



SKAMANIA COUNTY PLANNING COMMISSION

AGENDA

Tuesday, July 21, 2020 @ 6:15 PM

REMOTE PARTICIPATION 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 July 7, 2020, Planning Commission Meeting.
2. Workshop #5 to discuss Short-term Vacation Rental regulations.

V. PLANNING COMMISSION BUSINESS

VI. ADJOURN

Please note: The public may participate in this meeting remotely by calling-in or joining 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, July 7, 2020

**Hegewald Center West Meeting Room, 710 SW Rock Creek Drive, Stevenson, WA
with remote participation by Zoom Meeting telephone and video conference**

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

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

AUDIENCE

Tom Kendall
Michelle Kendall
Steve Hartung
John Holbrook
Sandy Carlson
Linda Gillette

Gary Collins
Darren Penner
Shelley Turner
Theresa Regnier
Richard Regnier

PROCEEDINGS

Meeting was called to order at 6:15 P.M. by Vice Chair, Cyndi Soliz who acted as Chair at the request of Chair, Mat Joy.

Quorum was met.

Vice Chair, Cyndi Soliz led the Pledge of Allegiance.

AGENDA ITEMS

1. Approve Minutes from the June 16, 2020 Planning Commission meeting.
 - a. Sue Davis made a correction to the minute. Her name was not listed as absent.
 - b. Motion was made by John Prescott to approve the minutes with this correction. Mat Joy seconded the motion.
 - c. Motion passed 6-0.

 2. Consideration of zoning interpretation request by Darren Penner.
 - a. Alan Peters, Assistant Planning Director, provided information about a request made by Mr. Penner for the Planning Commission to make an interpretation of the zoning code to determine whether "self-storage facilities" are a use allowed as a light-home industry. Mr. Peters explained that this was not a question as to whether or not Mr. Penner should be allowed to have a self-storage facility, but whether this was a use allowable under the existing zoning code.
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- b. Ms. Soliz invited Mr. Penner to speak. Mr. Penner explained his desire to develop a small self-storage facility on the site and felt that this should be allowed.
 - c. Ms. Soliz invited public comments. Steve Hartung expressed that he felt that self-storage is a "service" allowed by the code.
 - d. The Planning Commission deliberated on the process before them and the various standards of the light-home industry requirements.
 - e. Mat Joy made a motion to interpret that the zoning code allows self-storage as a light home industry. Adam King seconded the motion. The motion passed 5-0, with Sue Davis abstaining.
3. Workshop #4 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 and explained that Staff drafted a proposal based on both input from the public and prior Planning Commission deliberations. Mr. Peters explained that the proposal included language from the RCW and Stevenson Municipal Code.
 - b. Ms. Soliz invited the public to comment on the draft proposal.
 - i. Sandy Carlson provided comment.
 - ii. Gary Collins provided comment.
 - iii. Michelle Kendall provided comment.
 - iv. Linda Gillette provided comment.
 - c. The Planning Commissioners deliberated on the proposal and public comments received. After some debate, the Planning Commissioners felt comfortable sending the proposal to the Board of County Commissioners for their review, with the understanding that some additional changes might be made to the proposed development standards. The Planning Commission was concerned with the permit requirements and any fees, but wanted to give the Board of County Commissioners a chance to review these before addressing these more directly at a future meeting date.
4. Planning Commission Business.
- a. Mr. Peters discussed how the meeting went with respect to state mandates for in-person and remote meetings and asked the Planning Commission how they felt about future meetings being held in-person or remotely. The Planning Commission expressed that the situation was changing constantly and that it would be more appropriate to make a decision closer to the next meeting date.
5. MEETING ADJOURNED at 8:04 PM after motion by Mat Joy, seconded by John Prescott.

ATTEST

Planning Commission Chair

Secretary

**SHORT-TERM VACATION RENTALS
PLANNING COMMISSION DISCUSSION DRAFT**

KEY: Language in blue is borrowed from or a requirement of RCW 64.37.
Language in green is borrowed from the Stevenson Municipal Code

NEW DEFINITION

21.08.010 **DEFINITIONS - INTERPRETATION**

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Short-term vacation rental: means 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 vacation rental operator for a fee for fewer than thirty consecutive nights.

NEW SECTION

21.70.190 **SHORT-TERM VACATION RENTALS**

A. PURPOSE

The purpose this section is to establish regulations for the operation of short-term vacation rentals (STVRs) in Skamania County. These regulations do not apply to hotels, motels, or bed and breakfasts which operate as commercial uses. The provisions in this section are necessary to promote tourism and economic development within Skamania County while preventing unreasonable burdens on services and minimizing impacts to rural residential neighborhoods.

B. DEVELOPMENT STANDARDS AND OPERATIONAL REQUIREMENTS

1. A STVR may be located within any dwelling unit (including any entire dwelling unit or any portion of a dwelling unit), within any accessory dwelling unit, or within a residential accessory building. The exterior of the STVR shall retain a residential appearance with address numbers visible from the road.
2. Occupancy shall be limited to no more than two adult guests per bedroom, plus two additional adult guests. Guests under the age of 18 shall not count towards this occupancy limit. This limit may be increased if an operator demonstrates that their STVR is designed to accommodate a higher number of occupants.
3. Dedicated on-site parking shall be provided to accommodate all guests.
4. One sign either attached to the dwelling or placed in front of the dwelling and containing no more than four square feet, is permitted. No off-premise signage is permitted.
5. STVR shall conform to all applicable standards in the building, plumbing, electrical, mechanical, fire, health, and any other applicable codes. Functioning carbon monoxide detectors and smoke detectors shall be kept in operating order and installed as required by the International Residential Code (IRC). At least one functioning fire extinguisher shall be installed within the STVR.
6. The STVR shall be operated in a way that will prevent disturbances to neighboring properties not typical of a residential neighborhood, including but not limited to, loud music, loud noises, excessive traffic, loud and uncontrolled parties, junk/debris/garbage accumulation in the yards, trespassing, barking dogs, or excess vehicles, boats or recreational vehicles parked in the streets in front of the unit. The rental shall not be used at any time to host commercial events.
7. A local contact person must be provided who is able to respond 24 hours a day, seven days a week to any complaints or inquiries.
8. Operators must post the following information in a conspicuous place within each STVR:

- a. The STVR street address;
- b. The emergency contact information for summoning police, fire, or emergency medical services;
- c. The floor plan indicating fire exits and escape routes;
- d. The maximum occupancy limits;
- e. The contact information for the operator or designated contact;
- f. The STVR permit issued by the Community Development Department; and
- f. The “good neighbor” guidelines provided by the Community Development Department.

9. Notice to Neighbors. Upon approval of an initial STVR permit, the owner or contact person shall provide a mailing or otherwise distribute by hand, a flier to all property owners of record and/or occupants of properties immediately adjacent to and abutting the STVR and shall provide a copy of this notice to the Community Development Department. The notice shall include the telephone number of the owner and contact person. The purpose of this notice is so that neighboring property owners and residents can contact a responsible person to report and request resolution of problems associated with the operation of the STVR. If the permanent contact information changes during the license period, the new information must be mailed or distributed again.

C. LIABILITY INSURANCE

A STVR operator must maintain primary liability insurance to cover the STVR in the aggregate of not less than one million dollars or conduct each STVR transaction through a platform that provides equal or greater primary liability insurance coverage. Nothing in this section prevents an operator or a platform from seeking contributions from any other insurer also providing primary liability insurance coverage for the STVR transaction to the extent of that insurer's primary liability coverage limits.

D. TAXES

STVR operators must remit all applicable local, state, and federal taxes unless the platform does this on the operator's behalf. This includes occupancy, sales, lodging, and other taxes, fees, and assessments to which an owner or operator of a hotel or bed and breakfast is subject in the jurisdiction in which the STVR is located. If the STVR platform collects and remits an occupancy, sales, lodging, and other tax, fee, or assessment to which a STVR operator is subject on behalf of such operator, the platform must collect and remit such tax to the appropriate authorities.

E. SHORT-TERM VACATION RENTAL PERMITS

All operators of STVRs shall maintain a short-term vacation rental permit as required in this section. It is a violation of this section to rent, offer for rent, or advertise for rent a STVR without first obtaining a STVR permit.

1. APPLICATION PROCEDURE

- a. An application for a STVR permit shall be made to the Community Development Department on a form provided by the Department. The application shall include at a minimum:
 - i. **Owner Information.** Owner's name, permanent residence address, telephone number, owner's mailing address.
 - ii. **Contact Person Information.** This person must be available to respond 24 hours a day, seven days a week to any complaints or inquiries. ~~If the owner does not permanently reside in the local area or is not always available when the property is being rented, the owner shall provide the name, telephone number and email of a contact person from the local area to represent the~~

~~owner regarding the use of the property and/or complaints related to the STVR-it is recommended that the owner provide a local contact.~~

- iii. Tax Information. A statement of intent to collect and remit all taxes associated with the vacation rental home as required by RCW 64.37.020.
- iv. Inspection Access. A statement allowing the County reasonable access to the property for the purpose of reviewing the proposal for the health and safety requirements in RCW 64.37.030 and verifying compliance with this section should the County receive complaints about the STVR.
- v. Self-certification. A statement that the STVR complies with the development standards and operational requirements in SCC 21.70.190(B).
- vi. Right to Publish Contact Information. A statement allowing the county to make owner and contact person phone numbers publicly available.
- vii. Neighborhood Notice. A statement of intent to notify neighbors of the STVR.
- viii. Good Neighbor Guidelines. A statement of intent to provide the county-provided Good Neighbor Guidelines to guests of the STVR.
- ix. Parking Diagram. A statement of intent to provide guests of the STVR with a diagram of parking spaces that are available to or intended for use by the vacation rental home.
- x. Liability Insurance. A statement of intent to provide liability insurance coverage as required by RCW 64.37.050.

b. Application Fee. Applications shall be accompanied by a nonrefundable fee payable to the Skamania County Treasurer in an amount established by the Board of County Commissioners. Application fees will be prorated if issued for less than half of the annual term. Application and renewal fees shall be determined by the intensity of the STVR as set by the following tiers:

- i. Tier 1. Any room, suite, or accessory dwelling unit located within an owner-occupied single-family dwelling.
- ii. Tier 2. Any STVR that is not a Tier 1 or Tier 3 STVR.
- ~~b.iii. Tier 3. Any single-family dwelling that operates as a STVR full-time or is not occupied by its owner for at least four months per year.~~

c. Approval. Upon receipt of a complete application, the Community Development Department will verify compliance with the requirements of this section and issue a STVR permit.

2. TERM OF ANNUAL PERMIT

- a. A STVR permit shall be issued for a period not to exceed one year, with its effective date running from the date of issuance to December 31st.
- b. Permits may be renewed annually by the owner upon a showing that all applicable standards continue to be met.
- c. The Community Development Department shall send annual notice prior to December 31st informing operators of the expiration and renewal requirements.

3. REVOCATION

- a. In addition to other enforcement options available to the County under SCC 21.100, the County following provisions apply to violations of this section:
 - i. Failure to meet the operational requirements of SCC 21.70.190(B) is grounds for immediate revocation of the permit.
 - ii. The discovery of material misstatements or providing of false information in the application or renewal process is grounds for immediate revocation of the permit.
 - ~~iii. Such other violations of this chapter of sufficient severity in the reasonable judgement of the Community Development Department, so as to provide reasonable grounds for immediate revocation of the permit.~~

iv-iii. Other violations of this chapter, including but not limited to investigation/sustaining of complaints, shall be processed as follows:

1. For the first and second violations within a twelve-month period, the sanction shall be a warning notice.
 2. If the same offense continues to occur or a third similar offense occurs at any time during a twelve-month period, the County may either issue a third warning, update the permit to include reasonable special operational standards, or revoke the permit.
- b. Notice of Decision/Appeal/Stay. If the STVR permit is updated or revoked as provided in this section, the Community Development Department shall send written notice to the owner stating the basis for the decision. The notice shall include information about the right to appeal the decision and the procedure for filing an appeal with the Board of County Commissioners. Upon receipt of an appeal, the Community Development Department shall stay the update or revocation decision until the appeal has been finally determined by the Board of County Commissioners.

OTHER AMENDMENTS

21.70.180 **ACCESSORY DWELLING UNITS**

B. STANDARDS AND CRITERIA

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8. Either the ADU or the principal unit may be rented, but both may not be rented at the same time. ~~Neither the ADU nor the principal unit shall be used at any time as a short term vacation rental. A short-term vacation rental is a unit rented out for any period of less than sixty days.~~