


LETTER OF TRANSMITTAL

DATE: July 10, 2018
TO: Honorable Mayor and City Council of the City of Okanogan
FROM: Christian Johnson, Permit Administrator 
Re: **Action Required on Planning Commission Recommendation
Congregate Living Facilities & Dormitories OKA RA 18-1**

* * * * *

After holding a duly advertised Open Record Public Hearing on July 9, 2018, the Planning Commission adopted by reference as their own the Staff Finding of Facts & Conclusions as stated in the July 6, 2018 Staff Report and recommends to the City Council to approve the July 6, 2018 version of the text amendment and pass an ordinance enacting the same.

Action Required by Council

Before a final decision can be made on the matter, the Council is required to conduct an open record hearing on the Planning Commission’s recommendation. In that this is a City initiated legislative proposal; new testimony is appropriate. Upon the conclusion of the hearing the Council may affirm, modify, return with direction or reject the Planning Commission’s recommendation.

THE HEARING RECORD

Staff enters following documents and exhibits into the record:

Documents:

1. The Planning Commission’s recommendation of approval of the text amendment.
2. The draft minutes of the Planning Commission’s July 9, 2018 meetings.
3. The July 9, 2018 hearing record.

RECOMMENDATION

Staff recommends that the City Council accept the Planning Commission’s Recommendation and pass the prepared ordinance.

Suggested Motion:

“I move to adopt by reference the Planning Commission’s Finding of Facts & Conclusions as our own and approve the text amendment and pass Ordinance No. 1188.”

ORDINANCE No. 1188

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OKANOGAN, WASHINGTON, AMENDING TITLE 18 OF THE OKANOGAN MUNICIPAL CODE BY ADDING A NEW CHAPTER 18.67 ENTITLED “CONGREGATE LIVING FACILITIES AND DORMITORIES”.

WHEREAS, Chapter 35A.63 of the Revised Code of Washington establishes the City of Okanogan as the authority with jurisdiction on local land use decisions; and

WHEREAS, on June 11, 2018 the Planning Commission initiated a zoning text amendment proceeding pursuant to Okanogan Municipal Code (“OMC”) Section 18.108.100 to determine if, providing provisions to address congregate living facilities and dormitories as new uses which are separated from traditional multi-family uses is acceptable to the community and advances Okanogan’s Comprehensive Plan; and

WHEREAS, all notice regarding said text amendment proceedings as required under OMC 18.100 have satisfactorily been performed; and

WHEREAS, in implementing the Comprehensive Plan, the City may review and revise OMC Title 18 to encourage novel residential development while providing for appropriate measures not to harm existing neighborhood character; and

WHEREAS, the Planning Commission conducted a duly publicized public hearing on the proposed text amendment on July 9, 2018, and after said hearing the Commission recommended to the City Council to approve the text amendments and pass an ordinance enacting the same; and

WHEREAS, the City Council conducted a duly publicized public hearing on the Planning Commission’s recommendation on the proposed text amendments on August 7, 2018; and

WHEREAS, the City Council does find that providing for additional zoning districts where very limited types of industrial uses are permitted is supported by the Comprehensive Plan; and

WHEREAS, the City Council did adopt by reference the Planning Commission’s Finding of Facts and Conclusions as their own and accepted the Planning Commission’s recommendation.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OKANOGAN, WASHINGTON, DO ORDAIN as follows:

Section 1. Amendment by Addition.

A. Title 18 of the Okanogan Municipal Code is hereby amended to add an entirely new chapter entitled “Congregate Living Facilities and Dormitories” as follows:

Chapter 18.67

CONGREGATE LIVING FACILITIES AND DORMITORIES

Sections:

- 18.67.010 Purpose.
- 18.67.020 Definitions
- 18.67.030 Procedures
- 18.67.040 Standards.
- 18.67.050 Decisions by the administrator.
- 18.67.060 Finding of facts and conclusions required.

18.67.010 Purpose.

The purpose of this chapter is to permit with predictability group housing uses and still protect the character and integrity of the neighborhoods and districts they are located in.

18.67.020 Definitions. The following definitions may be used elsewhere but are listed here as chapter specific.

Congregate living facilities. Congregate living facilities are defined as a building or part thereof that contains “sleeping units” where 16 or fewer non-transient residents share bathroom or kitchen facilities, or both. For transient uses see “hotel” or “motel” definitions.

Density. Density means the average number of dwelling units per acre. With respect to congregate living facilities and dormitories each unit’s design occupant load divided by five (5) and any fraction thereof shall determine the dwelling unit equivalent density.

Dormitory. Dormitory is defined as a space in a building where group sleeping accommodations are provided in one room, or in a series of closely associated rooms, for persons not members of the same family group, under joint occupancy and single management, as in college dormitories, military barracks, fraternity houses or worker housing.

Sleeping units. Sleeping units are defined as a room or space in which people sleep, which can also include permanent provisions for living, eating, and either sanitation or kitchen facilities but not both. Such rooms and spaces that are also part of a dwelling unit are not sleeping units.

Transient. Transient with respect to congregate living facility use means occupancy of a dwelling unit or sleeping unit for not more than 30 days.

18.67.030 Standards. These standards are specific to congregate living facilities and dormitories, unless otherwise addressed here, the standards applicable for planned developments, conditional use permits and permitted outright applications are also required.

A. Densities. Densities shall not exceed the maximum densities of the underlying zoning district.

B. Off Street Parking. Off street parking spaces shall be provided at the rate for multi-family use per dwelling unit equivalent for new construction and shall be provided for non-external alteration projects. Operators shall make provisions to encourage tenants to use the provided off-street parking spaces.

Exception(s):

1. Projects located in industrial zones and urban areas of commercial zones, may have reduced off street parking spaces where the building(s) containing the housing is directly connected to a sidewalk system which provides a continuous means of pedestrian access to the Central Business District.

2. In no case shall the actual number of off-street parking spaces provided be less than the actual number of tenant's vehicles.

C. Open Space. Projects located in industrial zones and urban areas of commercial zones, may have a reduced open space area below the level prescriptively required provided adequate means of stormwater dispersal is provided.

D. Worker housing applications shall make adequate provisions for bus traffic and onsite loading and unloading of workers.

E. Congregate Living Facilities and dormitories not located in industrial zones and urban areas of commercial zones shall be located on streets designated as collectors and/or arterials.

F. On Site Management. Owners/Operators shall designate an individual as the on site manager of the facility; said on site manager's contact information shall be kept current with the City Clerk's Office.

18.67.040 Procedures. Applications for congregate living facilities and dormitories shall be as specified for the underlying zoning and processed in accordance with Chapter 18.100 OMC.

18.67.050 Decisions by the administrator.

For the purposes of this Chapter, the administrator is empowered and directed to review applications for permitted outright congregate living facilities and dormitories as a hearing examiner and may apply reasonable conditions in the same manner, scope and limitations as a conditional use permit. Appeals of any action of the administrator relating to the application of this Chapter shall be heard and may be affirmed, modified or overturned as provided in OMC 18.112.020.

18.67.060 Finding of fact and conclusions required.

All decisions relating to the review of applications, issuance and/or revocation of permits for congregate living facilities and dormitories permits shall be supported by a written finding of fact and conclusions issued by the approving authority. Said documents shall be attached to the file and kept in the records of the city.

B. Chapter 18.48 INDUSTRIAL TWO DISTRICT (I-2) of the Okanogan Municipal Code is hereby amended to add an entirely new section entitled "18.48.050 Exceptions." as follows:

"18.48.050 Exceptions.

A. Congregate living facilities and dormitories are permitted the same as the primary use of the property if directly accessory thereto."

Section 2. Amendment.

A. OMC 18.24.020 which reads:

"18.24.020 Uses allowed outright.

In the R-3 district the following uses and their accessory uses and structures are allowed outright:

- A. Single-family dwellings;
- B. Individual lot manufactured homes;
- C. Day care centers (family);
- D. Duplexes;
- E. Multifamily dwelling units by planned unit developments;
- F. Manufactured housing communities by planned unit development;
- G. Horticultural practices;
- H. Home occupations as permitted by Chapter 18.68 OMC."

Is hereby amended to read as follows:

“18.24.020 Uses allowed outright.

In the R-3 district the following uses and their accessory uses and structures are allowed outright:

- A. Single-family dwellings;
- B. Individual lot manufactured homes;
- C. Day care centers (family);
- D. Duplexes;
- E. Multifamily dwelling units by planned unit developments;
- F. Manufactured housing communities by planned unit development;
- G. Horticultural practices;
- H. Home occupations as permitted by Chapter 18.68 OMC
- I. Congregate living facilities by planned unit development subject to Chapter 18.67.”

B. OMC 18.28.020 which reads:

“18.28.020 Uses allowed outright.

In the R-4 district the following uses and their accessory uses and structures are allowed outright:

- A. Apartments and boarding houses;
- B. Day care centers (agency);
- C. Day care centers (family);
- D. Duplexes;
- E. Multifamily dwellings;
- F. Single-family dwellings;
- G. Individual lot manufactured homes;
- H. Home occupations as permitted by Chapter 18.68 OMC.”

Is hereby amended to read as follows:

“18.28.020 Uses allowed outright.

In the R-4 district the following uses and their accessory uses and structures are allowed outright:

- A. Apartments and boarding houses;
- B. Day care centers (agency);
- C. Day care centers (family);
- D. Duplexes;
- E. Multifamily dwellings;
- F. Single-family dwellings;
- G. Individual lot manufactured homes;
- H. Home occupations as permitted by Chapter 18.68 OMC
- I. Congregate living facilities and dormitories by planned unit development subject to Chapter 18.67.”

C. OMC 18.32.020 which reads:

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“18.32.020 Uses allowed outright.

In the C-1 district the following uses and their accessory uses and structures are allowed outright:

- A. Bakeries;
- B. Banks and financial buildings;
- C. Barber and beauty shops;
- D. Churches;
- E. Day care centers (agency);
- F. Day care centers (family);
- G. Drug stores;
- H. Eating and drinking establishments;
- I. Gift shops;
- J. Home occupations as permitted by Chapter 18.68 OMC;
- K. Medical buildings;
- L. Micro processing/manufacturing establishments as permitted by Chapter 18.66 OMC;
- M. Office buildings;
- N. Pawn shops;
- O. Printing establishments;
- P. Produce outlets;
- Q. Professional buildings;
- R. Retail stores;
- S. Tourist information centers.”

Is hereby amended to read as follows:

“18.32.020 Uses allowed outright.

In the C-1 district the following uses and their accessory uses and structures are allowed outright:

- A. Bakeries;
- B. Banks and financial buildings;
- C. Barber and beauty shops;
- D. Churches;
- E. Congregate living facilities and dormitories by planned unit development subject to Chapter 18.67, except dormitories are prohibited in the CB-H-O 18.54.320 OMC;
- F. Day care centers (agency);
- G. Day care centers (family);
- H. Drug stores;
- I. Eating and drinking establishments;
- J. Gift shops;
- K. Home occupations as permitted by Chapter 18.68 OMC;
- L. Medical buildings;
- M. Micro processing/manufacturing establishments as permitted by Chapter 18.66 OMC;
- N. Office buildings;

Ordinance No. 1188

Zoning Code Congregate Living Facilities & Dormitories

Page 6 of 10

- O. Pawn shops;
- P. Printing establishments;
- Q. Produce outlets;
- R. Professional buildings;
- S. Retail stores;
- T. Tourist information centers.”

D. OMC 18.36.020 which reads:

“18.36.020 Uses allowed outright.

In the C-2 district the following uses and their accessory uses and structures are allowed outright:

- A. Auto rentals;
- B. Auto repair shops;
- C. Auto service stations;
- D. Bakeries;
- E. Banks and other financial buildings;
- F. Carwashes;
- G. Churches;
- H. Day care centers (agency);
- I. Day care centers (family);
- J. Eating and drinking establishments;
- K. Farm supply centers;
- L. Frozen food lockers;
- M. Gift shops;
- N. Hazardous waste treatment and storage facility, on-site;
- O. Home occupations as permitted by Chapter 18.68 OMC;
- P. Hotels;
- Q. Laundries and cleaning businesses;
- R. Medical buildings;
- S. Micro processing/manufacturing establishments as permitted by Chapter 18.66 OMC;
- T. Mortuaries;
- U. Motels;
- V. Nurseries and greenhouses;
- W. Office buildings;
- X. Pawn shops;
- Y. Pet shops and grooming businesses;
- Z. Printing establishments;
- AA. Produce outlets;
- BB. Professional buildings;
- CC. Rental outlets;
- DD. Repair shops;
- EE. Retail stores;
- FF. Storage buildings;
- GG. Tourist information centers;
- HH. Transportation facilities;

II. Vocational schools.”

Is hereby amended to read as follows:

“18.36.020 Uses allowed outright.

In the C-2 district the following uses and their accessory uses and structures are allowed outright:

- A. Auto rentals;
- B. Auto repair shops;
- C. Auto service stations;
- D. Bakeries;
- E. Banks and other financial buildings;
- F. Carwashes;
- G. Churches;
- H. Congregate living facilities and dormitories by planned unit development subject to Chapter 18.67;
- Day care centers (agency);
- I. Day care centers (family);
- J. Eating and drinking establishments;
- K. Farm supply centers;
- L. Frozen food lockers;
- M. Gift shops;
- N. Hazardous waste treatment and storage facility, on-site;
- O. Home occupations as permitted by Chapter 18.68 OMC;
- P. Hotels;
- Q. Laundries and cleaning businesses;
- R. Medical buildings;
- S. Micro processing/manufacturing establishments as permitted by Chapter 18.66 OMC;
- T. Mortuaries;
- U. Motels;
- V. Nurseries and greenhouses;
- W. Office buildings;
- X. Pawn shops;
- Y. Pet shops and grooming businesses;
- Z. Printing establishments;
- AA. Produce outlets;
- BB. Professional buildings;
- CC. Rental outlets;
- DD. Repair shops;
- EE. Retail stores;
- FF. Storage buildings;
- GG. Tourist information centers;
- HH. Transportation facilities;
- II. Vocational schools.”

E. OMC 18.44.050 which reads:
"18.44.050 Exceptions.
Bulk petroleum sales and storage facilities, noted in OMC 18.44.030(A),
must be placed underground."

Is hereby amended to read as follows:

"18.44.050 Exceptions.
A. Bulk petroleum sales and storage facilities, noted in OMC 18.44.030(A),
must be placed underground.
B. Congregate living facilities and dormitories are permitted the same as
the primary use of the property if directly accessory thereto."

Section 3. Severability. If any section, subsection, paragraph,
sentence, clause, or phrase of this ordinance is declared unconstitutional or
invalid for any reason, such decision shall not affect the validity of the remaining
parts of this ordinance.

Section 4. Effective Date. This ordinance shall become effective from and
after its passage by a majority vote of the City Council, approval by the Mayor,
and five days after publication of this ordinance, ora summary of this ordinance,
as required by law.

APPROVED AND ADOPTED by the City Council of the City of Okanogan,
this _____ day of _____, 2018.

APPROVED:

Jon Culp, Mayor

ATTEST:

Craig Attwood, City Clerk

APPROVED AS TO FORM:

Scott DeTro, City Attorney

Filed with City Clerk: _____

Passed by City Council: _____

Date Published: _____

Date Effective: _____

On the _____ day of _____, 2018, the City Council of the City of Okanogan passed Ordinance No.

DATED this _____ day of _____, 2018.

Craig Attwood, City Clerk

CITY OF OKANOGAN
PLANNING COMMISSION MINUTES
July 9, 2018

CALL TO ORDER

The Regular Meeting of the Okanogan Planning Commission was called to order by Chairman Jim Martin at 7:02 pm.

The following were:

Present: Chairman Jim Martin; Members: Sarin Molnar and Bryan Smith

Staff: Clerk 1 Michelle Skylstad, and Permit Administrator/Building Official Christian Johnson

Others Present: Charlie Atkinson

Absent: Members: Dennis O'Conner and Doug Woodrow, and Planner Christopher Johnson

APPROVAL OF AGENDA

Chairman Martin asked if there were any alterations to the Agenda. Hearing none, the agenda was approved as presented.

APPROVAL OF MINUTES

Member Molnar moved, seconded by Member Smith to approve the minutes of June 11, 2018. Seeing no objection raised, the motion carried.

PUBLIC COMMENT

There was no public comment.

UNFINISHED BUSINESS

There was no unfinished business on the agenda.

NEW BUSINESS

➤ *Public Hearing – OKA RA 18-1 Congregate Living Facilities and Dormitories*

Chairman Martin opened the public hearing at 7:03 PM. He stated that the purpose of this open record hearing is to take relevant testimony and review the application in order for the Planning Commission to make a recommendation to the City Council to approve, conditionally approve or deny proposed zoning text amendments to the City of Okanogan's Municipal Code. These amendments would generally do the following: Make provisions to address congregate living facilities and dormitories as new uses which are separated from traditional multi-family uses.

Project File Identification Numbers OKA RA 18-1.

Chairman Martin provided an opportunity for any challenges to the Planning Commission's jurisdiction. None were stated.

Chairman Martin asked if any member of the Planning Commission wished to excuse themselves for conflicts of interest or appearance of fairness issues or disclose pertinent facts. None were stated.

Chairman Martin asked if any member of the Planning Commission wished to disclose any ex-parte communication, such that everyone will have the benefits of the information. None were stated.

Chairman Martin asked if anyone present wished to challenge any of the Planning Commission membership, or himself as Chairman, for conflicts of interest or appearance of fairness issues in conducting the hearing. None were stated.

Chairman Martin opened the testimony portion of the hearing. He asked Building Official Permit Administrator Johnson to begin the testimony portion of the hearing with the presentation of the Staff Report.

Building Official Permit Administrator Johnson entered the following documents and exhibits into the record:

Documents:

1. The filed application, consisting of a City of Okanogan Land Use Permit Application Cover Sheet Questionnaire, Text Amendment Supplemental Questionnaire, proposed text, Project SEPA Checklist, all noted as OKA RA 18-1 (Hereafter referred to as the "Application").
2. Notice of Initiation of Text Amendment, Issuance of a DNS under SEPA and Public Hearings on the Matter Congregate Residences and Dormitories OKA RA 18-1 issued 6/19/2018 (Hereafter referred to as the "Notice").
3. A letter of transmittal titled "Staff Report – Congregate Residences & Dormitories" dated July 6, 2018 (Hereafter referred to as the "Staff Report").
4. All filed comments (city staff comments are inclusive with the Staff Report):
 - a. Colville Tribal Planning

Exhibits:

1. Declaration of Posting dated June 20, 2018, signed by Michelle Skylstad, regarding the posting of the Notice at various prominent locations in the City.
2. Affidavit of Mailing/Posting dated June 19, 2018, signed by Christian Johnson, regarding the transmitting the Agency Notice Packet to all city department heads, various county, tribal and state agencies and confirming that the Notice Packet was available on the city's official website for viewing and downloading on June 26, 2018.
3. Affidavit of Publication of the Notice in the Omak-Okanogan County Chronicle on June 27, 2018.
4. Affidavit of Mailing/Posting dated July 5, 2017, signed by Christian Johnson, regarding the transmitting the Staff Report to all city department heads and the proponents and confirming that the Staff Report was available on the city's official website for viewing and downloading on July 5, 2017.
5. A July 6, 2018 copy of the SEPA Register regarding the Notice (201703238).

Permit Administrator Johnson reviewed the information contained in the application, staff report, and supplemental staff report. Johnson added further testimony concerning the following:

- Previously had no zoning text to apply to congregate residences and dormitories
- Congregate residences and dormitories lack the traditional definition of family
- Congregate residences and dormitories generally have different transportation needs than traditional residential

Permit Administrator Johnson continued the discussion with supporting information and recommended to Planning Commission to move to adopt by reference the Revised Staff Finding of Facts and Conclusions and recommend to the City Council to approve the amendment and pass an ordinance enacting the same as stated in the Staff Report.

Chairman Martin provided the opportunity for anyone signed in to present testimony. There was none.

Chairman Martin provided the opportunity for anyone present to give testimony. There was none.

Chairman Martin provided the opportunity for the Commission to ask direct questions. There was none.

Chairman Martin provided the opportunity for the Applicant and Staff to rebut. There was none.

Chairman Martin provided the opportunity for discussion amongst the Commission. There was a short discussion of support.

Chairman Martin closed the hearing portion of the hearing at 7:20 PM and called for a decision on the recommendation on the application.

Member Molnar moved, seconded by Member Smith to adopt by reference the Revised Staff Finding of Facts and Conclusions and recommend to the City Council to approve the amendment and pass an ordinance enacting the same as stated in the Staff Report.

Vote on the motion. Ayes: Martin, Molnar and Smith. Nos: none. Motion: Passed without objection.

STAFF UPDATE

Permit Administrator Christian Johnson:

Permit Administrator Johnson reported the following:

- Computer crashed, has a loaner
- Next project-Accessory Dwelling Units
 - Small attached dwellings
 - How will they be billed
- Future project-Reorganization of zoning code to make more user-friendly

Planner Christopher Johnson:

Planner Johnson was not in attendance.

MEMBER COMMENT

Chairman Martin:

Inquired about flood damage.

Permit Administrator Johnson responded that one house had a partial foundation collapse, the Waste Water Treatment Plant levee under-performed, and there was creek-side damage along portions of Salmon Creek.

Inquired about project on Mill Street.

Permit Administrator Johnson responded that Mill Street LLC has worked on a foundation for a duplex and in accordance to the Critical Areas Ordinance a silt fence has been installed at the 50' setback from Salmon Creek

ADJOURNMENT

There being no further business before the Board, the Meeting was adjourned at 7:32 pm.

Minutes taken and prepared by Clerk 1, Michelle Skylstad

APPROVED:

Jim Martin, Chairman

ATTEST:

Michelle Skylstad, Clerk 1

LETTER OF TRANSMITTAL

DATE: July 9, 2018
TO: City of Okanogan Planning Commission
FROM: Christian Johnson, Permit Administrator

Re: **Supplemental Staff Report – Congregate Residences & Dormitories**
* * * * *

This report is supplemental to and does not change the original report except where specifically indicated or revised.

Staff enters following documents and exhibits into the record:

Documents:

1. The filed application, consisting of a City of Okanogan Land Use Permit Application Cover Sheet Questionnaire, Text Amendment Supplemental Questionnaire, proposed text, Project SEPA Checklist, all noted as OKA RA 18-1 (Hereafter referred to as the “Application”).
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5. A July 6, 2018 copy of the SEPA Register regarding the Notice (201703238).

RECOMMENDATION

Staff recommends that the Planning Commission make and approve a motion in the manner of:

“I move to adopt by reference the Revised Staff Finding of Facts and Conclusions and recommend to the City Council to approve the amendment and pass an ordinance enacting the same as stated in the Staff Report.”

Letter of Transmittal

DATE: July 6, 2018
TO: City of Okanogan Planning Commission
FROM: Christian Johnson, Permit Administrator
Re: **Congregate Living Facilities and Dormitories
Staff Report - OKA RA 18-1**

* * * * *

BACKGROUND

Having the benefit of processing the WAFLA project; the Planning Commission and Staff find that the city's current zoning code is lacking in details for addressing group worker housing.

- "Congregate living facilities" and "Dormitories" have some significant differences than the traditional multi-family use (apartment housing); namely the "family" element is missing and the transportation needs are specialized and different.

The purpose of this amendment is to permit with predictability group housing uses and still protect the character and integrity of the neighborhoods and districts they are located in.

THE PROPOSAL

Amend the City of Okanogan Municipal Code in the following manner: Make provisions to address congregate living facilities and dormitories as new uses which are separated from traditional multi-family uses.

PERMITTING COMMENTARY

In that this is a city-initiated proposal, there will be two open record hearing on the proposal. The first hearing is before the Planning Commission regarding the proposed text amendments, after the Commission is satisfied with the proposed text, the Commission will issue a recommendation to the City Council. The second hearing will be an open record hearing before the City Council on the Planning Commission's recommendation on the proposals and the record. At the conclusion of the Council's hearing the Council may accept, modify, remand back to the Commission for further work, or reject the proposal. For the proposed text to be included in the Municipal Code the Council will need to pass an ordinance amending the code.

measures not to harm existing neighborhood character. (page 52 Oct 1996)

All notice regarding said application required by Chapter 18.100 OMC has satisfactorily been performed. Affidavits of said notice are attached and incorporated herein.

CONCLUSIONS

Providing for predictability for group housing proposals is supported by the Comprehensive Plan.

RECOMMENDATIONS

There is no rush to complete this proposal; if there are additional comments provided or the Commission has any additional issues that they would like to include, this hearing can be extended.

If the Commission is satisfied that the matter should be put forward, Staff recommends approval of the text amendments as stated in the July 6, 2018 version.

Staff recommends that the Planning Commission make and approve a motion in the manner of:

“I MOVE TO ADOPT BY REFERENCE THE STAFF FINDING OF FACTS & CONCLUSIONS AND RECOMMEND TO THE CITY COUNCIL TO APPROVE THE TEXT AMENDMENTS AS RECOMMENDED BY STAFF AND PASS AN ORDINANCE ENACTING THE SAME.”

Synopsis of Returned Comments

(Where applicable Staff rebuttal for each of the comments are in italic font)

Colville Confederated Tribes

Planning Department “No comment at this time.”

Chapter 18.67
CONGREGATE LIVING FACILITIES AND DORMITORIES

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18.67.010 Purpose.

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18.67.020 Definitions. The following definitions may be used elsewhere but are listed here as chapter specific.

Congregate living facilities. Congregate living facilities are defined as a building or part thereof that contains “sleeping units” where 16 or fewer non-transient residents share bathroom or kitchen facilities, or both. For transient uses see “hotel” or “motel” definitions.

Density. Density means the average number of dwelling units per acre. With respect to congregate living facilities and dormitories each units design occupant load divided by five (5) and any fraction thereof shall determine the dwelling unit equivalent density.

Dormitory. Dormitory is defined as a space in a building where group sleeping accommodations are provided in one room, or in a series of closely associated rooms, for persons not members of the same family group, under joint occupancy and single management, as in college dormitories, military barracks, fraternity houses or worker housing.

Sleeping units. Sleeping units are defined as a room or space in which people sleep, which can also include permanent provisions for living, eating, and either sanitation or kitchen facilities but not both. Such rooms and spaces that are also part of a dwelling unit are not sleeping units.

Transient. Transient with respect to congregate living facility use means occupancy of a dwelling unit or sleeping unit for not more than 30 days.

18.67.030 Standards. These standards are specific to congregate living facilities and dormitories, unless otherwise addressed here, the standards applicable for planned developments, conditional use permits and permitted outright applications are also required.

A. Densities. Densities shall not exceed the maximum densities of the underlying zoning district.

B. Off Street Parking. Off street parking spaces shall be provided at the rate for multi-family use per dwelling unit equivalent for new construction and shall be provided for non-external alteration projects. Operators shall make provisions to encourage tenants to use the provided off-street parking spaces.

Exception(s):

1. Projects located in industrial zones and urban areas of commercial zones, may have reduced off street parking spaces where the building(s) containing the housing is directly connected to a sidewalk system which provides a continuous means of pedestrian access to the Central Business District.

2. In no case shall the actual number of off-street parking spaces provided be less than the actual number of tenant's vehicles.

C. Open Space. Projects located in industrial zones and urban areas of commercial zones, may have a reduced open space area below the level prescriptively required provided adequate means of stormwater dispersal is provided.

D. Worker housing applications shall make adequate provisions for bus traffic and onsite loading and unloading of workers.

E. Congregate Living Facilities and dormitories not located in industrial zones and urban areas of commercial zones shall be located on streets designated as collectors and/or arterials.

18.67.040 Procedures. Applications for congregate living facilities and dormitories shall be as specified for the underlying zoning and processed in accordance with Chapter 18.100 OMC.

18.67.050 Decisions by the administrator.

For the purposes of this Chapter, the administrator is empowered and directed to review applications for permitted outright congregate living facilities and dormitories as a hearing examiner and may apply reasonable conditions in the same manner, scope and limitations as a conditional use permit. Appeals of any action of the administrator relating to the application of this Chapter shall be heard and may be affirmed, modified or overturned as provided in OMC 18.112.020.

18.67.060 Finding of fact and conclusions required.

All decisions relating to the review of applications, issuance and/or revocation of permits for congregate living facilities and dormitories permits shall be supported by a written finding of fact and conclusions issued by the approving authority. Said documents shall be attached to the file and kept in the records of the city.

CITY OF OKANOGAN

JON K. CULP, MAYOR



Notice of Public Hearing Congregate Residences & Dormitories OKA RA 18-1

Official Date of Notice: July 25, 2018

NOTICE IS HEREBY GIVEN THAT the Planning Commission of the City of Okanogan, Washington has made a recommendation to the City Council to make zoning code text amendments that will amend the City of Okanogan Municipal Code in the following manner: provide provisions to address congregate living facilities and dormitories as new uses which are separated from traditional multi-family uses. Please see the recommendation for the specific proposed text amendments.

PROJECT LOCATION: All areas within the City of Okanogan, Washington primarily located in Sections 2, 3, 4, 5, 6, 8, 9, 10, 11, 15, 16, 17, 18, 19, 20 and 21 of Township 33 N., Range 26 E WM. and a portion of Section 33 of Township 34 N., Range 26 E.WM., Okanogan County, Washington.


HEARINGS: On Tuesday, August 7, 2018 during their regular meeting the City of Okanogan City Council will conduct an open record public hearing in accordance with 18.100.070 of the Okanogan Municipal Code (OMC) to take relevant testimony from the public on the recommendation Planning Commission.

The meeting is to begin at 7:00 p.m. in the Council Chamber Room, City Hall, 120 3rd Avenue, N. Okanogan, please consult the agendas as to what order of business the hearing is. All persons interested in presenting testimony are encouraged to be present to be heard.

Persons desiring to provide written comments on the proposal must file said comments at the Clerk's Office no later than 4:00 p.m. August 7, 2018 or at the hearing. Persons desiring a copy of the decision once made or party of record status must file said request at the Clerk's Office no later than 4:00 p.m. August 7, 2018 or at the hearing.

MORE INFORMATION: The complete project file consisting of the proposed text amendments, application, maps, SEPA Checklist, and Staff Reports are available to the public and will be provided upon request, please contact the Clerk's Office, City Hall, (509) 422-3600 during normal business hours or by visiting the City's website at www.okanogancity.com and following the Public Notice links. For further information please contact the responsible official below. Christian D. Johnson, C.B.O., Building Official * Permit Administrator (509) 560-3534 P.O. Box 752, Okanogan, WA 98840 e-mail: build@okanogancity.com

Issued this date: July 17, 2018

Signature: 

APPEALS: This notice is given pursuant to Section 18.100.050 OMC, appeals under SEPA shall be processed under Chapter 16.08.220 OMC and appeals of the final decision on these applications may be filed by a party of record with standing in Okanogan County Superior Court within 21 days of issuance of the decision as provided by Chapter 36.70C RCW.

CITY OF OKANOGAN

JON K. CULP, MAYOR



**Notice of Initiation of Text Amendments, Issuance of a DNS under SEPA
and Public Hearings on the Matter
Congregate Residences and Dormitories
OKA RA 18-1**

Official Date of Notice: June 27, 2018

NOTICE IS HEREBY GIVEN THAT the Planning Commission of the City of Okanogan, Washington has initiated zoning code text amendments that will amend the City of Okanogan Municipal Code in the following manner: Make provisions to address congregate living facilities and dormitories as new uses which are separated from traditional multi-family uses.

PROJECT LOCATION: All areas within the City of Okanogan, Washington primarily located in Sections 2, 3, 4, 5, 6, 8, 9, 10, 11, 15, 16, 17, 18, 19, 20 and 21 of Township 33 N., Range 26 E WM. and a portion of Section 33 of Township 34 N., Range 26 E.WM., Okanogan County, Washington.

SEPA: The lead agency for this proposal, which is the City of Okanogan Building & Permits Department, has determined that the proposal does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 3.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This determination of non-significance (DNS) is issued under 197-11-340(2); the lead agency will not act on this proposal before July 11, 2018.

HEARINGS: On Monday, July 9, 2018 during their regular meeting the City of Okanogan Planning Commission will conduct an open record public hearing in accordance with 18.100.070 of the Okanogan Municipal Code (OMC) to take relevant testimony from the public, review the application and upon completion of the hearing, make a recommendation to the City Council.

The meeting is to begin at 7:00 p.m. in the Council Chamber Room, City Hall, 120 3rd Avenue, N. Okanogan, please consult the agendas as to what order of business the hearing is. All persons interested in presenting testimony are encouraged to be present to be heard.

Persons desiring to provide written comments on the proposal must file said comments at the Clerk's Office no later than 4:00 p.m. July 9, 2018 or at the hearing. Persons desiring a copy of the decision once made or party of record status must file said request at the Clerk's Office no later than 4:00 p.m. July 9, 2018 or at the hearing.

MORE INFORMATION: The complete project file consisting of the proposed text amendments, application, maps, SEPA Checklist, and Staff Report (when available) are available to the public and will be provided upon request, please contact the Clerk's Office, City Hall, (509) 422-3600 during normal business hours or by visiting the City's website at www.okanogancity.com and following the Public Notice links. For further information please contact the responsible official below.

Christian D. Johnson, C.B.O., Building Official * Permit Administrator (509) 422-3600
P.O. Box 752, Okanogan, WA 98840 e-mail: build@okanogancity.com

Issued this date: June 19, 2018

Signature:

APPEALS: This notice is given pursuant to Section 18.100.050 OMC, appeals under SEPA shall be processed under Chapter 16.08.220 OMC and appeals of the final decision on these applications may be filed by a party of record with standing in Okanogan County Superior Court within 21 days of issuance of the decision as provided by Chapter 36.70C RCW.

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A. BACKGROUND, 1. Name of proposed project, if applicable:

Congregate Living Facilities

A. BACKGROUND, 2. Name of applicant:

City of Okanogan Planning Commission

A. BACKGROUND, 3. Address and phone number of applicant and contact person:

Post Office Box 752

Okanogan, Washington 98840 Christian Johnson, Permit Administrator (509)422-3600

A. BACKGROUND, 4. Date checklist prepared:

4/9/2018

A. BACKGROUND, 5. Agency requesting checklist:

City of Okanogan Building & Permits Department

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

The first public hearing on the proposal will be May 14, 2018 before the Planning Commission; the City Council could conduct a public hearing on the Planning Commission's recommendation as early as June 5th, 2018. If the Council finds the text amendments acceptable they should be put into effect late June 2018.

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

This zoning text amendment is part of the City's on going efforts to ensure that the development standards are user friendly and current with law.

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

This SEPA Checklist, the environmental review for the adoption of the Comprehensive Plan.

A. BACKGROUND, 9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

None.

A. BACKGROUND, 10. List any governmental approval or permits that will be needed for your proposal, if known.

Adoption of a Zoning Text Amending Ordinance - City of Okanogan

A. BACKGROUND, 11. Give brief, complete description of your proposal, including the proposed uses and size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. you do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

Amend the City of Okanogan Municipal Code in the following manner: Amend the Zoning Code to make provisions to address congregate living facilities and dormitories as new uses. See attached.

A. BACKGROUND, 12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township and range, if known. If a proposal would occur over a range of area provide the range or boundaries of the site(s). Provide a legal description, site plan vicinity map, and topographic map if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans with any permit application related to this checklist.

City wide; if adopted these text amendments will be applicable to all property currently within the corporate boundaries of the City of Okanogan, Washington primarily located in Sections 3, 4, 8, 9, 10, 15, 16, 17 and 20 of Township 33 N., Range 26 E WM. Okanogan County. See attached zoning map.

B. ENVIRONMENTAL ELEMENTS, 1. Earth, a. General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other _____.

The city is primarily situated in the bottom of a narrow valley which has a series of long flat benches that rise from the Okanogan River.

B. ENVIRONMENTAL ELEMENTS, 1. Earth, b. What is the steepest slope on the site (approximate percent slope)?

Generally the City has a defined slope towards the river of 5% overall, there is a steep slopes that are 67% for a rise of 50' to 100'.

Congregate Living Facilities, SEPA Checklist

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B. ENVIRONMENTAL ELEMENTS, 1. Earth, c. What general types of soils are found at the site (for example, clay sand, gravel peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.

Generally glacial till, with flood plain alluvial fan consisting of Pogue Loam, sandy gravel (SWG).

B. ENVIRONMENTAL ELEMENTS, 1. Earth, d. Are there surface indication or history of unstable soils in the immediate vicinity? If so, describe.

None known.

B. ENVIRONMENTAL ELEMENTS, 1. Earth, e. Describe the purpose, type and approximate quantities of any filling or grading proposed. indicate source of fill.

Non-project action. Enabled future projects are surmised to have nominal foundation dig-out and backfill and regular landscaping.

B. ENVIRONMENTAL ELEMENTS, 1. Earth, f. Could erosion occur as a result of clearing, construction, or use? If so generally describe.

Not likely, due to existing regulations and development review and verification of enabled proposals.

B. ENVIRONMENTAL ELEMENTS, 1. Earth, g. About what percentage of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Non-project action. Each designated zoning district does limit lot and building coverage by district.

B. ENVIRONMENTAL ELEMENTS, 1. Earth, h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

No new regulations are proposed, existing development review and verification of compliance with existing regulations that pertain to grading, clearing, erosion, storm water disposal.

B. ENVIRONMENTAL ELEMENTS, 2. Air, a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial, wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.

Non-project action. To what extent each future enabled proposal will be is unknown, but cumulatively deemed insignificant.

B. ENVIRONMENTAL ELEMENTS, 2. Air, b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

None known.

B. ENVIRONMENTAL ELEMENTS, 2. Air, c. Proposed measures to reduce or control emissions or other impacts to air, if any:

No new regulations are proposed.

B. ENVIRONMENTAL ELEMENTS, 3. Water, a. Surface, 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

The Okanogan River bisects the community as it works it way south to the Columbia River some 30 miles to the south (The Okanogan River is a State significant body of water). There are two year-around streams (Salmon Creek and Elgin Creek) which pass through the town and join the Okanogan River.

B. ENVIRONMENTAL ELEMENTS, 3. Water, a. Surface, 2) Will the project require any work over, in or adjacent to (within 200 feet) the decried waters? If yes, please describe and attach available plans.

Non-project action; future enabled proposal may, see map.

B. ENVIRONMENTAL ELEMENTS, 3. Water, a. Surface, 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

None

B. ENVIRONMENTAL ELEMENTS, 3. Water, a. Surface, 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

None

B. ENVIRONMENTAL ELEMENTS, 3. Water, a. Surface, 5) Does the proposal lie within a 100-year floodplain? If so, note on the site plan.

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Yes, a good 1/4 of the community is in the 100 floodplain.

B. ENVIRONMENTAL ELEMENTS, 3. Water, a. Surface, 6) Does the proposal involve any discharge of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

Existing uses and future enabled uses will produce domestic sewage waste that will be treated prior to entering the Okanogan River via the City of Okanogan Waste Water Treatment Plant at the extreme South end of the City. Future development enabled by this proposal which are consistent with the current Comprehensive Plan have been incorporated into the current Waste Water Treatment Plan, expected volume increases are noted.

B. ENVIRONMENTAL ELEMENTS, 3. Water, b. Ground, 1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.

Existing uses and future enabled uses will receive ground water via City of Okanogan wells and potable water system for on site sanitation and landscape irrigation. Future development enabled by this proposal which are consistent with the current Comprehensive Plan have been incorporated into the current Water Plan, expected volume increases are noted.

B. ENVIRONMENTAL ELEMENTS, 3. Water, b. Ground, 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage, industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable). Or the number of animals or humans the system(s) are expected to serve.

None.

B. ENVIRONMENTAL ELEMENTS, 3. Water, c. Water Runoff (including storm water);, 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Storm run-off from snowmelt and rain storms will continue from upland properties through existing drainage paths for disposal. Future enabled proposals will have storm drainage individually reviewed for compliance with existing regulations.

B. ENVIRONMENTAL ELEMENTS, 3. Water, c. Water Runoff (including storm water);, 2) Could waste materials enter ground or surface waters? If so, generally describe.

Not likely if existing regulations are followed.

B. ENVIRONMENTAL ELEMENTS, 3. Water, d. Proposed measures to reduce or control surface, ground and runoff water impacts, if any:

No new regulations are proposed.

B. ENVIRONMENTAL ELEMENTS, 4. Plants, a. Check or circle types of vegetation found on the site: deciduous tree: alder, maple, aspen, evergreen tree: fir, cedar, pine, crop or grain, shrubs, wet soil plants: cattail, buttercup, bulrush, skunk cabbage, grass, water plants: water lily, eel grass, milfol, pasture, other types of vegetation

A full variety vegetation is found that is typical of a developed community.

B. ENVIRONMENTAL ELEMENTS, 4. Plants, b. What kind and amount of vegetation will be removed or altered?

Non-project action. Future enabled proposals may remove some of the existing landscaping, some to provide for drives, parking, construction and to change the character of the landscaping. To what extent each future enabled proposal will be is unknown, but cumulatively deemed insignificant.

B. ENVIRONMENTAL ELEMENTS, 4. Plants, c. List threaten or endangered species known to be on or near the site.

None known.

B. ENVIRONMENTAL ELEMENTS, 4. Plants, d. Proposed landscaping, use of native plants, other measures to preserve or enhance vegetation on the site, if any:

Future enabled projects will likely be landscaped.

B. ENVIRONMENTAL ELEMENTS, 5. Animals, a. Underline any birds and animals which have been observed on or near the site or are known to be on or near the site: birds: hawk, heron, eagle, songbirds, other:..... mammals: deer, bear, elk, beaver, other:..... fish: bass, salmon, trout, herring, shellfish, other:.....

B. ENVIRONMENTAL ELEMENTS, 5. Animals, b. List any threatened or endangered species known to be on or

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near the site.

The Bald Eagle has been seen within the City. Upper Columbia River Steelhead, Bull Trout and Spring Chinook Salmon are known to be in the Okanogan River.

B. ENVIRONMENTAL ELEMENTS, 5. Animals, c. Is the site part of a migration route? If so, explain.

The Okanogan Valley and River is part of a major migration route to several birds and fish.

B. ENVIRONMENTAL ELEMENTS, 5. Animals, d. Proposed measures to preserve or enhance wildlife, if any:

No new regulations are proposed.

B. ENVIRONMENTAL ELEMENTS, 6. Energy and natural Resources, a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

The existing uses and enabled future uses will primarily use electricity for HVAC and lighting, with some using wood, oil and lpg as supplemental heating, the amount each future enabled proposal will need is unknown, however cumulatively deemed insignificant.

B. ENVIRONMENTAL ELEMENTS, 6. Energy and natural Resources, b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

No, there will be no changes to the setback lines and height restrictions currently permitted.

B. ENVIRONMENTAL ELEMENTS, 6. Energy and natural Resources, c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any?

All new work will comply with energy codes as required.

B. ENVIRONMENTAL ELEMENTS, 7. Environmental Health, a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

Proposal does not include any new future enabled uses with such risks.

B. ENVIRONMENTAL ELEMENTS, 7. Environmental Health, a. Health Hazards, 1) Describe special emergency services that might be required.

None known.

B. ENVIRONMENTAL ELEMENTS, 7. Environmental Health, a. Health Hazards, 2) Proposed measures to reduce or control environmental health hazards, if any.

No new regulations are proposed.

B. ENVIRONMENTAL ELEMENTS, 7. Environmental Health, b. Noise, 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

None known.

B. ENVIRONMENTAL ELEMENTS, 7. Environmental Health, b. Noise, 2) What types and levels of noise would be created by or associated with the project on a short-term or long term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

There will be no changes as a result of the text amendments.

B. ENVIRONMENTAL ELEMENTS, 7. Environmental Health, b. Noise, 3) Proposed measures to reduce or control noise impacts, if any:

No new regulations are proposed. Enabled uses will be restricted to below EDNA standards.

B. ENVIRONMENTAL ELEMENTS, 8. Land and Shoreline Use, a. What is the current use of the site and adjacent properties?

A small community of approximately 2,400 persons surrounded primarily by agriculture and rural housing.

B. ENVIRONMENTAL ELEMENTS, 8. Land and Shoreline Use, b. Has the site been used for agriculture? If so, describe.

Portions of the city have been and are currently being farmed.

B. ENVIRONMENTAL ELEMENTS, 8. Land and Shoreline Use, c. Describe any structures on the site.

All types primarily low lying residential.

B. ENVIRONMENTAL ELEMENTS, 8. Land and Shoreline Use, d. Will any structures be demolished? If so, what?

Non-project action.

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B. ENVIRONMENTAL ELEMENTS, 8. Land and Shoreline Use, e. What is the current zoning classification of the site?

All zoning districts, see map.

B. ENVIRONMENTAL ELEMENTS, 8. Land and Shoreline Use, f. What is the current comprehensive plan designation of the site?

All designations..

B. ENVIRONMENTAL ELEMENTS, 8. Land and Shoreline Use, g. If applicable, what is the current shoreline master program designation of the site?

All environments.

B. ENVIRONMENTAL ELEMENTS, 8. Land and Shoreline Use, h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

Areas frequently flooded, steep slopes, riparian habitat and areas adjacent to wetlands

B. ENVIRONMENTAL ELEMENTS, 8. Land and Shoreline Use, i. Approximately how many people would reside or work in the completed project?

There are currently 2,400 persons in the community; projected growth is at +/- 5% per year.

B. ENVIRONMENTAL ELEMENTS, 8. Land and Shoreline Use, j. Approximately how many people would the completed project displace?

Not applicable.

B. ENVIRONMENTAL ELEMENTS, 8. Land and Shoreline Use, k. Proposed measures to avoid or reduce displacement impacts, if any:

No new special measures proposed.

B. ENVIRONMENTAL ELEMENTS, 8. Land and Shoreline Use, l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

Existing zoning planned development permit process is deem adequate to address future site specific issues.

B. ENVIRONMENTAL ELEMENTS, 9. Housing, a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

Non-project action. This proposal will address farm and plant worker housing.

B. ENVIRONMENTAL ELEMENTS, 9. Housing, b. Approximately how many units, if any would be eliminated? Indicated whether high, middle, or low-income housing.

Non-project action.

B. ENVIRONMENTAL ELEMENTS, 9. Housing, c. Proposed measures to reduce or control housing impacts, if any:
The planned development process will provide predictability that was found lacking in the other districts for multi-family use.

B. ENVIRONMENTAL ELEMENTS, 10. Aesthetics, a. What is the tallest height of any proposed structures(s), not including antennas; what is the principal exterior building material(s) proposed?

Non-project action. There are no changes to current restrictions.

B. ENVIRONMENTAL ELEMENTS, 10. Aesthetics, b. What views in the immediate vicinity would be altered or obstructed?

Non-project action.

B. ENVIRONMENTAL ELEMENTS, 10. Aesthetics, c. Proposed measures to reduce or control aesthetic impacts, if any:

No new measures are proposed.

B. ENVIRONMENTAL ELEMENTS, 11. Light and Glare, a. What types of light or glare will the proposal produce? What time of day would it mainly occur?

Non project action.

B. ENVIRONMENTAL ELEMENTS, 11. Light and Glare, b. Could light or glare from the finished project be a safety hazard or interfere with views?

Not applicable.

B. ENVIRONMENTAL ELEMENTS, 11. Light and Glare, c. What exist off-site sources of light or glare may affect your proposal?

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None known.

B. ENVIRONMENTAL ELEMENTS, 11. Light and Glare, d. Proposed measures to reduce or control light and glare impacts, if any:

No new special measures proposed.

B. ENVIRONMENTAL ELEMENTS, 12. Recreation, a. What designated and informal recreation opportunities are in the immediate vicinity?

There is a wide variety of city parks throughout the community.

B. ENVIRONMENTAL ELEMENTS, 12. Recreation, b. Would the proposed project displace any existing recreation uses? If so, describe.

No.

B. ENVIRONMENTAL ELEMENTS, 12. Recreation, c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

None.

B. ENVIRONMENTAL ELEMENTS, 13. Historical and Cultural Preservation, a. Are there any places or objects listed on, or proposed for national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

Non project action. Yes, there are several known places and items through out the community.

B. ENVIRONMENTAL ELEMENTS, 13. Historical and Cultural Preservation, b. General describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

Non project action. See above.

B. ENVIRONMENTAL ELEMENTS, 13. Historical and Cultural Preservation, c. Proposed measures to reduce or control impacts, if any:

Non project action; with the inclusion of the Historic Overlay on to the circulated map; the likeliness of future conflicts are reduced.

B. ENVIRONMENTAL ELEMENTS, 14. Transportation, a. Identify public streets and highways serving the site, and described proposed access to the existing street system. Show on site plans, if any.

The community is primarily served by Hwy 97 and Hwy 20.

B. ENVIRONMENTAL ELEMENTS, 14. Transportation, b. Is the site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

The community is served by TransGO; closest larger public transit is located in Chelan about 60 miles to the south.

B. ENVIRONMENTAL ELEMENTS, 14. Transportation, c. How many parking spaces would the completed project have? How many would the project eliminate?

Non-project action. Existing regulations do address off-street parking as a criteria for approval.

B. ENVIRONMENTAL ELEMENTS, 14. Transportation, d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).

No.

B. ENVIRONMENTAL ELEMENTS, 14. Transportation, e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

The community is served by both rail and air; map adoption will not affect either.

B. ENVIRONMENTAL ELEMENTS, 14. Transportation, f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

Non project action.

B. ENVIRONMENTAL ELEMENTS, 14. Transportation, g. Proposed measures to reduce or control transportation impacts, if any:

No new special measures proposed.

B. ENVIRONMENTAL ELEMENTS, 15. Public Services, a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

Non project action.

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B. ENVIRONMENTAL ELEMENTS, 15. Public Services, b. Proposed measures to reduce or control direct impacts on public services, if any.

No new special measures are proposed.

B. ENVIRONMENTAL ELEMENTS, 16. Utilities, a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.

Full urban services are available through out most of the town.

B. ENVIRONMENTAL ELEMENTS, 16. Utilities, b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in t the immediate vicinity which might be needed.

Non-project action.

C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Date Submitted: 6/12/18 Signature: 

D. SUPPLEMENTAL SHEET FOR NON-PROJECT ACTIONS, 1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

Taken as a whole, there will be no increases from the adoption of the text amendments.

Proposed measures to avoid or reduce such increase are:

No new regulations are proposed.

D. SUPPLEMENTAL SHEET FOR NON-PROJECT ACTIONS, 2. How would the proposal be likely to affect plants, animals, fish, or marine life?

Taken as a whole, there will be no increases from the adoption of the text amendments.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

No new regulations are proposed.

D. SUPPLEMENTAL SHEET FOR NON-PROJECT ACTIONS, 3. How would the proposal be likely to deplete energy or natural resources?

Taken as a whole, there will be no increases from the adoption of the text amendments.

Proposed measures to protect or conserve energy and natural resources are:

No new regulations are proposed.

D. SUPPLEMENTAL SHEET FOR NON-PROJECT ACTIONS, 4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

Taken as a whole, there will be no increases from the adoption of the text amendments.

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

No new regulations are proposed.

D. SUPPLEMENTAL SHEET FOR NON-PROJECT ACTIONS, 5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

The existing regulations are crafted to ensure compatibility.

Proposed measures to avoid or reduce shoreline and land use impacts are:

No new regulations are proposed.

D. SUPPLEMENTAL SHEET FOR NON-PROJECT ACTIONS, 6. How would the proposal be likely to increase demands on transportation or public services and utilities?

Taken as a whole, there will be no increases from the adoption of the text amendments.

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

No new regulations are proposed.

D. SUPPLEMENTAL SHEET FOR NON-PROJECT ACTIONS, 7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

There is no known conflict.

CITY OF OKANOGAN
LAND USE PERMIT APPLICATION COVER SHEET QUESTIONNAIRE

PROJECT TITLE: **Congregate Living Facilities**

FILE ID #: **OKA RA 18-1**

This application is for (check all that are relevant):

- | | |
|---|---|
| <input type="checkbox"/> Long Plat | <input type="checkbox"/> Zoning Conditional Use Permit |
| <input type="checkbox"/> Long Plat Alteration | <input type="checkbox"/> Zoning Variance |
| <input type="checkbox"/> Short Plat | <input checked="" type="checkbox"/> Zoning Text Amendment |
| <input type="checkbox"/> Planned Development | <input type="checkbox"/> Zoning Map Amendment |
| <input type="checkbox"/> Comprehensive Plan Amendment | <input type="checkbox"/> Other; _____ |

ALSO USE JARPA APPLICATION FOR FLOODPLAIN AND SHORELINE PROPOSALS

For proposals/projects with multiple permit/approvals, do you want your entire project processed under a consolidated review process? Yes ___ No ___

(City Use Only)
APPLICATION FEES: _____ n/a _____ RECEIPT #: _____
DATE OF APPLICATION: 6/11/18 BY: PC

APPLICANT: **City of Okanogan Planning Commission**

Mailing Address: **POB 752, Okanogan WA 98840**

Contact Person: **Christian Johnson, Permit Administrator** Phone: **(509)560-3534**

ENGINEER / SURVEYOR OF RECORD: _____

Firm Name: _____ Phone: _____

Mailing Address: _____

OWNER OF PROPERTY: _____

Mailing Address: _____

Contact Person: _____ Phone: _____

GENERAL PROJECT INFORMATION:

This application is made pursuant to the following Municipal Code Sections or relevant State Laws: **Section 18.108.010 OMC**

Description of the proposal: **Amend the Zoning Code to make provisions to address congregate living facilities and dormitories as new uses. See attached.**

Description of the existing use(s) of the property: **City wide.**

Description of the proposed use(s) of the property: **Non project action**

Street address of the site: **City Wide**

Legal description of the subject property: **City Wide**

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LAND USE PERMIT APPLICATION COVER SHEET QUESTIONNAIRE
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Current land use designation for the subject property:

Zoning District: **City wide, all except R-R, R-1, R-2D, C-3 & CONS**
Comprehensive Plan: **City wide, all except low density residential**
Flood Plain Zone: **City wide, all except floodways.**
Shoreline Environment: **City wide, all except Conservancy**
Critical Areas: **City wide, all except Wetlands & Riparian Habitat**

Are there existing relevant permits or approvals held to the subject property? If yes, state the permit number and issuing agency: **None**

Will the proposal affect the access to the property? If yes, please describe: **Non project action.**

Will the proposal require work within an existing public right-of-way? If yes, please describe: **Non project action**

Will the proposal require additions or changes to the water and/or sewer services? If yes, please describe: **Non project action**

Water service is provided by: **Most likely from the City.**

(If water service is not provided by the City, please attach evidence of adequate water supply as required by RCW 19.27.097)

Sanitary sewer service is provided by: **Most likely from the City**

Storm sewer service is provided by: **Most likely addressed on site.**

If the water and/or sewer service is new or the use is expanding or changing,
please request a copy of the water and sewer system development fee / E.R.U. schedule.
(Ordinance #928).

Is the property served by an irrigation district? If yes, note the name of the servicing district and describe any effect the proposal will have on the service: **Non project action**

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LAND USE PERMIT APPLICATION COVER SHEET QUESTIONNAIRE
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PLEASE ATTACH THE FOLLOWING DOCUMENTS: SUBJECT PERMIT APPLICATION, REQUIRED LEGIBLE PLANS AND SPECIFICATIONS, RELATED SEPA DOCUMENTS, LIST OF ADJACENT LANDOWNERS AND APPLICATION FEES.

I hereby apply for the above noted permit(s). By signing below, I hereby certify that I am the above applicant and hereby state that the foregoing information, and all information attached hereto, is true to the best of my knowledge, with the understanding that inaccurate, incomplete and/or false information may cause delays and/or provide cause to void this application and any subsequent approvals. Further, I understand that in addition to the filing fees, I am responsible for reimbursement to the City for all costs incurred in processing this application, these costs may include, but are not limited to: postage, publishing, copies, peer review and special consultant review and inspection.

(n/a)

Applicant's Signature

Date

AFFIDAVIT AND CONSENT OF OWNER

I (We) the owners of the property affected by this application do hereby swear/affirm under penalty of perjury that I (We) am (are) of exclusive ownership and this application has been submitted with my (our) consent.

(Not required for Planning Commission Initiated Proposals)

Property Owner's Signature

Date

(Attach additional affidavits as needed)

ACKNOWLEDGMENT

This is to certify that on the ____ day of _____, _____ before me

_____ did personally appear, to me known to be the Person(s) who executed the foregoing affidavit and consent and signed the same. WITNESS my hand and official seal the day and year last above written.

_____, residing at _____, _____, _____
Notary public in and for the State of _____

CITY USE ONLY:

Is the proposal categorically exempt from a threshold determination in accordance with the State Environmental Policy Act? If yes, state the basis of exemption: **No.**

**ZONING CODE TEXT / MAP AMENDMENT PETITION
SUPPLEMENTAL QUESTIONNAIRE**

PROJECT TITLE: **Congregate Living Facilities**

FILE ID #: **OKA RA 18-1**

The purpose of this questionnaire is for the applicant to point out specific attributes of their proposal. The information may also be included in support documentation, but is also to be included here for clarity.

The applicant hereby petitions the City Council of the City of Okanogan to change the **Zoning Code Text** / ~~Map~~ in Title 18 of the City's Municipal Code as follows (attach additional sheet if necessary): **Amend the Zoning Code to make provisions to address congregate living facilities as a use. See attached.**

1. Describe why the proposed zoning code text / map amendment is more desirable than the existing zoning code text / map: **Congregate living facilities and dormitories have inherent different attributes than traditional multi-family uses.**
2. Describe how the proposed zoning code text / map amendment complies with the intent of the comprehensive plan: **A goal of the housing element of the Comp Plan is to provide for all types of housing.**
3. Identify the zoning districts in the City to which this proposed amendment would apply: **City wide, all in various degrees except R-R, R-1, R-2D, C-3, CONS**
4. Identify what has changed or transpired since the adoption of the current text and / or boundaries of the district to warrant a change: **The significant amount of comment raised in reviewing the River Meadows proposal. Current multi-family siting criteria was found not to be necessarily applicable/adequate to address the stated testimony concerns; predictability in processing future applications is desired.**

Chapter 18.67
CONGREGATE LIVING FACILITIES AND DORMITORIES

Sections:

- 18.67.010 Purpose.
- 18.67.020 Definitions
- 18.67.030 Procedures
- 18.67.040 Standards.
- 18.67.050 Decisions by the administrator.
- 18.67.060 Finding of facts and conclusions required.

18.67.010 Purpose.

The purpose of this chapter is to permit with predictability group housing uses and still protect the character and integrity of the neighborhoods and districts they are located in.

18.66.020 Definitions. The following definitions may be used elsewhere but are listed here as chapter specific.

Congregate living facilities. Congregate living facilities are defined as a building or part thereof that contains "sleeping units" where 16 or fewer non-transient residents share bathroom or kitchen facilities, or both. For transient uses see "hotel" or "motel" definitions.

Density. Density means the average number of dwelling units per acre. With respect to congregate living facilities and dormitories each units design occupant load divided by five (5) and any fraction thereof shall determine the dwelling unit equivalent density.

Dormitory. Dormitory is defined as a space in a building where group sleeping accommodations are provided in one room, or in a series of closely associated rooms, for persons not members of the same family group, under joint occupancy and single management, as in college dormitories, military barracks, fraternity houses or worker housing.

Sleeping units. Sleeping units are defined as a room or space in which people sleep, which can also include permanent provisions for living, eating, and either sanitation or kitchen facilities but not both. Such rooms and spaces that are also part of a dwelling unit are not sleeping units.

Transient. Transient with respect to congregate living facility use means occupancy of a dwelling unit or sleeping unit for not more than 30 days.

18.66.030 Standards. These standards are specific to congregate living facilities and dormitories, unless otherwise addressed here, the standards applicable for planned developments, conditional use permits and permitted outright applications are also required.

A. Densities. Densities shall not exceed the maximum densities of the underlying zoning district.

B. Off Street Parking. Off street parking spaces shall be provided at the rate for multi-family use per dwelling unit equivalent for new construction and shall be provided for non-external alteration projects. Operators shall make provisions to encourage tenants to use the provided off-street parking spaces.

Exception(s):

1. Projects located in industrial zones and urban areas of commercial zones, may have reduced off street parking spaces where the building(s) containing the housing is directly connected to a sidewalk system which provides a continuous means of pedestrian access to the Central Business District.

2. In no case shall the actual number of off-street parking spaces provided be less than the actual number of tenant's vehicles.

C. Open Space. Projects located in industrial zones and urban areas of commercial zones, may have a reduced open space area below the level prescriptively required provided adequate means of stormwater dispersal is provided.

D. Worker housing applications shall make adequate provisions for bus traffic and onsite loading and unloading of workers.

E. Congregate Living Facilities and dormitories not located in industrial zones and urban areas of commercial zones shall be located on streets designated as collectors and/or arterials.

18.66.040 Procedures. Applications for congregate living facilities and dormitories shall be as specified for the underlying zoning and processed in accordance with Chapter 18.100 OMC.

18.66.050 Decisions by the administrator.

For the purposes of this Chapter, the administrator is empowered and directed to review applications for permitted outright congregate living facilities and dormitories as a hearing examiner and may apply reasonable conditions in the same manner, scope and limitations as a conditional use permit. Appeals of any action of the administrator relating to the application of this Chapter shall be heard and may be affirmed, modified or overturned as provided in OMC 18.112.020.

18.66.060 Finding of fact and conclusions required.

All decisions relating to the review of applications, issuance and/or revocation of permits for congregate living facilities and dormitories permits shall be supported by a written finding of fact and conclusions issued by the approving authority. Said documents shall be attached to the file and kept in the records of the city.

Existing requirements for multi-family use side-by-side comparison for dormitories and congregate living facilities.

District	Intent of the District	Multi Family	Dorm	Cong.
R-R	The intent of the rural residential district is to provide for an appropriately classified area for the development of single-family residences on lots larger than 20,000 square feet, preserving the agricultural or rural character of the city's fringe.	Prohibited	Prohibited	Prohibited
R-1	The intent of the R-1 district is to provide an appropriately classified area exclusively for single-family residences. This district may be used in newly platted areas or future annexations	Prohibited	Prohibited	Prohibited
R-2D	The intent of the R-2D district is to provide for a mixture of single-family and duplex residential types, encouraging development of more affordable housing while maintaining a lower intensity residential character	Prohibited	Prohibited	Prohibited
R-2	The intent of the R-2 district is to provide for a mixture of residential types while limiting nonresidential uses. These areas are typically existing residential areas that have had a relatively high build out	PUD	Prohibited	Prohibited
R-3	The intent of the R-3 district is to provide areas for a mixture of housing types while still retaining the residential character by limiting uses to those that are compatible with residential areas. These areas are typically residential areas that have had a moderate to low build-out rate or have the potential for redevelopment or being annexed as a new residential area.	PUD	Prohibited	PUD
R-4	The intent of the R-4 district is to provide areas for the development of multifamily dwellings where city services such as water, sewer and streets are readily available. This district will typically occur near downtown commercial areas.	Allowed outright	PUD	PUD
C-1	The intent of the C-1 district is to provide for commercial uses within the city's central business district. Primary uses in this district are retail sales and services.	Apartments CUP	PUD	PUD
C-2	The intent of the C-2 district is to provide an area for highway-oriented commercial uses. Areas typical of this district are along major arterials.	Apartments CUP	PUD	PUD
C-3	The intent of the C-3 district is to provide for areas that have services needed by the traveling public.	PUD	Prohibited	Prohibited
I-1	The intent of the I-1 district is to provide an area for those industrial and commercial uses that do not produce significant noise, air pollution, odor or have other obnoxious features and tend to be consumer	Prohibited	Permitted the same as the primary	Permitted the same as the primary

	oriented.		use of the property if directly accessory thereto.	use of the property if directly accessory thereto
I-2	The intent of the I-2 district is to provide areas for industrial developments that have characteristics which may result in more intense usage or may generate offensive noise, emissions, smoke, odor or involve heavy equipment operation or other obnoxious features.	Apartments CUP	Permitted the same as the primary use of the property if directly accessory thereto	Permitted the same as the primary use of the property if directly accessory thereto
Airport	The intent of the city is to protect the health, lives, and property of the public, including the users of the airport facilities. It is also the desire of the city to protect public investments, provide for operation of the municipal airport, and to prevent conflicting uses from occurring.	If allowed by Council	If allowed by Council	If allowed by Council
Cons.	The intent of the conservancy district is to provide for areas that may be unsuitable for residential, commercial or industrial development; city owned property; and areas particularly vulnerable to 100-year flood levels.	Prohibited	Prohibited	Prohibited
HB-O	The primary intent of the highway business overlay is to accommodate businesses that provide products or services that require a majority of customers to access the business by automobile while protecting and preserving the residential use of surrounding properties.	See underlying district; no change by overlay	See underlying district; no change by overlay	See underlying district; no change by overlay
CB-H-O	In order that the historic portion of the central business district and buildings within the area may not be injuriously affected; to promote the public welfare; and to provide for the enhancement of this area and its structures, thereby contributing to the social, cultural, and economic welfare of the residents and business of Okanogan by developing an awareness of its historic heritage, returning unproductive structures to useful purposes, and attracting tourists to the city; and in order that a reasonable degree of control may be exercised over the site, development, and architecture of the private and public buildings erected therein, there is hereby created the central business historic overlay (CB-H) district.	2 nd floor conversion allowed outright	Prohibited	PUD