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# SKAMANIA COUNTY PLANNING COMMISSION

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## AGENDA

**Tuesday, August 18, 2020 @ 6:15 PM**

REMOTE PARTICIPATION BY ZOOM MEETING TELEPHONE AND VIDEO CONFERENCE

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**I. CALL TO ORDER**

**II. PLEDGE OF ALLEGIANCE**

**III. ROLL CALL**

**IV. AGENDA ITEMS**

1. Approval of minutes from the July 21, 2020, Planning Commission Meeting.
2. Public Hearing on proposed text amendments to Title 16 (SEPA), Title 17 (Subdivisions and Short Plats), and Title 21 (Zoning).

**V. PLANNING COMMISSION BUSINESS**

**VI. ADJOURN**

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**Participation Instructions:**

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

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## PLANNING COMMISSION MEETING MINUTES

**Tuesday, July 21, 2020**

**Remote participation by Zoom Meeting telephone and video conference**

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Planning Commission Members:  
Present: Ken Bajema, Tony Coates, Sue  
Davis, Mathew Joy, John Prescott

Community Development Department Staff  
Present:  
Mike Beck, Andrew Lembrick, Alan Peters

### AUDIENCE

Sandy Carlson  
Robyn Legun  
Tim Fortenbury

### PROCEEDINGS

Meeting was called to order at 6:21 P.M. by Chair, Mat Joy  
Quorum was met.  
Chair, Mat Joy led the Pledge of Allegiance.

### AGENDA ITEMS

1. Approve Minutes from the July 7, 2020 Planning Commission meeting.
    - a. John Prescott moved to approve the minutes of the July 7, 2020 Planning Commission Meeting. Sue Davis seconded the motion.
    - b. Motion passed 5-0.
  
  2. Workshop #5 to discuss Short-term Vacation Rental regulations.
    - a. Alan Peters, Assistant Planning Director, provided background on the short-term vacation rental (STVR) planning process so far including recent meetings with both the Planning Commission and Board of County Commissioners to review the proposed ordinance. He proposed some changes to the language based on feedback from the last meeting.
    - b. Mr. Joy invited the public to comment on the draft proposal.
      - i. Sandy Carlson provided comment.
      - ii. Robyn Legun provided comment.
    - c. Mr. Joy asked each of the Planning Commissioners to provide their feedback on the proposal. Comments included concerns about unclear language, the proposed tier and fee structure, and whether the county should regulate short-term vacation rentals.
    - d. County resident Tim Fortenbury asked to provide comment. The Planning Commission heard from Mr. Fortenbury and again from Ms. Legun.
-

- e. Mr. Peters responded to the comments from the Planning Commission and members of the public who testified. He spoke to the potential permit costs being necessary to cover the county's cost for implementation of a permit program, potentially in the amount of \$118 per year. Mr. Peters said he would prepare a revised ordinance with the feedback from the Planning Commission for a public hearing date in September.
- 3. Planning Commission Business.
    - a. Mr. Peters discussed the Planning Commission calendar for August and September.
  - 4. MEETING ADJOURNED at 7:46 PM after motion by Sue Davis, seconded by John Prescott.

**ATTEST**

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Planning Commission Chair

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Secretary



# Skamania County

## Community Development Department

Building/Fire Marshal ♦ Environmental Health ♦ Planning

Skamania County Courthouse Annex

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Stevenson, Washington 98648

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### STAFF REPORT

**TO:** Skamania County Planning Commission  
**FROM:** Andrew Lembrick, Planner  
Mike Beck, Planner

**REPORT DATE:** August 11, 2020  
**HEARING DATE:** August 18, 2020  
**PROPOSAL:** Various Code Amendments

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### **Background and Review Process**

Staff proposed various text amendment proposals to the Planning Commission at its June 2, 2020 meeting. The Planning Commission agreed to pursue these text amendments and directed Staff to schedule the items for a future hearing date. The proposals include various amendments to the County's Subdivision Code (Title 17), Zoning Code (Title 21), and SEPA code (Title 16) and are summarized in the following section of the report. The purpose of all the proposed changes is to eliminate barriers to development within the County and improve the process for developments that require County review.

A SEPA Determination of Non-significance for the proposed amendments was issued on August 5, 2020, and published in the Skamania County Pioneer, posted on the Community Development website, and sent to interested parties.

The proposal is scheduled for a public hearing on August 18, 2020. Notice of this hearing was published in the Skamania County Pioneer on August 5, 2020, and on the County's website. Following the hearing, the Planning Commission can forward a recommendation to the Board of County Commissioners for final adoption of the proposed amendments.

### **Proposed Text Amendments**

The proposed text amendments include changes to the County's Subdivision Code (Title 17), Zoning Code (Title 21), and SEPA code (Title 16). The full text of the changes is included in Attachments 1, 2, and 3 of this report.

#### Zoning Code Text Amendments (Title 21 – Attachment 1)

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 except for those in the Carson Subarea.

In Carson, light home industries/cottage occupations are considered administrative review uses. This review requires an application, public notice, and approval by Planning staff. The proposed text amendments would make light home industries/cottage occupations outright allowed uses in the Carson High Density Residential, Rural Residential, and Rural Estate zones. This change will make it easier for property owners to establish home-based businesses and eliminate the required \$400 application fee to establish a home-based business in Carson. This will also reduce Planning Staff's workload.

#### Subdivision Code Text Amendments (Title 17 – Attachment 2)

**Exempt Land Divisions** - Land divisions are governed in Washington State by RCW 58.17 and by the County in SCC Title 17. Per RCW 58.17.040, divisions into lots of 5 acres or more can be created without the filing of a subdivision or short plat. SCC 17.04.010(B)(2) allows for divisions into lots of 20 acres or more to be created without a plat. This exemption means that lots of at least 20 acres or more can be created by simply recording a deed with a legal description; however, because the County does not review a subdivision or short plat there is no review for water or septic availability, access, or critical areas.

The proposed text amendments would maintain the 20-acre exemption, but add an additional one-time exemption to create one parcel of 5 acres or more without a plat. The remainder parcel would also be required to be at least 5 acres in size. This change would make it much easier and cheaper for landowners to develop or sell their property. This also may help encourage the development of more housing by eliminating potential barriers to development. However, property owners would need to accept the risk that parcels created under this exemption may not be buildable because the County would not review these parcels for water or septic availability, access, or the presence of critical areas.

**Lot Size Averaging** - Each new lot created by plat or deed must satisfy the minimum lot size of the respective zoning designation. The proposed lot size averaging provisions would allow for the minimum lot size in a subdivision or short plat to be met by the average of all lot sizes in the development. For example, a standard 4-lot short plat of 20 acres in a 5-acre minimum zone would require that all four lots be exactly 5 acres in size. The proposal would allow for more flexibility by requiring simply that the average lot size be 5 acres. A development could instead create a 3-acre lot, a 4-acre lot, a 5-acre lot, and an 8-acre lot, or any other configuration that results in an average lot size of 5-acres.

In order to maintain some proportionality to the zoning designation's minimum parcel size, the smallest lot in a subdivision or short plat using lot size averaging would need to be at least 50% of the standard. So, in a 5-acre zone the smallest lot in a development would need to be at least 2.5 acres. Additionally, lots created under these provisions would not be able to be further divided in the future unless the zoning is changed.

**Other minor changes** - Planning Staff has also proposed several changes throughout the subdivision and short plat code to bring the code into better consistency with the current application review processes. These changes include the following:

- A new "purpose" section using language from RCW 58.17 stating the purpose of the County's platting regulations.
- Allowing for both paper and mylar plats to be recorded.
- More clearly identifying application requirements, including the necessity for septic, water, and stormwater review.
- Removing outdated or unnecessary language and more clearly establishing the respective roles of County Staff, the Hearing Examiner, and the Board of County Commissioners.
- Removing the requirement for a SEPA checklist for all short plats and making the County's SEPA policies consistent with the State's SEPA exemptions.

### SEPA Text Amendments (Title 16 – Attachment 3)

Title 16 establishes the County's rules for implementation of the State Environmental Policy Act (SEPA). This title requires all short plats to be reviewed under SEPA; however, land divisions of 4 lots or less are exempted from SEPA review under WAC 197-11-800, unless the short plat includes "lands covered by water". The proposal would make the County's code consistent with state requirements by removing this unnecessary SEPA requirement and would remove a potential barrier to development of short plats.

### **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. Planning Staff presented a summary of the proposal to the Planning Commission on June 2, 2020, after with the Planning Commission directed Planning Staff to proceed with the proposal and to schedule a hearing. The Planning Commission will hold a public hearing and make a recommendation to the Board of County Commissioners.

Staff has reviewed the proposal against the County's comprehensive plan and finds the proposals to be consistent with the comprehensive plan. Staff notes that the Comprehensive Plan Land Use Element Goals and Policies state that the land division exemption by deed should be increased to a minimum of forty acres. As proposed, Staff finds that the proposal is not inconsistent with this provision as the 5-acre exemption is a one-time allowance subject to specific criteria. The overall exemption of 20-acres in the code is not changed. If the Planning Commission or Board felt that the 5-acre exemption should not be limited to one-time only, but instead replace the 20-acre exemption in all cases, then this would be inconsistent with the Comprehensive Plan and a Comprehensive Plan amendment would be required.

Skamania County Code (SCC) Section 17.04.030 Notice procedures to adopt, amend or repeal county's subdivision ordinance.

*A. The adoption of a subdivision ordinance, or amendments to an existing ordinance, or repeal of a subdivision shall be published in its entirety in the county newspaper of record at least ten days prior to the board taking any such action.*

*B. Copies of the proposed action shall be mailed to the local community councils at least thirty days prior to any hearing to adopt, amend, or repeal any ordinance established under Chapter 58.17 RCW. Copies of the proposed action to adopt, amend, or repeal any such subdivision ordinance shall be made available to the general public at least ten days prior to the board taking any such action for the cost of reproduction and mailing.*

Staff Findings:

A public hearing on the proposed amendments is scheduled for August 18, 2020. Notice of this hearing was published in the Skamania County Pioneer on August 5, 2020, and on the County's website. The notices and copies of the proposed amendments to Title 17 were made available on August 5, 2020, over ten days before the scheduled public hearing.

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 August 18, 2020. Notice of this hearing was published in the Skamania County Pioneer on August 5, 2020, 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.

## **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 16, Title 17, and Title 21. A model motion is included with this report.





**Skamania County**  
**Community Development Department**  
Building/Fire Marshal ♦ Environmental Health ♦ Planning  
Skamania County Courthouse Annex  
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**SKAMANIA COUNTY PLANNING COMMISSION  
MOTION TO RECOMMEND APPROVAL OF  
AMENDMENTS TO TITLE 16, TITLE 17, AND TITLE 21**

The Skamania County Planning Commission conducted a public hearing to consider proposed text amendments to Title 16, Title 17, and Title 21 on August 18, 2020.

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. RCW 58.17 authorizes counties to adopt and amend platting regulations, including provisions for subdivisions and short plat.
- C. The proposed amendments to the County's SEPA, Subdivision, Short Plat, and Zoning regulations are consistent with state law and the County's Comprehensive Plan.
- D. The Planning Commission, having provided proper notice in the Skamania County Pioneer, and with a quorum present, conducted a public hearing at its August 18, 2020, meeting.

**CONCLUSIONS**

Based on public comment and staff analysis, the proposed text amending Title 16, Title 17, and Title 21 will reduce regulatory burdens on property owners 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 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
Mat Joy, Chair	_____	_____
Cyndi Soliz, Vice Chair	_____	_____
Ken Bajema	_____	_____
Tony Coates	_____	_____
Sue Davis	_____	_____
Adam King	_____	_____
John Prescott	_____	_____

Attachment 1

TITLE 21 TEXT AMENDMENTS

- 1 **Chapter 21.65 - CARSON FINAL ZONING**  
2  
3 **21.65.060 High density residential zone classification (HDR).**  
4 A. Allowable Uses.  
5 8. Light home industry, consistent with Chapter 21.70 of this title.  
6 9. Cottage occupations, consistent with Chapter 21.70 of this title.  
7 B. Administrative Review Uses.  
8 ~~2. Light home industry, consistent with Chapter 21.70 of this title.~~  
9 ~~3. Cottage occupations, consistent with Chapter 21.70 of this title.~~  
10  
11 **21.65.070 Rural residential zone classification (RR).**  
12 A. Allowable Uses.  
13 10. Light home industry, consistent with Chapter 21.70 of this title.  
14 11. Cottage occupations, consistent with Chapter 21.70 of this title.  
15 B. Administrative Review Uses.  
16 ~~1. Light home industry, consistent with Chapter 21.70 of this title.~~  
17 ~~2. Cottage occupations, consistent with Chapter 21.70 of this title.~~  
18  
19 **21.65.080 Rural estate zone classification (RE).**  
20 A. Allowable Uses.  
21 10. Light home industry, consistent with Chapter 21.70 of this title.  
22 11. Cottage occupations, consistent with Chapter 21.70 of this title.  
23 B. Administrative Review Uses.  
24 ~~1. Light home industry, consistent with Chapter 21.70 of this title.~~  
25 ~~2. Cottage occupations, consistent with Chapter 21.70 of this title.~~  
26

Attachment 2

TITLE 17 TEXT AMENDMENTS

1 Chapter 17.04 – GENERAL PROVISIONS

2 **17.04.005 Purpose.**

3 The purpose of this title is to regulate the division of land and to promote the public health, safety and general  
4 welfare in accordance with standards established by RCW 58.17 to prevent the overcrowding of land; to lessen  
5 congestion in the streets and highways; to promote effective use of land; to promote safe and convenient travel by  
6 the public on streets and highways; to provide for adequate light and air; to facilitate adequate provision for water,  
7 sewerage, parks and recreation areas, sites for schools and schoolgrounds and other public requirements; to provide  
8 for proper ingress and egress; to provide for the expeditious review and approval of proposed subdivisions which  
9 conform to zoning standards and local plans and policies; to adequately provide for the housing and commercial  
10 needs of the citizens of Skamania County; and to require uniform monumenting of land divisions and conveyancing  
11 by accurate legal description.  
12

13 **17.04.010 Applicability.**

14 . . .

15 B. Exemptions. The provisions of Chapters 17.04 through 17.61 shall not apply to:

16 . . .

17 7. A one-time division of land creating one lot of 5 acres or larger, provided that:

18 (1) any created lot would satisfy the minimum lot size and dimensional requirements of the zoning  
19 designation in which it is located;

20 (2) the parent parcel from which the proposed parcel to be segregated from was in existence in its current  
21 configuration on January 1, 2020;

22 (3) the deed shall be recorded with a note stating that Skamania County provides no warranty that the  
23 parcel has been reviewed for buildability, water availability, sewer, or access. Buyers of such lots shall  
24 perform their own due diligence regarding the ability to develop, obtain water, develop a septic system, and  
25 access the parcel; and

26 (4) the remainder parcel resulting from this land division shall also be at least 5 acres in size and shall  
27 comply with SCC 17.04.010(B)(7)(1) and SCC 17.04.010(B)(7)(3).  
28  
29

30 **17.04.020 Administration.**

31 ~~General. The county planning director~~ Community Development Director or the Community Development  
32 Director’s designee, hereinafter referred to as the administrator, is vested with the duty of administering subdivisions  
33 and platting regulations within the unincorporated areas of the county, subject to the review of the hearing examiner.  
34 ~~The planning director may appoint an assistant planner within the planning department to be the administrator. (Ord.~~  
35 ~~2007-02 (part); Ord. 1992-03 (part); Ord. 1985-03 § 4.0)~~

36

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37 Chapter 17.08 – DEFINITIONS

38 “Standard sheet” means ~~twenty two inches by thirty two~~ eighteen inches by twenty-four inches with a one-half inch  
39 border on three edges and a two-inch border along the left hand edge for binding purposes. For final plat the material  
40 shall be a reproducible (mylar) polyester film or paper approved by the county auditor.

41

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42 Chapter 17.12 – PRELIMINARY PROCEDURES

43 **17.12.010 Application and preliminary plat submission.**

44 A. Any person intending to subdivide land in an unincorporated area of Skamania County shall obtain a subdivision  
45 ~~notification application~~ form and an environmental ~~SEPA checklist form~~ from the county planning department.

46 These completed forms, and the preliminary plat and any restrictive covenants proposed upon land within the  
47 subdivision shall then be submitted to the planning department, and a date of receipt shall be affixed onto these

Attachment 2

TITLE 17 TEXT AMENDMENTS

1 documents. When required, other related application forms including land division water, land division septic,  
2 critical areas, and clear and grade applications shall be submitted with the subdivision application form.

3 B. When the administrator determines that the items required by Section 17.24.050, General standards, have been  
4 met, the administrator shall circulate the preliminary plat, any restrictive covenants, and the ~~environmental~~ SEPA  
5 checklist to the applicable agencies listed in Section 17.12.060. If the requirements in Section 17.24.050 have not  
6 been satisfactorily met, the administrator shall inform the subdivider of the inadequacies in writing and request the  
7 deficiencies be corrected prior to submitting the preliminary plat, restrictive covenants, and ~~environmental~~ SEPA  
8 checklist to the agencies in Section 17.12.060

9 ...

10 **17.12.020 Time limitation for approval or disapproval of preliminary plats.**

11 Preliminary plats shall be approved, disapproved or returned to the applicant for modification or correction within  
12 ninety days from the date of filing unless the applicant consents to an extension of this time period; provided, that if  
13 an environmental impact statement is required as provided in RCW Section 43.21C.030, the ninety-day period shall  
14 not include the time spent preparing and circulating the environmental impact statement. The ninety-day period shall  
15 also not include any time required by the applicant to complete the submission of any supplementary reports or  
16 documentation required by the associated SEPA determination, such as drainage or stormwater reports and road  
17 construction plans.(Ord. 1985-03 § 6.20)

18 **17.12.030 ~~Preliminary conference~~Pre-application meeting.**

19 When the administrator deems it necessary or at the request of the subdivider, a ~~conference~~ pre-application meeting  
20 may be called between the subdivider or his agent and the agencies involved with plat review prior to submission of  
21 a preliminary plat and the ~~environmental~~ SEPA checklist. The administrator shall provide in writing, a summary of  
22 meeting minutes and any action items from the meeting within 14 days after the meeting. (Ord. 1985-03 § 6.30)

23 ...

24 **17.12.060 Preliminary plat distribution.**

25 A. The administrator shall distribute the preliminary plat and the ~~environmental~~ SEPA checklist or environmental  
26 impact statement and any restrictive covenants to the following agencies:

- 27 1. County engineer;
- 28 2. ~~Southwest Washington health district~~ Local health authority;
- 29 3. Public utility district;
- 30 4. Fire district and/or department of natural resources in which proposed subdivision is located;
- 31 5. ~~Community council in which proposed subdivision is located~~;
- 32 6. ~~Washington Columbia Gorge Commission if the proposed subdivision is located within the boundary of the~~  
33 ~~Columbia River Gorge~~;
- 34 7. ~~To any city council adjacent to or within one mile of the proposed subdivision which contemplates the use~~  
35 ~~of any city utilities~~;
- 36 8. ~~To the Washington State Department of Transportation or its successor, if the proposed subdivision is~~  
37 ~~located adjacent to the right-of-way of a state highway~~;
- 38 9. ~~To the Washington State Department of Ecology, or its successor, if the proposed subdivision lies within a~~  
39 ~~flood control zone designated pursuant to Chapter 86.16 RCW~~;
- 40 10. ~~Other utilities (e.g., telephone, cable television)~~;

Attachment 2

TITLE 17 TEXT AMENDMENTS

1 449. Other relevant agencies as deemed by the administrator.

2 ...

3 **17.12.070 Hearing examiner hearing date.**

4 ...

5 B. The administrator shall forward copies of the agency's comments and recommendations to the subdivider and  
6 hearing examiner at least ten days prior to the preliminary plat public hearing. (Ord. 2007-02 (part); Ord. 1985-03 §  
7 6.70)

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9 **Chapter 17.16 – HEARING EXAMINER REVIEW**

10 ~~**17.16.070 — Unapproved plat not to be filed — Prosecuting attorney — County auditor — Action.**~~

11 ~~The county auditor shall refuse to accept any plat for filing until the hearing examiner has given approval of the plat.~~  
12 ~~Should a plat or dedication be filed without such approval, the prosecuting attorney shall apply for a writ of mandate~~  
13 ~~in the name of, and on behalf of, the hearing examiner, directing the auditor and assessor to remove from their filed~~  
14 ~~or records the unapproved plat, or dedication of record. (Ord. 2007-02 (part))~~

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16 ~~**Chapter 17.20 - BOARD ACTION**~~

17 ~~**17.20.010 — Public meeting.**~~

18 ~~Upon receipt of the planning commission's preliminary plat recommendation the board shall at its next public~~  
19 ~~meeting set the date for the public meeting where it may adopt or reject the recommendations of the planning~~  
20 ~~commission. (Ord. 1985-03 § 8.10)~~

21 ~~**17.20.020 — Public hearing.**~~

22 ~~If, after considering the planning commission's recommendation at a public meeting, the board deems that a change~~  
23 ~~in the planning commission's recommendation approving or disapproving any preliminary plat is necessary, the~~  
24 ~~change of the recommendation shall not be made until the board conducts a public hearing and thereupon adopts its~~  
25 ~~own recommendations and approves or disapproves the preliminary plat. (Ord. 1985-03 § 8.20)~~

26 ~~**17.20.030 — Submission for approval.**~~

27 ~~A preliminary plat of proposed subdivisions and dedications of land shall be submitted for approval to the board.~~  
28 ~~Unless an applicant for preliminary plat approval requests otherwise, a preliminary plat shall be processed~~  
29 ~~simultaneously with applications for rezones, variances, planned unit developments, site plan approvals and similar~~  
30 ~~quasijudicial or administrative actions to the extent that procedural requirements applicable to these action permit~~  
31 ~~simultaneous processing. (Ord. 1985-03 § 8.30)~~

32 ~~**17.20.040 — Approval or disapproval of subdivision and dedication — Factors to be considered — Finding —**~~  
33 ~~**Release from damages.**~~

34 ~~The board shall inquire into the public use and interest proposed to be served by the establishment of the subdivision~~  
35 ~~and dedication. It shall determine if appropriate provisions are made for, but not limited to, the public health, safety~~  
36 ~~and general welfare, for open spaces, drainage ways, streets, alleys, other public ways, potable water supplies,~~  
37 ~~sanitary wastes, parks and recreation, playgrounds, schools and schoolgrounds, and shall consider all other relevant~~  
38 ~~facts and determine whether the public interest will be served by the subdivision and dedication. If it finds that the~~  
39 ~~proposed plat makes appropriate provisions for the public health, safety, and general welfare and for such open~~  
40 ~~spaces, drainage ways, streets, alleys, other public ways, potable water supplies, sanitary wastes, parks and~~  
41 ~~recreation, playgrounds, schools and schoolgrounds, and shall consider all other relevant facts, including sidewalks~~  
42 ~~and other planning features that assure safe walking conditions, and that the public use and interest will be served by~~  
43 ~~the platting of such subdivision and dedication, then it shall be approved. If it finds that the proposed plat does not~~  
44 ~~make such appropriate provisions, or that the public use and interest will not be served, then the board may~~

Attachment 2

TITLE 17 TEXT AMENDMENTS

disapprove the proposed plat. Dedication of land to any public body may be required as a condition of subdivision approval and shall be clearly shown on the final plat. The board shall not as a condition to the approval of any plat require a release from damages to be procured from other property owners. The board shall also consider the physical characteristics of a proposed subdivision site and may disapprove a proposed plat because of flood, inundation, or swamp conditions. Construction of protective improvements may be required as a condition of approval, and such improvements shall be noted on the final plat. (Ord. 1992-08 (part); Ord. 1985-03 § 8.40)

**17.20.050 — Decision by board.**

Every decision by the board shall be in writing and shall include findings of fact and conclusions to support the board's decision. Such findings of fact shall include a determination as to whether the preliminary plat is in conformity with the minimum lot size requirement under the county comprehensive plan or any applicable zoning map. (Ord. 1985-03 § 8.50)

**17.20.060 — Records.**

The board's proceedings concerning preliminary plats shall be recorded by the clerk of the board and shall be open to public inspection. A copy of the proceedings shall be forwarded to the administrator for his files. (Ord. 1985-03 § 8.60)

**17.20.070 — Unapproved plat not to be filed — Prosecuting attorney — County auditor — Action.**

The county auditor shall refuse to accept any plat for filing until approval of the plat has been given by the board. Should a plat or dedication be filed without such approval, the prosecuting attorney shall apply a writ of mandate in the name of, and on behalf of, the board, directing the auditor and assessor to remove from their files or records the unapproved plat or dedication of record. (Ord. 1985-03 § 21.0)

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**Chapter 17.24 – PRELIMINARY PLAT**

**17.24.020 Time limitations for preliminary plat approval.**

A final plat, meeting all requirements of Chapters 17.04 through 17.61 and conditions imposed by the hearing examiner for final plat approval, shall be submitted to the hearing examiner/administrator for approval within five years of the date of preliminary plat approval; provided that, this five-year time period shall retroactively apply to any preliminary plat pending under Skamania County Subdivision and Platting Ordinance No. 1971-1 where the authority to proceed with the filing of a final plat has not lapsed under said Ordinance No. 1971-1. An applicant who files a written request with the hearing examiner/administrator at least thirty days before the expiration of this five-year period shall be granted a one-year extension upon a showing that the applicant has attempted in good faith to submit the final plat within the five-year period. (Ord. 2007-02 (part); Ord. 1985-03 § 9.20)

**17.24.030 Approval—Other extensions of time.**

Other extensions of time may be granted by the hearing examiner/administrator if the preliminary plat still meets the requirements of state law and county ordinances in effect at the time of preliminary plat approval, and the hearing examiner/administrator makes a finding under Section 17.20.040 that the preliminary plat still serves the public interest. The hearing examiner shall notify the administrator of its consideration of any other extension(s) of preliminary plat approval. If the preliminary plat does not meet the requirements of Chapter 58.17 RCW and any other applicable state law or county ordinances at the time an extension is applied for under this section, the hearing examiner/administrator may, after reviewing the conditions of approval and making a finding under Section 17.20.040 that the plat still serves the public interest, grant an extension of time subject to the final plat meeting the requirements of Chapter 58.17 RCW, and any other applicable state law and county ordinances at the time of the preliminary plat extension approval date. Any other time extensions shall not exceed a period of one year in duration for each additional extension of time. (Ord. 2007-02 (part); Ord. 1985-03 § 9.30)

...

**17.24.050 General standards.**

...

Attachment 2

TITLE 17 TEXT AMENDMENTS

1 C. The plat shall be accompanied by a drainage report including a stormwater management plan which complies  
2 with the Western Washington Stormwater Management Manual of 2019 or latest revision as allowed by the county  
3 engineer. The Stormwater Management Plan shall contain a site-specific Western Washington Hydrology Model  
4 (WWHM) subject to review by the county engineer. Any physical stormwater management facilities shall be  
5 depicted on the plat along with any easements associated with stormwater facilities.

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7 **Chapter 17.28 – FINAL PLAT**

8 **17.28.010 Approval—Filing period.**

9 A. A final plat may be filed with the administrator at any time within the preliminary plat approval period (~~three~~ five  
10 years or an approved extension time, Sections 17.24.010 through 17.24.040).

11 ...

12 **17.28.030 Distribution prior to approval.**

13 ...

14 B. The county engineer shall certify that the requirements of Chapter 17.44, Survey, have been met, any roads and  
15 bridges developed in conjunction with the plat meet the requirements of either the county and/or private road  
16 standards ordinance, approve the layout of such roads, stormwater management facilities and the construction of any  
17 other structures required for final plat approval meet standard engineering specifications.

18 ...

19 **17.28.100 Standards—Map.**

20 ...

21 N. Subdivisions containing critical areas shall depict the boundary of the critical area on the plat  
22 map and provide any notices required by Skamania County Code Title 19.

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24 **Chapter 17.32 – DEDICATIONS**

25 **17.32.020 Dedication to corporation.**

26 Land in a subdivision may be dedicated to a homeowner’s association for roads, pedestrian walkways, water and  
27 sewer systems, playgrounds and recreational uses, protective improvements, stormwater facilities or other general  
28 purposes if the hearing examiner determines that the public interest will be served thereby. The homeowner’s  
29 articles of incorporation shall provide that membership in the organization shall be appurtenant to ownership of land  
30 in the subdivision; that the corporation is empowered to assess the said land for costs of construction and  
31 maintenance of the improvements and property owned by the corporation, and that such assessments shall be a lien  
32 upon the land. The hearing examiner may impose such other conditions, as it deems appropriate to assure that  
33 property and improvements owned by the corporation will be adequately constructed and maintained. (Ord. 2007-02  
34 (part): Ord. 1985-03 § 11.20)

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36 **Chapter 18.36 – DESIGN STANDARDS**

37 **17.36.010 General.**

38 All roads, bridges, drains, culverts, sidewalks, curbs, stormwater facilities~~sewers~~, fire protection systems and related  
39 structures or devices shall be constructed in accordance with standards currently in effect at the time of construction.  
40 These standards shall be those contained in Chapters 17.04 through 17.60 or those promulgated by the board or may  
41 be other than a county standard if approved by the county or required by state law. (Ord. 1985-03 § 12.10)



Attachment 2

TITLE 17 TEXT AMENDMENTS

1 ...

2 **17.36.030 ~~Standard m~~ Minimum lot sizes, dimensions and proportions.**

3 A. Minimum lot sizes and dimensions shall be in conformity with any applicable zoning ordinance or county  
4 comprehensive land use plan.

5 B. Lot size averaging may be used to satisfy the minimum lot size. The individual lots in a subdivision shall be  
6 considered in compliance with minimum lot size requirements if the average area of all the lots in the subdivision  
7 meets the minimum requirement for the zoning designation in which the short plat or plat is located, provided:

8 (1) that no individual lot therein shall be reduced more than 50% percent from the minimum required area; and

9 (2) that no lot in any subdivision approved for lot size averaging under this provision shall be further divided, unless  
10 the zoning designation is changed such that the minimum lot size for the zone is less than or equal to the size of the  
11 smallest lot in the subdivision. This provision shall be enforced by the inclusion of a note on the recorded plat map.

12 ~~B. The minimum lot size and dimensions for any subdivision not included under a zoned area of the county, or the~~  
13 ~~county comprehensive land use plan, or the county shoreline management master program shall be:~~

14 ~~1. Where water supply is individual wells and individual sewage disposal systems are used, the minimum lot~~  
15 ~~size shall be two acres. Minimum lot width shall be two hundred feet;~~

16 ~~2. Where an adequate public water supply and individual sewage disposal systems are used, the minimum lot~~  
17 ~~size shall be twelve thousand five hundred square feet. Minimum lot width shall be ninety feet and minimum~~  
18 ~~lot depth shall be one hundred twenty feet;~~

19 ~~3. Where adequate public water supply and adequate public sewer lines are used, the minimum lot size shall be~~  
20 ~~eight thousand square feet. Minimum lot width shall be seventy feet;~~

21 ~~4. Subdivisions B1, 2 or 3 of this section shall be the applicable lot size for the Rural I land use area of the~~  
22 ~~Skamania County comprehensive land use plan. The Rural II and conservation land use areas are a minimum of~~  
23 ~~two acres and ten acres respectively;~~

24 ~~5. For purposes of computing the size of lots in subdivision B1 of this section, the lot area may include public~~  
25 ~~road rights of way and private road easements; provided, said rights of way and easements shall not exceed~~  
26 ~~sixty feet in overall width for purposes of lot area computation;~~

27 ~~6. For purposes of computing the lot size in subdivisions B2 and 3 of this section, the lot area may not include~~  
28 ~~public road rights of way and private road easements;~~

29 ~~7. In any of the subdivisions B1 through 4 of this section, the lot depth should not exceed the lot width by more~~  
30 ~~than a ratio of four to one, being the depth. Access panhandles shall not be taken into account as part of the area~~  
31 ~~calculations relative to minimum lot sizes indicated above. (Ord. 1985-03 § 12.12)~~

32 ...

33 **17.36.060 Lot access.**

34 A. Every lot shall be provided with satisfactory access by a public road connecting to an existing public road, or by  
35 an easement which is permanent and inseparable from the lot served. Easements shall meet the minimum  
36 requirements of the Skamania County Private Road Standards.

37

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38 **Chapter 17.61 - PLAT ALTERATION—PLAT VACATION**

Attachment 2

TITLE 17 TEXT AMENDMENTS

1 **17.61.010 Plat alteration.**

2 B. Upon receipt of an application for alteration, the administrator ~~hearing examiner~~ shall provide notice of the  
3 application to all owners of property within a subdivision, and as provided for in Sections 17.12.020 and 17.12.080.  
4 The notice shall establish a date for public hearing.

5

---

6 **Chapter 17.64 - SHORT PLATS AND SHORT SUBDIVISIONS**

7 ~~**17.64.010—Conformity with comprehensive land use plan required.**~~

8 ~~From and after June 22, 1981, all subdivisions and short plats shall conform to the county comprehensive land use~~  
9 ~~plan in existence at the time of application for subdivision or short plat is made, subject to Skamania County Code,~~  
10 ~~Chapters 17.64 and 17.52. (Ord. 2004-01 (part))~~

11 ~~**17.64.015—Conformity with the national scenic area required.**~~

12 ~~All short subdivisions located within the national scenic area shall be reviewed for consistency with this chapter~~  
13 ~~after approval has been granted per Skamania County Code Title 22. If a conflict arises between the requirements of~~  
14 ~~Title 22 and this chapter then Title 22 shall be controlling. (Ord. 2004-01 (part))~~

15 ...

16 **17.64.040 Exemptions from chapter applicability.**

17 ...

18 H. A one-time division of land creating one lot of 5 acres or larger, provided that:

19 (1) any created lot would satisfy the minimum lot size and dimensional requirements of the zoning designation in  
20 which it is located;

21 (2) the parent parcel from which the proposed parcel to be segregated from was in existence in its current  
22 configuration on January 1, 2020;

23 (3) the deed shall be recorded with a note stating that Skamania County provides no warranty that the parcel has  
24 been reviewed for buildability, water availability, sewer, or access. Buyers of such lots shall perform their own due  
25 diligence regarding the ability to develop, obtain water, develop a septic system, and access the parcel; and

26 (4) the remainder parcel resulting from this land division shall also be at least 5 acres in size and shall comply with  
27 SCC 17.04.010(B)(7)(1) and SCC 17.04.010(B)(7)(3).

28

29 ...

30 **17.64.060 Procedures required generally—Distribution.**

31 A. Any property owner intending to divide land by this chapter shall obtain a short plat application from the  
32 department. The applicant may then complete the application listing all required information as outlined within  
33 Section 17.64.155-070 of this chapter.

34 ~~1. Prior to the submission of a short plat application it shall be the responsibility of the short plat subdivider to~~  
35 ~~inquire to the district health officer in order to ascertain whether lot sizes larger than required under Section~~  
36 ~~17.64.155, standard minimum lot sizes, dimensions and proportions of this chapter are recommended for the~~  
37 ~~intended lot use.~~

38 ~~2. For lots intended for residential use or other building structures, the district health officer shall require a site~~  
39 ~~evaluation test to determine whether the lots are suitable for subsurface sewage disposal. If larger lots are~~  
40 ~~recommended, the district health officer shall forward a statement in writing to the short plat subdivider and a~~

Attachment 2

TITLE 17 TEXT AMENDMENTS

1 copy to the administrator to this effect and specify the lot sizes, and reasons and conditions for the  
2 recommendation.

3 ...

4 **17.64.065 Pre-application meeting.**

5 When the administrator deems it necessary or at the request of the subdivider, a pre-application meeting may be  
6 called between the subdivider or his agent and the agencies involved with plat review prior to submission of a  
7 preliminary plat and the SEPA checklist. The administrator shall provide in writing, a summary of meeting minutes  
8 and any action items from the meeting within 14 days after the meeting.

9 ...

10 **17.64.090 Application—Supporting documents required.**

11 A. Every short plat application shall be required to include a title report for legal proceedings confirming that title of  
12 the lands described by the short subdivision is in the name of the owner(s) signing the certificate as noted in Section  
13 17.64.080(G)(3) and showing restrictions encumbering the land. Title reports shall not be more than two months old  
14 at the date of recording the short plat. (Ord. 2004-01 (part))

15 B. For plats intended for residential use or other building structures, a land division septic and land division water  
16 application shall be required. Applicants may provide a water availability study completed by a Washington State  
17 Licensed Hydrogeologist as an alternative to completing the land division water application.

18 C. The plat shall be accompanied by a drainage report including a stormwater management plan which complies  
19 with the Western Washington Stormwater Management Manual of 2019 or latest revision as allowed by the county  
20 engineer. The Stormwater Management Plan shall contain a site-specific Western Washington Hydrology Model  
21 (WWHM) subject to review by the county engineer. Any physical stormwater management facilities shall be  
22 depicted on the plat along with any easements associated with stormwater facilities.

23  
24 D. A SEPA checklist is required when any wetlands, lakes, ponds, streams, or rivers are located within the boundary  
25 of the proposed short plat.

26 ...

27 **17.64.155 ~~Standard in~~ Minimum lot sizes, dimensions and proportions.**

28 A. Minimum lot sizes and dimensions shall be in conformity with any applicable zoning ordinance or the county  
29 comprehensive land use plan.

30 B. Lot size averaging may be used to satisfy the minimum lot size. The individual lots in a subdivision shall be  
31 considered in compliance with minimum lot size requirements if the average area of all the lots in the subdivision  
32 meets the minimum requirement for the zoning designation in which the short plat or plat is located, provided:

33 (1) that no individual lot therein shall be reduced more than 50% percent from the minimum required area; and

34 (2) that no lot in any subdivision approved for lot size averaging under this provision shall be further divided, unless  
35 the zoning designation is changed such that the minimum lot size for the zone is less than or equal to the size of the  
36 smallest lot in the subdivision. This provision shall be enforced by the inclusion of a note on the recorded plat map.

37 C. Prior to the submission of a short plat application it shall be the responsibility of the short plat applicant to inquire  
38 to the district health officer in order to ascertain whether larger lot sizes are recommended for the intended lot use.

39 ~~A. The minimum lot size and dimensions for any short subdivision not included under a zoned area of the county or~~  
40 ~~the county comprehensive land use plan shall be:~~

41 ~~1. Where water supply is individual wells and individual sewage disposal systems are used, the minimum lot~~  
42 ~~size shall be two acres. Minimum lot width shall be two hundred feet.~~

Attachment 2

TITLE 17 TEXT AMENDMENTS

- 1 ~~2. Where an adequate public water supply and individual sewage disposal systems are used, the minimum lot~~  
2 ~~size shall be twelve thousand five hundred square feet. Minimum lot width shall be ninety feet and minimum~~  
3 ~~lot depth shall be one hundred and twenty feet.~~
- 4 ~~3. Where adequate public water supply and adequate public sewer lines are used, the minimum lot size shall be~~  
5 ~~eight thousand square feet. Minimum lot width shall be seventy feet.~~
- 6 ~~4. For purposes of computing the size of lots in subsections (A)(1), (A)(2) or (A)(3) of this section, shall be the~~  
7 ~~applicable lot size for the Rural I land use area of the Skamania County comprehensive land use plan.~~
- 8 ~~B.~~
- 9 ~~1. For purposes of computing the size of lots in subsection (A)(1) of this section, the lot area may include~~  
10 ~~public road rights of way and private road easements; provided said rights of way and easements shall not~~  
11 ~~exceed sixty feet in overall width for purposes of lot area computation.~~
- 12 ~~2. For purposes of computing the size of lots in subsections (A)(2) and (A)(3) of this section, the lot area may~~  
13 ~~not include public road rights of way and private road easements;~~
- 14 ~~C. In any of subsections (A)(1) through (A)(4) of this section, the lot depth should not exceed the lot width by more~~  
15 ~~than a ratio of four to one, four being the depth. Access panhandles shall not be taken into account as part of the area~~  
16 ~~calculations relative to minimum lot sizes indicated above. (Ord. 2004-01 (part))~~

17

**Attachment 3**

**TITLE 16 TEXT AMENDMENTS**

1 **Chapter 16.04 SEPA RULES**

2 ...

3

4 **16.04.060 Use of exemptions.**

5 A. If a proposal includes both exempt and nonexempt actions, the county may authorize exempt actions prior to  
6 compliance with the procedural requirements of this chapter, except that:

7 1. The county shall not give authorization for:

8 a. Any nonexempt action; or

9 b. Any action that would have an adverse environmental impact; or

10 c. Any action that would limit the choice of alternatives.

11

12 ~~B. All subdivisions, short subdivisions and amendments to subdivisions or short subdivisions that increase the~~  
13 ~~original number of approved lots require an environmental checklist review.~~