Adoption of amendments to the East Wenatchee Municipal Code

WHEREAS, Douglas County has adopted a Comprehensive Plan pursuant to the Growth Management Act (GMA), RCW Chapter 36.70A, which covers all unincorporated areas within Douglas County, through a series of planning area Comprehensive Plans which were found to be consistent with each other and with the adopted GMA plans of adjoining jurisdictions; and

WHEREAS, Douglas County and the City of East Wenatchee have agreed to plan jointly within the unincorporated area of the East Wenatchee Urban Growth Boundary consistent with the GMA and Douglas County Regional Policy Plan; and

WHEREAS, on December 14, 2012 the City of East Wenatchee passed Ordinance 2012-20, adopting amendments to the East Wenatchee Municipal Code;

WHEREAS, the Douglas County Planning Commission transmitted a recommendation to this Board regarding the adoption of amendments to the East Wenatchee Municipal Code effective on unincorporated lands of the County inside the East Wenatchee Urban Growth Boundary; and

WHEREAS, notice of all public hearings and public meetings on this matter have been published according to law; and

NOW, THEREFORE, the Board of County Commissioners hereby accepts the Findings of Fact and Conclusions adopted by the Douglas County Planning Commission, entering those findings into the record as their own as set forth in Exhibit A and incorporating them in this ordinance by this reference as though fully set forth herein.

BE IT FURTHER, hereby resolved and ordained that the recommendation of the Douglas County Planning Commission is accepted and the amendments to the East Wenatchee Municipal Code attached as Exhibit B are adopted, effective immediately.

Dated this 5th day of March 2013 in Waterville, Washington.

BOARD OF COUNTY COMMISSIONERS
DOUGLAS COUNTY, WASHINGTON

Steven D. Jenkins, Chair
Dale Snyder, Vice Chair
Ken Stanton, Member

Dayna Prewitt, Clerk of the Board

Ordinance No. TLS 13-03-11B
EXHIBIT A

Findings of Fact:

1. The proposal is a text amendment to the East Wenatchee Municipal Code in chapter 17.08, section 17.32.020, section 17.64.130, and section 17.72.080, pertaining to manufactured homes, mobile homes, and manufactured home parks. The amendments update the references to manufactured homes, update the standards for mobile/manufactured home parks, and include them as permitted uses in the residential high density zoning district. Douglas County has adopted city codes for application within the unincorporated areas located inside the urban growth area (UGA) boundary. Any amendments adopted by the city are subsequently adopted by Douglas County.

2. The City of East Wenatchee has adopted a comprehensive plan pursuant to the Growth Management Act (GMA), RCW Chapter 36.70A, which is a generalized, coordinated land use policy statement of the City. Goals and policies in the plan generally support the proposed amendment.

3. An Environmental Checklist was prepared on September 20, 2012. A threshold determination and environmental review pursuant to RCW 43.21C the State Environmental Policy Act was completed and a Determination of Non-Significance was issued on September 20, 2012 with a comment period that ended on October 8, 2012. No comments were received indicating that the proposed project would have a probable significant adverse impact on the environment.

4. In accordance with RCW 36.70A.106 the draft amendments were transmitted to the Washington State Department of Commerce (Commerce) and other state agencies for review on September 20, 2012. Expedited Review for a comment period that coincided with the SEPA DNS comment period was requested.

5. Chapters 35A.63 and 36.70A RCW authorize the adoption of development regulations governing land use activities.

6. The East Wenatchee Planning Commission held a duly advertised public hearing on October 11, 2012 and unanimously recommended approval of the proposed text amendments. There was no one in attendance at the public testimony offering any testimony related to the proposal.

7. Douglas County has adopted a Comprehensive Plan pursuant to the Growth Management Act (GMA), RCW Chapter 36.70A, which covers all unincorporated areas within Douglas County, through a series of planning area Comprehensive Plans there were found to be consistent with each other and with the adopted GMA plans of the adjoining jurisdictions.

8. The Douglas County Planning Commission is responsible for long range planning matters and providing implementation recommendations to assure compliance with the growth management act for unincorporated areas of Douglas County. These measures include updates and amendments to the comprehensive plan; development regulations, environmental regulations, and any other rules, actions or regulations deemed necessary to implement the Growth Management Act.

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10. The Douglas County Planning Commission conducted an advertised public hearing on February 13, 2013. The Planning Commission entered into the record the files on this amendment, accepted public testimony, and deliberated the merits of the proposal.
11. The Douglas County Planning Commission has reviewed the entire record including the goals and policies of the comprehensive plan and public testimony as it relates to the proposed development regulations.
12. The County hereby finds that this development regulation amendment is consistent with the spirit and intent of the GMA.

CONCLUSIONS

1. It is the determination of the responsible official for the lead agency that no more than a moderate effect on the environment is a reasonable probability as a result of the proposed action. The proper exercise of the threshold determination process as required by WAC 197-11 is than an environmental impact statement is not required to be prepared for this project.
2. The proposed text amendment is consistent with and implements the goals and policies in the comprehensive plan.
3. Proper legal requirements of RCW 36.70A.106 and County Code were met and the community was given the opportunity to comment on the proposal at duly noticed public hearing.
4. Approval of the proposal will not be detrimental to the public health, safety, and general welfare.
EXHIBIT B

17.08.420 Manufactured home.  
"Manufactured home" means a factory-built, residential single-family dwelling structure constructed after June 15, 1976, and in accordance with the U.S. Department of Housing and Urban Development (HUD) standards and requirements for manufactured housing construction and bearing the appropriate insignia indicating such compliance.

17.08.430 Mobile home.  
"Mobile home" means all trailers of a type designed as facilities for human habitation—a factory-built, residential single-family dwelling structure constructed before June 15, 1976, and which are capable of being moved upon the public streets and highways and which are more than 35 feet in length or more than eight feet in width excluding modular homes designed for transportation after fabrication in one or more sections on public streets and highways on its own chassis and wheels, and arriving at the site where it is placed on a foundation or tied down and skirted, with towing tongue, axles and wheels removed. Such a unit includes the connection to electric power, water supply and sewage disposal facilities.

17.08.440 Mobile/manufactured home park.  
"Mobile/manufactured home park" means an area of a lot, parcel or tract of land under single ownership or control occupied or designed to be occupied by two or more mobile or manufactured homes which are or will become used for single-family dwelling or sleeping purposes.

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

A. Any permitted uses allowed in the R-L district with the exception of agricultural uses;

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

C. Boardinghouses, lodging houses and housekeeping rooms;

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 service-oriented business. 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;

2. The lot has frontage on a primary or secondary arterial as shown on the comprehensive plan and uses such frontage as its primary access;

3. 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;

4. 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;

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

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

17.64.130 Mobile/manufactured home parks.
Provided such developments meet the requirements of the Chelan-Douglas Health District and other applicable codes and ordinances pertaining to mobile/manufactured homes and mobile/manufactured home parks and provided the following minimum conditions are met:

A. The minimum size of mobile/manufactured home lots or spaces shall be 3,500 square feet and at least 40 feet wide;

B. There shall be a minimum distance of 15 feet between mobile/manufactured homes;

C. There shall be a minimum distance of 10 feet between mobile/manufactured homes and interior park streets;

D. Interior park streets shall be at least 22 feet wide exclusive of on-street parking space. Asphaltic surfacing or its equivalent and storm water collection and disposal facilities shall be included meeting the applicable standards of EWMC 15.16.010, title 12 EWMC, and title 13 EWMC, including all future amendments, of required subject to approval and to the specifications of the city engineer and/or planning director and fire marshal;

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E. Interior area lighting shall be provided at 200-foot intervals along park streets or at such lesser distances as are required by major changes in road direction;

F. A minimum setback distance of five-15 feet shall be observed between mobile/manufactured homes and exterior project property lines. Additionally, mobile/manufactured homes located adjacent to the public rights-of-way shall maintain a minimum setback of 25-15 feet from the front property line or 55-45 feet from the street centerline, whichever distance is greater;

G. That fire hydrant(s) of a type, flow, in location(s) and numbers as determined by the city-fire department fire marshal shall be installed in keeping compliance with the standards prevailing at the time of application chapter 15.16 EWMC, the international fire code, including all future amendments;

H. Mobile/manufactured homes shall meet the following:

1. All mobile/manufactured homes not established as permanent residences within the city prior to August 27, 1984 (the effective date of Ordinance No. 370) shall bear the insignia of inspection and approval by the U.S. Department of Housing and Urban Development (manufactured since June, 1976);

2. Minimum size: the mobile/manufactured homes shall contain at least 960 square feet within the walls (smallest double wide);

3. Minimum roof pitch: roof pitch shall be not less than two-2 feet of rise for each 12 feet of horizontal run;

4. Skirting: each mobile/manufactured home shall be completely enclosed between its underside and the ground level either with (a) skirting materials which are a similar material color and pattern as to the siding of the mobile home, or (b) a solid foundation;

5. Tongue: the tongue of all mobile/manufactured homes shall be removed or screened to the extent that they are not exposed;

6. A minimum of 80 square feet of enclosed accessory storage exclusive of automobile parking shall be provided for each mobile home;

I. Parking: 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, including all future amendments;

J. Landscaping shall be installed in compliance with the provisions of Chapter 17.72 EWMC, including all future amendments.

K. All mobile/manufactured home parks established after the effective date of this ordinance shall comply with the requirements for a binding site
plan as provided in Chapter 16.08 EWMC, including all future amendments.

17.72.080 Screening requirements.
In order to reduce the incompatible characteristics of abutting properties with different land use classifications, the following standards shall apply. This type of landscaping will be installed in planting strips on the interior property line according to the other requirements of this chapter, and the amount of landscaping shall not be counted towards meeting the minimum stated in EWMC 17.72.060.

A. Type I screening is intended to create a visual separation between incompatible uses. Type I requirements are as follows: landscaping shall be made up of evergreen trees planted at a maximum of 15 feet on center. Deciduous trees are also encouraged to add seasonal and textural variation. Up to 25 percent of required evergreen trees may be deciduous trees. Medium-sized shrubs (three to five feet maturity height) and groundcover plants shall be added at a density to form an effective barrier to cover 85 percent of the ground surfacing and horizontal separation within three years. Type I landscaping shall incorporate the use of either earth-berming or a six-foot-high sight-screening fence. If the earth-berming alternative is chosen, medium-sized shrubs shall be spaced at a maximum of four and one-half feet on center. If the fence option is selected, maximum spacing shall be six feet on center. Minimum width shall not be less than 10 feet.
1. Type I screening is required when the following land use districts abut:

<table>
<thead>
<tr>
<th>District in Which Development Is Proposed</th>
<th>District to Be Screened</th>
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</thead>
<tbody>
<tr>
<td>R-M, R-H</td>
<td>R-L</td>
</tr>
<tr>
<td>NC, G-C, CBD, WMU, MU</td>
<td>R-L, R-M</td>
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</tbody>
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2. Mobile home parks shall have Type I landscaping installed around the perimeter of the development in the required open space buffer, which shall not be less than 20-15 feet in width.

3. Churches, community clubhouses and other conditional uses in the R-L district shall install Type I screening seven-7 feet in width on any interior property line.