



SKAMANIA COUNTY PLANNING COMMISSION

AGENDA

Tuesday, June 16, 2020 @ 6:15 PM

BY ZOOM MEETING TELEPHONE AND VIDEO CONFERENCE

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. AGENDA ITEMS

1. Approval of minutes from the June 2, 2020, Planning Commission Meeting.
2. Workshop #3 to discuss Short-term Vacation Rental Survey policy options.

V. PLANNING COMMISSION BUSINESS

1. Schedule consideration of zoning interpretation for July 7, 2020 meeting.

VI. ADJOURN

Please note: This meeting will be held by remote telephone and video conference only, in accordance with Proclamation 20-28.4. The public is invited to attend the meeting by calling-in or viewing the meeting online via Zoom.

To join the Zoom meeting online, visit <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

PLANNING COMMISSION MEETING MINUTES

Tuesday, June 2, 2020
Remote Video and Telephone Conference

Planning Commission Members:
Present: Ken Bajema, Sue Davis, Mathew
Joy, John Prescott, Cyndi Soliz

Community Development Department Staff
Present:
Mike Beck, Alan Peters

Absent: Tony Coates, Adam King

AUDIENCE

None.

PROCEEDINGS

Meeting was called to order at 6:17 P.M. by Chair, Mat Joy.

Quorum was met.

Chair, Mat Joy led the Pledge of Allegiance.

AGENDA ITEMS

1. Approve Minutes from the May 19, 2020 Planning Commission meeting.
 - a. Motion was made by John Prescott and seconded by Sue Davis to approve the minutes of the May 19, 2020 Planning Commission Meeting.
 - b. Motion passed 5-0.

 2. Workshop to discuss Short-term Vacation Rental Survey results.
 - a. Alan Peters, Assistant Planning Director, provided an overview of the second half of the short-term vacation rental survey that was available to the public during the month of April and invited the Commissioners to discuss.
 - b. Staff and Planning Commissioners discussed the survey responses. John Prescott said the County should consider some level of regulation, but that these should have a light touch. Sue Davis stated that she read Stevenson's code and that it was a reasonable approach. She felt that use of rentals for commercial events needed to be addressed. Ken Bajema asked what was meant by "local manager". Alan Peters stated this could be addressed by the Planning Commission. Cyndi Soliz asked about permit fees. Mat Joy said his preference was little to no regulation.
 - c. Alan Peters expressed that regulations could also be considered a way to enable property owners to establish vacation rentals, not just restrict them. Staff will
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begin drafting some specific policy options for the Planning Commission to consider at their next meeting.

3. Planning Commission Business.

- a. Alan Peters updated the Planning Commission on the current restrictions around public meetings due to COVID-19. The Planning Commission lost a couple months of work as a result, but is ready to get back to business. Mr. Peters discussed some new issues that the Planning Commission could consider, including exempt land divisions, lot size averaging, and light home industry/cottage industries.
- b. The Planning Commission expressed support of addressing this issue in one succinct process with Staff providing draft text amendments.
- c. Sue Davis brought up an email received from Timothy Seaton about lot size averaging.

4. MEETING ADJOURNED at 7:33 PM after motion by John Prescott, seconded by Sue Davis.

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

MEMO

TO: Planning Commission
FROM: Alan Peters, Assistant Planning Director
DATE: June 16, 2020
RE: Short-term Vacation Rentals Policy/Regulation Options

Introduction

Under the direction of the Board of County Commissioners, Planning Staff is working on developing regulations for short-term vacation rentals (STVR). The Board has requested that new regulations be adopted by August 2020 and go into effect in January 2021. This memo outlines some policy considerations that could be included in an eventual STVR ordinance adopted by the Board of County Commissioners.

Public Outreach

Stakeholder Meetings

Commissioner Tom Lannen and Assistant Planning Director Alan Peters met with three stakeholder groups in January 2020. These groups included interested county residents, operators of STVRs, and operators of conventional commercial lodging establishments. Some key takeaways from that discussions include:

- Some property owners have had their quality of life negatively impacted due to mismanagement of nearby STVRs.
- Some home buyers are looking for properties that can support a STVR.
- Commercial operators are not opposed to STVRs, but would like to see more oversight.
- Local STVRs operators are not opposed to regulation, but have different opinions on how strongly they should be regulated.
- Operators of local STVRs and commercial lodging establishments both feel strongly that their businesses benefit the local economy.

Online Survey

The County solicited responses to an online survey during the month of April 2020. The purpose of the survey was to collect information needed to shape decisions associated with short-term rental policies and regulations. 159 responses were received. Some key takeaways from the survey include:

- 58% of respondents said they live near a STVR, most who do are satisfied with the operators and renters.
- Most respondents are supportive of STVRs, though opinions are divided between those that desire strong regulations, some regulations, and no regulations at all.

- About 15% of respondents are strongly opposed to STVRs. Some residents have had bad experiences with nearby rentals.
- Most residents have concerns with STVRs. The top concerns were generally private property rights, public safety, and nuisances.
- Some respondents are concerned about the County's ability to enforce regulations.
- Respondents favored permits, the ability to revoke a permit, requiring a local manager, and self-certification of compliance with STVR requirements.

Policy Options

Based on results from public outreach and previous Planning Commission and Board of County Commissioners workshops, Staff has prepared some policy options for the Planning Commission's consideration. Following this discussion, Staff will prepare a draft code for the Planning Commission to review at the July 7, 2020 meeting.

- **Establish the use of "short-term vacation rentals"**. Currently, the Skamania County Code is silent on this topic. This places operators and potential operators in a state of limbo, and the lack of clear standards makes enforcement difficult.
 - Define land use
 - STVRs are usually defined as a rental of a residential dwelling unit or accessory building for periods of less than 31 consecutive days.
 - RCW 64.37.010 definition is " a lodging use, that is not a hotel or motel or bed and breakfast, in which a dwelling unit, or portion thereof, that is offered or provided to a guest by a short-term rental operator for a fee for fewer than thirty consecutive nights."
 - Allow STVRs, subject to compliance with adopted standards.
- **Housing Issues.**
 - Determine what types of units are allowable. Limiting the types of units can affect the intensity of the STVR market as well as mitigate impacts to long-term housing availability. The following is a list of the basic types of STVRs that could be allowable.
 - Whole house
 - One or more rooms within a dwelling (how many rooms?)
 - Private suite within a dwelling
 - Accessory dwelling unit/guest house (ADUs are currently prohibited from being used as STVRs by SCC 21.70.170. Should this change?)
 - Should campsites or RVs be allowable?
 - Residency requirements.
 - Should owner-occupancy be a requirement for certain types of units?
 - Should owner-occupants be present when guests are present on the property?
- **Public Safety.**
 - RCW 64.37.030, adopted in 2019, requires the following minimum safety standards for operators of STVRs:
 - Provide contact information to guests and be able to respond to inquiries during stays.

- Install carbon monoxide alarms consistent with building code requirements.
 - Post in a conspicuous place the street address of the unit, emergency services contact information, floor plan with evacuation routes, maximum occupancy limits, contact information for operator.
 - RCW 64.37.050, adopted in 2019, requires operators to maintain liability insurance of \$1,000,000 or maintain coverage through a rental platform that provides liability insurance.
 - Other safety considerations:
 - Smoke detectors
 - Fire extinguishers
 - Egress (windows, doors)
 - Address and directional signage for emergency responders and guests to locate the unit.
 - Inspections
 - The City of Stevenson requires safety inspections to be conducted by City staff at least once every five years. For all other years, the property owner must self-certify their compliance with safety requirements.
 - How often should the county perform inspections?
 - Is self-certification adequate for some years?
- **Quality of Life/Nuisance Issues**
 - Local Manager
 - STVRs should have a manager that is available to respond to guest inquires, neighbor complaints, and law enforcement at all times. Proximity is important in providing adequate responses to complaints.
 - Stevenson requires a contact person from Skamania, Clark, Klickitat, Hood River, or Multnomah county. Driving distance may be a better qualification for a “local” manager.
 - Unit characteristics
 - Number of allowed bedrooms or rental units. Can you rent both a spare bedroom and a detached guest house?
 - Occupancy limits should be tied to the number of bedrooms or beds in a unit. Require rental of an entire room, not just a bed.
 - Limit on number of parties that occupy a space at any given time.
 - Calendar-year cap on number of nights a unit can be rented in a given year.
 - Sufficient on-site parking should be provided for the maximum number of guests.
 - Visual impact.
 - Consideration of cottage occupation/light home industry standards
 - Such activity shall be secondary to the use of the dwelling used for living purposes.
 - No home occupation shall be permitted which creates objectionable noise, dust, smoke, odor, glare, or traffic attraction greater than that of other residential properties in the vicinity.
 - 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.

- Neighbor notification
 - Should this occur as a public notice of an application or should the operator be responsible for notifying adjacent property owners?
- Good neighbor policies
 - Require owners to provide a list of rules and standards of behavior to limit impacts to neighbors such as parking requirements, occupancy limits, trash disposal, and noise/curfew.
- Parties
 - Prohibit commercial events and parties
- Complaint log
 - Require operator or county to maintain a log of any complaints.
- Revocable permit
 - Grant county authority to revoke a permit for 12 months or more if operator violates standards.
- **Permit requirements**
 - Should STVRs be considered an allowable use, administrative review use, or a conditional use?
 - Should permits be required once, or annually? Does this depend on the type of unit?
 - Should permits be displayed in a unit?
 - Means to ensure tax compliance.



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MEMO

TO: Planning Commission
FROM: Alan Peters, Assistant Planning Director
DATE: June 16, 2020
RE: Zoning Code Interpretation Request

Introduction

Darren Penner submitted a letter to the Planning Commission that was received on June 2, 2020, requesting interpretation of the County' cottage occupation/light home industry standards with respect to a proposal for self-storage at his property at 52 Panther Creek Rd, Carson. The property is zoned Residential (R2). Cottage occupations and light home industries are allowable in this zone, but self-storage facilities are not. Mr. Penner requests that the Planning Commission determine if his proposed self-storage facility can be allowable as a light home industry.

Applicable Code Criteria

SCC 21.08.010 - Definitions

"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.

SCC 21.32.010 – Residential 2 Zone – Purpose

The R-2 zone classification is intended to provide a transition zone of medium density residential development which will maintain a rural character of the areas in the rural I and rural II land use areas of the county comprehensive plan A.

SCC 21.32.020 – Residential 2 Zone – Allowable Uses

...

G. Light home industry (in accordance with Chapter 21.70).

SCC 21.70.040 – Cottage occupation/light home industry

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

B. Disturbing Influences. No home occupation shall be permitted which creates objectionable noise, dust, smoke, odor, glare, or traffic attraction greater than that of other residential properties in the vicinity.

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.

D. Work Force Limitation. Nonmember household worker (those workers who do not live on the property) shall be limited to five persons per day.

E. The hearing examiner may hear requests for waiver, exemption, reduction or modification of these requirements if the proposed use and modifications are determined to be in keeping with the purpose and intent of the zone classification involved.

SCC 21.16.050 - Interpretations

It shall be the duty of the planning director, planning commission, hearing examiner, and board to:

A. Interpret in a zone classification and/or special purpose district any use not described in this title as an allowable, administrative review or conditional use, and deem it to be in general keeping with the uses authorized in such zone classifications and special purpose districts;

B. Interpret the provisions of this title in such a manner as to carry out the intent and purpose of the zoning map(s);

C. Interpret and/or administer the provisions of this title in such a manner as to carry out the intent and purpose of the Skamania County comprehensive plan A as it presently exists or is hereafter amended;

D. A record shall be kept by the planning director of such interpretations to facilitate equitable future administration and to permit periodic amendments to this title.

Comprehensive Plan

Rural II Designation

The following uses, depending on adopted zoning classification, are appropriate within the Rural II designation:

...

3. Home business (cottage occupations or light home industry)

Land Use Element Goals and Policies

Policy LU.4.4: Cottage occupations and light home industries should be encouraged in Rural Designations to the extent that they will not require public investment in infrastructure greater than that normally required for residential use of the density allowed in the land use designation.

Request for Interpretation

Staff requests that the Planning Commission consider Mr. Penner's request for interpretation as to whether his proposed self-storage facility can be allowable as a light home industry at the July 7, 2020 Planning Commission meeting.

Staff will provide an analysis of the applicable code criteria and Mr. Penner will be invited to provide testimony. The Planning Commission can then, by motion, make a formal determination.

Attachments

Letter from Darren Penner, received June 2, 2020

Darren Penner
509-263-7125

bigr1967@hotmail.com

5/26/2020

RECEIVED
SKAMANIA COUNTY

JUN 02 2020

COMMUNITY DEVELOPMENT
DEPARTMENT

Re: Interpretation of Light Home Industry

Skamania County Planning Commission,

I am writing you to request the planning commission for interpretation of use of a light home industry to include a storage facility for R2 which is what my parcel 04753600140100 located at 52 Panther Creek Road, Carson, WA 98610 is zoned under. My request is so that I will be allowed to build a storage unit service that I personally will operate on my land.

It is my understanding that under the Skamania County Code 21.08.010, a "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.

I believe that providing the service of storage units on my parcel of land and that I will solely be operating and being employed by constitutes a "Light Home Industry" as defined by Skamania County Code 21.08.010 and I am requesting the Planning Commissions interpretation of the Light Home Industry as it pertains to a storage unit business as I have described so that I may move forward with my proposal of the Storage Unit business.

Please feel free to email me at bigr1967@hotmail.com as well as Shelley Turner at shelleyturner82@gmail.com as she is assisting me with the paper work and letters. I may also be reached by mail at 1552 Old State Road, Carson, WA 98610.

I thank you for your time and attention to this matter.

Sincerely,

Darren Penner

(509)263-7125



st

52 Panther Creek Road
Carson, WA 98610

Mailing: 1552 Old State Road
Carson, WA 98610