



SKAMANIA COUNTY PLANNING COMMISSION

AGENDA

Tuesday, February 6, 2018 @ 6:00 PM

SKAMANIA COUNTY COURTHOUSE ANNEX, LOWER MEETING ROOM
170 NW VANCOUVER AVENUE, STEVENSON, WA 98648

I. CALL TO ORDER

II. ROLL CALL

III. AGENDA ITEMS

1. Approval of minutes from the December 5, 2017, Planning Commission Meeting.
2. Election of Planning Commission Officers.
3. PUBLIC HEARING, CONSIDERATION, AND RECOMMENDATION on proposed Zoning Code Amendments regarding religious facilities, cemeteries, and expansion of existing quarries in certain zones.
4. Workshop to discuss Planning Commission Member Soliz's recommendation to amend the Comprehensive Plan and Title 21 to revise language concerning substantial change in circumstances necessary for quasi-judicial requests for zoning and comprehensive plan amendments.

IV. PLANNING COMMISSION BUSINESS

1. Review 2018 Work Program with Planning Staff.

V. ADJOURN



Skamania County Planning Commission

PLANNING COMMISSION MEETING MINUTES

Tuesday, December 5, 2017
Skamania County Annex
170 N Vancouver Avenue
Stevenson, WA 98648

Planning Commission Members: **Community Development Department**
Present: **Staff Present:**
Dee Bajema, John Prescott, Tony Coates, Alan Peters, Andrew Lembrick
Lesley Haskell, Cyndi Soliz, Paul Hendricks Teri Wyckoff

Absent: Cliff Nutting

AUDIENCE

See attached sign-in sheet.

PROCEEDINGS

Meeting was called to order at 6:00 P.M. by Chair, Dee Bajema.
Quorum was met.

AGENDA ITEMS

1. Approve Minutes from the November 7, 2017 meeting.
 - a. Motion was made by John Prescott and seconded by Cyndi Soliz to approve the Minutes of the November 7, 2017. Motion passed 6-0.
 2. The Planning Commission conducted a workshop on the review of privately-owned Unmapped parcels in the Stabler/Wind River area. Alan Peters, Assistant Planning Director, presented information that Staff had gathered on the study area and discussed options for how to proceed with the review process.
 3. Discussion by the Commission Members included:
 - a. Input from the public during workshop meetings
 - b. Process and criteria for the review process
 4. Public comments were received from property owners Ann Lueders and Joe Birkenfeld.
-

5. Commission Member Soliz requested the members plan a workshop to discuss the amendment of the Comprehensive Plan and Title 21 to revise substantial change in circumstance language.

MEETING ADJOURNED

Meeting adjourned at 7:40 PM

ATTEST

Planning Commission Chair

Secretary



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

MEMORANDUM

TO: Skamania County Planning Commission
FROM: Planning Staff
DATE: January 30, 2018
RE: Election of Officers

The February 6, 2018, Planning Commission Meeting will include the election of officers which consist of a Chair and Vice-Chair according to the Planning Commission's Bylaws. Please review the attached bylaws which include information about the election and the powers and duties of Planning Commission officers.

**BYLAWS
PLANNING COMMISSION OF SKAMANIA COUNTY**

NAME

The official name shall be “The Skamania County Planning Commission”.

MEMBERSHIP

The Skamania County Planning Commission shall be composed of seven members who shall be residents of the County. Although members should exhibit a variety of interest, professional experience, and opinions, they should act as individuals and represent the County and its citizens as opposed to any special interest group or individual bias. The Commission shall include two members from each of the three County Commissioner Districts and one member “at large” from any one of the three Districts.

MEETINGS

All meetings will be held in the Skamania County Courthouse Annex, 170 NW Vancouver Avenue, Stevenson, Washington, unless otherwise directed by the Community Development Department. Regular meetings will be held the first and third Tuesday of each month and shall begin at 6 PM. Special meetings shall be scheduled by the Community Development Department as needed. Meetings shall be open to the public. If no matters over which the Planning Commission has jurisdiction are pending upon its calendar, a meeting may be cancelled by the Community Development Department.

ELECTION, POWERS, AND DUTIES OF OFFICERS

1. ELECTION
 - a. The Officers of the Planning Commission shall consist of a Chair and Vice-Chair, elected from the appointed members of the Planning Commission.
 - b. The election of officers shall take place once a year on the occasion of the first meeting of the year. The term of officers shall run until the subsequent election; provided however, any officer may be removed at any time by vote of a majority of the total members of the Planning Commission.
 - c. If, for any reason, officers are not elected during the first meeting of the year, the existing officers shall continue to serve until an election is held.
 - d. The vacancy of an officer position caused by the resignation, removal, or expiration of term of any officer of the Commission during the term of office shall be filled for the remaining term of office by the vote of a majority of the Planning Commission.
2. POWERS AND DUTIES OF CHAIR
 - a. Preside at all meetings of the Planning Commission;
 - b. Call the Planning Commission to order at the hour appointed;
 - c. To announce in proper sequence the business that comes before the Planning Commission in accordance with the prescribed agenda;
 - d. May participate in all deliberations of the Planning Commission in the same manner as any other member;

- e. To state and to put to vote all questions that legitimately come before the Planning Commission as motions or that otherwise arise in the course of proceedings, and to announce the result of each vote or, if a motion that is not in order is made, to rule it out of order;
- f. To protect the Planning Commission from obviously frivolous or dilatory motions by refusing to recognize them;
- g. To enforce the rules relating to debate and those relating to order and decorum within the Planning Commission;
- h. In the interest of efficiency, the Chair, may impose time limits for testimony and comment by the public;
- i. The Chair shall have the same rights and privileges as all other members including the right to make motions, speak in debate, and to vote on all questions;
- j. To authenticate by signature, when necessary, all acts, orders, and proceedings of the Planning Commission;
- k. To declare the meeting adjourned when the Planning Commission so votes or, where applicable, at the time prescribed in the agenda, or at any time in the event of a sudden emergency affecting the safety of those present.

3. VICE-CHAIR

The Vice-Chair shall, in the absence of the Chair perform all the duties incumbent upon the Chair. The Chair and Vice-Chair both being absent, the members present may elect for the meeting a temporary Chair who shall have full powers of the Chair during the absence of the Chair and Vice-Chair.

SECRETARY

The Secretary shall be the Director of the Skamania County Community Development Department or a representative. The Secretary shall keep a record of all meetings of the Planning Commission and its committees when required to do so, and these records shall remain the property of the County and be retained by the Skamania County Community Development Department in accordance with the Washington State records retention laws. In the absence of the Secretary from any meeting, a secretary pro-tem shall be appointed by the Director.

CLERK TO THE PLANNING COMMISSION

The Community Development Director shall provide Department Staff to act as Clerk to record meetings and draft minutes of the meetings.

QUORUM AND VOTING

1. QUORUM

- a. A simple majority of the appointed members shall constitute a quorum for the transaction of business. Any action taken by a majority of those present, when those present constitute a quorum, at any regular or special meeting of the Planning Commission, shall be deemed and taken as the action of the Planning Commission. Except the approval of the Comprehensive Plan, Zoning Ordinance, other official controls, or any amendment, extension or addition thereto, shall be by the affirmative vote of not less than a majority of the total members of the Planning Commission.

- b. The Planning Commission can receive reports whenever a quorum is not present, however, a quorum must be present to take action on any reports received.

2. VOTING

No action of the Planning Commission may be taken without the affirmative vote of a simple majority of the appointed members, except voting on the Comprehensive Plan, Zoning Ordinance, other official controls, or any amendment, extension or addition thereto, shall be by affirmative vote of not less than a majority of the total members of the Planning Commission. No absentee or proxy voting is allowed on any issue before the Planning Commission. Meeting minutes may be approved without a quorum of members who were in attendance at the subject meeting under the following conditions:

- a. At least two members who were in attendance at the subject meeting attest that the minutes accurately reflects the activities of the subject meeting; and
- b. A simple majority of those present votes affirmatively to approve the minutes.

3. ABSTAINING FROM VOTING

Abstaining from voting is only applicable if there is a conflict of interest.

ABSENCE OF MEMBERS

1. Each member is expected to actively participate and attend the meetings of the Planning Commission. If unable to attend a regular meeting, the member shall contact the Clerk to notify them of his/her inability to attend. Notice of inability to attend shall be given at least 24 hours in advance of the meeting unless circumstances dictate otherwise. The Clerk shall record attendance and shall approve excused absences of members at each meeting. Excused absences include those due to work-related commitments or illness. Members who do not inform the Clerk ahead of time will not have the absence excused, with the exception of emergencies.
2. In the event of a member being absent without excuse from three (3) consecutive meetings, or being absent without excuse from 50% of all meetings within any six-month period, the member's record shall be forwarded by the Chair to the Board of Skamania County Commissioners for consideration for asking for the member's resignation.

CONFLICT OF INTEREST

A Planning Commission member to whom some private benefit may come as the result of some public action, should not be a participant in that action. The private benefit may be direct or indirect, and in either case, the possibility not the actuality of a conflict should govern. A Planning Commission member experiencing a conflict of interest should declare their interest publicly as soon as the conflict becomes apparent and before any discussion is held on the business before the Commission. He or she shall then step down and not enter into the discussion and should abstain from voting on the matter. When a member has stepped down because of a conflict of interest, he or she shall not be counted as present for purpose of establishing a quorum during considerations undertaken while he or she is not sitting with the Commission.

WORK PROGRAM

A work program for the current calendar year shall be prepared no later than the first meeting of each year. The annual work program shall consist of list of the projects and activities to be undertaken by the Planning Commission and Staff during the current year.

RULES OF PROCEDURE

The current issue of "Robert's Rules of Order Newly Revised" shall serve as parliamentary authority for procedures not covered by the bylaws.

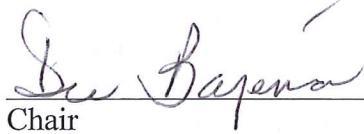
OPEN MEETINGS, RECORDS, AND DISCLOSURE

All meetings and records shall be open to the public. Meetings will be conducted in accordance with the provisions of these bylaws.

AMENDMENT

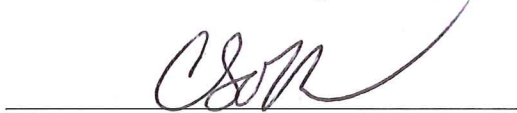
These Bylaws may be amended at any regular or special meeting of the Planning Commission by a majority vote with a quorum present, provided that a copy of such proposed amendment(s) shall be sent to each Commission member at least 10 days prior to the date thereof.

Dated this 21st day of February 2017



Chair


Vice-Chair

Members of the Planning Commission










Secretary



Skamania County

Community Development Department

Building/Fire Marshal • Environmental Health • Planning

Skamania County Courthouse Annex

Post Office Box 1009

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STAFF REPORT

TO: Skamania County Planning Commission
FROM: Alan Peters, Assistant Planning Director

REPORT DATE: January 30, 2018

HEARING DATE: February 6, 2018

PROPOSAL: Zoning Code Amendments regarding religious facilities, cemeteries, and expansion of existing quarries in certain zones

Background and Review Process

The Planning Commission or Board of County Commissioners may initiate amendments to the County's comprehensive plan and development regulations. These amendments – often called "legislative" amendments – are subject to Section 21.18.020 of the County Code and RCW 36.70, but are not subject to any specific criteria such as those required for individual or "quasi-judicial" zone map amendments.

After receiving public comment in 2017, the Board of County Commissioners directed staff to prepare text amendments regarding the following issues:

Religious facilities/cemeteries

The Evergreen Community Church in Cook is interested in developing a cemetery on church property adjacent to the church. The church is considered a non-conforming use in the Residential 2 zone. This zone does not list religious facilities or cemeteries as an allowable, administrative review, or conditional use.

The church requested to the Board of County Commissioners that the County amend the text to allow "religious facilities" in this zone. This is the narrowest change that would allow the cemetery as a cemetery owned and operated by a church could be considered a religious facility. After reviewing the Zoning Code, Staff recommends that "religious facilities" be listed as an allowable use in other residential zones also.

Expansion of Quarries

Within the West End Subarea, new quarries are allowed only in the West End Commercial Resource Land 40 (WE-CRL40) zone. The West End Forest Lands 20 (WE-FL20) allows new quarries only when in conjunction with on-site forestry uses. Preexisting quarries may expand within any zone in the West End, except for the WE-FL20 zone and the Neighborhood Commercial (NC) zone. This includes quarries in the Rural lands zones which are primarily residential zones.

HQ Stone Products operates an existing quarry in the WE-FL20 zone and has expressed interest in expanding the size of the quarry. Existing quarries in this zone cannot currently expand. Staff proposes that the zoning text be amended to make the WE-FL20 zone consistent with the Rural Lands zone in regard to quarry expansion by allowing quarries to expand through the conditional use process.

A public hearing on the proposed amendments was originally scheduled for January 16, 2018, but was cancelled and rescheduled for February 6, 2018. Notice of this hearing was published in the Skamania County Pioneer on January 24, 2018, and on the County's website. After holding a public hearing, the Planning Commission may make a recommendation to the Board of County Commissioners on the proposed text amendments or may propose changes to these text amendments. The proposal will then be reviewed under the State Environmental Policy Act before being forwarded to the Board of County Commissioners for their consideration.

Proposed Text Amendments

Religious facilities/cemeteries

Staff proposes amending the lists of allowable uses in the Residential 1, Residential 2, Residential 5, Residential 10, Carson High Density Residential, Carson Rural Residential, and Carson Rural Estate zones to allow "religious facilities" as follows (additions are underlined):

Chapter 21.28 RESIDENTIAL 1 ZONE CLASSIFICATION (R-1)

...
21.28.020 Allowable uses.

...
O. Religious facilities.

Chapter 21.32 RESIDENTIAL 2 ZONE CLASSIFICATION (R-2)

...
21.32.020 Allowable uses.

...
M. Religious facilities.

Chapter 21.36 RESIDENTIAL 5 ZONE CLASSIFICATION (R-5)

...
21.36.020 Allowable uses.

...
L. Religious facilities.

Chapter 21.40 RESIDENTIAL 10 ZONE CLASSIFICATION (R-10)

...
21.40.020 Allowable uses.

...
L. Religious facilities.

Chapter 21.65 CARSON FINAL ZONING

...
21.65.060 High density residential zone classification (HDR).

A. Allowable Uses.

...
7. Religious facilities.

...
 21.65.070 Rural residential zone classification (RR).
 A. Allowable Uses.

...
9. Religious facilities.

...
 21.65.080 Rural estate zone classification (RE).
 A. Allowable Uses.

...
9. Religious facilities.

Staff Findings:

The term "religious facilities" is undefined in the Zoning Code. Merriam-Webster defines "religious" as "of, relating to, or devoted to religious beliefs or observances" and "facility" as "something (such as a hospital) that is built, installed, or established to serve a particular purpose". Staff finds that a church cemetery would constitute a religious facility. (A public cemetery would be considered a "public facility" under the Zoning Code).

Religious facilities or other religious land uses are currently only allowed in the following zones:

ZONE	USE	USE TYPE
West End – Rural Lands 2	<i>Religious facilities</i>	Allowable
West End – Rural Lands 5	<i>Religious facilities</i>	Allowable
West End – Rural Lands 10	<i>Religious facilities</i>	Allowable
Rural Estate	<i>Churches, cemeteries and mausoleums.</i>	Conditional
Community Commercial	<i>Membership Organization - Religious</i>	Allowable
Swift – Mountain Recreational 5	<i>Meeting halls, (such as religious, civic, social, and fraternal)</i>	Conditional
Swift – Mountain Recreational 10	<i>Meeting halls, (such as religious, civic, social, and fraternal)</i>	Allowable
Swift – Mountain Recreational 20	<i>Meeting halls, (such as religious, civic, social, and fraternal)</i>	Allowable

Except for the Community Commercial zone, these are all residential zones. The Rural Lands and Mountain Recreational zones are similar in purpose to the Residential zones elsewhere in the county and in Carson. The proposed changes would be consistent with the allowance of religious facilities in other county zones.

Expansion of Quarries

Staff proposes that the following text amendment be adopted in the West End – Forest Lands 20 zone (additions are underlined):

Chapter 21.67 WEST END SUBAREA FINAL ZONING

...
 21.67.090 West End Forest Lands 20 (WE-FL20).

...
 D. Conditional Uses.

...
7. Expansion of existing legally established mineral resource extraction and/or processing sites.

Staff Findings:

The proposed text amendment would allow for expansion of existing legally established quarries in the WE-FL20 zone. This change would be consistent with what is allowed throughout the majority of the West End. Preexisting quarries may expand within any zone in the West End (including residential Rural Lands zones), except for the WE-FL20 zone and the Neighborhood Commercial (NC) zone.

Review Criteria and Findings

Skamania County Code (SCC) Chapter 21.18 – Zoning Text and Map Amendments

21.18.020 Textual amendments.

The board of county commissioners, upon recommendation of the planning commission, or upon its own motion and referral to and report from the planning commission and after a public hearing, may amend, delete, supplement, or change by ordinance the regulations herein established, provided such revision is in accordance with the procedures set forth in RCW 36.70. An amendment to the text of this title may only be initiated by the board of county commissioners or the planning commission and shall be consistent with the terms of the comprehensive plan.

Staff Findings:

The proposed text amendments were prepared by Planning Staff after being directed to address these issues by the Board of County Commissioners. The Planning Commission will hold a public hearing and make a recommendation to the Board of County Commissioners. No amendments to the comprehensive plan are required for these changes.

Revised Code of Washington (RCW) 36.70 Planning Enabling Act

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:

A public hearing on the proposed amendments is scheduled for February 6, 2018. Notice of this hearing was published in the Skamania County Pioneer on January 24, 2018, and on the County's website. After the public hearing, the Planning Commission may make a recommendation to the Board of County Commissioners on the proposed text amendments. The proposed recommendation will then be reviewed under the State Environmental Policy Act before being forwarded to the Board of County Commissioners for their consideration.

Recommendation

Based on the analysis in this report, Planning Staff recommends that the Planning Commission forward a positive recommendation to the Board of County Commissioners to approve the proposed amendments to Title 21. A model motion is included with this report.

PROPOSED RELIGIOUS FACILITIES TEXT AMENDMENTS

Chapter 21.28 RESIDENTIAL 1 ZONE CLASSIFICATION (R-1)

...
21.28.020 Allowable uses.

...
O. Religious facilities.

Chapter 21.32 RESIDENTIAL 2 ZONE CLASSIFICATION (R-2)

...
21.32.020 Allowable uses.

...
M. Religious facilities.

Chapter 21.36 RESIDENTIAL 5 ZONE CLASSIFICATION (R-5)

...
21.36.020 Allowable uses.

...
L. Religious facilities.

Chapter 21.40 RESIDENTIAL 10 ZONE CLASSIFICATION (R-10)

...
21.40.020 Allowable uses.

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L. Religious facilities.

Chapter 21.65 CARSON FINAL ZONING

...
21.65.060 High density residential zone classification (HDR).
A. Allowable Uses.

...
7. Religious facilities.

...
21.65.070 Rural residential zone classification (RR).
A. Allowable Uses.

...
9. Religious facilities.

...
21.65.080 Rural estate zone classification (RE).
A. Allowable Uses.

...
9. Religious facilities.

PROPOSED QUARRY EXPANSION TEXT AMENDMENTS

Chapter 21.67 WEST END SUBAREA FINAL ZONING

...

21.67.090 West End Forest Lands 20 (WE-FL20).

...

D. Conditional Uses.

...

7. Expansion of existing legally established mineral resource extraction and/or processing sites.



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**SKAMANIA COUNTY PLANNING COMMISSION
MOTION TO RECOMMEND APPROVAL OF
ZONING CODE AMENDMENTS REGARDING RELIGIOUS FACILITIES AND
EXPANSION OF EXISTING QUARRIES IN CERTAIN ZONES
TO THE BOARD OF COUNTY COMMISSIONERS**

The Skamania County Planning Commission conducted a public hearing to consider proposed zoning code amendments regarding religious facilities and expansion of existing quarries in certain zones on February 6, 2018.

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 zoning regulations.
- B. SCC 21.18.020 allows the Board of County Commissioners to amend the zoning code after receiving a recommendation from the Planning Commission.
- C. The Planning Commission, having provided proper notice in the Skamania County Pioneer, and with a quorum present, conducted a public hearing at its February 6, 2018, meeting.

CONCLUSIONS

Based on public comment and staff analysis, the proposed text amendments 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 further move that the Planning Commission recommend to the Board of County Commissioners that they adopt the proposed text amendments.

Motion seconded by _____.

AYE

NAY

Dee Bajema

Cyndi Soliz

Paul Hendricks

John Prescott

Tony Coates

Lesley Apple Haskell

Cliff Nutting



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

TO: Skamania County Planning Commission
FROM: Planning Staff
DATE: January 30, 2018
RE: February 6, 2018, Planning Commission workshop to discuss Planning Commission Member Soliz's recommendation to amend the Comprehensive Plan and Title 21 to revise language concerning substantial change in circumstances necessary for quasi-judicial requests for zoning and comprehensive plan amendments.

Individual property owners may request Comprehensive Plan and Zoning Map amendments through a quasi-judicial process before the Hearing Examiner. In order to be approved, applications must demonstrate compliance with applicable criteria in the Comprehensive Plan and/or Zoning Code. Among other requirements, these criteria require that there be a substantial change in circumstances since the adoption of the existing zoning or comprehensive plan designations.

At the December 5, 2017, Planning Commission Meeting, Cyndi Soliz recommended that the Planning Commission initiate changes to the language of the Comprehensive Plan and Zoning Code to clarify the language regarding the requirement for substantial change. Staff concurs with the need to clarify the language to remove ambiguity.

Criteria for Zoning Map Amendments

Chapter 21.8 of the Zoning Code includes the requirements and procedures for individual property owner petitions for zoning map amendments (zone changes). The specific criteria that must be met are found under Section 21.18.070:

B. The hearing examiner may approve the proposed petition for zoning map amendment if the zoning map amendment:

(1) bears a substantial relationship to the public health, safety, and/or welfare (is the amendment consistent with the comprehensive plan);

(2) is contiguous to the requested designation by at least one hundred feet, therefore not being a grant of special privilege; and

(3) circumstances have substantially changed in the area since the adoption of the existing zoning designation.

Criteria for Comprehensive Plan Amendments

Most zoning map amendments also require amendments to the comprehensive plan map and both amendment requests are processed concurrently. The criteria for comprehensive plan map

amendments are found in the Comprehensive Plan and the West End Community Subarea Comprehensive Plan (for the West End only):

Comprehensive Plan

4. *Criteria against which the proposed amendment must be evaluated and found to be in substantial compliance for approval:*
 - a. *A text and/or map amendment is necessary to resolve inconsistencies within the County Comprehensive Plan with which the county has no objection;*
 - b. ***Conditions have significantly changed since the adoption of the Comprehensive Plan or Official Controls to the extent that the existing adopted plan provision or map designation is inappropriate. Examples of significantly changed conditions include, but are not limited to: 1) sixty percent (60%) infill of existing lots within the entire mapping designation being proposed for change; or 2) new technology and uses not originally considered in the text have been developed;***
 - c. *The proposed text and/or map amendment is consistent with the overall intent of the goals, maps, and land use element of the Comprehensive Plan;*
 - d. *The proposed text and/or map amendment is consistent with RCW 36.70, those sections of RCW 36.70A to which Skamania County is required to plan under, and Comprehensive Plan policies;*
 - e. *Additionally, for an amendment to the Comprehensive Plan or any Subarea Plan Map, the proposed designation must be contiguous along a shared boundary to the requested comprehensive plan or subarea plan designation by at least 100 feet or 25% of the width of the property proposed to change, whichever is greater;*
 - f. *Environmental impacts have been disclosed and measures imposed to avoid or, if not possible to avoid, then mitigate said impacts; and,*
 - g. *The applicant should examine potential ramifications of the proposed text and/or map amendment to other Comprehensive Plan Elements and official controls and show how the potential ramifications have been considered and addressed.*

West End Community Subarea Comprehensive Plan

4. *Criteria against which the proposed amendment must be evaluated and found to be in substantial compliance for approval:*
 - a. *A text and/or map amendment is necessary to resolve inconsistencies within the West End Comprehensive Subarea Plan with which the county has no objection;*
 - b. ***Conditions have significantly changed since the adoption of the West End Comprehensive Subarea Plan or Official Controls to the extent that the existing adopted plan provision or map designation is inappropriate. Examples of significantly changed conditions include, but are not limited to: 1) sixty percent (60%) infill of existing lots within the entire mapping designation being proposed for change; or 2) new technology and uses not originally considered in the text have been developed;***
 - c. *The proposed text and/or map amendment is consistent with the overall intent of the goals, maps, and land use element of the West End Comprehensive Subarea Plan;*

- d. *The proposed text and/or map amendment is consistent with RCW 36.70, those sections of RCW 36.70A to which Skamania County is required to plan under, and West End Comprehensive Subarea Plan policies;*
- e. *Additionally, for an amendment to the West End Comprehensive Subarea Plan Map, the proposed designation must be contiguous along a shared boundary to the requested comprehensive subarea plan designation by at least 100 feet or 25% of the width of the property proposed to change, whichever is greater;*
- f. *Environmental impacts have been disclosed and measures imposed to avoid or, if not possible to avoid, then mitigate said impacts; and,*
- g. *The applicant should examine potential ramifications of the proposed text and/or map amendment to other West End Comprehensive Subarea Plan Elements and official controls and show how the potential ramifications have been considered and addressed.*

Definition of Substantial Change

A definition for "substantial change in circumstances" is found under Chapter 21.08 in the Zoning Code:

"Substantial change in circumstances" means a significant change in conditions affecting the planning area as a whole or a substantial portion thereof. Examples include, but are not limited to, substantial in-fill affecting the rural character of a community, sixty percent in-fill in any zone, or legal circumstances sufficient to defeat the purposes of a policy established in the comprehensive plan or subarea plan. However, the creation of the national scenic area and any zone changes or existing zone districts within adjacent counties will not be considered to be a substantial change in circumstance. Additionally, due to the existing residences in the Northwestern Lake R-2 zone, the complete in-fill of this R-2 zone would not be a substantial change in circumstance.

The Issues

Zoning Map amendments require a "substantial change" while Comprehensive Plan Map amendments require a "significant change". The text provides examples, though the examples are not all-inclusive. There are potentially many ways that an applicant could demonstrate that a substantial or significant change has occurred. However, because in-fill can be shown objectively, many applicants use this to demonstrate substantial change.

For a Zoning Map amendment, the example of in-fill is found under the definition for "substantial change":

- *substantial in-fill affecting the rural character of a community;*
- *sixty percent in-fill in any zone*

For a Comprehensive Plan amendment:

- *sixty percent (60%) infill of existing lots within the entire mapping designation being proposed for change*

"Infill" is not defined in the Zoning Code or Comprehensive Plan. Merriam-Webster defines "infill" simply as "to fill in". According to the Municipal Research and Services Center (MRSC), "Infill development is the process of developing vacant or under-used parcels within existing urban areas that are already largely developed."

Applicants and the County have previously interpreted "infill of existing lots" to equate to development of existing lots, or the percentage of existing lots that have been developed. So, if there existed 100 lots in an area and 60 of these lots were developed then infill would be 60% according to this interpretation. This is not necessarily equivalent to 60% of full build-out, if the 100 lots included potential for additional land divisions. If the 100 lots included sufficient acreage to support 20 additional lots, then full build-out would be 120 lots. In this scenario 60 developed lots is only 50% of full build-out. If "infill" is equivalent to "buildout" then the 60% threshold would not be met. In recent years, applications have been approved for showing that 60% of existing lots being developed and denied for not showing 60% build-out which supports clarifying the intent of the ordinance and comprehensive plan.

Options

The Planning Commission may recommend any changes to the criteria it deems necessary. At a minimum, an appropriate change would be to clarify the meaning of "infill" by indicating how it is to be calculated.

Title 21 21.18.020 Textual amendments. "An amendment to the text of the West End Plan and Title 21 may only be initiated by the board of county commissioners or the planning commission."

I encourage the PC to initiate a change in the text of 02-27-07-BCC Adopted West End Comprehensive Plan, and also Title 21 in order to render a consistent description and thereby method to determine what constitutes a significant change in circumstance, and provide consistency of language within the West End Comprehensive Plan and the Title 21 zoning definitions.

02-27-07-BCC Adopted West End Comprehensive Plan, pg 4 #4 item b.

- b. Conditions have significantly changed since the adoption of the West End Comprehensive Subarea Plan or Official Controls to the extent that the existing adopted plan provision or map designation is inappropriate. Examples of significantly changed conditions include, but are not limited to: 1) sixty percent (60%) infill of existing lots within the entire mapping designation being proposed for change; or 2) new technology and uses not originally considered in the text have been developed;

and,

Title 21 Chapter 21.08.010

"Substantial change in circumstances" means a significant change in conditions affecting the planning area as a whole or a substantial portion thereof. Examples include, but are not limited to, substantial in-fill affecting the rural character of a community, sixty percent in-fill in any zone, or legal circumstances sufficient to defeat the purposes of a policy established in the comprehensive plan or subarea plan. However, the creation of the national scenic area and any zone changes or existing zone districts within adjacent counties will not be considered to be a substantial change in circumstance. Additionally, due to the existing residences in the Northwestern Lake R-2 zone, the complete in-fill of this R-2 zone would not be a substantial change in circumstance.

21.18.030 County initiated map amendments.

County initiated map amendments are amendments to the official zoning map that are not proposed for specific parcels by the landowners of the parcels. Rather, the amendments are generally countywide in nature. These legislative actions usually occur when a new zone classification is created, when the board of county commissioners has adopted an amendment to the land use maps in the comprehensive plan, or when it is determined that the existing zone classification is out of character with the surrounding area. Such action shall occur in accordance with the procedures set forth in RCW 36.70. County initiated map amendments may only be initiated by the board of county commissioners or the planning commission. (Ord. 2005-02 (part))



Skamania County

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MEMORANDUM

TO: Skamania County Planning Commission
FROM: Planning Staff
DATE: January 30, 2018
RE: 2018 Work Program

The Planning Commission's Bylaws require that a work program be prepared that consists of a list of the projects and activities to be undertaken by the Planning Commission and Staff during the current year. The work program includes a list of long-range planning items that Staff hopes to complete with the Planning Commission during 2018. These projects and dates are subject to change.

Project	Description	Tentative Date
Natural Resource Lands Designations*	The County is required to complete its review of its designations of natural resource lands of long-term commercial significance by June 30, 2019.	Ongoing, must be completed by June 30, 2019.
Unmapped Lands[†]	The Planning Commission is undergoing a review of privately owned Unmapped parcels, beginning with the Stabler area.	Ongoing, ideally would be completed by June 30, 2019.
Critical Areas Ordinance*	The County is required to complete its review of its critical areas ordinance by June 30, 2019. The review will result in a new critical areas ordinance.	Ongoing, must be completed by June 30, 2019.
Religious facility/Quarry Zoning Code Amendments	Amendments to the Zoning Code to allow religious facilities in additional zones and allow for expansion of existing quarries in the WE-FL20 zone consistent with the rest of the West End.	February 2018
Swift Subarea Comprehensive Plan Amendments	At the direction of the Board of County Commissioners, Staff has proposed amendments to the Swift Subarea Comprehensive Plan.	March 2018
Swift Subarea Zoning Map Amendment	Proposed zoning map amendments.	March 2017
Substantial Change Amendments	Possible amendments to the Zoning Code/Comprehensive Plan to address substantial change requirements for map amendments.	February 2018 Workshop

National Scenic Area* Zoning Text Amendments	The Gorge Commission and Forest Service adopted changes to the NSA Management Plan, requiring that cumulative effects to natural resources be considered during development review.	March 2018
Short-term Rentals	Staff will work with the Planning Commission and Board of County Commissioners to determine if it is necessary to develop regulations regarding short-term rentals.	Spring/Summer 2018
Temporary Dwellings	Staff will work with the Planning Commission to revise the County's temporary dwelling regulations per Planning Commission discussions that arose during review of the ADU ordinance.	Summer 2018

* Mandated by the State of Washington or the Columbia River Gorge Commission that will take precedence over other projects.

† Resolution 2017-30, approved by the BOCC, directs the Planning Commission to this task which will take precedence over other projects.

Planning Commission Meeting Dates for 2018

January 2 – CANCELLED

January 16 – CANCELLED

February 6

February 20

March 6

March 20

April 3

April 17

May 1

May 15

June 5

June 19

July 3

July 17

August 7

August 21

September 4

September 18

October 2

October 16

November 6

November 20

December 4

December 18