



SKAMANIA COUNTY PLANNING COMMISSION

AGENDA

Tuesday, August 17, 2021, 6:15 PM

REMOTE PARTICIPATION BY ZOOM MEETING TELEPHONE AND VIDEO CONFERENCE

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. AGENDA ITEMS

- a. Approval of minutes from the June 15, 2021 Planning Commission Meeting.
- b. Workshop to discuss the following topics:
 - i. Home occupations/light home industries
 - ii. Zoning code land use audit

5. PLANNING COMMISSION BUSINESS

- a. Discuss updated meeting guidelines.

6. ADJOURN

Participation Instructions:

To join the Zoom meeting online, visit [**https://us02web.zoom.us/j/6564597957**](https://us02web.zoom.us/j/6564597957).

To join by telephone, call **(253) 215-8782**, and enter the following meeting ID when prompted: **656 459 7957**



SKAMANIA COUNTY PLANNING COMMISSION

MINUTES

Tuesday, June 15, 2021, 6:15 PM

REMOTE PARTICIPATION BY ZOOM MEETING TELEPHONE AND VIDEO CONFERENCE

1. CALL TO ORDER

Sue Davis called the meeting to order at 6:15 PM.

2. PLEDGE OF ALLEGIANCE

Sue Davis led the Pledge of Allegiance.

3. ROLL CALL

Planning Commissioners Present: Ken Bajema, Anita Gahimer Crow, Sue Davis, Mat Joy, John Prescott

Staff Present: Mike Beck, Andrew Lembrick, Alan Peters

4. AGENDA ITEMS

a. Approval of minutes from the June 1, 2021 Planning Commission Meeting.
John Prescott moved to approve the minutes of the June 1, 2021 Planning Commission Meeting. Ken Bajema seconded the motion. Motion passed 5-0.

b. Workshop:

i. Zoning recreation facility use allowances

Alan Peters updated the planning commission on the status of the proposed recreational facility standards. Staff is bringing this item back to the planning commission as requested to determine if any changes are needed to what zones and what circumstances these uses are allowable. The planning commission was in favor of staff's approach to this topic. John Prescott stated his preference for the least restrictions, simplifying where possible, complying with the comprehensive plan, and ensuring a robust public process.

ii. Zoning code land use audit

Alan Peters explained the process that staff would undertake to complete the land use audit, including creation of a comprehensive land use matrix. Once staff completes this task they will bring it back to the planning commission for review to determine next steps in the process. Ultimately staff would like to see a matrix adopted into the code.



SKAMANIA COUNTY PLANNING COMMISSION

iii. Home occupations/light home industries

Staff explained the existing regulations applicable to light home industries. Some planning commissioners felt that the existing regulations were sufficient and provided enough flexibility. Anita Gahimer Crow and Mat Joy raised some ambiguities in the code that could be clarified, including sections on disturbing influences, and signage. The planning commission also discussed the number of allowable employees. Staff felt that these were reasonable concerns that could be addressed with minor changes to the text.

5. PLANNING COMMISSION BUSINESS

6. ADJOURN

Sue Davis adjourned the meeting at 7:11 PM.



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: July 13, 2021
RE: Home Occupation Standards

Light home industries/cottage occupations are businesses operated within a dwelling or a separate building which principally employs persons who reside in the dwelling where the business is located. These uses must comply with the standards in SCC 21.70.040, but are allowed outright in all residential zones.

Staff and the Planning Commission reviewed the applicable standards at the June 15, 2021 Planning Commission meeting. The Planning Commission agreed that no substantial overhaul to the standards is required. For those who cannot comply with the standards, the Hearing Examiner can modify the applicable requirements after a public hearing if it is determined that the use remains consistent with the purpose and intent of the zone.

Some Planning Commissioners did identify areas where the existing code language might be overly strict or difficult to enforce. Staff agreed to look at the code and recommend changes to address these concerns. Staff has prepared some draft changes which include other improvements without substantially changing the standards.

Recommended Changes

21.70.040 ~~Cottage occupation/light home industry.~~ Home occupations.

A. Type of Use. Home occupations when permitted are those occupations which are carried on within a residential dwelling or an accessory building ~~a separate building constructed for such a use~~. Such activity shall be secondary to the use of the dwelling used for living purposes.

The term "home occupation" is more commonly used and can apply to uses that are either in a dwelling or an accessory building. Staff recommends replacing language stating that uses can occur within "a separate building constructed for such a use" with "accessory building". Home occupations can reasonably occur within all or part of existing or new accessory buildings not necessarily constructed specifically for the home occupation.

B. ~~Disturbing Influences~~ Neighborhood Disruptions. No home occupation shall be permitted which creates ~~objectionable~~ excessive noise, dust, smoke, odor, glare, or traffic ~~attraction~~ greater

than that of other residential properties in the vicinity, that substantially interferes with or disrupts the character of the neighborhood in which it is located.

Staff agrees that this section may be difficult to enforce, as any home occupation could be determined to produce noise or traffic greater than that of other residential properties in the vicinity and be deemed in violation. Staff recommends adjusting this standard to prohibit any excessive noise, dust, smoke, odor, glare, or traffic that "substantially interferes with or disrupts" neighborhood character.

C. Exterior Modification. ~~There shall be no exterior modification or adornment of the residential dwelling which would suggest a use other than residential; except, for light home industry which may be located in a separate building. The home occupation must maintain or improve the external residential appearance of the dwelling or accessory buildings. Any alterations to accommodate the home occupation shall maintain compatibility with the neighborhood. One sign, not exceeding four square feet in area, shall be allowed.~~

This language may prohibit any signage by prohibiting any adornment that suggested any non-residential use. This section conflicts with the definition for "cottage occupation" which allows for "accepted signs". The definition for "light home industry" does not mention signage.

These recommended changes would allow a sign up to 4 sq. ft. in size and includes other changes to clarify that exterior modifications are allowed if they maintain or improve the residential appearance of the property.

D. Work Force Limitation. Nonmember household worker (those workers who do not live on the property) shall be limited to five persons per day. Additional individuals may be employed, so long as they do not work at the home occupation property.

Staff recommends including additional language to clarify that a home occupation may have more than five workers as long as any additional employees do not work on site.

E. The hearing examiner may hear/approve requests for ~~waiver, exemption, reduction or modification of deviation from~~ these requirements if the proposed use and ~~modifications~~ deviations are determined to be in keeping with the purpose and intent of the zone classification involved and any anticipated neighborhood disruptions are mitigated.

Staff added a requirement that neighborhood impacts be mitigated in order for the hearing examiner to approve deviations from the standard requirements.

21.08.080 Definitions-Interpretation.

~~"Cottage occupation" means a business operated within a private residence which does not constitute the principal use of that residence, and which principally employs household members associated with that residence or lot on which said business is located; and produces no outside evidence of such occupation with the exception of accepted signs. Such business may include the production, sale, repair, or service of products produced, manufactured, or assembled on the lot; and/or provide a service to customers and clients.~~

~~"Light home industry" means a business operated within a building separate from the residential building(s) on a lot or parcel of land, and which principally employs persons who reside on the lot where said business is located. Such business may include the production, sale, repair, or service~~

~~of products produced, manufactured, or assembled on the lot; and/or provide a service to customers and clients.~~

“Home occupation” means a business activity that is carried out on the same site as a residential dwelling, and which is accessory to the residential use on the site, subject to the supplementary use standards in Section 21.70.040.

Staff proposes to consolidate cottage occupations and light home industries under one term with the proposed definition above.



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MEMORANDUM

TO: Skamania County Planning Commission
FROM: Planning Staff
DATE: July 13, 2021
RE: Zoning Code Land Use Audit

Staff introduced the zoning code land use audit to the Planning Commission on June 15, 2021. The purpose of this audit is to identify updates to improve the organization, usability, and clarity of the existing land use allowances in Title 21. Staff has completed a zoning use table that incorporates all 34 zones in Title 21 and includes all uses identified within the zoning code. This table is attached to this memo for the Planning Commission’s review.

ZONING DESIGNATION

Land Uses A = Allowable Use R = Administrative Review Use C = Conditional Use	R-1	R-2	R-5	R-10	RES-20	CC	CR	MG	FOR/AG 10/20	FL10	FL20	CRL40	NAT	UNM
Child mini-day care center	R	R	R	R	C	R			C					
Churches, cemeteries and mausoleums					C									
Cluster developments	C	C	C	C	C		A		C					
Co-location of communication towers	C	C	R	R	R	R		R						
Commercial agriculture (ARU and CU in Carson RR)														
Commercial and domestic agriculture		A	A	A	A					A	A	A		
Commercial buildings requesting a footprint of over two thousand five hundred square feet and/or over five thousand square feet in total floor area														
Commercial kennel facilities										C	C			
Commercial sand and/or gravel pit, stone quarry, mining, crushing, stockpiling of mineral resources and similar uses for the development of natural resources extracted on-site, not otherwise allowed under SCC Section 21.68.100(B);														
Communication towers	C	C	R	R	R	R		R		C	C	C		

The top row of the table includes the code for each zoning designation. The first column includes each individual land use. The uses were transcribed exactly as listed in the zoning code. Uses are marked as allowable (A), administrative review (R), or conditional uses (C) in the table. Blank spaces indicate that the use is not allowable in the zone designation.

The use table contains 143 land uses found throughout the 34 zones in Title 21. The actual number of allowable uses is likely much lower, as several of these uses are similar to each other or redundant. Only 52 of these uses are defined by Title 21.

Attached communication facilities located on non-BPA towers
Attached communication facilities, not located on BPA towers

Two examples of similar uses are shown above. "Attached communication facilities located on non-BPA towers" appears 12 times, while "Attached communication facilities, not located on BPA towers" appears 18 times. These are the same use.

Some uses appear many times throughout the different zones, but many are rarely used. Specifically, 60 of these uses are allowed in only one zone. 49 are allowed in five or more zones. This breakdown could change if like uses are consolidated, but there are also several overly specific uses such as "a single new cabin on each of the four vacant cabin spaces in the Northwoods development" which is allowed in Swift Recreation.

A single new cabin on each of the four vacant cabin spaces in the Northwoods development;

As-is, the table can be a useful tool for staff and the public. However, staff recommends that the table improved so that it can be adopted into Title 21 and serve an official use. Many jurisdictions throughout Washington and elsewhere in the country have adopted similar tables into their zoning codes, reorganizing the individual lists of allowable uses within each zone into a single table format. The following is an example of the table found in the City of Stevenson's zoning code.

Use	R1	R2	R3	MHR	SR
Residence or Accommodation Uses					
Dwelling					
Single-Family Detached Dwelling	P	P	P	P	P
Mobile Home	X	X	X	P	X
Travel Trailer	—	—	—	—	X
Accessory Dwelling Unit (SMC 17.40.040)	A	—	—	—	A
Multi-Family Dwelling	C ¹	P	P	C ¹	C ¹
Temporary Emergency, Construction or Repair Residence	C ²	C ²	C ²	—	C ²
Townhome (SMC 17.38.085)	—	C ⁸	P	—	—

Next Steps

Staff will continue to review the existing use table to determine how best to improve the table and prepare it for adoption into the zoning code. The intent is to improve the organization, usability, and clarity of the existing land use allowances in Title 21, and not to change or remove any uses from the code. Staff proposes the following priorities for the next steps of this project:

1. Consolidate like uses under new or existing terms in order to reduce the number of uses in the table.
2. Identify uses that can be deleted from the table because they are addressed elsewhere or can be grouped with other uses.
3. Organize the table into broad use categories such as residential, commercial, industrial, etc.
4. Adopt definitions for all land use terms.
5. Respect the individuality of specific zones and identify unique circumstances that may require more detail than can fit into a table.
6. Ensure consistency with comprehensive plan and other sections of the zoning code.

ZONING DESIGNATION

Land Uses A = Allowable Use R = Administrative Review Use C = Conditional Use	R-1	R-2	R-5	R-10	RES-20	CC	CR	MG	FOR/AG 10/20	FL10	FL20	CRL40	NAT	UNM	Carson HDR	Carson RR	Carson RE	Carson C	Carson I	Carson DR	NWL R-2	NWL R-5	West End RL2	West End RL5	West End RL10	West End FL20	West End CRL40	West End NC	Swift MR5	Swift MR10	Swift MR20	Swift FL20	Swift CRL40	Swift SR			
Child mini-day care center	R	R	R	R	C	R			C																												
Churches, cemeteries and mausoleums					C																																
Cluster developments	C	C	C	C	C		A		C						R	R					C	C							A**	A**	A**	A**					
Co-location of communication towers	C	C	R	R	R	R		R							C	C			R	R	R		R														
Commercial agriculture (ARU and CU in Carson RR)															C	R/C*	C																				
Commercial and domestic agriculture		A	A	A	A					A	A	A									A	A	A	A	A	A	A						A	A			
Commercial buildings requesting a footprint of over two thousand five hundred square feet and/or over five thousand square feet in total floor area																											C										
Commercial kennel facilities										C	C												C	C	C												
Commercial sand and/or gravel pit, stone quarry, mining, crushing, stockpiling of mineral resources and similar uses for the development of natural resources extracted on-site, not otherwise allowed under SCC Section 21.68.100(B);																																			C		
Communication towers	C	C	R	R	R	R		R		C	C	C			C	C		R	R	R	C	R	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Convenience store							C																														
Cottage occupation	A	A	A	A	A					A	A				A	A	A				A	A	A	A	A	A	A	A	A	A	A	A	A	A			
Domestic agriculture	A														A	A	A										A	A	A								
Duplexes	A	C																			C	C															
Educational						A																															
Existing retail stores and service establishments where merchandise is displayed and sold and/or services are provided within an enclosed building;																																				A	
Expansion of existing legally established group camps.																							C														
Expansion of existing legally established mineral resource extraction and/or processing sites										C	C												C	C	C	C			C	C	C					C	
Expansion of preexisting nonconforming uses and associated infrastructure.																					C	C															
Extraction and processing of gravel and rock for construction and maintenance of roads and trails within the forest owner's property, provided: a. Ownership is a minimum of twenty contiguous acres; b. Land is in a forest tax classification; c. There is a forest management plan for the property;										C	C															C											
Extraction of gravel and rock for road and trail construction and maintenance purposes, and the operation of portable rock crushers provided the material is used within the Swift Subarea or on the forest owners' property. (This does not include commercial rock sources supplying rock outside of the area);																																		A	A		

ZONING DESIGNATION

Land Uses A = Allowable Use R = Administrative Review Use C = Conditional Use	R-1	R-2	R-5	R-10	RES-20	CC	CR	MG	FOR/AG 10/20	FL10	FL20	CRL40	NAT	UNM	Carson HDR	Carson RR	Carson RE	Carson C	Carson I	Carson DR	NWL R-2	NWL R-5	West End RL2	West End RL5	West End RL10	West End FL20	West End CRL40	West End NC	Swift MR5	Swift MR10	Swift MR20	Swift FL20	Swift CRL40	Swift SR
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- **a) Any land division utilizing the cluster development concept shall not be granted a change in comprehensive plan designation or zoning classification for a minimum of ten years from the date of recording the land division;
- b) All clustered lots within the land division shall be at least two acres in size;
- c) The total number of allowable lots within the land division shall not exceed the overall density set by the comprehensive plan and the zoning classification; and
- d) All open space/common areas shall be owned in common by all landowners within the land division, with each land owner listed on the recorded deed.

Public Meetings

Proclamation 20-28.15 remains in effect for public meetings subject to the OPMA, but capacity limits, physical distancing, and most other restrictions related to the in-person component of public meetings have been lifted.

Proclamation 20-28.15 has been in place since January 2021 and extends the substantive provisions contained in Proclamation 20-28.14. Those provisions require that all public meetings be held remotely, with the option of also holding an in-person component to a public meeting if certain conditions are met. One of those conditions is that “(t)he open public meeting complies with the guidelines for ‘business meetings’, found in the “Miscellaneous Venues’ guidance...as incorporated into the Proclamation 20-25 et seq.”

On June 30, the governor substantially amended the Miscellaneous Venues guidance to remove nearly all capacity and operational restrictions that had previously been in that guidance document, consistent with the easing of restrictions for most other industries and activities. The newly revised Miscellaneous Venues guidance now only applies to venues for public meetings and provides in its entirety:

As of June 30, 2021, the following apply to governing bodies of public agencies opting to host in-person public meetings under the Open Public Meetings Act, as permitted under Emergency Proclamation 20-28, et seq.:

- No restrictions on capacity.
- No physical distancing requirements.
- Follow current applicable face covering requirements as outlined in: Proclamation 20-25, et seq., Secretary of Health Order 20-03.2, and LNI Publication F414-179.

We confirmed with the governor’s office that there will be no requirement to verify vaccination status for in-person attendees to determine compliance with the mask order. However, local governments can opt to do this at their discretion, keeping in mind that any employees and elected officials in attendance would be subject to the L&I guidance.

In summary, as of June 30, 2021, the new requirements for public meetings are as follows:

Type of Public Meeting	Required	Optional
Virtual/Remote	Yes. Subject to conditions in Proclamation 20-28.14 , at p. 3, including that there be telephonic access, at minimum, and all attendees can “hear each other at the same time.”	No.
In-Person	No.	Yes. Subject to conditions in Proclamation 20-28.14 at pp. 3 and 4, including that any person who wishes to attend in person be able to do so, either in meeting room or overflow area. No capacity limits or physical distancing requirements. Masks required for unvaccinated attendees, however no verification requirement.