

Supplemental Meeting Packet

Supplemental Plan and Code Changes | June 9, 2017

This document provides supplemental code and plan changes to respond to comments or to provide corrections.

Amended Code

- **Steep Slope Setback:** In response to a comment about CMC 17.04.070, some of the verbiage on alternative setbacks in steep slope areas is amended to add clarity and improve interpretation. In practice, staff has found they interpret the code similarly to the suggested language.
- In the DMU and W-I zones, allow existing legal single family uses, which may expand up to 25% instead of having them be non-conforming with a deadline. At the right time, market forces will convert homes to employment/mixed uses allowed.

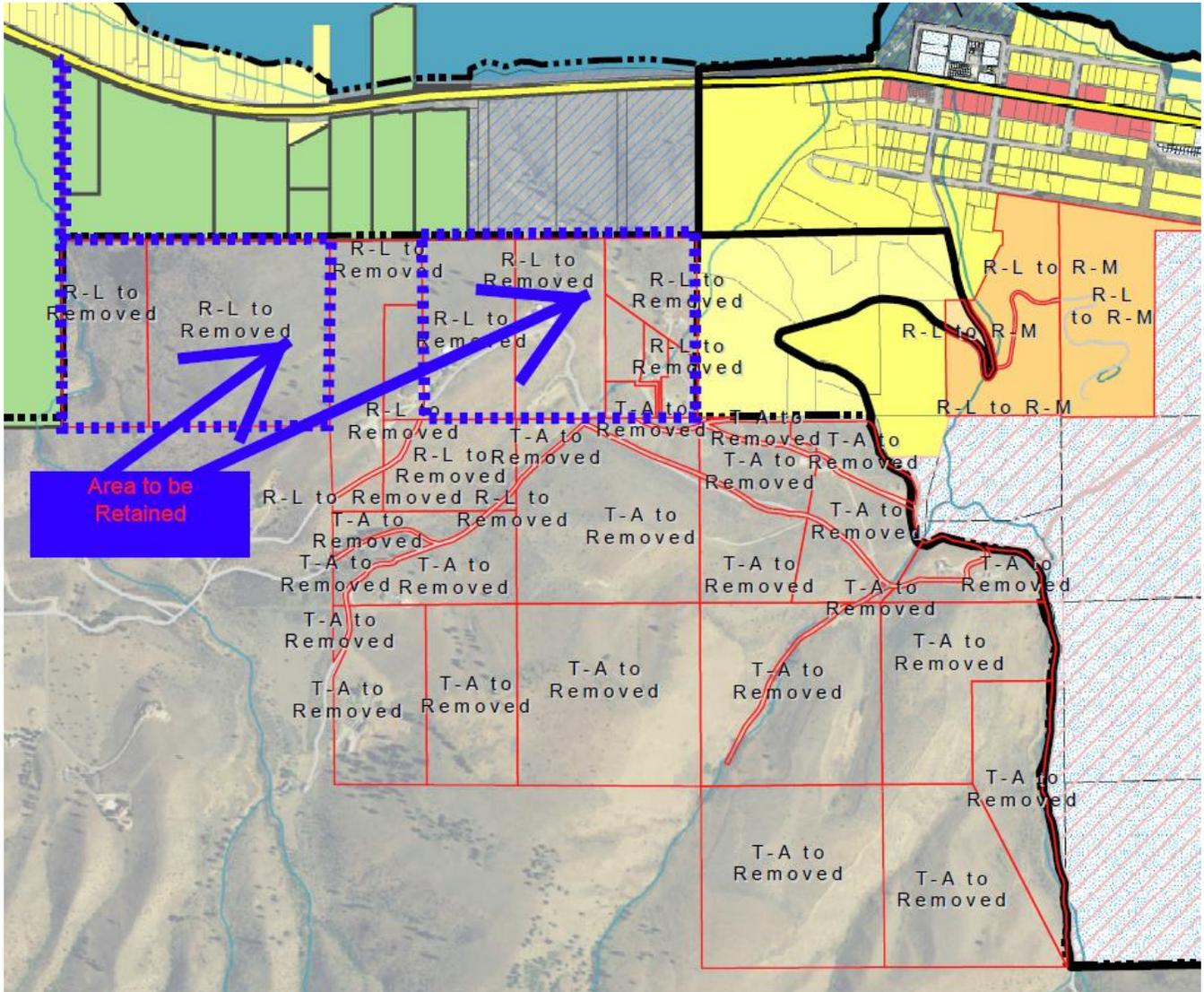
Land Use Plan

UGA Adjustments

Chelan County has indicated that the UGA boundary extent on the southshore may be different than proposed by the County in November 2016. There would be a smaller exclusion from the UGA on the south, and a small addition to the UGA on the far southwest.

The area to be retained in the southern UGA is presently designated R-L, and the area to be removed in the southern UGA are identified below. The effects of the proposal would be in the range of the existing zoning and proposed zoning in terms of growth capacity.

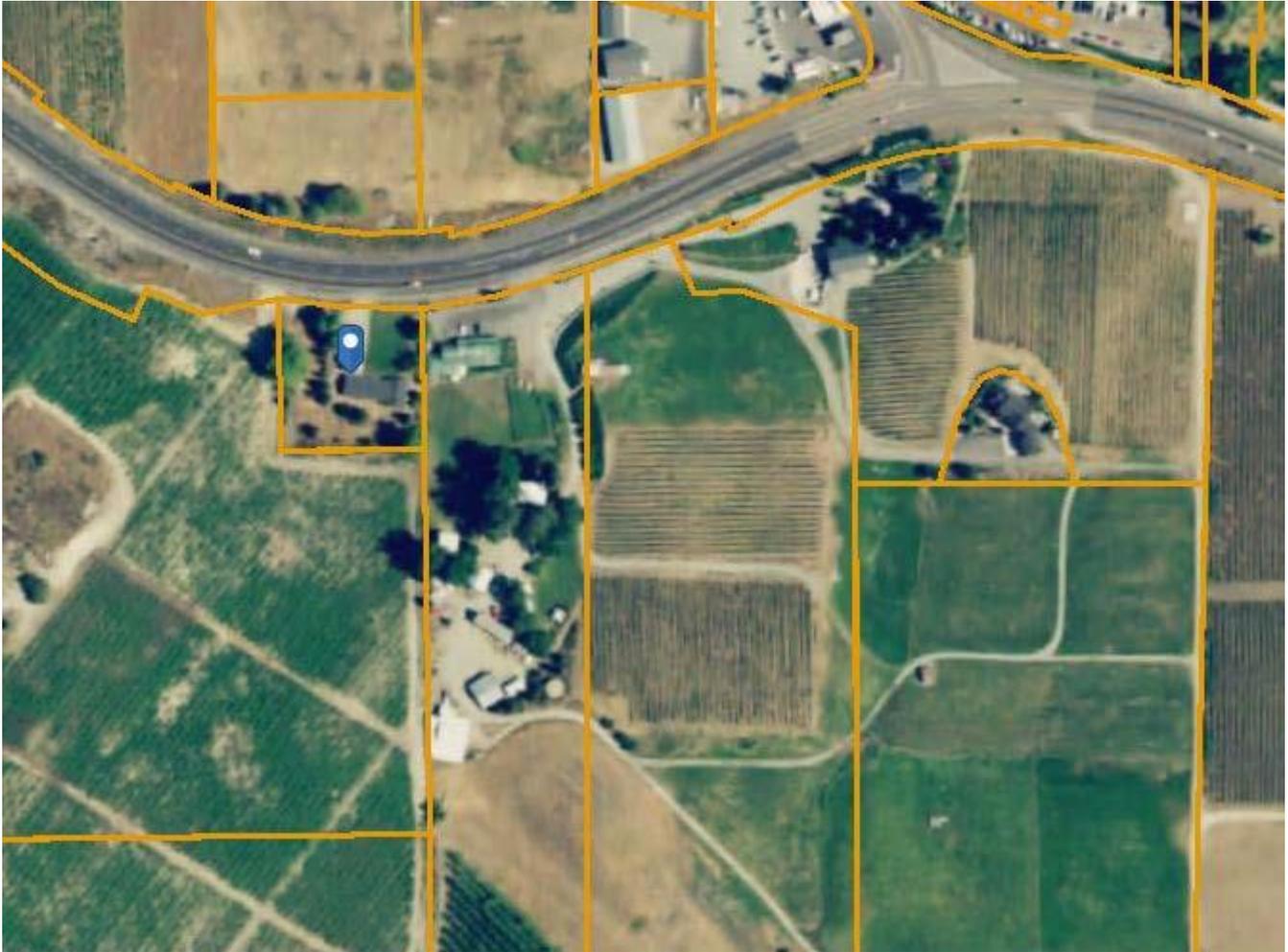
Exhibit 1. Southern UGA – County Proposed UGA Retention Area



Note: Area to be Retained in Blue Dashed Boundary. Area removed with notation of prior designation and word "removed".

The UGA addition area is currently a Rural Residential 2.5 zoned property, and is less than 1 acre in size. It has an existing home, and abuts the Special Use District (SUD). If added to Chelan's UGA, the likely designation would be SUD.

Exhibit 2. County-Proposed UGA Addition Area: Parcel 272217140060



Source: Chelan County Assessor

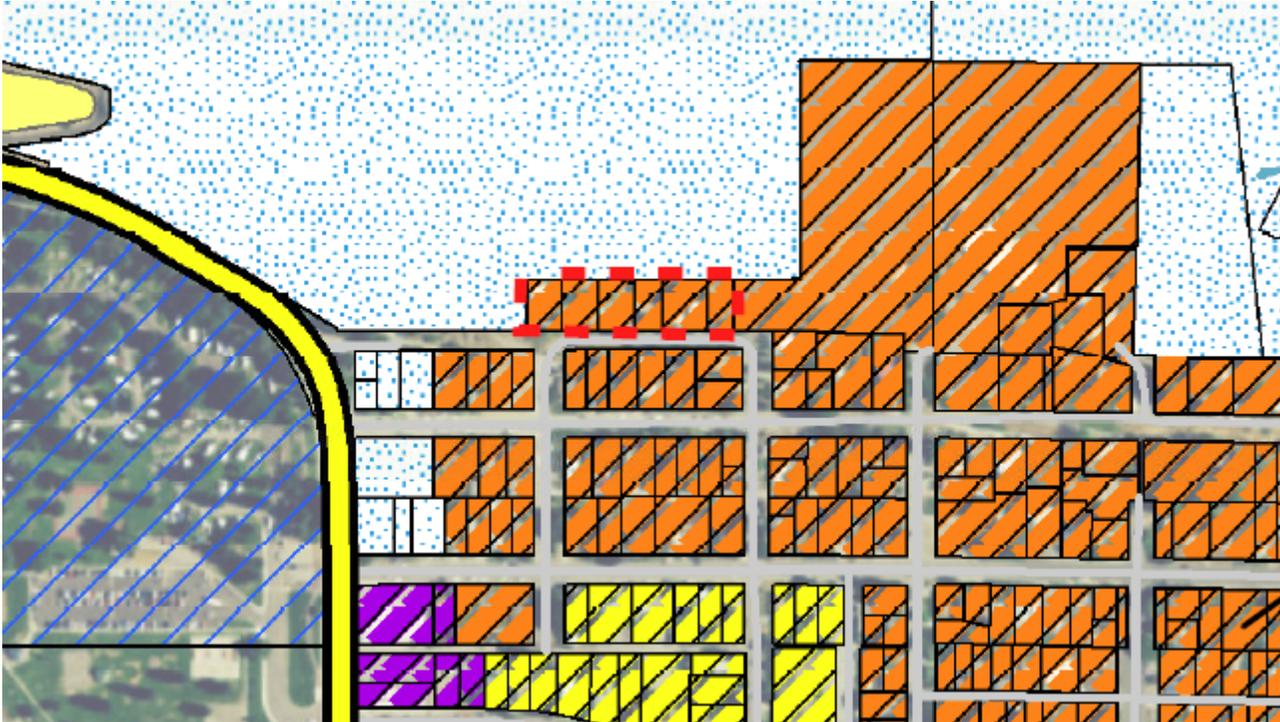
Split Zones

In response to the Whiskey Ridge comments, we have amended the proposed zoning map to correct the map reflecting a split R-L and SUD designation. When creating the latest map the consultants merged a newer parcel layer with the land use plan designations and some split lots were not corrected identified. We have corrected other locations as well that were not intended to change. A newer zoning map proposal is attached to this document.

T-A Addition North of W Campbell

Several property owners are requesting a T-A designation north of W Campbell. The property is proposed for Downtown Mixed Residential (DMR) as is the facing block. To maintain the character of the existing block suggest maintaining DMR rather than T-A. However, the Planning Commission will balance the community vision and policies and make a recommendation to the City Council along with other map changes. The proposed lots are noted below. It is unclear if the far eastern lot is included in the T-A request.

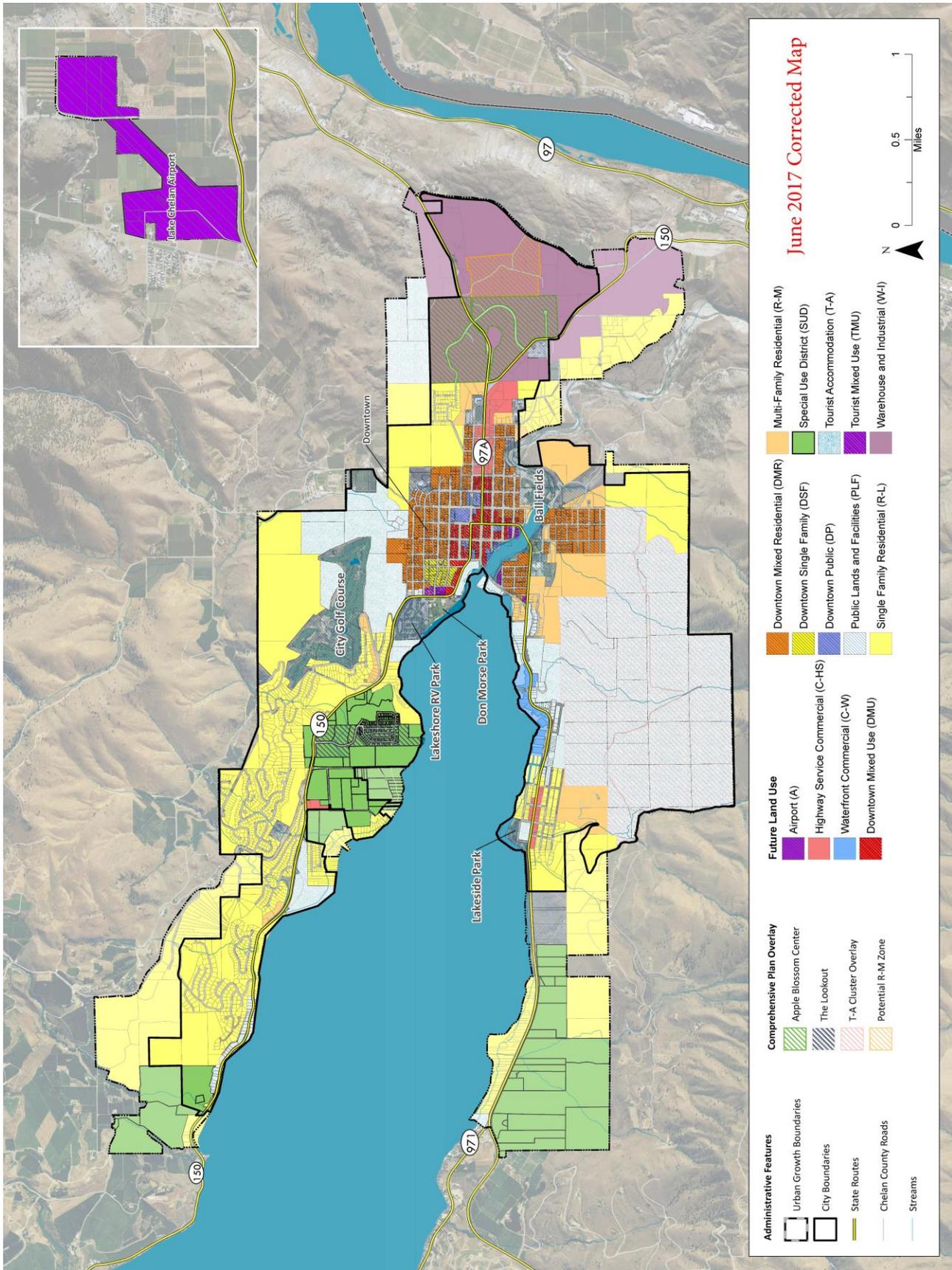
Exhibit 3. T-A Request north of W Campbell



Corrected Map

Based on County UGA comments and the split zone housekeeping corrections, the latest June 2017 land use/zoning map proposal appears on the following page.

Exhibit 4. Future Land Use/Zoning Map with Amended Southern UGA Boundaries and Split Zone Corrections



c. Twelve poultry per acre. Poultry may include any combination of chickens, ducks, geese, or similar type animals, with additional such animals under the age of three months not included. The keeping of roosters is prohibited;

d. Twelve small mammals per acre. Small mammals may include any combination of rabbits, guinea pigs, ferrets, or similar type animals, with additional such animals under the age of three months not included;

e. One acre per each swine. When located within an urban growth area no more than three swine are permitted per property ownership, with additional swine under the age of three months not included.

2. The property shall be maintained in a clean, sanitary condition so as to be free from offensive odors, fly breeding, dust, and general nuisances and shall be in compliance with health district regulations.

3. Adequate measures shall be taken to properly dispose of animal wastes. Accumulations of animal waste shall be prohibited from being stored closer than one hundred feet from any property line and/or any wells. Waste from swine shall be prohibited within two hundred feet of any domestic or irrigation well.

4. Barns, shelters, or other buildings or structures for the keeping or feeding of such animals shall be located a minimum of fifty feet from any property line or one hundred feet from any off-premises residential dwelling, whichever distance is greater.

5. Pastures are defined as that area which is enclosed within a perimeter fence, and shall not include that portion of the property used for residential purposes. Pastures shall be maintained with a permanent, uniform, vegetative top cover and shall be kept free of noxious weeds. The perimeter fence shall be designed, constructed and maintained sufficiently to keep the animals within the fenced area.

6. Any future division of property must comply with the minimum standards above. The minimum pasture area and condition requirements must be met by each additional individual lot or parcel, including the original parcel of record, in order to maintain livestock or poultry on the property.

7. Potentially dangerous wild animals, as defined in RCW 16.30.010, are prohibited.

8. Commercial slaughter houses, rendering plants, manure composting, and feed lots for cattle, swine, chickens, other livestock or poultry shall not be permitted.

9. Violations of this section shall constitute a nuisance, and shall be enforced according to the uniform procedures set out in Chapter 2.80, (Ord. 1512 § 2 (Exh. A) (part), 2016; Ord. 1502 § 4 (Exh. O), 2015; Ord. 1361 § 1, 2008).

17.04.070 Exceptions to front yard setback requirements.

A. If there are dwellings on both abutting or adjoining lots with front yard setback distances of less than the required depth for the district, the front yard setback distance for the lot need not exceed the average front yard setback distance of the abutting dwellings.

B. If there is a dwelling on one abutting or adjoining lot with a front yard setback distance of less than the required depth for the district, the front yard setback distance for the lot need not exceed the average between the front yard setback distance with less than the required depth and the front yard setback distance required in the district.

C. The front yard may be reduced to twenty feet from the street right-of-way ~~or fifty feet from the street centerline, whichever distance is greater,~~ when the slope of the front fifty feet of the lot, measured from the flowline of curb (or the ditch bottom) at the midpoint of the proposed building frontage when the natural slope of the front fifty feet of the lot equals or exceeds one foot of fall in seven feet of distance from the property line.

D. The front yard may be reduced to fifteen feet from the street right-of-way ~~or forty five feet from the street centerline, whichever distance is greater,~~ when the slope of the front fifty feet of the lot, measured from the flowline of curb (or the ditch bottom) at the midpoint of the proposed building frontage when the natural slope of the front fifty feet of the lot equals or exceeds one foot of fall in four feet of distance from the front property line.

E. The front yard may be reduced to twelve feet from the street right-of-way ~~or forty-two feet from the street centerline, whichever distance is greater, when the slope of the front fifty feet of the lot, measured from the flowline of curb (or the ditch bottom) at the midpoint of the proposed building frontage when the natural slope of the front fifty feet of the lot~~ equals or exceeds two feet of fall in five feet of distance from the front property line.

F. The front yard may be reduced to ten feet from the street right-of-way ~~or forty feet from the street centerline, whichever distance is greater, when the slope of the front fifty feet of the lot, measured from the flowline of curb (or the ditch bottom) at the midpoint of the proposed building frontage when the natural slope of the front fifty feet of the lot~~ equals or exceeds one foot of fall in two feet of distance from the front property line.

G. If the front yard requirement is to be reduced under the conditions specified in this section, all driveways and entrances to garages and carports shall be parallel or nearly parallel to the street to avoid backing of vehicles directly onto the street and to allow vehicles to be completely outside the structure before entering the street. (Ord. 563 § 1, 1977; Ord. 333 § 3 (part), 1965; Ord. 314 § 15 (B)(2), 1962).

17.04.075 Intrusions into setbacks.

Except as provided in Section 17.04.076 of this chapter, the setbacks required by this title are subject to the following intrusions:

A. A driveway, walkway, and/or parking area in compliance with current city of Chelan development standards as adopted in Chapter 25.05 of this code as now exists or as may be hereafter amended.

B. An uncovered patio or court, or other uncovered, ground-level improvement.

C. A deck which is not higher than thirty inches above grade may extend into a required yard up to the lot line.

D. Bay windows, eaves, cantilevered parts of a building and other elements of a structure, excluding gutters, that customarily extend beyond the exterior walls of a structure and do not require a foundation may extend up to eighteen inches into any required setback area. The total horizontal dimension of the elements that extend into a required yard, excluding eaves, may not exceed twenty-five percent of the width of the facade upon which it is located.

E. Fences may be located in required setback areas subject to the fence requirements specified in this title as it now exists or as may be hereafter amended.

F. Rockeries and Retaining Walls.

1. Rockeries and retaining walls equal to or less than forty-eight inches in height may be located in required setback areas if:

a. The rockery or retaining wall is not being used as a direct structural support for a building; and

b. The rockery or retaining wall complies with the clear sight zone standards specified in Section 10 of the city's development standards adopted pursuant to Chapter 25.05 as now exists or as may be hereafter amended.

2. At the discretion of the planning director, the side setback requirement for rockeries and retaining walls more than forty-eight inches in height may be waived to allow a single rockery or retaining wall to support a slope on two adjacent parcels of land provided:

a. The owners of adjacent parcels agree to the waiver; and

b. The agreement is recorded as a notice to title on the titles of both of the affected parcels, and recorded by the Chelan County auditor.

3. Rockeries and retaining walls more than forty-eight inches in height and less than seventy-two inches in height shall have a five-foot minimum setback at the front, side and rear yards.

- i. If no symbol appears in the box at the intersection of the column and the row, the use is not allowed in that district, except for certain temporary uses.
- ii. If the letter “P” appears in the box at the intersection of the column and the row, the use is allowed in that district subject to the review procedures specified in Title 19 and the general requirements of the code.
- iii. If the letter “C” appears in the box at the intersection of the column and the row, the use is allowed subject to the conditional use review procedures specified in Title 19, the conditional use standards in Chapter 17.56, and the general requirements of the code.
- iv. If a number appears in the box at the intersection of the column and the row, the use is subject to the specific conditions indicated in the development condition with the corresponding number immediately following the land use table.
- v. The director shall determine whether a proposed land use not specifically listed in a land use table is allowed in a district. The director’s determination shall be based on whether or not permitting the proposed use in a particular district is consistent with the purposes of this title and the district’s purpose as set forth above, by considering the following factors:
 - (A) The physical characteristics of the use and its supporting structures, including but not limited to scale, traffic and other impacts, and hours of operation;
 - (B) Whether or not the use complements or is compatible with other uses permitted in the district; and
 - (C) The use is similar to a permitted use, as listed in the use table.

b. Permitted Use Table.

Table 1. Permitted use table.

	Land Use Districts				
	DMU	TMU	DMR	DSF	Public
RESIDENTIAL USES					
Dwelling, single-family	P(16)	P	P	P	
Dwelling, two-family (Duplex)		P	P	P ₅	
Dwelling, three-family (Triplex)		P	P		
Cottage housing			P		
Townhouse	P ₇	P	P		
Dwelling, multi-family	P ₇	P	P		
Fractional ownership condominiums and seasonal rentals	P ₇	P			
Accessory dwelling unit (ADU)	P ₇	P	P	P	
Senior assisted living facility or nursing home	P ₇	P	P		
Family day care homes ₁	P ₇	P	P	P	
Mini day care centers ₂	P ₇	P	P	P	
Day care centers	P ₇	P	P ₃	P ₃	

	Land Use Districts				
	DMU	TMU	DMR	DSF	Public
Home occupation	P	P	P _{2,3}	P _{2,3}	
Bed and breakfast	P ₇	P	C ₃	C ₃	
Hotel/motel, condotel, and other transient accommodations	P	P			
COMMERCIAL USES					
Retail, small scale (< 2,000 sf building footprint)	P ₁₀	P ₁₀			P ₆
Retail, medium scale (2,000 – 20,000 sf building footprint)	P _{10,13}				
Retail, large scale (20,001 – 50,000 sf building footprint)	C				
Retail, regional (> 50,000 sf floor area)					
Restaurants, bars, tasting rooms, and brewpubs	P₁₀	P₁₀			P₆
Professional office	P ₈	P			
Real estate office	P ₁₄	P			
Banks	P				
Personal service establishments	P	P ₁₁			P ₆
General services establishments	P				
Gasoline station and auto service ₃	P ₇				
Mini-storage and warehouse facility					
Commercial use providing drive-through service	P ₁₅	P			
General industrial ₄	P _{7,12}				
Heavy industrial					
Marijuana retail outlet	C	C			
SPECIAL USES					
Parks and playgrounds including park buildings	C	C	C	C	P
Community recreational facility	C	C	C	C	P
Conference center	P ₈				
Private sports club	P ₈	P			
Government office/structure ₃	P	C	C	C	P
Medical clinic/office, sanitarium, medical facilities	P₂		C		
Hospital ₃	C		C		C
Mortuary	P ₇		C		
Veterinary clinic or hospital ₃	P ₇				
Church ₃	P	C	C	C	P
Places of public or private assembly (including theaters)	P				P

Commented [LG5]: Purpose of amendment: Allow use similar to other listed uses.

Commented [LG6]: Purpose of amendment: avoid archaic terms

	Land Use Districts				
	DMU	TMU	DMR	DSF	Public
School	C ₇	C	C	C	P
Museum	P	P			P
Boat launching facilities, marinas and similar facilities	P	P			P
Parking lot or structure	P ₇	P	P ₃		P
Public utility facility ₉	C	C	C	C	C

Table 1 development conditions:

- (1) Family day care homes, subject to licensing requirements of the Washington State Department of Social and Health Services and fire code requirements as set forth in Chapter 212-54 WAC.
- (2) Home occupations that involve no customers or other business-related visitors to the home business, no signs or other outward appearance that a business exists in the home, no delivery trucks, and no more than one individual residing within the home who is active in the home occupation business; provided, that if the director is given satisfactory proof of a physical disability of the individual wishing to engage in a home business or occupation, a volunteer or employee may assist in the home occupation. In addition, the home occupation must comply with the conditions for home occupation set forth in Section 17.56.060 and the fees for a home occupation permit as established by resolution of the city council must be paid.
- (3) Subject use is permitted under applicable conditions set forth in Chapter 17.56.
- (4) General industrial uses are permitted provided there are no anticipated external impacts and limited truck traffic as determined by the director.
- (5) Two-family dwelling units are allowed in the DSF district on corner lots provided there is no more than one dwelling unit entry, driveway, and garage facing each street.
- (6) Commercial leases and concessions as authorized by the public entity that is the owner of the land.
- (7) Except for lobbies or similar entrances, the subject use is prohibited within thirty feet of the sidewalk on the ground floor of designated storefront streets.
- (8) Except for lobbies or similar entrances, the subject use is prohibited within thirty feet of the sidewalk on the ground floor of "pedestrian/retail" designated storefront streets.
- (9) Specified conditions with respect to emissions of light, glare, smoke, odor, dust, particulate matters, and vibrations, community design, and hours of operation may be prescribed to ensure compatibility with surrounding uses and other applicable state and federal standards. Conditions may include required use/building enclosures, compatible architectural design, setbacks, and landscaping/screening techniques.
- (10) Restaurants, bars, and liquor stores shall not be located on sites directly across from the DMR or the DSF districts.
- (11) Subject use is limited to two thousand square feet in building footprint.
- (12) Subject use is limited to five thousand square feet in building footprint.
- (13) Single use retail uses adjacent to Woodin Avenue, where designated as a pedestrian/retail storefront street per Figure 2, are limited to a ten-thousand-square-foot building footprint.
- (14) Real estate offices shall be limited to two hundred fifty lineal feet of street frontage along the portion of Woodin Avenue that is designated as pedestrian/retail storefront street per Figure 2.
- (15) Commercial uses providing drive-through service are permitted under the following conditions:
 - (a) Subject use is not permitted on a designated pedestrian/retail storefront street per Figure 2.
 - (b) Proposal utilizes an existing building (constructed as of November 23, 2010).
 - (c) No new driveways are proposed.
 - (d) The use and proposed design minimizes pedestrian and vehicular safety impacts as determined by the city.

(16) Existing legal single-family dwellings are permitted uses. They may expand cumulatively up to 25% until such time as the building converts to a non-single family use.

c. Accessory Uses and Structures.

- i. Attached or freestanding private garage, carport or combination thereof not to exceed fifty percent of the floor area of principal residential structures, including basement area; provided, that all single-family residences, regardless of size, shall be allowed a minimum size private garage or carport of nine hundred sixty square feet. A garage larger than the standards set out herein shall be allowed as a conditional use. For other standards related to garages associated with residential uses, see Section

17.14.030 for multi-family structures and Section 17.14.050 for single-family, duplexes, triplexes, accessory dwelling units, and townhouses.

ii. Other accessory buildings collectively shall be no greater than twenty-five percent of the floor area of principal residential structures, excluding the basement area, not to exceed six hundred square feet; provided, that regardless of size of the principal structure, other accessory buildings collectively may be at least three hundred square feet.

iii. Not more than one each of a house trailer or truck, or two boats, may be stored in the rear yard area of any one zoning lot.

iv. Fences.

(A) Front yard and between a street and any building: forty-two inches maximum height. On corner lots, fences shall be limited to thirty-six inches in height for a distance of fifteen feet from the intersection of the property lines abutting the street and to forty-two inches for the remainder of the front yard facing on those streets.

Where two adjoining properties have front yards of differing depths, any fence built along the side yard between the two properties shall not exceed a height of forty-two inches adjacent to the front yard of either dwelling.

Front yard fence height may be increased to a maximum of four feet in those instances where a "family day care home, mini day care center and day care centers" have been established in accordance with the provisions of Section 17.56.080;

(B) Side yard: six feet maximum height;

(C) Rear yard: six feet maximum height; and

(D) Where there is a difference in grade between two adjoining properties, the base line for the fence height shall be the median of the difference between the grades of the two properties.

v. Covered Patios.

(A) A freestanding covered patio must meet the standards of this section. If the covered patio is attached to a dwelling, it is to be considered as a part of that dwelling;

(B) Height limit: ten feet; provided, however, that a fireplace flue may extend beyond the maximum height limit to a height of not over thirteen feet; and

(C) Area of limit must not exceed provisions of Section 17.16.020.

vi. Swimming Pools. All swimming pools must be located behind the front yard setback line and the yard or area around them must be enclosed by a fence of not less than five feet in height. At least a five-foot setback from all side and rear property lines must be maintained.

vii. Temporary Construction Buildings, Travel Trailers, and Recreational Vehicles. Temporary structures or vehicles for storage of tools and equipment, or for supervisory offices, may be permitted for construction projects; provided, that such structures/vehicles are:

(A) Allowed only during periods of active construction;

(B) The owner shall obtain a permit from the city after the purchasing of a building permit. The permit shall be prominently displayed on such vehicle so as to be visible on the abutting street;

(C) All such vehicles shall have operable self-contained sanitary facilities or be connected to the city sewer system; and

Chapter 17.44 ZONE W-I – WAREHOUSING AND INDUSTRIAL DISTRICT

Sections:

- 17.44.010 Permitted uses.
- 17.44.020 Accessory uses.
- 17.44.030 Conditional uses.
- 17.44.040 Dimensional standards.

17.44.010 Permitted uses.

Permitted uses are as follows:

A. ~~Retail Sales and Wholesaling~~—Manufacturing, assembling, storing, repairing, fabricating or other handling of products and equipment conducted entirely within a building or solid fence six feet high. The operation of which use is normally such that at no time will such use cause:

1. Dissemination of dust, smoke, visible gas, or noxious gases, fumes, noise, vibrations, or odors beyond the boundaries of the site in which such use is conducted;
2. Hazard of fire, explosion, or other physical damage to any adjacent buildings or plant growth;

B.

1. Dwelling units ~~only to accommodate~~for watchmen, or caretakers on the premises;

2. Existing legal single-family dwellings are permitted uses. They may expand cumulatively up to 25% until such time as the building converts to a non-single family use.

C. Telephone exchanges, electric substations and similar uses of public service corporations;

D. Off-site hazardous waste facilities; provided, that such facilities meet the siting criteria adopted in Chapter 70.105 RCW;

E. Distilleries ~~and wineries~~;

F. Small-scale craft beverage production, provided small-scale craft beverage production uses not defined in the Chelan Municipal Code may be subject to limits on production and the nature and size of accessory uses to ensure that the impacts of the use remain moderate. (Ord. 1477 § 5 (Exh. E) (part), 2014: Ord. 1474 § 6, 2014; Ord. 1411 § 3 (Exh. B) (part), 2010: Ord. 1283 § 5(A), 2004: Ord. 1164 § 1, 2000; Ord. 868 § 6, 1989; Ord. 314 § 12A, 1962).

G. Wholesale trade.

H. Retail trade serving industrial uses.

I. Agricultural processing facility, agriculturally related industry, and agricultural support services.

J. The following uses when located on W-I zoned properties in the heavy commercial subarea:

1. Heavy Commercial Subarea: Lots fronting SR-150 and less than 2 acres in size as of effective date of this subsection.

2. Allowed uses in Heavy Commercial Subarea:

a. Appliance repair and rental;

b. Building materials, hardware, garden and farm supplies;

Commented [LG28]: Purpose of Amendment: See Section 7.2 of Code Amendment Report.

Commented [LG29]: Purpose of Amendment: See Section 7.4 of Code Amendment Report.

Commented [LG30]: Purpose of Amendment: Uses already in zone, and allowed specifically in Apple Blossom.

Commented [LG31]: Purpose of Amendment: See Section 7.4 of Code Amendment Report.

- c. Contractor's storage yards;
- d. Fuel/chemical distribution and bulk storage;
- e. Lumber, basic construction materials, fuels and feeds sales;
- f. Machinery and equipment sales and service;
- g. Motor vehicle and boat sales and repairs;
- h. Personal and professional services;
- i. Printers, publishers, newspapers;
- j. Agriculturally support services;
- k. Commercial uses determined by the Planning Director to be like the permitted uses that are oriented towards serving other commercial businesses.

17.44.020 Accessory uses.

Accessory uses are as follows:

- A. *Repealed by Ord. 1022;*
- B. On-site hazardous waste facilities;
- C. Fences permitted under the same conditions as listed in Section 17.32.020(D);
- D. Low and moderate impact agricultural tourism uses, subject to standards in Chapter 17.47-; (Ord. 1477 § 5 (Exh. E) (part), 2014; Ord. 1411 § 3 (Exh. B) (part), 2010; Ord. 1022 § 8, 1995; Ord. 886 § 7, 1989; Ord. 868 § 7, 1989; Ord. 314 § 12B, 1962).

E. Retail and wholesale sales of goods or products manufactured on site, or utilized in manufacturing, repairing, or servicing activities which are permitted in the zone;

F. Temporary and permanent worker housing;

17.44.030 Conditional uses.

Conditional uses are as follows:

- A. Sanitary landfill provided such use shall meet all of the requirements of the State Board of Public Health;
- B. Municipal buildings under conditions set forth in Chapter 17.56;
- C. Historical site or structure under conditions set out in Section 17.56.200;
- D. Gasoline service stations under conditions set forth in Section 17.56.220;
- E. Single-family, agricultural uses (includes “truck farms”), nurseries, and vineyards and wineries;
- F. High impact agricultural tourism uses, subject to standards in Chapter 17.47-; and
- G. Campground or recreational vehicle parks-; (Ord. 1491 § 5 (Exh. C) (part), 2015; Ord. 1477 § 5 (Exh. E) (part), 2014; Ord. 1411 § 3 (Exh. B) (part), 2010; Ord. 1283 § 5(B), 2004; Ord. 730 § 4, 1984; Ord. 625 § 1 (part), 1979; Ord. 314 § 12C, 1962).

H. Parks and playgrounds, including park buildings, and

I. Live-work developments subject to a master site plan and development standards in Section 17.44.040.E.

Commented [LG32]: Purpose of Amendment: See Section 7.4 of Code Amendment Report.

Commented [LG33]: Purpose of Amendment: See Section 7.4 of Code Amendment Report.

Chapter 17.68 NONCONFORMING USES

Sections:

- 17.68.010 Conformity required when.
- 17.68.020 Changing to conforming use.
- 17.68.030 Changing to nonconforming use prohibited.
- 17.68.040 Destruction – Rebuild or repair.
- 17.68.050 Extension – Maintenance.
- 17.68.060 Nonconforming buildings.

17.68.010 Conformity required when.

The lawful use of any land, premises or building existing at the time of passage of this title, although the use does not conform to the provisions thereof, may be continued; but if said nonconforming use ceases for a period of six months, or in the case of churches existing prior to June 2008 ceases for a period of eighteen months, any further use of such premises shall be in conformity with the provisions of this title. (Ord. 1514 § 2 (Exh. A) (part), 2016: Ord. 1364 § 1, 2008: Ord. 314 § 17A(1), 1962).

17.68.020 Changing to conforming use.

A nonconforming use shall not be changed to any other use unless changed to a conforming use. (Ord. 1514 § 2 (Exh. A) (part), 2016: Ord. 314 § 17A(2), 1962).

17.68.030 Changing to nonconforming use prohibited.

A nonconforming use if changed to a conforming use may not thereafter be changed back to a nonconforming use. (Ord. 1514 § 2 (Exh. A) (part), 2016: Ord. 314 § 17A(3), 1962).

17.68.040 Destruction – Rebuild or repair.

If a nonconforming use is destroyed by fire or other causes, to the extent that fifty percent of the total floor area exclusive of basement is unusable, it shall not be rebuilt, except in conformity to this title.

Existing single-family residential built prior to January 1, 2011, which have been destroyed by more than fifty percent of the total floor areas exclusive of basement within the Downtown Mixed Use and the Warehouse Industrial zoning districts may be rebuilt within the same building footprint; provided, that a building permit application is deemed complete prior to January 1, 2026. (Ord. 1514 § 2 (Exh. A) (part), 2016: Ord. 314 § 17A(4), 1962).

17.68.050 Extension – Maintenance.

A nonconforming use of a structure shall not be extended. The extension of a nonconforming use to any other portion of the building which was arranged or designed for such nonconforming use shall not be deemed the extension of a nonconforming use. A structure containing a nonconforming use may be maintained in conformance with the standards of the city building code. (Ord. 1514 § 2 (Exh. A) (part), 2016: Ord. 314 § 17A(5), 1962).

17.68.060 Nonconforming buildings.

In cases of nonconforming buildings which contain conforming uses, the administrator of this title shall have within the framework of conditions established below the authority to allow an addition or extension to a nonconforming building when said addition or extension would be no less conforming as to setback distances than the existing structure, and provided that the nonconforming addition shall be no longer in lineal feet along the nonconforming setback than fifty percent of the lineal length of the existing nonconformity. The authority to grant permission for the addition or extension of a nonconforming building shall be authorized provided the addition or extension of this nonconforming building is not in conflict with the comprehensive plan of development or character of the area in which the nonconforming building is located. (Ord. 1514 § 2 (Exh. A) (part), 2016: Ord. 314 § 17B, 1962).

Chapter 17.70 WIRELESS TELECOMMUNICATIONS FACILITIES

Sections:

- 17.70.010 Purpose.
- 17.70.015 Definitions.
- 17.70.020 Permits and exemptions.
- 17.70.030 General siting criteria.
- 17.70.040 Large satellite dish antenna(s) – Development standards.
- 17.70.050 Amateur radio towers – Development standards.
- 17.70.060 Broadcast and relay towers – Development standards.
- 17.70.070 Wireless communications facilities – Development standards.
- 17.70.080 Special exceptions.

17.70.010 Purpose.

In addition to implementing the general purposes of the comprehensive plan and development regulations, this chapter addresses the issues of appearance and safety associated with broadcast and relay towers, amateur radio towers, telecommunications monopoles, satellite dish antenna(s), and related equipment. It provides adequate siting opportunities at appropriate locations within the city to support existing communications technologies and to encourage new technologies as needed for businesses and institutions to stay competitive.

A wide range of locations and options for the provision of wireless technology which minimize safety hazards and visual impacts sometimes associated with wireless communications facilities are provided. The siting of facilities on existing buildings or structures, collocation of telecommunications facilities on a single support structure, and visual mitigation tactics are encouraged to preserve neighborhood aesthetics and reduce visual clutter in the community. (Ord. 1352 § 8 Exh. 8 (part), 2008; Ord. 1214 § 1 (part), 2001).

17.70.015 Definitions.

A. “Antennas” shall mean any system of electromagnetically tuned wires, poles, rods, reflecting discs or similar devices used to transmit or receive electromagnetic waves between terrestrial and/or orbital based points; includes, but is not limited to, radio antennas, television antennas, satellite dish antennas, and cellular antennas. Types of antennas include:

1. Omni-directional (or “whip”) antennas which transmit and receive radio frequency signals in a three-hundred-sixty-degree radial pattern. For the purpose of this chapter, omnidirectional antennas are up to fifteen feet in height and up to six inches in diameter;
2. Directional (or “panel”) antennas which transmit and receive radio frequency signals in a specific directional pattern of less than three hundred sixty degrees; and
3. Parabolic (or “dish”) antennas which are bowl-shaped devices for the reception and/or transmission of communications signals in a specific directional pattern.

B. “Broadcast or relay tower” shall mean a freestanding support structure, attached antenna(s), and related equipment intended for transmitting, receiving or retransmitting commercial radio, television, telephone, cellular, or other communications services.

C. “Cellular communications facility” shall mean any unstaffed facility for the transmission of radio frequency signals and includes antennas, equipment shelters, and other equipment necessary to provide wireless transmission and reception utilizing cellular technology for various wireless communications systems including cellular phones, personal communications systems (PCS), paging, and similar systems.

D. “Collocation” shall mean the placement and arrangement of multiple antennas and equipment on a single support structure and equipment pad area.