minimum unobstructed surface width shall be 26 feet.

d. Suitable drainage in the form of ditches and cross culverts shall be provided along the full length of the access easement. Any bridges or drainage structures shall meet the requirements of Chapter 12.55 EWMC.

e. All ~~dead end~~dead-end access easements greater than 150 feet in length shall be improved with an approved turnaround for emergency vehicles such as a cul-de-sac or hammerhead. See Figure 4-2 in EWMC 12.60.010 for acceptable turnaround designs. The length of an access easement shall not exceed 450 feet, excluding the turnaround unless otherwise approved by the city fire marshal.

f. Access easement to more than four lots shall be via an urban local access city or private street meeting the requirements of this chapter.

g. The minimum centerline radius of curvature shall not be less than 45 feet; provided, however, if an approved alternate emergency vehicle access is provided, the minimum centerline radius of curvature shall not be less than 30 feet.

h. The maximum grade shall be 10 percent for gravel surfacing and 12 percent for paved portions.

i. The minimum clear vertical distance shall not be less than 13 feet six inches.

j. Appropriate provisions shall be made for snow storage.

~~k. ^[SB77] All dead-end access easements greater than 150 feet in length shall be improved with an approved turnaround for emergency vehicles such as a cul-de-sac or hammerhead. See Figure 4-2 in EWMC 12.60.010 for acceptable turnaround designs.~~

(Ord. 10-09 § 9 (Exh. B), 2010)