

COMMISSIONER'S AGENDA ITEM COMMENTARY

<u>SUBMITTED BY</u>	Community Development Department	<u>Mike Beck</u> Signature
<u>AGENDA DATE</u>	March 29, 2022	
<u>SUBJECT</u>	<u>Planning Commission Recommendations on Comprehensive Plan and Zoning Map Amendments for properties on the south side of Smith-Beckon Road between Wind River Road and Metzger Road, Carson</u>	
<u>ACTION REQUESTED</u>	<u>Place proposed Resolution 2022-21 and Ordinance 2022-01 on the March 29, 2022 Consent Agenda for approval.</u>	

SUMMARY/BACKGROUND

Kurtis Krall, property owner of 511 Metzger Road in Carson, proposed a drive-thru espresso stand on the north side of the property adjacent to Smith-Beckon Road. Existing regulations do not allow for operation of an espresso stand on this property, as expansion of commercial uses on the property does not comply with the Rural Residential zoning or the county's nonconforming use standards. The Planning Commission discussed this situation at the February 15, 2022, meeting and directed staff to schedule a public hearing to consider rezoning the subject property to Commercial. The Planning Commission also suggested the possibility of expanding this commercial rezoning westward to Wind River Road. Making this change would also require amendment of the Carson comprehensive plan map from Residential to Commercial.

The Planning Commission held a public hearing on March 15, 2022 and voted to recommend the Board of County Commissioners rezone three properties on the South side of Smith Beckon Road, between Wind River Road and Metzger Road, from Rural Residential to Commercial.

Staff recommends the Board review the Planning Commission's recommendation and schedule the proposal for adoption on March 29, 2022 consent agenda. The Board does not need hold another hearing unless the Board alters the proposal.

FISCAL IMPACT

None.

RECOMMENDATION

It is recommended that the Board of County Commissioners place proposed Resolution 2022-21 and Ordinance 2022-01 on the March 29, 2022 Consent Agenda for approval.

LIST ATTACHMENTS

- Draft Resolution 2022-21
- Draft Ordinance 2022-01
- Planning Commission Recommendation
- Staff Report – March 10, 2022

*TO Circle Publishing
3-29-22*

ORDINANCE No. 2022-01

AN ORDINANCE AMENDING THE ZONING MAP FOR PROPERTY ALONG SMITH-BECKON ROAD BETWEEN WIND RIVER HIGHWAY AND METZGER ROAD IN CARSON, WASHINGTON

WHEREAS, RCW 36.70 authorizes Skamania County (the County) to adopt or amend zoning regulations and a zoning map; and

WHEREAS, the Planning Commission initiated amendments to the Carson Community Subarea Plan map and Carson zoning map on February 15, 2022; and

WHEREAS, a SEPA Mitigated Determination of Non-Significance (DNS) was issued on March 2, 2022, after environmental review of the proposed amendments was completed; and

WHEREAS, the Planning Commission, after holding a public hearing on March 15, 2022, recommended amendments to the zoning map; and

WHEREAS, the Board of County Commissioners reviewed the Planning Commission's recommendation at a workshop on March 22, 2022; and

WHEREAS, the map amendments are consistent with the Carson Community Subarea Plan and existing uses of the subject property and will provide employment and economic development opportunities; and

WHEREAS, the map amendments protect the general health, safety, and welfare of the public; and

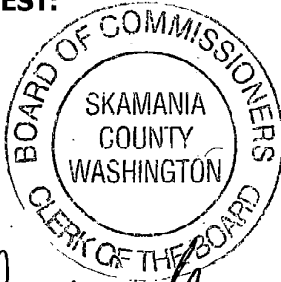
WHEREAS, the Board of County Commissioners approved Ordinance No. 2022-01 on March 29, 2022;

NOW THEREFORE BE IT HEREBY ORDAINED AND ESTABLISHED the Board of County Commissioners adopts Ordinance No. 2022-01, amending the Carson Zoning Map as follows:

Parcel Number	Owner	New Zoning Designation
03-08-20-4-1-1000-00	Krall	Carson - Commercial
03-08-20-4-1-0900-00	Thayer	Carson - Commercial
03-08-20-4-1-0700-00, 03-08-20-4-1-0800-00, 03-08-20-1-4-0100-00	Skamania County PUD #1	Carson - Commercial

ORDINANCE NO. 2022-01 PASSED INTO LAW THIS 29th DAY OF March 2022.

ATTEST:



Debbie Alvo
Clerk of the Board

**BOARD OF COMMISSIONERS
SKAMANIA COUNTY, WASHINGTON**

Richard Mahar
Richard Mahar, Chairman

T. W. Lannen
T. W. Lannen, Commissioner

Robert Hamlin
Robert Hamlin, Commissioner

Approved as to form only:

[Signature]
Skamania County Prosecuting Attorney

Aye 5
Nay 0
Abstain 0
Absent 0



Skamania County Community Development Department

Building/Fire Marshal • Environmental Health • Planning

Skamania County Courthouse Annex

Post Office Box 1009

Stevenson, Washington 98648

Phone: 509-427-3900 Inspection Line: 509-427-3922

STAFF REPORT

TO: Skamania County Planning Commission
FROM: Alan Peters, AICP, Community Development Director

REPORT DATE: March 10, 2022
HEARING DATE: March 15, 2022
PROPOSAL: Proposed amendments to the Carson Subarea Comprehensive Plan and Zoning Map for properties on the south side of Smith-Beckon Road, between Wind River Road and Metzger Road in Carson, WA.

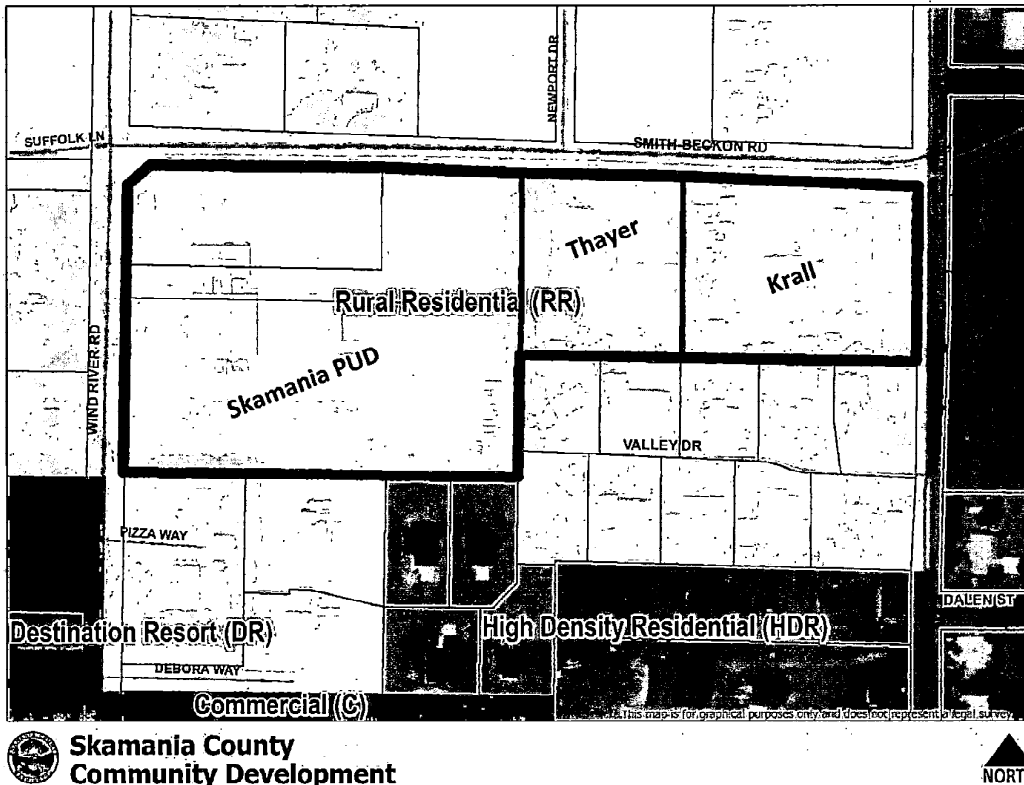
Background

511 Metzger Road, Carson is a 2.59 parcel located on the southwest corner of Smith-Beckon Road and Metzger Road. Though the property has historically been used for commercial uses, it was designated Rural Residential when the Carson zoning was adopted in November 1995. The commercial uses predate this zoning. The property currently contains storage units, a truck shop, and a single-family dwelling. A hair salon previously occupied the property but has been discontinued.

The property owner has proposed to expand the commercial use of this property by operating a drive-thru espresso stand on the north side of the property adjacent to Smith-Beckon Road. Existing regulations do not allow for operation of an espresso stand on this property as expansion of commercial uses on the property does not comply with the Rural Residential zoning or the county's nonconforming use standards.

The Planning Commission discussed this situation at the February 15, 2022, meeting and directed staff to schedule a public hearing to consider rezoning of the subject property to Commercial. The Planning Commission also suggested the possibility of expanding this commercial rezoning westward to Wind River Road. Making this change would also require amendment of the Carson comprehensive plan map from Residential to Commercial.

The Planning Enabling Act enables the Board of County Commissioners to initiate changes to the County's Comprehensive Plan and Zoning when it deems to be for the public interest. In this case, providing additional land for commercial development helps facilitate the goals of the Carson Community Subarea Plan.



 **Skamania County
Community Development**



Figure 1. Area of potential rezoning.

There are three properties on the south side of Smith-Beckon Road between Wind River Road and Metzger Road which the Planning Commission could consider for rezoning and comprehensive plan amendments:

1. 511 Metzger Road, owned by Kurtis Krall, consisting of 2.59 acres
2. 1492 Wind River Road, owned by Skamania PUD, consisting of three parcels totaling 7.78 acres
3. 1201 Smith Beckon Road, owned by Lorange and Joann Thayer, consisting of 1.82 acres.

The Krall and Skamania PUD properties both consist of commercial or public facility uses, however the Thayer property is a residential property. The Planning Commission could recommend a change in zoning/comprehensive plan amendments for all or portion of this area.

Zoning Designations

The subject area is currently zoned Rural Residential. This is a residential zone that requires a minimum lot size of 1 acre. In addition to single-family residences, the zone also allows for agriculture, forestry, low-intensity recreation, and religious facilities. Professional services and multi-family residences are conditional uses.

Commercial

The subject properties could be rezoned to Commercial. This is a commercial zone that allows various commercial uses and is primarily located along the Wind River Road commercial corridor, but extends east along Cloverdale Ave and Hot Springs Ave. Most new commercial developments require administrative review, a process that requires public notice prior to project approval. Residential uses within this zone are allowed only in limited circumstances. Caretakers residences and residential uses above a commercial use are conditional uses in this zone.

Comprehensive Plan

The subject properties are under the jurisdiction of the Carson Community Subarea Plan and located in the "Rural Residential" land use designation. The proposal would require amendments to the Comprehensive Plan's land use map in addition to the proposed Zoning map amendments.

Rural Residential

The Rural Residential designation is intended to provide areas of lower residential density to preserve the rural character of the community. This designation should be applied to lands which are not now subject to intense residential or commercial development and sited in a manner which will either buffer or disburse areas designated Commercial Center or High Density Residential to break up urban densities. Lands designated Rural Residential include areas where existing parcels predominantly range from one to five acres in size.

Business Center (Commercial)

The public purpose served by the Business Center (Commercial) designation is to provide employment opportunities within the community and to increase convenience and shopping opportunities within the planning area. Lands designated Business Center should include dispersed areas which are presently subject to commercial and/or industrial development and areas which are suitable for commercial or industrial development, given their proximity to public services, major transportation corridors and infrastructure. Lands designated under this Section may also include areas that predominantly are undeveloped or sparsely developed and, therefore, may be developed for industrial or commercial purposes with minimal, if any, destruction of existing improvements.

Analysis

The Planning Enabling Act enables the Board of County Commissioners to initiate changes to the County's Comprehensive Plan and Zoning when it deems to be for the public interest (RCW 36.70.430 and 36.70.640). Property owners can also request consideration of site-specific rezones by the Hearing Examiner, but the Board has occasionally initiated such rezones when they are in the interest of the larger community.

The request would add between 2.59 acres to 11.3 acres of Commercial zoning to the Carson Subarea. This change would be supported by the Carson Subarea Plan, as it would primarily be applied to areas which are already subject to commercial development, and which are located in proximity to commercial corridors and infrastructure. The proposal is consistent with the vision statement and general goals of the Carson Subarea Plan:

Vision Statement:

To maintain the rural residential character of the community while providing employment and recreational opportunities.

General Goals:

- A. To maintain the rural residential character of the area.*
- B. To provide employment opportunities in our community.*
- C. To preserve and enhance community beauty.*
- D. To preserve and enhance public safety.*
- E. To retain the existing population and create opportunities in our community so that our children can also remain here.*

A SEPA Determination of Non-significance for the proposed comprehensive plan and zoning map amendments was issued on March 2, 2022. The proposal is scheduled for a public hearing on March 15, 2022. Notice of this hearing was published in the Skamania County Pioneer on March 2, 2022, and posted on the County's website. Following the hearing, the Planning Commission can forward a recommendation to the Board of County Commissioners.

Revised Code of Washington (RCW) 36.70 Planning Enabling Act

RCW 36.70.380

Comprehensive plan—Public hearing required.

Before approving all or any part of the comprehensive plan or any amendment, extension or addition thereto, the commission shall hold at least one public hearing and may hold additional hearings at the discretion of the commission.

RCW 36.70.390

Comprehensive plan—Notice of hearing.

Notice of the time, place and purpose of any public hearing shall be given by one publication in a newspaper of general circulation in the county and in the official gazette, if any, of the county, at least ten days before the hearing.

RCW 36.70.400

Comprehensive plan—Approval—Required vote—Record.

The approval of the comprehensive plan, or of any amendment, extension or addition thereto, shall be by the affirmative vote of not less than a majority of the total members of the commission. Such approval shall be by a recorded motion which shall incorporate the findings of fact of the commission and the reasons for its action and the motion shall refer expressly to the maps, descriptive, and other matters intended by the commission to constitute the plan or amendment, addition or extension thereto. The indication of approval by the commission shall be recorded on the map and descriptive matter by the signatures of the chair and the secretary of the commission and of such others as the commission in its rules may designate.

RCW 36.70.410

Comprehensive plan—Amendment.

When changed conditions or further studies by the planning agency indicate a need, the commission may amend, extend or add to all or part of the comprehensive plan in the manner provided herein for approval in the first instance.

Staff Findings:

The proposal requires amendments to the comprehensive plan (land use map) and official controls (zoning map). The amendment process was initiated at the direction of the Planning Commission. The proposal is scheduled for a public hearing on March 15, 2022. Notice of this hearing was published in the Skamania County Pioneer on March 2, 2022, and posted on the County's website. The Planning Commission may vote on an amendment following the hearing.

36.70.580 Official controls—Public hearing by commission.

Before recommending an official control or amendment to the board for adoption, the commission shall hold at least one public hearing.

36.70.590 Official controls—Notice of hearing.

Notice of the time, place and purpose of the hearing shall be given by one publication in a newspaper of general circulation in the county and in the official gazette, if any, of the county at least ten days before the hearing. The board may prescribe additional methods for providing notice.

36.70.600 Official controls—Recommendation to board—Required vote.

The recommendation to the board of any official control or amendments thereto by the planning agency shall be by the affirmative vote of not less than a majority of the total members of the commission. Such approval shall be by a recorded motion which shall incorporate the findings of fact of the commission and the reasons for its action and the motion shall refer expressly to the maps, descriptive and other matters intended by the commission to constitute the plan, or amendment, addition or extension thereto. The indication of approval by the commission shall be recorded on the map and descriptive matter by the signatures of the chair and the secretary of the commission and of such others as the commission in its rules may designate.

Staff Findings:

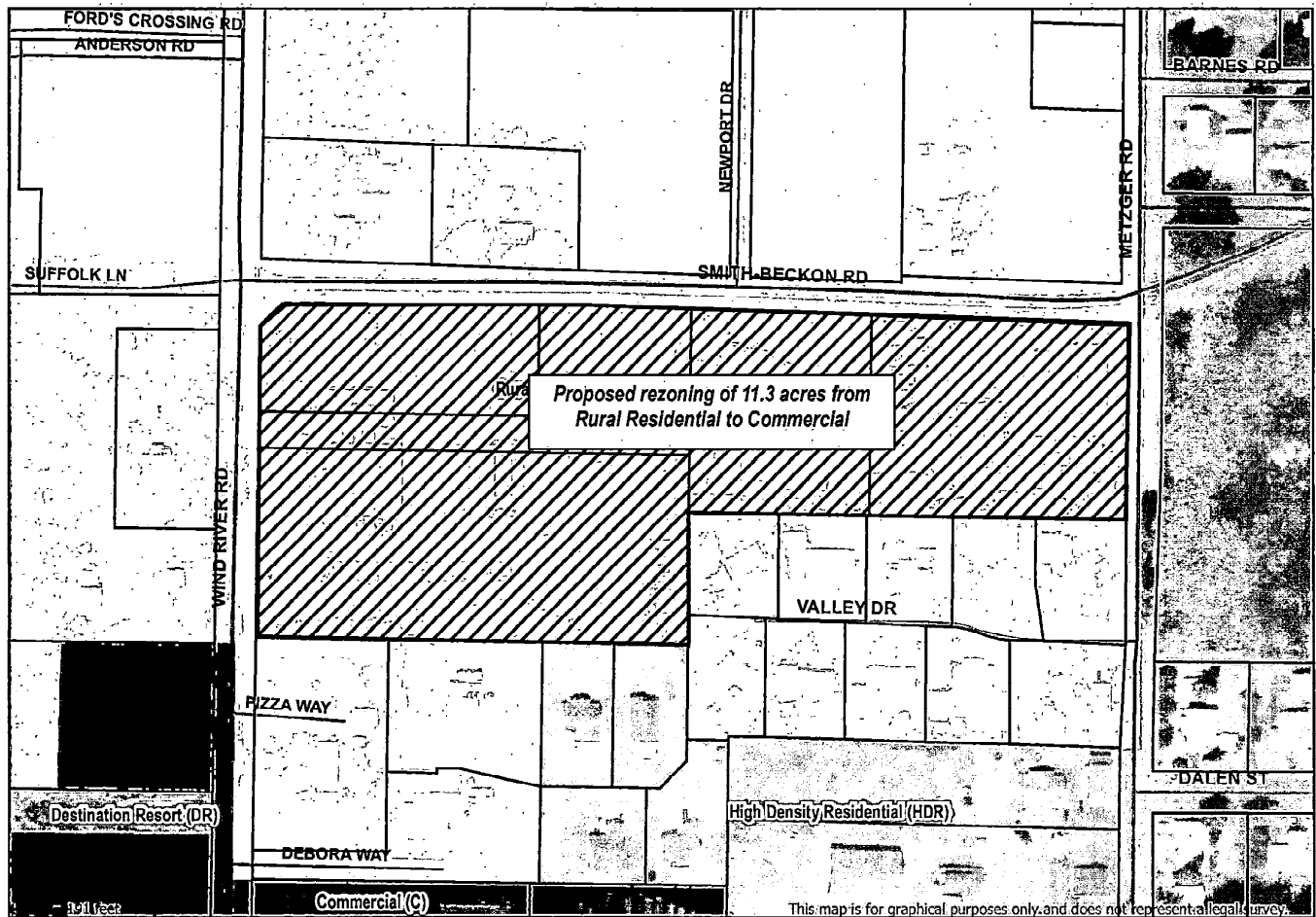
The proposal is scheduled for a public hearing on March 15, 2022. Notice of this hearing was published in the Skamania County Pioneer on March 2, 2022, and posted on the County's website. The Planning Commission may vote on a recommendation following the hearing.

Recommendation

Planning Staff recommends that the Planning Commission hold a public hearing and consider the proposed rezoning, then forward a positive recommendation to the Board of County Commissioners to approve Comprehensive Plan Map and Zoning Map Amendments for all or a portion of the proposed area. A model motion is attached.

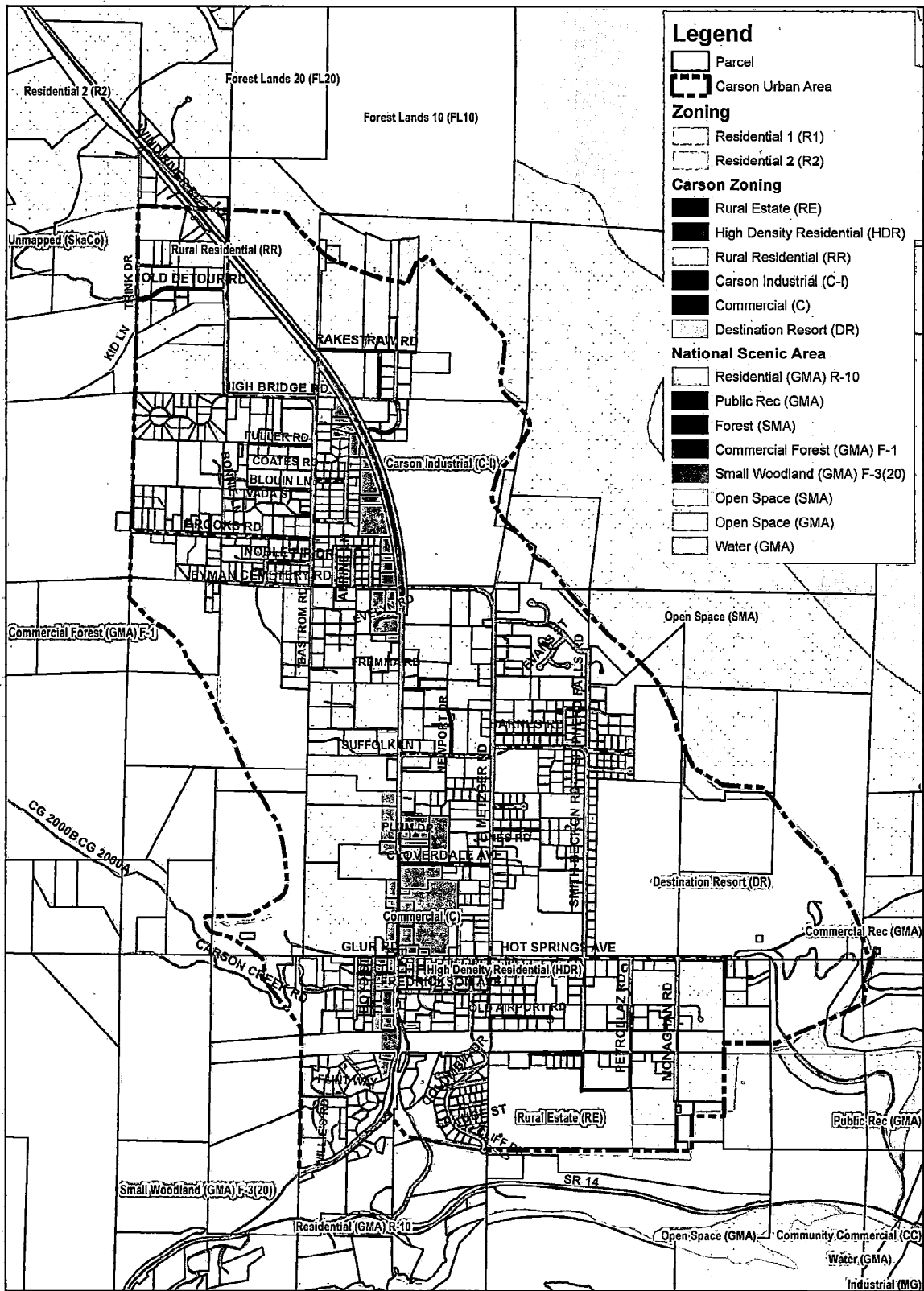
Recommendation

1. Map of Proposed rezoning area
2. Map of Carson zoning
3. Rural Residential (SCC 21.65.070) and Commercial Zoning Code (SCC 21.65.090)
4. Model Motion



Potential Carson Commercial Rezoning





DISCLAIMER: This map product was prepared by Skamania County and is for information purposes only. It may not have been prepared for, or be suitable for, legal, engineering, or surveying purposes.

CARSON AREA ZONING MAP

SKAMANIA COUNTY
Community Development Department



21.65.070 Rural residential zone classification (RR).

A. Allowable Uses.

1. Single-family dwellings.
2. Domestic agriculture.
3. Industrial forestry.
4. Public facilities.
5. Outdoor recreational facilities.
6. Advertising signs; on-premises advertising only.
7. Accessory equipment structures.
8. Attached communication facilities located on BPA towers (in accordance with Section 21.70.160).
9. Religious facilities.
10. Light home industry, consistent with Chapter 21.70.
11. Cottage occupations, consistent with Chapter 21.70.

B. Administrative Review Uses.

1. *Repealed by Ord. 2020-06.*
2. *Repealed by Ord. 2020-06.*
3. Commercial agriculture.
4. Residential care facilities, consistent with Chapter 21.85.
5. Child care facilities, consistent with Chapter 21.86.
6. Safe homes.
7. Cluster developments.
8. Attached communication facilities not located on BPA towers, (in accordance with Section 21.70.160).

C. Conditional Uses.

1. Multifamily housing units.
2. Mobile home parks.
3. Professional services.
4. Commercial agriculture.
5. Communication towers (in accordance with Section 21.70.160).
6. Co-location of communication towers (in accordance with Section 21.70.160).
7. Campgrounds.

D. Temporary Uses. Uses allowed subject to the requirements of Section 21.70.120 of this title.

E. Prohibited Uses. Any uses not listed above are prohibited, including but not limited to:

1. Small-scale and large-scale recreational vehicle parks;
2. Commercial uses;
3. Industrial uses;
4. Billboards;
5. Above ground utility lines, unless no practical alternative exists;
6. Unconcealed, outdoor storage of nonfunctioning vehicles and parts thereof, appliances, construction materials, debris and household garbage.

F. Minimum Development Standards.

1. Lot Size. The standard minimum lot size, dimensions and proportions shall be as follows:
 - a. The minimum lot size shall be one acre;
 - b. Lot depth shall not exceed lot width by more than a ratio of four to one, respectively;
 - c. Access panhandles shall not be taken into account as part of the area calculations relative to minimum lot size.

2. Density Requirements.

- a. Single-Family. Each single-family housing unit shall require minimum lot area of one acre.
- b. Duplex. Each duplex shall require one and one-half of an acre.
- c. Triplex. Each triplex shall require one two acres.
- d. Fourplex. Each fourplex shall require two and one-half acres.
- e. Apartment Complexes Greater than Fourplex. Each apartment complex shall require a minimum of three acres. Additional land may be required to ensure adequate parking, landscaping and buffers.

3. Setbacks.

- a. Front Yard. No building or accessory building shall be constructed closer than forty-five feet from the centerline of the public road right-of-way or thirty-five feet from the centerline of a private road (not including private driveways), or fifteen feet from the front property line, whichever is greater.
- b. Side Yard. No building or accessory building shall be constructed closer than fifteen feet from the property line on each side of the structure.
- c. Rear Yard. No building or accessory building shall be constructed closer than twenty-five from the rear property line.
- d. Yards Fronting on Two Roads. In addition to the required front yard setback, on lots fronting two roads, no building or accessory building shall be constructed closer than fifteen feet from any established public road right-of-way or private road easement.
- e. Setbacks from cul-de-sacs and hammerhead turn arounds shall be twenty feet from the property line, or the edge of the public road right-of-way or private road easement, whichever is greater.
- f. No building or structure may be located within any easements. (Ord. 2021-04, 11-30-21; Ord. 2021-02, 6-22-21; Ord. 2020-06, 9-29-20; Ord. 2018-03, 4-17-18; Ord. 2005-02 (part))

21.65.090 Commercial (C).

A. Allowable Uses.

- 1. Professional services.
- 2. Advertising signs; on-premises advertising only.

3. Accessory equipment structures.
4. Attached communication facilities located on BPA towers (in accordance with Section 21.70.160).
5. New commercial uses or expansion of existing commercial uses inhabiting existing commercial buildings.
6. New commercial uses or expansion of existing commercial uses located wholly or partially outside of an existing commercial structure.
7. Accessory uses normally associated with the primary use of the property.

B. Administrative Review Uses.

1. New commercial uses, unless specifically listed in subsection (A), (B) or (C) of this section.
2. Attached communication facilities not located on BPA towers (in accordance with Section 21.70.160).
3. Communication towers (in accordance with Section 21.70.160).
4. Co-location of communication towers (in accordance with Section 21.70.160).
5. New commercial uses located wholly or partially outside of an existing noncommercial structure.
6. New commercial buildings and expansions of existing commercial buildings.

C. Conditional Uses.

1. Residential use above/over a commercial use; street level floor must be commercial/professional use only.
2. Owner/caretaker residence in conjunction with commercial use.
3. Small- and large-scale recreational vehicle parks.

D. Temporary Uses. Uses allowed subject to the requirements of Section 21.70.120.

E. Prohibited Uses. Any uses not listed above are prohibited, including but not limited to:

1. Residential uses.
2. Billboards.

3. Mobile home parks.

4. Above ground utility lines, unless no practical alternative exists.

5. Unconcealed, outdoor storage of nonfunctioning vehicles and parts thereof, appliances, construction materials, debris and household garbage.

F. Minimum Development Standards.

1. Lot Size. The standard minimum lot size, dimensions and proportions shall be as required to accommodate the use, including landscaping, open space and parking requirements.

2. Setbacks. The setbacks will be established by the review of the listed criteria for each use or the following, whichever is greater:

a. No building or structure may be located within any easements.

b. No building or accessory building shall be constructed closer than twenty feet from a property line that is adjacent to land that is used for or suitable for residential use. (Ord. 2014-02, 1-28-14; Ord. 2005-02 (part))



Skamania County
Community Development Department

Building/Fire Marshal • Environmental Health • Planning

Skamania County Courthouse Annex

Post Office Box 1009

Stevenson, Washington 98648

Phone: 509-427-3900 Inspection Line: 509-427-3922

SKAMANIA COUNTY PLANNING COMMISSION
MOTION TO RECOMMEND APPROVAL OF
AMENDMENTS TO THE CARSON COMPREHENSIVE PLAN AND ZONING MAP

The Skamania County Planning Commission conducted a public hearing to consider proposed amendments to the Carson Comprehensive Plan and Zoning Map.

I, _____, do hereby move that the Skamania County Planning Commission make the following Findings of Fact, and Conclusions.

FINDINGS OF FACT

- A. RCW 36.70 authorizes counties to adopt or amend comprehensive plans and zoning designations.
- B. The vision statement of the Carson Community Subarea Plan is to maintain the rural residential character of the community while providing employment and recreational opportunities.
- C. Amending the Comprehensive Plan and Zoning Map to add additional commercial zoning will provide opportunity for economic development within Carson.
- D. The proposed amendments are consistent with RCW 36.70 and the County's Comprehensive Plan.
- E. The Planning Commission, having provided proper notice in the Skamania County Pioneer, and with a quorum present, conducted a public hearing at its March 15, 2022, meeting.

CONCLUSIONS

Based on public comment and staff analysis, the Comprehensive Plan map amendments and Zoning map amendments are consistent with the Carson Community Subarea Plan, will provide economic development opportunity, and protect the general health, safety, and welfare of the public, and should be recommended to the Board of County Commissioners for approval.

RECOMMENDATION

Based upon the findings of fact and conclusions, I move that the Planning Commission recommend to the Board of County Commissioners to adopt the proposed comprehensive plan map and zoning map amendments.

Motion seconded by Anita Gahimer Crow

	AYE	NAY
Cyndi Soliz, Chair	<hr/> <input checked="" type="checkbox"/>	<hr/> <u>absent</u>
Sue Davis, Vice Chair	<hr/> <input checked="" type="checkbox"/>	<hr/>
Ken Bajema	<hr/> <input type="checkbox"/>	<hr/> <u>absent</u>
Ann Cline	<hr/> <input checked="" type="checkbox"/>	<hr/>
John DiPalma	<hr/> <input checked="" type="checkbox"/>	<hr/>
Anita Gahimer Crow	<hr/> <input checked="" type="checkbox"/>	<hr/>
Mat Joy	<hr/> <input checked="" type="checkbox"/>	<hr/>

RESOLUTION No. 2022-21

A RESOLUTION AMENDING THE CARSON SUBAREA COMPREHENSIVE PLAN MAP FOR PROPERTY ALONG SMITH-BECKON ROAD BETWEEN WIND RIVER HIGHWAY AND METZGER ROAD IN CARSON, WASHINGTON

WHEREAS, RCW 36.70 authorizes Skamania County (the County) to adopt or amend Comprehensive Plans and Subarea Plans; and

WHEREAS, the Carson Community Subarea Plan was adopted in 1994, establishing a vision to maintain the rural residential character of the community while providing employment and recreational opportunities; and

WHEREAS, only through continued use, evaluation, and when necessary, amendment to the Comprehensive Plan can the County move toward this vision; and

WHEREAS, the Planning Commission initiated amendments to the Subarea Plan map on February 15, 2022; and

WHEREAS, the Subarea Plan map amendments are consistent with the Carson Community Subarea Plan and existing uses of the subject property and will provide employment and economic development opportunities; and

WHEREAS, the Subarea Plan map amendments protect the general health, safety, and welfare of the public; and

WHEREAS, a SEPA Mitigated Determination of Non-Significance (DNS) was issued on March 2, 2022, after environmental review of the proposed amendments was completed; and

WHEREAS, the Planning Commission, after holding a public hearing on March 15, 2022, recommended amendments to the Subarea Plan map; and

WHEREAS, the Board of County Commissioners reviewed the Planning Commission's recommendation at a workshop on March 22, 2022; and

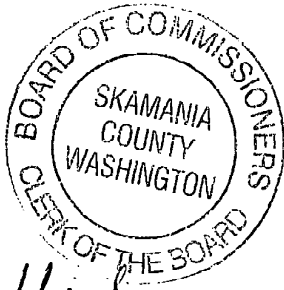
WHEREAS, the Board of County Commissioners approved Resolution No. 2022-21 on March 29, 2022;

NOW THEREFORE BE IT HEREBY RESOLVED, the Board of County Commissioners adopts Resolution No. 2022-21, amending the Carson Community Subarea Plan map as follows:

Parcel Number	Owner	New Land Use Designation
03-08-20-4-1-1000-00	Krall	Carson - Business Center
03-08-20-4-1-0900-00	Thayer	Carson - Business Center
03-08-20-4-1-0700-00, 03-08-20-4-1-0800-00, 03-08-20-1-4-0100-00	Skamania County PUD #1	Carson - Business Center

Dated this 29th day of March 2022.

ATTEST:



D. Black
Clerk of the Board

**BOARD OF COMMISSIONERS
SKAMANIA COUNTY, WASHINGTON**

[Signature]
Richard Mahar, Chairman

[Signature]
T. W. Lannen, Commissioner

[Signature]
Robert Hamlin, Commissioner

Approved as to form only:

[Signature]
Skamania County Prosecuting Attorney

Aye 5
Nay 0
Abstain 0
Absent 0